



## **Acknowledgement to country**

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

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

## **Council information**

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

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

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

In line with the *Local Government Act* 2020, Councillors are able to attend Council meetings electronically or in person and the meetings will be open to the public via livestreaming.

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 <a href="https://www.eastgippsland.vic.gov.au/council/council-policies">https://www.eastgippsland.vic.gov.au/council/council-policies</a>

### Councillors pledge

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

### **Vision**

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

### **Our Strategic Objectives**

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

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#### 1 Procedural

#### 1.1 Recognition of Traditional Custodians

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

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

#### 1.2 Apologies

Cr Jane Greacen OAM

#### 1.3 Declaration of Conflict of Interest

#### 1.4 Confirmation of minutes

That the minutes of the Council Meeting held Tuesday 20 September 2022 be confirmed

#### 1.5 Next meeting

The next Meeting of Council is the Statutory Meeting on Tuesday 25 October 2022 to be held at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

#### 1.6 Requests for leave of absence

#### 1.7 Open Forum

#### 1.7.1 Petitions

#### 1.7.1.1 Cycling and Walking Track between Paynesville and Bairnsdale

Authorised by General Manager Business Excellence

#### **Conflict of Interest**

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

#### **Executive Summary**

This report informs Council of a petition submitted by Ms Wendy Batey from Wy Yung seeking a safer off-road walking and cycling route between Bairnsdale and Paynesville. The petition was received in two formats; electronic and hard copy. The petition states:

"...we, the persons undersigned to this petition, respectfully call on you to make appropriate decisions and take appropriate actions which will progress delivery of a safer and viable offroad route between Bairnsdale and Paynesville."

The petition has been received and presented in accordance with Governance Rule 8.7. The electronic format received 314 electronic signatures as of 30 September 2022 that met the governance requirements and the hard copy format included 169 signatures, 113 of which met the governance requirements.\*

Note: A petition with 10 or more signatures that meet Governance Rule 8.7 and is approved by the Chief Executive Officer, is presented to Council.

Councillors have been provided with a full copy of the petition in both formats 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.

\*169 petitioners engaged in this petition in the hard copy format. Of those, 113 signatories met Governance Rule 8.7 (1)(e), 56 signatories didn't meet the requirement due to not providing their full address. Governance Rule 8.7 (1)(e) states for a signature to comply in hard copy format, petitions must include the names, addresses and original signatures of all petitioners. For example: John Doe, 1 Smith Street, Bairnsdale, Signature.

#### Officer Recommendation

#### That Council:

- 1. receives and notes this report;
- 2. receives the petition lodged by Ms Wendy Batey requesting Council to make appropriate decisions and take appropriate actions which will progress delivery of a safer and viable off-road route between Bairnsdale and Paynesville;
- 3. refers the petition to the General Manager Assets and Environment for a report to a future Council meeting; 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
- **3 Deferred Business**
- **4 Councillor and Delegate Reports**

## **5 Annual Report**

Section 100(1) of the Local Government Act 2020 states that the Mayor must report on the implementation of the Council Plan by presenting the annual report at a Council meeting open to the public. The report has been prepared by Officers.

#### 5.1 Aiiidai Nepolt 2021

**Conflict of Interest** 

Authorised by

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

General Manager Business Excellence

#### **Executive Summary**

This report presents the Draft Annual Report 2021-22 (Annual Report) for Council's consideration, under the requirements of the *Local Government Act 2020*. The Annual Report has information on organisational performance, challenges, instances of advocating for the East Gippsland community, comprehensive financial statements, achievements, and highlights for the year.

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

Some highlights from the Annual Report include:

- Hosted volunteer recognition events during National Volunteers Week in three towns Lindenow, Tambo Crossing and Cann River;
- Celebrated International Women's Day with an event at Sun Cinema Bairnsdale and hosted Orbost-born film and TV professional, Pamela Hammond as a guest speaker at a lunchtime online event;
- Developed six Asset Management Plans and a range of support plans to assist Council effectively manage over \$1.2b of assets for the community;
- Delivered almost \$40m of capital works Council's largest ever program, with a further \$20m committed towards projects to be delivered over multiple years;
- Attracted over \$32m of external grant funding for 36 community infrastructure projects, with major projects Bairnsdale Airport Upgrade (\$9.9m); Omeo Mountain Bike Trails Stage 2 (\$3.1m); and Krautungalung Walk Stage 1 (\$2.2m);
- Following extensive community and stakeholder consultation, the Environmental and Sustainability Strategy 2022-32 was developed and adopted;
- Successfully capped and closed the Lakes Entrance Landfill, which allows for the rehabilitation of the site and discontinuation of an unlined legacy landfill;
- Spent \$2.483m on Council managed land to support natural areas including environmental works; weed and pest management; erosion management; mosquito control; walking track maintenance; roadside weed control; and specific bushfire regeneration works;
- The Business Concierge Program had over 268 business engagements;
- Held two Council in Community visits at Buchan and a joint visit to Mallacoota, Cann River and Genoa: and
- East Gippsland Rural Recharge Community Concerts were held in Buchan and Mallacoota in response to severe drought conditions in eastern Victoria and expanded following the 2019-20 summer bushfires.

A copy of the Draft Annual Report 2021-22 has been provided at Attachment 1.

#### Officer Recommendation

#### That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and
- 2. adopts the Draft Annual Report 2021-22 provided at Attachment 1.

#### **Background**

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

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

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

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

Sections b., c., d., and e. as listed above, were presented and adopted by Council at the Council Meeting on 20 September 2022. The authorised documentation has been signed off and a copy has been included in the Annual Report.

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

#### Legislation

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*, 98, 99 and 100 section from the Act

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 not been prepared in collaboration.

#### **Council Plan**

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

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

#### **Council Policy**

Not applicable

#### **Options**

No options available

#### Resourcing

**Financial** 

There are no financial resourcing impacts relating to this report. However, the Annual Report publishes information that directly links to the 2021/22 Annual Budget.

Plant and equipment

Not applicable

Human Resources

There are no human resources impacts relating to this report, however the Annual Report published information relating to staffing and human resource programs.

Risk

The risks of this proposal have been considered and have been managed accordingly.

#### **Economic**

This Report itself has no direct economic impacts. However, the Annual Report identifies the outcomes and achievements of key economic actions and projects that have a positive influence on the local economy.

#### Social

This Report itself has no direct social impacts. However, the Annual Report identifies the outcomes and achievements of key social actions and projects that have a positive influence on the community.

#### Gender Impact Statement

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

#### **Environmental**

This Report itself has no direct environmental impacts. However, the Annual Report identifies the outcomes and achievements of key actions and projects that have a positive influence on the natural environment.

#### Climate change

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

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

#### **Engagement**

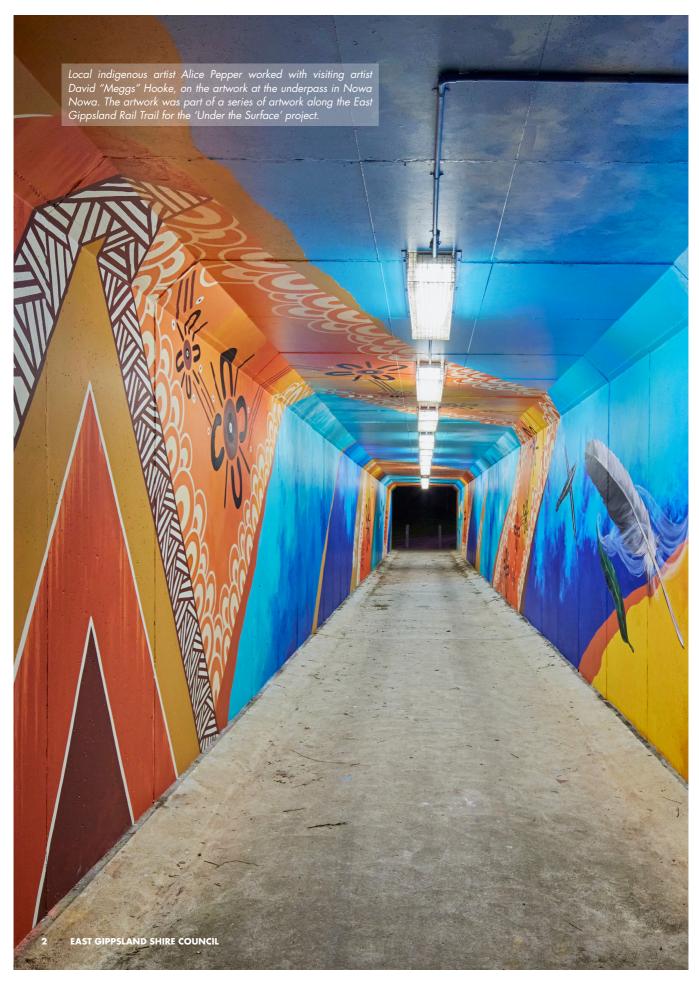
This Report will be provided to the community following Council review. This will be made available on Council's website and promoted through social media channels

#### **Attachments**

1. Draft Annual Report 2021-22 [5.1.1 - 189 pages]









# Acknowledgement of Country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawel people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years. Council values their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

This annual report is prepared in accordance with the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

Images from this Report may not be reproduced without written permission from the East Gippsland Shire Council. An online version of this report is available at eastgippsland.vic.gov.au



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## Introduction

East Gippsland Shire Council is committed to transparent reporting and accountability to its community. The Annual Report 2021-22 details Council's activities, achievements, challenges and financial performance during the financial year.

It also informs the community on how the commitments in the Council Plan 2021-2025 and the 2021/22 Annual Budget were delivered.

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

This report also provides information on the elected Council, the organisation and statutory information. Council's overall financial position and performance is reported in the Audited Financial Statements for the period 1 July 2021 to 30 June 2022.

## Council's 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.

### **Councillor Standards of Conduct**

The Councillor Code of Conduct sets out the standards of conduct that guide the Councillors collectively and individually in undertaking their roles, duties and obligations.

#### **Standards of Conduct**



#### **Treatment of others**

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



## Performing the role of Councillor

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



## Compliance with good governance measures

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

<sup>8</sup> EAST GIPPSLAND SHIRE COUNCIL



## Councillors not discrediting or misleading council or the public

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



## Standards not limiting robust discussion

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

While the Councillors are governed by standards outlined in the Councillor Code of Conduct, Council officers are guided by the Staff Code of Conduct and a set of organisational values.





## **Highlights of the Year**

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

ANNUAL REPORT 2021-22

## An inclusive and caring community that respects and celebrates diversity



Developed a project to work with the Disability Advisory Committee, and other representative/community groups to evaluate the inclusive and accessible features of Council programs.



Work continued with Community Recovery Committees (CRC) to support local bushfire recovery. Some districts are working on recovery priorities, while others are transitioning to an ongoing community focus. Delivery of the Tambo Crossing community facility is an example of a community, CRC and Council working in partnership to deliver a community priority.



Supported the return of community events and public gatherings through events such as the East Gippsland Winter Festival. Following an extended period of COVID-19 lockdowns and restrictions, reintroducing public events has seen many benefits for our communities.



Reviewed the place management model to identify learnings from the past two years, with a view to informing the Council's future place management model and the role of place managers.

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Council held local volunteer acknowledgment events in Lindenow, Cann River and Tambo Crossing to recognise the contribution volunteers make to our community, and to launch the East Gippsland Volunteer Honour Roll during National Volunteer Week in May. Pictured: Mayor Councillor Mark Reeves with volunteers at Cann River.



Introduced 'Recovery Reset: Social Recovery Assessment', a partnership initiative with Bushfire Recovery Victoria and key stakeholders. The assessment identified the current and anticipated needs for social recovery and wellbeing services across East Gippsland as a result of the 2019-20 Black Summer Bushfires.



International Women's Day was celebrated with an event at Sun Cinema Bairnsdale. The theme of the event was 'Break the bias', and had a special screening of 2020 feature film *The Leadership*, and an online guest speaker Pamela Hammond.



A series of artworks were created along the East Gippsland Rail Trail, from Bairnsdale to Orbost, for the 'Under the Surface' project funded by the Australian Government (\$30,000). The project was designed, produced and delivered by The Social Crew in collaboration with the Gunaikurnai Land and Waters Aboriginal Corporation and Council.

**75** 

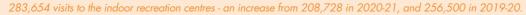
Performances held at the Forge Theatre during the year including 10 performances of *Grease* by the local Bairnsdale Production Line Theatre Company; three performances of The Wiggles – Superhero tour; and a sold out performance by Archie Roach.



Supported and facilitated activities for Youth Week, Seniors' Week, Children's Week, Social Inclusion Week, 16 Days of Activism, International Day of People with a Disability, Diversity Week, Reconciliation Week, Refugee Week, National Volunteer Week and NAIDOC Week to celebrate the diversity within the municipality.



Provided over \$112,000 in community grants to 30 projects and community groups through council's Community Grants Program.





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



Developed six Asset Management Plans and a range of support plans to assist Council effectively manage over \$1.2 billion of assets for the community.



Supported 50 residents rebuild and obtain an occupancy permit, and 54 households obtain planning and/or building permits for new dwellings through the Rebuild Support Service for bushfire affected residents. A further 47 residents and their families are currently being assisted to reach the permit stage.



Delivered almost \$40m of capital works – Council's largest ever program, with a further \$20m committed towards projects to be delivered over multiple years.



Planning permits were issued, representing one of the busiest years on record. The consistently high number of development applications has presented challenges for the Planning team but a high level of output has been maintained.



Attracted over \$32m of external grant funding for 36 community infrastructure projects, with major projects Bairnsdale Airport Upgrade (\$9.9m); Omeo Mountain Bike Trails – Stage 2 (\$3.1m); and Krautungalung Walk – Stage 1 (\$2.2m).



Minister for Local Government, the Hon Shaun Leane joined Mayor Cr Mark Reeves, Deputy Mayor Cr Arthur Allen, CEO Anthony Basford and our project officers and contractors for a tour of the works underway at the WORLD Sporting Precinct Redevelopment in Bairnsdale.



Council worked with the Australian Government, Victorian Government and NBN Co to deliver the Strengthening Telecommunications Against Natural Disasters (STAND) program for East Gippsland, which will assist community to communicate during the early stages of an emergency. The program will boost internet connectivity resilience and help locals in disaster-prone areas stay connected to emergency and support services.



The Drought Relief Communities Programme saw 19 small projects, with a total value of \$1m, undertaken on community facilities with a highly positive response.

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Significant funding availability and drive from community groups and organisations for facility development meant a strong focus on project development and funding applications this year. Key projects that have been planned have included; Skidale Reserve Lake Tyers Beach, Eastwood Park Play Space (Tulaba Park), Metung Bowling Club Green, and Metung Tennis Court, oval lighting for Lochiel Park Orbost, Shaving Point Boat Ramp Metung, Lake Tyers Beach Hall, Raymond Island Hall, and Peppercorn Park lighting Bairnsdale.

\$500,000

Distributed to East Gippsland organisations through a new, once-off Community Infrastructure Grant Fund. The 16 successful applications included building repairs and upgrades, installation of solar panels and lighting, and community gym equipment.



Through advocacy, and working with community and other groups, East Gippsland secured more than \$30m in funding from the Black Summer Bushfire Recovery Grant program, including eight Council-led projects.



Planning for the redevelopment of the Mick Baum Park Skate Park in Cann River is underway. This project is one of eight Council-led projects that will receive funding from the Black Summer Bushfire Recovery Grant program.

**ANNUAL REPORT 2021-22** 

## A natural environment that is managed and enhanced

ENVIRONMENTAL SUSTAINABILITY STRATEGY 2022-2032

Following extensive community and stakeholder consultation, the Environmental and Sustainability Strategy 2022-32 was developed and adopted.



Joined with 46 other councils to create the Victorian Energy Collaboration Organisation (VECO) which has facilitated Council entering into a long-term contract to source 100% of our energy from sustainable and renewable Victorian sources.



Introduced glass collection services to eight of Council's transfer stations and landfills.



Successfully capped and closed the Lakes Entrance Landfill, which allows for the rehabilitation of the site and discontinuation of an unlined legacy landfill.



Successfully trialled the conversion of green waste into a compost product at Bairnsdale Landfill.

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Council maintains parks and gardens through towns to ensure attractive and functional streetscapes. This includes 124 parks, 68 playgrounds and 74 kilometres of walking tracks.



All mercury vapor street lighting across the shire has now been replaced by LED lights - 1,504 streetlights swapped to LED (94%) with 99 remaining.



Council has secured Australian and Victorian Government funding to install seven 50kW electric vehicle fast-charging stations in car parks across the shire.



The Bairnsdale Integrated Water Management Plan was completed, focussing on innovative and collaborative water management to maximise the resilience, liveability and economic prosperity of our communities and connected waterways, wetlands and Gippsland Lakes.



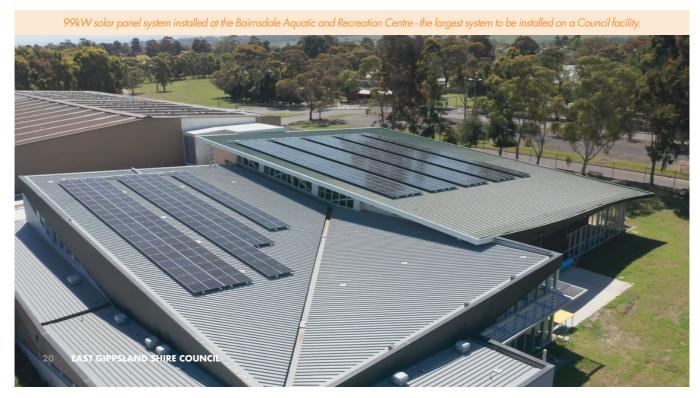
Partnered in the planning to install three 14kW Tesla 2.0 Powerwall batteries and connect to the 20kW solar power system in the newly redeveloped Lucknow Recreation Reserve clubrooms.



Used waste education events and information produced including regular newspaper advertisements and participation in region and state-wide education campaigns to raise community awareness of the importance of recycling and waste minimisation.



Developed a Waste Management Action Plan to guide Council's practices towards circular economy outcomes and ensure our services are efficiently delivered.



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



The Draft 10-year Economic Development Strategy was released for public comment following extensive co-design with a diverse range of key stakeholders. The accompanying four-year Action Plan is in final draft stages.



East Gippsland Rural Recharge Community Concerts were held in Buchan and Mallacoota in response to severe drought conditions in eastern Victoria and expanded following the 2019-20 summer bushfires. The concerts were headlined by Australian music icon Paul Kelly, with 233 people attending in Buchan and 686 in Mallacoota.



Engaged and collaborated with higher education partners and other sectors to establish new training and skill development programs. This resulted in the establishment of Business Boost - an innovative program to support business start-ups, entrepreneurs and business expansion initiatives.



A partnership with Monash University was established for a study into 'Barriers to employment in the Cann Valley'. This research aims to assist understanding the social and economic challenges for business owners to attract and retain staff in an area where disproportionate levels of welfare-dependency exist.



A new Event Management Toolkit was developed to assist event organisers when planning to host an event. Event organisers can access information they might need relating to event planning, sponsorship, grants, coordinating volunteers and staff, how to run committee meetings, and post-event reviews and surveys.



Cr Trevor Stow, Member for Gippsland East Tim Bull, Federation University Dean of Graduate Studies Wendy Wright, and Cr Mendy Urie and CEO Anthony Basford at the launch of the East Gippsland Business Awards. The delivery of the awards was led by Council.



Community consultations and workshops were held in the Cann Valley, Buchan and Errinundra to Snowy districts to discuss potential tourism opportunity projects. Each district chose priority projects to pursue with an aim to increase the length of time a visitor stays in the region, and how much they spend.



The Business Concierge Program had over 268 business engagements. The program continues to attract positive feedback from the business sector and potential commercial investors.



Supported the Timber Transition Plan - Community Transition Program involving Swifts Creek, Nowa Nowa and Orbost communities including auspicing the application for funding for the Swifts Creek Local Development Strategy.

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



Engaged with the community on the design and delivery of over 50 infrastructure projects.



A new Library Management System was installed at all six libraries. The system has a new-look catalogue with an improved search function and image of the book, and self-scanners and a mobile app.



A Mutual Respect Charter was adopted to support a key principle of providing a safe and respectful workplace. It is based on the principle of mutual respect and cooperation. It outlines the rights and responsibilities of the community, Councillors and staff in all Council-related interactions.



Council conducted three service reviews. These reviews provide recommendations on how these services can be delivered more effectively and efficiently for Council and the community. The active reviews are:

- o The Forge Theatre and Arts Hub
- o Customer Service and Libraries
- o Visitor Information Centres



Held two Council in Community visits at Buchan and a joint visit to Mallacoota, Cann River and Genoa. Council meetings were hosted during these visits, with the two meetings being held at the Buchan Mechanics Hall and at the Genoa Public Hall. Councillors also visited Orbost to conduct meetings with community groups.



Mallacoota Foreshore Holiday Park benefited from the return of overseas travel and had a peak season resembling pre-COVID-19 and bushfire patronage numbers. The business finished the year with an operating surplus.



Development of the Electronic Document Records Management System business systems specifications is progressing.



Council conducted a Workplace Gender Audit, with the results submitted to the Gender Equality Commission. An associated Gender Equality Action Plan was developed in response to the audit findings.



Several Information and Communication Technology (ICT) security and governance reviews and audits undertaken to ensure ongoing improvement in relation to its cyber security and ICT governance.

Tree planting event was held in October at Howitt Park, Bairnsdale, to celebrate the East Gippsland residents who contributed to the development of our Community Vision 2040 and Council Plan 2021-25. Pictured: Jane Ponting, Cr Mendy Urie, Cr Kirsten Van Diggele, Cr Mark Reeves, Peter Giddings, Sharon Jervis, Belinda Stewart, Carina Turner and Cr Tom Crook.





The La Nina weather pattern also saw a long and wet spring with an unprecedented growing season that impacted on Council's ability to manage its parks, gardens, roadsides and reserves as effectively as usual.

## **Challenges**

Accompanying our highlights and achievements are the various challenges the organisation and community have faced. There were seven declared flood events that impacted areas of East Gippsland, and the emergency response associated with affecting Council infrastructure and the farming communities. This also impacted public areas, in particular Livingstone Park Omeo, which created a significant volume of work to manage natural values alongside asset replacement.

Retention of staff has become a challenge, with the increase in turnover is consistent with trends across Australia. With COVID-19 restrictions lifting early in the financial year and the ability to travel both interstate and internationally, there has been an increase in resignations as well as earlier retirement of the workforce.

Accessible housing stock to meet the needs of our community, creating social issues and vulnerable people. Developing affordable housing stock and new lettings in East Gippsland is a challenge for Council to continue to support the community Council issued permits for approximately 697 planning applications, representing one of the busiest years on record. The consistently high number of development applications throughout the year has presented challenges for the Planning team but a high level of output has been maintained.

Statutory planning is a complex activity requiring the balancing of many conflicting issues and close engagement with the development sector and communities undergoing change. An apparent increase in community involvement in planning applications has created additional challenges in achieving the right balance

Council has a strong cyber safety program with several audits and reviews undertaken this last financial year to further strengthen and improve business process and security in light of continued cyber security threats and challenges.

The construction sector faced impacts that effected Council projects and the rebuilding of houses destroyed in the 2019-20 bushfires.



Livingstone Park, Omeo, during one of the year's flooding events which caused significant damage.



Recreation centres, libraries and service centres had significant service restrictions with many areas of the facilities either capped in attendance numbers, or services had to be significantly altered. Attendances is now starting to resemble pre-COVID-19 programming.

## **COVID-19 pandemic related challenges**

The impacts of COVID-19 and the imposed restrictions created challenges for recovery work in meeting with community and the community coming together to support each other

COVID-19 impacted community events, with event organisers challenged by changing COVID-19 requirements. Council staff supported a range of events.

