



# Council Meeting Agenda

**Tuesday 26 April 2022 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](https://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 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.

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

## 1.2 Apologies

## 1.3 Declaration of Conflict of Interest

## 1.4 Confirmation of minutes

That the minutes of the Council Meeting held Tuesday 5 April 2022 be confirmed.

## 1.5 Next meeting

The next Council Meeting of Tuesday 17 May 2022 to be held at the Genoa Public Hall, 4642 Princes Highway, Genoa commencing at 1.30 pm.

## 1.6 Requests for leave of absence

## 1.7 Open Forum

### 1.7.1 Petitions

#### 1.7.1.1 East Gippsland being an Inclusive and Innovative Community

Authorised by General Manager Business Excellence

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#### Conflict of Interest

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

#### Executive Summary

This report informs Council of a petition received on 7 April 2022 submitted by Ms Tina Jennion from Lindenow seeking East Gippsland Shire Council to uphold and defend its vision of East Gippsland being an inclusive and innovative community. The petition from 78 petitioners states:

*We, the undersigned, hereby petition East Gippsland Shire Council to uphold and defend its vision of East Gippsland being an inclusive and innovative community.*

*Our demands are:*

- 1. Remove all access restrictions to community venues, services, and facilities against the unvaccinated; and*
- 2. Cease and desist from any and all forms of discrimination within the Council against the unvaccinated.*

The petition has been received and presented in accordance with Governance Rule 7.7.

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

#### Officer Recommendation

***That Council:***

- 1. receives and notes this report;***
- 2. receives the petition lodged by Ms Tina Jennion requesting East Gippsland Shire Council to uphold and defend its vision of East Gippsland being an inclusive and innovative community by:***
  - a. removing all access restrictions to community venues, services and facilities against the unvaccinated; and***
  - b. ceasing and desisting from any and all forms of discrimination within Council against the unvaccinated.***
- 3. refers the petition to the General Manager Place and Community for consideration and response; and***
- 4. notes that Council officers will write to the head petitioner advising them of these actions.***



### 1.7.2 Questions of Council

### 1.7.3 Public Submissions

## 2 Notices of Motion

### 2.1 3/2022 State Government Imposed Mandates

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Take notice that it is my intention to move at the Council Meeting to be held on Tuesday 26 April 2022 at 6.00pm or at any adjournment of that meeting:

***That Council requests a comprehensive explanation from The Hon. Martin Foley Minister for Health, inclusive of health data, science and any empirical evidence that was used to support the Victorian State Government's decision to implement Vaccine Mandates and Lockdowns.***

**Signed: Cr Sonia Buckley**

Date: 13 April 2022

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#### Rationale

mandates are in direct conflict with the East Gippsland Shire Council Plan, and it creates division, discrimination and loss of civil liberties against some rate payers who have been refused access to buildings, services, and events.

Key Definitions as outlined in the current East Gippsland Shire Council Plan 2021-2025:

- Equitable Access - Individuals have fair and socially just opportunities to access services, information, programs, facilities, and opportunities to engage in civic life regardless of diversity and location;
- Diversity of People - Diversity is any dimension that can be used to differentiate groups and people from one another including age, gender, ethnicity, religion, ability, sexual orientation, education, national origin, and socio-economic status; and
- Inclusion - Inclusion is a universal human right. Inclusion ensures all people regardless of age, ability, race, gender, or other need, have equal access and opportunities to fully participate without discrimination and intolerance.

Mandates block our Council's ability to achieve: Strategic Objective 1: "An inclusive and caring community that respects and celebrates diversity". "Our Communities will include, encourage, respect and value all others "strive to provide equitable access to their services, support and facilities".

It recently came to light through a Freedom of Information application in South Australia, that the underlying data and evidence to support the South Australian mandates did not exist. Subsequently some workplace mandates have now been dropped.

Restrictive non-pharmaceutical interventions against COVID-19 (known as 'lockdowns') are associated with health harms and negative socioeconomic effects.

Take notice that it is my intention to move at the Council Meeting to be held on Tuesday 26 April 2022 at 6.00 pm or at any adjournment of that meeting:

***That Council:***

- 1. works in partnership with relevant stakeholders including housing sector service providers, to investigate and identify funding opportunities to increase the provision of social housing and respond to homelessness in East Gippsland.***
- 2. writes to the Minister for Housing, the Hon Richard Wynne advising him of Council's willingness to partner with all parties to deliver housing outcomes for our Shire.***
- 3. investigates and identifies existing Council owned and other land that could be considered suitable for the development of new social housing.***
- 4. provides planning support and advice for any social housing development, reporting to Council if there is any material financial implications or requests related to the support.***
- 5. nominates a Councillor to the Outer Gippsland Youth Housing and Support Model - Working Group.***

**Signed: Cr Kirsten Van Diggele**

Date: 19 April 2022

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**Rationale**

We are the level of government that works closest to the people and we play an active role in providing frontline services that underpin the management of our region. Every day, we contribute to the wellbeing of our communities. By putting forward this motion, I want to put the message out there to our community that the East Gippsland Shire Council recognises the complexities of homelessness and considers the need for social and affordable housing options in our region.

I want to start by mentioning that homelessness and housing insecurity doesn't discriminate – it can happen to anyone. There are many things that can cause homelessness and housing insecurity, including but not limited to: domestic violence, unemployment, mental health, family break down, and currently, a skyrocketing housing market.

I acknowledge that local government doesn't typically play a role in the provision of social and affordable housing. However, we do play a role in advocating to the State and Federal Government for appropriate funding. At the moment, the Big Housing Build is investing \$5.3 billion to build more homes for Victorians, however, East Gippsland is yet to have a guaranteed investment. Through this notice of motion, we will be writing to Minister for Housing, the Hon. Richard Wynne, expressing our willingness to partner with all parties to deliver housing outcomes for our region, as well as stating that the East Gippsland Shire Council will identify existing parcels that could be suitable to social and affordable housing projects.



Unfortunately, we do not have current statistics regarding the rates of people experiencing or at risk of homelessness, as the most recent Census data was released in 2016. However, on Census night in 2016, 24,825 people were homeless in Victoria. At the bottom of this rationale, which I will not read out but can be viewed at a later date if you are interested, I have included statistics sourced from the Victorian Housing Register that show the number of affordable housing stock and new lettings in East Gippsland, as well as the number of people trying to access them. We do not have enough housing stock to meet the needs of our community. The ABS defines homelessness as 'when a person does not have suitable accommodation alternatives, they are considered homeless if their current living situation: is in a dwelling that is inadequate, has no tenure, or does not allow them to have control of, and access to space for social relations'. Homelessness takes many different forms, including sleeping rough, squatting, couch-surfing, or in short-term accommodation. Can you imagine the feeling of not knowing where you are going to sleep tonight? Can you imagine the constant instability that will affect all areas of your life?

There is already a group, chaired by GEGAC and Chris McNamara from the Gippsland Homelessness Network, that is working towards securing funding for a Youth Housing and Support Model for Outer Gippsland. By allocating a Councillor to sit on this committee, we show our support for the project and explore how Council can assist the working group in the future. They are currently developing a business case through Cath Smith from Changesmith Consulting.

To summarise, the East Gippsland Shire Council is not directly responsible for supporting the needs of the homeless or those at risk of homelessness, but we are in a position to identify any existing parcels of land that could be used for the development of social and affordable housing. We play a role in facilitating the planning, approval and development of land deemed appropriate for such purposes, by making things such as re-zoning a smoother, quicker process. We cannot wait until years down the track to have a Housing Strategy, and we don't have years to wait to tap into the current state government funding that is available to our region. We need to be proactive in this space and show that we support the vulnerable people in our community to find a safe, secure house for them to call home.

Take notice that it is my intention to move at the Council Meeting to be held on Tuesday 26 April 2022 at 6.00 pm or at any adjournment of that meeting:

***That Council writes to the Minister for Agriculture the Hon. Mary-Anne Thomas requesting the Victorian State Government deliver on their public commitment to build a nursery facility at the former P.R. Adams sawmill site at Nowa Nowa, to aide plantation establishment, as part of the Gippsland Plantations Investment Program, including undertaking the steps required to fully remediate and decontaminate the area so it is fit for purpose.***

**Signed: Cr Tom Crook**

Date: 19 April 2022

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### **Rationale**

The Victorian Forestry Plan identified and publicly committed to build a nursery facility at Nowa Nowa. The site has now been found to be contaminated and the commitment abandoned. The Victorian State Government should honour its commitment to the Nowa Nowa community and the economic future of all communities in East Gippsland.

## **3 Deferred Business**

## **4 Councillor and Delegate Reports**



## 5 Officer Reports

### 5.1 Assets and Environment

#### 5.1.1 Community Infrastructure Grants Program

Authorised by General Manager Assets and Environment

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##### **Conflict of Interest**

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

##### **Executive Summary**

This report presents the recommendations for the allocation of one-off Community Infrastructure Grant Funding.

The purpose of the Community Infrastructure Grants Program is to provide a funding opportunity for East Gippsland based community groups and organisations. This one-off program was set up to support a wide range of infrastructure projects that provide a high level of benefit to the East Gippsland Community.

The guidelines for the Community Infrastructure Grants Program 2022 is provided at **Attachment 1**.

The program attracted good interest with 27 applications received and 16 projects recommended for funding.

## Officer Recommendation

### *That Council:*

- 1. receives and notes this report and all attachments pertaining to this report; and*
- 2. approves the allocation of \$486,748 from the Community Infrastructure Grants Program in the 2021/22 fiscal year for recommended projects as listed below:*

Organisation	Amount (ex GST)	Project Title
Lindenow Recreation and Bowling Club	\$13,760	Lighting upgrade (conditional - Structural assessment of light poles required prior to installation)
Lakes Entrance Mechanics Institute Management Committee Inc.	\$13,636	Mechanics Hall Solar Panel Project (conditional - Structural assessment of the roof required prior to installation)
Nowa Nowa Hall Committee Inc.	\$16,448	Nowa Nowa Public Hall Renewal Project
East Gippsland Rail Trail Committee of Management Inc.	\$29,090	Solar lighting in tunnels
Omeo District Health	\$45,000	Community Gym Equipment
Bairnsdale Squash & Racquetball Association	\$45,454	Restore Floor (conditional - Scope of work to be approved by Council)
Omeo Recreation Reserve Committee of Management	\$21,840	Upgrade windows and doors
Lindenow Sports Ground Committee of Management	\$34,188	Relocate and Upgrade Main Entrance to Sports Ground
Orbost Pony Club	\$36,363	Equine equipment storage shed
Cassilis Recreation Reserve Committee of Management	\$45,454	Public Toilet Upgrade
Lakes Entrance Golf Club Incorporated	\$45,454	Sealing of Function Centre Car Park
Wy Yung Football Netball Club	\$13,636	Kitchen Upgrade
Swifts Creek Bush Nursing Centre	\$35,965	Disabled car port and handrails
Ensay Mechanics Institute Reserve	\$45,454	Community Hall Revitalisation - Kitchen upgrade
Orbost Snowy Rovers Football Netball Club Inc	\$25,000	Installation of concrete aprons
Bairnsdale Bridge Club	\$20,000	Replace Iron Roof on Bridge Club building
<b>TOTAL</b>	<b>\$486,748</b>	

## **Background**

The aim of the Community Infrastructure Grants Program is to assist in creating, upgrading, or renewing assets in Community facilities that are accessible to all community members. The program is underpinned by community strengthening principles. These principles include but are not limited to:

- Valuing collaborations and partnerships;
- Providing access and equity to ensure a socially inclusive community;
- Building on strengths that exist within our community; and
- Valuing the environmental sustainability of East Gippsland.

The maximum amount available for individual grants was \$50,000. All applications required a minimum of 1:5 contribution (i.e. 20%). Half of this 20% contribution may come from in-kind, the remaining must be cash, noting this may be from other grant sources.

## **Critical Information**

There was a single funding round which opened Wednesday 1 December 2021 and closed Wednesday 26 January 2022. Twenty-seven (27) applications were received during this period.

## **Assessment**

The evaluation panel consisted of:

- Mayor Reeves;
- General Manager Assets and Environment;
- Manager Community Facilities and Open Space;
- Manager Assets and Projects; and
- Supporting administration staff.

The panel met on Thursday 3 February 2022 to assess the twenty-seven (27) applications according to the criteria below:

1. The extent to which the project addresses an identified need and reflects a clear and ongoing benefit to the East Gippsland Community (40%);
2. Demonstration that the project is identified within the applicant's Strategic Plan or adopted Council Strategy (10%);
3. The extent to which the applicant and project support inclusion and participation for all community members (10%);
4. The applicant's track record of infrastructure management, financial proactivity (i.e., fundraising and sourcing grants) and has the capacity to manage the project (20%);
5. The extent to which local suppliers will be engaged to deliver the project (10%); and
6. Demonstrated broad community support for the project (10%).

## **Successful Applications**

Sixteen (16) applications were selected as suitable for funding during the assessment process. These are:

	<b>Organisation</b>	<b>Amount (ex GST)</b>	<b>Project Title</b>
1	Lindenow Recreation and Bowling Club	\$13,760	Lighting upgrade (conditional - Structural assessment of light poles required prior to installation)
2	Lakes Entrance Mechanics Institute Management Committee Inc.	\$13,636	Mechanics Hall Solar Panel Project (conditional - Structural assessment of the roof required prior to installation)
3	Nowa Nowa Hall Committee Inc	\$16,448	Nowa Nowa Public Hall Renewal Project
4	East Gippsland Rail Trail Committee of Management Inc.	\$29,090	Solar lighting in tunnels
5	Omeo District Health	\$45,000	Community Gym Equipment
6	Bairnsdale Squash & Racquetball Association	\$45,454	Restore Floor (conditional - Scope of work to be approved by Council)
7	Omeo Recreation Reserve Committee of Management	\$21,840	Upgrade windows and doors
8	Lindenow Sports Ground Committee of Management	\$34,188	Relocate and Upgrade Main Entrance to Sports Ground
9	Orbost Pony Club	\$36,363	Equine equipment storage shed
10	Cassilis Recreation Reserve Committee of Management	\$45,454	Public Toilet Upgrade
11	Lakes Entrance Golf Club Incorporated	\$45,454	Sealing of Function Centre Car Park
12	Wy Yung Football Netball Club	\$13,636	Kitchen Upgrade
13	Swifts Creek Bush Nursing Centre	\$35,965	Disabled car port and handrails
14	Ensay Mechanics Institute Reserve	\$45,454	Community Hall Revitalisation - Kitchen upgrade
15	Orbost Snowy Rovers Football Netball Club Inc	\$25,000	Installation of concrete aprons
16	Bairnsdale Bridge Club	\$20,000	Replace Iron Roof on Bridge Club building
	<b>TOTAL</b>	<b>\$486,748</b>	

Projects must be completed by 1 June 2023.



All successful applicants must submit an acquittal report to demonstrate outcomes and their use of the funding, including:

- A description of the project and how it met their objectives;
- An evaluation of the impact of the project, including things like community impact and outcomes;
- A financial reconciliation, showing their actual finances compared with the budget they submitted in the application, including evidence of in-kind contribution; and
- Supporting documentation, including receipts, photographs of the project outcomes and feedback on the project.

The sixteen (16) successful applicants will receive the following:

- A letter advising of:
  - successful application;
  - terms and conditions; and
  - grant Agreement.

The eleven (11) unsuccessful applicants will receive a letter of notification.

### **Legislation**

As of 1 July 2021, all provisions of the *Local Government Act 2020* 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*.

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

### **Collaborative procurement**

Not applicable for this report.

### **Council Plan**

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

Strategic Objective 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**

Not applicable for this report.

## **Options**

Officers recommend Council endorse this report. The alternative option is to decline to support one or more of the recommended grant allocations. Councillors' rationale for this option will need to be documented and included in formal feedback to applicants.

## **Resourcing**

### *Financial*

This report outlines the allocation of \$486,748 of capital works budget for community infrastructure grants as detailed above.

Initially it was intended to use a portion of the Local Roads and Community Infrastructure (LRCI 3) Funding Council received to run this program. However, the LRCI funding comes with a strict deadline for expenditure which some projects may not be able to meet. The funding will therefore be allocated from the Capital Holding Account to provide receiving groups with an extended timeframe for delivering their project.

### *Plant and equipment*

Not applicable for this report.

### *Human Resources*

The Assets and Projects team will be responsible for administering the Community Infrastructure Grants Program using existing resources.

### *Risk*

The risks of this proposal have been considered and are considered low.

Council will support all successful applicants to deliver their project on time and within budget.

## **Economic**

This report makes recommendations to assist in creating, upgrading, or renewing assets in Community facilities that are accessible to all community members. Many of these projects will use local businesses to deliver their projects.

## **Social**

These projects have been assessed to ensure they primarily benefit residents and/or service organisations/groups within the East Gippsland Shire.

### *Gender Impact Statement*

The author has considered the *Gender Equality Act 2020* in the preparation of this report. This report has been assessed as not requiring a Gender Impact Assessment (GIA).

## **Environmental**

There are no specific environmental implications from this report.

### *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**

Not applicable for this report.

## **Attachments**

1. Community Infrastructure Grants Guidelines 2022 [5.1.1.1 - 9 pages]



# East Gippsland Shire Council

## Community Infrastructure Grants Program

### Guidelines 2022





## Grants Program Guidelines

# Overview

The East Gippsland Shire Council's Community Infrastructure grant program provides funding opportunities for East Gippsland based community groups and organisations

Through this program the Shire will support a wide range of infrastructure projects that provide a high level of benefit to the East Gippsland Community.

There is one funding round which opens at 9:00am on Wednesday 1 December 2021 and all applications must be submitted by 5.00pm on Wednesday 26 January 2022. Applications must be for projects that commence after 1 April 2022 and must be completed by 1 June 2023.

Applications need to be submitted and acquitted, if successful, via the online grants management program called Smartygrants. Applications forms can be started, saved and submitted at: [www.eastgippsland.vic.gov.au/grants](http://www.eastgippsland.vic.gov.au/grants)

EGSC staff are available to help support you to make an application. It is strongly recommended that all applicants contact the Projects Grant Officer, prior to commencing their application on 03) 5153 9500.

Applicants may only apply for one specific project in this program in 2022.

There is a '[Help Guide for Applicants](#)' available which outlines how to use the Smartygrants system.

All applications must be submitted via the online program.

# General Information

## Important Information

- After reading this document which includes the assessment criteria you can access the application forms on the [East Gippsland Shire Council website](#)
- You must attach supporting documentation such as letters of support, letter of agreement to auspice (if required), photos, financial information that will be of use when assessing your application.
- Completed applications and supporting documentation must be submitted no later than 5.00 pm Wednesday 26 January 2022.
- If you have difficulty completing the form or need assistance please contact (03) 5153 9500.
- The Smartygrants system will save a PDF of your application for you. Shire staff can also email you a PDF copy if required. Be sure to save a copy in case you are contacted for further information.
- Read the questions carefully and ensure you answer them fully. All questions are applicable, and preference will be given to applications that are able to clearly demonstrate the benefits of the project to the East Gippsland Community.
- Information provided as part of this application must be true and correct to the best knowledge of the nominated representative.
- Demonstrate that your application is financially viable and that the project can be successfully delivered within the specified budget and prior to the deadline.
- Upgrade of a facility must be on Shire owned land, Crown land or land under an acceptable deed or trust for non-profit incorporated bodies.
- Any grant funding that is unspent at the completion of the project or used on expenses that have not been approved in the funding agreement, must be returned to the Shire.
- Ensure if your project involves children that you adhere to the new Child Safety Standards. For further details please visit their website:  
<https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/the-child-safe-standards/>

# Eligibility

## What is eligible for funding?

To be eligible for funding, your organisation must be able to demonstrate:

- That the project primarily benefits residents and/or service organisations/groups within the East Gippsland Shire.
- The project must result in the creation, upgrade or renewal of an asset.
- The community facility must be accessible by all community members and not limited to those who are registered club members.
- Incorporation, or have a letter of support from an incorporated organisation willing to support the project under an auspice agreement.
- Evidence of financial viability and sound management of the project.
- That the project is well planned and achievable within the proposed timeframe.
- That the grant proposal is for a specific project that does not require recurrent or ongoing funding.
- That the project organiser will obtain all written approvals, consent and permits from the relevant authorities and/or stakeholders prior to commencing. Failure to do so will result in the removal of funding support.

## What is not eligible for funding?

- An organisation that has not satisfactorily acquitted a previous grant from the East Gippsland Shire Council.
- Projects requesting retrospective funding for monies that have already been spent or monies to cover shortfalls in budget.
- Projects that are the responsibility of the State or Commonwealth Government.
- Incomplete applications or applications that have not enclosed all required documentation.
- Projects that are scheduled to commence before Council has made a final decision on the funding round.
- NOTE: Regular maintenance is not eligible and should be built into yearly budgets.
- Successful grant recipients will need to agree to protect, respect and promote the Human Rights of all and comply with the [Charter of Human rights](#).
- Successful grant applicants will be required to submit and COVID -19 safe plan. It is the applicant's responsibility to ensure COVID -19 Health guidelines issued by Department of Health and Human Services (DHHS) are always followed. Please refer to the [DHHS Covid safe -workplace guidelines](#)

# Community Infrastructure Grants Program

The aim of the Community Infrastructure grants program is to assist in creating, upgrading or renewing assets in Community facilities that are accessible to all community members. The program is underpinned by community strengthening principles. These principles include but are not limited to:

- Valuing collaborations and partnerships
- Providing access and equity to ensure a socially inclusive community
- Building on strengths that exist within our community
- Valuing the environmental sustainability of East Gippsland

The minimum amount available to apply for is \$15,000 and maximum amount available to apply for is \$50,000.

All applications require a minimum of 1:5 contribution. For example, if you apply for the maximum \$50,000 grant, you will need to contribute \$10,000. Contributions can be in the form of cash, other confirmed grants, donations or in-kind (see below).

A maximum of 50% of the contribution may come from in-kind, the remaining must be some cash contribution, noting this may be from other grant sources. Applicants will be asked to provide evidence of this in-kind contribution in the acquittal.

Organisations may only make one application.

All applications will be required to identify how the project aligns with the East Gippsland Shire Council Plan or adopted plan such as those linked below:

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

[Health and Well-being Plan](#)

[Age Friendly Communities Strategy](#)

[Diversity, Access and Social Inclusion Plan](#)

[Early Years Plan](#)

[Regional Youth Plan](#)

[Reconciliation Action Plan](#)

[Environmental and Sustainability Strategy](#)

[Growing East Gippsland, Economic Development Strategy](#)



# Community Infrastructure Grants Program

## Required documentation

The supporting materials listed below must be submitted with your application. **Failure to do so will make your application ineligible.**

- A copy of the organisation's most recent Annual Report or Financial Statement showing profit, loss and reserves as a minimum.
- If the applicant is not legally incorporated, a letter and the above documentation must be provided from an incorporated organisation indicating its willingness to auspice the proposed project for you.
- A copy of the Applicant's Strategic Plan.
- Evidence that the applicant is able to meet the co-contribution of the project.
- Evidence of Land Manager support for the project.

## Assessment Criteria

All applications will be assessed against the following criteria:

- The extent to which the project addresses an identified need and reflects a clear and ongoing benefit to the East Gippsland Community (40%).
- Demonstration that the project is identified within the applicant's Strategic Plan or adopted Council Strategy (10%).
- The extent to which the applicant and project support inclusion and participation for all community members (10%).
- The applicant's track record of infrastructure management, financial proactivity (i.e. fundraising and sourcing grants), and has the capacity to manage the project (20%).
- The extent to which local suppliers will be engaged to deliver the project (10%).
- Demonstrated broad community support for the project (10%)

## Assessment and Selection Process

The Community Infrastructure Grants Program is a competitive process and each application is assessed based on the relevant funding criteria.

Below is the expected timeframe of the grants process:

Funding Round opens	9.00am on Wednesday 1 December 2021
Funding Round closes	5:00pm Wednesday 26 January 2022
All applications assessed by grants panel	February 2022
Recommendations for funding compiled for Council report	February 2022
Reviewed by Councillors	March 2021
Recommendations approved at the Council meeting	March 2021
Applicants notified of funding outcome	1 April 2021

- All applicants will be advised in writing via the contact email address of the outcome of their application.
- Funding allocations may not be fully allocated. EGSC reserves the right to make his decision following assessment of all submissions.

## Approved projects

- Successful applicants will be asked to sign a Funding Agreement before receiving the grant money, you will be given a purchase order number to add to your invoice and when the invoice is received the payment will be released.

## Acquittal report

- If successful, on completion of the project you will be required to fill out a final acquittal report, also through the Smartygrants system. The acquittal report includes financial reconciliation and a project evaluation. This is where you will be asked to provide:
  - A description of your project and how it met your objectives
  - An evaluation of the impact of your project, including things like community impact and outcomes
  - A financial reconciliation, showing your actual finances compared with the budget you submitted in the application, including evidence of in-kind contribution.
  - Supporting documentation, including receipts, photographs of the project outcomes and feedback on the project.

- The acquittal report will be due 30 days after the project end date. You can fill it out and save it as you deliver the project.
- Council reserves the right to seek reimbursement of grant funds if the applicant is unable to satisfactorily acquit their projects will be

### Why you are required to acquit the grant

- To account for your use of public funds, an acquittal demonstrates that the funding has been used for the purpose that is was provided for and in accordance with your Funding Agreement. Acquittals also assist the Council in assessing the success of programs are, and to provide you with an opportunity to make suggestions regarding improvements to the funding programs.

## Contact us

### Telephone

Residents' Information Line: 1300 555 886 (business hours)

Council general number: (03) 5153 9500 (business hours)

National Relay Service: 133 677

### Post

East Gippsland Shire Council, PO Box 1618

Bairnsdale 3875 Australia

Fax (03) 5153 9576

Web [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)

Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

### In person

Bairnsdale: 273 Main Street

Lakes Entrance: 18 Mechanics Street

Mallacoota: 70 Maurice Avenue

Omeo: 179 Day Avenue

Orbost: 1 Ruskin Street

Paynesville: 55 The Esplanade

### Outreach Centres

Bendoc Outreach Centre -

18 Dowling Street

Buchan Resource Centre -

6 Centre Road

Cann River Community Centre -

Princes Highway

## 5.1.2 Memorandum of Understanding - Department of Transport

Authorised by General Manager Assets and Environment

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### Conflict of Interest

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

### Executive Summary

The purpose of this report is to seek Council ratification of a Memorandum of Understanding (MoU) between the Victorian Department of Transport (DOT) and Council that will allow Council to call on support from DOT in times of emergency recovery. A copy of the unsigned MoU is provided at **Attachment 1**.

The MoU will build on the agreements that were used to facilitate Victorian Government support in the assessment of road damage and scheduling of repair works as part of the 2019/20 Black Summer Fires recovery works. The strength of this partnership allowed over 250km of damaged roads to be repaired within eight months of the fires.

The MoU is not a contractual arrangement and does not replace the need for Council to engage DOT in accordance with the East Gippsland Shire Council Procurement Policy (2021). The need for the MoU to be supported by contractual procurement is detailed in the MoU.

East Gippsland has recently experienced its eighth major rain event in less than eight months, with these events causing considerable damage to the local road network. Some of this damage is able to be claimed under the National Disaster Recovery Funding arrangements (DRFA), but only if accurately assessed and claimed. Over the past eight months some damage has not been able to be claimed as Council did not have sufficient internal resources to assess damage and submit the necessary claim documentation.

A partnership with DOT will allow Council to access DOT resources to assist with damage assessment and scheduling of emergency works. The use of DOT resources will also be able to be claimed through the disaster funding submissions, making it cost neutral for Council.

The MoU has been drafted with a three-year life (to December 2025) and to cover a range of natural disasters and emergency events that may impact the local road network.

### Officer Recommendation

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

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. supports the signing of a three-year Memorandum of Understanding between East Gippsland Shire Council and the Department of Transport as provided as Attachment 1; and***
- 3. notes that any procurement associated with the enactment of the Memorandum of Understanding provided at Attachment 1 will be subject to Council's normal procurement arrangements as outlined in the East Gippsland Shire Council Procurement Policy.***



## Background

In February 2020, Council entered into an MoU with the then Regional Roads Victoria (RRV) branch of the Victorian Department of Transport, to facilitate State support to recover over 250km of roads damaged in the 2019/20 Black Summer Bushfires. This MoU allowed Council and RRV to work collaboratively to assess, schedule and complete recovery works valued at over \$14 million. The model was a first for both RRV and Council but has since been replicated with other Councils' after disaster events.

This original MoU was specifically drafted to address the 2019/20 Bushfires and expired in December 2021.

Over the past eight months, East Gippsland has experienced eight major rain and storm events that have caused significant damage to the local road network. It has proved difficult for Council officers to keep abreast of the necessary assessments work, whilst also managing other aspects of the road maintenance contract.

Recognising the impact of these continual events on East Gippsland, the DOT has reached out to offer assistance. In order to enact this offer, there is a need to renew the MoU between the two organisations.

An MoU has therefore been prepared and is provided at **Attachment 1**. Given the number of events that have impacted roads recently, this MoU has been drafted to generically cover a range of experienced and likely events and extends to December 2025.

The MoU has been executed and Council ratification of the MoU is now sought.

## Legislation

As of 1 July 2021, all provisions of the *Local Government Act 2020* 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 the *Local Government Act 2020*.

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

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

## Collaborative procurement

Pursuant of section 109(2) of the *Local Government Act 2020*, this report has been prepared to address and formalise collaboration between Council and the Department of Transport.

## **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**

The MoU will rely on the use of the provisions of the Council Procurement Policy 2021 to be enacted.

## **Options**

Council has two options: to either ratify the MoU, which will provide substantial and appropriate support for Council during and after future emergency situations, or not ratify the MoU, which would limit Council's options for readily available and appropriate support during and after future emergency situations.

## **Resourcing**

### *Financial*

The MoU provides the opportunity to access additional resources to assist in times of road repair associated with a major event. These resources will be eligible to be claimed through the DRFA and will therefore be cost-neutral for Council.

### *Plant and equipment*

Not applicable.

### *Human Resources*

The MOU does not require additional resources to administer.

### *Risk*

The risks of this proposal have been considered and entering into the MoU is seen as a risk mitigation measure for Council, reducing the risk of not being able to claim external funding to repair road damage from external sources.

## **Economic**

Road repairs and having an open and functional road network is important for the ongoing function of the economy, especially the movement of people and goods. This MoU will assist to reopen roads as promptly as possible after a major event.

## **Social**

Road repairs and having an open and functional road network is important for movement of people through and within East Gippsland as soon as possible after a major event. This MoU will assist to reopen roads as promptly as possible after a major event.

### *Gender Impact Statement*

The MoU has considered the *Gender Equality Act 2020* in its preparation. The MoU has been assessed as not requiring a Gender Impact Assessment (GIA).

### **Environmental**

The MoU will allow Council to efficiently implement recovery from natural disasters including floods, storms and fires. Recovery will follow legislated practices around recovery.

### *Climate change*

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

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

### **Engagement**

Engagement has been undertaken with DOT officers while developing this MoU.