The performing arts industry was significantly impacted by COVID-19, with people only starting to have confidence in attending live performances later in the year.

COVID-19 restrictions contributed to complex planning and delivery constraints for community engagement and program teams. Significant partnerships and resource demand when coming out of restrictions meant back-to-back commitments for much of the first half of 2022, with delivery of the backlog of activities as well as the annual schedule of events.

Two externally funded 'War on Weeds' projects have progressed slowly, with the adoption of the tender for contractors a key step. The impact of COVID-19 on staffing levels has impacted these two projects and extensions have been granted to allow for delivery next year.



Councillors met with community members at Club Terrace in May about the construction of a new permanent community facility following a successful Council funding application.

## The Year in Review

Following the past two years of major challenges and change East Gippsland was able to start to experience some stability towards the end of year. This year Council sought to deliver its largest ever capital works program, provide ongoing bushfire recovery support and programs, and transition back to a COVID normal way of delivering services and events to the community.

## Message from the Mayor

I am pleased to present this year's Annual Report and to celebrate our achievements and highlights for the past year.

We have seen major progress this year, with the continued support for communities who are on their bushfire recovery journey, we set out to deliver the largest Capital Works Program ever and worked closely and engaged with our community as much as possible.

A major piece of work finalised this year was the development of our Environmental Sustainability Strategy 2022-32. This strategy went through a detailed community consultation and public exhibition process, with the feedback being used to inform the final document. We know that the natural environment and climate change are priorities for our community, so it was great to speak with so many people to inform this strategy.

Volunteers play a crucial part of communities. We recognised the valuable role of volunteers and launched the East Gippsland Volunteer Honour Roll at celebrations held across three sites as part of National Volunteer Week. These well attended events acknowledged the endless hours some of these volunteers have committed to making their communities so great and celebrated their efforts.

To ensure that we have a focused approach to our advocacy for the region, Council developed an Advocacy Strategy. The strategy provides a prioritised set of initiatives which allows us to concentrate our efforts on delivering the community's priorities. This is an ever-evolving list of priorities that is able to adapt to changes as they are achieved or as needs change. Some of the advocacy highlights include:

- \$28m in Federal Government funding committed from the Black Summer Bushfire Recovery Grants programs to support the 38 projects, with the largest project the Bairnsdale Airport Runway Upgrade (\$9.9m)
- \$3.2m in State Government funding committed to the Omeo Mountain Bike Trail – Stage 2 construction
- \$984,650 in Federal Government funding committed to the Gippsland Agriculture Group Education Centre
- \$400,000 in Federal Government funding committed to support the installation of four electric vehicle charging stations in East Gippsland

Councillors and officers want to make sure that the community remains informed regarding Council business, so I would strongly recommend to everyone to read our monthly newsletter My Council, My Community, to view video updates on our YouTube channel, (East Gippy TV) and to continue to engage with us through our engagement portal, YourSay East Gippsland.

My fellow Councillors and I look forward to building on the achievements of the past year and continuing to work to achieve the community's goals for the region.

**Councillor Mark Reeves - Mayor** 



## Message from the Chief Executive Officer

Council's Annual Report for the year 2021-22 provides an important record of a successful, but challenging year.

As Chief Executive Officer, I am responsible for supporting the Mayor and Councillors in the performance of their roles and ensuring the effective and efficient management of the day-to-day operations of the Council. This includes ensuring that the decisions of the Council are implemented without undue delay and establishing and maintaining an appropriate organisational structure to act on our Council Plan.

As we start to move into a COVID-19 normal environment, we are starting to see our services back to full operation and community coming back to our facilities and local events.

We are continually seeking community input - in the 2021-22 year we asked for community feedback on more Council projects than ever before. We had over 50 projects posted on our engagement portal, YourSay East Gippsland, which had over 9,000 page visits and 874 engagements over the year. Council has made a commitment to further engage with communities in decision-making, which has been demonstrated with the projects, strategic planning documents and service reviews available through this portal.

We started 2021-22 with a view of achieving a capital works program of \$88.75 million, which focusses on renewing ageing infrastructure and new assets for the community. At the end of the year we have achieved 56 of the committed projects, with another 118 underway. This has been the largest program ever delivered as we continue to provide outcomes for the East Gippsland community.

Some of the major highlights from the capital works infrastructure projects include:

- The development of the WORLD sporting precinct (\$23m) in Bairnsdale, which commenced work on the new carpark, hockey fields and upgrade to the netball courts.
- The Omeo Mountain Bike Trail (\$5.5m), which has seen significant preliminary works completed for trail building to start in the new year.
- The Genoa Pedestrian Bridge (\$1.68m) was formally opened in May 2021. This project replaced an important community asset that was lost in the Black Summer Bushfires.

Council continues to be in a sustainable financial position, recording an operating surplus of \$30.976m with an underlying surplus of \$12.74m. Net assets increased by \$62m to \$1,365m.

I would like to thank the community for supporting the organisation and our staff in a year where we continued to adapt our services to COVID-19 restrictions and floods. In the coming year, the organisation will focus on adopting and implementing major strategies such as the Public Health and Wellbeing Plan, Growing East Gippsland economic strategy, and continuing to deliver Council's vision and Council Plan.

**Anthony Basford - Chief Executive Officer** 



## **Summary of Financial Performance**

The summary of financial performance provides an overview of how Council has performed financially in 2021-22. The Long-term Financial Plan focused on improving Council's financial position, ensuring its long-term financial sustainability.

#### Financial snapshot

- \$141.5m revenue against a budgeted \$138m.
- Rates and Charges comprised \$62.6m (44%) of the total operating revenue.
- \$110.5m expenditure against a budgeted \$102.2m.
- Operating surplus of \$30.9m (budget \$35.7m).
- \$38.2m Capital Works program delivered against a budgeted \$88.7m.
- Cash holdings and other financial assets increased by \$24.3m from \$92.2m in 2020-21 to \$116.5m in 2021-22
- Net debt decreased to \$1.650m in 2021-22 from \$3.350m in 2020-21.

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

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

#### **Asset renewal**

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

Our asset renewal result for 2021-22 is 112.7%.

#### Cash holdings

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

#### **Debt levels**

No new borrowings were taken up during the year and borrowings totalled \$1.650m as at 30 June 2022.

#### Council's operating results

Council achieved an operating surplus of \$30.976m this year compared to a \$19.517m surplus in 2020-21. This is greater than last year's result by \$11.459m. The operating surplus in 2021-22 though includes unbudgeted income of \$13.8m for an advance payment of the 2022-23 Federal Assistance Grant.

Without this advance payment, the operating surplus for the year would have been \$17.176m which is \$18.559m less than the budgeted result.

A decrease in capital grants over the budget of \$23.682m and non-monetary contributions of \$0.956m decreased the income for the year which was offset by an increase in operating grants over budget of \$19.594m and other income, mainly as a result for reimbursements for natural disaster restoration works of \$7.139m greater than budget. \$13.8m of the increase in operating grants was a result of the advance Financial Assistance Grant for 2022-23 being received in 2021-22. There was also additional grant funding for Fire 2019 related projects of \$4.4m that was unbudgeted as well as an additional \$0.530m Victoria Grants Commission payment for the 2021-22 year.

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

Council recorded an underlying surplus of \$12.74m compared to an underlying surplus of \$5.3m last year.

#### **Income**

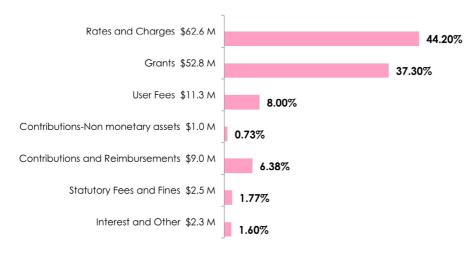
This year's operating income totalled \$141.562m.

The graph below shows the breakdown of Council's income in 2021-22:

#### Rates and charges

Rates and charges income was \$60.536m. As a percentage of total income this is 44.2%, compared with 45.38% in the previous year.

#### Other revenue sources



Grant funding was \$52.8m and accounted for 37.3% of total income, compared to 27.2% last year. The greater percentage of total income from grants resulted from an increase in capital grants of \$8.7m and an increase in operating grants of \$7.8m.

User fees accounted for 8.0% of total income compared to 12.6% in the previous year. In 2021-22 there was a reduction in some user fee income as a result of a number of facilities being closed for part of the year during COVID-19 restrictions.

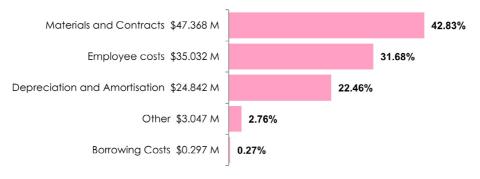
#### **Operating expenditure**

The graph below shows the breakdown of Council's operating expenditure in 2021-22:

97% of our operating costs occur in the following three categories:

- Employee expenses 31.7%
- Materials and services 42.8%
- Depreciation and amortisation 22.5%

This year's operating expenditure totalled \$110.586m, which was \$8.3m greater than the adopted budget.



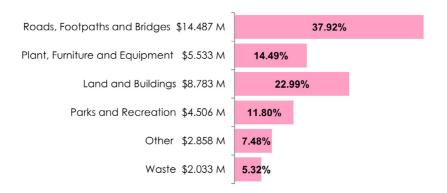
Other expenses, including the landfill rehabilitation provision movement of a reduction of \$1.125m, were \$1.318m greater than budget as a result of \$2.442m of infrastructure write-offs, primarily due to assets being replaced. Materials and services were \$4.645m greater than budget mainly as a result of natural disaster event restoration works undertaken during the year that will be offset by reimbursement income.

All other expenditure in 2021-22 did not vary materially from budget.

#### Capital expenditure

In addition to the operating expenditure, Council spends money on capital projects that benefit the community for many years. This year's capital expenditure totalled \$38.2m, which was \$50.559m less than budget. This was due to the timing of some projects that will not be completed until the 2022-23 year.

The graph below shows the major capital expenditure categories for the 2021-22 year:



Roads and Bridges capital expenditure was \$14.4871m, \$6.384m less than last year, and accounted for 37.92% of total capital expenditure compared to 59.21% last year.

Plant, Furniture and Equipment capital expenditure was \$5.533m, \$2.374m greater than last year and accounted for 14.49% of total capital expenditure compared to 8.96% last year.

Land and Buildings capital expenditure was \$8.783m, \$4.259m greater than last year, and accounted for 22.99% of total capital expenditure compared to 12.83% last year.

Parks and Recreation capital expenditure was \$4.506m, \$2.317 greater than last year. It accounted for 11.8% of total capital expenditure compared to 6.21% last year.

Other Infrastructure capital expenditure was \$2.858m, \$504,000 less than last year and accounted for 7.48% of total capital expenditure compared to 9.54% last year.

Waste capital expenditure was \$2.033m this year, \$887,000 greater than last year and accounted for 5.32% of total capital expenditure compared to 3.25% last year.

#### **Balance sheet**

Council has maintained a healthy balance sheet this year. Net Assets were \$1,366m as at 30 June 2022 compared to \$1,303m last year. This is an increase of \$62.4m. \$31.47m of the increase relates to the increase in the fair value of infrastructure. The remaining increase is due to the operating surplus of \$30.976m.

#### **Debt levels**

No new borrowings were taken up during the year. Borrowings totalled \$1.650m as at 30 June 2022, a reduction of \$1.7m from the previous year.

Council borrowings as at 30 June 2022 of \$1.650m relate to the Tambo Bluff Infrastructure Project, which is being reimbursed by Tambo Bluff landowners by way of a Special Charge Scheme.

Loan interest costs this year was \$297,000, which is \$7,000 greater than last year.

#### Cash and cash equivalents and other financial assets

Cash and cash equivalents and other financial assets totalled \$116.547m as at 30 June 2022; this was \$24.349m greater than last year. There was an increase in cash held at year end to fund 2021-22 capital and landfill rehabilitation projects that will be completed in the 2022-23 year of \$27.647m. Unearned income also increased at year end by \$5.019m as a result of significant capital grants being received in advance of the works to be undertaken in 2022-23 year.

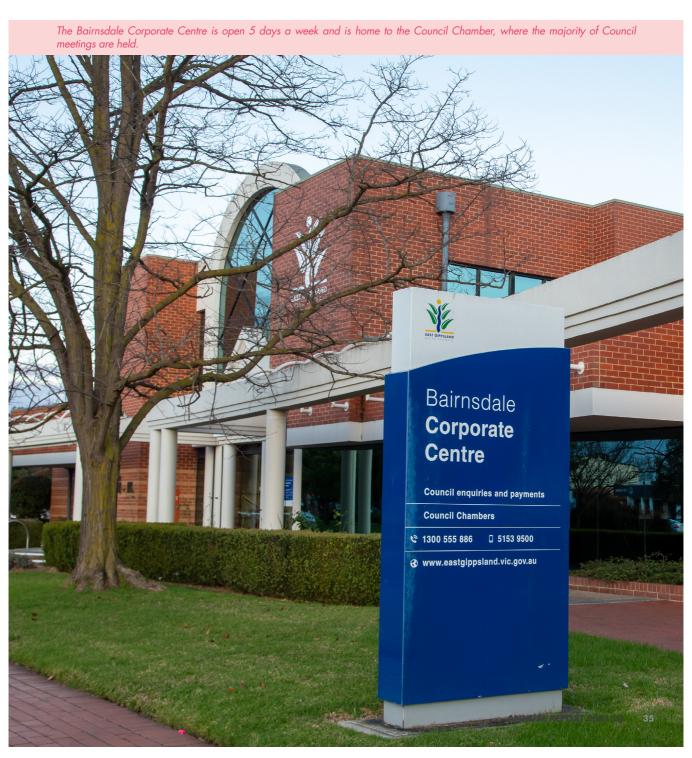
#### The future

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

Rate capping was introduced for all Victorian Council's from the 2016-17 financial year. The rate cap for the 2021-22 year was set at 1.5% with Council resolving that total base rates and charges would be increased by the rate cap percentage in the 2021-22 year. Council's Long Term Financial Plan indicates that cash reserves will continue to be maintained at a prudent level providing Council with financial flexibility.

Council will continue to review its operations to ensure services to the community are delivered in the most efficient and cost-effective way.

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







## **Advocacy**

Councillors and the Chief Executive Officer have an important role advocating on a broad range of issues on behalf of our communities. This advocacy includes regular meetings with Members of Parliament from the Australian and Victorian governments and maintaining positive working relationships with other organisations and statutory authorities. Councillors also hold representative positions on external advisory committees and boards to ensure that East Gippsland is represented in regional, state and national arenas.

A prioritised set of advocacy initiatives was developed and adopted by Council through an Advocacy Strategy and supported by an Advocacy Policy.

The Advocacy Strategy identifies more than 30 priorities and the related 'asks' and supporting information initiatives, categorised under the five Council Plan 2021-25 themes. The strategy is available on the Council website, and includes details of the priorities and their status.

The supporting Advocacy Policy was developed to guide the approach to the development of the Advocacy Strategy. The policy also clarifies the roles and responsibilities for the determination of the advocacy priorities.

Some of the priorities for 2021-22 included:



**Homelessness** – seeking a dedicated (non-competitive) funding allocation from the Victorian 'Big Housing Build' and immediate action to address the lack of housing stock in Mallacoota in the short to medium term.



**Youth services** – seeking support to lead a partnership to provide collective impact for youth, including delivery of a range of youth-led services, activities and programs for young people.



**Long-term bushfire recovery and community resilience** – seeking Victorian and Commonwealth Government to commit to supporting bushfire recovery services at least until year five.



**Active ageing** – seeking funding for awareness campaigns, events, and activities, to implement programs to improve physical and mental wellbeing strategies.



**Mitchell River Bridge duplication** - seeking funding for the detailed design of the duplication of the Mitchell River Bridge.



**Bairnsdale Aerodrome upgrade** – received \$9.9m to widen and lengthen the Bairnsdale Airport runway.



**Bullumwaal Road realignment** – seeking funding to realign seven roads to intersect with Bullumwaal Road at a 90-degree angle at a cost of \$250,000 per intersection.



**Asset management** – seeking a policy change that allows funding to be allocated to asset maintenance and a change to funding programs to see more funding allocated on need rather than competitive funding rounds.



**Marlo Road upgrade** – seeking \$7m in funding to ensure the Marlo Road has the capacity to safely accommodate current and future volumes of traffic, and include a walking/cycle path.



**Resilient housing stock** – seeking Victorian and Australian governments to provide funded programs to support people in bushfire prone areas to retrofit homes to be more resilient to reduce the risk of loss.



**Buchan Recreation Reserve upgrade** – seeking \$7m to the redevelopment of the Buchan Recreation Reserve facility.



**Great Alpine Road widening** – seeking funds to be committed to continue the widening and corner treatments of the Great Alpine Road.



**Lakes Entrance Indoor Stadium** – seeking \$8m be committed to the relocation and expansion of a multi-purpose indoor court complex.



**Benambra-Corryong Road sealing** – seeking \$6.5m in funding to seal the remaining 65km of the Benambra-Corryong Road.



**Weed and pest management** – seeking \$500,000 per annum and ongoing commitment for pest management.



**Shared approach to fire management** – seeking Victorian Government to provide funding for local governments to review their emergency management strategies and ensure appropriate resourcing allocations.



**Strategic firebreaks and roadside vegetation management** – seeking \$5m allocated to Department of Land Water and Planning for the creation of strategic firebreaks.



**Biodiversity Strategies** – seeking an initial \$1m per annum for four year from the Victorian Government to manage crown reserves.



**Climate change mitigation** – seeking that local governments and the private sector are provided access to funded programs to implement a net zero emissions target.



**The HUB Bairnsdale** – seeking \$500,000 to implement the masterplan to upgrade the education centre.



**Develop performing arts and culture centre** – seeking \$300,000 in funding support to identify the appropriate space for a regional arts centre and design of such a facility.



**Gippsland Agriculture Group Education Centre** – seeking \$1m for the development of an agriculture training hub at Bairnsdale Airport.



**Environmental Effects Statement process overhaul** – seeking the Victorian Government to review the Environmental Effects Statement framework.

ANNUAL REPORT 2021-22





# Description of Operations

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

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

ANNUAL REPORT 2021-22

## Major capital works completed

#### **Genoa Pedestrian Bridge**

The Genoa Pedestrian Bridge was opened to the public on 17 May 2022. The replacement of the historic bridge - destroyed in the 2019-20 bushfires – has re-established the pedestrian link between Genoa and the Genoa Wayside Stop and was funded by Council at a total cost of \$1.68m.

The bridge is made from steel reinforced concrete with the design being created via both the Council and local community members to ensure that the design was appropriate for the location.

The inclusion of a steel truss structure that is painted white mimics the former heritage bridge that was destroyed.

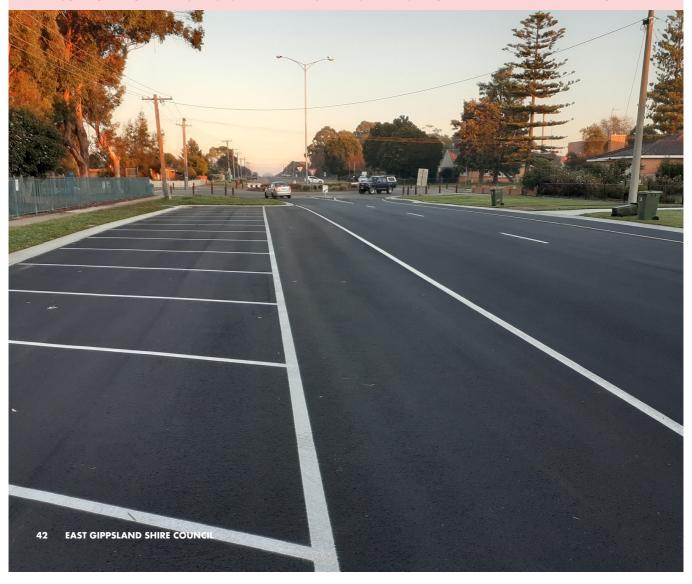
#### **Bairnsdale Skatepark**

Stage 2 upgrades included new concrete footpaths and footpath connections throughout the area and connecting the skatepark to the All-Abilities Playground, installation of new light poles and CCTV cameras, and shelters.

The project is funded by the Australian Government (\$238,000) and Council (\$230,000).

Moroney Street, Bairnsdale upgrade – Stage 1. The upgrade was completed in May with the project works consisting of a complete reconstruction of the road including the kerb and channel, stormwater drainage and the replacement of the existing property driveways with existing materials, signage upgrades and improved parking complete with rehabilitated nature strips.

The project was funded through the Roads to Recovery grants program (\$1m). This upgrade focused on improving road safety and upgrading drainage for the adjacent properties and roadways, and improved the parking conditions near the school and kindergarten.





The upgrade for the Marlo Triangle Park playground was funded by Council (\$300,000) and the Victorian Government (\$115,000). The project has created an engaging playground suitable for a variety of ages that complements the natural characteristics of Marlo. It includes renewed playground equipment, a new barbecue area and seating, and landscaping to better compliment the native characteristics of Marlo.

Council also worked with Rural Roads Victoria to implement a safe pedestrian crossing on Marlo Road, completed late March. The playground was reopened to the public in May.





Recreational boating at Lakes Entrance is continuing to grow in popularity due to growth in recreational fishing and the emergence of new opportunities in offshore game fishing. The North Arm Boat Ramp project upgraded the jetty, boat ramp, fish weighing stations and related infrastructure. This project was funded by Council (\$453,000) in conjunction with the Victorian Government – Victorian Fisheries Authority (\$200,000) and Better Boating Victoria (\$200,00).

ANNUAL REPORT 2020-21

## Significant projects underway

#### **WORLD Sporting Precinct**

The new carpark and hockey fields achieved a project milestone at the end of March, with the new carpark south of the kindergarten being opened for kindergarten use.

With these new carparks open, works were able to begin on the new netball courts and parking areas. The main demolition work with waste material hauling off site (for recycling and reuse as base material) was completed in the month of May. Inground services installation will follow, preceding large concrete pours for the new netball courts.

Contractors are working to have these works completed (including the netball courts and hockey fields) by the end of 2022, which will allow for a summer opening of these facilities.

Existing paths around the wetlands will be reopened with added links to new walking paths throughout the precinct.

This \$23m project is multi-funded: Australian Government (\$6.3m), Victorian Government (\$5.65m), Council (\$6.2m and a \$5m community infrastructure low-interest loan).



Foundations for the hockey pitches at the WORLD Sporting Precinct.



Aerial shot of Buchan's current streetscape.

#### **Buchan streetscape**

The Buchan streetscape project aims to boost the tourist economy by improving access to Buchan's town centre and enhancing its appeal, encouraging people to stop and stay in the town. It also aims to increase accessibility for the local community to move around the town more safely and instinctively.

Council has secured \$2.8m for this project from the Victorian Government's Local Economic Recovery Program (jointly funded by the Australian and Victorian government). This funding will be used to explore options for improvements and refurbishments such as reconfiguring service roads, optimising car parking, increasing visual appeal of the streetscape and improved street furniture.

Community consultations have been completed and Council is now working through the feedback provided by the community.



Lakes Entrance Slipway Redevelopment Concept design

#### **Lakes Entrance Slipway Redevelopment**

The project is to design and construct a redevelopment of the iconic Slipway site located on the Esplanade, Lakes Entrance. The redevelopment works are limited to the installation of a tiered deck over the existing concrete slipway to create a waterfront public space, minor renovations of the two historic winch sheds to enable safe public use, construction of public access amenities including compliant ramps, resurfacing of the existing bitumen hardstand area and upgrading of the onsite power.