### **Attachments**

1. Unsigned Memorandum of Understand - DOT and EGSC [**5.1.2.1** - 6 pages]



Department  
of Transport

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Memorandum of Understanding (MoU)  
Emergency Event Arrangements between  
the Department of Transport (Vic)  
and  
East Gippsland Shire Council

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Department of Transport – East Gippsland Shire Council, Emergency Event Recovery Memorandum of Understanding April 2022.

## Memorandum of Understanding

This document represents an agreement between

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**Department of Transport**

and

**East Gippsland Shire Council**

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### **Description of collaborating organisations**

**Department of Transport** (DoT) is a Victorian Government Department focused on providing safer and better roads that support regional communities' growth and prosperity now and in the future, through the management and maintenance of the *Arterial Road* network.

**East Gippsland Shire Council** (Council); provides governance and leadership for the local community through advocacy, decision making and action. It is responsible for the delivery of over 100 Local Government services to the residents of East Gippsland including the management and maintenance of the *Local Road* network.

### **Objectives and scope**

This MoU outlines the commitment of the collaborating organisations to coordinate emergency event recovery efforts and support the restoration of road and related assets across the East Gippsland Shire following any major fire, storm or flood events experienced by the region.

### **The nature of the collaboration**

As road managers Council and DOT commit to working together to support the recovery of the community through a coordinated road recovery effort that may include;

1. Coordination and joint prioritisation of resources to ensure contractor and supplier resources are first focused on efforts that provide the greatest community benefit.
2. Resource support to Council in the collection of evidence and development of detailed estimates to demonstrate post-disaster damage impacts in

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Department of Transport – East Gippsland Shire Council, Emergency Event Recovery Memorandum of Understanding April 2022.

accordance with the Australian Government's Disaster Recovery Funding Arrangements.

3. At Council's discretion and with the agreement of DOT, DOT will manage selected recovery works on behalf of and at the cost of Council. In carrying out such works DOT shall utilise its existing contractor arrangements including its alliance with Fulton Hogan.

#### **Works on behalf of Council**

Council may request a cost estimate be provided by DOT prior to the issuing of any works. Where Council wishes for DOT to proceed with works on its behalf, Council shall provide written confirmation via email from a suitably authorised officer. Such orders of work will be submitted on an agreed template form with unique order number.

#### **Invoicing of Expenditure**

DoT will invoice the Council for work orders/ packages for the actual costs incurred in managing and delivering any work orders/ packages agreed with the Council.

DoT will raise invoices to meet any Emergency Management Victoria (EMV) requirements provided by the Council.

Council will make payment within 30 days of receiving a Tax Invoice.

#### **Local content**

The parties commit to supporting local business involvement in recovery works to foster economic development and jobs growth in East Gippsland Shire. Where DOT utilises its existing maintenance alliance, it will do so in a way which supports local content objectives through its engagement of subcontractors by adopting existing Council procurement policies and procedures provided they comply with NDFA guidelines for the works.

#### **The term the agreement**

This agreement is generic in nature and shall expire on 30 December 2025, unless extended by agreement between the parties.

Where the MoU is enacted it shall be supported by relevant written procurement agreements that comply with the East Gippsland Shire Council Procurement Policy.

### **Procurement of Services**

This MoU does not replace the normal procurement process that East Gippsland Shire Council is required to undertake in accordance with its Procurement Policy. However in line with the Procurement Policy 2021 Council or the CEO can approve an exemption from market engagement requirements where:

1. the tender or procurement process would mean substantial delay or would be impractical, disadvantageous or unreasonable in the circumstances; or
2. directly approaching or contracting with another council, state or federal agency represents best value for money, or would better achieve Council's key principles and objectives

### **Organisation and management of the agreement**

This agreement will be overseen by senior representatives from both Council and DOT who shall meet at intervals that do not exceed 6 weeks to discuss the agreement, cooperation of teams, outcomes achieved and improvements to be made. Representatives shall be empowered to give direction to their staff on behalf of their organisation and to settle any minor disputes should they arise.

### **Resources and facilities**

Wherever practical the parties agree to provide access to resources and facilities, such as offices and depots for the coordination of efforts.

### **Communication and exchange of information**

Information and data that is generated by the collaboration is to be handled by all parties to the agreement in a confidential manner.

### **Our commitment**

The parties commit to the following in performing the works under this MoU.

- establish an integrated collaborative team environment to encourage open, honest and efficient working;
- require ethical and responsible behaviour at all times;
- provide 'best-in-class' resources;
- only have regard to Best for Network and Value for Money outcomes;
- develop and maintain a high standard of consultation and communication with our stakeholders and immediate community groups;
- create positive peer relationships in an environment of mutual support, appreciation and encouragement;
- manage and minimise the impact upon the community of our works;
- perform Works to a quality so that all Works will be fit for the Stated Purpose.

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Department of Transport – East Gippsland Shire Council, Emergency Event Recovery Memorandum of Understanding April 2022.



- In performing their obligations under this Agreement, the parties must at all times act in Good Faith.
- We will work cooperatively together to identify, resolve and avoid all forms of Disputes.

#### **Values and behaviours**

In performing joint works, we will, and will ensure each of our personnel will, adopt the following behaviours:

- we put safety above all else;
- we are an aligned and committed team;
- we treat each other with respect;
- we act with integrity and honesty;
- we are accountable and responsive.

#### **Disclosure of conflict of interest**

Any participant must fully disclose to the senior representative of both parties any conflicting interest or duty, or potential conflict of interest or duty, the representative may have (whether personally or as a representative) before participating in a discussion on any relevant issue or making a decision about that issue. A representative who has made full disclosure may **not**, without the consent of both senior representatives, participate in any discussion and decision for which they are conflicted.

#### **Confidentiality**

##### **Confidential Information**

Each party acknowledges that this MOU and all information and material disclosed or provided to it or any of its Representatives by the other party to this MOU or any of its Representatives or a proponent involved in connection with this MOU is confidential.

##### **Parties must maintain confidentiality**

Each party agrees to maintain the confidentiality of the matters referred to in this MOU and Confidential Information provided to it and not use Confidential Information for any purpose other than that for which it has been provided.

### **Return of Confidential Information**

If a party requests the return of its Confidential Information at any time, or if the Confidential Information is no longer required by the other party for the purpose contemplated by this MOU, the other party must immediately return all material containing Confidential Information in the possession, power or control of the other party.

If requested by another party (Requesting Party), a party must destroy all material containing Confidential Information of the Requesting Party which is in its possession, power or control.

For the purposes of this clause, material containing Confidential Information includes:

- any material created or generated by a recipient of Confidential Information of another party which contains that Confidential Information;
- material in any form of storage from which the Confidential Information can be reproduced; and
- material in any form in which the Confidential Information is embodied or encoded.

### **Confidentiality Undertaking**

The Council agrees that at DOT's request it will not disclose any Confidential Information to any third party until that third party has executed a confidentiality undertaking as reasonably requested by Regional Roads Victoria.

### **Effective dates and signatures**

This arrangement is effective from the date of signature below;

Beth Liley  
Regional Director  
Department of Transport - Gippsland

Anthony Basford  
Chief Executive Officer  
East Gippsland Shire Council

Date:    /    /

Date:    /    /

### 5.1.3 Capital Works and Major Projects - Quarter Three 2021/22

Authorised by General Manager Assets and Environment

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#### Conflict of Interest

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

#### Executive Summary

As part of the delivery and monitoring of the annual Capital Works and Major Projects program, a quarterly review of the program is provided to Council. This report summarises the progress of Capital Works and Major Projects 2021-22 for the program up to the period ending 31 March 2022 (Quarter 3). A snapshot of this activity is provided in the table below and outlines in more detail through the body of the report and attachments. Pleasingly, as at the end of Quarter 3 111.55% of the forecast budget had been expended or committed.

	Q3 - 31/03/22
<b>Total Adopted Budget</b> - including actual carry forwards	\$94.09 m
Identified Carry Forwards to 22/23	\$41.71 m
Identified Bring Backs from 22/23	-
Other Budget variances 21/22	\$1.65 m
<b>Revised Forecast</b>	<b>\$54.03 m</b>
Actual Expenditure	\$23.27 m
Committed Expenditure	\$37.00 m
Percentage Capital Works Delivered or in Delivery ( <i>against Forecast</i> )	111.55%
Percentage Capital Works Delivered or in Delivery ( <i>against Adopted Budget</i> )	64.06%

#### Officer Recommendation

***That Council receives and notes the Capital Works and Major Projects Report 2021/22 for the Quarter ending 31 March 2022 and all attachments pertaining to this report.***

## Background

This report details the progress of Capital Works and Major Projects 21/22 for the period up to 31 March 2022. The report will also be provided to the Audit and Risk Committee for their consideration at the next Audit and Risk Committee meeting.

2021/22 commenced with an adopted budget plus actual carry forwards of \$94.09 million. This has been revised to \$54.03 million during Quarter Three to reflect changes summarised below.

## Budget Variances

The revised forecast is a decrease of \$40.06 million on the adopted budget as at 31 March 2022. This is summarised as follows:

<b>Adopted Budget</b>	<b>\$94.09 m</b>
Plus Additional Funding	\$0.77 m
Plus Additional funds from Operating Accounts	\$1.04 m
Less Savings Identified and Transferred to Holding Account	\$0.16 m
Less Carry Forwards to 22/23	\$41.71 m
<b>Revised Forecast</b>	<b>\$54.03 m</b>
Decrease	\$40.06 m

The budget decrease does not mean that any projects have been cancelled, it simply means that projects will need to be finalised in the 2022/23 year and the budget has been transferred to the 2022/23 year to reflect this.

## Holding Account Summary

The Holding Account commences the financial year with a zero balance. It is used to record savings from completed projects and redistribute to projects identified as requiring additional or new budget. During the third quarter savings from projects of \$852,334 were identified. Further to this, distribution to new projects or projects requiring additional funding totalled \$1,207,319. The balance of the Holding Account as at 31 March 2022 is \$101,902. A summary of Holding Account transactions is provided at **Attachment 1**.

## Carry Forwards

During the third quarter an additional \$21.85 million of additional carry forwards were identified. This brings the total year to date carry forwards to \$41.71 million. These projects are multiyear projects and budget is phased over 2 years. Therefore, the carry forward reflects change in phasing, with the projects still anticipated to be delivered within their overall timeframe. A detailed list of the carry forwards is provided at **Attachment 2**.

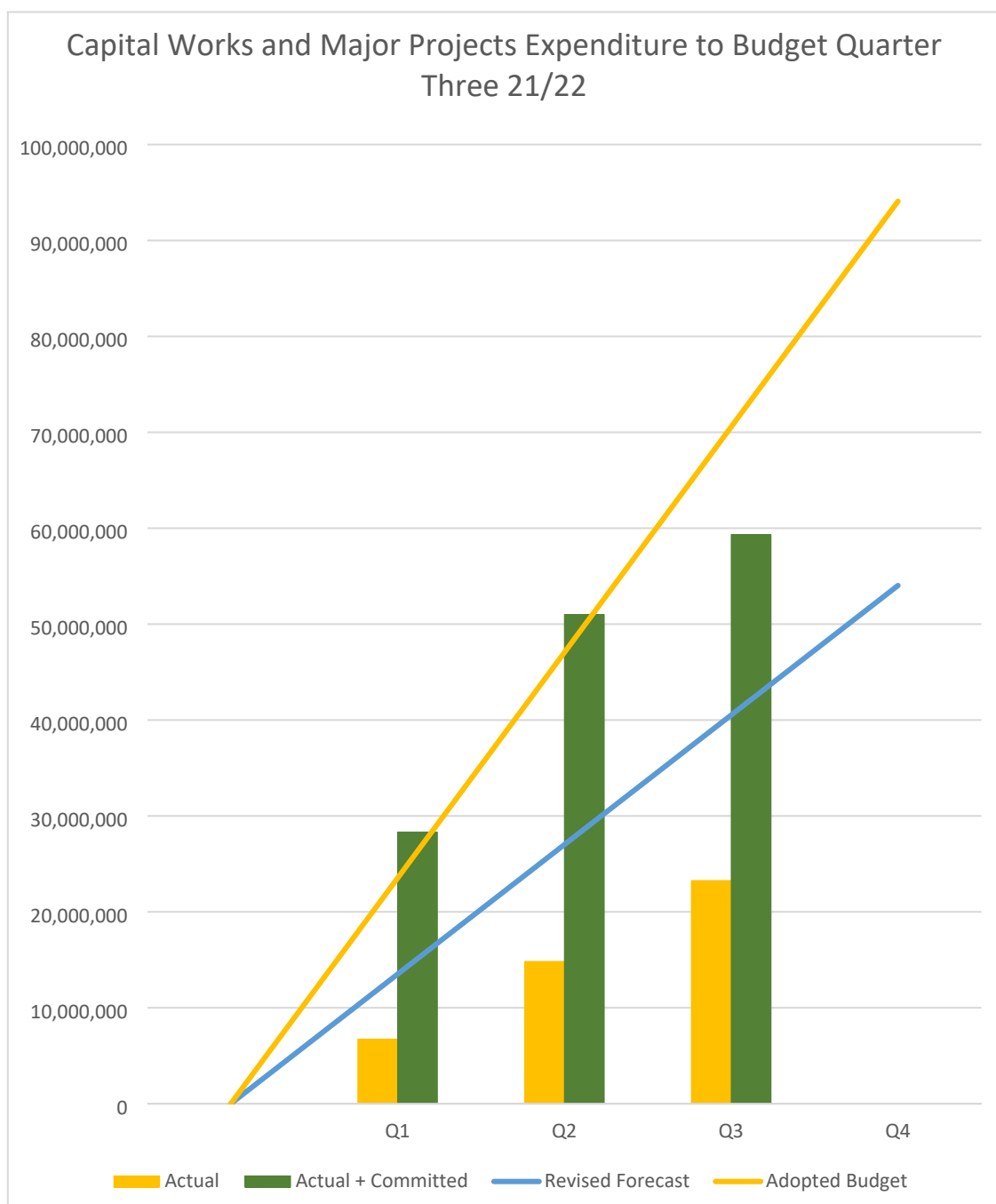
The increase in carry forwards to the 2022/23 financial year is attributed to the unusual market conditions, that many councils are experiencing which are a mix of:

- Material supply shortages and extensive delivery delays;
- Lack of resourcing and contractor availability to deliver some projects; and
- Cost escalations which are requiring projects to be rescoped and therefore delayed.

Even given these challenging market conditions, Council's actual expenditure to the end of quarter 3 is over \$23 million, which is a considerable achievement and exceeds delivery for similar periods of previous financial years.

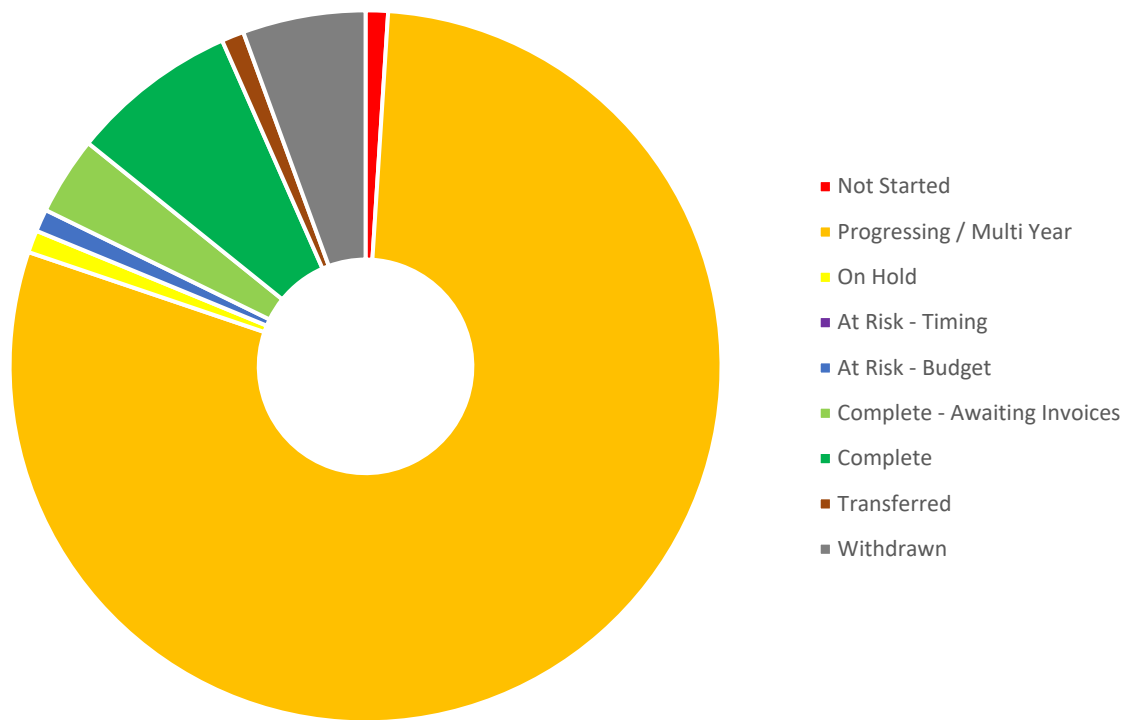
### Project Status

As at 31 March 2022, \$60.27 million (111.55% of total revised forecast) was expended or committed to works within the program.



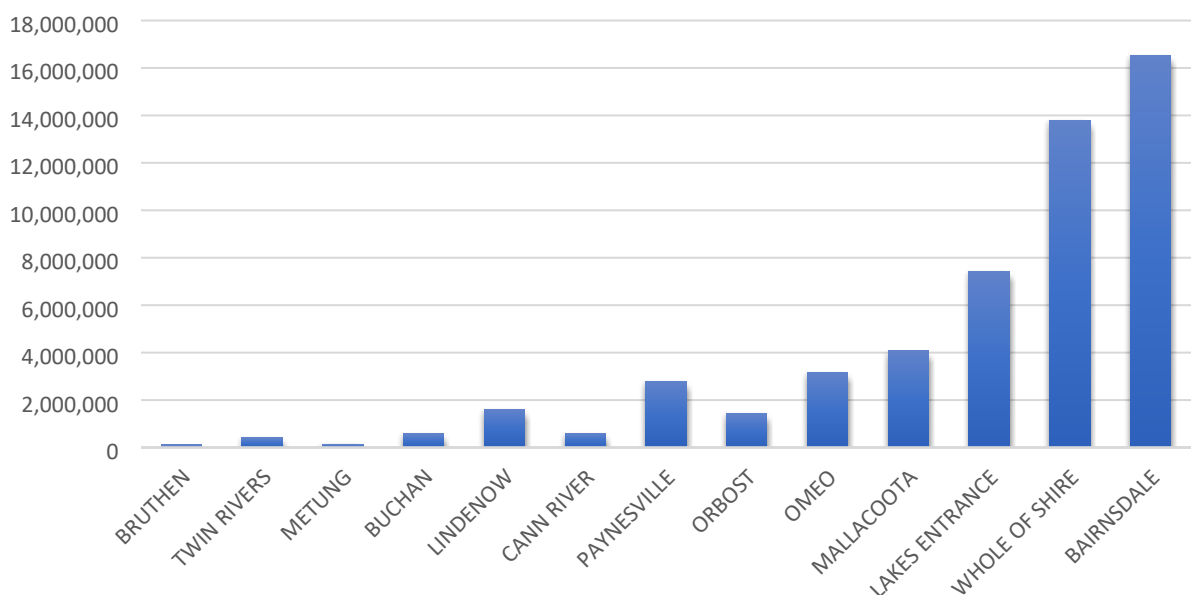
At the end of the third quarter, the program covered 198 separate projects of which 22 projects had been completed, 150 are on schedule, 8 are at risk due to timing or budget and 13 projects have been withdrawn or transferred. The remaining projects are either on hold or have not started. A detailed list of all project status is provided at **Attachment 3**.

### Status of Capital Works and Major Project as at March 2022



The following chart details the spread of current revised budget projects across the shire. It is important to note that 'Whole of Shire' includes the road reseal programs, all Information Technology projects, plant renewal and fleet renewal.

### Revised Budget by Location Quarter Three 21/22



### Significant Projects Completed during quarter 3.

Project Name	Final Project Cost
Omeo Valley Road – Major Rehabilitation	\$835,066
Limestone Road, Major Rehabilitation	\$320,530
Bruce Road Depot Amenities Building	\$109,615
Lakeside Drive Culvert Replacement, Mallacoota	\$178,747
Omeo Recreation Reserve Playground Renewal	\$65,153

### Quick Response Fund

The Quick Response Fund provides a flexible and responsive, yet accountable and transparent process to support undertaking small scale capital works. The program allows the funding of works of high community value when opportunity arises and there is no other funding available, or time frames do not allow for sourcing of other external funding. The program commenced the year with a budget of \$100,000 which has been expended on a range of projects during quarters 1 and 2. As at 31 March, one final project was allocated from the fund, Omeo Caravan Park Building Renewal \$50,000. The balance is now zero.

### Capital Works Contracts Awarded Under Delegation

The decision to award a contract can only be made by a delegate who has the authority (financial delegation) to commit the relevant sum of money. The decision is made after consideration of the tender evaluation panel report. The Chief Executive Officer has a financial delegation of \$500,000 including GST.

During the third quarter of 2021/22 a total of 2 capital works contracts were awarded under CEO Delegation, the contracts are listed as below:

Project	Awarded to	Value (ex GST)
LRCI EV Charge Points	RACV Solar Pty Ltd t/as RACV Solar	\$289,386.40
Bairnsdale Skatepark Stage 2, Davison Oval Footpath & Lighting redevelopments	Meluca Group Pty Ltd	\$360,651.11



## **Legislation**

As of 1 July 2021, all provisions of the *Local Government Act 2020* 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**

Not applicable for this report.

## **Council Plan**

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

Strategic Objective 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**

Not applicable for this report.

## **Options**

Not applicable for this report.

## **Resourcing**

### *Financial*

This report outlines the financial position of the 2021/22 Capital Works and Major Projects program as at the 31 March 2022.

### *Plant and equipment*

The Capital program includes budget for the replacement of plant and equipment as per depreciation schedules.

### *Human Resources*

The development of this report has no impact on human resource levels. The delivery of the Capital program relies on the engagement of a number of project supervisors, that are engaged under various terms by Council.

## *Risk*

Risk assessments are carried out on all projects within the Capital Program as part of the organisation's use of a Project Management Framework. As previously discussed with Council, the size of the 2021/22 program coupled with supply issues and escalation costs triggered by the global pandemic present risks to individual projects and the program overall.

## **Economic**

Delivery of the Capital program includes the procurement of contractor services which stimulate the local economy and the betterment of areas of the Shire that support business and industry growth. Many of the projects further stimulate the economy and investment by supporting access and connectivity, improving amenity, and enhancing liveability.

## **Social**

The delivery of a number of projects within the Capital program is seen to implement aspects of adopted strategies and plans and delivers positive social outcomes for our communities.

### *Gender Impact Statement*

Given that this report provides an overview of the entire Capital program, a gender impact assessment is not applicable. Gender Equity needs consideration at the project level not that program level. Gender Equity consideration has therefore been built into the organisations Project management Framework used to manage all capital projects.

## **Environmental**

The delivery of a number of the projects within the program have been designed to consider and / or provide environmental benefits. Additionally, all projects tendered use environmental sustainability as one of the tender assessment criteria, which allows the contractors response to environmental sustainability to be considered.

### *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**

No engagement has been undertaken in the compilation of this report. However, engagement with community members, agencies and stakeholders has been a critical element in the design and delivery of many of the projects in the 2021/22 Capital program. The Capital program was also part of deliberative engagement undertaken to develop the Council Plan and Budget.

## **Attachments**

1. Summary of Holding Account Transactions for Q 3 21-22 [**5.1.3.1** - 2 pages]
2. Summary of Carry Forwards as at 31 March 2022 [**5.1.3.2** - 1 page]
3. Capital Works and Major Projects Status Q 3 21-22 [**5.1.3.3** - 7 pages]

## Holding Account Transactions

<b>Opening Balance 1 January 2021</b>		<b>\$ 456,887</b>
<b>Savings</b>	Omeo Valley Road - Major Rehabilitation	208,161
	Limestone Road, Rehabilitation	238,106
	Bairnsdale City Oval Lighting & Scoreboard Upgrade	86,000
	Event Infrastructure to be Nominated	150,000
	Bairnsdale Outdoor Pool Change Rooms	4,026
	Omeo Valley Road - Major Rehabilitation	38,773
	Upgrade Marlo Transfer Station	25,000
	Port of Bairnsdale Timber Jetty Renewal	3,644
	Eagle Point Caravan Park Fire Safety works	71,774
	Bruce Road Depot - Amenities Building	25,623
	Nowa Nowa Streetscape	1,227
	<b>Total Savings end of Q2</b>	<b>852,334</b>
<b>Additional Budget or New Project</b>	Eastwood / Timbarra Road	-40,000
	Mallacoota Kitchen to Compost Renewal	-20,000
	Calulu Road Intersection with Settlement Road	-130,000
	LRCI Bairnsdale Skatepark Stage 2	-142,000
	Limestone Road, Rehabilitation	-136
	LRCI Raymond Island Toilet Block Upgrade	-127,000
	Playground Renewal - Omeo Rec Res	-859
	Community Infrastructure Grants	-500,000
	Gelantipy Bore Pump	-37,000
	Two K-9 Kubes for local laws vehicles	-42,000
	Omeo Justice Precinct	-15,000
	Mallacoota Hall and Recreation Reserve Upgrade - Drought Funds	-16,155
	LRC I Raymond Island Park Upgrade	-75,000
<b>Reallocation - No Change to overall budget</b>	Riverbank East Road, Bairnsdale	-2,169
	Reinstatement of Mallacoota Coastal Infrastructure (fire damaged)	-60,000
	<b>Total Additional Budget Allocated end of Q2</b>	<b>-1,207,319</b>
	Raymond Island Chains & Wheel Replacement	-10,000
	Rescue Vessel for Raymond Island Ferry	10,000
	Footpath Renewal Program	-170,000
	WORLD Sporting Precinct Stage 1	170,000
	Lakes Entrance streetscape pavement improvements	-150,000
	EV Charge Points for Streetscapes	150,000
	Quick Response Fund	-50,000
	Omeo Caravan Park Building Renewal	50,000
	CCTV Cameras at waste Transfer Stations	-69,000
	Internal CCTV Renewal	69,000
	Forward Designs for Roads and Drainage	-10,000
	Parking Design - Marine Parade, Lakes Entrance	10,000

Reallocation - No Change to overall budget	0
Closing Balance 31 March 2022	101,902

## Carry Forwards as at 31 March 2022

	As at Q2	Additional in Q3	Total
Omeo Mountain Bike Trails Stage 1	1,500,000	740,000	2,240,000
Progress Jetty Precinct	320,000		320,000
Gymnastics Pavilion, Lucknow Rec Res	500,000	462,000	962,000
Jemmy's Point - Stage 2	1,035,000	90,000	1,125,000
Eagle Point Foreshore Hub	1,100,000	1,660,000	2,760,000
Storage Facility- Giles St Depot	175,000	290,000	465,000
Mallacoota Seawalls, Stage 1& Stage 2	1,400,000		1,400,000
Cann River Roadside Rest Area	750,000		750,000
Orbost Forest Park Upgrade	1,000,000	150,000	1,150,000
Cann River Waste Transfer Station	400,000	350,000	750,000
Marlo Triangle Park Playground Renewal	125,000		125,000
Foreshore Management Plan Implementation - Marlo	55,000	10,000	65,000
Bruthen Streetscape	770,000		770,000
Slip Road Maritime Precinct	2,000,000	700,000	2,700,000
Lakes Entrance Marine Parade Upgrade	1,000,000	396,000	1,396,000
Bullock Island Masterplan Implementation	3,000,000	1,780,000	4,780,000
Lakes Entrance Foreshore Park	250,000	812,000	1,062,000
Livingstone Park Community Facilities	1,000,000	535,000	1,535,000
Mallacoota Streetscape	500,000	300,000	800,000
Buchan Streetscape	1,000,000		1,000,000
Krauatunglung Walk	1,000,000	896,000	1,896,000
Bairnsdale City Oval Changerooms Upgrade	250,000	230,000	480,000
Raymond Island Koala Experience	580,000		580,000
Lions Park Toilet, Bruthen	150,000	6,000	156,000
IT Infrastructure		533,960	533,960
Internal CCTV Renewal		369,000	369,000
Security & Duress Devices - Customer Service		30,000	30,000
Photocopiers / Printers Renewal		207,549	207,549
Renewal and upgrade to corporate systems		330,000	330,000
Renewal of EDRMS		760,000	760,000
Scanner Refresh, Shirewide		100,000	100,000
Network Equipment - Footprint Consolidation		557,550	557,550
Delegations Management Solution		40,000	40,000
Property Lease & Contract Management Solution		80,000	80,000
Marlo Town Drainage		110,000	110,000
Energy Efficiency Upgrades		50,000	50,000
Cann River Roadside Rest Area		300,000	300,000
Newmerrella Roadside Rest Area		415,000	415,000
Buchan RV Dump Point		46,468	46,468
Mallacoota Foreshore Holiday Park Fire Safety works		432,154	432,154
Omeo Caravan Park to Livingston Park Footpath		230,000	230,000
WORLD Sporting Precinct Stage 1		3,960,000	3,960,000
Lakes Entrance Club Spit Upgrade		480,000	480,000
Lakes Entrance Slipway Upgrade (Stage 1,2 &3)		1,140,000	1,140,000
Community Resilience and Development Program		229,099	229,099
Gilsenan Reserve Toilet Replacement		18,000	18,000
Integrated Water Management - Bairnsdale		75,000	75,000
Bastion Point Geotactile Groin Wall		34,000	34,000
Upgrade Moroney Street Stage 2		240,000	240,000
Bruce Road Depot - Safety Upgrades		225,000	225,000
EV Charge Points for Streetscapes		270,000	270,000
Bairnsdale RRC - Cell 1 & 2 - EPA Compliance Flare		165,000	165,000
Mallacoota Hall and Recreation Reserve Upgrade		750,000	750,000
Eastern Beach Caravan Park Toilet Block		270,000	270,000
<b>Total</b>	<b>19,860,000</b>	<b>21,854,780</b>	<b>41,714,780</b>

**Attachment 1.**  
**East Gippsland Shire Council**  
**Quarterly Capital Works and Landfill Rehabilitation Projects - Finance Report - March 2022**