This upgrade to the Lakes Entrance Slipway has a total project budget of \$1.02m is supported by the Australian and Victorian governments under the Local Economic Recovery Program (\$562,000), Australian Government (\$400,000), Victorian Government through Creative Victoria (\$40,000) and Council (\$28,000).

#### Mallacoota Hall upgrade

This major upgrade to the Mallacoota Hall is funded by Bushfire Recovery Victoria (\$818,000). It aims to upgrade the hall to improve its functionality for day-to-day use by relocating the main entry, addressing existing accessibility barriers, redeveloping toilets and change rooms to improve functionality and accessibility, future-proofing the building to prevent bushfire smoke from entering the facility, creating new internal storage space, expanding on the existing kitchen and the creating of additional community and office spaces.

Community consultation for this project was completed late May 2022 and a detailed design is underway.



Works are being undertaken to replace the old and damaged Bullock Island Bridge with a newer modern bridge that will accommodate pedestrians and cyclists with a shared path.

The replacement of the bridge is progressing well with the relocation of services nearing completion along with the road widening section of the works.

The bridge will be complete in time for the Christmas 2022 tourist season.

The project is funded by the Australian Government (\$5m) for bridge replacement and associated works through the Victorian Infrastructure Investment Program.



The Omeo Justice Precinct includes a large amount of works for both the Old Court House and the New Court House, with the works aiming to conserve and protect the historically significant buildings. These upgrades are jointly funded (\$200,00) by Heritage Victoria and Council.

#### **Bruthen streetscape**

The project will remove unsafe intersections, widen carriageways to accommodate safe heavy vehicle movement and parking, improve parking, introduce pedestrian safety measures, enhance the main street gardens area, refresh street furniture, install new pedestrian paths to better connect destinations within the town centre and upgrade one of eastern Victoria's most used public toilets.

Community consultations have been completed for this project and the feedback has been reviewed, with landscape design underway and discussions underway with Rural Roads Victoria regarding contractors and timeframes for the construction phase of this project.

The total budget for this project is \$1.5m and funded by the Local Economic Recovery Program jointly funded by the Australian and Victorian governments (\$1.10m) and Council (\$490,000).

#### Community Resilience and Development Program

Thirty-seven community facilities will be upgraded to operate as relief and recovery centres, with \$1m in funding from a Bushfire Recovery Victoria grant program.

There are four unique components to this project:

- Bushfire Attack Level (BAL) assessments to determine the scope for ember protection works
- Switchboard emergency power enabling, including installing generator switching and outlets to enable emergency energy generation, AV supply and installation, and hardware for streaming and connectivity during emergencies
- Ember protection of buildings to make the facility more resilient during a bushfire event.

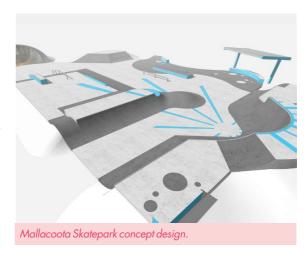
The project is nearing completion having all works including the BAL assessments, switchboard audits, AV supply and installs complete, with final works waiting on ember upgrades to be completed (25 per cent complete throughout the shire and progressing). Works are ongoing through 2022 due to the challenges of both distance and contractor availability.

#### Mallacoota Skatepark

This project will redevelop the existing Mallacoota Skatepark site as identified within the Mallacoota Youth Group project brief. It incorporates ideas generated by the community to create an informed conceptual design for the much-loved youth recreation space in Mallacoota.

The new design boasts flowing transitions and street areas, including half-pipes, handrails, quarter pipes, a spine (quarter pipes placed back-to-back) and more, as well as shady gardens and landscaping.

The Mallacoota Skatepark redevelopment preliminary designs and the community consultation stages are both complete and the construction contract has been awarded.



#### Omeo Mountain Bike Trails - Stage 1

This three-year, \$5.5m project aims to transfer the Omeo region into a nationally significant mountain bike destination, promoting economic and social benefits for the community and broader region. At the foot of the trails, in Livingstone Park, a pump track and skills park have already been constructed.

Significant preliminary works have been completed with Stage 1 construction prepared to begin early in the new financial year. This first stage will include; 56 kilometres of cross country and downhill gravity trails, switchback climbs for over 500 meters up nearby Mount Mesley, a loop parallel to the Great Alpine Road which leads to the Historical Oriental Claims area and a descending trail of over 500 vertical meters from Mount Sam summit linking to Mount Mesley and culminating within Livingstone Park.

Council has recently announced the successful funding of Stage 2 by the Victorian Government (\$3.2m) and Council (\$1.06m). This additional funding will create 65km of bike trails bringing the total connected tracks to 121km.

The Omeo community were on hand to celebrate the announcement of successful funding of Stage 2 of the Omeo Mountain Bike Trails, with the Victorian Government contributing \$3.2m and Council \$1.06m



East Gippsland Shire Council - Agenda Council Meeting - Tuesday 11 October 2022

## **Major Changes**

Below are major changes that were introduced as per clause 13 of the East Gippsland Shire Council Enterprise Agreement.

- The Bushfire Recovery directorate merged back into existing directorates within East Gippsland Shire Council. Council Enterprises moved from Place and Community to Assets and Environment and Regulatory and Compliance Unit moved from Place and Community to Business Excellence.
- The Manager People and Capability oversees the Human Resource functions across East Gippsland and Wellington shire councils. This arrangement has formed under a Memorandum of Understanding between both councils.
- 3. EBA No 6 was approved by the Fair Work Commission in 2022.

## **Major Achievements**

#### Planning Institute of Australia Award for Excellence in Innovation

The Planning team at East Gippsland Shire received both the Victorian and National Planning Institute of Australia Award for Planning Excellence for Innovative Processes. The award recognised the unique partnership between East Gippsland Shire Council and Brimbank City Council in the sharing of planning staff, which has provided benefits for both councils and has contributed significantly to output and professional development.



At the Planning Institute of Australia Awards for Planning Excellence, Brimbank City Council planners Susan Fitton and Eunice Wong celebrated with (on mobile) East Gippsland Shire Council's Statutory Planning Coordinator Robert Pringle and daughter Hannah.

## Small Non-PRT Regional Aerodrome of the Year

Orbost Airport received a national award, being crowned Small Non-PRT Regional Aerodrome of the Year at the Australian Airport Association's National Airport Industry Awards 2021.

#### Small Facility Management of the Year Award

The Lakes Entrance Aquadome won the Small Facility Management of the Year Award at the Aquatic and Recreation Victoria Industry Awards. This award was for the 2021 financial year, but due to COVID-19 gathering restrictions the award event was held in January 2022.

The Aquadome was nominated for its resilience and community empathy during the bushfires and COVID-19. The facility also was commended for its initiatives and programming to keep members and community utilising the facility during recent challenging times, in particular aquatic education and water safety programs. These included information and fun packs for home schooling, instructors visiting schools to teach water safety when students could not travel to the pool.



IPAA Victoria Top 50 Public Sector Women Awards. Our General Manager Assets and Environment was recognised as one of only three local government employees in the 2022 Top 50 Public Sector Women Awards for her leadership and contributions during the COVID period. Chief Executive Officer Anthony Basford congratulates General Manager Assets and Environment, Fiona Weigall on her inclusion in the IPAA Victoria Top 50 Public Sector Women.



Matt Tyter, Mandy Clarke, centre coordinator Kelly Smart, Paul Etheridge, Ryan Halford and Samantha Stephenson celebrate the Lakes Entrance Aquadome''s Small Facility Management of the Year Award.

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The \$1.68 million Genoa Pedestrian Bridge was officially opened to the public in May. The previous bridge destroyed in the 2019-20 bushfires. Pictured: Mayor Cr Mark Reeves cuts the ribbon with Wilma Becker, the oldest resident in Genoa.

## **Civic Events**

As part of its civic leadership role and commitment to active community engagement, Council recognises the importance of community involvement and celebrating achievements by hosting civic events, including citizenship ceremonies, project openings and announcements, and engagement programs.

During National Volunteer Week 2022, the East Gippsland Volunteer Honour Roll was launched to recognise the contribution and years of volunteering of local community members. The honour roll is a permanent listing that features on our website and complemented the National Volunteer Week recognition events.

Three major community projects were officially opened, with engagement opportunities included attendance at local shows / field days.

Council's presence at the East Gippsland Field Days this year included partnering with local producers while highlighting Council services.

Events were well attended by the community and stakeholders. These events were actively promoted and celebrated through our media channels and local media outlets.

## Mallacoota Community Clubrooms Official Opening

11 July 2021

Community Panel Recognition Event (tree planting), Bairnsdale

26 October 2021

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#### East Gippsland Australia Day Awards, Nowa Nowa

22 January 2022

International Women's Day – online guest speaker and film screening 8 March

Orbost Show and Landcare Expo 14 March 2022

**East Gippsland Field Days** 8 and 9 April 2022

## **East Gippsland Volunteer Recognition Events**

16 and 18 May 2022

Tambo Crossing Community Facility Official Opening & East Gippsland Volunteer Recognition Event, Tambo Crossing 20 May 2022

**Genoa Pedestrian Bridge Official Opening** 28 May 2022

Omeo Mountain Bike Trails Stage 1 Sod Turn and Stage 2 Funding Announcement 10 June 2022

#### **Australia Day Awards**

More than 200 people at the Nowa Nowa Recreation Reserve on Saturday 22 January celebrated the outstanding contribution of more than 30 individuals and community events at the annual East Gippsland Australia Day Awards.

Held in Nowa Nowa for the first time, the awards included a welcome to country by Gunaikurnai elders Aunty Sandra Patten and Uncle Lenny Hayes, a flag unfurling by the Bairnsdale Scouts (on a flagpole the Scouts erected on site for the day), songs from the Nowa Nowa Men's Choir, and a keynote address from visiting Australia Day Ambassador Paul Wheelton AM. Twin Rivers Lions Club had the sausages and bacon and egg rolls sizzling throughout the morning.



Stan and Ann Barker were named East Gippsland's Citizens of the Year, congratulated by Mayor Cr Mark Reeves.



Paris Davis, pictured with Mayor Cr Mark Reeves, took out the Young Citizen of the Year for her dedication to assisting young people to benefit their health and wellbeing.



The East Gippsland Winter Festival was named East Gippsland's Community Event of the Year.

Citizen Ann and Stan **Barker** Ann and Stan Barker, of Lakes Entrance, were announced as Citizens of the Year for their extensive volunteer work. Founders of the Bushfire Recovery Project, Ann and Stan have potted over 6,000 native plants and trees and distributed across the East Gippsland region to those affected by the bushfires.

Young Citizen of the Year - Paris Davis
Paris Davis has been volunteering as Youth Leader for Gipps Youth
Club at Orbost for the past four years, encouraging young people to participate in health and lifestyle programs and activities to benefit their health and wellbeing.

#### Community Event of the Year – East Gippsland Winter Festival

The inaugural East Gippsland Winter Festival brought the community together and encouraged collaboration. The entire festival was designed around promoting the region — not one individual event. This included promotion of towns right across East Gippsland as well as local restaurants, wineries, breweries, chefs, producers, studios and galleries, and tourism operators.





## **Our Council**

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

Historical rural landscapes and natural bushland areas characterise the region and surround its communities. These attributes are key drivers for the region's healthy and growing tourism industry.

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## **Regional Profile**

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

East Gippsland has continued to experience significant economic disruption over the past 12-months because of COVID-19, including the impacts of restricted movement across the state and around the country.

While metropolitan lockdowns eased, state borders re-opened and social gathering restrictions were lifted during 2021-22, work from home recommendations remained in place and continued to drive unprecedented interest in the lifestyle afforded by regional living. This resulted in increased property values and real estate sales and a tightened housing rental market across East Gippsland.

Economic stimulus packages released by the Victorian Government in response to COVID-19 encouraged outdoor activation and supported business to offer their services in COVID safe conditions, however ongoing supply and labour shortages continue impacting business and service continuity.

Buy local campaigns "Celebrate where you live" and launch of the 'East Gippsland Farm Gate Trail'

delivered by Council provided additional stimulus for local spending with the retail sector which has been significantly impacted by prolonged disruptions and uncertainty within the current economy.

Tourism continues to be important to the local economy and Council contributed to recovery campaigns encouraging regional travel. This sector has responded well and has shown positive indicators of recovery.

Domestic travel demand resulted in an 24.2% increase of visitors in the 12 months to March 2022 and total visitor expenditure increased by 57.8% for the same period. International visitation to East Gippsland remains negligible due to the slow recovery of international travel to Australia and this trend is likely to continue for some time yet.

Consumer sentiment remains positive with resident local spending sustained at \$630m reflecting strong support for businesses through purchasing locally. Ongoing support for local businesses will be important in the year ahead as the economy periodically tightens with rising interest rates in a bid to reduce inflation.

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



Total of 16,539 jobs, with unemployment at 6.3% (March 2022)\*



Top five industries by Gross Revenue Generated: Manufacturing (17.5%); Construction (12.7%); Agriculture (11.7%); Rental/Hiring & Real Estate (10.9%); and Healthcare (6.6%)



Top five industries by employment: Healthcare (16%); Retail (12.1%); Agriculture (9.7%); Accommodation & Food Services (9.3%); and Education (9.2%)



Total GRP (ABS June 2021 Gross State Product)

In Eagle Point, the presence of the lake and Mitchell River Silt Jetties provides an important asset for both residents and visitors alike to explore and enjoy its natural setting. Pictured: Eagle Point jetty.





Council's event staff were instrumental in delivering the successful Rural Recharge Community Concerts.

### **Events**

Victorian COVID-19 restrictions on events eased incrementally during 2021-22. Council proactively supported events that could proceed within set COVID-19 restrictions and those that experienced postponements and cancellations during the restrictions by providing latest restriction updates and COVIDSafe event management support.

Council continued to coordinate and support events in our region through permits and sponsorship with:

- 319 individual events
- Issued 100 event permits
- Secured two new events to the region during offpeak periods
- Sponsored 14 events through the Regional and District Events Sponsorship (RADES)
- Supported seven Australia Day town events
- Supported Bairnsdale Anzac Day Commemoration Services
- Lakes Entrance Foreshore Summer Carnival
- Conducted two networking dinners which saw the launch of Events Make Good Business tool kits in Bairnsdale and Lakes Entrance



Mayor Cr Mark Reeves (pictured at Orbost with Wing Commander Mel Buswell of RAAF Sale), Councillors and senior staff represented Council at Anzac services held across East Gippsland.

Council invested \$74,500 in sponsorship of 15 regional events and providing a return on investment (ROI) of 26.5:1 (or \$1.649m of economic benefit). This represents a significant increase from the previous year where the ROI was calculated at 7.5:1, attributed to the impacts of restrictions imposed by COVID-19.

Council endorsed the Event Action Plan 2021-2026 in October 2021. The RADES program was discontinued following round two of 2020-21 funding granted, although Council will fulfill commitments to support previously awarded grants over the coming years. RADES is to be replaced by the endorsed program Pathways to Growth, from the Event Action Plan 2021-26 to support and encourage visitation to our region.

Council secured \$190,000 under the Commonwealth Government's Regional Tourism Bushfire Recovery Grant program. Periods of COVID-19 lockdowns disrupted program implementation, postponing events up to a year. Two of the Omeo bike events and Under the Surface, public arts trail along the East Gippsland Rail Trail, are now complete. Two events remain to be delivered from the program.

Council ran the East Gippsland Business Awards in August, with the winners' presentation held on 25 November. The awards successfully attracted 56 applicants, had 25 finalists, and 12 winners including Business of the Year and two encouragement awards. The 2021 awards were supported by 15 category, media, and venue sponsors, as well as Federation University as the naming sponsor.

See events list over page.



East Gippsland Winter Festival - Lakes Entrance Lantern Parade



Keynote address from Australia Day Ambassador, Mr Paul Wheelton AM at the Australia Day Awards event in Nowa Nowa.



East Gippsland Business Awards 2021

#### Event highlights for year to which Council made a financial contribution include:

Dates	Event	Supported by Council
19 June - 11 July 2021	East Gippsland Winter Festival	RADES
11 July 2021	The Final Feast @ Laneway3875	RADES*
21 - 22 July 2021	Vic Bream Classics 2021 Round 4	RADES
9 - 10 October 2021	Vic Bream Classics 2021 Round 5	RADES
26 – 28 November 2021	X-Marathon	RADES
27 – 28 November 2021	Vic Bream Classics 2021 Grand Final	RADES
27 November 2021	Deep in the Weeds	RADES
23 December 2021 – 27 January 2022	Lakes Entrance Summer Carnival	
26 January 2022	Australia Day events	Sponsorship
29 – 30 January 2022	Professional Golfers Association Pro-Am Legends	Sponsorship
4 - 6 February 2022	Hobie Kayak Bream Series	RADES
18 – 20 February 2022	Bruthen Blues and Arts Festival	RADES
25 - 27 February 2022	Paynesville Music Weekend	RADES
16 March 2022	Rural Recharge Community Concert - Buchan	Sponsorship**
17 March 2022	Rural Recharge Community Concert - Mallacoota	Sponsorship**
19 March 2022	Omeo Pump Track Shootout	Sponsorship**
26 - 27 March 2022	Vic Bream Classics 2022 Round 1	RADES
25 April 2022	Anzac Day Bairnsdale	
30 April – 1 May 2022	Vic Bream Classics 2022 Round 2	RADES
7 May 2022	Frostbite Gravel XL	Sponsorship**
23 May 2022	Under the Surface - East Gippsland Public Arts Trail	Sponsorship**
10-13 June 2022	Lakes Country Cruise	RADES
17 June – 10 July 2022	East Gippsland Winter Festival	RADES

<sup>\*</sup>Indicates a new event Council attracted to the region.
\*\* Indicates an event supported by Council and received grant sponsorship from another Government organisation

### **Your Councillors**

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

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

the shire by setting the strategic direction for the shire. Councillor Mark Reeves of Marlo was elected Mayor at the Statutory Meeting held in October. Cr Reeves was Deputy Mayor under Cr Mendy Urie last year. Cr Arthur Allen of Lakes Entrance was elected Deputy Mayor.

Elected in 2020, Council is now in the second year of its four-year term.



**Cr Mark Reeves**Mayor

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



**Cr Arthur Allen**Deputy Mayor

First elected October 2020



**Cr Sonia Buckley** 

First elected October 2020



**Cr Tom Crook** 

First elected October 2020



**Cr Jane Greacen OAM** 

First elected October 2020



**Cr Trevor Stow** 

First elected October 2020



**Cr Mendy Urie** 

Previous elected terms 2005-2008; 2008-2012 Served as Mayor 2006-2009; 2020-21



Cr Kirsten Van Diggele

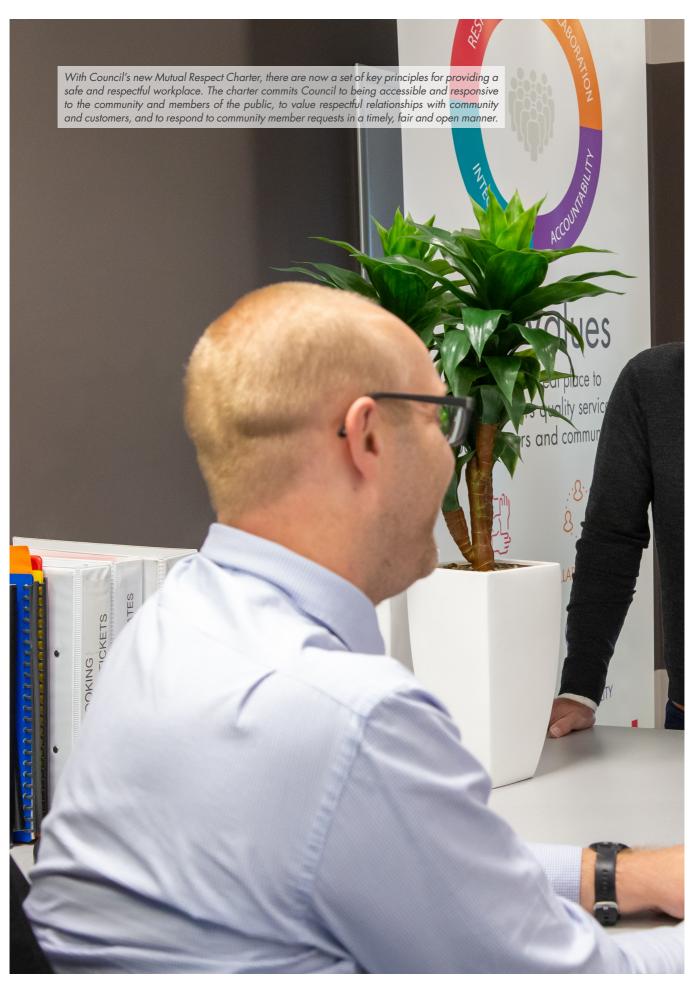
First elected
October 2020



**Cr John White** 

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

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# **Our Organisation**

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

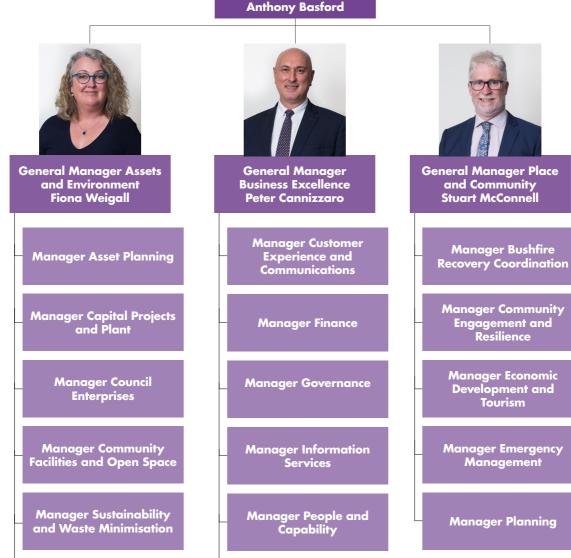
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### **Executive Leadership Team**

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

Organisation chart as at 30 June 2022:





Manager Regulatory and

**Compliance Services** 

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Manager Works



Council's Community Laws team provides a valuable service in maintaining community safety.

### **Staff Profile**

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

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

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

#### Total staff numbers

The figures below represent the organisation's total staff numbers, including casuals, limited-tenure staff and excluding staff on parental leave. The full-time equivalent (FTE) positions as at 30 June 2022 were 359.63, including casuals.

Year	Total Staff*	FTE
2021-22	561	359.63#
2020-21	560	403.00#
2019-20	536	289.75
2018-19	516	305.11
2017-18	497	316.23
2016-17	458	317.16
2015-16	472	301.08
2014-15	474	305.42

<sup>\*</sup> Total staff including casuals and limited-tenure staff. Excluding the CEO and staff on parental leave.

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<sup>#</sup> Staff FTE numbers included limited-tenure Bushfire Recovery and 'Working for Victoria' staff, other limited-tenure roles and a calculated component for casuals and capitalised roles

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

Employment Classification	Total Staff	Female Total Staff	Male Total Staff	Self-described Gender Total Staff
Band 1	27	16	11	0
Band 2	22	9	13	0
Band 3	187	88	98	1
Band 4	102	76	26	0
Band 5	63	47	16	0
Band 6	79	47	32	0
Band 7	54	27	26	1
Band 8	10	5	5	0
Senior Executive Officer / Senior Officer	17	8	9	0
Total	561	323	236	2

#### Job level by gender

Job level	Total staff	Female	Male	Self-described Gender
CEO	1	0	1	0
General Manager	3	1	2	0
Manager	14	7	7	0
Coordinator	35	20	15	0
All other staff	509	295	211	2
Total	562	323	237	2

#### Staff numbers by directorate\*

Staff numbers for each directorate as at 30 June 2022 are:

Work type/ gender	CEO team	Assets and Environment	Business Excellence	Place and Community	Total
Full time – Female	1	31	49	28	109
Full time – Male	0	103	24	10	137
Part time – Female	1	32	43	25	101
Part time – Male	0	38	11	0	49
Casual – Female	0	84	21	8	113
Casual – Male	0	44	3	3	50
- other	0	1	0	1	2
Total	2	333	151	<b>75</b>	561

<sup>\*</sup> Total staff including casuals and limited-tenure staff. Excluding the CEO and staff on parental leave.