			ACTUALS	COMMITMENTS		REVISED BUDGET	CHANGE	REVISED FORECAST	CARRY FORWARDS TO 2022/23	BRING BACK
Project		Status	YTD Actual Expenditure - 31 March, 2022	YTD Commitments 31 March, 2022	YTD Actual Expenditure & Commitments 31 March, 2022	Expenditure 1 January, 2022	Expenditure - Change	Forecast Expenditure - 31 March, 2022	Expenditure Carry Forward	Funded from 2022/23 Budget
11820	Footpath Renewal Program	Withdrawn	0	0	0	170,000	(170,000)	0	0	-
11838	Parking Upgrade - Lakes Entrance	Withdrawn	0	0	0	0	0	0	0	-
11951	BARC Main Pool Tiling	Withdrawn	0	0	0	0	0	0	0	-
11955	Lakes Entrance Aquadome redevelopment - design	Withdrawn	0	0	0	0	0	0	0	-
11956	Tipsite handheld Trimble for 10 sites	Withdrawn	0	0	0	0	0	0	0	-
11963	East Bairnsdale Play Area Renewal	Withdrawn	0	0	0	20,000	(20,000)	0	0	-
12020	Bastion Point Carparking	Withdrawn	0	480	480	0	0	0	0	-
12027	Bairnsdale Banners Project	Withdrawn	2,782	0	2,782	2,782	0	2,782	0	-
12041	Council Owned Caravan Parks-Fire Safety Works	Withdrawn	0	0	0	0	0	0	0	-
12044	Lakes Entrance Health Club Infrastructure Change	Withdrawn	0	0	0	0	0	0	0	-
12045	Omeo Council Precinct Redevelopment	Withdrawn	0	0	0	43,000	(43,000)	0	0	-
12078	Event Infrastructure to be Nominated	Withdrawn	0	0	0	150,000	(150,000)	0	0	-
12093	Swiftcreek Rec Reserve Upgrade	Transferred	0	0	0	50,000	(50,000)	0	0	-
11297	Open space Eagle Point	Progressing	477	1,200	1,677	66,000	0	66,000	0	-
11395	Lakes Entrance Transfer Station Upgrade	Progressing	891,496	630,915	1,522,411	1,498,277	0	1,498,277	0	-
11456	Premiers Reading Challenge	Progressing	0	8,371	8,371	9,208	0	9,208	0	-
11569	Building Renewal	Progressing	242,408	238,371	480,779	650,000	0	650,000	0	-
11577	Plant Renewal	Progressing	788,924	187,765	976,689	1,774,620	0	1,774,620	0	-
11578	Vehicles Renewal	Progressing	1,093,222	567,436	1,660,658	1,491,428	37,000	1,528,428	0	-
11581	Raymond Island Ferry Renewal	Progressing	172,820	22,945	195,765	377,000	(10,000)	367,000	0	-
11583	Office Furniture Non-Specified	Progressing	363	12,112	12,475	30,000	0	30,000	0	-
11585	Information Technology Infrastructure	Progressing	166,567	306,074	472,641	700,000	(533,960)	166,040	533,960	-
11586	Purchase Library Resources non-specified	Progressing	118,377	42,345	160,722	200,000	0	200,000	0	-
11587	Gravel Road Resheet Non-Specified	Progressing	726,505	190,944	917,449	1,200,000	0	1,200,000	0	-
11588	Roads Resealed Non-Specified	Progressing	998,344	706,921	1,705,265	1,768,000	(500,000)	1,268,000	0	-
11589	Renew Guard Rails Non-Specified	Progressing	0	9,091	9,091	100,000	0	100,000	0	-
11591	Dust Suppression Seal Non-Specified	Progressing	204,507	31,801	236,308	250,000	0	250,000	0	-
11592	Culvert Renewal Non-Specified	Progressing	6,111	507,085	513,196	600,000	0	600,000	0	-
11605	Quick Response Fund	Progressing	0	0	0	50,210	(50,000)	210	0	-
11646	Soldiers Road Agri Links Improvement Project	Progressing	21,642	788,671	810,313	892,826	0	892,826	0	-



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**East Gippsland Shire Council**  
**Quarterly Capital Works and Landfill Rehabilitation Projects - Finance Report - March 2022**

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Project	Status	YTD Actual Expenditure - 31 March, 2022	YTD Commitments 31 March, 2022	YTD Actual Expenditure & Commitments 31 March, 2022	Expenditure 1 January, 2022	Expenditure - Change	Forecast Expenditure - 31 March, 2022	Expenditure Carry Forward	Funded from 2022/23 Budget
11671	Security and Duress Devices - Customer Service	0	0	0	30,000	(30,000)	0	30,000	-
11672	Internal CCTV Renewal	0	0	0	300,000	(300,000)	0	369,000	-
11675	Library Management System Renewal	51,794	10,000	61,794	120,000	0	120,000	0	-
11679	Omeo Mountain Bike Trails - Stage 1	122,515	69,670	192,185	1,436,941	(740,000)	696,941	2,240,000	-
11698	Construction Cell 4 Bairnsdale Tip	1,644,698	1,145,604	2,790,302	2,916,418	0	2,916,418	0	-
11709	Forward Design - Roads and Drainage	93,323	134,804	228,127	490,480	(10,000)	480,480	0	-
11715	Progress Jetty Precinct Design	21,145	34,918	56,063	50,000	0	50,000	320,000	
11717	Strategic Property Acquisitions	0	0	0	100,000	0	100,000	0	
11718	Omeo Justice Precinct	63,313	176,657	239,970	236,473	15,000	251,473	0	-
11738	Property Acquisitions (Admin Services)	260,438	16,485	276,923	270,668	0	270,668	0	-
11767	Design for Gymnastics Facility at Lucknow	70,025	1,904,450	1,974,475	1,442,000	(462,000)	980,000	962,000	-
11774	Jemmy Point lookout infrastructure renewal	16,586	32,635	49,221	357,166	(90,000)	267,166	1,125,000	-
11800	EGSC Energy Efficiency 2019	0	0	0	50,000	(50,000)	0	50,000	-
11805	Photocopiers / Printers Renewal	1,044	0	1,044	208,593	(207,549)	1,044	207,549	-
11806	Project Management Office ICT Equipment and Softwa	30,362	30,400	60,762	57,400	0	57,400	0	-
11807	Renewal and upgrade to corporate systems	0	1,185,041	1,185,041	1,100,000	(405,500)	694,500	330,000	-
11808	Renewal of EDRMS	0	0	0	760,000	(760,000)	0	760,000	-
11823	Parking Design - Marine Parade, Lakes Entrance	6,281	22,918	29,199	14,069	10,000	24,069	0	-
11825	Kerb and Channel Replacement, Shire-wide	49,213	278,098	327,311	400,000	0	400,000	0	-
11828	Lakes Entrance North Arm Bridge Boat ramp Upgrade	366,405	441,035	807,440	817,000	0	817,000	0	-
11834	LRCI3 - Eagle Point Foreshore Hub	33,964	3,996,392	4,030,356	1,997,030	(1,660,000)	337,030	2,760,000	
11835	Lakes Entrance streetscape pavement improvements	183,422	1,100	184,522	662,850	(150,000)	512,850	0	-
11842	Storage Unit - Gile Street	5,790	0	5,790	300,000	(290,000)	10,000	465,000	-
11844	Mallacoota Seawall design	751,476	545,107	1,296,583	1,187,107	0	1,187,107	1,400,000	-
11879	Entrance Walk Boardwalk Replacement - Design	329	12,000	12,329	71,683	0	71,683	0	
11900	Bullock Island Bridge Replacement	689,423	1,308,645	1,998,068	3,115,757	(1,200,000)	1,915,757	1,200,000	-
11906	QRF Dinni Birak Walk - Backwater Ct Paynesville	0	8,636	8,636	9,500	0	9,500	0	-
11908	QRF Mallacoota Cricket Nets	3,521	10,375	13,896	72,565	32,400	104,965	0	-
11916	DCE - Mallacoota Hall & Recreation Reserve Upgrade	58,395	0	58,395	42,259	16,155	58,414	0	-
11918	Cann River Roadside Rest Area	11,447	0	11,447	356,000	(300,000)	56,000	1,050,000	-

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**East Gippsland Shire Council**  
**Quarterly Capital Works and Landfill Rehabilitation Projects - Finance Report - March 2022**

			ACTUALS	COMMITMENTS		REVISED BUDGET	CHANGE	REVISED FORECAST	CARRY FORWARDS TO 2022/23	BRING BACK
Project		Status	YTD Actual Expenditure - 31 March, 2022	YTD Commitments 31 March, 2022	YTD Actual Expenditure & Commitments 31 March, 2022	Expenditure 1 January, 2022	Expenditure - Change	Forecast Expenditure - 31 March, 2022	Expenditure Carry Forward	Funded from 2022/23 Budget
11919	Genoa Roadside Rest Area	Progressing	553,422	209,362	762,784	817,000	0	817,000	0	-
11920	Newmerrella Roadside Rest Area	Progressing	3,376	11,172	14,548	490,228	(415,000)	75,228	415,000	-
11922	Orbost Forest Park Upgrade	Progressing	17,400	32,223	49,623	206,000	(150,000)	56,000	1,150,000	-
11926	Reinstatement of Mallacoota Coastal Infrastructure	Progressing	97,010	45,664	142,674	75,037	60,000	135,037	0	-
11928	Mallacoota Foreshore Holiday Park Toilet Block 3 D	Progressing	5,150	6,500	11,650	20,000	0	20,000	0	-
11929	Eagle Point Caravan Park Amenities Block Renewal D	Progressing	0	17,550	17,550	20,000	0	20,000	0	-
11930	Mallacoota Foreshore Holiday Park Fire Safety work	Progressing	0	0	0	432,154	(432,154)	0	432,154	-
11932	Council Managed Caravan Park - Fire Safety Works	Progressing	0	23,450	23,450	54,000	0	54,000	0	-
11937	Scanner Refresh, Shirewide	Progressing	12,575	0	12,575	162,000	(100,000)	62,000	100,000	-
11938	CCTV Commercial Marinas	Progressing	0	0	0	42,000	0	42,000	0	-
11939	CCTV Cameras at Waste Transfer Stations	Progressing	0	0	0	69,000	(69,000)	0	0	-
11940	Public Space CCTV Refresh	Progressing	391	2,385	2,776	265,000	0	265,000	0	-
11943	R2R27 Moroney Street Bairnsdale Upgrade	Progressing	1,268,053	312,988	1,581,041	1,592,289	0	1,592,289	0	-
11947	Eastwood Timbarra Footpath Connection	Progressing	97,371	98,463	195,834	157,872	40,000	197,872	0	-
11948	Omeo Caravan Park to Livingston Park Footpath	Progressing	0	0	0	250,000	(230,000)	20,000	230,000	-
11950	WORLD Sporting Precinct Stage 1	Progressing	3,169,656	11,464,325	14,633,981	11,290,067	(3,790,000)	7,500,067	3,960,000	-
11958	Cann River Waste Transfer Station	Progressing	32,136	2,650	34,786	383,927	(350,000)	33,927	750,000	-
11960	LER - Marlo Triangle Park Playground Renewal	Progressing	211,398	200,950	412,348	317,547	0	317,547	125,000	-
11961	Foreshore Management Plan Implementation - Marlo	Progressing	688	23,000	23,688	25,000	(10,000)	15,000	65,000	-
11962	Bruthen Streetscape	Progressing	18,235	43,610	61,845	103,735	0	103,735	770,000	-
11965	Bairnsdale Runway 04/22 Extension & Lighting Upgrade	Progressing	69,987	48,758	118,745	114,761	0	114,761	0	-
11987	LRCI - Footpath Nicholson Sarsfield Road	Progressing	45,466	153,744	199,210	193,120	0	193,120	0	-
11990	Lakes Entrance Marine Parade Upgrade	Progressing	0	0	0	396,000	(396,000)	0	1,396,000	-
12000	LRCI2 Davison Oval Skate Park Stage 2	Progressing	28,625	910	29,535	300,000	142,000	442,000	0	-
12001	Lakes Entrance Foreshore Park	Progressing	7,452	18,210	25,662	1,015,719	(812,000)	203,719	1,062,000	-
12011	LRCI3 - LER - Genoa Tennis Courts Upgrade	Progressing	2,633	332,558	335,191	355,000	0	355,000	0	-
12014	LRCI3 LER - Nowa Nowa Boat Ramp Upgrade	Progressing	76,121	17,650	93,771	154,000	0	154,000	0	-
12015	LER - Swan Reach Netball Courts Repair and Upgrade	Progressing	99,816	105,523	205,339	219,023	0	219,023	0	-
12016	LER - Tambo Crossing Community Facility	Progressing	297,743	46,364	344,107	441,000	0	441,000	0	-
12017	Lakes Entrance Club Spit Upgrade	Progressing	659,199	0	659,199	840,000	(180,000)	660,000	480,000	-

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**East Gippsland Shire Council**  
**Quarterly Capital Works and Landfill Rehabilitation Projects - Finance Report - March 2022**

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Project		Status	YTD Actual Expenditure - 31 March, 2022	YTD Commitments 31 March, 2022	YTD Actual Expenditure & Commitments 31 March, 2022	Expenditure 1 January, 2022	Expenditure - Change	Forecast Expenditure - 31 March, 2022	Expenditure Carry Forward	Funded from 2022/23 Budget
12018	Mallacoota Streetscape	Progressing	100,766	40,757	141,523	500,000	(300,000)	200,000	800,000	-
12023	Lakes Entrance Slipway Upgrade	Progressing	45,538	44,447	89,985	990,000	(900,000)	90,000	500,000	-
12025	Bailey St Bairnsdale - Improvement Works	Progressing	610,703	169,346	780,049	960,000	0	960,000	0	-
12026	IT Equipment for Emergency Management	Progressing	2,233	0	2,233	30,000	0	30,000	0	-
12029	Community Resilience and Development Program	Progressing	96,921	11,781	108,702	338,664	(229,099)	109,565	229,099	-
12035	LRCI2 EV Charge Points	Progressing	77,488	4,545	82,033	450,000	0	450,000	0	-
12039	LRCI2 - Raymond Island Toilet Block Upgrade	Progressing	35,795	29,433	65,228	315,000	202,000	517,000	0	-
12040	LRCI2 - Omeo Rec Reserve Carpark Upgrade	Progressing	36,193	225	36,418	107,000	0	107,000	0	-
12042	Chinamans Creek Open Space Toilet Upgrade	Progressing	2,678	8,560	11,238	20,000	0	20,000	0	-
12043	Gilsenan Reserve Toilet Replacement	Progressing	558	0	558	20,000	(18,000)	2,000	18,000	-
12047	Network Equipment - Footprint Consolidation	Progressing	15,450	15,000	30,450	700,000	(557,550)	142,450	557,550	-
12048	Delegations Management Solution	Progressing	0	0	0	40,000	(40,000)	0	40,000	-
12049	Property Lease & Contract Management Solution	Progressing	0	0	0	80,000	(80,000)	0	80,000	-
12050	McCulloch Sreet Safety Improvements	Progressing	1,688	0	1,688	179,000	(15,417)	163,583	0	-
12053	Spring Creek, Jarrahmond Bridge Upgrade(Agrilinks)	Progressing	562	494,855	495,417	545,000	0	545,000	0	-
12054	R2R B Road Jarrahmond Bridge Upgrade	Progressing	2,343	310,475	312,818	329,718	0	329,718	0	-
12055	R2R Lousadas Rd - Timber Bridge Renewal	Progressing	5,157	342,813	347,970	365,593	0	365,593	0	-
12056	R2R Tabberabbera Rd - Timber Bridge Renewal	Progressing	2,906	314,500	317,406	334,594	0	334,594	0	-
12058	East Gippsland Trail Network	Progressing	13,069	2,403	15,472	108,000	0	108,000	0	-
12059	Mirraboopa Drive - Mallacoota - New Footpath	Progressing	9,529	583,248	592,777	625,000	0	625,000	0	-
12060	Kruatunglung Walk	Progressing	13,534	128,070	141,604	1,280,000	(896,000)	384,000	1,896,000	-
12062	Integrated Water Management - Bairnsdale	Progressing	0	0	0	75,000	(75,000)	0	75,000	-
12064	Mallacoota Skatepark	Progressing	51,885	7,187	59,072	48,125	1,511	49,636	0	-
12067	Bastion Point Geotactile Groin Wall	Progressing	0	0	0	54,000	(34,000)	20,000	34,000	-
12068	Bairnsdale Landfill Security and Safety Upgrade	Progressing	25,445	5,532	30,977	81,000	0	81,000	0	-
12069	Upgrade for Glass Recycling	Progressing	124,234	57,986	182,220	328,950	0	328,950	0	-
12071	Raymond Island Koala Experience	Progressing	1,327	0	1,327	5,000	0	5,000	580,000	-
12072	Moroney St Bairnsdale Stage 2	Progressing	3,667	9,091	12,758	250,000	(240,000)	10,000	240,000	-
12074	Bairnsdale Airport Potable Water Project	Progressing	156,404	165,242	321,646	475,000	0	475,000	0	-
12075	IT Equipment -(Flexible Working)	Progressing	192,370	38,413	230,783	200,000	0	200,000	0	-

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**East Gippsland Shire Council**  
**Quarterly Capital Works and Landfill Rehabilitation Projects - Finance Report - March 2022**

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12076	Forward Design Seawalls Shirewide	Progressing	0	1,080	1,080	75,000	0	75,000	0	-
12077	Lakes Entrance Ocean Rescue Seawall	Progressing	247,563	254,623	502,186	535,000	0	535,000	0	-
12080	Mallacoota Hall Upgrades	Progressing	17,438	26,670	44,108	863,000	(750,000)	113,000	750,000	-
12083	Howitt Park Boat Ramp Upgrade	Progressing	258	17,750	18,008	77,000	0	77,000	0	-
12087	AJ Freeman Cricket Nets Upgrade	Progressing	649	4,500	5,149	75,000	0	75,000	0	-
12089	Mobile devices for Out door crew	Progressing	3,740	41,227	44,967	225,000	0	225,000	0	-
12090	Library Self Service Kiosk	Progressing	10,806	15,481	26,287	29,426	0	29,426	0	-
12091	Eastern Beach Caravan Park toilet Block	Progressing	0	5,950	5,950	300,000	(270,000)	30,000	270,000	-
12092	King Street Shared Path and Laneway Upgrade, Payne	Progressing	38,722	15,252	53,974	80,000	0	80,000	0	-
12094	Nowa Nowa Streetscape	Progressing	3,780	0	3,780	5,000	(1,227)	3,773	0	-
12095	Lions Park Toilet, Bruthen	Progressing	3,365	0	3,365	10,000	(6,000)	4,000	156,000	-
12096	Bemm River Footpath Connections	Progressing	2,299	56,220	58,519	57,520	0	57,520	0	-
12097	LRCI2 - Reseal Fernbank Glenaladale Road, Lindenow	Progressing	241,778	6	241,784	263,000	0	263,000	0	-
12098	LRCI2 -Swifts Creek East Road, Swifts Creek	Progressing	2,569	254,551	257,120	259,000	0	259,000	0	-
12099	LRCI2 -Riverbank East Road, Bairnsdale	Progressing	212,173	6	212,179	212,000	162	212,162	0	-
12100	LRCI2 -Nungurner Jetty Road, Nungurner	Progressing	87,077	1,004	88,081	88,000	0	88,000	0	-
12101	Lakes Entrance Slipway Stage 3 -Outdoor Activation	Progressing	2,575	0	2,575	250,000	(240,000)	10,000	240,000	-
12102	Mallacoota CP - BBQ Shelter -View deck	Progressing	288	9,160	9,448	30,530	0	30,530	0	-
12103	Nowa Nowa Rec Reserve - Storage Shed	Progressing	1,530	4,500	6,030	25,000	0	25,000	0	-
12104	QRF – Dosing System for Metung Waterpark	Progressing	0	19,545	19,545	22,200	0	22,200	0	-
12105	EV Charge Points -Streetscapes	Progressing	0	0	0	150,000	(120,000)	30,000	270,000	-
12106	Mallacoota Kitchen to Compost Renewal	Progressing	0	0	0	0	20,000	20,000	0	-
12107	Calulu Road Intersection at Settlement Road	Progressing	0	0	0	0	130,000	130,000	0	-
12109	Community Infrastructure Grants program	Progressing	0	0	0	0	500,000	500,000	0	-
12110	LRCI3 Lakes Entrance Slipway Upgrade Stage 2	Progressing	0	0	0	0	0	0	400,000	-
12111	Gelantipy Bore Pump	Progressing	34,911	0	34,911	0	37,000	37,000	0	-
12112	Lake Tyers Beach Hall Upgrade	Progressing	66	2,250	2,316	0	33,000	33,000	0	-
12113	Raymond Island Hall Upgrade	Progressing	132	0	132	0	10,000	10,000	0	-
12114	Two K-9 Kubes for local laws vehicles	Progressing	0	40,030	40,030	0	42,000	42,000	0	-
12115	Static Water Tanks (Black Summer Grant)	Progressing	0	0	0	0	30,000	30,000	0	-

**Attachment 1.**  
**East Gippsland Shire Council**  
**Quarterly Capital Works and Landfill Rehabilitation Projects - Finance Report - March 2022**

			ACTUALS	COMMITMENTS		REVISED BUDGET	CHANGE	REVISED FORECAST	CARRY FORWARDS TO 2022/23	BRING BACK
Project		Status	YTD Actual Expenditure - 31 March, 2022	YTD Commitments 31 March, 2022	YTD Actual Expenditure & Commitments 31 March, 2022	Expenditure 1 January, 2022	Expenditure - Change	Forecast Expenditure - 31 March, 2022	Expenditure Carry Forward	Funded from 2022/23 Budget
12116	Cann River Skatepark (Black Summer Grant)	Progressing	0	0	0	0	56,000	56,000	0	-
12117	Omeo Netball Court Upgrade (Black Summer Grant)	Progressing	0	0	0	0	65,000	65,000	0	-
12118	Omeo Caravan Park Building Renewal	Progressing	0	0	0	0	50,000	50,000	0	-
50008	Lakes Entrance Landfill Capping	Progressing	226,318	278,183	504,501	489,177	0	489,177	0	-
50009	Bosworth Road Aftercare	Progressing	38,133	4,260	42,393	36,000	7,000	43,000	0	-
50011	Orbost Landfill Aftercare	Progressing	13,412	6,829	20,241	7,000	15,000	22,000	0	-
50012	Mallacoota Landfill Aftercare	Progressing	0	0	0	7,000	0	7,000	0	-
50015	Cann River Landfill Capping	Progressing	562	45,429	45,991	0	100,000	100,000	0	-
50016	Bairnsdale Cell 3A Capping Design	Progressing	1,126	0	1,126	100,000	0	100,000	0	-
50017	Bairnsdale Cell 1 Aftercare	Progressing	0	0	0	13,000	0	13,000	0	-
50018	Bairnsdale Cell 2 Aftercare	Progressing	0	0	0	11,000	0	11,000	0	-
50020	Lakes Entrance Landfill Aftercare	Progressing	53,205	30,313	83,518	77,000	0	77,000	0	-
50021	Lakes Entrance Landfill Gas Remediation	Progressing	90,785	0	90,785	211,082	(120,297)	90,785	0	-
11924	John Flynn Reserve - Buchan ( RV Dump Point)	On Hold	5,933	1,440	7,373	53,841	(46,468)	7,373	46,468	-
12013	LER - Livingstone Park Community Facilities	On Hold	29,803	58,218	88,021	585,692	(535,000)	50,692	1,535,000	-
12066	Bairnsdale City Oval Lighting & Scoreboard Upgrade	On Hold	0	0	0	86,000	(86,000)	0	0	-
11712	Marlo Township Drainage Design	Not Started	0	0	0	110,000	(110,000)	0	110,000	-
12046	Flagstaff Jetty Sewer Connection	Not Started	0	0	0	10,000	0	10,000	0	-
11584	Equipment Renewal BARC	Completed	0	0	0	28,000	0	28,000	0	-
11688	Bairnsdale Outdoor Pool Change rooms	Completed	37,819	0	37,819	41,846	(4,026)	37,820	0	-
11748	Lucknow Recreation Reserve Upgrade Stage 1 Details	Completed	0	0	0	0	0	0	0	-
11839	Port of Bairnsdale Timber Jetty Renewal	Completed	0	0	0	3,644	(3,644)	0	0	-
11845	Lakes Entrance Seawall Reconstruction Stage 2	Completed	0	0	0	0	0	0	0	-
11917	CW50301 Hospital Creek Wairewa Road Bridge	Completed	0	0	0	0	0	0	0	-
11945	R2R29 Omeo Valley Road - Major Rehabilitation	Completed	835,066	0	835,066	983,000	(147,934)	835,066	0	-
11953	BARC Solar Installation	Completed	92,885	0	92,885	101,703	0	101,703	0	-
11985	LRCI - Tarbucks Road Bridge, Cabbage Tree Creek	Completed	455,188	0	455,188	455,188	0	455,188	0	-
12005	Newlands Arm Community Hall Acoustics	Completed	2,589	0	2,589	2,590	0	2,590	0	-
12021	Bruce Road Depot - Amenities Building	Completed	109,615	0	109,615	135,238	(25,623)	109,615	0	-
12022	R2R28 Limestone Road -Rehabilitaion	Completed	320,530	0	320,530	507,500	(186,970)	320,530	0	-

Attachment 1.  
 East Gippsland Shire Council  
 Quarterly Capital Works and Landfill Rehabilitation Projects - Finance Report - March 2022

			ACTUALS	COMMITMENTS		REVISED BUDGET	CHANGE	REVISED FORECAST	CARRY FORWARDS TO 2022/23	BRING BACK
Project	Status		YTD Actual Expenditure - 31 March, 2022	YTD Commitments 31 March, 2022	YTD Actual Expenditure & Commitments 31 March, 2022	Expenditure 1 January, 2022	Expenditure - Change	Forecast Expenditure - 31 March, 2022	Expenditure Carry Forward	Funded from 2022/23 Budget
12030	Replacement Bench seats at BARC	Completed	16,289	0	16,289	16,289	0	16,289	0	-
12057	Lakeside Drive, Mallacoota Culvert Replacements	Completed	178,747	0	178,747	178,747	0	178,747	0	-
12081	Playground Renewal - Omeo Recreation Reserve	Completed	65,153	0	65,153	64,294	859	65,153	0	-
11700	Upgrade Marlo Transfer Station	Complete - awaiting invoices	0	13,636	13,636	43,114	(25,000)	18,114	0	-
11822	Gully Road Drainage Works, Lake Tyers Beach	Complete - awaiting invoices	0	11,039	11,039	11,257	0	11,257	0	-
11854	Street Litter Bins	Complete - awaiting invoices	476,477	52,401	528,878	515,000	0	515,000	0	-
11909	QRF The Entrance walk - signage	Complete - awaiting invoices	3,190	2,535	5,725	13,680	0	13,680	0	-
11931	Eagle Point Caravan Park Fire Safety works	Complete - awaiting invoices	114,543	0	114,543	186,317	(71,774)	114,543	0	-
12108	Rescue Vessel for Raymond Island Ferry	Complete - awaiting invoices	5,815	0	5,815	0	10,000	10,000	0	-
50004	Orbost Landfill Capping	Complete - awaiting invoices	2,827	9,013	11,840	16,737	0	16,737	0	-
11988	LRCI - Footpath Paynesville Road	At Risk - Timing	655	0	655	155,491	0	155,491	0	-
11991	Bullock Island Masterplan Implementation	At Risk - Timing	54,462	233,348	287,810	973,262	(580,000)	393,262	3,580,000	-
12024	Buchan Streetscape	At Risk - Timing	48,276	39,362	87,638	161,000	0	161,000	1,000,000	-
12070	Upgrade Bairnsdale Landfill Compliance Works	At Risk - Timing	0	1,330	1,330	100,000	0	100,000	0	-
12086	Bruce Road Depot - Safety Upgrades	At Risk - Timing	4,156	0	4,156	250,000	(225,000)	25,000	225,000	-
50019	Bairnsdale RRC - Cell 1 and 2 - EPA Compliance Fla	At Risk - Timing	27,394	566,167	593,561	239,398	160,000	399,398	165,000	-
11969	Slip Road Maritime Precinct -Paynesville	At Risk - Budget	637,205	3,247,000	3,884,205	2,148,790	(700,000)	1,448,790	2,700,000	-
12065	Bairnsdale City Oval Changerooms Upgrade	At Risk - Budget	34,064	13,670	47,734	729,000	(230,000)	499,000	480,000	-
<b>Grand Total</b>			<b>23,265,741</b>	<b>37,003,392</b>	<b>60,269,133</b>	<b>75,190,986</b>	<b>(21,164,105)</b>	<b>54,026,881</b>	<b>41,714,780</b>	<b>0</b>

## 5.2 Business Excellence

### 5.2.1 Civic Functions and Recognition Policy

Authorised by General Manager Business Excellence

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#### Conflict of Interest

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

#### Executive Summary

Consistent with its civic leadership role and commitment to active community engagement, Council recognises the importance of celebrating outstanding achievements of individuals or organisations associated with the shire. Council also plays a critical role in formally welcoming new citizens to Australia and East Gippsland.

The official opening of significant capital works projects or events delivered by Council also play an important part in highlighting the work of all three tiers of government in enhancing the region and working with communities. Such milestones are often deemed worthy of community celebration and provide an opportunity to celebrate the work of Council, contractors and community.

The revised Civic Functions and Recognition Policy, as provided as **Attachment 1**, outlines Council's responsibilities, and provides guidance on how such functions and recognition are carried out.

#### Officer Recommendation

##### *That Council:*

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. adopts the revised Civic Functions and Recognition Policy, as provided at Attachment 1; and***
- 3. authorises the Chief Executive Officer to amend the adopted policy without formal Council consideration, if amendment is required as a result of changes to officer titles or administrative changes that occur from time to time.***

#### Background

Council holds civic functions and recognition events, and citizenship ceremonies, to highlight achievements, open infrastructure and services, and welcome guests and new citizens.

The revised Civic Functions and Recognition Policy provided as **Attachment 1** is reflective of current community and Council expectations in recognising the importance that celebrating outstanding contributions, and helps our communities connect and place a high value on where and how they live.

The revised policy provides a framework for how, when and where civic events are held and conducted and how the community is included.



## **Legislation**

As of 1 July 2021, all provisions of the *Local Government Act 2020* 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*.

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

## **Collaborative procurement**

Pursuant of section 109(2) of the *Local Government Act 2020* does not apply as this report does not relate to procurement.

## **Council Plan**

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

Strategic Objective 1: 1.3 Community groups and volunteers are acknowledged, promoted, and supported.

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

## **Council Policy**

This policy updates the Civic Functions and Recognition Policy last updated in 2017.

## **Options**

The Civic Functions and Recognition Policy provides high level guidance with respect to civic events and recognition for East Gippsland Shire Council. Council has the option to adopt the Policy as presented or incorporate change in any area of the draft Policy.

## **Resourcing**

### *Financial*

The provision of finances to carry out the annual and reoccurring functions outlined as part of this policy are accounted for by the civic events team in the annual budget.

One-off events known at time of the annual budget process are also accommodated within the civic events team budget.

Other events deemed necessary during the year that fall outside budget process are be considered on a case-by-case basis and with budget adjustment as required.

Where grant funding is available, the civic events team seeks to take advantage of such opportunities.

### *Plant and equipment*

Not applicable.

### *Human Resources*

Not applicable.

### *Risk*

Policies mitigate risks by providing a framework that ensures consistency in the way council manages business functions. This policy provides a transparent approach to the management of Civic Functions and Recognition.

## **Economic**

Civic events can provide an opportunity, where appropriate, to highlight the importance of Council works and events, such as infrastructure builds, that support the economic growth of localities with the shire.

## **Social**

The revised policy highlights the importance of recognising noteworthy events and contributions people, groups and infrastructure make to the liveability of East Gippsland Shire Council.

### *Gender Impact Statement*

The Civic Functions and Recognition Policy has had a Gender Impact Assessment (GIA) completed and is compliant with the obligations and objectives of the Victorian *Gender Equality Act 2020*.

## **Environmental**

Not applicable.

### *Climate change*

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

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

## **Engagement**

Civic events assist in driving the engagement of the community with Council projects and services. Civic events are one way for Council to engage directly with targeted groups or the broader community in a proactive, positive way.

## **Attachments**

1. Draft - Civic Functions and Recognition Policy 2022 [**5.2.1.1** - 8 pages]

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# Civic Recognition and Functions Policy

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## Purpose and Scope

Consistent with its civic leadership role and commitment to active community engagement, Council seeks to:

- (1) give appropriate recognition to outstanding achievement of individuals or organisations associated with the Shire;
- (2) recognise those individuals who bring significant credit to East Gippsland Shire;
- (3) congratulate citizens who have achieved significant life milestones; and
- (4) appropriately celebrate the official opening of new or upgraded Council infrastructure, naming of new or existing structures and launch of significant activities, programs or services.

## Policy Statement

The types of recognition and functions related to this policy are outlined below.

### Traditional Owners

Council acknowledges the Gunaikurnai, Monero and the Bidawel people as the Traditional Owners of the land that encompasses East Gippsland Shire.

Traditional owners of the land will be acknowledged at all civic functions either through an Acknowledgment of Country or a Welcome to Country ceremony.

Welcome to Country ceremonies will be conducted, in partnership with the Gunaikurnai Land and Waters Aboriginal Council (GLaWAC) where they are the Registered Aboriginal Party for the land on which the ceremony is being held for citizenship ceremonies, and larger scale or culturally significant events.

Where there is no Registered Aboriginal Party, Council will invite a local elder to conduct a Welcome to Country and/or recognise traditional owners through an acknowledgement of country.

### Freedom of Entry

Eligibility to grant Freedom of Entry requires a military or civilian unit to demonstrate a significant attachment to East Gippsland Shire.

The granting of Freedom of Entry is in recognition of a unit's achievement while on active service or overseas duty or as a mark of respect and gratitude for their efforts in defence of Australia.

As granting Freedom of Entry is the highest honour Council can bestow on an Australian military or civilian unit, nominations are considered on a case-by-case basis.

Initial approval to grant the enduring right of Freedom of Entry is by a formal decision at a meeting of the Council.

The decision for a unit to exercise that right of entry is a decision of Council.

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Costs associated with any street closures and other event logistics will be at the cost of the unit, rather than Council.

### **Citizenship Ceremonies**

Council conducts approximately four citizenship ceremonies a year on behalf of the Department of Home Affairs. The ceremonies are in-person (and online if required), with the Mayor as presiding officer.

The Department of Home Affairs is responsible for all aspects of applying to become a citizen. The Department and Council invites applicants to attend a ceremony where they will make their Australian Citizenship Pledge.

A Council-conducted ceremony includes a Welcome to Country and playing of the national anthem.

### **Civic Receptions**

Civic Receptions can be conducted for a range of purposes, including to:

- (1) welcome individuals and groups to the Shire to demonstrate hospitality, courtesy, or provide recognition for a milestone or significant event;
- (2) recognise significant achievements of local individuals and/or groups, including presentation of awards conferred under this policy;
- (3) acknowledge the contribution of community groups and organisations; and
- (4) further relationships and links with business and government important to the region.

The scheduling of Civic Receptions and the associated arrangements will be determined by the Mayor and Chief Executive Officer in discussion with Councillors. A formal decision of Council is not required to schedule a civic reception unless there is division.

### **Official Openings and Launch Ceremonies**

These types of functions will be conducted to mark a range of significant occasions including:

- (1) the opening of all significant infrastructure constructed or upgraded with the assistance of State or Federal Government funding as determined by relevant funding agreement/s;
- (2) the opening of all significant infrastructure constructed or upgraded by Council and deemed significant enough by Council to warrant an official opening;
- (3) the celebration to mark the naming of a new or existing structure to honour a specific individual or event;
- (4) the launch of any significant activity, program or service provided with the assistance of State or Federal Government funding; and

- (5) the launch of any activity, program or service provided by Council that has been assessed by the Mayor and Chief Executive Officer as appropriate for a formal launch.

The scheduling of official openings, launches and other civic events, and associated arrangements, will be determined by the Mayor and Chief Executive Officer. The timing of events will often be subject to negotiation with State or Federal parliamentary representatives.

The installation of a plaque documenting the opening will be at the discretion of the Mayor and Chief Executive Officer, unless otherwise stated in a funding agreement.

#### **Anzac Day**

Events throughout the Shire are supported by the attendance of the Mayor, Councillors and Senior Council Staff. This can include the provision of an Anzac Day address. A wreath is laid on behalf of Council at services attended.

Council has no official role in the organisation of services.

#### **Remembrance Day**

Events throughout the shire are supported by the attendance of the Mayor, Councillors and Senior Council Staff. This can include the provision of a Remembrance Day address. A wreath is laid on behalf of Council at services attended.

Council has no official role in the organisation of services.

#### **Letters and Certificates**

Council will issue:

- (1) letters and certificates of congratulation, commendation and recognition to acknowledge significant contributions or outstanding achievements by individuals or groups;
- (2) letters of greeting to encourage, acknowledge or welcome a significant visit or eminent visitor/s to the Shire;
- (3) letters of congratulation to citizens who have achieved significant life milestones (e.g. 100 years of age; married for 50 years; etc.) if requested to do so.

This form of recognition may be issued to any individual, group or organisation who has been assessed by the Mayor and/or Chief Executive Officer, or at the request of a Councillor, as meeting the general parameters outlined in (1) to (3) above.

#### **Memorials, plaques and furniture**

Council will consider applications from the public for plaques, memorials and/or the installation of furniture in recognition of an achievement or contribution to a locality or East Gippsland more broadly.

All expenses incurred with any memorial, plaque or furniture associated with a request will be met by the requestor.



Criteria to determine the naming of a Council asset, or criteria for requests for memorials, plaques and furniture, are dealt with in a separate policy.

### General

- (1) **Event oversight:** The Communications and Civic Events team has oversight of all civic functions and celebrations.
- (2) **Budget:** Council will annually, through the budget process, provide for Council civic events to be held in the forthcoming financial year. Unforeseen events are funded at the discretion of the Council and/or CEO.
- (3) **Media:** Council may live stream, film and/or photograph civic functions and ceremonies.
- (4) **Councillor responsibilities:** All Councillors are invited to civic functions. The Mayor is the principal spokesperson for Council and presides over civic ceremonies including citizenship, official opening and ministerial events. The Mayor can delegate responsibilities to the Deputy Mayor (in the first instance) or other Councillors.

## Roles and Responsibilities

These management positions are responsible for the implementation, communication and compliance monitoring of the policy in their work areas:

Party / Parties	Roles and Responsibilities
Executive Leadership Team	Ensure staff are aware of and adhere to the policy and associated procedures
Manager Customer Experience, Communications and Libraries	Policy implementation and compliance
Communications and Civic Events Team	Policy implementation Stakeholder coordination Coordinate approvals Event delivery Budget management Civic event promotion Event debrief and feedback

## References and Supporting Documents

### Applicable Legislation:

Local Government Act 2020  
Australian Citizenship Act 2007  
Gender Equality Act 2020

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### Applicable Policy and Procedure:

East Gippsland Shire Council Plan 2021-25

(This policy relates to the following stewardship goal contained within the Council Plan 2021-25. *Community and Council have strong mutual understanding and support*)

East Gippsland Shire Community Vision 2040

### Supporting Documents:

Australia Citizenship Ceremonies 2019

Protocols for the appropriate use and flying of the flag

## Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council in connection with the Civic Recognition and Functions policy will be handled in accordance with the applicable privacy legislation and will only be used for the purpose of conducting the types of recognition and functions contained within this policy.

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

## Gender Equality Consideration

The policy has had a Gender Impact Assessment completed and is compliant with the obligations and objectives of the Victorian *Gender Equality Act 2020*.

## Definitions

Term	Meaning
Acknowledgement to Country	An acknowledgement of the traditional owners which is incorporated into the beginning of the Mayor or delegate's speech.
Civic Event	An event that council is obligated to deliver to commemorate a major civic occasion.
Community	People who live, pay rates and/or conduct activities in East Gippsland; and organisations who are ratepayers and/or conduct activities in East Gippsland.
Council	East Gippsland Shire Council (EGSC)
Councillor	Person who has been elected to the office of "Councillor" of East Gippsland Shire Council.
Plaque	Flat tablet of metal, stone or other material which may include text and/or images that commemorate a person, event or historical information relevant to a particular location. The tablet may be fixed to an object, building or hard ground surface.

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Term	Meaning
Promotion	Event promotion forms part of the event/Council branding. This includes website, email, social media, print, radio, television and direct mail.
Registered Aboriginal Party	Traditional Owner groups, legally recognised under the Aboriginal Heritage Act, with responsibilities for managing and protecting Aboriginal Cultural Heritage on Country.
Responsible Officer	An officer of East Gippsland Shire Council who has responsibility for the general area/subject matter to which a record pertains.

## Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved – reviewed with no changes	14/07/2006	Chief Executive Officer	2596236	Not applicable
2	Approved – Council review	06/10/2009	Council	3780765	
3	Approved – Council review	04/04/2017	Council	7132499	
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## 5.2.2 Municipal Association of Victoria motions

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### Conflict of Interest

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

### Executive Summary

This report presents draft motions for Council to consider and decide on to be presented to the Municipal Association of Victoria (MAV) State Council meeting, which will be held 24 June 2022.

Council has identified two potential motions for submission to the State Council meeting, which are required to be submitted by 19 May 2022. These are consistent with the MAV Strategy 2021-25.

### Officer Recommendation

#### *That Council:*

- 1. receives and notes this report and all attachments pertaining to this report;***
- 2. endorses the draft MAV motion to develop strategic partnerships as per Attachment 1;***
- 3. endorses the draft MAV motion regarding the cost of the Environmental Effects Statements process on Local Government as per Attachment 2; and***
- 4. authorises the Chief Executive Officer to submit the endorsed motions to the MAV.***

### Background

MAV was scheduled to host the next State Council Meeting on Friday 12 November 2021. However, due to COVID restrictions the meeting has been postponed until 2022.

In preparation for the meeting in 2021, two draft motions were identified and approved by Council for submission. These have been re-examined and refined for submission in 2022 and focus on:

#### **Develop Strategic Partnerships**

(full details at **Attachment 1**) – Cr Buckley

**Motion:** That MAV advocate for agency and stakeholder collaboration to support the management of natural resources in coastal and mountain areas across the State. This can be achieved through developing and implementing a multi-disciplinary approach for a natural resource management policy.

## **Cost of the Environmental Effects Statements process on Local Government** (full details at **Attachment 2**) – Mayor Urie

**Motion:** That the Victorian Government implement reforms to make the EES process fairer and less costly for local government and the community whilst continuing to maintain the ability to fully participate. This should include the establishment of an independent group of experts that is solely responsible to ensure the technical accuracy and completeness of EESs by providing peer and independent review, rather than placing this responsibility on the submission and inquiry process, and therefore to local government and the community. Local government is critical to the process by providing the community with cumulative, integrated and place perspective to the process.

The draft motions have been prepared in accordance with the following parameters required by MAV:

- have state-wide significance to the sector;
- relate to one of the sector's priority issues in the [MAV Strategy 2021-25](#); and
- are identical or substantially similar motion/s submitted to State Council in May 2021, October 2019, May 2019 or October 2018.

These proposed motions each have state-wide significance and relate to one of the sector's priority issues in the MAV Strategy 2021-25, specifically:

<b>MAV Strategy Plan 2021-25 priority issues</b>	<b>Motion 1</b>	<b>Motion 2</b>
Economically sound councils		✓
Healthy, diverse and thriving communities		
Well-planned, connected and resilient built environment		
Changing climate and circular economy		
Sector capability and good governance	✓	
Effective and responsive MAV		

These motions can be adopted by Council in advance, for submission to MAV by 19 May 2022, in preparation for the MAV State Council meeting in June 2022.

## **Legislation**

As of 1 July 2021, all provisions of the *Local Government Act 2020* 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 *Municipal Association Act 1907* provides for the operation of the Municipal Association of Victoria.

This report has been prepared in accordance with the aforementioned 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*.

## **Collaborative procurement**

This report does not involve a collaborative procurement.

## **Council Plan**

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

Strategic Objective 5: 5.2 Strong relationships with government, partners and stakeholders are maintained and strengthened to advocate for the community.

## **Council Policy**

There are no Council policies applicable to this report.

## **Options**

MAV holds two State Council meetings each year. Councils are invited to provide motions for consideration for each meeting. Council may decide to support or not support all motions for submission to the MAV State Council meeting or delay any motion to be submitted to a future meeting.

## **Resourcing**

### *Financial*

This report does not have financial implications.

### *Plant and equipment*

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

### *Human Resources*

There are no implications for human resources.

### *Risk*

There is a risk that the proposed motion/s will not be adopted at the MAV State Council meeting. Council may resubmit the motion/s for a later MAV State Council meeting.

## **Economic**

If adopted by MAV State Council, the proposed motions will support local communities in the East Gippsland Shire by promoting mechanisms to empower the local community in natural resource management and to ensure the community and local government can effectively participate in the Environmental Effects Statement process.

## **Social**

If adopted by MAV State Council, the proposed motions will support local communities in the East Gippsland Shire by promoting mechanisms to empower the local community in natural resource management and to ensure the community and local government can effectively participate in the Environmental Effects Statement process.

## **Environmental**

The proposed motions, if adopted, will provide for the future environmental sustainability of the East Gippsland Shire through management of natural resources in local communities and to ensure reforms to the Environmental Effects Statement, improve the affordability for the community and Council to protect the environment.

### *Climate change*

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

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

## **Attachments**

1. Draft Motion 1 - Develop strategic partnerships [5.2.2.1 - 2 pages]
2. Draft Motion 2 - A fairer Environmental Effects Statement process [5.2.2.2 - 2 pages]

**East Gippsland Shire Council**

**Draft Motion 1 for MAV State Council Meeting**

**Councillor Name:** Cr Buckley

**Name of Motion:** Develop strategic partnerships

**Motion:** That MAV advocate for agency and stakeholder collaboration to support the management of natural resources in coastal and mountain areas across the State. This can be achieved through developing and implementing a multi-disciplinary approach for natural resource management policy.

**Rationale:** Involvement of all relevant stakeholders including agencies, business and community, in the development of approaches to natural resource management will ensure a multi-disciplinary approach is used to attain the best possible outcome. Identifying the values, threats and potential solutions to a natural resource issue by involving and empowering the relevant local communities such as landowners, Traditional Owners, community groups, businesses, researchers, government departments, not-for-profits, recreational groups, local governments and others, is crucial to developing effective management strategies and actions that will be integrated, accepted and effective.

The principles of multi-disciplinary approaches to natural resource management include:

- Empowering communities – to enable communities to practically apply generational knowledge and experience of local environments and management practices and allow them to be responsible for the ongoing stewardship of the local natural resources;
- Leading governing organisation – to oversee the process and to coordinate roles and responsibilities in the delivery of management strategies and plans;
- Community involvement – to identify threats and values and to provide practical on-ground support to government agencies, including cultural and heritage skills and knowledge, in management strategies and plans;
- Multi-disciplinary teams – to enable collaborative approaches to the implementation of management strategies and plans;
- Integration of plans and strategies – to ensure strategies and actions work to achieve the same outcome and where necessary resolve potential tensions;
- Adaptive management – to enable all parties to work together to change strategies and actions in response to emerging issues, both internal and external;
- Implementation committee – to involve stakeholders in the oversight of the implementation of management strategies and plans and responses to emerging issues;
- Funding support – to ensure program funding supports the practical empowerment of communities to achieve agreed outcomes; and
- Regionalisation – to recognise the value of empowering communities to oversee the future direction and incorporate local knowledge and experience in managing the natural resources in their location.



Implementation of strategies and plans that involve the local communities will allow for innovative solutions to resource management and environmental issues facing coastal and mountain communities. Incorporating knowledge, connection and understanding of local environments and communities and cultural understanding of Traditional Owners and settlers and their combined skill sets in the management of significant environmental areas such as State and National Parks, would be an asset to government agencies, the environment and the local communities. This would demonstrate and acknowledge the value of the local communities in managing their local natural resources.

Further, the involvement of local communities on the implementation committee overseeing the adoption of the management strategies and actions will enable the effective delivery of the agreed objectives, and adaptive management as emerging issues are identified.

Local governments play a pivotal role in advocating for the protection of the environment for future generations. A Multi-disciplinary Approach to the natural resource management policy would enable MAV to further the goals of local government across Victoria, by advocating with State and Federal governments for greater involvement of communities in the mammoth task of forest and coastal management, feral pest and animal husbandry, weed management and fire mitigation, among other management issues.

The proposed Multi-disciplinary Approach to natural resource management policy aligns with the key principles of the *Local Government Act 2020* by providing for transparency in decision-making, community engagement and collaboration with other Councils and levels of Government.

**State-wide significance:** Yes

Relevance to [MAV Strategy 2021-25](#) priorities themes (nominate relevant priority):

MAV Strategy Plan 2021-25 priority issues	Develop strategic partnerships
Economically sound councils	
Healthy, diverse and thriving communities	
Well-planned, connected and resilient built environment	
Changing climate and circular economy	
Sector capability and good governance	✓
Effective and responsive MAV	

**Objective:** Work with State Government to protect and enhance the natural environment.

**East Gippsland Shire Council**

**Draft Motion 2 for MAV State Council Meeting**

**Councillor Name:** Cr Urie

**Name of Motion:** A fairer Environmental Effects Statement (EES) process

**Motion:** That the Victorian Government implement reforms to make the EES process fairer and less costly for local government and the community whilst continuing to maintain the ability to fully participate. This should include the establishment of an independent group of experts that is solely responsible to ensure the technical accuracy and completeness of EESs by providing peer and independent review, rather than placing this responsibility on the submission and inquiry process, and therefore to local government and the community. Local government is critical to the process by providing the community with cumulative, integrated and place perspective to the process.

**Rationale:** Recent experience with EES for major projects has demonstrated both the importance of local government engagement in the process and the very significant cost of this to local government. Local government's engagement in the process is critical for placing a priority on the community voice in such processes.

However, the failure to ensure that the EES is both technically correct and complete has seen these matters being addressed by the community and local government through the submission and the hearing via an inquiry process. This is an inappropriate shifting of costs to local government and the community and extends the inquiry process as new information is provided, increasing costs to community, local government and the proponent.

The nature of EES processes means that to fully participate on behalf of the community local government is required to engage technical experts, legal representation and expert witnesses, given the inherent complexity of the matters and expertise required.

There is a better way. Ensuring that the information in the EES is technically correct and complete before exhibition is critical, and the current processes do not provide for that. A group of independent experts could be established to provide independent peer review of the EES documentation prior to the commencement of the exhibition and could provide advice to the relevant panel or committee during the hearing process.

A desire to keep the process moving to the exhibition stage, prior to the information being accurate and complete is a false economy and is a disservice to both proponents and the community.

**State-wide significance:** Yes

**Relevance to MAV Strategy 2021-25 priorities themes (nominate relevant priority):**

MAV Strategy Plan 2021-25 priority issues	A fairer EES process
Economically sound councils	✓
Healthy, diverse and thriving communities	
Well-planned, connected and resilient built environment	
Changing climate and circular economy	
Sector capability and good governance	
Effective and responsive MAV	

## 5.3 Place and Community

### 5.3.1 Planning Permit Application 550/2021/P - Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks - 8 Newlands Drive, Paynesville

Authorised by General Manager Place and Community

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#### Conflict of Interest

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

#### Executive Summary

This report seeks Council's resolution to issue a Notice of Decision to Grant a Planning Permit with conditions outlined in **Attachment 1** for a multi-lot subdivision of the subject land, part demolition of a heritage building and carry out buildings and works to the heritage building at 8 Newlands Drive, Paynesville.

The proposal is consistent with the objectives established in the East Gippsland Planning Scheme.

In essence, the basis for the proposal being recommended for approval is:

- State and Local Planning Policy supports the re-development and intensification of development in existing urban areas;
- The proposal is consistent with the purpose and requirements of the General Residential Zone;
- The proposal represents a logical pattern of subdivision which connects into the existing road network; and
- The proposal deals appropriately with the heritage values of the site.

In addition to these, there are a range of other matters which can reasonably be addressed through permit conditions.

A copy of the plans and supporting documents submitted with the application can be found via hyperlink at **Attachment 2**.

Due to the number of objections and in accordance with the Planning Permit Applications Delegations Policy 2018, the matter was presented at a Planning Consultation Meeting (PCM) on 14 February 2022 which allowed the applicant and the objectors the opportunity to speak to the proposal and for Councillors to be aware of the issues regarding the application. The minutes of the PCM are at **Attachment 3** and full copies of the objections are at **Attachment 4**.

Planning officers are of a view that many of the grounds for objection can successfully be addressed through permit conditions. A copy of the proposed permit conditions can be found at **Attachment 1**.

A detailed assessment against the East Gippsland Planning Scheme has been undertaken (**Attachment 6**), and the proposal is viewed as being consistent with the relevant planning policies.

## 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 Permit Application 550/2021/P is consistent with the requirements and objectives of the East Gippsland Planning Scheme and therefore resolves to issue a Notice of Decision to Grant a Permit for a Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks at 8 Newlands Drive Paynesville subject to the permit conditions in Attachment 1.***

## Background

### The Subject Site

The subject site, as shown below in Figures 1 and 2, is regular in shape and is the former Paynesville Primary School site and contains the locally listed heritage former school building. The building has been developed for the purpose of a dwelling.

The subject land is a large, relatively undeveloped property within walking distance of the town centre. The land has an overall area of 14,587 square metres or 1.4587 hectares and has road frontage to Newlands Drive, Toonalook Parade and Reynolds Street.

A number of large oak trees are located on the land, with a heritage listed oak tree located near the northeast corner of the former school building. The building on the subject land was established in 1915 and was used for this purpose until the current Paynesville Primary School was developed, in the late 1990s.

The original school building has been the subject of a later 20th century additions to the west of the 1915 building. This addition is not considered as having heritage significance.

There are a number of storage sheds on the property. The site is only partially fenced. The land has a gentle fall towards Newlands Drive. An existing footpath runs along the Newlands Drive frontage and Reynolds Street frontage. Vehicle access to the land is obtained from Newlands Drive.

The immediate area is developed by good quality roads with an existing drainage network provided. North of the subject land are six residentially developed properties, east is a row of units and three residential dwellings, south of the subject land are nine residentially developed properties and a link to the foreshore reserve and west are three residentially developed properties. The dwellings in the area have been established over a number of years and the housing styles reflect this period of development with a variety of architectural styles. Dwellings to the south of the subject land are orientated towards the south so as to maximise expansive views of Lake Victoria and Newlands Arm. They generally have high fences on the Newlands Drive frontage.

The land is located within the General Residential Zone and is subject to the Design and Development Overlay (Schedule 14), Heritage Overlay (Schedule 284) and the Erosion Management Overlay.



Figure 1: Site and Locality Plan



Figure 2: Image of the former Paynesville Primary School building.

### The Proposal

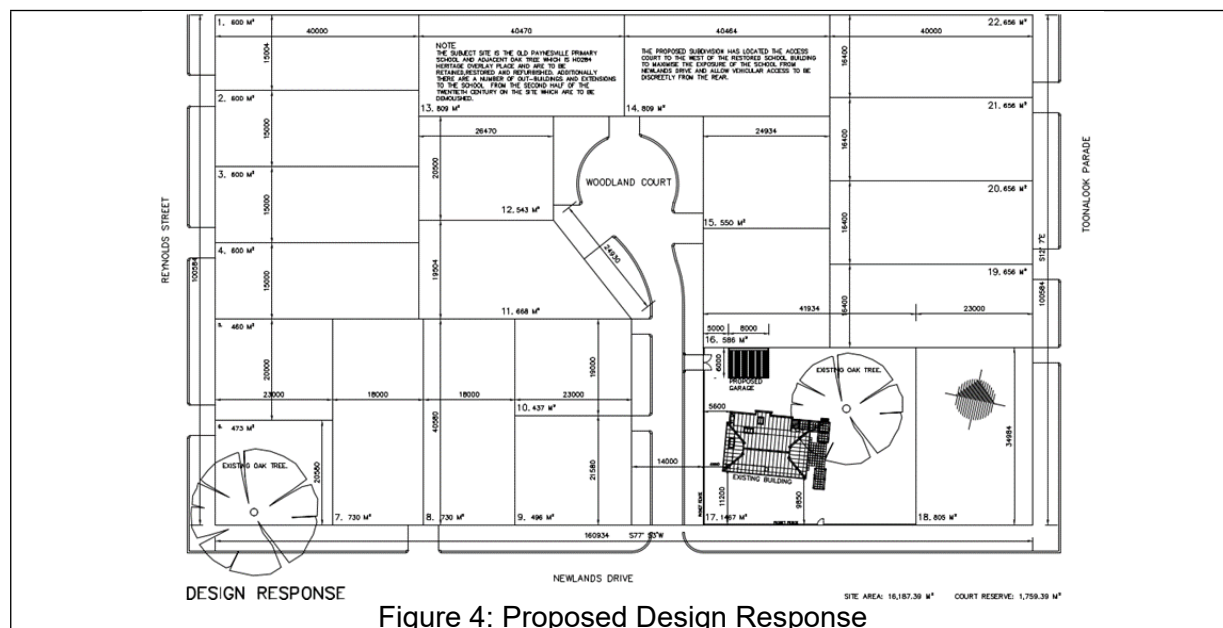
The planning application (**Attachment 2**) seeks to create a multi-lot subdivision for the subject land, part demolition of a heritage building and carry out buildings and works to restore the heritage building.

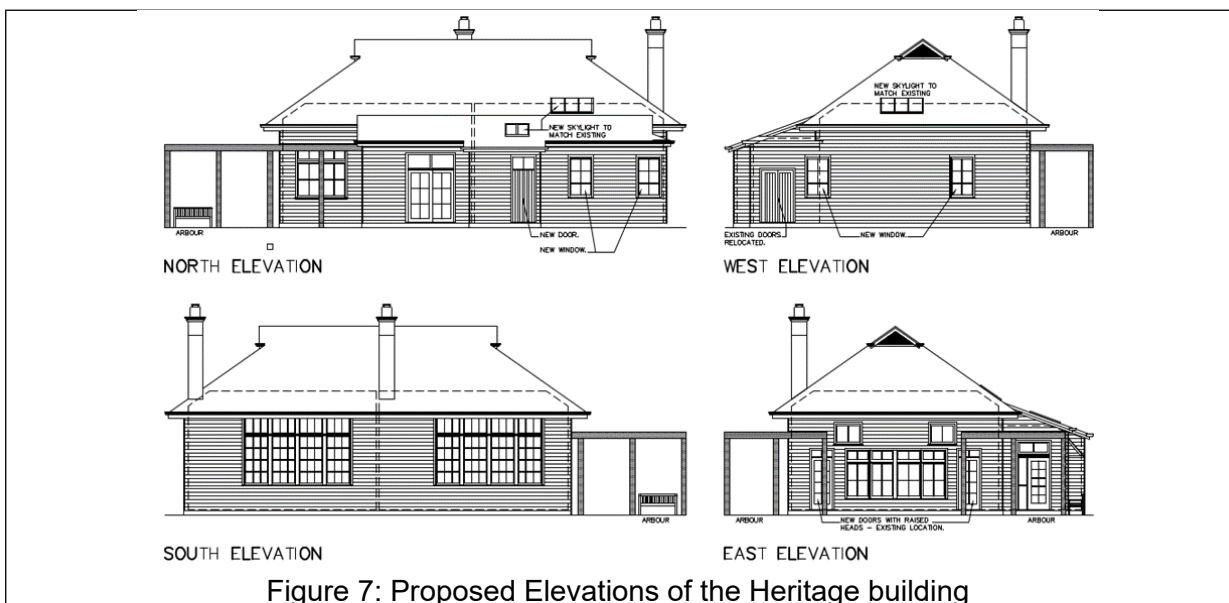
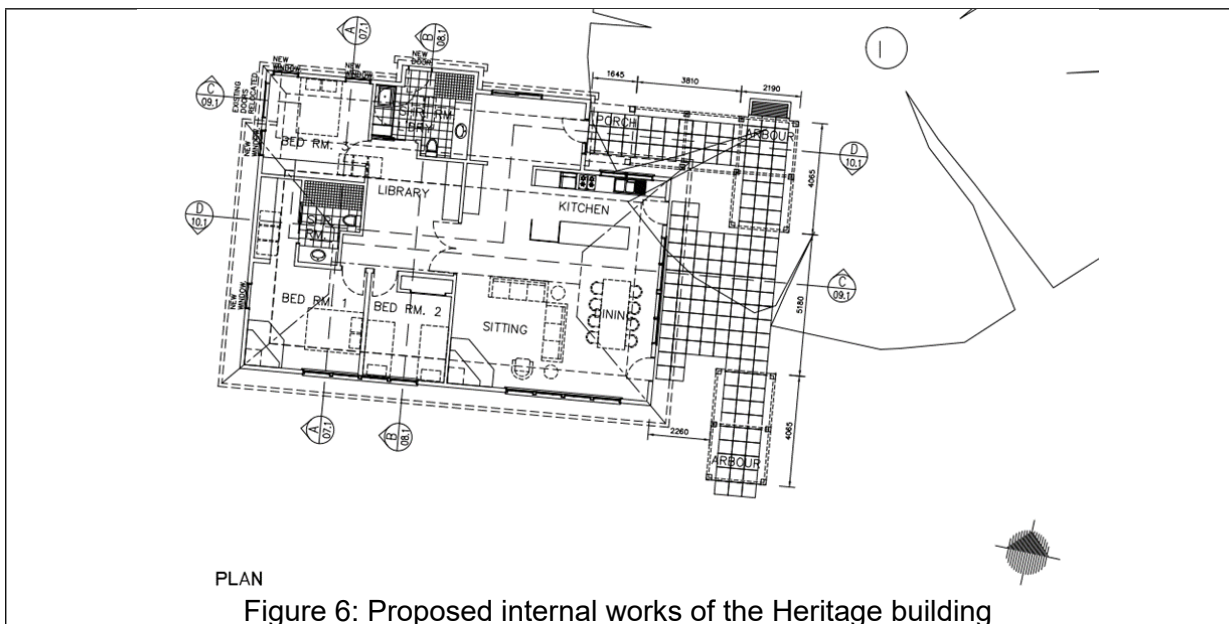
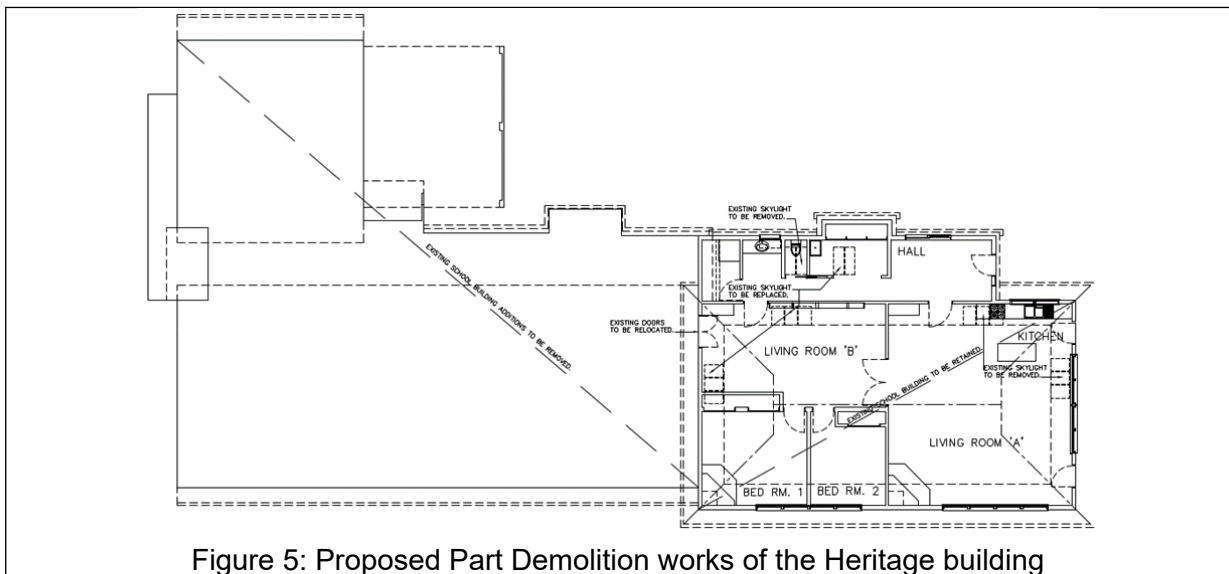
A diversity of lot sizes are proposed to accommodate a range of housing types and forms. The proposed lots will range in areas between 437 square metres and 1468 square metres (see Figure 3 below).