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Jessica is undertaking a Traineeship with the Parks and Gardens team while completing a Certificate III in Horticulture.

### **People and Culture**

#### **Learning and Development**

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

Training sessions for staff across council included;

- Positive Culture
- Early and Often Injury Prevention Management
- Don't Shoot the Messenger
- Supporting the Supporters
- Communicating with Communities Under Stress
- Unshakeable in Lockdown
- Making the Link

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

As restrictions have eased, there has been an increase in the number of staff attending industry specific conferences.

Council currently has traineeship programs across a range of services, being the host employer to trainees in our Livestock Exchange, recreational facilities, two trainees in administration and two trainees in our Parks and Gardens team, bringing the total number of trainees to six. As part of the program, the trainees complete a certificate level course, spending time in the workplace and time with an external training provider. Two trainees who commenced in 2021 graduated from their traineeships by successfully completing a Certificate III in Business Administration.

#### **Workplace Health and Safety**

Council is committed to the safety, health and wellbeing of its employees and continual improvement in workplace health and safety performance. After a positive response from an internal audit of the Safety Management System, Council is further refining its systems to address the opportunities of improvement as identified. Council actively managed the occupational health and safety performance and risks associated COVID-19 virus and variants, and continues to adapt as to not adversely affect the services to the community while maintaining a safe as practicable workplace.

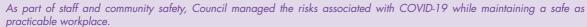
An extensive review of current occupational health and safety practices was initiated which has identified opportunities to improve Council's safety performance and contribute to improve safety culture and reduce incident rates. Processes are being developed to enhance hazard management and accountability across the organisation in response to the many challenges of having a workforce spread across a large geographic region and diverse range of tasks undertaken on a daily basis. Additionally, in light of the significance of occupational health and safety, there has been an internal restructure and engagement of additional resources to place further emphasis on compliance across the organisation. In 2021-22:



Incidents were reported resulting in 33 injuries, of which 7 resulted in WorkCover claims. There were 4 WorkCover claims lodged that resulted in lost time.



WorkCover claims as a percentage of staff is 1.24% for 2021-22.







Councillors and senior staff supported IDAHOBIT Day with a flag raising in Bairnsdale.

#### **Gender Equality**

Council's Workplace Gender Audit results were submitted to the Gender Equality Commission on 23 November 2021 and the Gender Equality Action Plan was submitted on 25 March 2022. Both obligations have been deemed compliant under the *Gender Equality Act 2020* (the Act) by the Commission for Gender Equality in the Public Sector.

The Gender Equality Action Plan is available on our website. The plan addresses the outcomes of our baseline Workforce Gender Audit and articulates the agreed strategies that Council will undertake as an organisation to improve workplace gender equality. It has been developed to meet both our legislative requirement under the Act and our need and responsibility to lead and support change within both our organisation and the wider community.

Gender Impact Assessments are being promoted and starting to be completed for priority initiatives across Council policy, programs and services, and included in key policy templates and documents.

Officers and Councillors attended the Local Government Rainbow forum and supported the attendance of the local HEY (Healthy Equal Youth) facilitator as a key partner. International Day Against Homophobia, Biphobia and Transphobia (IDAHOBIT) day was supported by Council staff and the Youth Ambassadors and FReeZA led initiatives and community activities to support social engagement, awareness raising and service connection. Youth Ambassadors and FReeZA are lead partners in the development of the local Rainbow ball events.

#### **Equal Employment Opportunity Program**

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

The objective of Council's Equal Employment Opportunity Program is to ensure there is no discrimination relating to the characteristics listed under the Equal Opportunity Act 2010 such as race, colour, sex, marital status, parenthood, physical or mental impairment, age, religious or political

affiliation, gender identity and sexual orientation. Further objectives include ensuring the workplace is free from bullying and harassment.

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

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

#### **Preventing Violence Against Women**

Making The Link Training, Recognise, Respond and Refer (3 Rs) training and Bystander Training was made available for all staff to develop awareness and understanding of how the drivers of violence against women can be identified and how we can work to prevent them.

Council continues to be an active partner of the Victorian, regional and local areas prevention of violence against woman networks and supported the development of the East Gippsland Partners in Prevention of Violence 10-year Plan, collaborative activities as part of the 16 Days of Activism campaign and National candlelight vigil. Council also celebrated International Women's Day – Breaking The Bias – through inviting guest speakers, sharing staff pledges and hosting a free community screening of the influential feature film, The Leadership.

Council has hosted Watercolour for Wellbeing workshops through office of Woman Prevention of Violence Against Woman in bushfire affected communities funding and supported further funding application through Bushfire Recovery Victoria and Better places Australia to deliver additional workshops across East Gippsland.



Lilly Hodge (Youth Engagement Project Officer) and Rachel Wade attending the screening of The Leadership at the Sun Cinema Bairnsdale on International Women's Day.

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## **Our Performance**

This part of the Annual Report provides a summary of how we are performing in the delivering the five strategic objectives of the Council Plan 2021-25.

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Council measures its performance against goals and strategic objectives outlined in the Council Plan, with a focus on the themes:

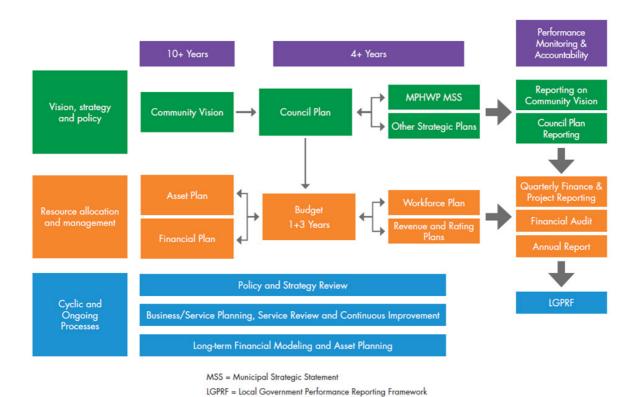
- An inclusive and caring community that respects and celebrates diversity;
- Planning and infrastructure that enriches the environment, lifestyle, and character of our communities;
- A natural environment that is managed and enhanced;
- A thriving and diverse economy that attracts investment and generates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

## **Strategic Planning Principles**

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

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

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



### **Council Plan**

The Council Plan 2021-25 includes strategic objectives and strategies for the four-year period. It also includes strategic indicators for monitoring achievement of the strategies, which links to section two of the Annual Budget 2021/22 that shows the financial and other resources required to deliver the Plan. The following are the strategic objectives documented in the Council Plan.

#### An inclusive and caring community that respects and celebrates diversity

- 1.1 Council strives to provide equitable access to their services, support and facilities
- 1.2 Collaboration with key stakeholders fosters the cultural, arts and creative communities for all activities Council has facilitated or financially contributed to
- 1.3 Community groups and volunteers are acknowledged, promoted and supported
- 1.4 Through targeted services, partnerships and advocacy, communities enjoy strong mental and physical health, well-being and resilience
- 1.5 Strong working relationships are further developed with Aboriginal people and organisations
- 1.6 Council is culturally and linguistically inclusive and celebrates diversity

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

- 2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment
- 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
- 2.3 Planning with local communities for natural disasters and emergencies strengthens capacity, infrastructure, resilience, preparedness, and recovery

#### A natural environment that is managed and enhanced

- 3.1 Council works to reduce its own and the communities carbon emissions while supporting the community to mitigate the impact of a changing climate on the environment, safety, health and lifestyles
- 3.2 Sustainable land use practices are used to manage council land to protect biodiversity and to provide education and incentives to support the management of private land
- 3.3 Natural values on key Council managed land are managed and enhanced
- 3.4 Environmentally and financially sustainable practices reduce waste going to landfill

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

- 4.1 Leadership enables economic prosperity, investment, recovery, resilience and growth
- 4.2 Collaboration amongst key partners is facilitated to improve pathways for education and skills training
- 4.3 Council's work with stakeholders fosters entrepreneurship and new business opportunities, particularly with communities facing change
- 4.4 Targeted information and streamlined approvals and processes make it easier for business to invest
- 4.5 Tourism sector investment is sought in business capability, product development and experience to meet the changing needs of domestic and international markets
- 4.6 East Gippsland's natural strengths in agriculture and natural resource-based industries are enhanced to increase value, employment, sustainability and resilience

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

- 5.1 A better everyday customer experience is created for our residents and visitors
- 5.2 Strong relationships with government, partners and stakeholders are maintained and strengthened to advocate for the community
- 5.3 Communities are engaged in decision-making and support is provided to develop local solutions to local issues
- 5.4 Continuous improvement systems are strengthened, and organisational efficiency enhanced
- 5.5 Resources are managed to meet current and future needs and priorities
- 5.6 Council attracts, develops, and retains an inclusive workforce to deliver services and priorities

#### **Performance**

Council's performance for 2021-22 is reported against each strategic objective to demonstrate how Council is performing in achieving the Council Plan. Performance has been measured as follows:

- Progress on the major initiatives identified in the Annual Action Plan 2021-22 and Annual Budget 2021-22.
- Results achieved for the strategic objectives in the Council Plan.
- Results against the prescribed service performance indicators and measures.
- Services funded in the budget.

The following pages document the performance, achievements and challenges of Council during 2021-22 in each area of five strategic objectives.

Council's new Waste Management Action Plan will seek to achieve a preserved and enhanced natural environment by sending less waste to landfill, adopting environmentally sustainable practices and developing a circular economy by creating new markets for recycled, repurposed and reused products.





An inclusive and caring community that respects and celebrates diversity PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
Major Initiative 1	The development of the strategy did not commence on time due to resourcing issues, however it is now underway with external consultants engaged during the quarter
Develop an arts and culture strategy	and working to a final delivery deadline of September 2022.

#### **STRATEGIC INDICATORS**

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

Strategic Indicator	2020-21	2021-22	Target	Comments
Develop a way to capture data that can be used to report on this strategy	Not applicable	Achieved	Completed in year 1	With the commitment to conduct access audits in 2022-23, Council has ensured there will be a process to capture this data.
Community satisfaction with recreational facilities	67	66	≥ 66	Council's recreation facilities focused on key actions that improve accessibility to all members of our community. Facilities focused on social recovery and community reconnection after a challenging 24 months had impacted access to key health and wellness services.
Number of community organisations / individuals funded through Council's community grants program	25	30	≥ 25	Grants were approved over two rounds, with round one funding 11 projects and round two funding 19.
Number of community organisations / individuals funded through Council's arts and heritage grants program	17	15	≥ Nine	Round two funding has been approved, with seven projects funded. Eight projects that were funded in round one.

Strategic Indicator	2020-21	2021-22	Target	Comments
Total value of community grants projects funded by Council	\$102,191	\$112,335	> \$100,000	Total grant funding was \$112,335 over 30 projects. Some major projects that received funding included East Gippsland Historical Automobile Club 50th Anniversary Rally, Recovering and recycling agricultural plastic waste from farm project, and an East Gippsland Women in Agriculture and Business event.
Total value of arts and heritage projects funded by Council	\$46,500	\$49,500	> \$45,000	Total grant funding was \$49,500 over 15 projects. Some major programs that received funding included Snowy Estuary Sculptures, Art Labs - Workshop series, Stories of Influence, The Trooping to Tongio heritage project and 'Blooming good' exhibition.
Develop a survey to capture community group satisfaction with Council support	Not applicable	Achieved	Completed in year 1	Questions have been added to the annual survey associated with annual allocation process. These extra questions have been developed to capture Committee of Management satisfaction with Council support.
Number of events held that recognise and support volunteers	Not recorded	Five	≥ Five events	National Volunteer Week was used to celebrate local volunteers, including at three celebration events.
Develop health and wellbeing indicators through the development of the Municipal Public Health and Wellbeing Plan that integrate with the Council Plan	Not applicable	Not achieved	Completed in year 1	The Municipal Public Health and Wellbeing Plan 2021-25 is being finalised, which will include key health and wellbeing indicators.
Develop an action plan that promotes and facilitates positive relationships between Council, the East Gippsland community and Aboriginal and Torres Strait Islander peoples.	Not applicable	Not achieved	Completed in year 1	The development of a Reconciliation Action Plan or a cultural framework and actions is behind schedule and will be developed next year.
Percentage of new employees who participate in Culture Awareness training	Not recorded	61.19%	100 %	Council delivered cultural awareness training in July attended by 235 employees. Due to the timing, new employees commencing after this training received cultural awareness training through the corporate orientation, where a cultural awareness video is presented.
The number of multicultural people / groups engaging with Council	Not recorded	Five	Baseline developed year 1	Ongoing engagement occurs in the Together East Gippsland group, which allows Council to engage and connect with multicultural groups within the region.
The number of multicultural events supported by Council	Not recorded	Two	Baseline developed year 1	Both Diversity and Refugee weeks were supported with social media, and themed storytime, workshops and feature film screening at library service centres.

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#### LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

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

Indicator		Re	sults		Comments
Measure	2018-19	2019-20	2020-21	2021-22	
Animal Manageme	ent				
<b>Timeliness</b> Time taken to action animal requests <sup>1</sup>	3.42	2.60	2.60	1.49	A full team of Community Laws Officers has been able to maintain a reduced average time to action a request and provide a more responsive service to the community.
<b>Service standard</b> Animals reclaimed <sup>2</sup>	57.96%	28.10%	23.24%	27.19%	Although there was an increase in the reclaimed rate from last year's result, this still remains low due Council trying to reunite registered animals with their owners before they are taken to the animal shelter.
Service standard Animals rehomed <sup>3</sup>	New in 2020	31.86%	38.67%	36.64%	The result is consistent with previous results and historic averages across the state. As part of the new Domestic Animal Management Plan, Council will seek to place a greater emphasis on the adoption or rehoming of domestic animals which enter the animal shelter and are not reclaimed by their owners.
Service cost  Cost of animal management service <sup>4</sup>	\$10.09	\$15.11	\$12.64	\$14.99	The increase from the previous year can be attributed to having a full community laws team, which comes with an increased cost of service.
<b>Health and safety</b> Animal management prosecutions <sup>5</sup>	New in 2019-20	100%	0	100%	There were four animal management prosecutions, and Council was successful with all four cases. Prosecutions are conducted on an as needs basis or when required under the Domestic Animals Act 1994.
<b>Aquatic Facilities</b>					
Service standard Health inspections of aquatic facilities <sup>6</sup>	0	0	0	0	No inspections were carried out by an authorised officer under the Public Health and Wellbeing Act 2008 as no public health issues were lodged with Council by customers. Council-run pools (when open) are tested by qualified and trained staff five times a day. All Council pools also underwent microbiological water testing by an independent laboratory, with all test results coming back negative.

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

<sup>2</sup> 3

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

<sup>[</sup>Number of successful animal management prosecutions / Total number of animal management prosecutions]
[Number of authorised officer inspections of Council aquatic facilities / Number of Council aquatic facilities] 5

Indicator		Re	sults		Comments
Measure	2018-19	2019-20	2020-21	2021-22	
<b>Utilisation</b> Utilisation of aquatic facilities <sup>7</sup>	8.31	5.63	4.06	6.07	Attendance steadily increased over the year as COVID-19 restrictions eased and more services and programs were reintroduced in the facilities. For the period 1 April - 30 June, the attendance returned to similar rates experienced before the bushfires and COVID-19.
Service cost	New in	\$ <i>7</i> .92	\$11.69	\$7.99	There was a large decrease in the cost
Cost of aquatic facilities <sup>8</sup>	2019-20				to manage aquatic facilities from the previous year. This is due to the facilities being open for the majority of the year, increasing the attendance and user charge income received, which has decreased the cost of service per visit.
Food Safety					
<b>Timeliness</b> Time is taken to action food complaints°	2.29	1.58	1. <i>77</i>	1. <i>7</i> 3	The number of food complaints reduced from 35 in 2020, to 22 in 2021. Council was able to provide an efficient service during periods of lockdowns and COVID-19 restrictions.
Service standard	100.56%	107.37%	104.76%	99.46%	Council was able to assess 369 food
Food safety assessments <sup>10</sup>					premises for the year, which produces the result at just under 100%. Given the COVID-19 restrictions and lockdowns, the ability to inspect over 99% of premises is a good result.
Service cost	\$686.71	\$768.45	\$604.85	\$712.70	Having a fully filled Environmental Health
Cost of food safety service <sup>11</sup>					team has increased the cost of service from the previous year.
Health and safety	90.48%	85.71%	100%	100%	All major and critical non-compliance
Critical and major non-compliance outcome notifications <sup>12</sup>					notifications for food premises were followed up. For the 2021 period, there were eight critical and major non-compliance notifications.

<sup>[</sup>Number of visits to aquatic facilities / Municipal population]
[Direct cost of aquatic facilities less income received / Number of visits to aquatic facilities] 8

<sup>[</sup>Number of days between receipt and first response action for all food complaints / Number of food complaints]
[Number of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment by the 10 Food Act 1984 / Number of registered class 1 food premises and class 2 food premises that require an annual food safety assessment by the Food Act 1984] x100

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

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

Indicator	or Results			Comments	
Measure	2018-19	2019-20	2020-21	2021-22	
Libraries					
<b>Utilisation</b> Physical library collection usage <sup>13</sup>	3.31	2.31	1.76	2.34	The library collection usage has increased from the previous year, although there is still a gap between the results for the years before the bushfires and COVID-19.
Resource standard Recently purchased library collection 14	59.06%	51.97%	52.08%	53.62%	Slight increase in performance, with a process in place to ensure purchasing and deselection have simultaneously continued whilst the new library management system was implemented.
Service cost  Cost of library service per population 15	\$24.35	\$25.22	\$22.23	\$23.92	A slight increase from the previous year could be attributed to the forced closures and restrictions during 2020-21 year.
Participation Active library borrowers in the municipality <sup>16</sup>	19.60%	19.01%	16.88%	13.81%	As this indicator is averaged out over the past three years, this year's result is showing the extended impacts of the Black Summer Bushfires and COVID-19 lockdowns and restrictions.

#### **COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2021/22.

Business area	Description of services provided	Net Cost Actual
		<u>Budget</u>
		Variance \$'000
Arts and Culture	Provides a varied, ongoing program of arts and cultural events that bring our communities together to celebrate our identity and generate ideas. It also provides funding and strategic advice to support the development of arts and culture in East Gippsland.	337 <u>347</u> ( <b>10)</b>
Community Laws	Maintains and improves the health and safety of people and the environment. This includes staff at school crossings throughout the municipality to ensure that school children can cross the road safely. Animal management services are delivered in accordance with the Domestic Animals Act 1994 and include a lost and found notification service, a contracted pound service, registration and administration service, an after-hours service and an emergency service. It also provides education, regulation and enforcement of the General Local Law and relevant Victorian Government legislation.	806 1,022 <b>(216)</b>
Community Planning	Supports, encourages and works with residents and community groups to identify their needs and aspirations and how to achieve them with responsive, high-quality services and facilities.	208 <u>346</u> ( <b>138)</b>

<sup>13</sup> 

<sup>15</sup> 

<sup>[</sup>Number of physical library collection item loans / Number of physical library collection items]
[Number of library collection items purchased in the last 5 years / Number of library collection items] x100
[Direct cost of the library service / population]
[The sum of the number of active library borrowers in the last three financial years / The sum of the population in the last 3 16 financial years] x 100

Business area	Description of services provided	Net Cost Actual
		<u>Budget</u>
		Variance \$'000
Community Programs	Support, assist and provide information to the community at all stages of life. They also provide community facilities that enhance social and health outcomes and improve local neighbourhood amenity.	281 <u>604</u> ( <b>323</b> )
Community Support	Service agreements are in place with suitable accredited organisations across the shire that provide a range of home and community care services for the aged and people with a disability. Services include home-delivered meals, personal care, transport, dementia care, home maintenance, housing support and senior citizen clubs. The Victorian Government directly funds these organisations for the provision of the specified services and Council makes a financial contribution to the operations of each of the providers.	679 <u>892</u> <b>(213)</b>
Family and Youth Services	Supports preschools, playgroups and early years programs. Support is also provided to suitably accredited organisations that provide Maternal and Child Health services (MaCH). The providers of the MaCH service are directly funded by the Victorian Government for the provision of the specified services and Council provides a financial contribution to the operations of each of the providers.	313 <u>345</u> ( <b>32</b> )
Library Services	Provides library and outreach services at six locations within the municipality including mobile library services to its more remote areas. Library services and programs are customer focused and aim to meet the learning and information needs of local communities. Libraries also provide a focal point for the community where they can meet, relax and enjoy the facilities and services offered and increase their participation in community life.	648 <u>977</u> ( <b>329</b> )
Performing Arts	Provides performing arts facilities, including the Forge Theatre and Arts Hub in Bairnsdale. A key focus is to deliver accessible programs and events that celebrate our cultural diversity and enrich the lives of our community and visitors.	397 <u>539</u> ( <b>142</b> )
Public Health	Maintains and improves the health and safety of people and the environment in accordance with the <i>Public Health</i> and <i>Wellbeing Act 2008</i> . It maintains safety, amenity and harmony in the community by coordinating food safety support programs, registered premises inspections, <i>Tobacco Act 1987</i> activities and wastewater management. The service also works to rectify any public health concerns relating to unreasonable noise emissions, housing standards and pest controls and provides an immunisation service.	261 <u>277</u> ( <b>16</b> )
Recreation Centres	A wide range of programs and services that contribute to the general wellbeing of the community. This includes opportunities for individuals of all ages, genders and abilities to participate in a variety of health, education, and leisure activities by providing recreational facilities that include indoor and outdoor aquatic facilities, a fully-equipped gymnasium, aqua aerobics and group fitness classes, a stadium and childcare facilities.	2,112 <u>1,815</u> <b>297</b>



Council maintains over 1,300 kilometers of sealed roads.

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

#### **PROGRESS AGAINST MAJOR INITIATIVES**

Major initiative 2	The Asset Plan 2022-32,
-	2021-25 were formally of
Develop an asset management	documents make up the
framework to drive Council's	a systematic approach to
capital and maintenance	prudent and efficient out
infrastructure investment in a	objectives.
transparent and financially	•
sustainable way	

#### **Major initiative 3**

**Major Initiative** 

Develop service standards for the maintenance of asset classes.

#### **Major initiative 4**

Develop plans that enhance the organisations preparedness and ability to manage and mitigate the impact of natural disasters and streamline recovery

#### **Progress**

The Asset Plan 2022-32, Asset Management Policy and Asset Management Strategy 2021-25 were formally adopted by Council on 28 June 2022. These strategic documents make up the Asset Management Framework, which aims to ensure that a systematic approach to asset management is adopted to deliver the necessary prudent and efficient outcomes to meet both our corporate and asset management objectives.

The Asset Plan 2022-32, including the six major asset classes and Asset Management Strategy 2021-25, were formally adopted by Council on 28 June 2022. Asset management plans cover road infrastructure, buildings, bridges and major culverts, stormwater drainage assets, open space assets and waste facilities assets. These plans provide the roadmap for achieving value from our assets by optimising cost, risk and performance across its lifecycle.

The Municipal Emergency Management Plan (MEMP) was updated and reviewed by the Regional Emergency Management Planning Committee and received a Statement of Assurance.

Other initiatives that enhance preparedness and ability to manage and mitigate the impact of natural disasters include:

- Strengthened Crisisworks tools to include more robust procedures for all staff to access and utilize - for example situation reports and opening/closing a Mobile Emergency Operations Centre
- An improved process for undertaking debriefs post natural event including follow-up actions
- Developed procedures and training to ensure criteria is met for recovery funding eligibility.