It is proposed to remove/demolish the circa 1970 classroom additions to the west of the original school building. All outbuildings on the subject land will be removed. The heritage-listed oak tree to the north-east of the building is to be retained. The proposal includes removal of the other two oak trees. Those trees are not within the Heritage Overlay area. While they have some significance as being associated with the original school grounds, they are not within the area designated for heritage protection and are not mentioned in the original reports which gave rise the heritage listing.

Figure 3: Proposed Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks







## 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*.

In preparing this report the Victorian Gender Equality Act 2020 has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the Gender Equality Act. The implications of this report have been assessed and align with the principles and objects of the Gender Equality Act 2020.

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

The applicable controls under the planning scheme are summarised below:

Application No.	550/2021/P
Address	8 Newlands Drive, Paynesville
Zone	General Residential Zone
Overlays	Heritage Overlay (Schedule 284), Design and Development Overlay (Schedule 14) and Erosion Management Overlay
Particular Provisions	Clause 56, Residential Subdivision Clause 65.02, Decision Guidelines - Subdivision

A full assessment against the East Gippsland Planning Scheme is included at **Attachment 5**. In summary, the assessment is that:

- The proposal demonstrates a high level of consistency with the State and Local Planning Policy Framework. The purpose and objectives of the General Residential Zone are addressed by the proposal which results in an acceptable planning outcome for the subject land.
- The proposal will allow for an infill development opportunity and activate vacant residential zoned land that is currently not being utilised.

## Aboriginal Cultural Heritage

Pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) is required under the *Aboriginal Heritage Act 2006* for an activity if:

- (a) All or part of the activity area for the activity is in an area of cultural heritage sensitivity; and
- (b) All or part of the activity is a high impact activity.

The subject land is mapped as being culturally sensitive and a multi-lot subdivision is a high impact activity.

A Cultural Heritage Management Plan has been submitted (prepared by Unearthed Heritage Australia Pty Ltd). The report advises that no Aboriginal Heritage was identified during the subsurface testing program. However, conditions on the approved plan contain contingencies should cultural heritage be discovered during the development.

A copy of the CHMP can be found via hyperlink at **Attachment 2**.

## **Collaborative procurement**

Not Applicable.

## **Council Plan**

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

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

## **Council Policy**

In accordance with Council's Planning Permit Application Delegations Policy (April 2018), the application requires consideration by Council as ten or more objections were received during public notice, as set out in Section 8.5 of the Policy.

## **Options**

As objections have been submitted and following the PCM, the matter must be determined by Council.

1. It is recommended that Council resolves to issue a Notice of Decision to Grant a Planning Permit subject to conditions. This considers all the relevant planning merits of the proposal, including the economic benefit of the proposal for the locality, municipality and region.
2. Council may resolve to issue a Notice of Decision to refuse the permit if it considers there are planning grounds to do so. Officers do not consider this to be the case. A refusal would require grounds to be prepared and included in the resolution.
3. Council may resolve to issue a Notice of Decision with amendments to the proposed conditions.

All options will be subject to appeal to the Victorian Civil and Administrative Tribunal.

## **Resourcing**

### *Financial*

The assessment has been undertaken utilising existing operational budget and is supported by statutory application fees.

### *Plant and equipment*

Assessment of the application is a part of existing operational budget.

### *Human Resources*

Assessed by existing staff resources.

## *Risk*

The risks of this proposal have been considered and are assessed as being low. The applicant has provided a without prejudice Design Response (version 2) to the proposal, which reconfigures some lots and is considered to address some, if not all objector concerns.

## **Economic**

The proposal will create 22 lots (21 lots in the amended Design Response) within an existing zoned residential area in proximity to the Paynesville town centre. The lots will be provided with all services including water, electricity, and sewerage. The lots provide residential development opportunities within the Paynesville township. Implementation of the subdivision will require contracted labour and local procurement. New property sales will contribute to the real estate and associated property industries.

## **Social**

The proposal does not trigger a Social Impact Assessment, however matters relating to safety, amenity and local neighbourhood character have been considered in assessment of the application.

The Applicant has submitted a Social Impact Comment basing their discussion points on 2016 Census data for the Statistical Area of Paynesville. The proposed subdivision will not result in any benefit or disadvantage to a particular group in the community and the proposal is not considered to have an impact on current social, recreational or community infrastructure in the precinct.

## **Environmental**

The proposal does not pose any environmental risks. The proposal will support infill development which encourages walkability and assists in reducing urban sprawl.

## *Climate change*

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

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts.

## **Engagement**

Consultation has been undertaken in the following manner:

Referrals	<u>External</u> East Gippsland Water – Conditional consent AusNet (Electricity) - Conditional consent APA Group (Gas) – No response provided  <u>Internal</u> Senior Technical Officer – Conditional consent
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## Objections

The planning application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987*. A total of 19 objections have been received which are provided at **Attachment 4**.

Some of the objections contain grounds which are addressed through permit conditions. On balance, the grounds for objection are not strong enough to warrant refusal, given the strength of planning policy to support an approval. As a result, the application was presented to Council at a Planning Consultation Meeting on 14 February 2022. Minutes of the PCM are at **Attachment 3**.

The grounds are listed below:

### **Density**

- Too many blocks
- Blocks too small
- 'Cheek by jowl'
- 'Gross overdevelopment'
- Out of character ('goes against the vibe')
- 'High density'
- Too small to accommodate house, suitable garaging for cars, caravans, boats and trailers
- 'Postage stamp smallest block sizes'
- Lots should be a minimum of 800m<sup>2</sup>
- All surrounding lots are 800-1,000m<sup>2</sup>
- 12 lots more appropriate

### **Traffic**

- Location of intersection dangerous – on crest/rise of hill, 'blind spot', accident waiting to happen
- Impact on function of Reynolds St intersection (existing issues)
- Impact on pedestrian safety (elderly, children, pets, mobility scooters, prams)
- Increased traffic volumes
- Newlands Drive can't cope with additional traffic – dangerous, narrow, congestion
- Too many access points onto existing roads
- Gilsenan St & Reynolds St will become a shortcut
- Reynolds St and Toonalook Parade too narrow to allow for on street parking
- Caravan Park already causes traffic problems
- New court won't cope with service and delivery vehicles, garbage truck
- No. of bins on bin day will cause traffic hazard
- 'Extremely dangerous'
- Existing footpaths should be widened
- Court should have a footpath on both sides
- Traffic management plan should be provided

### **Parking**

- On street parking impacts – already an issue at peak times
- Won't accommodate caravans/boats
- Each block should have off street parking for two vehicles

**Built form**

- Double storey would be totally inappropriate
- Multi-level properties would invade privacy
- Concern about 6m front setback requirement enforced previously – some refer to as a 'Council Overlay'
- Will destroy the streetscape
- Current overlay allows for max 7.5m building height
- Council should limit to double storey to prevent any apartment buildings.
- Concerned buildings will obscure corner of Reynolds/Newlands – want to see setbacks

**Pressure on local services/infrastructure**

- School / Medical / Dental / Supermarket
- Parking in town centre
- Lack of infrastructure

**Trees**

- Oak trees should be retained
- Provide shade to pedestrians on hot days
- Beauty and age of tree warrants retention
- Tree adds to peaceful nature of the town
- Destruction of bird habitat
- No regard for the environment
- Arborist Report, Tree Protection Zone and Building Envelope required to protect tree
- Internal road should be relocated to retain oak tree within road reserve
- Loss of carbon sequestration if trees removed

**Reserve required**

- Retain oak tree and have Council maintain with seating and underplanting
- Not acceptable for people to have to go to the park for green space
- Remove Lot 6 and keep as Reserve
- All trees should be retained with community space around them
- Entire property should be developed for public use (tennis court, pool, café, parking, gym)

**Visual impact**

- Inconsistent with surrounding area
- Will be unappealing to look at
- Outlook from properties on Newlands Drive will change
- Change of appearance
- Loss of village environment
- Not in keeping with Paynesville ambience
- No regard for overall appearance of town

**Amenity**

- Loss of 'quiet seaside village'
- Will result in security risk

**Impacts during construction**

- Noise
- Dust
- Debris
- Traffic
- General inconvenience

## Heritage

- Council should retain original building for public use/benefit (maritime museum, community group, arts and craft centre).
- Why only one of the three trees kept?
- Suspect a time capsule buried near the oak tree/original school building
- Buildings on Lot 18 will hide heritage building from the street

A copy of the objections can be found at **Attachment 4**.

## Officer Comments:

Loss of character - When a landowner seeks to develop land in accordance with the planning scheme, it inevitably involves some degree of change to the character of the area. The key test is whether or not the change has unreasonable impact.

The locality is characterised by a variety in housing types and lot sizes:

- “Traditional” suburban lots of 800-1,000 square metres;
- Multi-occupancy lots, including a six-unit development at 1 Main Road and four lots between 399-569 square metres immediately north of the subject land; and
- Several subdivided lots in Gilsenan Street of 375-500 square metres.

The subdivision pattern as proposed, and modified in the design response outlined below, is broadly consistent with the existing local character. It is not a high-density, or even medium density development in the accepted meanings of the terms.

Noise/Traffic pollution - Noise emanating from dwellings in a new residential estate is an expected outcome which the planning system does not take into account. Some residents will naturally be quieter or louder than others, however as a matter of personal behaviour it is not a planning-based ground for refusal.

Traffic - Due to the main concern raised in several objections based on traffic, access and road safety, and based on requests from Councillors and objectors, a traffic count and thorough traffic assessment for the proposal has been undertaken by Council’s technical staff.

Under the guidelines of Council’s Infrastructure Design Manual, the proposal does not meet the thresholds that would give rise to a mandatory traffic report by the applicant. However, acknowledging the issues raised by objectors, Council did undertake a detailed assessment.

Vehicle counters were placed in Newlands Drive for two seven-day periods in February and over the March long weekend. The traffic counts, along with a safety assessment of the intersection of the proposed new street and all proposed lot access locations, have been undertaken to assess current traffic volumes, road capacity and safety requirements. It is important to note that traffic data is assessed as an average, rather than using busy peaks as an indicator of normal traffic conditions. However, the combined counts have given a useful indication that the location of the new street and access to each of the proposed lots will not significantly increase the traffic volumes whilst keeping in mind the road/pedestrian safety of the proposed traffic movements.

Newlands Drive carries approximately 1,500 vehicles per day at its peak. The road design, in accordance with the Infrastructure Design Manual has the capacity for between 3,000-7,000 vehicles per day. The road is very unlikely to ever reach this level of traffic. 1,500 vehicles per day represents about 150 movements per hour at peak hour. These are not high traffic volumes. The proposed development will add an estimated maximum of 140 vehicles per day, or about 14 extra vehicles per hour during peak times. This increase is negligible.

Traffic safety of the proposed new road has been assessed. Located as it is on the crest of the hill allows for acceptable sight distances in both directions. All vehicle crossovers have been assessed as providing safe access to the lots. It is noted that existing properties on Newlands Drive all allow for the reversing of vehicles onto the road. The same will apply to the proposed lots. Again, traffic volumes on Newlands Drive and Reynolds Street do not create unsafe conditions for access to the lots.

Density - One of the grounds of objection put forward includes the number of lots being too high, in other words, the density is too high. Council needs to consider whether the proposed lot sizes are a significant or unreasonable variation from the character of the locality, whether the subdivision appropriately responds to planning policy and what local impacts or benefits may arise from the subdivision. The zone allows for lots to be created that are 400 square metres in size. The subdivision has met this requirement, and in fact most lots are significantly higher than the minimum lot size. As such, the subdivision does not represent high density development.

Lack of open space - The plan of subdivision does not include public open space but there are ample areas of public open space in the proximity for the future residents to enjoy. "Pocket-sized" open space within the development would provide little value to residents.

Heritage - The subdivision of and development of land within a Heritage Overlay is permissible. Council is required to consider whether that would have a negative impact on the heritage values of the site. Given that the land proposed to be subdivided from the original school building was formerly occupied by the headmaster's house, which has now been removed, it seems unlikely that the subdivision would have any direct impact on the values for which the site was listed as a heritage site.

The proposal to remove/demolish the circa 1970 classroom additions to the west of the original school building will allow the remainder of the building to be retained and restored. Conditions of approval are recommended to ensure that future development of the lots within the Heritage Overlay is sensitive to the heritage values of the site.

The significant oak tree contained within the area of the Heritage overlay will be retained. Two other trees not included in the Heritage Overlay would be removed if the development proceeds as proposed. The tree to the northwest of the former school building is a good quality specimen, however it is not native vegetation, has no protection under planning policy and would inhibit an appropriate subdivision layout if retained. It does not appear to be practical to retain the tree.

The other oak tree on the corner of Newlands Drive/Reynolds Street has been regularly pruned to avoid contact with power lines and has been severely compromised. The design Response proposes the amalgamation of Lots 5 and 6 which would enable the tree to be retained if desired by the purchaser.

Future applications for development on lots 16, 18 and 19 (within the Heritage Overlay) will be assessed to ensure that development does not have an adverse impact on the heritage values. The subdivision per se is not considered to detrimentally affect those values.

Design response - Further to the matters raised by the objectors at the PCM, the applicant has prepared a revised version of the subdivision (without prejudice) that may help address the concerns raised. The applicant has made the following comments:

- *The layout of the subdivision has been adjusted to reduce the overall number of allotments by one, through the amalgamation of the two proposed allotments at the corner of Newlands Drive and Reynolds Street;*
- *The two proposed allotments at the western corner of the proposed intersection have also been increased in area, with all lots within the scheme now proposed at 500m<sup>2</sup> or greater;*
- *The inclusion of indicative street trees demonstrates how the streetscape will be enhanced as part of the subdivision. The ultimate location of the street trees will be determined as part of detailed design, to the satisfaction of Council;*
- *To address concerns about possible future subdivision, we would be happy for Council to impose a limitation on any further subdivision so as to create an additional lot;*
- *Given concerns about vehicle parking impacting pedestrian circulation, we would be happy for Council to impose a requirement for any garage or carport to be setback no less than 5m from the property frontage. This distance is considered sufficient to accommodate a parked vehicle on site, without protruding beyond the property boundary; and*
- *The Design Response nominates the proposed position of those crossovers which we believe require specific location due to proximity to intersections.*

A copy of the Design Response (Version 2) can be found at **Attachment 7**.

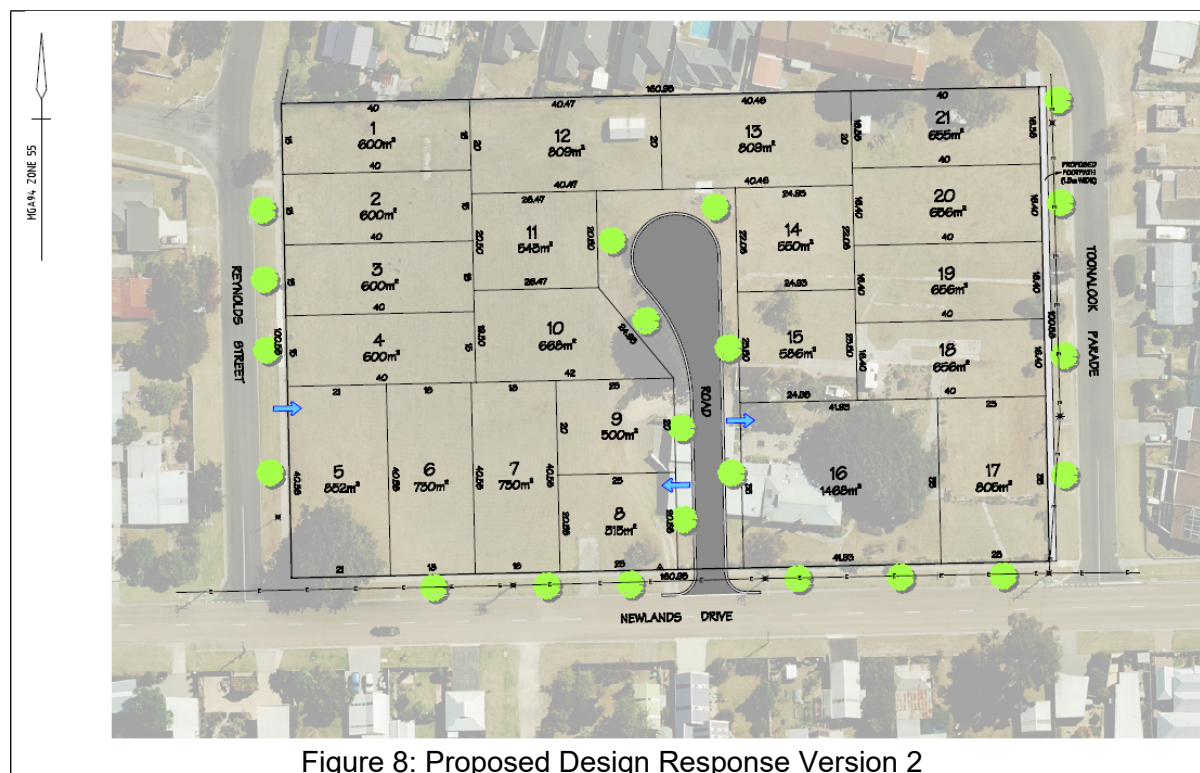


Figure 8: Proposed Design Response Version 2



## **Conclusion**

Having considered the proposal (and the subsequent design response), all of the relevant planning matters and the objections, Officers are of the view that the proposal is an acceptable outcome for the site and is consistent with the requirements of the planning scheme.

The proposal provides for infill subdivision of fully serviced land in a manner that is broadly consistent with the existing character of the area and presents no substantial detriment to owners and occupants of nearby properties or of the wider locality.

The proposal is therefore recommended for approval, subject to conditions.

## **Attachments**

1. Permit Conditions [5.3.1.1 - 7 pages]
2. Application Documents Link [5.3.1.2 - 1 page]
3. Minutes PCM 14 02 2022 [5.3.1.3 - 6 pages]
4. 550.2021. P 8 Newlands Drive Paynesville Redacted [5.3.1.4 - 36 pages]
5. Referral Response [5.3.1.5 - 7 pages]
6. Detailed Assessment (1) [5.3.1.6 - 17 pages]
7. Design Response V 2 [5.3.1.7 - 1 page]

**550/2021/P - 8 Newlands Drive PAYNESVILLE**  
**Lot 1 TP 443154 - Multi Lot Subdivision, Building and Works, Part**  
**Demolition of a Heritage Building and Roadworks**

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plans must generally be in accordance with the plans submitted with the application but modified to show a revised lot layout in accordance with the plan titled Design Response Plan, Version 2, Ref. 19379, dated 11 March 2022.
2. The subdivision as shown on the endorsed plan(s) must not be altered without the prior written consent of the Responsible Authority.
3. Prior to the commencement of the development, a Heritage Works Schedule shall be prepared to the satisfaction of Council detailing the proposed works generally in accordance with the recommendations of the Heritage Overlay Assessment prepared by David Bick dated August 2021 (p.6) and the works shall be undertaken in accordance with the Schedule as endorsed by Council.
4. Before the issue of a Statement of Compliance, the applicant or owner must pay to the Council an amount equal to five percent of the site value of all the land in the subdivision, pursuant to Section 18 of the Subdivision Act 1988. This amount may be adjusted in accordance with Section 18 of the Subdivision Act 1988.
5. Before a statement of compliance is issued, the owner must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 to provide for the following:
  - a) No further subdivision is to occur so as to create an additional lot.
  - b) Any garage or carport associated with development of the lots must be setback a minimum of 5 metres from the property frontage.

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.
6. 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.

7. 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.
8. 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.
9. 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 3,000 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.

This agreement must be prepared by the owner. The cost of the preparation, review and recording on the title of the agreement in accordance with Section 181 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority must be borne by the owner of the land.
10. Before any works associated with the subdivision start, a detailed drainage management plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in accordance with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:
  - a) Drainage infrastructure including piping/drains and pits.
  - b) Any modification to the terrain, such as filling and excavation.
  - c) Easements and legal points of discharge.

All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

11. 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.
12. Before the commencement of works, road construction plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must show:
  - a) An intersection design for the Internal Road and Newlands Drive.
  - b) Fully sealed pavement for the new internal road, with a minimum trafficable width of 6.3 metres (invert to invert), with semi mountable kerb and channel on both sides.
  - c) Fully sealed pavement with a turning area with a minimum radius of ten metres.
  - d) Verge areas with a width sufficient for the construction of drainage infrastructure, services and for pedestrian access.
  - e) Provision of one street tree for each lot frontage.
  - f) Concrete footpaths a minimum of 1.5 metres wide on both sides of the internal road.
  - g) A concrete footpath of minimum width 1.5 metres fronting Toonalook Parade on the side of the development.
  - h) Street lighting (using LED technology).
  - i) Statutory signage and traffic control devices and line marking as appropriate.

The documentation for the road works must include provision for maintenance and repair of damage to any existing road and drainage infrastructure.

The works must be subject to a twelve-month defects liability period.

All works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

13. Before the commencement of any works associated with the subdivision start, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
  - Location of any temporary construction works office and machinery storage area;
  - The construction works access way;
  - Details of construction days and hours;
  - Vehicle and machinery exclusion zones;
  - Location and management requirements of stockpiled soil;

- Measures and techniques to protect drainage lines and watercourses from sediment runoff from disturbed or under construction areas;
- Measures and methods to be employed to protect sites of conservation importance, native vegetation and areas of archaeological significance;
- Measures and techniques to manage dust control;
- A note that Dewatering of sedimentation/retention basins during construction is prohibited without the prior approval of the Responsible Authority;
- The location of a machinery and vehicle wash down area and requirements for the ongoing use of the of the machinery and vehicle wash down area by contractors;
- Location and management of litter storage areas, construction waste areas and chemical storage areas; and
- Methods of ensuring all contractors are informed of the requirements of the construction management plan and persons responsible for ensuring the construction management plan is adhered to.

All construction works and requirements of the construction management plan must be undertaken and completed in accordance with the endorsed construction management plan to the satisfaction of the Responsible Authority.

14. During construction and maintenance activities, adequate steps must be taken to stop soil erosion and the movement of sediment off site and into drainage lines, watercourses and onto adjoining land to the satisfaction of the Responsible Authority. Methods include but are not limited to:
  - a) Control of on-site drainage by intercepting and redirecting run-off in a controlled manner to stabilised vegetated areas on site.
  - b) Installation of sediment control structures such as sediment basins, sediment fences and sediment traps when construction commences and maintaining them until the site is stabilised.
  - c) Re-vegetating all disturbed areas as quickly as possible or within 14 days after construction works are completed.
15. All earthworks associated with the development must be stabilised in accordance with standard engineering design and practices against erosion and failure. All earthworks or retaining structures must not encroach across neighbouring property boundaries to the satisfaction of the Responsible Authority.

**AusNet Electricity Services Pty Ltd conditions**

16. Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
17. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
18. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.

19. Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
20. Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
21. Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
22. Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
23. Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
24. Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
25. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
26. Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

**East Gippsland Water conditions**

27. Extend water supply infrastructure to the satisfaction of East Gippsland Water.
28. Extend sewerage infrastructure to the satisfaction of East Gippsland Water.
29. Submit design, construction, commissioning and as constructed documentation on all proposed infrastructure, or alterations to existing infrastructure, for written approval by East Gippsland Water.
30. Pay applicable development planning charges.
31. Existing water meter (No. 18W068193), is to be disconnected and returned to East Gippsland Water.

32. Modify existing internal pipe work, to the satisfaction of East Gippsland Water, and in accordance with the applicable plumbing standards. Pipe work to each lot is to be kept clear of the other lot(s).
33. Place easement(s) on the plan of subdivision over existing/proposed infrastructure, to the satisfaction of East Gippsland Water.

**Time Limit condition**

34. 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.

## Notes

1. Before undertaking works within a Council road reserve, Consent of Works within Road Reserve must be obtained from the *Roads and Traffic* unit of Council. Refer to the Infrastructure Design Manual (IDM) for crossover designs.
2. **East Gippsland Water notes**
  - (A) In accordance with Section 136 of the Water Act 1989, easements are required over existing/proposed infrastructure. This requirement applies even if the infrastructure is in common property or there is a Section 12(2) easement over the land.
  - (B) For easement(s) created, the Land Benefited/In Favour Of is to be in the name of "East Gippsland Region Water Corporation".
  - (C) For any lot area that cannot be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are to be listed as restrictions on title, to the satisfaction of East Gippsland Water.
  - (D) Each lot is to be separately serviced by the water and/or sewerage reticulation system. Subject to East Gippsland Water's requirements being met, relevant infrastructure will then become East Gippsland Water's to own, operate and maintain in perpetuity.
  - (E) Should East Gippsland Water determine that a gravity sewerage system is not feasible, then a pressure sewer system may be approved by East Gippsland Water.
  - (F) Design documentation to be submitted after certification application has been made.
  - (G) Development planning charges apply where East Gippsland Water approve design, construction, commissioning and as constructed documentation (actual charge is based on the final cost of the works).

- (H) Any feasibility study, required to determine how best to service the development, is to be arranged by East Gippsland Water and funded by the applicant.
- (I) Any infrastructure, outside of the development, that is required to provide sewerage and/or water supply services to the development, is to be funded by the applicant. The type and extent of additional infrastructure, if needed, is subject to detailed engineering design and approval by East Gippsland Water.
- (J) If water services are required, each lot must be separately connected to the water reticulation system and separately metered, to the satisfaction of East Gippsland Water.



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

[https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/5502021P\\_8\\_Newlands\\_Drive\\_Paynesville.pdf](https://egswazstorage.blob.core.windows.net/pubwebcontent/advertised-planning-permit-applications/5502021P_8_Newlands_Drive_Paynesville.pdf)



**EAST GIPPSLAND SHIRE COUNCIL  
PLANNING CONSULTATION MEETING  
550/2021/P – 8 Newslands Drive Paynesville**

**Multi Lot Subdivision, Building and Works, Part  
Demolition of a Heritage Building and Roadworks**

**Record of Meeting  
(Minutes)**

**MONDAY, 14 FEBRUARY 2022**

**VIA MICROSOFT TEAMS**

**COMMENCING AT 6:00 P.M.**

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**1. PROCEDURAL**

**1.1 APOLOGIES**

Councillors: Kirsten Van Diggele, John White, Jane Greacen, Arthur Allan (Deputy Mayor)

Objectors: Helen Chatwood, Robert Datson, Annette Day, Roslyn Pearce, John & Christine Parker, Allison Gaunt, Angela Hutson, Dale Lee, Colin & Denise Hudson, Peter Stokes

**1.2 IN ATTENDANCE**

Councillors: Mark Reeves (Mayor), Mendy Urie, Tom Crook, Trevor Stow, Sonia Buckley

Applicant: Kate Young – Crowther & Sadler

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 550/2021/P – 14 February 2022*

Objectors: Christine & Allan Tonks, Margaret MacQueen, Jeanette Wagner, Kerry Swan, Janine & Darryl Newell, Ken Lloyd, Wendy & Roderick Gardiner, Lynette Wallace

Officers: Anthony Basford, Chief Executive Officer; Stuart McConnell, General Manager Place & Community; Martin Richardson, Manager Planning; Robert Pringle, Coordinator Statutory Planning; Emine Mestan, Acting Senior Land Use Planner.

### **1.3 DECLARATIONS OF CONFLICT OF INTERESTS**

NIL

### **1.4 ACKNOWLEDGEMENT OF COUNTRY**

## **2. REPORTS/PRESENTATIONS**

### **2.1 PLANNERS REPORT**

Emine Mestan – Acting Land Use Planning Officer

Provided background of the site location, planning controls, proposal details and summary of the number and content of objections and submissions. Included in the summary was a history of the prior mediation meeting and clarification of what modifications have been made to the proposal.

Cr. Crook

Q: Wanted to see where the Heritage Overlay was located.

A: Mr Pringle – shared the aerial mapping (*Intramps*) showing the HO.

Cr. Buckley

Q: why the HO is partially on the school building and how it has been assessed

A: Mr Pringle – the additions have no heritage value and the old school building has been assessed as a HO significance.

### **2.2 APPLICANT PRESENTATION**

Kate Young – Crowther & Sadler

Provided background of the site location and proposal.

Commented that she was a previous student.

Explained that the proposal was well designed with consideration to the design response and HO.

The trees and additions are not part of the HO but the old school building is.

A heritage architect was engaged whom provided an assessment and recommendations.

The restoration will be done with similar materials/replicas.

The internal road access will help view the school building/sightlines.

The traffic is not a concern as the school previously had 300 students where there were no traffic issues.

The purpose of the General Residential Zone is to provide housing types in which the proposal meets the zone as it will create and be part of the character of Paynesville.

There are already 80 potential buyers.

Happy for a condition to be placed on the permit for no further subdivision.

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 550/2021/P – 14 February 2022*

Q: Cr Stow – Some blocks are small, clarification to how the subdivision average to the vicinity?

A: Mrs Young – the zone doesn't define a minimum lot size, however, the blocks are more than 300sqm which does fit into the character of the area and can easily fit a 10m x 15m rectangular building envelope. Paynesville is in the top 10 of an ageing population and this proposed subdivision will help progress the area.

Q: Cr. Crook – requested clarity if there have been other subdivision at this rate in the area with the HO?

A: Mr Pringle – not many lots/subdivisions with the HO, but examples are properties in Bairnsdale and West Bairnsdale into two lots. There are a lot of Greenfields that allow infill.

Q: Mrs Young – added to the comment that the portion of the HO is to be subdivided into two whilst retaining the old school which will be restored into a home.

## 2.3 OBJECTOR PRESENTATIONS

- **Jeanette Wagner**

Lives opposite the street for the past 50 years.

Her children attended the school.

She had awareness that the site would one day be developed but didn't expect with the proposal.

The corner of Reynolds and Newlands theirs is currently high traffic and considered to be dangerous where there have been some near miss accidents.

The removal of two large oak trees will reduce the habitat and fauna of the bird population.

She is not against the subdivision but doesn't favour the density.

She would like to see the retention of at least 1 tree, assuming that the tree next to the old school building would be retained.

Q: Cr. Urie – requested clarification whether the tree on the south-west corner was to be retained.

A: Mrs Young – only the tree to the north-east will be retained, however the other trees are not native and can be removed without the requirement of a planning permit.

Q: Cr. Urie – asked if we can organise a traffic impact assessment to assess the increases traffic.

A: Mr Pringle – Council officer did not need to request the need for a traffic assessment as the Paynesville Growth Structure Plan had an overall traffic assessment already conducted.

- **Margaret MacQueen**

Has reviewed the Urban Design Character that is planned to improve the area.

The area was a fishing village. The old school building is noted to be built in 1880-1181 as opposed to 1915 as mentioned in the meeting. There's an increase of traffic in the area.

The removal of the HO on the site. Considers that the area would benefit with a community hub and retain the two trees due to the central area.

Q: Cr. Reeves – Corrected that the old school building was built in 1915 by a Mr Hought.

- **Christine & Allen Tonks**

They don't live in the area but they do have a holiday home in Paynesville.  
Considers the proposal as high density/cluster housing.  
He is involved in landscaping and considers the increased density would be costing in landscaping. Considers that the trees on site should be retained.  
Happy for a condition to be added on the permit for no further subdivision.  
As there are usually more than one vehicle per household, the traffic will be increased.

Q: Cr. Urie – asked for clarification why there can't be a dictation on a proposal and how the proposal of the heritage school building will be used.

A: Mrs Young – the plans show what the building its currently used for which is a three bedroom dwelling and will be restored. The site is within the GRZ that cannot have a community hub, therefore, the dwelling will be retained and restored to its formal glory.

- **Janine & Darryl Newell**

Lives across the site where there will be 6-7 lots directly across her property.  
The traffic will be increased.  
The internal accessway is a dead end for the proposed nine lots. This will prove difficulty for garbage trucks to enter and exit the cul-de-sac.  
Current setbacks to garages is a minimum 6m but the Council provision allows to 4m to the side.  
Subdivision is considered to be an overdevelopment.  
The internal access should be on a east-west direction so traffic can easily pass through Reynolds Street an Toonalook Parade.  
Council should purchase the heritage site and convert it into a community hub such as arts and crafts.  
Considers the trees to be retained on site to eb used as open space.

Q: Cr. Crook – requested clarification whether the three oak trees are in similar size and age.

A: Mrs Young – they are 40 years younger than the tree located on the heritage site which is closest to the old school building.

Q: Cr. Urie – asked for clarification on setbacks.

A: Mr Pringle – setbacks are a building code assessment. The street setbacks would be normally assessed. The standard front setback is 9m, anything less (other than the side neighbouring property) can apply less but will require a report and consent from the Municipal Building Surveyor.

A: Mrs Young – Newlands Road is a Transport Zone 2 road which is owned by the Department of Transport.

Q: Cr. Reeves – asked for clarification if the internal access has sufficient space to enter and reverse safely.

A: Mrs Young – Agreed.

Q: Cr. Reeves – asked whether the DDO14 would be a trigger.

A: Mrs Young – confirmed only would be triggered if the future dwelling(s) would have a total building height exceeding 7.5m.

- **Ken Lloyd**

Lives across the road.

There would be a loss of ambience, stated that he will move out if the subdivision is granted and goes ahead.

The density should be reconsidered.

Trees should be retained.

Up north of the area is a hill which has been proven to be dangerous. A traffic impact assessment should be undertaken.

The internal access seems to be too narrow.

Q: Cr. Buckley – has valid concerns on traffic and safety. Direct questions to officers and Kate Young whether there would be further assessment on the Urban Design Framework.

A: Mrs Young – confirmed the client would be open to have dwellings already planned.

Q: Cr. Buckley – asked clarification whether Council would have a further assessment on the framework.

A: Mr Pringle – the current controls on coastal towns of the DDO is already assessed under the coastal design framework but will take recommendations. In Paynesville the DDO14 is rarely triggered, there are other areas of the DDO that also includes the slope and building footprint. However, Council is looking into the effectiveness of the control by assessing proposals and current characters of areas. Any undeveloped lots will be controlled if a DDO change is in the future.

Q: Cr. Buckley – asked clarification whether Council can make a suggestion to add a condition on the permit pending on future developments.

A: Cr. Reeves – would be difficult to enter/add such a condition as a covenant on the permit.

Q: Cr. Crook – suggested that there could be a mechanism such as a S173 agreement if possible. Asked if there is a VPO to retain the trees.

A: Mrs Young – confirmed no, but garden areas have been maintained due to the old school yard.

- **Kerry Swan**

Lives across the site.

Will have difficulty accessing her property.

Increased traffic.

Potentially more than two vehicles per household.

Width of the internal access is too narrow which will not allow for emergency vehicles to safety access.

The area is an elderly community and their safety is a concern.

More bin storage along the street.

No one abides by the current 40km per hour speed limit.

A: Cr. Reeves – asked id the width of the internal access was sufficient.

A: Mrs Young – court bowl has a 10m radius which can easily allow access to emergency vehicles.

A: Mr Pringle – There's a program with Council that regularly reviews speed limits. However, given the nature of Newlands Drive a review is not considered to be necessary.

Q: Cr. Reeves – speed limits are a VicPol matter but will bring it up at the next Road Safety meeting.

- **Kerry Swan**

Does not oppose the proposal but considers 22 lots as an overdevelopment.  
The 300 students that Kate mentioned did not have to be picked up or dropped off as majority walked home so not as much traffic.  
Newlands Drive is the main thoroughfare.  
There would be inconsistent streetscape due to the high density.

- **Wendy & Roderick Gardiner**

Lives across the street.  
Most of her concerns have already been raised by the other objectors.  
Not against the subdivision but against the density.  
The oak trees add to the character and history of the area.  
The proposal is not consistent with section 15 of the planning scheme based on neighbourhood character and urban design framework.  
Living on top on the crest of the hill is a safety issue where cars are unable to reverse out.  
The roads are too narrow and adding increase of traffic adds to further safety issues.

## **2.4 CLOSING COMMENTS**

Robert Pringle advised that Council will take into consideration all of the content of the evening's proceedings and go back to the Applicant due to the questions raised in the meeting. Will investigate agreements to see if it can be a solution to the concerns raised. The application will eventually be reported to a Council meeting for a determination. Further notification to the public is unlikely, however there will be advice sent when the application is brought before Council.

## **3. MEETING CLOSE**

The meeting closed at 7:43 PM

1/19/2022

dwa3949.htm

Printed 12/04/2022  
Page 1 of 36

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Friday, 17 December 2021 6:44:47 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

### Objection to a Planning Permit Application

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

**Name:** Helen Chatwood

**Email address:**

**Postal address** Paynesville

**Mobile phone number:**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Subdivision of 22 Lots fronting Newlands Drive, Reynolds St and Toonalook Pde, Paynesville

**What is the address to be used or developed?:** 8 Newlands Drive, Paynesville

**Who has applied for the permit?:** Crowther and Sadler Pty Ltd

**What are the reasons for your objection?:** The proposed court off Newlands Drive is at the top or the rise of the hill making that intersection dangerous. A lot of the elderly and children cross the road there as it's the safest spot as you can see traffic coming from both directions.. Adding another intersection along that stretch of road will leave pedestrians without a safe place to cross Newlands drive The 2 small blocks on the corner of Reynolds St and Newlands Drive. Traffic entering Newlands Drive from Reynolds St must come to a stop to view the road both ways before entering, Adding 2 driveways so close to that corner is going to add to the congestion of both traffic and pedestrians.

**How would you be affected by the granting of this permit?:** My husband and I frequently take our preschool age children on bikes and scooters down the footpath on Newlands Drive to the foreshore and shopping centre. Allowing a court intersection onto Newlands Drive at the top of the rise is ridiculously dangerous. In the short distance we would be crossing the new court, at the top of a rise, Toonalook Pde that is close to the Main Rd intersection and then Main Rd a the T intersection. Even walking the children we would be on guard the whole distance. I am not against the subdivision but no consideration has been given to the safety of pedestrians young or old. For the safety of pedestrians the court should open on either Reynolds Street or Toonalook Pde.

**Privacy Statement:** Yes



1/19/2022

dwa6DF8.htm

Printed 12/04/2022  
Page 2 of 36

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Saturday, 18 December 2021 3:26:20 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:** Robert Datson

**Email address**

**Postal address** Paynesville 3880

**Mobile phone number**

**Home phone number:** -

**Work phone number:** 550/2021

**Planning permit number:** 550/2021/P

**What has been proposed?:** Multi lot subdivision as per Planning permit at 8 Newlands Drive Paynesville Lot 1 TP 443154

**What is the address to be used or developed?:** 8 Newlands Drive Paynesville 3880

**Who has applied for the permit?:** Jonathon & Judy Wood. 8 Newlands Drive Paynesville 3880

**What are the reasons for your objection?:** Increase in traffic in the area at a dangerous intersection. Application doesn't include any reference to increase schooling, medical, dental, supermarket and PARKING. These facilities are already stretched to the maximum. With this proposal and others in the area there will be an uncontrollable increase in traffic. Too many house blocks in proposed development.

**How would you be affected by the granting of this permit?:** Disruption over many years until completion of the project. Which would include noise, dust, traffic flow problems and general inconvenience to all local residents.

**Privacy Statement:** Yes

1/19/2022

dwaEA7A.htm

Printed 12/04/2022  
Page 3 of 36

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Saturday, 18 December 2021 6:18:39 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:** Annette Day

**Email address:**

**Postal address**

**Mobile phone number:**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Subdivision, building and works. Part demolition of heritage building and roadworks.

**What is the address to be used or developed?:** 8 Newlands drive Paynesville

**Who has applied for the permit?:** Crowther and Sadler.

**What are the reasons for your objection?:** Increased traffic on Newlands Drive Too many blocks on the property Increased traffic flow during the time of construction Insufficient facilities within the town for such large increase of population Constant noise affecting abutting properties for a long period of time during construction.

**How would you be affected by the granting of this permit?:** Noise over many months Traffic congestion around the sites Dust and debris impacting my property

**Privacy Statement:** Yes

1/19/2022

dwaA60.htm

Printed 12/04/2022  
Page 4 of 36

**From:** Ros Pearce  
**Sent:** Sunday, 19 December 2021 9:00:14 PM  
**To:** Planning Unit Administration  
**Subject:** Planning application 550/2020/P att: Ms E Meslan

**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.

Dear Mr Meslan

Please record this letter as a formal objection to the above application based on the following points. Whilst i appreciate that the land should and will be developed i have a number of concerns

1. As a resident of Newlands Drive I am fully aware if the amount of traffic which currently uses this road and am concerned that such a development would increase the traffic to a point where the road becomes more dangerous than it already is. Newlands Drive is quite narrow in spots and is the main road to Paynesville village, it is certainly not a suitable road for any increase in traffic.

In addition the number of blocks proposed would most definitely increase traffic along Reynolds, Gilsenan and Toonalook roads. The number if driveway entrances from these roads is absolutely ridiculous. The footpath on Newlands is used by many, elderly, families with children and peta and with an increase in the number of cars entering from the blocks comes an increase in the danger to these pedestrians.

2.The block sizes are far too small. It is mentioned in the planning submission that it is supposed that each household would average 2 people based on the current demographic of Paynesville. What an assumption. Even if this is the case, which is purely put forward to allay the neighbours fears, a good percentage of these residents will have at least one car, more likely two, and many will have a boat or caravan. How can a small block accommodate this. Off street parking will be horrendous whether it is in the cul 'de sac or on Newlands, Reynolds or toonalook roads. Perhaps they will build inappropriate double storey houses. This developme t is totally inappropriate for this area.

3. Green space. What green space. The houses will be cheek by jowell with little consideration of the aesthetic of the area and the need to provide some areas for people to enjoy what is currently a relaxing place to live. Suggesting they go a good the road go the park near the water misses the whole point of lifestyle enjoyment. It's all just a cop out.

Retain the oak tree and make it a council maintained green space complete with seating and underplanting. Is that too much time so, or is that the Murphy in the plan??

I do hope you receive many objections to this ridiculous proposal which I fear the council sees as potential revenue through rates etc without due consideration of the real impact this will have on what is a beautiful village atmosphere.

Don't let money be the driver behind the acceptance but rather look and really consider carefully the true impact this overdevelopment will have in the long term.

Sincerely  
Ros Pearce

1/19/2022

dwa3E6A.htm

Printed 12/04/2022  
Page 5 of 36

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Monday, 20 December 2021 11:06:47 AM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

### Objection to a Planning Permit Application

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

**Name:** John and Christine Parker

**Email address:**

**Postal address**

**Mobile phone number:**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Subdivision of 22 Lots

**What is the address to be used or developed?:** 8 Newlands Drive PAYNESVILLE 3880

**Who has applied for the permit?:** Crowther and Saddler Pty Ltd

**What are the reasons for your objection?:** High increase of traffic along Newlands Drive, Reynolds St and Toonalook Parade. The crest of Newland drive hill already compromises vision now. Gilsenan St and Reynolds Street will become a short cut with the increased traffic, The destruction of the Oak Trees which has significant history for well over 85 years. These trees were planted by a local family and formed part of the pony yard when children rode to school. The beautiful Oak trees also offer shelter to people walking to the shops, to stop and converse with others, especially during hot weather. We certainly welcome the development but not the high density of 22 blocks.

**How would you be affected by the granting of this permit?:** Driveway of No 5 Gilsenan St and the Caravan Park are opposite this makes entry and exit difficult at times and will only worsen with the increased traffic especially with caravans, boats and trailers An example today is a huge truck parked in Gilsenan Street. The a slight bend in the street compromises safety. Parking becomes a premium during busy times and events in the town. We have had cars parked on our nature strip which also compromises vision.

**Privacy Statement:** Yes

1/19/2022

dwaA144.htm

Printed 12/04/2022  
Page 6 of 36

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Monday, 20 December 2021 10:20:56 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:** Allison Gaunt

**Email address:**

**Postal address :** Paynesville

**Mobile phone number:**

**Planning permit number:** 550/2021/p

**What has been proposed?:** Multi lot subdivision

**What is the address to be used or developed?:** 8 newlands drive paynesville

**Who has applied for the permit?:** Crowther & Sadler pry ltd

**What are the reasons for your objection?:** The only reason you would squash this many homes onto this block is money. There is no other development like this in paynesville. It completely goes against the vibe of the area. The car situation per block unless each block has off street parking for two will be a debacle, and even then add visitors and / or a third car which is not uncommon. Streets will be laden with cars, which is unsightly and undesirable particularly along newlands drive. The oak tree on the corner of newlands and Reynolds should be preserved at all costs. It is beyond me why anyone would think that it is ok to remove a tree of this beauty and age. This tree adds to the peaceful nature of the town.

**How would you be affected by the granting of this permit?:** Increased road traffic, would directly impact on the safety of my family and others walking to and from the shops with so many cars going in and out in such a small area. Visually a development of this nature does not fit in with that of the surrounding areas. It would be very unappealing to look at. It's not the vibe of paynesville.

**Privacy Statement:** Yes

1/19/2022

dwaFD10.htm

Printed 12/04/2022  
Page 7 of 36

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Tuesday, 21 December 2021 5:10:54 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:** Kerry Swan

**Email address:**

**Postal address :**

**Mobile phone number**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Multi lot subdivision

**What is the address to be used or developed?:** 8 newlands drive Paynesville

**Who has applied for the permit?:** Cook j

**What are the reasons for your objection?:** The multi lot subdivision is planned to be divided into 22 lots directly opposite my home. Safety, lack of infrastructure and access points. Too many access points onto newlands drive and 9 properties around New court accessing development. An average of 2 cars per lot plus boats, caravans and other accessories. Dangerous position of new access road. Multi level properties invasive of my privacy. Access drive and carport garages will not be far enough back from main road ie when I did renovations to my property council objected to my garage being on newlands drive! They insisted it be a minimum of 6 metres back from Newlands drive to allow turn in and not having car on newlands drive as a hazard.

**How would you be affected by the granting of this permit?:** I will be directly affected. My Vista, my private access and leaving my property. Safety for myself and family

**Attach any further information:** [5502021P\\_8\\_Newlands\\_Drive\\_Paynesville.pdf](#)

**Privacy Statement:** Yes

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## East Gippsland Shire Council

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Bairnsdale Vic 3875  
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Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
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Telephone: (03) 5153 9500  
Fax: (03) 5153 9576  
National Relay Service: 133 677  
Residents' Information Line: 1300 555 886  
ABN: 81 957 967 765

### Objection to Planning Permit Application

Planning and Environment Act 1987

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

Your Details:

Name: <u>DEANETTE WAGNER</u>	
Postal address: <u>PAYNESVILLE</u>	
Phone number: Home:	Work: <u>Postcode 3880</u>
Email address:	Fax: <u>/</u>

Permit Details:

Planning permit number: <u>550/2021/P</u>
What has been proposed? <u>Subdivision of the old Paynesville Primary School into 22 allotments</u>
What is the address to be used or developed? <u>8 Newlands Dr. Paynesville. 3880.</u>
Who has applied for the permit? <u>Crowther &amp; Sadler on behalf of Jonathan &amp; Judy Wood.</u>

Objection Details:

What are the reasons for your objection? <u>Overdevelopment of this land ~ allotments are generally too small making this area high density. This would create a traffic management issue on premier streets. Destroying habitat for birds by removing the two oak trees. Please retain at least the one behind the toilet block. The one on the car Reynolds has been part of our community</u>
--

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When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

for decades! Remove Block No 6. & retain

There is possibly also a Time Capsule buried somewhere near the oak tree located near the original school building which should have a plaque. Please check and retain if possible.

Lots of birds use the old oak tree on the corner of Reynolds Street and I'm assuming the one near the toilets would be even busier. Our bird population is declining due to removal of their habitats everywhere and the size of the majority of these proposed blocks would not encourage or provide the room for larger trees to be planted.

My block is in excess of 0.1012 Ha, as are the majority of blocks in this area. Several of these proposed blocks are only 437-496 sq. mt!



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## East Gippsland Shire Council

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 Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
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Telephone: (03) 5153 9500  
 Fax: (03) 5153 9576  
 National Relay Service: 133 677  
 Residents' Information Line: 1300 555 886  
 ABN: 81 957 967 765

How would you be affected by the granting of this permit? Reynolds St is  
already a very busy street with the  
Caravan Park in Gilsenan St & access to  
many other streets. The high density of  
this subdivision would make it a lot  
worse & possibly more dangerous than  
it already is. I had a car coming  
round into Reynolds St from Newlands  
Drive jump the kerb & crash into my  
side fence

If you need me

another sheet.

Signature:

Name: JDate: 23 / 12 / 2021

## Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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JUL15

1/19/2022

dwa3CF2.htm

Printed 12/04/2022  
Page 11 of 36

**From:** Janine Newell  
**Sent:** Friday, 17 December 2021 9:06:08 AM  
**To:** Feedback Address For Web Page  
**Subject:** Objection to Planning application 550/2020/P letter 8 Newlands Drive Paynesville

**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.

1/19/2022

dwa3CF2.htm

**Printed 12/04/2022**  
**Page 12 of 36**

Attention: Ms Mestan  
Re: Planning Application 550/2020/P  
8 Newlands Drive Paynesville

Dear Ms Mestan

Please find attached a letter outlining our objections and concerns regarding the proposed subdivision at 8 Newlands Drive Paynesville, Planning application 550/2020/P.

We look forward to hearing from the council with regard to these objections.

Yours sincerely  
Janine & Daryl Newell

Attention Ms Emine Mestan

Land Use Planning Officer

East Gippsland Shire Council

Dear Ms Mestan

Re: Planning Application 550/2020/P

8 Newlands Drive Paynesville

We are residents at 17 Newlands Drive Paynesville and we are writing to object to the above planning application on a number of grounds.

1. Whilst we do understand the need for the site of the proposed subdivision to be developed eventually, we strongly believe that the proposed subdivision constitutes a gross overdevelopment of the site and that such high density housing is not compatible with the majority of the surrounding block sizes in this area, particularly on Newlands Drive and Reynolds St and most of Toonalook Parade. This development in its current state, we believe will destroy the ambience and streetscape which currently makes this older part of Paynesville an attractive and family friendly area.

The statement in the proposed subdivision document that

‘[Subdivision of this land will support the resilient Paynesville community](#)’ we believe is nonsensical and ludicrous at best.

2. The smallest block sizes of between 437m sq. and 496m sq. we believe will make it difficult if not impossible for the purchasers to build a suitable house to fit the block, provide parking and garaging for one or possibly two cars off the street and provide any access or storage of a caravan and/or boat and trailer which many residents in this area own to take advantage of the Gippsland Lakes environment.

3. We also raise the issue of the current council overlay for the setback of a garage from the property boundary on a crossover and understand that the current requirement for the north side of Newlands Drive would be four metres. We further note that most, if not all of the current dwellings on the north side of Newlands Drive, west of Reynolds St which are large blocks, have garages set well back from the front of the properties, in fact much greater than four metres and most are towards the rear of the property. So we are concerned that with the considerably smaller sized blocks in the proposed subdivision there will be by necessity a very large amount of cars parked on Newlands Drive, Reynolds St and Toonalook Parade, which will make for an unacceptable and dangerous situation. This is of particular concern with regard to the traffic already currently generated to and from the caravan park which use Reynolds St and turn into Newlands Drive.

4. The height of any proposed buildings on the subdivision is of great concern and, particularly when we consider the current East Gippsland planning overlay allows for a maximum height of 7.5 metres. When considering the size of the smallest blocks proposed it would be understandable that purchasers would seek to build a multi storey home in order to make the most of a small block size, we ask if the council will limit development to two stories as a maximum to discourage any proposed apartment buildings.

5. The large number of blocks proposed will also increase the load on the current infrastructure of the area and the services that this subdivision will require.

6. The subdivision plan which proposes an access road coming directly off Newlands Drive will result in a vastly increased traffic flow directly onto Newlands Drive at the crest of a rise/hill and is we believe a dangerous and inappropriate one. With nine blocks proposed to use this access road the amount of traffic using this access road would be considerable and we are concerned that this would also include service and delivery vehicles coming and going frequently. The problems with service and delivery vehicles using the access road would be exacerbated by residents and visitors parking their cars on the side of this access road outside the properties, thus reducing the width of the access road.

We also question whether a garbage truck would be able to enter and turn around to exit within this access road or whether the residents of the blocks using this access road would by necessity have to leave their three bins per household at the Newlands Drive entrance, possibly resulting in up to 18 bins at any one time being left out on the side of Newlands Drive, possibly even blocking the footpath and/or creating a traffic hazard with bins being hit by vehicles.

The increased traffic using this access road will by necessity present a danger to the foot traffic using the footpath on the north side of Newlands Drive to go back and forth to the shops. As residents opposite this footpath which is the only one on Newlands Drive, we note that it is used frequently by aged residents on mobility scooters, families with prams and much foot traffic from both local residences and the nearby caravan park. We are greatly concerned that cars using driveways to both park and enter and exit the blocks facing Newlands Drive and Reynolds Street will result in a dangerous situation with obstruction and difficulties in manoeuvring the footpath safely for individuals with disabilities, their forms of transport, mobility scooters for aged residents and parents with prams.

7. We are also concerned about the loss of the oak tree on the corner of Newlands Drive and Reynolds Street on the block No 6. We urge the council to consider allowing this block to be retained as open space with the tree as a focal point and including a seat to replace the one currently on the nature strip outside the old State school. A number of elderly residents use this seat to rest during their walk down to the shops. This open space would also help reduce the danger of having a house right on this corner with traffic coming from a driveway right on this busy intersection.

3

8. The original State school on block 17 of the proposed subdivision which is subject to a heritage overlay is, we believe of irreplaceable value to the local community. It would be of considerable advantage to the Paynesville community for the council to purchase and retain this building to be used for the benefit of all the residents. This building could be restored and used for bodies such as the Maritime museum, a Paynesville community group or a craft and arts centre. We hope that the council will seriously consider our suggestion that this building be acquired and retained for public use in the future and not miss the opportunity to secure it for future generations of residents.

Yours faithfully

Janine & Daryl Newell

Paynesville Vic 3880

273 Main Street (PO Box 1618)  
Bairnsdale Vic 3875  
Website [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)  
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Telephone: (03) 5153 9500  
Fax: (03) 5153 9576  
National Relay Service: 133 677  
Residents' Information Line: 1300 555 886  
ABN: 81 957 765

Time 9:15  
17 DEC 2021  
2021  
S. J. C. C. C.

### Your Details:

Name: <u>KEN LLOYD</u>	
Postal address: <u>PAYNESVILLE VTC</u>	
Postcode	<u>3000</u>
Phone number	<u>-</u>
Mobile	
Email address:	<u>-</u>
Fax:	<u>-</u>

Planning permit number: 550/2021/P

What has been proposed? MULTI LOT SUBDIVISION, BUILDING & WORKS, PART DEMOLITION OF A HERITAGE BUILDING AND ROADWORKS

What is the address to be used or developed? 8 NEWLANDS DRIVE  
PAYNESVILLE VIC 3880

Who has applied for the permit? CROWTHER & SADLER

## 98 DEC 2021

What are the reasons for your objection? INFORMATION  
MANAGEMENT

- > OVER DENSITY DEVELOPMENT NOT IN KEEPING WITH  
PAINESVILLE AMBIENCE & STREETSCAPE
- > LOSS OF VILLAGE ENVIRONMENT
- > TRAFFIC CONCERNS, T-SECTION REYNOLDS STREET  
& NEWLANDS DRIVE, OFF SITE PARKING
- > REMOVAL OF OAK TREE CORNER OF REYNOLDS STREET  
& NEWLANDS DRIVE

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East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 26 April 2022

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## East Gippsland Shire Council

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

How would you be affected by the granting of this permit? \_\_\_\_\_

> INCREASE IN TRAFFIC AROUND T-SECTION

REYNOLDS STREET & NEWLANDS DRIVE

(WE LIVE OPPOSITE REYNOLDS STREET)

> WE LOOSE OUR NORTHERN ASPECT WITH THE  
 REMOVAL OF THE OAK TREE.

> THE EFFECT OF THIS DEVELOPMENT ON PAYMESVILLE  
 NOT THE REASON WHY WE CHOSE TO LIVE HERE.

If you need more space for any part of this form please attach another sheet.

SHEET  
 ATTACHED

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

KEN LOYO

Date: 17/12/2021

## Office Use Only:

Objection Received by: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning officer responsible: \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

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 When information is given out, Council will always try to make sure your privacy is protected in line with the Privacy and Data Protection Act 2014. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

JUL15



The Responsible Authority

East Gippsland Shire

Reference : Planning Application 550/2021/P

8 Newlands Drive Paynesville 3880

As residence of 21 Newlands Drive Paynesville we wish we object to the above Planning Proposal as follows.

- We reside in a very open and pleasant residential site with a natural environment facing north and overlooking this site a part of Paynesville that represents this town.  
The high density proposal destroys the ambience and street scape of the area and the architecture of the school and its historical significance.  
This is a unique opportunity lost to this town if a project of such density is approved.  
We will loose every reason why we live in Paynesville.
- Propose block sizes of 437 sq.ms. – 586 sq.ms. should not be approved in such a development that does not represent the Paynesville Village atmosphere.
- Traffic concerns – There will be 6 double,1 single and the main court extra residential crossovers to Reynolds Street, Newlands Drive and Toonalook Parade. Something that will cause major traffic increase to these busy streets as well as a safety concern to people using the footpath in Reynolds Street and Newlands Drive,  
The T section of Reynolds and Newlands Drive is always busy with local traffic, caravans and boat traffic from the local residences and Caravan Park and the crossovers to blocks 5,6 and 7 will be a nightmare. Would more internal road access be a better consideration.  
Both Reynolds Street and Toonalook Parade are 8.0 mts and 7.8 mts respectfully and do not allow for any street parking. This will also cause a major problem in all the streets.
- The proposed removal of the Oak trees which are an integral part of the landscape are the home of many species of birds and should be considered to be retained.  
Could we also suggest that block No. 6 be left as open space and retain the existing tree with reduced foliage. This would help to enhanced the proposal as well as alleviate some of the traffic concerns at the corner of Reynolds Street and Newlands Drive.

1/19/2022

dwa9F1B.htm

Printed 12/04/2022  
Page 19 of 36

**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Tuesday, 21 December 2021 12:58:26 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:** Angela Hutson

**Email address:**

**Postal address :**

**Mobile phone number:**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks

**What is the address to be used or developed?:** 8 Newlands Drive Paynesville

**Who has applied for the permit?:** Crowther & Sadler Pty Ltd

**What are the reasons for your objection?:** see attached

**How would you be affected by the granting of this permit?:** see attached

**Attach any further information:** [EG objection letter Newlands Drive Subdivision.pdf](#)

**Privacy Statement:** Yes

December 20 2021

Attention Ms Emine Mestan

Land Use Planning Officer

East Gippsland Shire Council

Dear Ms Mestan

**Re: Planning Application 550/2020/P @ 8 Newlands Drive Paynesville**

I am a rate paying resident at 15 Newlands Drive Paynesville and I am writing to object to the above planning application on a number of grounds.

1. This is no "Portsea to Paynesville" development as allegedly described by the developer ...this is a high density, crammed cheek to jowl "amenity".
  - a. This is high density housing at its worst.
  - b. The proposed subdivision constitutes a gross overdevelopment of the site and such high density housing is not compatible with the majority of the surrounding block sizes in this area, particularly on Newlands Drive and Reynolds St and most of Toonalook Parade.
  - c. This development in its current state will destroy the ambience and streetscape which currently makes this older part of Paynesville an attractive and family friendly area.
  - d. There is little evidence to support the statement in the proposed subdivision document that ....'Subdivision of this land will support the resilient Paynesville community'
2. The postage stamp smallest block sizes of between 437m sq. and 496m sq. would seemingly make it very difficult if not impossible for the purchasers to build a suitable unit/house to fit the block, provide parking and garaging for one or possibly two cars off the street and provide any access or storage of a caravan and/or boat and trailer which many residents in this area own to take advantage of the Gippsland Lakes environment.
3. I raise the issue of the current council overlay for the setback of a garage from the property boundary on a crossover and understand that the current requirement for the north side of Newlands Drive would be four metres.
  - a. I note that most, if not all of the current dwellings on the north side of Newlands Drive, west of Reynolds St which are large blocks, have garages set well back from the front of the properties, in fact much greater than four metres and most are towards the rear of the property. So I am concerned that with the considerably smaller sized blocks in the proposed subdivision there will be by necessity a very large amount of cars parked on Newlands Drive, Reynolds St and Toonalook Parade, which will make for an unacceptable dangerous situation.
  - b. This is of particular concern with regard to the traffic already currently generated to and from the caravan park which use Reynolds St and turn into Newlands Drive.
4. The height of any proposed buildings on the subdivision is of great concern and, particularly when the current East Gippsland planning overlay allows for a maximum height of 7.5 metres. When considering the size of the smallest blocks proposed it would be understandable that purchasers would seek to build a multi store dwelling in order to make the most of a small block size. I oppose any permit that would allow the development of apartment style buildings.
5. The large number of blocks proposed will also increase the load on the current infrastructure of the area and the services that this subdivision will require.