#### **STRATEGIC INDICATORS**

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

Strategic Indicator	2020-21	2021-22	Target	Comment
Community satisfaction with planning and building permits	42	40	≥46	Dissatisfaction is due to delays incurred due to increased planning application workload. A range of feedback, including positive feedback, is received from people directly interacting with Council in relation to planning and building.
Statutory Planning applications decided within required time frames	32.38%	38.91%	> 77.5%	The significant increase in the number of planning applications received during the year as a direct outcome of increased economic activity, combined with a backlog of applications from the previous year, has impacted Council's ability to maintain its usual high standard of determination timeframes.
Average time taken to decide Statutory Planning applications	77 days	89 days	< 61 days	As a direct consequence of a significant increase in economic activity, including investment because of COVID-19 stimulus, the number of applications received continued at historically high levels (32% higher than 2018-19). The volume and complexity of applications, combined with some gaps in staff resources has led to an increase in processing times.
Council Statutory Planning decisions upheld at VCAT hearing	50%	75%	> 60%	Four of Council's planning decisions were appealed to VCAT over the year, with one being upheld, and three were varied by VCAT.
Asset renewal and upgrade expenses as a percentage of depreciation	147.69%	112.75%	> 100%	Council aims for this indicator to be at 100% or greater and the result is based on the actual capital works undertaken each year.
Percentage of adopted capital projects completed at the conclusion of the financial year (based on the most recent amended budget)	No data available	92%	≥ 80%	The 2021-22 capital works program finished the year with 189 projects, with 56 completed and 118 progressing. Delays with supply of material, COVID-19 and weather impacts meant the schedule of delivery was revised several times during the year. The program ended the year with 92% of projects considered on schedule, in accordance with the revised schedule.
Percentage of sealed roads that meet Council's target condition rating	96.81%	94.04%	> 97%	The condition of sealed road assets are assessed every three years and were therefore not reassessed during the period. Additional roads have been added to the register of public roads during the period, with some of these additional roads not meeting the condition standards, reducing the overall rating slightly.

Community satisfaction with appearance of public areas in East Gippsland	69	58	≥ 67	The La Nina climate cycle led to a significant amount of rainfall over the year, which had a significant impact on the maintenance of public areas. Following several years of drought with low vegetation growth, the high soil moisture led to high growth across the year.
				The rain events also led to a major increase in work to repair damaged walking trails, clean-up of parks and play spaces, and weed management.
				Additional resources were allocated to contractors, staffing and equipment to support increased works, however the extent of the additional growth meant our public spaces could not be maintained to the desired level.
Number of Committees	Not	Not	≥ 10	Work has been undertaken to support and
of Management and volunteer groups for Council managed land with a guiding plan	available	available		encourage Committees of Management to develop guiding plans, with the key action being the development of the East Gippsland Sporting Facilities Plan. However, working with individual committees on strategic planning and data collection of existing plans has been on hold, as there has been a strong focus on supporting committees in the development of infrastructure projects and grant applications.
Collect baseline data on community recreation reserves and halls asset condition for future years asset condition ratings	Not available	Achieved	Achieved year 1	Five site asset condition audits (inclusive all buildings on each site) were undertaken, which entails the building stock what is there, the condition of each item of structure, what services are connected, what equipment is installed, grounds or ovals conditions, is it fit for purpose
Community satisfaction with emergency and disaster management	69	62	≥66	Council is continuing to work with an impacted community from years of drought, the Black Summer Bushfires, several flood events and the COVID-19 pandemic.
				Council has progressed several emergency management projects including:
				<ul> <li>updating Local Incident Management Plans</li> <li>training for communities to self-deploy emergency assembly areas and emergency relief centres</li> <li>providing support for local communities through emergency management infrastructure, communications and emergency water supply.</li> </ul>
Percentage of communities that need a Local Incident Management Plan have one in place and reviewed annually	Not applicable	100%	100%	All communities that need a plan have a current one in place.

#### LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

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

Indicator		Res	ults		Comments
Measure	2018-19	2019-20	2020-21	2021-22	
Roads					
Satisfaction of use Sealed local road requests <sup>17</sup>	18. <i>7</i> 1	24.74	33.04	57.37	The result has been negatively impacted by different weather patterns when compared to previous reporting years. More common periods of wet weather and storm events have affected the sealed road network and has limited works on planned maintenance.
<b>Condition</b> Sealed local roads below the intervention level <sup>18</sup>	96.79%	97.31%	96.81%	94.04%	The condition of sealed road assets are assessed every three years and were therefore not reassessed during the period. Additional roads have been added to the register of public roads during the period, with some of these additional roads not meeting the condition standards, reducing the overall rating slightly.
Service cost	\$58.85	\$62.86	\$87.88	\$50.89	Council has undertaken larger
Cost of sealed local road reconstruction 19					sectional areas of rehabilitation/ reconstruction works this year to reduce the overall cost per meter for works completed. This approach reduces costs associated with mobilisation, time and the amount of work that would normally occur undertaking small rehabilitation sections
Service cost	\$5.01	\$5.42	\$5.76	\$6.29	Council has undertaken significant
Cost of sealed local road resealing <sup>20</sup>					works on roads using new sustainable treatment methods. There is a higher cost associated with using these treatments, however this will be offset by the longevity and serviceability of these roads.

<sup>[</sup>Number of sealed local road requests / Kilometres of sealed local roads] x10017

<sup>18</sup> Number of kilometres of sealed local roads below the intervention renewal level set by Council / Kilometres of sealed local roads] x100

<sup>[</sup>Direct cost of sealed local road reconstruction / Square metres of sealed local roads reconstructed]
[Direct cost of sealed local road resealing / Square metres of sealed local roads resealed] 19

<sup>20</sup> 

EAST GIPPSLAND SHIRE COUNCIL

Indicator		Res	ults		Comments		
Measure	2018-19	2019-20	2020-21	2021-22	22		
Satisfaction Satisfaction with sealed local roads <sup>21</sup>	49	55	53	41	Council manages almost 1,500km of sealed roads and invests heavily in the maintenance and upgrade of these roads annually. Wet conditions over the past year have had an adverse effect on roads, including Council-managed roads and roads managed by State authorities. he reduction in satisfaction is felt to reflect general dissatisfaction with all roads regardless of who is the responsible road authority, with this reflected in the verbatim comments that accompanied the survey, many of which focused on Department of Transport managed roads.		
<b>Statutory Planning Timeliness</b> Time taken to decide planning applications <sup>22</sup>	38	41	77	89	East Gippsland has experienced a significant increase in economic activity, including investment as a result of COVID-19 stimulus, and as a result the number of applications received continued at historically high levels (32% higher than 2018-19). The volume and complexity of applications, combined with some gaps in staff resources has led to an increase in processing times.		
Service standard  Planning applications decided within 60 days <sup>23</sup>	85.66%	82.44%	32.38%	38.91%	The significant increase in the number of planning applications received during the year as a direct outcome of increased economic activity, combined with a backlog of applications from the previous year, has impacted Council's ability to maintain its usual high standard of determination timeframes.		
Service cost  Cost of statutory planning service <sup>24</sup>	\$2,278.66	\$1,728.65	\$2,266.19	\$1,573.60	A decrease from the previous year as additional resources were utilised in 2020-21 to assist with an increase in statutory planning work. Although the workload remains as high, the resources used has returned to normal functions.		

<sup>[</sup>Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads]
[The median number of days between receipt of a planning application and a decision on the application]
[Number of planning application decisions made within 60 days / Number of planning application decisions made] x100
[Direct cost of statutory planning service / Number of planning applications received]

<sup>23</sup> 24

Indicator	Results Comments				
Measure	2018-19	2019-20	2020-21	2021-22	
Decision making Council planning decisions upheld at VCAT <sup>2.5</sup>	25.00%	100.00%	50.00%	75.00%	Four of Council's planning decisions were appealed to VCAT over the year, with one being upheld, and three were varied by VCAT.

#### **COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2021/22:

Business area	Description of services provided	Net Cost Actual
		<u>Budget</u>
		Variance \$'000
Asset Maintenance	Provides management and ongoing maintenance of the Council's assets, including 3,033 km of roads, 191 timber and concrete bridges and 24 pedestrian bridges; over 300 km of drains, 186 km of footpath, and 540 km of kerb and channel; numerous playgrounds, parks, gardens, and recreation reserves; three aerodromes; over 4,500 streetlights; 41 public jetties, 19 fishing platforms and 31 boat ramps; and the Raymond Island Ferry.	17,390 <u>13,339</u> <b>4,051</b>
Asset Management	Conducts planning for Council's main civil infrastructure assets in an integrated and prioritised manner to optimise their strategic value and service potential. These assets include roads, laneways, car parks, foot/bike paths, drains and bridges.	492 <u>346</u> <b>146</b>
Building Control	Enforces statutory building regulations under the Victorian Building Code. These include providing advice on building permits and legislation, fire safety inspections, audits of swimming pool barriers and investigations of complaints and illegal works.	97 <u>176</u> ( <b>79</b> )
Emergency Management	Works collaboratively with relevant stakeholders to help communities prepare for emergency events and natural disasters and, in times of	500 291
Managemeni	emergency, respond to their needs and help them recover.	209
Emergency Response	Works collaboratively with relevant stakeholders to help communities prepare for emergency events and natural disasters and, in times of emergency, respond to their needs and help them recover.	(423) <u>3,264</u> <b>(3,687)</b>
Parks and Gardens	Manages and implements open-space strategies and maintenance including mowing, garden maintenance, annual plant displays, weed control and walking track maintenance. It also provides tree maintenance including inspection, pruning and removals.	3,839 <u>5,170</u> ( <b>1,331</b> )
Project Management	Project planning, design and delivery of various works within Council's Capital Works Program.	1,423 <u>364</u> <b>1,059</b>
Recreation and Sporting Reserve Management	Responsible for the maintenance and operation of sporting grounds and pavilions and community centres with meeting, function and activity space. Often this work is undertaken in conjunction with community operated committees of management. The service assists in the delivery of strategic sporting outcomes across the municipality through the upgrade and improvement of facilities and the attraction of funding to undertake this work.	792 <u>1,167</u> <b>(375)</b>

<sup>25 [</sup>Number of VCAT decisions that did not set aside Council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100

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Business area	Description of services provided	Net Cost Actual
		<u>Budget</u>
		Variance
		\$'000
Statutory	Assess planning applications in accordance with the Planning and	(11)
Planning and	Environment Act 1987, the Planning Scheme and Council policies to ensure	<u>806</u>
Development	that our towns and settlements develop in an orderly and sustainable way.	(81 <i>7</i> )
Services	Advice is provided and decisions made about development and land-	
	use proposals, as well as representing Council at the Victorian Civil and	
	Administrative Tribunal where necessary.	
<b>Strategic Planning</b>	Aims to deliver vibrant, connected and productive places and infrastructure	319
	to meet current and future community needs. Strategic Planning advocates	<u>826</u>
	for and implements land use policies, plans and standards that guide	(507)
	land use development and promote sustainable design, development and	
	heritage conservation. This is supported through continual reviews and	
	improvements to the East Gippsland Planning Scheme.	
Works	Manages and maintains Council's building infrastructure and assets. It	253
	includes Council's vehicles, machinery and equipment and place-based	(10)
	works crews.	263



Cr Tom Crook with Council's recycling mascot at the Orbost Show and Sustainability Expo.

### A natural environment that is managed and enhanced

#### **PROGRESS AGAINST MAJOR INITIATIVES**

#### **Major Initiative**

#### **Major Initiative 5**

Develop and commence implementation of Environmental Sustainability Strategy with a strong focus and framework for Council and community climate change mitigation measures

#### **Progress**

The East Gippsland Shire Council Environmental Sustainability Strategy 2022-2032 has been developed and adopted by Council. Implementation of mitigation measures and further consultation with the community will take place over the coming years.

#### Major initiative 6

The Draft Waste Management Action Plan was finalised. This action plan will seek to:

Develop Waste Minimisation Action Plan

- achieve a preserved and enhanced natural environment
- send less waste to landfill
- adopt environmentally sustainable practices
- develop a circular economy by creating new markets for recycled, repurposed and reused products.

#### **STRATEGIC INDICATORS**

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

Strategic Indicator	2020-21	2021-22	Target	Comments
Percentage of Council's electricity use from renewable sources	No data available	54.8%	> 10%	On 1 January 2022 Council's electricity accounts switched to 100% renewable as part of the Victorian Energy Collaboration, which significantly increased Council's use of renewable energy.
Reduce carbon emissions from Council operations	5,898	4,043	< 5,281.2	There was a 555 tonne reduction of CO2 equivalent emissions compared to the year before. This includes all sources of electricity, and all mains gas and bottled gas.
Proportion of Council passenger vehicle fleet is electric, hybrid or uses alternate fuel sources	No data available	10.08%	> 10%	12 vehicles in the fleet of 119 - one full electric, 10 hybrid and one alternative fuel source. For solely passenger vehicles (not including the commercial vehicles), the percentage is just under 30%. Additional hybrid vehicles are ordered but world-wide supply delays are being experienced.
Total kilowatt hours output from solar energy systems in East Gippsland	Not recorded	19.6%	> 10%	Since 1 July 2021, solar energy systems across East Gippsland have increased kWh output by 19.6%. This is an increase of 8,605 kWh from the year. Council has supported this increase by promoting grants and rebates, such as from those available through Solar Victoria.
Kilometres of regionally controlled and prohibited weeds treated	127 km	226 km	> 200 km	203km of Regionally Controlled Weeds and 23km of Regionally Prohibited Weeds treated under the Catchment and Land Protection Act 1994.
Community satisfaction with slashing and weed control	50	36	≥ 44	The significant reduction in community satisfaction can be attributed to the long and unusual growing season. On the back of years of drought that left roadsides looking more 'untidy' than the community was recently used to. This also reflects the expectation that Council should manage roadsides for visual amenity, when roadsides are managed for fire safety; noxious weed management; and road safety reasons only.
				A review of actual verbatim responses also reflects the confusion between differing road authority responsibilities, with many of the comments being about roads for which Council is not the road manager. Council's management practices for roadside slashing and weed control have not changed from 2020-21 to 2021-22.

Strategic Indicator	2020-21	2021-22	Target	Comments
A baseline for the quality and quantity of land being managed for 'at risk' habitat, biodiversity purposes, and community	Not applicable	Not achieved	Baseline developed year 1	Categorisation of finance accounts to identify spending on environmental management continues to be monitored.
safety on Council and private land				Council also worked with Landcare partners to develop some but not all base line data
Total investment in Council managed land to support natural areas	\$1.710 million	\$2.483 million	> \$1.710 million	Expenditure included staff resources, material and contractors and was spread across: environmental works; weed and pest management; erosion management (boat ramps); mosquito control; walking track maintenance; roadside weed control; and specific bushfire regeneration works. This result is higher than 2020-21 due to high use of roadside slashing contractors, weed and pest management and environmental works.
Kerbside collection waste diverted from landfill	53.48%	53.32%	> 52%	The consistent higher result for this indicator is due to the higher volume of green organics collected. This is attributed to the higher rainfall across the year causing more need for garden maintenance and collection.
Community satisfaction with waste management	70	67	≥ 65	Council was able to maintain a high standard of service during the difficult times of COVID. Staff had to be moved across sites and work extra shifts to ensure services remained open.
				All facilities (landfills, transfer stations and waste/recycle trailers) operated as usual. While kerbside collection and street litter bin services continued with no disruption.
Proportion of construction projects on Council assets that include recycled materials	Not recorded	10%	> 10% of projects	10 projects used recycled materials that are either complete or are in construction at end of financial year. This is in addition to road reseal projects that use a range of recycled rubber materials.
Number of community waste education programs delivered	Not recorded	Six	> Five programs	Six community waste education programs are currently running. They are:  • Kitchen2 Compost in Mallacoota • Get Grubby Program • Litter campaign • Compost rebate program • East Gippsland Better Business Program • The big education drive

#### LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

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

Indicator		Res	sults		Comments
measure	2017-18	2018-19	2019-20	2020-21	
Waste Collection					
<b>Satisfaction</b> Kerbside bin collection requests <sup>26</sup>	32.96	42.23	31.47	26.58	This indicator represents the number of requests from the community to replace stolen or damaged bins, change services or have bins repaired. The most common requests are to replace damaged bins, followed up replacing stolen bins.
<b>Service standard</b> Kerbside collection bins missed <sup>27</sup>	1.63	1.85	1.37	0.43	Collection trucks have been upgraded with camera technology that can identify when a bin was not actually put out and in the past was called missed and is now recorded as 'bin not out'.
Service cost  Cost of kerbside garbage collection service <sup>28</sup>	\$73.32	\$64.83	\$61.30	\$65.92	Council continues to provide a cost-effective service for kerbside garbage collection.
Cost of kerbside recyclables collection service <sup>29</sup>	\$48.88	\$71.58	\$75.21	\$73.01	The cost of kerbside recycling collection remains steady, with a slight decrease from the previous year.
<b>Waste Diversion</b> Kerbside collection waste diverted from landfill <sup>30</sup>	51.45%	52.48%	53.48%	53.32%	The consistent higher result for this indicator is due to the higher volume of green organics collected. This is attributed to the higher rainfall across the year causing more need for garden maintenance and collection.

<sup>26</sup> [Number of kerbside garbage and recycling bin collection requests / Number of kerbside bin collection households] x1,000 Number of kerbside garbage and recycling collection bins missed / Number of scheduled kerbside garbage and recycling 27 collection bin lifts] x10,000

<sup>28</sup> 

<sup>[</sup>Direct cost of the kerbside garbage bin collection service / Number of kerbside garbage collection bins]
[Direct cost of the kerbside recyclables bin collection service / Number of kerbside recyclables collection bins]
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green 29 30 organics collected from kerbside bins] x100

#### **COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2021/22:

Business Area	Description of Services Provided	Net Cost Actual
		<u>Budget</u>
		Variance \$'000
Environmental	Identifies and manages broad-based environmental issues on Council-	<i>57</i> 1
Management	owned or managed land including the Mosquito Management Program,	<u>137</u>
	pest plants and animals, and urban waterways.	434
Environmental	Develops environmental policy and strategies, coordinates and implements	(451)
Sustainability	environmental projects, and works with other services to improve Council's	333
	environmental performance. Reducing greenhouse emissions and utility	(784)
	use within Council operations are a key priority. This includes community	
	awareness and behavioural-change programs to encourage and support	
	reduced use of energy and resources.	
Waste Services	Provides kerbside waste collection of household rubbish, recycling and	5,572
	green waste from households; and manages landfill and transfer station	6,519
	facilities. The service operates and rehabilitates Council's current and	(947)
	legacy landfills, and manages the East Gippsland Waste and Recycling	
	Centre in ways that promote positive waste behaviour in the community	
	and minimise environmental impacts.	



Council held an Events Make Good Business and industry networking dinner. The evening included local guest speakers and special guest speaker Vicky Lowry from Deniliquin Ute Muster. Pictured: Adam Bloem (East Gippsland Winter Festival), Mayor Cr Mark Reeves, Carina Turner (Simon Anderson Consultants), Lyndel Moore (Destination Gippsland) and Vicky Lowry.

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

#### **PROGRESS AGAINST MAJOR INITIATIVES**

Major Initiative	Progress			
Major Initiative 7	The project is slightly behind schedule due to resourcing constraints and unanticipated competing priorities.			
Develop the Economic Development Strategy	The Draft 10-year Economic Development Strategy 2022-32 has been prepared and is currently out for community and key stakeholder feedback. The accompanying four-year Action Plan is in final stages of draft, with internal consultation underway.			
Major initiative 8	Implementation of the action plan has been delayed due to prioritising the backlog of tourism-driving events funded by RADES and other event recovery grants.			
Implement the Tourism Events Strategy	Progress made on the actions include:			
	<ul> <li>Following a trial, the Gippsland Regional Event Attraction Fund has been established by Destination Gippsland and an agreement with Council is in place</li> </ul>			
	<ul> <li>A framework for the new 'Pathways to Growth' event funding program is currently in development, which aims to support up to four home-grown events next year</li> </ul>			
	<ul> <li>Several new event organiser resources have been developed to support event organisers, including waste-wise events (environmentally friendly events), Leveraging Events Guide (for business, community groups and event organisers) and an accessible guide (inclusive events) is currently in progress</li> </ul>			

#### **STRATEGIC INDICATORS**

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

Strategic Indicator	2020-21	2021-22	Target	Comments
Proportion of exiting Year 12 students continuing to university education	28.7%	27.1%	> 24%	East Gippsland's school leavers had 27.1% of Year 12 graduates in 2021 enrol in Bachelor degree studies at university.
				(Source: On Track Report (Victorian Government)
Proportion of exiting secondary school students undertaking an apprenticeship / traineeship or TAFE training	28.7%	32.2%	> 20%	East Gippsland's school leavers had 32.2% of Year 12 graduates in 2021 went on to undertake apprenticeships /traineeships (22.9%) or TAFE training (9.3%).
ii diiiiiig				(Source: On Track Report (Victorian Government))
Participation in Council run programs delivered to support business growth	Not recorded	828 attendees	> 70% uptake	Strong participation by businesses in Council run programs reflects the tailored approach adopted since bushfires and COVID in response to business needs.
Number of new businesses registered	1,343	1,446	1,343	1,175 business ABN exits were recorded this financial year (significantly high as a result of COVID-19), however 1,446 new business ABNs registered shows a net positive increase of new 271 businesses for the year. (Source: REMPLAN)
Number of businesses engaged through business facilitation programs	Not recorded	728	> 300	A strong response to businesses engaging through business facilitation programs.
Council processing time for event permits, goods on footpath, trading permits, domestic animal business and food premises registrations	Not applicable	Achieved	Baseline developed for 2021-22	Baseline was established during 2021-22, which allowed for a target to be set for 2022-23.
Total visitation to East Gippsland (international, domestic and daytrip combined)	1.001 million	1.244 million	> 1.300 million	Domestic visitation both day trip and overnight stays has been steadily recovering post bushfire and COVID-19, up 24.2% overall on last year. Although not returned to preemergency levels, tracking down 14% when compared to the period year ending March 2019.
				(Source: Tourism Research Australia)
Tourism expenditure in East Gippsland	\$345 million	\$545 million	> \$360 million	Total domestic visitor expenditure has exceeded expectation, up 57.8% on last year and representing over a third of all visitor expenditure in Gippsland.
Number of tourism exerts	0	47	> 100 ovente	(Source: Tourism Research Australia)
Number of tourism events held during the low and shoulder season periods	U	47	> 100 events	The low and shoulder season period is May to October. There were events cancelled early in the financial year due to the COVID-19 restrictions on events and gatherings.

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Number of jobs in the agriculture sector in East	1,235	1,235	> 1,235	Based on 2021 release of data (note 2022 data not yet available).
Gippsland				(Source: REMPLAN)
Value added by the agriculture section in East	\$169 million	\$169 million	> \$169 million	Based on 2021 release of data (2022 data not yet available).
Gippsland				(Source: REMPLAN)
Participation in Council run agriculture sector programs	Not recorded	992	> 200 participants	Participation was well above expected levels. The most attended programs include: Agribusiness Development Program, Women in Agriculture Dinner, the Red Meat Conference, and Rural Agency Network Support Service forum

#### **COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2021/22:

Business area	Description of services provided	Net Cost Actual	
		<u>Budget</u>	
		Variance \$'000	
Business Growth	Development of business and industry, including business information services, referrals to other organisations for support, facilitation of industry networking and knowledge sharing events, and facilitation of funding opportunities at all levels of government. It also works with government departments to link businesses to Victorian and Australian government services to support growth and diversification.	55 <u>110</u> <b>(55)</b>	
Economic Development	Assists the organisation to facilitate an environment that is conducive to a sustainable and growing local business sector and provides opportunities for residents to improve their skill levels and access employment.	1,006 <u>1,393</u> <b>(387)</b>	
Events	Works with partners to develop East Gippsland's reputation as a recognised events destination through attraction and facilitation of new events and support of existing events. It provides support, resources and training information, and assists with the development of major events that stimulate economic benefits and cultural diversity and enhance the wellbeing of residents.	299 <u>350</u> <b>(51)</b>	
Tourism and Visitor Information	Supports the tourism industry and helps promote East Gippsland as a highly sought after visitor destination. Quality visitor information services are provided with the aim of meeting the expectations and needs of visitors.	803 <u>889</u> ( <b>86</b> )	



Council has welcomed back face-to-face customer interactions following the long period of COVID-19 closures and restrictions.

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

Major Initiative	Progress
Major initiative 9	The customer experience strategy action plan is progressing. Implemented actions for the year include:
Implement the Customer	,
Experience Strategy	<ul> <li>Commenced planning for a new system (Civica) to support customer requests</li> </ul>
	<ul> <li>The customer experience benchmarking baseline exercise was completed</li> <li>The Complaints Management Policy and related procedure was updated to align to the Victorian Ombudsman's guide</li> </ul>
	<ul> <li>A review of Council's Service Centres commenced, which will identify service improvements opportunities</li> <li>A new after-hours call service was implemented</li> </ul>
Major initiative 10	The Community Engagement Toolkit is available for staff to access, and work will continue in future to promote this, and to embed its practice within Council
Finalise the community engagement toolkit	operations. The Toolkit will also be reviewed to ensure it reflects current requirements.
	Place Managers will continue to play a critical role in supporting effective and
	consistent community engagement practice in future to ensure that Council engages community at a district level and considers local solutions to local issues.

### **PROGRESS AGAINST MAJOR INITIATIVES**

### **STRATEGIC INDICATORS**

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

Strategic Indicator	2020-21	2021-22	Target	Comments
Community satisfaction with customer service	65	63	≥ 67	Although the overall rating for customer service did not meet the target, the results showed that Council improved its customer service by telephone and in person, two of the most common methods of contact made. We are actively focused on improving customer response timeliness and quality to improve this result. Council's Customer Experience Strategy was developed to drive its commitment to services and proactively accommodates new trends in customer expectations and delivery of great customer experiences.
Community satisfaction with advocacy (lobbying on behalf of the community)	54	50	≥ 51	The target was missed by one rating point, showing that the performance did not match the community's expectation. To improve performance, Council has developed an advocacy strategy that provides a prioritised set of initiatives to focus its efforts on delivering the community's priorities. Council has formal alliances with organisations and peak bodies to advocate and influence decisions on policies and funding for the region where Council's priorities align.
Community satisfaction with community consultation and engagement	51	48	≥ 51	There are several reasons behind this result falling short of the target which includes:  The COVID-19 pandemic has continued to mean that engagement initiatives have been required to take different forms, often non-direct  The Place Manager model and functions of the role are undergoing a review, which has indicated future improvements around engagement  Council is embedding a Community Engagement Toolkit through the organisation.
Community satisfaction with making community decisions	51	50	≥ 51	Council has considered several matters in which community interest was high. A focus is to continue to represent the interests of the community by considering and being responsive to the diversity of interests and needs of the municipal community.

Community satisfaction with informing the community	55	52	≥ 56	There is a gap between the result and the target demonstrating improvement is required. Council has increased the volume of communication being available to the community. The main channels for Council to get information to the community is through regular media releases, Council's website and the monthly community newsletter. This newsletter shares updates on Council's projects, services, Council decisions, open consultations and more with the community.
Number of service reviews undertaken	None	Four	≥ Four	There are currently three active service reviews.  • Forge Theatre Review is complete
				<ul> <li>Visitor Information Centres Review has commenced, and</li> <li>Customer Service and Libraries Review is undergoing community consultation</li> </ul>
				The fourth review is Community Laws, which is on hold.
Permanent workforce has access to mobile technology	Not recorded	80%	> 70%	Council has rolled out mobile technology to 80% of its permanent workforce to facilitate remote working and working from home requirements
Victorian Auditor- General's Office assessment of Council's overall financial sustainability is rated low risk	Achieved	No data available	Achieved low risk rating	VAGO has not issued a report for the 2020/21 financial year.
The percentage of actions implemented from the	Not recorded	83%	≥ 80%	The highlights from the Workforce Plan include:
Workforce Plan 2021-25				<ul> <li>Council has three active service reviews</li> <li>The Staff Recognition and Departure Policy has been updated and a revised reward and recognition program aligned with our new values</li> <li>Council's Gender Equality Action Plan was completed; and</li> <li>Currently have engaged six trainees.</li> </ul>
				The only action behind schedule is the development of a capability framework for inclusion into position descriptions.

### LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

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

Indicator		Res	ults		Comments
measure	2018-19	2019-20	2020-21	2021-22	
Governance					
<b>Transparency</b> Council resolutions at meetings closed to the public <sup>31</sup>	2.67%	3.57%	8.09%	12.50%	The increase in closed decisions is due to the confidentiality of the matters that were at Council meetings. The matters that require closed decisions include confidential contractual matters, matters relating to the CEO's employment and service contracts and agreements.
Consultation and engagement	48	54	51	48	There are several reasons behind this result falling short of the target. These include:
Satisfaction with community consultation and engagement <sup>32</sup>					<ul> <li>the COVID-19 pandemic which continued to mean that engagement initiatives have been required to take different forms, often non-direct;</li> <li>the Place Manager model and functions of the role are undergoing a review, which has indicated future improvements around engagement; and</li> <li>Council is embedding a Community Engagement Toolkit through the organisation.</li> </ul>
Attendance	90.97%	92.59%	95.06%	97.66%	The technical ability for Councillors
Councillor attendance at Council meetings <sup>33</sup>					to participate in Council meetings virtually has enabled them greater flexibility to attend and contribute to Council meetings remotely.
Service cost	\$53,182.56	\$58,190.67	\$50,641.89	\$47,214.33	The decrease in cost is due to a
Cost of governance <sup>34</sup>					number of Councillors elected not to have a Council vehicle during periods of the year, meaning they did not receive the vehicle allowance. There were also reductions in paid remote area allowances and conferences and training.

<sup>31 [</sup>Number of council resolutions made at ordinary or special meetings of council, or at meetings of a special committee consisting only of councillors, closed to the public / Number of council resolutions made at ordinary or special meetings of council or at meetings of a special committee consisting only of councillors] x100

 <sup>[</sup>Community satisfaction rating out of 100 with how council has performed on community consultation and engagement]
 [The sum of the number of councillors who attended each ordinary and special council meeting / (Number of ordinary and special council meetings) x (Number of councillors elected at the last council general election)] x100

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

Indicator		Res	Comments		
measure	2018-19	2019-20	2020-21	2021-22	
<b>Satisfaction</b> Satisfaction with council decisions <sup>35</sup>	46	54	51	50	Council has considered several matters in which community interest was high. A focus for Council is to continue to represent the interests of the community by considering and being responsive to the diversity of interests and the needs of the municipal community.

### **COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2021/22:

Business area	Description of services provided	Net Cost Actual
		<u>Budget</u>
		Variance \$'000
Community Leadership and Advocacy	Provides leadership on issues of importance to East Gippsland and advocates on behalf of the community and its vision for the future. It does this through strong, transparent, accountable leadership and the development of strong relationships with key stakeholders and other levels of government.	1,283 <u>2,262</u> <b>(979)</b>
Council Enterprises	Supports the local economy and provides an alternative revenue stream for Council through the effective operation of a range of Council-managed commercial enterprises such as caravan parks, marinas and the East Gippsland Livestock Exchange.	(2,130) (1,773) ( <b>357</b> )
Customer Experience	Is the main customer interface with the community, providing accessible, high-quality customer service at Council's Corporate, Business and Service centres, which connects people to Council services and general information.	2,120 2,198 <b>(78)</b>
Finance and Treasury	Financial services to both internal and external customers including the management of Council's finances, payment of salaries and wages, and raising and collection of rates and charges.	(21,708) ( <u>8,529)</u> ( <b>13,179</b> )
Governance	A range of governance, statutory and corporate support services to Council, including coordination of business papers for meetings of the Council and its committees; coordination of arrangements for Council and committee meetings; and the maintenance of statutory registers and the conduct of municipal elections. An Audit Committee supports this service. This service also provides the framework, oversight and advice to support Council in complying with statutory procurement and contracting provisions	2,979 <u>3,250</u> <b>(271)</b>
Human Resources	Human resource and industrial relations services dedicated to ensuring Council's workforce operates efficiently and effectively within a framework that encourages innovation and continuous improvement. Human Resources also provides payroll services for all employees.	816 <u>717</u> <b>99</b>

<sup>35 [</sup>Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]

<sup>98</sup> EAST GIPPSLAND SHIRE COUNCIL

Business area	Description of services provided	Net Cost Actual
		<u>Budget</u>
		Variance \$'000
Information Services	Supports and maintains reliable and cost-effective communications and computing systems, facilities and infrastructure to Council staff enabling them to deliver services in a smart, productive and efficient way. It is also responsible for the provision of document and information management support services and compliance with statutory obligations under Freedom of Information and Information Privacy legislation.	3,858 <u>4,336</u> ( <b>478</b> )
Media, Communications and Civic Events	Oversees the provision of advice on communications, in consultation with relevant stakeholders, on behalf of Council. It also provides in-house graphic design services. This service also conducts civic events to recognise, commemorate and celebrate prominent residents and the successful delivery of significant Council programs, infrastructure and projects.	718 <u>619</u> <b>99</b>
Organisation Development	Strategic and operational organisation development support. The service also assists managers to determine and progress toward future structures, capability and cultures in their service units.	223 <u>409</u> (186)
Property Management	Manage Council's property portfolio, including purchases, sales, leases and licenses to ensure land under Council's ownership or management is used effectively and in the best interests of current and future generations is delivered through this service. It also supports local groups that have a focus on land and facility stewardship.	(11) (45) <b>34</b>
Risk Management and Compliance		1,429 <u>1,540</u> <b>(111)</b>

### **Retired service performance indicators**

Indicator			Results		
measure	2017-18	2018-19	2019-20	2020-21	2021-22
Aquatic facilities					
Service standard	0	0	retired	retired	retired
Health inspections of aquatic facilities <sup>36</sup>					
Service cost	\$4.28	\$4.52	retired	retired	retired
Cost of indoor aquatic facilities <sup>37</sup>					
Service cost	\$13.49	\$12.37	retired	retired	retired
Cost of outdoor aquatic facilities <sup>38</sup>					
Animal Management					
Service cost	\$37.66	\$52.96	retired	retired	retired
Cost of animal					
management service <sup>39</sup>					
Health and safety	7	2	retired	retired	retired
Animal management prosecutions40					
Libraries					
Service cost	\$3.52	\$3.46	retired	retired	retired
Cost of library service <sup>41</sup>					

<sup>[</sup>Number of authorised officer inspections of Council aquatic facilities / Number of Council aquatic facilities]
[Direct cost of indoor aquatic facilities less income received / Number of visits to indoor aquatic facilities]
[Direct cost of outdoor aquatic facilities less income received / Number of visits to outdoor aquatic facilities]
[Direct cost of the animal management service / Number of registered animals] 36 37

<sup>38</sup> 

<sup>39</sup> 

<sup>[</sup>Number of successful animal management prosecutions]
[Direct cost of the library service / Number of visits] 40



Cr Mendy Urie acknowledging the work of local volunteers, including Rhonda Wheeldon and John Whitbourne, at the volunteer recognition event in Lindenow.

### Governance, **Management and** Other Information

The East Gippsland Shire Council is a public statutory body, which operates under the legislative requirements of the Local Government Act 2020 (the Act).

The Act sets out the role of Council, as an elected body, to provide leadership for the good governance of the East Gippsland Shire. Council's elected members and employees work within systems and processes to ensure they comply with all Acts administered by the Council. Council is committed to effective and sustainable forms of democratic and corporate governance as the key to ensuring that council and its administration meet the community's priorities. The community has many opportunities to provide input into council's decisionmaking processes including community consultation, public forums such as ward meetings and the ability to make submissions to Special Committees of Council.

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### **Council's Roles and Responsibilities**

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

Key responsibilities of Council include:

- guaranteeing good governance in the performance of its roles and responsibilities;
- prioritising the best outcomes for the East Gippsland community;
- making decisions that consider economic, social, and environmental sustainability of the East Gippsland Shire, including, where possible mitigating and planning for climate change;
- addressing the diverse needs the local community in decision making;
- advocating for the needs and desires of the community across East Gippsland;
- providing leadership through strategic objectives, monitoring progress and adapting to changes to support the community;
- fostering community cohesion and encourage active participation in the East Gippsland Shire Council activities; and

ensuring transparency of decision making and accessibility to publicly available information.

### **Meetings of Council**

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

During 2021-22, COVID-19 pandemic restrictions meant that for certain meetings, members of the public were not able to attend Council meetings in person. However, meetings were livestreamed to maintain open meetings and ensure access by the community. In addition, Councillors, Council staff and members of the community presenting to Council were able to attend meetings virtually.

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

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

The business to be considered by Council is set out in an agenda, which is available on Council's website from 1pm on the Friday before the meeting. In addition, the agenda is available from the Council's Customer Service and outreach centres.

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

In 2021-22, there were 16 scheduled Council meetings and three unscheduled Council meetings.

### **Council Meeting Attendance**

The following table provides a summary of Councillor attendance at Council meetings in 2021-22.

Councillor	Council Meetings
Cr Mark Reeves (Mayor)	19
Cr Arthur Allen (Deputy Mayor)	19
Cr Sonia Buckley	18
Cr Tom Crook	19
Cr Jane Greacen OAM	18
Cr Trevor Stow	19
Cr Mendy Urie	1 <i>7</i>
Cr Kirsten Van Diggele	19
Cr John White	19



Councillors and officers joined the Tamboon community for the opening of their 'Tamboon Fireguard' shed in March. This facility was funded from local fundraising, lobbying government and other agencies.

### **Councillor Allowances**

Under section 39 of the Local Government Act 2020, Councillors are entitled to receive an allowance while performing their duty. The Mayor and Deputy Mayor are also entitled to receive a higher allowance.

Councils are divided into three categories based on the income and population of each Council. East Gippsland is recognised as a category two Council.

Effective from the 18 December 2021, Determination No. 01/2022 set the allowances for the Mayor, Deputy Mayor and Councillors. The category 2 annual allowances effective from 18 December 2021 were Mayor \$96,470, Deputy Mayor \$48,235 and Councillors \$30,024. The annual allowances that applied from 1 July 2021 to 17 December 2021 were Mayor \$89,324 and Councillors \$28,869, noting that for this period the Deputy Mayor did not receive a higher allowance than the Councillor allowance.

Councillor	Allowance \$
Cr Mark Reeves	71,497
Cr Arthur Allen	38,602
Cr Sonia Buckley	29,372
Cr Tom Crook	29,372
Cr Jane Greacen OAM	29,372
Cr Trevor Stow	29,372
Cr Mendy Urie	50,567
Cr Kirsten Van Diggele	29,372
Cr John White	29,372
Total	336,898

1 Cr Urie was Mayor for part of the reporting year, succeeded by Cr Reeves

### **Councillor Expenses**

Under section 40 of the *Local Government Act 2020*, Council is required to reimburse a Councillor for expenses incurred whilst performing their duties as a Councillor. Council is also required to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors in accordance with section 41 of the *Local Government Act 2020*.

The policy provides guidance for the payment of reimbursements of expenses and the provision of resources, facilities and other support to the Mayor and Councillors to enable them to discharge their duties.

Council also publishes in its Annual Report the details of the expenses, including reimbursement of expenses for each Councillor and member of a Council committee paid by the Council.

Councillor	Remote travel \$	Conferences / Training \$	Office and other expenses \$	Delegate and other Council representation costs \$	Vehicle and travel reimbursement \$	Total \$
Cr Mark Reeves	0	<i>4,7</i> 00	377	804	<i>7,</i> 514	13,395
Cr Arthur Allen	0	136	594	0	8,064	8,794
Cr Sonia Buckley	40	1,450	1,087	527	8,064	11,168
Cr Tom Crook	0	673	376	0	7,858	8,907
Cr Jane Greacen OAM	0	3,197	597	0	(161)	3,633
Cr Trevor Stow	0	0	456	95	8,064	8,615
Cr Mendy Urie	0	424	551	0	4,146	5,121
Cr Kirsten Van Diggele	0	3,419	474	0	2,847	6,740
Cr John White	0	0	919	0	9,169	10,088
Total	40	13,999	5,431	1,426	55,565	76,461

Office Expenses include Telephone and Stationery. Conferences/Training, Delegate and Other Council representation costs include related accommodation and travel expenses

### **Councillor Code of Conduct**

The Councillor Code of Conduct, which is publicly available on Council's website, was adopted in December 2021 in accordance with the *Local Government Act 2020*.

### **Conflict of Interest**

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

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

### **Delegated committees**

The Act allows councils to establish one or more delegated committees consisting of:

- Council staff
- Other persons
- Any combination of the above.

The following table contains a list of delegated committees established by the council that are in operation and the purpose for which each committee was established.

Committee		Officers	Other	Purpose
Audit and Risk Committee	3	0	4	Monitors Council's effectiveness in carrying out its responsibilities for accountable financial management, good corporate governance, maintaining an effective system of internal control and risk management.  Considers, and make recommendations to Council with
Chief Executive Employment and Remuneration Committee	4	0	1	respect to, the:  selection and appointment of an Independent Member performance monitoring of the Chief Executive Officer (CEO), including with respect to achievement of the Key Performance Indicators (KPIs) annual review of the CEO's performance, including against the KPIs CEO's remuneration recruitment and appointment (or reappointment) of a CEO, if required.
Disability Advisory Committee	2	2	11	Provides advice on things that matter to people with a disability in the region. It seeks to maximise the contribution being made by Council and its partners by working with a common agenda to create a more inclusive and accessible East Gippsland.
East Gippsland Agriculture Sector Advisory Committee	2	4	14	Provides advice, guidance and recommendations to Council on matters that affect the agriculture sector in East Gippsland and its communities.
East Gippsland Livestock Exchange Consultative Committee	2	4	7	Is a platform for consultation with key stakeholders on the operations of the livestock exchange. The group also discusses industry matters that may impact the livestock exchange business.

East Gippsland				Provides advice, guidance and
Economic	2	4	10	recommendations to Council on
Development Advisory	Z	4	12	matters that affect economic growth across the municipality.
Committee				• •

### **Audit and Risk Committee**

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

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

The Committee comprises of seven members: four independent external members – one of whom will be Chair – the Mayor of the day and two other Councillors appointed by Council. The Chair is appointed each February. In 2021-22 the Audit and Risk Committee members were:

### Audit and Risk Committee Chair

Jason Hellyer: July 2021 – November 2021
Stephen Paterson: February 2022 – June 2022

### Councillors

- Cr John White: July 2021 June 2022
- Cr Mendy Urie, Mayor: July 2021 October 2021
  Cr Mark Reeves, Mayor: October 2021 June 2022
- Cr Arthur Allen: June 2021 October 2021

### Independent Committee Members

- Christopher Badger: July 2021 February 2022
- Andrew Roberts: July 2021 June 2022
- Claudia Goldsmith: March 2022 June 2022
- Celeste Gregory: December 2021 June 2022

### Internal audit

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

The function is undertaken by an independent external provider. A risk-based three-year Strategic Internal Audit Plan (SIAP) is revised annually to ensure the audit resources remain focused on the appropriate areas. The review process considers council's risk framework, the council plan, the impact of any change on operations, systems, or the business environment; prior audit coverage and outcomes and management input. The SIAP is reviewed and approved by the Audit and Risk Committee annually.

### **External audit**

Council is externally audited by the Victorian Auditor-General's representatives to provide an assurance that financial statements reflect the financial position at the end of the financial year.

The annual external audit of Council's Financial Statements and Performance Statement for 2020-21. DMG Audit and Advisory were Council's auditors between July 2021 – December 2021, with RSD Audit being appointed March 2022.

### **Risk management**

Council takes a proactive approach to risk management and has in place, systems, policies, frameworks, and procedures to ensure the adverse effects of risks are prevented or minimised across Council operations. The Risk Management Policy and Risk Management Framework are reviewed periodically, ensuring Council has the capability to address current and emerging risks. Council recognises the need for robust systems and processes across the whole of business operations to enable and ensure legislative compliance. Council's Risk Management Policy is publicly available on the Council's website.

Council's livestock exchange has a consultative committee that is used as a platform for consultation with key stakeholders on the operations of the facility.



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

and Management Checklist.

Governance and Management Items	Assessment	
1. Community Engagement Policy	Policy	$\overline{\checkmark}$
(Policy outlining Council's commitment to engaging	Date of operation of current policy:	
with the community on matters of public interest)	16 March 2021	
2. Community Engagement Guidelines	Guidelines	$\overline{\checkmark}$
(guidelines to assist staff to determine when and how	Date of operation of current guidelines:	
to engage with the community)	16 March 2021	
3. Financial Plan	Adopted in accordance with section 91 of the Act	V
(Plan under section 91 of the Act outlining the financial and non-financial resources required for at least the next 10 financial years.)	Date of adoption:	
	28 June 2022	
4. Asset Plan (Plan under section 92 of the Act setting out the asset	Adopted in accordance with section 92 of the Act	
maintenance and renewal needs for key infrastructure	Date of adoption:	
asset classes for at least the next 10 years.)	28 June 2022	
5. Revenue and Rating Plan	Plan adopted in accordance with section 93 of the Act	$\square$
(Plan under section 93 of the Act setting out the rating structure of Council to levy rates and charges.)	Date of operation of current strategy:	
	28 June 2022	
6. Annual Budget	Adopted in accordance with section 94 of the Act	$\overline{\checkmark}$
(Plan under section 94 of the Act setting out the services to be provided and initiatives to be	Date of adoption:	
undertaken during the budget year and the funding and other resources required.)	28 June 2022	
7. Risk Policy	Policy	$\overline{\checkmark}$
(policy outlining council's commitment and approach	Date of operation of current policy:	
to minimising the risks to council's operations)	23 February 2021	
8. Fraud Policy	Policy	$\overline{\mathbf{V}}$
(Policy outlining Council's commitment and approach	Date of operation of current policy:	
to minimising the risks to Council's operations.)	5 May 2020	
9. Municipal Emergency Management Plan	Prepared and maintained in accordance with section 20 of the Emergency Management Act 1986	<b></b>
(Plan under section 20 of the Emergency Management Act 1986 for emergency prevention, response and recovery)	Date of preparation: 25 November 2021	

10. Procurement policy	Adopted in accordance with section 108 of the	$\overline{\mathbf{V}}$
(Policy under section 108 of the Act outlining the principles, processes and procedures that will apply to the purchase of goods and services by the Council)	Act Date of approval: 14 September 2021	
11. Business continuity plan	Plan in operation	$\overline{\checkmark}$
(Plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster)	Date of preparation: 26 March 2020	
12. Disaster recovery plan	Plan in operation	
(Plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Date of preparation: 22 March 2022	
13. Risk management framework	Framework	$\overline{\checkmark}$
(Framework outlining Council's approach to managing risks to the Council's operations)	Date of operation of current framework:  11 May 2020	
14. Audit and Risk Committee	Established in accordance with section 53 of the	<b>V</b>
(Advisory committee of Council under section 53 of the Local Government Act whose role is to monitor the compliance of Council policies and procedures, monitor Council's financial reporting, monitor and provide advice on risk management, and provide oversight on internal and external audit functions)	Act Date of establishment: 25 August 2020	
15. Internal audit	Engaged	$\overline{\checkmark}$
(Independent accounting professionals engaged by the council to provide analyses and recommendations aimed at improving council's governance, risk and management controls)	Date of engagement of current provider:  1 July 2018	
16. Performance reporting framework	Framework	<b>V</b>
(A set of indicators measuring financial and non- financial performance, including the performance indicators referred to in section 131 of the Act 1989)	Date of operation of current framework: 29 June 2021	
17. Council Plan reporting	Report	$\overline{\checkmark}$
(Report reviewing the performance of the council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Date statements presented:  Council Plan Progress reports: 16 November 2021; 22 February 2022; 17 May 2022.  Annual Report: 5 October 2021	
18. Financial reporting	Statements presented to Council in accordance	
(Quarterly statements to Council under section 138 of the Act 1989 comparing budgeted revenue and expenditure with actual revenue and expenditure)	with section 138(1) of the Act 1989  Date statements presented:  14 September 2021; 26 October 2021; 15  March 2022; and 17 May 2022	
19. Risk Reporting	Reports	$\overline{\checkmark}$
(Six-monthly reports of strategic risks to council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Date statements presented: 20 July 2021; 19 October 2021; 28 February 2022; and 2 May 2022	

20. Performance Reporting	Report provided.	$\checkmark$
(Six-monthly reports of indicators measuring the results against financial and non-financial performance,	Mid-Year Performance Report: 28 February 2022.	
including performance indicators referred to in section 131 of the Act 1989)	Annual Report: 5 October 2021	
21. Annual Report  (Annual report under sections 131, 132 and 133 of the Act 1989 to the community containing a report of	Considered at a meeting of council in accordance with section 134 of the Local Government Act 1989	$\square$
operations and audited financial and performance statements)	Date statements presented: 5 October 2021	
22. Councillor Code of Conduct (Code under section 139 of the Act setting out the	Reviewed and adopted in accordance with section 139 of the Act	V
standards of conduct to be followed by Councillors and other matters)	Date reviewed: 16 December 2021	
23. Delegations  (Documents setting out the powers, duties and functions of Council and the Chief Executive Officer that have	Reviewed in accordance with section 11(7) of the Act and a register kept in accordance with sections 11(8) and 47(7) of the Act	<b>V</b>
been delegated to members of staff, in accordance	Date of last review:	
with sections 11 and 47 of the Act.)	Council to staff 28 June 2022;	
	Council to CEO 5 October 2021;	
	CEO to staff 14 June 2022	
24. Meeting procedures (Governance Rules under section 60 of the Act	Governance Rules adopted in accordance with section 60 of the Act	<b>I</b>
governing the conduct of meetings of Council and delegated committees)	Date local law last revised: 25 August 2020	

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

Fiona Weigall

Acting Chief Executive Officer.