6. The subdivision plan proposes an access road coming directly off Newlands Drive will result in a vastly increased traffic flow directly onto Newlands Drive at the crest of a rise/hill which is a dangerous and inappropriate proposal.
  - a. With nine blocks proposed to use this access road the amount of traffic using this access road would be considerable and the concern is that this would also include service and delivery vehicles coming and going frequently. The problems with service and delivery vehicles using the access road would be exacerbated by residents and visitors parking their cars on the side of this access road outside the properties, thus reducing the width of the access road.
  - b. The rise on Newlands Drive between the proposed development and the south side of Newlands Drive is a blind spot for cars backing out of driveways and turning into Newlands Drive whether left or right.
  - c. It's an extremely dangerous proposal for possibly 20 plus cars everyday going in and out of the development.
7. I query how a garbage truck would be able to enter and turn around to exit within this access road or whether the residents of the blocks using this access road would by necessity have to leave their three bins per household at the Newlands Drive entrance, possibly resulting in up to 18 bins at any one time being left out on the side of Newlands Drive, possibly even blocking the footpath and/or creating a traffic hazard with bins being hit by vehicles.
8. The increased traffic using this access road will by necessity present a danger to the foot traffic using the footpath on the north side of Newlands Drive to go back and forth to the shops.
  - a. Residents opposite this footpath as there is no footpath on the south side of Newlands drive and it is used frequently by aged residents on mobility scooters, families with prams and much foot traffic from both local residences and the nearby caravan park.
  - b. Cars using driveways to both park and enter and exit the blocks facing Newlands Drive and Reynolds Street will result in a dangerous situation with obstruction and difficulties in manoeuvring the footpath safely for individuals with disabilities, their forms of transport, mobility scooters for aged residents and parents with prams.

Yours faithfully

Angela Hutson

Paynesville Vic 3880

1/19/2022

dwa7FE4.htm

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**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Saturday, 18 December 2021 2:27:45 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:** Allan & Christine Tonks

**Email address**

**Postal address** Paynesville. 3880

**Mobile phone number:**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks

**What is the address to be used or developed?:** 8 Newlands Drive Paynesville. 3880

**Who has applied for the permit?:** Crowther & Sadler Pty. Ltd

**What are the reasons for your objection?:** The development is not in keeping with the surrounding area. It is a high density development which does not fit in with the holiday vibe of Paynesville. There is no mention if the development is to be single or double storey homes. With 22 lots you would expect a minimum of 22 cars - most people have 2 cars these days and what about visitors cars, where will they be parking, on the street? on the nature strip? which will block the view of cars exiting Reynolds & Toonalook Streets remembering many cars exiting Reynolds Street are often towing caravans making viewing of oncoming traffic doubly difficult. The proposed removal of the oak tree at the corner of Reynolds Street & Newlands Drive just should not happen, it goes against all of our principles of retaining valuable vegetation particularly something around the 100 year mark. All this application is about is putting as many homes as possible in a small space with no regard for the environment and the peace and quiet that we currently enjoy and to make as much money as possible.

**How would you be affected by the granting of this permit?:** We would be affected visually by the granting of this permit and by the increase in traffic in such a quiet seaside village.

**Privacy Statement:** Yes

1/19/2022

dwa2CAD.htm

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**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Monday, 20 December 2021 1:32:12 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:** Dale Lee

**Email address:**

**Postal address :** Paynesville. 3880

**Mobile phone number**

**Planning permit number:** 550/2021P

**What has been proposed?:** Subdivision of 22 house lots.

**What is the address to be used or developed?:** 8 Newlands Drive, Paynesville

**Who has applied for the permit?:** Crowther & Sadlet Pty Ltd

**What are the reasons for your objection?:**

**Attach any further information:** [Planning Permit 550 2021P.docx](#)

**Privacy Statement:** Yes

Name: Dale Lee

Paynesville 3880

Application number: 550/2021/P

I am effected by the proposal and object to the granting of a planning permit on the following grounds:

1. Retention of Vegetation

The Oak Tree on the corner of Newlands Drive and Reynolds Street should be protected within the subdivision. Whilst it is understood that a planning permit is not required for its removal, the large tree does contribute to the overall character of the streetscape and neighbourhood.

It is anticipated that the lots could be redesigned to protect this tree.

An Arborist Report and Tree Impact Assessment should be included with the application. The residential lot containing the tree should be restricted with a Tree Protection Zone and Building Envelope on Title, to ensure the protection of the tree. Any encroachment in to the TPZ should not be supported.

The proposed internal road should be relocated to retain the Oak Tree within the road reserve.

2. Infrastructure Delivery

It is not clear from the application if the proposed road will have footpaths on both sides. If a permit is granted, it should be required that there is a pedestrian paths on both sides of the proposed road. The existing path on each three road frontages should also be replaced with a wider footpath. This will improve pedestrian connectivity from and to the site.

Street tree planting should be required to be provided along all three road frontages and along the proposed internal road.

3. Traffic Management Plan.

A current traffic management impact assessment should be included with this application. The increase in traffic on exiting and entering Newlands Drive, Toonalook Place and Reynolds Street on the crest of a hill where the proposed road is located possess an increased traffic and pedestrian safety risk and should be taken into consideration.

4. High Density Housing.

The height of any proposed dwellings and land sizes should be limited to ensure they are consistent and in keeping with the existing street scape of Paynesville. Dwelling height should be restricted to a maximum of two stories and land size a minimum of 800 square meters.

Please confirm receipt of my objection to this proposal. I would be happy to discuss my concerns.

Regards,

Dale Lee

Paynesville  
3880.



1/19/2022

dwa5316.htm

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**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Thursday, 16 December 2021 7:55:46 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:** Colin and Denise Hudson

**Email address**

**Postal address :** Paynesville, vic 3880

**Mobile phone number**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Multi lot subdivision

**What is the address to be used or developed?:** 8 Newlands Drive, Paynesville. Lot 1 TP 443154

**Who has applied for the permit?:** Jonathon and Judy Wood

**What are the reasons for your objection?:** 22 blocks in this subdivisions is too many. Blocks number 5&6 and 9 &10 should be combined into 2 blocks. The blocks of land opposite this subdivision are all above 800m2. There are only 4 blocks of comparable size and 18 that are much smaller. It will be almost impossible for all residents with the court access to have 2 cars let alone a caravan and a boat. There are 6 driveways that will come into Newlands Drive which is a safety concern. The footpath begins at the beginning of this subdivision and finished at the end at Toonalook Parade. This footpath is the only safe way people with prams and motorised have access to the shops. Height of the proposed buildings should be limited to 2 stories or a nominated height..

**How would you be affected by the granting of this permit?:** It will be less safe for us to access our property because of the direct access to Newlands Drive of 6 allotments in the proposed subdivision. There is only one footpath along Newlands Drive and this will be impacted by this development. This plan is an overdevelopment.

**Privacy Statement:** Yes

1/19/2022

dwaAA08.htm

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**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Monday, 13 December 2021 9:06:15 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:** Wendy and REoderick Gardiner

**Email address:**

**Postal address :** Paynesville. Victoria 3880

**Mobile phone number:**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Multi lot subdivision, Building and Works, Part Demolition of a heritage Building and Roadworks

**What is the address to be used or developed?:** 8 Newlands Drive Paynesville

**Who has applied for the permit?:** Crowther and Sadler PtyLtd

**What are the reasons for your objection?:** 1. Traffic concerns, 2. Heritage Concerns, 3. Density concerns  
Please see the attached document for a detailed explanation

**How would you be affected by the granting of this permit?:** An increase in traffic both near our driveway and around the town. A Loss of heritage values by the removal of two large trees and a loss of amenity and a change in the nature and appearance of the local area. Please see the attached document for a detailed explanation.

**Attach any further information:** [PS objection.docx](#)

**Privacy Statement:** Yes

**RE: PLANNING APPLICATION 550/2021/P**

We are writing to lodge our strong objection to the proposed subdivision of Number 8 Newlands Drive Paynesville into 22 lots.

We have owned and lived at Number 11 Newlands Drive (directly opposite the original Primary School building ) for 25 years and we have expected, and are not averse to, some sort of development on that site since the Primary School was relocated to Ashley Street in the late 1990's. However, we believe that the proposal to subdivide the property into 22 building lots, along with an access road on a site that is only slightly more than 1.6 hectares is excessive and will lead to significant loss of amenity for the local community, not to mention potentially serious traffic issues in the vicinity.

We argue our objections as follows:

**1: Traffic Concerns**

Traffic flow along Newlands Drive has shown continual increase since we moved into our property. We are now at the point where it is often difficult to drive into and out of our driveway, due to traffic congestion. We have recently experienced some "near misses" as inattentive drivers drive up the hill from the Esplanade and do not look out for entering traffic. The fact that Council saw fit late in 2020 to reduce the speed limit from 60kmph to 40kmph just west of the Toonalook Pde intersection indicates that Council is well aware of the existing dangers of this area.

The proposed 22 lots represents potentially 44 cars ( or more) plus random boats, caravans and trailers, entering Newlands drive within a space of 160 meters, in the middle of which is the crest of a hill, that obscures the view of the road ahead in both directions. This will be an accident waiting to happen.

**2: Heritage Concerns**

The developer has promised to retain the original historic school building and one large oak tree which must date back to the construction of the original school. Whilst we applaud this approach, it completely ignores the fact that there are actually 3 large oak trees, all of a similar size on the property. It is obvious that all of these trees were planted at about the same time. Therefore, all three trees should be included in the heritage preservation sections of the subdivision. It is our firm opinion, that these trees should be preserved, with some "community space" around them so that Paynesville residents, and particularly those people who purchase building allotments on the site, can enjoy these iconic trees from Paynesville's past.

If that is not enough of a reason to object to their destruction, one should also consider the fact that Oak trees are amongst the most effective European trees in terms of carbon sequestration. Keeping these trees will, to some extent offset the carbon emissions from the new houses to be built on the site. With the world now focusing on global warming, councils and communities must do all in their power to tread softly on the environment.

We are also concerned that construction of a dwelling on lot #18 of the proposed plan will hide the lovely heritage school building from the street. We see no value in maintaining the heritage building but concealing it behind other dwellings. The building is an important feature in Paynesville's history and should continue to be able to be viewed and enjoyed by community members and visitors to our lovely town.

### **3: Density Concerns**

The old Primary School sits within the oldest part of Paynesville. All of the residential allotments around the primary school (with the exception of one set of units that run between Toonalook Pde and Main Street) are 800 to 1000 m<sup>2</sup>. We believe that in order to maintain the integrity of this area, no allotment on the proposed development should be smaller than 800 m<sup>2</sup>. Giving the "go ahead" to such small allotments will completely change the nature and appearance of the immediate vicinity of this important aspect of Paynesville's history. As such, it is an untenable proposal, which brings us full circle to our major objection – that of traffic concerns.

Thus, we strongly urge the Council to send this proposal back to the drawing board, with a list of demands:

1. Create a plan that does not compromise traffic safety along Newlands Drive
2. Retain all three old oak trees as part of the plan, include green spaces that can be enjoyed by all members of the community and ensure that the original building cannot be concealed from public view
3. Create a design with a maximum of 12 residential allotments including the original primary school building lot.

1/19/2022

dwaDF5.htm

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**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Friday, 10 December 2021 8:15:24 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:** M Macqueen

**Email address**

**Postal address** Paynesville

**Planning permit number:** 550/2021/P

**What has been proposed?:** 22 housing lots of various sizes, removal of a heritage oak on Reynolds Rd border and removal of all buildings except the original 1915 school house along with all plantings - i.e - denuding the land to sub divide.

**What is the address to be used or developed?:** 8 Newlands Drive Paynesville

**Who has applied for the permit?:** Crowther & Sadler PTY LTD

**What are the reasons for your objection?:** Paynesville has been on a development trajectory in recent years and all the subdivisions and hammer head divisions have detracted from the once, very attractive town which is regarded as 'the boating capital of Victoria' This proposed subdivision of the old primary school is another example of developers applying for a permit without any regard for the residents of Paynesville or for the overall appearance of this lovely town..

**How would you be affected by the granting of this permit?:** This development will be an absolute eyesore on precious land that could be used more wisely for residents and holiday makers. If I had my way the land could be used more beneficially by: 1. Building public tennis courts 2. Building a public indoor and outdoor swimming pool 3. Turning the old school into a cafe with alfresco eating under the large oak with views that overlook the town and the lake. 4. Off street parking. 5. If there is room left - then add a gym. Paynesville's perfect exercise hub...

**Privacy Statement:** Yes

1/19/2022

dwaE0BE.htm

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**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Friday, 10 December 2021 4:19:22 PM  
**To:** Planning Unit Administration  
**Subject:** Objection to a Planning Permit Application

### Objection to a Planning Permit Application

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

**Name:** Peter Stokes

**Email address**

**Postal address :** Paynesville, 3880

**Mobile phone number:**

**Planning permit number:** 550/2021/P

**What has been proposed?:** Subdivision of the site of the former Paynesville Primary School into TWENTY-TWO allotments.

**What is the address to be used or developed?:** Number 8 Newlands Drive. Paynesville

**Who has applied for the permit?:** Crowther and Sadler

**What are the reasons for your objection?:** We do not oppose development but believe that Lots 6 and 7 on the corner of Reynolds Road & Newlands Drive unnecessarily create a traffic hazard within an intersection that is already busy but has the potential to be very busy. There are precedents but we should learn from our mistakes and not repeat them. For example in Wellington Street as one turns right or left from King Street and when one turns left from Main Road into King Street when travelling south. In each of these cases motorists can unexpectedly be confronted by the resident stopping suddenly to access or leave their driveway which unfortunately for them is too close to a busy corner. Sometimes with a boat or trailer!! The corner we refer to will potentially create another such avoidable black spot. The future occupants of these two 460 square meter allotments will have to turn into/ reverse out of their driveways at intersection that is already very busy. Most cars travelling west in Newlands Drive turn into Reynolds Road, including cars and caravans using the Paynesville Holiday Park in Gilsenen Street. Our objection would be overcome if Lots 6 and 5 were amalgamated and past mistakes avoided..

**How would you be affected by the granting of this permit?:** Road safety and traffic noise. There is a need for some forward planning of traffic flows around Paynesville. The corner of Reynolds Road and Newlands Drive is a surprisingly busy intersection. Most cars travelling west in Newlands turn down Reynolds. There are a number of reasons for this. The caravan park, it is a short cut used to avoid the awkward bend in Newland Drive above Sunset Cove and of course the rapid growth in the number of houses between Newlands Drive and the Paynesville Road. We would like to see the intersection kept as safe as possible and this would best be done by ensuring that any house built on the corner block, did not obstruct the corner and the driveway was a safe distance from the corner. Other than that concern, we accept that development is inevitable, but would have preferred a subdivision with more open space.

**Privacy Statement:** Yes

1/19/2022

dwaFA63.htm

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**From:** Snapforms Notifications [no-reply@snapforms.com.au]  
**Sent:** Wednesday, 8 December 2021 1:14:35 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:** Lyn Wallace

**Email address:**

**Postal address :** Paynesville

**Mobile phone number**

**Home phone number:** n/a

**Work phone number:** n/a

**Planning permit number:** 550/2021/P

**What has been proposed?:** Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks

**What is the address to be used or developed?:** 8 Newlands Drive Paynesville

**Who has applied for the permit?:** Crowther & Sadler Pty Ltd

**What are the reasons for your objection?:** – the increased traffic on the corners of Reynolds Street, Toonalook Parade and Newlands Drive – the access road across the road from the waterfront properties right on the crest of a hill, with little to no vision at the best of times without any more increased vehicles – the increased traffic, added to that of those who use Gilsenan and Reynolds Streets as a short cut instead of driving around Newlands Drive – the increased traffic to that of the caravan park users especially in high season – density and inconsistent streetscape due to the varied block sizes

**How would you be affected by the granting of this permit?:** Increased traffic in my locale and the added security risk of high-density housing close by my place of residence

**Privacy Statement:** Yes

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**From:** Ben Marchbank  
**Sent:** Friday, 1 April 2022 3:22:09 PM  
**To:** Planning Unit Administration; Kerry Stow  
**Subject:** Objection Submission - Planning Permit Application 550/2021/P – 8 Newlands Drive Paynesville 3880

**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.



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Dear Planning Department,

Please see attached objection to the above planning permit application.

Kind Regards,

Ben

Planning Permit Application 550/2021/P – 8 Newlands Drive Paynesville 3880  
Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks  
Objection Submission  
April 2022  
Ben Marchbank – Resident of Paynesville (Toonalook Parade) and Eagle Point (Bay Road)

Dear Planning Department,

It is acknowledged that the principle of subdividing residential zoned land is supported by all levels of Planning Policy. Therefore, it is the detail that counts in development proposals of this nature, achieving the best solutions, addressing the opportunities and constraints of the land, conserving, and enhancing heritage, in the interests of present and future generations.

- The old Paynesville Primary School and its grounds at 8 Newlands Drive is the **only building in Paynesville covered with the Heritage Overlay**. It is of public interest.
- **What makes a Heritage Place is more than buildings.** Fences, pathways, gardens, vegetation and open areas contribute to the 'setting' of a heritage place. As well as the social importance and historical functioning/features of a heritage place. Just because there are no buildings in part of the heritage overlay does not mean that part does not possess heritage values.
- The Heritage Overlay designation on the 'old School site' is an example where open areas around the school have been included and give **'breathing space' for significance of the school building**. The setting of heritage buildings enables this significance of the heritage place to be appreciated and respected.
- The proposed subdivision creates regular residential lots **in the setting** of the heritage place.
- This will **'hem in' the heritage building**, be detrimental to the setting of the heritage place, erode the significance of the heritage place and have a detrimental impact on its presents in the public realm by significantly blocking views from the public realm.
- It could not be reasonably concluded that this would be meeting **basic heritage principles** of conserving and enhancing a heritage place. The proposal **does not provide justification** as to why the area around the heritage building in the Heritage Overlay must be subdivided.
- The problem could be avoided by respecting the area covered by the Heritage Overlay by not creating residential lots in the setting of the heritage building.

The proposal will affect me and the community by way of having a detrimental affect on the heritage place and amenity of the area.

- The proposed subdivision will adversely affect the significance of the heritage place.
- The proposed subdivision will result in development which will adversely affect the significance, character or appearance of the heritage place.
- The proposed subdivision may adversely affect the health, appearance or significance of a heritage listed tree.
- In the absence of an arborist/native vegetation assessment, the proposed subdivision may result in the loss of remnant native vegetation without an appropriate biodiversity offset.
- The proposal is inconsistent with planning policy in that it does not incorporate best practice for water sensitive urban design.
- The proposal does not balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.
- The proposed subdivision does not represent orderly planning.

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Planning Permit Application 550/2021/P – 8 Newlands Drive Paynesville 3880  
Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks  
Objection Submission  
April 2022  
Ben Marchbank – Resident of Paynesville (Toonalook Parade) and Eagle Point (Bay Road)

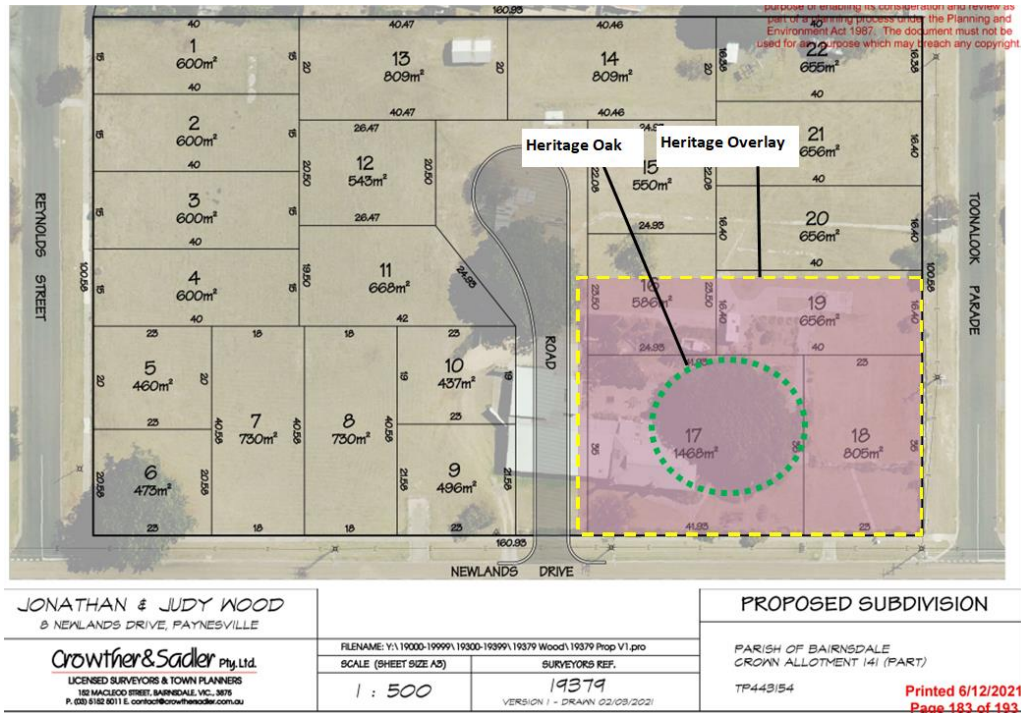


Figure 1: Proposed Plan of Subdivision (Yellow, green annotation and labels added)

-----END-----

## ENGINEERING REFERRAL COMMENTS

**Application No.** 550/2021/P

**Applicant:** Crowther & Sadler Pty Ltd

**Development:** Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks

**Location:** 8 Newlands Drive PAYNESVILLE

Lot 1 TP 443154

**Planning Officer:** Emine Mestan

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### INSPECTION COMMENTS

LMcArthur  
05/01/2022

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### RECOMMENDED CONDITIONS

1. 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.
2. Before the issue of a Statement of Compliance, the owner of the land must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning & Environment Act 1987, which will provide that:
  - a) Any dwelling on each lot must include a rainwater tank having a minimum storage capacity of 3,000 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.

This agreement must be prepared by the owner. The cost of the preparation, review and recording on the title of the agreement in accordance with Section 181 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority must be borne by the owner of the land.

3. Before any works associated with the subdivision start, a detailed drainage management plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in accordance with standard engineering

practice to provide for the collection, control and disposal of all stormwater runoff, and show:

- a) Drainage infrastructure including piping/drains and pits.
- b) Any modification to the terrain, such as filling and excavation.
- c) Easements and legal points of discharge.

All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

- 4. 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.
- 5. Before the commencement of works, road construction plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must show:
  - a) An intersection design for Internal Road and Newlands Drive.
  - b) Fully sealed pavement for the new internal road, with a minimum trafficable width of 6.3 metres (invert to invert), with semi mountable kerb and channel on both sides.
  - c) Fully sealed pavement with a turning area with a minimum radius of ten metres.
  - d) Verge areas with a width sufficient for the construction of drainage infrastructure, services and for pedestrian access.
  - e) Concrete footpaths a minimum of 1.5 metres wide on both sides of the internal road.
  - f) A concrete footpath of minimum width 1.5 metres fronting Toonalook Parade on the side of the development.
  - g) Street lighting (using LED technology).
  - h) Statutory signage and traffic control devices and line marking as appropriate.

The documentation for the road works must include provision for maintenance and repair of damage to any existing road and drainage infrastructure.

The works must be subject to a twelve-month defects liability period.

All works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

- 6. Before the commencement of any works associated with the subdivision start, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:

- Location of any temporary construction works office and machinery storage area;
- The construction works access way;
- Details of construction days and hours;
- Vehicle and machinery exclusion zones;
- Location and management requirements of stockpiled soil;
- Measures and techniques to protect drainage lines and watercourses from sediment runoff from disturbed or under construction areas;
- Measures and methods to be employed to protect sites of conservation importance, native vegetation and areas of archaeological significance;
- Measures and techniques to manage dust control;
- A note that Dewatering of sedimentation/retention basins during construction is prohibited without the prior approval of the Responsible Authority;
- The location of a machinery and vehicle wash down area and requirements for the ongoing use of the of the machinery and vehicle wash down area by contractors;
- Location and management of litter storage areas, construction waste areas and chemical storage areas; and
- Methods of ensuring all contractors are informed of the requirements of the construction management plan and persons responsible for ensuring the construction management plan is adhered to.

All construction works and requirements of the construction management plan must be undertaken and completed in accordance with the endorsed construction management plan to the satisfaction of the Responsible Authority.

7. During construction and maintenance activities, adequate steps must be taken to stop soil erosion and the movement of sediment off site and into drainage lines, watercourses and onto adjoining land to the satisfaction of the Responsible Authority. Methods include but are not limited to:
  - a) Control of on-site drainage by intercepting and redirecting run-off in a controlled manner to stabilised vegetated areas on site.
  - b) Installation of sediment control structures such as sediment basins, sediment fences and sediment traps when construction commences and maintaining them until the site is stabilised.
  - c) Re-vegetating all disturbed areas as quickly as possible or within 14 days after construction works are completed.
8. All earthworks associated with the development must be stabilised in accordance with standard engineering design and practices against erosion and failure. All earthworks or retaining structures must not encroach across neighbouring property boundaries to the satisfaction of the Responsible Authority.

Note:

Before undertaking works within a Council road reserve, Consent of Works within Road Reserve must be obtained from the *Roads and Traffic* unit of Council. Refer to the Infrastructure Design Manual (IDM) for crossover designs.



133 Macleod Street, PO Box 52, Bairnsdale Victoria 3875  
Tel: (03) 5150 4444 Fax: (03) 5150 4477  
Email: [egw@egwater.vic.gov.au](mailto:egw@egwater.vic.gov.au) Web: [www.egwater.vic.gov.au](http://www.egwater.vic.gov.au)

Our Ref: DOC/21/69298

13 December 2021

**Reference Number(s):** 550/2021/P  
**Referral Authority:** East Gippsland Shire Council  
**For:** 22 Lot Subdivision  
**Location:** 8 Newlands Drive Paynesville  
**Applicant:** Crowther & Sadler Pty Ltd

In response to the above application, East Gippsland Water does not object to a permit being granted, provided it includes the following conditions and notes.

**Conditions:**

1. Extend water supply infrastructure to the satisfaction of East Gippsland Water.
2. Extend sewerage infrastructure to the satisfaction of East Gippsland Water.
3. Submit design, construction, commissioning and as constructed documentation on all proposed infrastructure, or alterations to existing infrastructure, for written approval by East Gippsland Water.
4. Pay applicable development planning charges.
5. Existing water meter (No. 18W068193), is to be disconnected and returned to East Gippsland Water.
6. Modify existing internal pipe work, to the satisfaction of East Gippsland Water, and in accordance with the applicable plumbing standards. Pipe work to each lot is to be kept clear of the other lot(s).
7. Place easement(s) on the plan of subdivision over existing/proposed infrastructure, to the satisfaction of East Gippsland Water.

**Notes:**

- (A) In accordance with Section 136 of the Water Act 1989, easements are required over existing/proposed infrastructure. This requirement applies even if the infrastructure is in common property or there is a Section 12(2) easement over the land.
- (B) For easement(s) created, the Land Benefited/In Favour Of is to be in the name of "East Gippsland Region Water Corporation".
- (C) For any lot area that cannot be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are to be listed as restrictions on title, to the satisfaction of East Gippsland Water.
- (D) Each lot is to be separately serviced by the water and/or sewerage reticulation system. Subject to East Gippsland Water's requirements being met, relevant



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infrastructure will then become East Gippsland Water's to own, operate and maintain in perpetuity.

- (E) Should East Gippsland Water determine that a gravity sewerage system is not feasible, then a pressure sewer system may be approved by East Gippsland Water.
- (F) Design documentation to be submitted after certification application has been made.
- (G) Development planning charges apply where East Gippsland Water approve design, construction, commissioning and as constructed documentation (actual charge is based on the final cost of the works).
- (H) Any feasibility study, required to determine how best to service the development, is to be arranged by East Gippsland Water and funded by the applicant.
- (I) Any infrastructure, outside of the development, that is required to provide sewerage and/or water supply services to the development, is to be funded by the applicant. The type and extent of additional infrastructure, if needed, is subject to detailed engineering design and approval by East Gippsland Water.
- (J) If water services are required, each lot must be separately connected to the water reticulation system and separately metered, to the satisfaction of East Gippsland Water.

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 large, flowing loop at the end.

**LARA CAPLYGIN**  
**EXECUTIVE MANAGER STRATEGY & ASSETS**  
**East Gippsland Water**

cc: Crowther & Sadler Pty Ltd



**From:** James Hammond [James.Hammond@ausnetservices.com.au]  
**Sent:** Monday, 29 November 2021 9:51:11 AM  
**To:** Planning Unit Administration  
**Subject:** RE: 550/2021/P - 8 Newlands Drive PAYNESVILLE - Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks

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

**AUSNET ELECTRICITY SERVICES PTY LTD** does not object to the issue of a Planning Permit in respect of the abovementioned application if the permit is subject to the following conditions:

The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.

The applicant must –

- Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
- Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
- Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
- Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of “Power Line” in the favour of “AUSNET ELECTRICITY SERVICES PTY LTD” pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
- Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
- Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
- Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a

notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.

- Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

### **END OF CONDITIONS**

It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).

Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.

Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

If you require any further information in relation to the above, please do not hesitate to contact myself on 9237 4496 at the Lilydale Office.

Yours faithfully,

James Hammond  
URD EPC  
AusNet Services  
[james.hammond@ausnetservices.com.au](mailto:james.hammond@ausnetservices.com.au)  
9237 4496



## DETAILED PLANNING REPORT

**Permit Application: 550/2021/P**

**8 Newlands Drive EAGLE POINT  
Lot 1 TP 443154**

### **Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks**

This report has been prepared to document the statutory planning assessment pursuant to the provisions of the *Planning and Environment Act 1987* and *Local Government Act 1989*.

#### KEY DETAILS

<b>Subject address</b>	<b>8 Newlands Drive PAYNESVILLE Lot 1 TP 443154</b>
<b>Land owner</b>	<b>Koorool Construction (Vic) Pty Ltd</b>
<b>Applicant</b>	<b>Crowther &amp; Sadler Pty Ltd</b>
<b>Land area</b>	<b>14,587 sqm</b>
<b>Zone</b>	<b>GRZ1</b>
<b>Overlays</b>	<b>HO284, DDO14 &amp; EMO</b>
<b>Cultural sensitivity</b>	<b>The land is culturally sensitive</b>
<b>Site inspected</b>	<b>Desktop Assessment only</b>
<b>Restrictions on Title</b>	<b>There are no restrictions registered on title</b>
<b>18 objections were received and a planning consultation is to be undertaken on 14 January 2022</b>	

#### PROPOSAL DETAILS/DISCUSSION

##### Site Analysis

The subject land is the former Paynesville Primary School site and contains the locally listed heritage former school building. The building has been developed for the purposes of a dwelling.