Dated: 20 September 2022

Cr Mark Reeves

Mayor

Dated: 20 September 2022

### **Statutory Information**

### **Information Available for Public Inspection**

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

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

### **Freedom of Information**

The Freedom of Information Act 1982 gives the community the ability to access certain Council documents. There is an application procedure, and rights of access are limited by exemptions detailed in the Act. Applications must be accompanied by an application fee and specific details of the documents requested.

Application forms are available on Council's website (link - www.eastgippsland.vic.gov.au/council/find-a-form), at Customer Service Centres, or by contacting Council on (03) 5153 9500.

Council received 26 applications during the reporting year 2021-22.

	2021-22	2020-21	2019-20	2018-19	2017-18	2016-17
New applications/requests	26	22	18	26	15	16
Access granted in full	15	7	6	12	4	1
Access granted in part	6	12	6	10	8	9
No documents existed in the requested form/ Act does not comply	2	4	1	1	0	0
Access denied	2	1	1	0	1	3
Withdrawn	1	0	2	0	3	1
Requests outstanding at end of financial year	0	0	2	3	1	2
Reviews by Office of Victorian Information Commissioner	0	1	2	0	1	2
Appeals lodged with VCAT	0	0	0	0	0	0
Fees collected	\$752.50	\$651.20	\$473.60	\$722.50	\$369.20	\$418.50
Fees waived	\$408	0	\$59.20	\$22.90	\$28.40	0
Charges collected	0	0	\$88.00	\$75.00	\$265.30	\$271.90

### **Public interest disclosures**

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

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

Council made no public interest disclosure notifications to the Independent Broad-based Anti-corruption Commission for the year ended 30 June 2022.

### **Privacy and Data Protection Act**

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

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

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

### **Contracts**

July - 14 September 2021

Prior to the adoption of the Procurement Policy in September 2021, Council did not enter into any contracts valued at \$100,000 or more as per section 186(1) of the *Local Government Act 1989*.

14 September 2021 – June 2022

After the adoption of the Council Procurement Policy on 14 September 2021, Council managed a total of 31 formal procurement processes (including Requests for Tender, Requests for Quotation and Expression of Interest requests). It also did not enter into any other contracts valued at \$150,000 or more for goods or services or \$200,000 or more for works without engaging in a competitive process.

### **Best Value Victoria**

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

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

The incorporation of Best Value Principles in business planning processes enables Council to focus on identifying opportunities to continuously improve services and ensure we are addressing our community's changing needs. Council aims to deliver quality and affordable services in the most effective manner with Council services continually monitored and opportunities for improvement identified.

### **Disability and Social Inclusion Plan**

In accordance with section 38 of the Disability Act 2006, as Council has prepared a Disability and Social Inclusion Plan it must report on the implementation in its annual report.

Council has a Disability and Social Inclusion Plan and implemented the following actions:

- Facilitated the 2020-2021 Disability Committee and established the new 2022-23 Disability Advisory Committee
- Promote community engagement opportunities, social inclusion week, International Day of People with Disability and Carers' Week.
- Worked with Regional, State, and local agencies to promote programs such as Carers Gateway
- Fund collaborative initiatives such as the "let get together forum" which invites mainstream community groups and clubs to come together to promote program accessibility and engagement for those living with Disability
- Supported staff to undertake Accredited Access Audit training
- Developed and Accessible Events guide

### **Domestic Animal Management Plan**

The Domestic Animals Act 1994 requires Council to prepare a Domestic Animal Management Plan every four years. The plan caters for the needs of pets and their owners while achieving a balance with the needs of others in the community. The plan helps Council provide a professional, consistent and proactive approach to domestic animal management services. This includes education and promotion of responsible pet ownership.

- Council completed the following actions during the year:
- Successfully developed Council's new Domestic Animal Management Plan for 2021-2025
- Applied to Animal Welfare Victoria Grants Program for funding to assist vulnerable residents in desexing and reaistration support
- Attended the East Gippsland Field Days and provided education on responsible pet ownership

Year	Animal Impoundments	Reclaimed	Adopted	Euthanised	Transferred to Animal Aid Coldstream <sup>1</sup>
2021-22	423	115	155	56	8
2020-21	525	122	203	92	0
2019-20	612	172	295	68	55
2018-19	871	227	422	186	48
2017-18	770	264	325	128	114
2016-17 <sup>2</sup>	900	401	400	151	120
2015-16	923	314	347	151	108

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

### **Food Act Ministerial Directions**

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

### **Road Management Act Ministerial Directions**

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

### **Infrastructure and Development Contributions**

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

For the 2021-22 year there were no infrastructure and development contributions made. Council did not collect any Community Infrastructure Levies or payments during the financial year.

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

## **Financial Performance Statement**

114 EAST GIPPSLAND SHIRE COUNCIL

**East Gippsland Shire Council** 

**ANNUAL FINANCIAL REPORT** 

For the Year Ended 30 June 2022

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### **Certification of the Financial Statements**

In my opinion, the accompanying financial statements have been prepared in accordance with the Local Government Act 2020, the Local Government (Planning and Reporting) Regulations 2020, the Australian Accounting Standards and other mandatory professional reporting requirements.

Elizabeth Collins CPA
Principal Accounting Officer

Date : 20/09/2022

Bairnsdale

In our opinion, the accompanying financial statements present fairly the financial transactions of the East Gippsland Shire Council for the year ended 30 June 2022 and the financial position of the Council as at that date.

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

We have been authorised by the Council and by the Local Government (Planning and Reporting) Regulations 2020 to certify the financial statements in their final form

Councillor Mark Reeves

Councillor

Date: 20/09/2022

Bairnsdale

Councillor Arthur Allen

Councillor

Date: 20/09/2022

Bairnsdale

Fiona Weigall

Acting Chief Executive Officer

Date : 20/09/2022

Bairnsdale

1



### Independent Auditor's Report

To the Councillors of East Gippsland Shire Council

#### Opinion

I have audited the financial report of East Gippsland Shire Council (the council) which comprises the:

- balance sheet as at 30 June 2022
- comprehensive income statement for the year then ended
- statement of changes in equity for the year then ended
- statement of cash flows for the year then ended
- statement of capital works for the year then ended
- notes to the financial statements, including significant accounting policies
- certification of the financial statements.

In my opinion the financial report presents fairly, in all material respects, the financial position of the council as at 30 June 2022 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 4 of the Local Government Act 2020, the Local Government (Planning and Reporting) Regulations 2020 and applicable Australian Accounting Standards.

#### Basis for Opinion

I have conducted my audit in accordance with the Audit Act 1994 which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the Auditor's Responsibilities for the Audit of the Financial Report section

My independence is established by the Constitution Act 1975. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

### Councillors' for the financial report

The Councillors of the council are responsible for the preparation and fair presentation of responsibilities the financial report in accordance with Australian Accounting Standards, the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

> In preparing the financial report, the Councillors are responsible for assessing the council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.

Level 31 / 35 Collins Street, Melbourne Vic 3000 T 03 8601 7000 enquiries@audit.vic.gov.au www.audit.vic.gov.au Auditor's the financial report

As required by the Audit Act 1994, my responsibility is to express an opinion on the financial responsibilities report based on the audit. My objectives for the audit are to obtain reasonable assurance for the audit of about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

> As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Councillors
- conclude on the appropriateness of the Councillors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the council to cease to continue as a going concern.
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



MELBOURNE 28 September 2022

Travis Derricott as delegate for the Auditor-General of Victoria

# Comprehensive Income Statement For the Year Ended 30 June 2022

	Note	2022 \$'000	2021 \$'000
Income		,	,
Rates and charges	3.1	62,556	60,536
Statutory fees and fines	3.2	2,514	2,220
User fees	3.3	11,335	12,684
Grants - operating	3.4	32,196	24,391
Grants - capital	3.4	20,606	11,898
Contributions - monetary	3.5	1,074	58
Contributions - non monetary	3.5	1,044	6,077
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	3.6	551	(64)
Fair value adjustments for investment property	6.2	295	178
Other income	3.7	9,391	15,362
Total income		141,562	133,340
			_
Expenses			
Employee costs	4.1	35,032	33,697
Materials and services	4.2	47,368	49,157
Depreciation	4.3	23,769	21,569
Amortisation - intangible assets	4.4	985	977
Amortisation - right of use assets	4.5	88	84
Bad and doubtful debts	4.6	102	52
Borrowing costs	4.7	297	290
Landfill rehabilitation provision movement		(1,125)	(746)
Finance costs - leases	4.8	18	17
Other expenses	4.9	4,052	8,726
Total expenses		110,586	113,823
Surplus/(definit) for the year		30,976	19,517
Surplus/(deficit) for the year		30,976	19,317
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment/(decrement)	6.1	31,471	114,424
Total other comprehensive income		31,471	114,424
Total comprehensive result		62,447	133,941
	-		· · · · · · · · · · · · · · · · · · ·

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

### Balance Sheet As at 30 June 2022

	Note	2022 \$'000	2021 \$'000
Assets		Ψ 000	4 000
Current assets			
Cash and cash equivalents	5.1	116,547	92,198
Trade and other receivables	5.1	9,102	10,993
Other assets	5.2	7,998	7,726
Total current assets		133,647	110,917
Non-current assets			
Trade and other receivables	5.1	194	241
Property, infrastructure, plant and equipment	6.1	1,282,249	1,237,274
Right-of-use assets	5.8	771	785
Investment property	6.2	8,263	8,882
Intangible assets	5.2	999	1,882
Total non-current assets		1,292,476	1,249,064
Total assets		1,426,123	1,359,981
Liabilities			
Current liabilities			
Trade and other payables	5.3	11,805	9,474
Trust funds and deposits	5.3	3,033	2,835
Unearned income/revenue	5.3	25,951	20,977
Provisions	5.5	11,153	9,571
Interest-bearing liabilities	5.4	-	1,700
Lease liabilities	5.8	102	62
Total current liabilities		52,044	44,619
Non-current liabilities			
Unearned income/revenue	5.3	428	383
Provisions	5.5	5,643	9,417
Interest-bearing liabilities	5.4	1,650	1,650
Lease liabilities	5.8	758	759
Total non-current liabilities		8,479	12,209
Total liabilities		60,523	56,828
Net assets		1,365,600	1,303,153
Equity			
Equity Accumulated surplus		448,856	418,286
Reserves	9.1	916,744	884,867
Total Equity	J.1	1,365,600	1,303,153
Total Equity		1,000,000	1,303,133

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

### Statement of Changes in Equity For the Year Ended 30 June 2022

2022	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Balance at beginning of the financial year		1,303,153	418,286	883,747	1,120
Surplus/(deficit) for the year		30,976	30,976	-	-
Net asset revaluation increment/(decrement)	6.1	31,471	-	31,471	-
Transfers to other reserves	9.1	-	(408)	-	408
Transfers from other reserves	9.1	-	2	-	(2)
		1,365,600	448,856	915,218	1,526
Balance at end of the financial year	_	1,365,600	448,856	915,218	1,526

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

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

### Statement of Cash Flows For the Year Ended 30 June 2022

lows) (Outflows)	2022 Inflows/ (Outflows) \$'000	Note
\$ 000 \$ 000	\$ 000	flows from operating activities
2,886 61,006	62,886	and charges
2,400 2,172	2,400	tory fees and fines
,449 17,788	14,449	fees
,788 23,620	34,788	s - operating
7,757 31,844	17,757	s - capital
,154 58	1,154	ibutions - monetary
318 589	318	st received
),540 11,034	9,540	funds and deposits taken
,181 10,417	14,181	receipts
3,143 4,119	3,143	ST refund
	(35,294)	pyee costs
. , , , , ,	(51,143)	ials and services
. ,	(9,342)	funds and deposits repaid
. ,	(1,771)	payments
	63,066	ash provided by/(used in) operating activities
		flows from investing activities
7,548) (35,233)	(37,548)	ents for property, infrastructure, plant and equipment 6.1
994 933	994	eds from sale of property, infrastructure, plant and equipment
- 33,500	-	eeds from sale of investments
	(36,554)	ash provided by/(used in) investing activities
		flows from financing activities
(321) (292)	(321)	ce costs
. , , , , , , , , , , , , , , , , , , ,	(1,700)	yment of borrowings
(18) (17)	, ,	ist paid - lease liability
. ,	(124)	yment of lease liabilities
	(2,163)	ash provided by/(used in) financing activities
<del></del>	24,349	crease in cash and cash equivalents
•	92,198	and cash equivalents at the beginning of the financial year
i,547 92,198	116,547	and cash equivalents at the end of the financial year

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

# Statement of Capital Works For the Year Ended 30 June 2022

For the Year Ended 30 June 2022	4		
	lote	2022	2021
		\$'000	\$'000
Property			
Land		321	80
Total land		321	80
Buildings		8,310	4,282
Heritage buildings		152	162
Total buildings		8,462	4,444
Total property		8,783	4,524
Plant and equipment			
Plant, machinery and equipment		3,489	1,772
Fixtures, fittings and furniture		812	804
Computers and telecommunications		1,020	372
Library books		212	211
Total plant and equipment		5,533	3,159
Infrastructure			
Roads		9,068	12,403
Bridges		3,391	6,063
Footpaths and cycleways		1,098	1,035
Drainage		797	1,081
Recreational, leisure and community facilities		3,410	1,755
Waste management		2,033	1,146
Parks, open space and streetscapes		1,096	434
Aerodromes		-	179
Off street car parks		133	110
Other infrastructure		2,858	3,362
Total infrastructure		23,884	27,568
Total capital works expenditure		38,200	35,251
Danisa and day			
Represented by:		11 101	2 205
New asset expenditure		11,401 23,684	3,395
Asset renewal expenditure		,	26,334
Asset upgrade expenditure		3,115	5,522
Total capital works expenditure		38,200	35,251

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

### Notes to the Financial Report For the Year Ended 30 June 2022

#### Note 1 OVERVIEW

#### Introduction

The East Gippsland Shire Council was established by an Order of the Governor in Council on 2 December 1994 and is a body corporate.

The Council's main office is located at 273 Main Street Baimsdale Victoria 3875.

#### Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 2020, and the Local Government (Planning and Reporting) Regulations 2020.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

#### Significant accounting policies

#### (a) Basis of accounting

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

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

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

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

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

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

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

East Gippsland Shire Council 2021/2022 Financial Report

### Notes to the Financial Report For the Year Ended 30 June 2022

### (b) Superannuation

The amount charged to the Comprehensive Operating Statement in respect of superannuation represents contributions made or due by East Gippsland Shire Council to the relevant superannuation plans in respect to the services of East Gippsland Shire Council's staff (both past and present). Superannuation contributions are made to the plans based on the relevant rules of each plan and any relevant compulsory superannuation requirements that East Gippsland Shire Council is required to comply with.

### (c) Impact of Covid-19

During 2021/22 the COVID-19 pandemic continued to impact on Council's operations. Although there was some reduction in user fees at facilities for a period of time, these reductions were offset by a reduction in expenditure and the impact has been minimal over the course of the 2021/22 year.

### Notes to the Financial Report For the Year Ended 30 June 2022

Actual

Variance Variance

### Note 2.1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$500,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figure below were adopted by Council on 29/06/2021. The budget was based on assumptions that were relevant at the time of adoption of the Budget. Councils sets guidelines and parameters for income and expense targets in the budget in order to meet Council's planning and financial performance targets for both the short and long-term.

These notes are prepared to meet the requirements of the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

#### 2.1.1 Income and expenditure

	Budget 2022	Actual 2022	Variance	Variance	
	\$'000	\$'000	\$'000	%	Ref
Income					
Rates and charges	62,182	62,556	374	1%	
Statutory fees and fines	2,101	2,514	413	20%	1
User fees	11,746	11,335	(411)	(3%)	
Grants - operating	12,602	32,196	19,594	155%	2
Grants - capital	44,288	20,606	(23,682)	(53%)	3
Contributions - monetary	850	1,074	224	26%	4
Contributions - non monetary	2,000	1,044	(956)	(48%)	5
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	-	551	551	(100%)	6
Fair value adjustments for investment property	-	295	295	(100%)	7
Other income	2,252	9,391	7,139	317%	8
Total income	138,021	141,562	3,541	3%	
Expenses					
Employee costs	34,318	35,032	(714)	(2%)	9
Materials and services	42,723	47,368	(4,645)	(11%)	10
Depreciation	22,128	23,769	(1,641)	(7%)	11
Amortisation - intangible assets	964	985	(21)	(2%)	
Amortisation - right of use assets	71	88	(17)	(24%)	
Bad and doubtful debts	38	102	(64)	(168%)	12
Borrowing costs	353	297	56	16%	13
Landfill rehabilitation provision movement	-	(1,125)	1,125		14
Finance costs - leases	1	18	(17)	(1700%)	
Other expenses	1,690	4,052	(2,362)	(140%)	15
Total expenses	102,286	110,586	(8,300)	(8%)	
Surplus/(deficit) for the year	35,735	30,976	(4,759)	(13%)	
Surplus/(deficit) for the year	35,/35	30,976	(4,759)	(13%)	

### East Gippsland Shire Council 2021/2022 Financial Report

### Notes to the Financial Report For the Year Ended 30 June 2022

### Note 2.1.1 Performance against budget (cont'd)

### (i) Explanation of material variations

Varaiance Ref	Item	Explanation
1	Statutory fees and fines - \$413k greater than budget	As a result of increased planning applications the planning fees exceeded budget by \$337k. 2020 election fines of \$33k were received and no budget had been provided for this. There were additional animal registrations of \$38k offset by \$16k underbudget for animal fines. Parking fines exceeded budget by \$61k as a result of additional resources being allocated to monitor parking compliance. Building licence and certificate fees also exceeded budget by \$58k as a result of increased building activity during the year. Land Information Certificate income exceeded budget by \$31k as a result of increased property sales during the year. These were offset with debt recovery fees under budget by \$119k due to unpaid rates recovery being paused during part of the year due to COVID-19 (this is offset with a corresponding reduction in debt recovery costs). Other smaller variances where the income exceeded the budget make up the balance of the variance.
2	Grants - operating - \$19.594m greater than budget	The 75% advance payment of the Victortia Grants Commission 2022/23 general purpose and road grant of \$13.8m was the most significant variance. The final 2021/22 Victoria Grants Commission allocation also added an additional \$530k greater than the original budget. There were several new grants received during the year with the most significant being:
		- Fire 2019 Resourcing grant - \$3.2m - Fire 2019 Bushfire Rebuilding Support Services - \$1.178m
3	Grants - capital - \$23.682m less than budget	Capital grants were \$23.682m less than the adopted budget. The timing of the works for a number of large capital projects will see those projects completed in the 2022/23 year. As a result grant income associated with the projects will not now be received until the 2022/23 year. Some of the most significant projects and capital grant variances are as follows:
		- Omeo Mountain Bike Trails - Stage 1 - \$1.229m
		- Design for Gymnasium Facility at Lucknow - \$577k
		- Mallacoota Seawall Design - \$628k
		- Bullock Island Bridge Replacement - \$888k
		- Cann River Roadside Rest Area - \$910k
		- Newmerrella Roadside Rest Area - \$370k - Orbost Forest Park Upgrade - \$700k
		- WORLD Sporting Precinct Stage 1 - \$1.532m
		- Slip Road Maritime Precinct Paynesville - \$3.001m
		- Lakes Entrance Marine Parade Upgrade - \$1.28m
		- Bullock Masterplan Implementation - \$2.555m - Livingstone Park Community Facilities - \$891k
		- Krautungalung Walk Stage 1 - \$2.097m
		- Buchan Streetscape - \$934k
		- Lakes Entrance Foreshore Park - \$957k
		- Lakes Entrance Slipway upgrade - \$489k - Bruthen Streetscape - \$467k
		- Lakes Entrance Ocean Rescue Seawall - \$507k
		- Bairnsdale City Oval Changerooms and lighting upgrade - \$602k

### East Gippsland Shire Council

### Notes to the Financial Report For the Year Ended 30 June 2022

2021/2022 Financial Report

Note 2.1.1 Performance against budget (cont'd)

Varaiance Ref	Item	Explanation
4	Contributions - monetary - \$224k greater than budget	Capital contributions of \$400k were not received as a result of the timing of related capital projects. Subdivision developer contributions exceede budget by \$436k. There was also an unbudgeted contribution to the WORLI Sporting precinct project of \$101k as well as \$86k of unbudgeted economic development contributions for events and other projects.
5	Contributions - non monetary - \$956k less than budget	Contributed assets of \$1.044M were received during the year against budget of \$2M. Developer contributed assets vary from year to year depending on subdivision activity.
6	Net gain/(loss) on disposal of property, infrastructure, plant and equipment - \$551k greater than budget	The proceeds of sale from assets exceeded the written down value of the assets. These were mainly vehicle sales.
7	Fair value adjustments for investment property - \$295k greater than budget	There was an increase in the fair value of investment properties as at the en of year. No budget had been provided for this increase in value.
8	Other income - \$7.139m greater than budget	The timing for the reimbursements for replacement and rehabilitation work following the 2019/20 fire events is the most significant variance and account for \$4.8m of the variance. There was also an insurance reimbursement relation to assets destroyed and income loss as a result of the 2019/2 bushfires. This accounted for a further \$2m of the variance. Interest of investments was under budget by \$249k as a result of lower interest rates for invested surplus funds than what was expected at the time of budg adoption. There were also some unbudgeted reimbursements in relation storm events that happened during the year and these accounted for a further \$86k of the variance.
9	Employee costs - \$714k greater than budget	Employee costs were greater than the adopted budget by \$714k as a result a reduction in the recovery from capital projects of \$428k for proje administration operational salaries, due to the actual capital expenditu being less than originally expected for the year. The workcover premium walso greater than the budget by \$426k as a result of the additional confollowing the closure of the MAV Workcare Scheme.
10	Materials and services - \$4.645m greater than budget	The South Bairnsdale Industrial Estate contractor expense was underspe by \$1.199m as a result of the timing for the project works. Roads and bridge was overspent for contractors for road maintenance works of \$1.119m and finatural disaster event rehabilitation works of \$3.2m. The Raymond Islar Ferry service changed from a contracted service to an in-house service at the contractor budget was underspent by \$1.305m as a result with offsettine expenditure in employee costs and materials and service. Fuel costs for the year exceeded the adopted budget by \$145k as a result of the significal increase in fuel prices. The Environment Protection Authority landfill levy als exceeded the budget by \$221k as a result of the increased volume of was going into landfill. Other materials and services for road and bridge maintenance exceeded budget by \$1.150m with \$609k of this being fine restoration works for natural disaster events. As a result of new grant fundir there was a additional materials and services expenditure for a number of these new programs. Consultancies exceeded budget by \$447k as a result a number of programs using consultancies to undertake works. Grants are contributions were under budget \$580k as a result of delays in some project whist there were also unbudgeted expenditure that related to new funde projects as well as some program works being carried forward from the previous financial year.