The subject land is a large relatively undeveloped property within walking distance of the town centre. The subject land has an overall area of 14,587 square metres or 1.4587 hectares. It has road frontages to Newlands Drive, Toonalook Parade and Reynolds Street.

Three large Oak trees are located on the land, with a heritage listed Oak tree of significance located close to the previous school building. The former Paynesville Primary School building on the subject land was established in 1915 and was used for this purpose until the current Paynesville Primary School was developed in the late 1990s.

The old school building includes an addition (circa 1970) at the western end of the 1915 building. This addition is not considered as having heritage significance.

There are a number of storage sheds on the property. The site is only partially fenced. The land has a gentle fall towards Newlands Drive. An existing footpath runs along the Newlands Drive frontage and Reynolds Street frontage. Vehicle access to the land is obtained from Newlands Drive.

The immediate area is developed by good quality roads with an existing drainage network provided. North of the subject land are six residentially developed properties, East is a row of units and three residential dwellings, South of the subject land are nine residentially developed properties and a link to the foreshore reserve and West are three residentially developed properties. The dwellings in the area have been established over a number of years and the housing styles reflect this period of development with a variety of architectural styles. Dwellings to the south of the subject land are orientated towards the south so as to maximise expansive views of Lake Victoria and Newlands Arm. They generally have high fences on the Newlands Drive frontage.

The land is located within the General Residential Zone and is subject to the Design and Development Overlay (Schedule 14), Heritage Overlay (Schedule 284) and the Erosion Management Overlay.



Figure 1: Site and Locality Plan

### Proposal

The proposal includes a multi-lot subdivision of the subject land, part demolition of a heritage building and carry out buildings and works to the heritage building.

A diversity of lot sizes are proposed to accommodate a range of housing types and forms. The proposed lots will range in areas between 437 square metres and 1468 square metres.

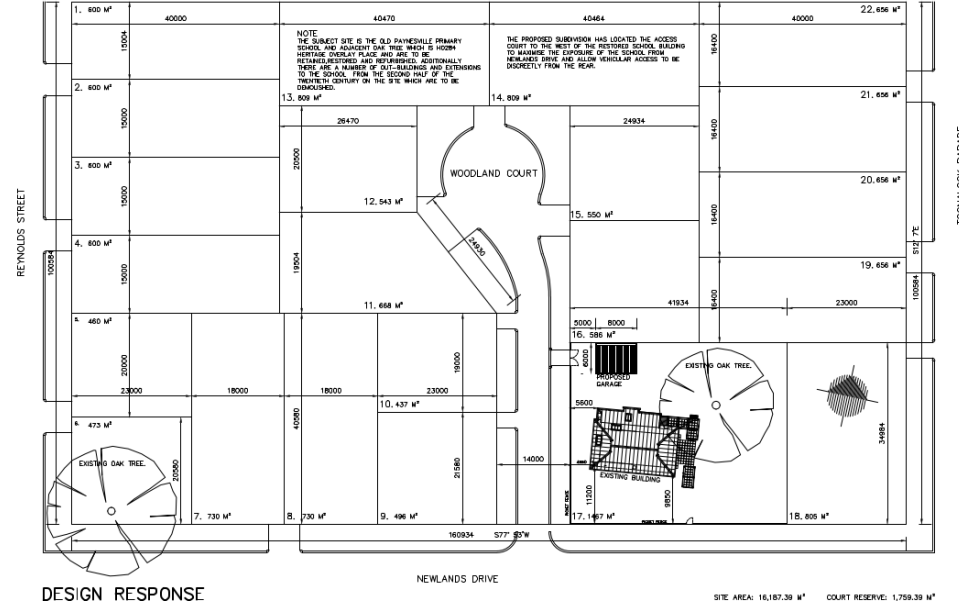
A central road will be constructed to access and service the central lots within the proposed subdivision, with lots proposed along Reynolds Street, Newlands Drive and Toonalook Parade to front the existing roads and will obtain access from the existing street network.

It is proposed to remove/demolish the circa 1970 classroom additions to the west of the original school building. All outbuildings on the subject land will be removed. The heritage-listed Oak tree to the north-east of the building is to be retained. The proposal includes removal of the other two Oak trees. Those trees are not within the Heritage Overlay area. While they have some significance as being associated with the original school grounds they are not within the area designated for heritage protection and are not mentioned in the original reports which gave rise the heritage listing.

A copy of the plans and supporting documents submitted with the application can be found via hyperlink at **Attachment 3**.



Figure 2: Proposed Multi Lot Subdivision, Building and Works, Part Demolition of a Heritage Building and Roadworks



DESIGN RESPONSE  
Figure 3: Proposed Design Response

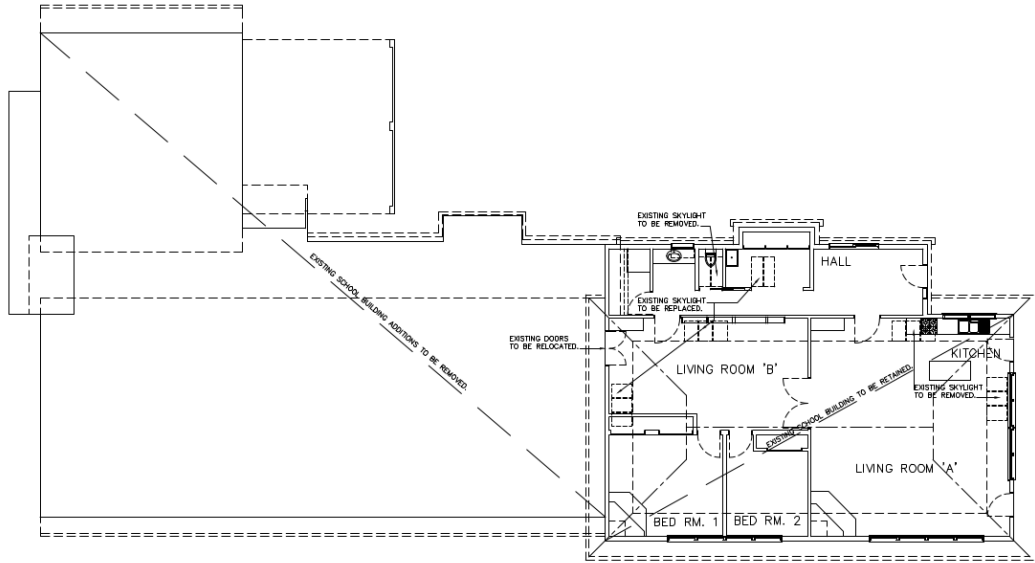
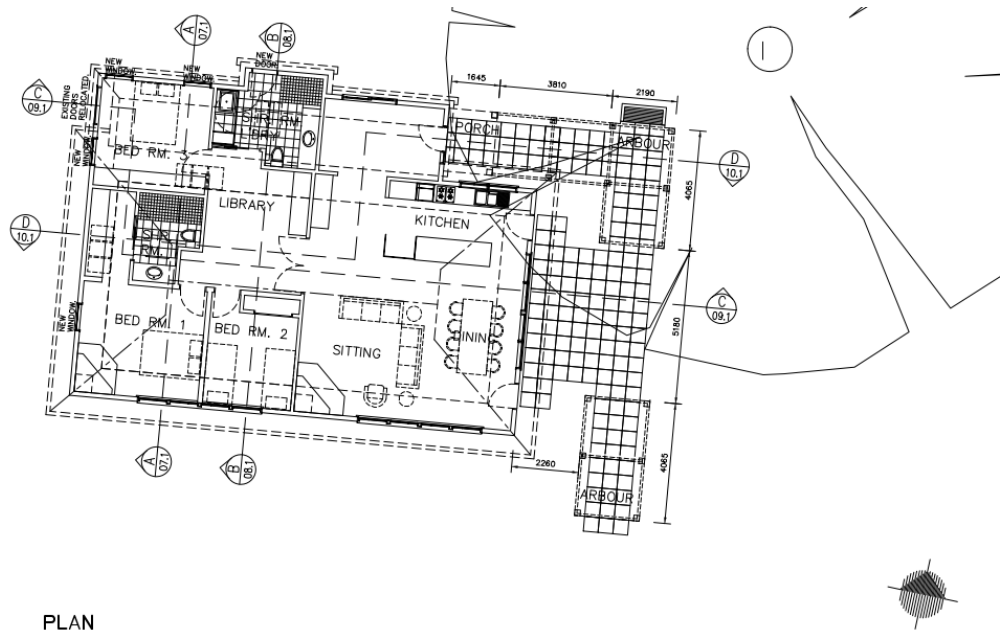


Figure 4: Proposed Part Demolition works of a Heritage building



PLAN

Figure 5: Proposed internal works of a Heritage building

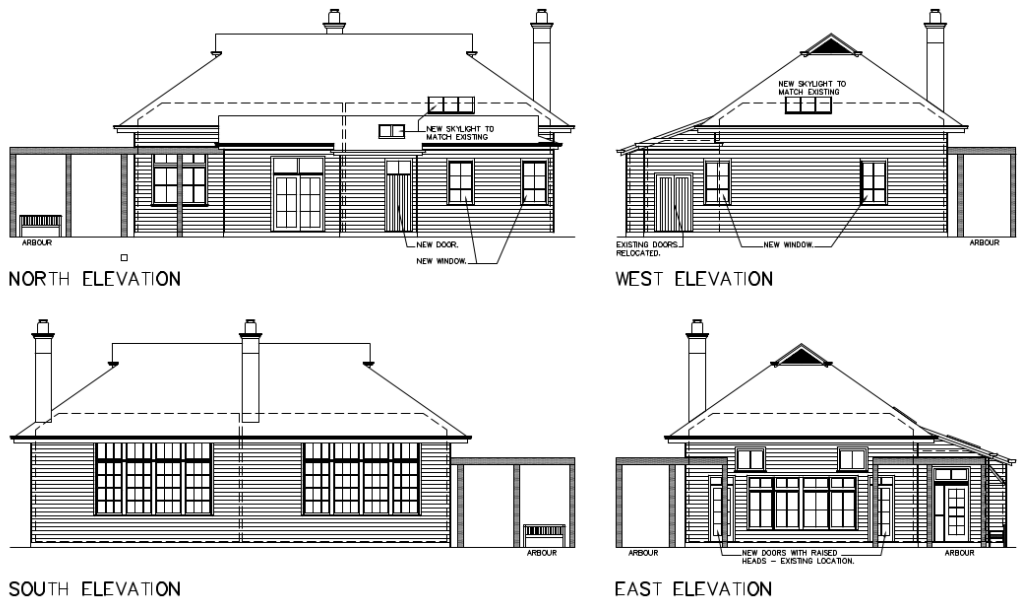


Figure 6: Proposed Elevations of a Heritage building

PLANNING CONTROLS		
Control	Clause(s)	Consideration
General Residential Zone (Schedule 1)	32.08-3	A permit is required to subdivide land.
Heritage Overlay (Schedule	Clause 43.01-1	A permit is required to subdivide land, demolish

284)		a building and construct or carry out works.
Design and Development Overlay (Schedule 14)	43.02-3	A permit is required to subdivide land.
Erosion Management Overlay	Clause 44.01-2	A permit is required to carry out works (roadworks).
	Clause 44.01-5	A permit is required to subdivide land.

### Cultural sensitivity

Pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) is required under the *Aboriginal Heritage Act 2006* for an activity if:

- (a) All or part of the activity area for the activity is in an area of cultural heritage sensitivity; and
- (b) All or part of the activity is a high impact activity.

The subject land is mapped as being culturally sensitive and a multi-lot subdivision is a high impact activity.

A Cultural Heritage Management Plan has been submitted (prepared by Unearthed Heritage Australia Pty Ltd). The report advises that no Aboriginal Heritage was identified during the subsurface testing program. However, conditions on the approved plan contain contingencies should cultural heritage be discovered during the development.

A copy of the CHMP can be found via hyperlink at **Attachment 3**.

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### REQUEST FOR FURTHER INFORMATION

N/A

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### REFERRAL AUTHORITIES

DEPARTMENT	REFERRAL	OUTCOME
East Gippsland Water	S55 Determining referral pursuant to Clause 66.01	Conditional consent given
AusNet (Electricity)	S55 Determining referral pursuant to Clause 66.01	Conditional consent given
APA Group (Gas)	S55 Determining referral pursuant to Clause 66.01	No response (no services available to the area)

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### INTERNAL ADVICE

DEPARTMENT	SCOPE OF ADVICE	OUTCOME
Senior Technical Officer Development -	Drainage, Internal Access	Conditional consent



Engineering		
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## PUBLIC NOTIFICATION

### Advertising Required:

Public notification was undertaken in the form of letters to adjoining landowners, occupiers and previous objectors and a sign on site, in accordance with Section 52 of the Planning and Environment Act 1987.

Copies of the 18 objections are at **Attachment 4**.

In summary the objections raised the following concerns/issues:

### Density

- Too many blocks
- Blocks too small
- 'Cheek by jowl'
- 'Gross overdevelopment'
- Out of character ('goes against the vibe')
- 'High density'
- Too small to accommodate house, suitable garaging for cars, caravans, boats and trailers
- 'Postage stamp smallest block sizes'
- Lots should be a minimum of 800m<sup>2</sup>
- All surrounding lots are 800-1,000m<sup>2</sup>
- 12 lots more appropriate

### Traffic

- Location of intersection dangerous – on crest/rise of hill, 'blind spot', accident waiting to happen
- Impact on function of Reynolds St intersection (existing issues)
- Impact on pedestrian safety (elderly, children, pets, mobility scooters, prams)
- Increased traffic volumes
- Newlands Drive can't cope with additional traffic – dangerous, narrow, congestion
- Too many access points onto existing roads
- Gilsenan St & Reynolds St will become a shortcut
- Reynolds St and Toonalook Parade too narrow to allow for on street parking
- Caravan Park already causes traffic problems
- New court wont cope with service and delivery vehicles, garbage truck
- No. of bins on bin day will cause traffic hazard
- 'Extremely dangerous'
- Existing footpaths should be widened
- Court should have a footpath on both sides
- Traffic management plan should be provided

### Parking

- On street parking impacts – already an issue at peak times
- Won't accommodate caravans/boats
- Each block should have off street parking for two vehicles

### Built form

- Double storey would be totally inappropriate
- Multi-level properties would invade privacy

- Concern about 6m front setback requirement enforced previously – some refer to as a 'Council Overlay'
- Will destroy the streetscape
- Current overlay allows for max 7.5m building height
- Council should limit to double storey to prevent any apartment buildings.
- Concerned buildings will obscure corner of Reynolds/Newlands – want to see setbacks

**Pressure on local services/infrastructure**

- School / Medical / Dental / Supermarket
- Parking in town centre
- Lack of infrastructure

**Trees**

- Oak Trees should be retained
- Provide shade to pedestrians on hot days
- Beauty and age of tree warrants retention
- Tree adds to peaceful nature of the town
- Destruction of bird habitat
- No regard for the environment
- Arborist Report, Tree Protection Zone and Building Envelope required to protect tree
- Internal road should be relocated to retain oak tree within road reserve
- Loss of carbon sequestration if trees removed

**Reserve required**

- Retain oak tree and have Council maintain with seating and underplanting
- Not acceptable for people to have to go to the park for green space
- Remove Lot 6 and keep as Reserve
- All trees should be retained with community space around them
- Entire property should be developed for public use (tennis court, pool, café, parking, gym)

**Visual impact**

- Inconsistent with surrounding area
- Will be unappealing to look at
- Outlook from properties on Newlands Drive will change
- Change of appearance
- Loss of village environment
- Not in keeping with Paynesville ambience
- No regard for overall appearance of town

**Amenity**

- Loss of 'quiet seaside village'
- Will result in security risk

**Impacts during construction**

- Noise
- Dust
- Debris
- Traffic
- General inconvenience

**Heritage**

- Council should retain original building for public use/benefit (Maritime museum, community group, arts and craft centre).
- Why only one of the three trees kept?
- Suspect a time capsule buried near the oak tree/original school building
- Buildings on Lot 18 will hide heritage building from the street

#### **Officer comments**

##### *Loss of character*

When a landowner seeks to develop land in accordance with the planning scheme, it inevitably involves some degree of change to the character of the area. The key test is whether or not the change has unreasonable impact.

The locality is characterised by a variety in housing types and lot sizes:

- “Traditional” suburban lots of 800-1,000 square metres.
- Multi-occupancy lots, including a six-unit development at 1 Main Road and four lots between 399-569 square metres immediately north of the subject land.
- Several subdivided lots in Gilsenan Street of 375-500 square metres.

The subdivision pattern as proposed, and modified in the design response outlined below, is broadly consistent with the existing local character.

##### *Noise/Traffic pollution*

Noise emanating from dwellings in a new residential estate is an expected outcome which the planning system does not take into account. Some residents will naturally be quieter or louder than others, however as a matter of personal behaviour it is not a planning based ground for refusal.

##### *Density*

One of the grounds of objection put forward includes the number of lots being too high, in other words, the density is too high. The underlying zone allows for lots to be created that are at least starting from 400 square meters in size. The subdivision has met this requirement, and in fact most lots are significantly higher than the minimum lot size. As such, the subdivision does not represent high density development or even medium density development in the accepted meanings of the terms

##### *Lack of open space*

The plan of subdivision may not include open space as the open area accessed via Sunset Drive and the Esplanade along the is considered to provide ample ‘passive’ open space for the future residents to enjoy.

##### *Built Form*

Proposals for development of the subdivided lots will be subject to the same Planning Scheme controls as all residential development in the locality.

##### *Impacts during construction*

There are inevitable impacts during construction for any development project, but these are short-term. Requirements will be in place to minimise impacts due to dust, noise and other potential detrimental effects of construction activity.

### *Heritage*

The subdivision of and development of land within a Heritage Overlay is permissible. Council is required to consider whether that would have a negative impact on the heritage values of the site. Given that the land proposed to be subdivided from the original school building was formerly occupied by the headmaster's house, which has now been removed, it is unlikely that the subdivision would have any direct impact on the values for which the site was listed as a heritage site.

The proposal to remove/demolish the circa 1970 classroom additions to the west of the original school building will allow the remainder of the building to be retained and restored. Conditions of approval are recommended to ensure that future development of the lots within the Heritage Overlay is sensitive to the heritage values of the site.

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## **REPORT – PLANNING CONSIDERATION**

### **Planning Policy Framework (PPF)**

The assessment of the application before Council requires assessment against Planning Policy Framework.

The clauses that have an influence upon the assessment of this application include:

- 11 Settlement
- 15 Built Environment and Heritage
- 16 Housing
- 17 Economic Development
- 18 Transport
- 19 Infrastructure

### **Assessment:**

The proposed development is consistent with the Planning Policies stated above. The Planning Policy Framework seeks to ensure that the growth of Victoria is carried out in an orderly manner and is to be serviced in a sustainable manner.

The application site is located within an established residential area with the ability to allow future residents to have access to necessary services, infrastructure and facilities required to support the future community.

It is considered that the proposed development will contribute to an attractive, liveable, walkable and sustainable neighbourhood which meets the objectives of the PPF.

### **Municipal Strategic Statement (MSS)**

Council is required to consider Local Policy as a part of this assessment.

Local Policy clauses that are relevant include:

- 21.02 Municipal Overview
- 21.03 Settlement
- 21.07 Built Environment and Heritage
- 21.08 Housing
- 21.11 Infrastructure

### 21.12 Strategies for Sub-Regions, Towns and Localities

#### Assessment:

The provisions of the LPPF are specific to the East Gippsland Planning Scheme and have been considered as part of the proposal.

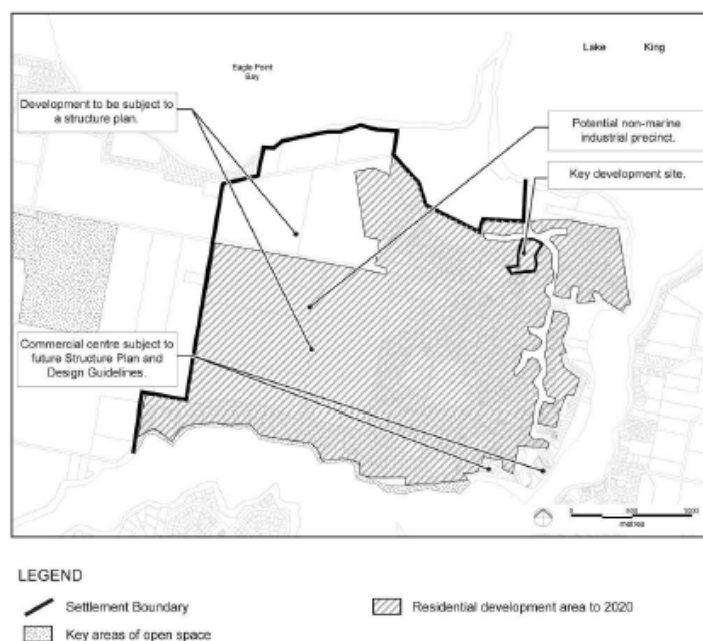
The development will be generally in accordance with the Paynesville Strategy Plan, with the encouragement of development within existing zoned areas to support population growth.

Given the application seeks to create between twenty and sixty lots, Policy Guidelines for Residential Development pursuant to Clause 21.08-2 require the provision of a Social Impact Comment in accordance with Council's *Social Impact Assessment Guidelines for Development Applications* (May 2013, SIA Guidelines). The Applicant has submitted a Social Impact Comment basing their discussion points on 2016 Census data for the Statistical Area of Paynesville. The proposed subdivision will not result in any benefit or disadvantage to a particular group in the community and the proposal is not considered to have an impact on current social, recreational or community infrastructure in the precinct.

One of the objectives of Clause 21.12-2 for Paynesville is to manage the expansion of the town boundary and new residential development to ensure a variety of housing types and styles and add to the special character of Paynesville.

When assessing subdivision proposals, it is important to consider the accommodation of growth within the existing zoned area as noted in the purpose of the zone.

**Paynesville Strategy Plan**



*Figure 7: Paynesville Strategy Plan*

#### ZONE

General Residential Zone (Schedule 1)

the purpose of the zone is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

**Assessment:**

Pursuant to 32.08-3 of the GRZ1, a permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.

As each proposed lot contains neither a dwelling nor a car parking space, an assessment against the relevant sections of Clause 56 (as prescribed above) is provided below.

**OVERLAY**Heritage Overlay (Schedule 284)

Pursuant to Clause 43.01-1, a permit is required to subdivide land, demolish a building and construct or carry out works.

The south-eastern portion of the subject site is mapped as being within the Heritage Overlay284.

A Heritage Overlay Assessment (prepared by Mr David Bick, Architectural Historian and Conservation Architect) states that proposed demolition of the classroom additions to the west of the old school building is acceptable from a heritage perspective and allows the western elevation of the school building to be retained and restored.

The proposed subdivision will create a public road that will provide view lines of the old school building from the west. Lot 17 is the largest lot of the proposed subdivision and will contain the school building.



Figure 8: East Gippsland Planning Scheme Overlay Mapping identifying the land located partly within the HO284

#### Design and Development Overlay (Schedule 14)

Pursuant to Clause 43.02-3, a permit is required to subdivide land.

The primary purpose of this overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

The decision guidelines require the consideration of whether the subdivision will result in development which is in keeping with the character and appearance of adjacent buildings, the streetscape and the area.

#### Erosion Management Overlay

Pursuant to Clauses 44.01-2 and 44.01-5, a permit is required to subdivide land and carry out works (roadworks).

The vegetation to be removed from the site is ornamental or exotic and planted thereby not requiring a planning permit.

A preliminary Geotechnical Risk Assessment Review (prepared by Chris O'Brien and Associates) states that the erosion risk on the land and associated works are low. A Geotechnical Risk Assessment Waiver (prepared by Chris O'Brien and Associates) was submitted explaining that the subject site is not considered in a landslide hazard zone and that all recommendations stated in the waiver are to be strictly adhered to to avoid any environmental risks.

Council's Senior Technical Officer has reviewed the proposal, GRA review and waiver and has provided consent with added conditions to the permit if issued.

### **PARTICULAR PROVISIONS**

#### Clause 56 - Residential Subdivision

Pursuant to Clause 56, provisions apply to an application to subdivide land in the General Residential Zone.

Clause 56 (Residential Subdivision) of the Planning Scheme generally seeks to create liveable and sustainable neighbourhoods and urban places with character and identity and achieve residential subdivision outcomes that appropriately respond to the site and its context. The provision addresses such matters as residential lot design and integrated water management.

An assessment against these provisions is found below. The proposal is found to comply with the relevant Objectives.

**Clause 56 Assessment (16-59 lot subdivision)**

	Description	COMMENTS
56.01-1	Subdivision Site & Context Description	The proposed subdivision has provided a feature survey plan illustrating the appropriate site and context description.
56.01-2	Subdivision Design Response	The proposed subdivision has provided a design response for the site description, meeting the relevant objectives of Clause 56. The subdivision has been designed to utilise the area providing diversity of lot sizes and responsive to the heritage building.
56.02-1	Strategic Implementation Objective	The proposed subdivision has been strategically designed in it's layout that meets the future growth area, housing, access, mobility and urban design set out for the area.
56.03-4	Built Environment Objective	The proposed internal road has been designed to ensure the functionality of the subdivision layout, where each lot to be provided with a direct road frontage to existing or proposed roads.
56.04-1	Lot Diversity & Distribution Objective	The proposed subdivision is considered to be consistent with the prevailing lot patterns within the immediate area and provides for a range of lot sizes varying from 437sqm to 809sqm and 1,468sqm.
56.04-2	Lot Area & Building Envelopes Objective	All lots are above 400sqm in area and therefore have no requirement to nominate a building envelope but are capable of containing a 15m x 10m rectangle.
56.04-3	Solar Orientation of Lots Objective	The layout and orientation of the lots provides appropriate solar orientation. The position of the site allows an east to west lot orientation providing opportunity for solar access to dwellings and private open space.
56.04-4	Street Orientation Objective	The subdivision has been designed to provide each lot with direct frontage to either an existing or proposed street. It is recommended to place a condition on permit if issued that fencing of boundaries of Lot 17 containing the heritage building is installed prior to the issue of Statement of Compliance.



	Description	COMMENTS
56.04-5	Common Areas Objective	N/A - No common areas are proposed.
56.05-1	Integrated Urban Landscape Objective	The subdivision has not proposed any street trees/nature strips. It is recommended to place a condition on permit if issued that one street tree per lot is to be provided, which will contribute to the character and identity of the area.
56.05-2	Public Open Space Provision Objective	The existing foreshore reserve is located within the required 400m safe walking distance of all proposed lots. Active open space at the recreational precinct is within a kilometre of the subject site.
56.06-2	Walking & Cycling Network Objective	Concrete footpaths are proposed to be constructed on both sides of the proposed internal road that links into the existing footpath network.
56.06-4	Neighbourhood Street Network Objective	The proposed internal road is designed to provide safe vehicle movement with the intersection to Newlands Drive positioned to provide good sight lines.
56.06-5	Walking & Cycling Network Detail Objective	As per Objective 56.06-2, concrete footpaths are proposed with appropriate access to support safe travel for all abilities.
56.06-6	Public Transport Network Detail Objective	N/A – The proposal is not at a large enough scale to provide a public transport network.
56.06-7	Neighbourhood Street Network Detail	The proposed street design is considered to provide appropriate vehicle movements and includes splays at the intersection and sufficient carriageway width to accommodate the extent of traffic anticipated.
56.06-8	Lot Access Objective	The proposed internal road will be 6m, road reserve 14m, verge width 3.5m, footpath on both sides and mountable kerbing to be constructed.
56.07-1	Drinking Water Supply Objective	Reticulated water supply is available to the future subdivided lots.
56.07-2	Reused & Recycled Water Objective	N/A - There is no known recycled water supply in the area.
56.07-3	Wastewater Management Objective	Reticulated waste water is available to the subdivision and will be extended to access all lots.
56.07-4	Stormwater Management Objective	The area is well serviced by the existing drainage network. A submission of a Detailed Drainage Design Plan is expected to be placed as a condition of permit if issued.
56.08-1	Site Management Objective	All works are expected to be carried out with appropriate and accepted site management controls including control of runoff and sediment, dust, contamination and construction wastes.

	Description	COMMENTS
		It is expected that the site will be managed to the satisfaction of the Responsible Authority. A submission of a Construction Management Plan is expected to be placed as a condition of permit if issued.
56.09-1	Shared Trenching objective	It is expected that shared trenching will be optimised wherever possible in the provision of services.
56.09-2	Electricity, Telecommunications and Gas Objective	All lots are to be provided with electricity and telecommunication connections. There is no known gas supply in the area.
56.09-3	Fire Hydrants Objective	The location of the fire hydrants will be provided as part of the detailed construction documentation in accordance with permit conditions. It is expected the hydrants will be located to ensure appropriate coverage to the rear of future dwellings by being within 120m of rear boundaries.
56.09-4	Public Lighting Objective	Street lighting is to be provided in accordance with Council's standard with detail regarding location and standard to be provided as part of the detailed construction documentation.

The Decision Guidelines require the consideration of:

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

The proposed subdivision meets the pattern of subdivision which in turn meets the overall neighbourhood character of the surrounding area.

#### Public Open Space Contribution

Subdivisions of land requires consideration under Clause **53.01**. An application is exempt from the requirements of this Clause if the application entails subdivision of land into two lots and Council considers it unlikely that each lot will be further subdivided.

It is not considered likely that the subject site will be further subdivided in future. In light of this, the application is considered exempt from the requirements of Public Open Space.

### **GENERAL PROVISIONS**

#### Clause 65 - Decision Guidelines

Clause 65 (Decision Guidelines) state that the Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this Clause. Specifically, the decision guidelines of Clause 65.02 relating to the approval of an application to subdivide the land are to be considered as

appropriate. The decision guidelines contain a similar assessment to that found in Clause 56.

The application presents no detriment to the environmental values of the land or to the amenity of the area. The proposal is an acceptable planning outcome that is consistent with the objectives of planning in Victoria.

MGA94, ZONE 55



JONATHAN & JUDY WOOD  
8 NEWLANDS DRIVE, PAYNESVILLE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
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FILENAME: Y:\19000-19999\19000-19999\19079 Wood\19079 Design Response V2.dwg

#### NOTATIONS

AREAS ARE APPROXIMATE ONLY  
DIMENSIONS ARE SUBJECT TO SURVEY

SCALE (SHEET SIZE A2)

1 : 500

SURVEYORS REF.

19379

VERSION 2 - DRAWN 11/03/2022

#### DESIGN RESPONSE PLAN

PARISH OF BAIRNSDALE  
CROWN ALLOTMENT 141 (PART)

TP443154

- - PROPOSED ACCESS
- - PROPOSED STREET TREE

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

### 7.2 Chief Executive Officer Employment and Remuneration Committee Report

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