## Notes to the Financial Report For the Year Ended 30 June 2022

#### Note 2.1.1 Performance against budget (cont'd)

#### (i) Explanation of material variations

(i) Explain	1) Explanation of material variations				
Var	aiance Ref	Item	Explanation		
	11	Depreciation - \$1.641m greater than budget	Depreciation expenses was \$1.641m greater than budget mainly as a result of the infrastructure revaluation and roads and bridges depreciation exceeding the budget by \$1.604m.		
	12	Bad and doubtful debts - \$64k greater than budget	A write off of parking and animal infringements accounts for the variance to budget.		
	13	Borrowing costs - \$56k under budget	As a result of the Community Infrastructure low interest loan not yet being taken up there was an underspend for loan interest.		
	14	Landfill rehabilitation provision movement - \$1.125m less than budget	There was an adjustment to the present value calculation of a reduction of \$1.499k and other adjustments that reduced the required provisions for landfill rehabilitation works.		
	15	Other expenses - \$2.362m greater than budget	There were \$2.442m of buildings, roads, bridges and other assets written off primarily as a result of assets being replaced.		

## Notes to the Financial Report For the Year Ended 30 June 2022

	Budget 2022	Actual 2022	Variance	Variance	
	\$'000	\$'000	\$'000	%	Re
Property					
Land	218	321	103	47%	1
Total land	218	321	103	47%	
Buildings	5,945	8,310	2,365	40%	2
Heritage buildings	-	152	152	100%	3
Total buildings	5,945	8,462	2,517	42%	
Total property	6,163	8,783	2,620	43%	
Plant and equipment					
Plant, machinery and equipment	2,134	3,489	1,355	63%	4
Fixtures, fittings and furniture	30	812	782	2607%	5
Computers and telecommunications	4,377	1,020	(3,357)	(77%)	6
Library books	209	212	3	1%	
Total plant and equipment	6,750	5,533	(1,217)	(18%)	
Infrastructure					
Roads	13,775	9,068	(4,707)	(34%)	7
Bridges	4,217	3,391	(826)	(20%)	8
Footpaths and cycleways	6,586	1,098	(5,488)	(83%)	9
Drainage	185	797	612	331%	10
Recreational, leisure and community facilities	15,679	3,410	(12,269)	(78%)	11
Waste management	5,866	2,033	(3,833)	(65%)	12
Parks, open space and streetscapes	20,678	1,096	(19,582)	(95%)	13
Aerodromes	525	-	(525)	(100%)	14
Off street car parks	1,585	133	(1,452)	(92%)	15
Other infrastructure	6,750	2,858	(3,892)	(58%)	16
Total infrastructure	75,846	23,884	(51,962)	(69%)	
Total capital works expenditure	88,759	38,200	(50,559)	(57%)	
Represented by:					
New asset expenditure	28,344	11,401	(16,943)	(60%)	17
Asset renewal expenditure	48,414	23,684	(24,730)	(51%)	18
Asset upgrade expenditure	12,001	3,115	(8,886)	(74%)	19
Total capital works expenditure	88,759	38,200	(50,559)	(57%)	

## Notes to the Financial Report For the Year Ended 30 June 2022

### Note 2.1.2 Performance against Budget (cont'd)

#### (i) Explanation of material variations

Variance Ref	Item	Explanation
1	Land - \$103k greater than budget	There were land purchase commitments from 2020/21 year than were not finalised until the 2021/22 year and this accounts for the variance.
2	Buildings - \$2.365m greater than budget	Building renewal had a budget of \$700k but actual expense of \$97k as a result of the majority of the expenses being reclassified to operating. Several projects were delayed and will be completed in the 2022/23 year. The most significant of these projects were the Eagle Point Community Hub under budget by \$2.227m and the Gymnasium facility at Lucknow \$961k underbudget. There were also several projects that had components of the project classified as Buildings but the budget had been classified in a different asset category. The most significant of these were the WORLD Sporting Precinct Stage 1 expenditure of \$5.878 and the Tambo Crossing Community Facility expenditure of \$437k,
3	Heritage Buildings - \$152k greater than budget	The Omeo Justice precinct was classified as Buildings in the budget but has been determined to be a heritage building and accounts for this variance.
4	Plant, machinery and Equipment - \$1.355m greater than budget	Vehicle renewals exceeded the adopted budget by \$619k as a result of completing 2020/21 purchases in the early part of 2021/22. The Raymond Island Ferry chain renewal expenditure was underbudget by \$204k. There were also two projects that had been budgeted in other asset categories that were classified as plant and equipment at year end. The two projects were the Marlo Playground Renewal with expenditure of \$416k and the EV Charge Points expenditure of \$390k.
5	Fixtures, fittings and furniture - \$782k greater than budget	There were two projects that had been classified as Waste projects but the expenditure has been classified as Fixtures. The two projects were the Street Litter Bins expenditure of \$530k and the Glass recycling expenditure of \$189k. There were some other minor expenditure that were also classified as fixtures at year end but had budgets in other categories.
6	Computers and telecommunications - \$3.357m less than budget	A number of projects have been classified as intangible assets for software and these budget totalled \$1.02m. There were several other projects that will not be completed until the 2022/23 year for IT infrastructure upgrades and the network consolidation project amounting to an underspend against budget of \$1.55m. There were a number of smaller projects where the expense has been transferred to operating.

#### Note 2.1.2 Performance against Budget (cont'd)

#### (i) Explanation of material variations

#### Variance Ref Item

#### Explanation

7 Roads - \$4.707m less than budget

Some major road projects will not be completed until the 2022/23 year. The most significant being Moroney Street Bairnsdale upgrdade underbudget by \$779k, Lakes Entrance Marine Parade underspent by \$1.396m, Bailey Street Bairnsdale underspent by \$317k, Eagle Point Foreshore Road underspent by \$342k, Spring Creek underspent by \$358k as well as a number of reseal projects that will be completed in 2022/23 year. Streetscapes had been classified as Parks in the budget but the expenditure for streetscapes has been included in the Road category at year end and this expenditure amounted to \$208k.

8 Bridges - \$826k less than budget

The Bullock Island Bridge replacement will not be completed until 2022/23 year and was underspent by \$849k against the adopted budget.

9 Footpaths and Cycleways - \$5.488m less than budget

The Omeo Mountain Bike Trail was budgeted as a footpath but has been reclassified as Other Infrastructure. The budget for this project was \$2.926m. The Kruatungalung Walk will not be completed until the 2022/23 year and had an underspend of \$2.174m. The Raymond Island Koala Experience project is also delayed and had an underspend of \$432k.

10 Drainage - \$612k greater than budget

Part expenditurre for some roads has been classified as drainage works and the budget for these works was included in the road budget. This accounted for \$372k of the varaince. The Bairnsdale Aerodrom Potable Water project was included in the Aerodrome budget but has been classified as a drainage project at year end and accounts for a further \$320k of the varaince.

11 Recreation, leisure and Community Facilities - \$12.269m less than budget

The WORLD Sporting Precinct Project, with a budget of \$11.181m was included in Recreation facilities at budget time. The project is now classified as Buildings. There have also been several other projects where the budget was included in Parks and Other infratsructure but the expenditure has been classisfed as Recreation. The most significant of these were various seawall project with expenditure of \$1.816m and the Slip Road Maritime Precinct project with expenditure of \$1.074m.

12 Waste management - \$3.833m less than budget

The Lakes Entrance Transfer Station, with a budget of \$1.150m and the Cann River Trasfer Station, with a budget of \$750k have both been classified as Buildings rather than Waste. The Street Litter Bins with a budget of \$515k and the Glass recycling with a budget of \$445k have both been reclassified to Fixtures. The construction of Bairnsdale Cell 4 will not be completed until 2022/223 and has an underspend of \$814k. Waste compliance works and security upgrades will also not be competed until 2022/23 are were underspent by \$133k.

#### Note 2.1.2 Performance against Budget (cont'd)

ariance Ref	ltem	Explanation
13	Parks, Open spaces and Streetscapes - \$19.582m less than budget	A number of projects are running behind schedule and will be completed in the 2022/23 year. The most significant of these are the Progress Jetty Precinc Design underbudget by \$318k, Orbost Forest Park Upgrade underbudget by \$1.13m, Lakes Entrance Foreshore Park underbudget by \$1.194m Livingstone Park Community facilities underbudget by \$1.534m and Lakes Entrance Slipway Upgrade under budget by \$510k. There were also a number of projects that were budgeted as Parks projects but have been reclassified into other asset categories. The most signnificant of these are Bullock Island Masterplan Implementation (Budget \$5.025m), Jemmy's Point Lookou (Budget \$1.389m), Slip Road Maritime Precinct (Budget \$4.2m) and various streetscapes (Budget \$3.715m).
14	Aerodromes - \$525k less than budget	The Bairnsdale Airport Potable Water project with a budget of \$475k has been reclassified to drainage. The Bairnsdale Airport runway extension and lighting upgrade with a budget of \$50k has been reclassified as Other infrastructure.
15	Off Street Car parks - \$1.452m less than budget	The Cann River and Newmerrella Roadside Rest Area projects are running behind schedule and will be completed in the 2022/23 year. The underspend for these two projects is \$1.585m.
16	Other Infrastructure - \$3.892m less than budget	Various seawall projects were reclasified to Recreation with budgets totalling \$4.996m. The Electric Vehicle Charge Point projects was transferred to Buildings with a budget of \$450k. There were a number of projects at year end whose expenditure was classified as Other infrastructure but the budgets had been included in other asset categories. The most significant of these expenditures were Davison Oval Skate Park \$293k, Swan Reach Netbal Courts \$160k, Bairnsdale Aerodrome runway and lighting \$102k, Lakes Entrance Transfer Station \$1.063m, Omeo Mountain Bike Trail \$184k and Lakes Entrance Club Spit upgrade \$660k.
17	New Asset expenditure - \$16.943m less than budget	The Omeo Mountain Bike trail project is under budget by \$2.74m, the WORLE Sporting Precinct Stage 1 is under budget by \$5.145m, The Bullock Island Masterplan implementation is under budget by \$2.229m, Bairnsdale Cell 4 construction is underbudget by \$814k, Eagle Point Community Hub is underbudget by \$1.027m, the Gymnasium Pavillion Lucknow is underbudge by \$961k, Kruatungalung Walk is underbudget by \$2.174m, Lakes Foreshore Park is underbudget by \$746k and the Glass recycling project is underbudge by \$256k. All of these projects are expected to be completed in the 2022/23 year.

year.

#### Notes to the Financial Report For the Year Ended 30 June 2022

#### Note 2.1.2 Performance against Budget (cont'd)

18

(i) Explanation of material variations

Variance Ref

Explanation

than budget

Asset Renewal expenditure - \$24.730m less There are a significant number of renewal project that will not be completed until the 2022/23 year and as a result account for the majoity of the variance. The most significant underspends include Eagle Point Community Hub \$600k, Building renewal \$603k, Consolidation of the IT network \$671k, Cann River Transfer Station \$711k, Jemmy's Point \$975k, Various seawalls \$3.252m, Computer replacements \$689k, Cann River Roadside Rest area \$1.093m, Newmerrella Roadside Rest area \$461k, Orbost Forest Park \$1.130m, Bullock Island Bridge \$849k, Lakes Entrance Foreshore Park \$1.195m, Bruthen streetscape \$1.195m, Livingstone Park Community Facilities \$821k, Marine Parade Lakes Entrance \$1.395m, Eagle Point Foreshore Road \$342k, Bailey Street Bairnsdale \$317k, Spring Creek Road \$358k, Kerb and Channel renewal \$312k, Moroney Street Bairnsdale \$543k and various other roads

19 than budget

Asset Upgrade expenditure - \$8.886m less A number of asset upgrade projects were delayed and will be completed in the 2022/23 year. The most significant project underspends were Eagle Point Foreshore Hub \$600k, Mallacoota Hall Upgrade \$809k, Bairnsdale City Oval Changeroom upgrade \$489k, Bullock Island Masterplan Implementation \$2.513m, Slip Road Maritime Parade \$1.975m, Jemmy's Point \$513k and Marine Parade Lakes Entrance \$400k.

## Notes to the Financial Report For the Year Ended 30 June 2022

#### Note 2.2 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

#### 2.2.1 Office of the CEO

Activities associated with municipal governance including the Chief Executive Officer.

#### **Business Excellence**

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

#### **Place and Community**

Activities associated with strategic and statutory planning, economic development and tourism, emergency management, family and childrens services, aged services, community planning and development and bushfire recovery activities.

#### **Assets and Environment**

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

### 2.2.2 Summary of income, expenses, assets and capital expenses by program

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
2022	\$'000	\$'000	\$'000	\$'000	\$'000
Office of the CEO	660	660	-	-	-
Business Excellence	51,070	20,094	30,976	17,308	18,384
Place and Community	11,625	11,625	-	6,268	383
Assets and Environment	78,207	78,207	-	29,226	1,407,356
	141,562	110,586	30,976	52,802	1,426,123

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
2021	\$'000	\$'000	\$'000	\$'000	\$'000
Office of the CEO	704	704	-	-	-
Business Excellence	36,972	17,455	19,517	13,516	8,119
Place and Community	18,001	18,001	-	999	61,470
Assets and Environment	71,787	71,787	-	18,041	1,290,392
Bushfire Recovery	5,940	5,940	-	3,733	-
	133,404	113,887	19,517	36,289	1,359,981

There was an organisation restructure effective from 31 December 2021 and as a result the program areas have changed from the 2021 information. The 2022 results are therefore not comparable to the 2021 results by program.

### Note 3 Funding for the delivery of our services 2022 2021 3.1 Rates and charges \$'000 \$'000

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

The valuation base used to calculate general rates for 2021/22 was \$9,200 million (2020/21 \$8,471 million). Commercial/Industrial rates for 2021/22 was \$1,138 million (2020/21 \$990 million) and Farm rates was for 2021/22 \$1,849 million (2020/21 \$1,511 million). The 2021/22 rate in the CIV dollar for General rates was 0.00370130 (2020/21 0.00392622), Commercial/Industrial rates was 0.00536688 (2020/21 0.00569302) and Farm rates was 0.00296104 (2020/21 0.00314098).

General rates	45,636	43,641
Municipal charge	7,280	7,106
Waste management charge	8,539	8,001
Supplementary rates and rate adjustments	691	1,337
Interest on rates and charges	277	320
Revenue in lieu of rates	133	131
Total rates and charges	62,556	60,536

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2021, and the valuation was first applied in the rating year commencing 1 July 2021

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

#### 3.2 Statutory fees and fines

131
250
453
885
160
77
264
2,220

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

#### 3.3 User fees

Aged and health services	26	22
Leisure centre and recreation	1,809	1,248
Raymond Island Ferry	283	280
Arts and Culture	136	70
Caravan Parks	2,724	2,578
Saleyards	850	781
Marinas	1,158	1,119
Child care/children's programs	141	79
Tourism	58	46
Building services	132	74
Waste management services	3,868	6,267
Other fees and charges	150	120
Total user fees	11,335	12,684
User fees by timing of revenue recognition		
User fees recognised over time	2,155	1,935
User fees recognised at a point in time	9,180	10,749
Total user fees	11,335	12,684

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

### Notes to the Financial Report

Same	21/2022 Financial Report	For the Year Ended 30 June 2022		
South   Sout			2022	2021
Grants were received in respect of the following :  Summary of grants  Commonwealth funded grants   19,800   10,80   Other   195   Total grants received   52,802   35,20    (a) Operating Grants  Recurrent - Commonwealth Government   Financial Assistance Grants   22,775   15,81   Aged Services   45   45   Recurrent - State Government   Arts and Culture   60   11   Asset Maintenance   56   52,802   15,81   Aged Services   60   10   Asset Maintenance   56   52,802   15,81   Aged Services   7,800   10   Community Development   55   10   Community Development   55   10   Community Leavis   99   10   Emregency Management   195   10   Environmental Management   194   10   Environmental Sustainability   101   Total recurrent - Commonwealth Government   17,11   Recurrent - Commonwealth Government   100   10   Anon-recurrent - Commonwealth Government   100   10   Recurrent - Commonwealth Government   10   10   Recurrent -	0.4	Tunding from other levels of government		\$'000
Summary of grants		Grants were received in respect of the following:	<b>\$ 555</b>	Ψ 000
Commonwealth funded grants   19,800   10,85     State funded grants   19,800   10,85     Other   10tal grants received   195   1,85     (a) Operating Grants   22,775   15,87     Aged Services   45   22,775   15,87     Aged Services   46   20,87     Recurrent - State Government   56   20     Community Caws   99   5     Emergency Management   195   11     Environmental Management   195   11     Environmental Management   195   11     Environmental State British   374   30     Partis and Gardes   7   7     Partis and Gardes   7   7     Public Health   37   37   37   37     Recurrent - Other   7   7   7   7     Recurrent - Other   7   7   7   7     Recurrent - Other   140   60     Bushfire Racovery   140   60     Environmental Management   140   60     Bushfire Racovery   124   60     Environmental Management   1,445   60     Roads   29     Recreational, Leisure and Community Facilities   7     Non-recurrent - State Government   203   6     Roads   29     Recreational, Leisure and Community Facilities   7     Roads   24   25     Emergency Management   60   60     Bushfire Racovery   4,722   3,1     Emergency Management   60   60     Bushfire Recovery   6,72   6,72     Emergency Management   60   60     Environmental Management   60   60     Bushfire Recovery   6,72   6,72     Emergency Management   60   60     Environmental Management   60				
State funded grants   19,800   10,85			32,807	25,533
Total grants received   \$2,802   36,20   36,			19,800	10,692
Total grants received   \$2,802   38,20		<u> </u>		64
(a) Operating Grants         Recurrent - Commonwealth Government           Financial Assistance Grants         45           Aged Services         45           Recurrent - State Government         60         11           Asset Maintenance         56         24           Community Development         55         14           Community Development         55         14           Community Development         99         5           Emergency Management         195         15           Environmental Management         195         15           Environmental Management         374         30           Parks and Gardens         -         -           Public Health         37         37           Recurrent - Other         37         37           Environmental Sustainability         -         27           Total recurrent operating grants         23,799         17,11           Non-recurrent - Commowealth Government         23,799         17,11           Recursional Leisure and Community Facilities         7         22           Recreated Leisure and Community Facilities         7         7           Non-recurrent - State Government         20         5           Co				36,289
Recurrent - Commonwealth Government   Financial Assistance Grants   45   45   45   45   46   45   46   45   46   45   46   46		•	<del></del>	
Financial Assistance Grants Aged Services Recurrent - State Government Arts and Culture Asset Maintenance Community Development Financial Assistance Community Laws Semergency Management Environmental Management Libraries Parks and Gardens Public Health Recurrent - Othe Environmental Sustainability Total recurrent operating grants  Non-recurrent - Community Facilities Recursional, Leisure and Community Facilities Arts and Culture Encoroncial Leisure and Community Facilities Arts and Culture Environmental Management Libraries Arts and Culture Economic Development Arts and Culture Economic Development Bushfire Recovery Recreational, Leisure and Community Facilities Arts and Culture Economic Development Arts and Culture Economic Development Arts and Culture Economic Development Arts and Culture Environmental Management Libraries Environmental Management Libraries Environmental Management Libraries Environmental Management Libraries Environmental Management Financial Recovery Environmental Management Libraries Environmental Management Financial Recovery Financial Recov		(a) Operating Grants		
Aged Services         45           Recurrent - State Government         60         11           Arts and Culture         60         16           Asset Maintenance         56         22           Community Development         55         1           Community Lews         99         5           Emergency Management         195         15           Environmental Management         94         5           Libraries         374         30           Palks and Gardens         -         -           Public Health         37         -           Recurrent - Other         -         -           Environmental Sustainability         -         -           Total recurrent operating grants         23,790         17,71           Mon-recurrent - Commonwealth Government         140         6           Community Development         14         6           Environmental Management         124         6           Environmental Management         29         Recerational, Leisure and Community Facilities         7           Arbs and Culture         72         2         2           Economic Development         60         6           Bushfire Rec		Recurrent - Commonwealth Government		
Recurrent - State Government         60         1           Ats and Culture         60         10           Asset Maintenance         56         22           Community Development         55         14           Community Development         195         15           Emergency Management         194         3           Environmental Management         94         3           Libraries         374         30           Parks and Gardens         -         -           Public Health         37         3           Recurrent - Other         37         3           Recurrent - Other         23,790         17,11           Mon-recurrent - Commonwealth Government         140         66           Community Development         140         66           Bushifire Recovery         -         22           Econmic Development         124         66           Recreational, Leisure and Community Facilities         7           Non-recurrent - State Government         203         5           Community Development         203         5           Arts and Culture         72         2           Enorgenic Management         60         6		Financial Assistance Grants	22,775	15,811
Arts and Culture		Aged Services	45	44
Assel Maintenance 56 22 Community Development 55 14 Community Development 55 14 Community Development 55 15 15 15 15 15 15 15 15 15 15 15 15		Recurrent - State Government		
Community Development		Arts and Culture	60	100
Community Laws		Asset Maintenance	56	260
Emergency Management		Community Development	55	149
Environmental Management		Community Laws	99	97
Libraries   374   36     Parks and Gardens   -     Public Health   37   37     Recurrent - Other   Environmental Sustainability   -       Total recurrent operating grants   23,790   17,11     Non-recurrent - Commonwealth Government   140   66     Bushfire Recovery   -   22     Econmic Development   124   Environmental Management   1,445   5     Roads   29     Recreational, Leisure and Community Facilities   7     Non-recurrent - State Government   203   5     Arts and Cultre   72     Economic Development   640   66     Bushfire Recovery   4,722   3,1     Emergency Management   640   66     Environmental Management   4     Work for Victoria   288   2,00     Roads   24     Strategic planning   130     Human resource   66     Recreational, Leisure and Community Facilities   134   10     Non-recurrent - Other     Environmental Management   59     Community Development   50   2     Events   20     Libraries   51     Arts and Culture   3     Total non-recurrent operating grants   5,466   7,72		Emergency Management	195	192
Parks and Gardens       Public Health       37       37         Recurrent - Other       Environmental Sustainability       -       17,11         Total recurrent operating grants       23,790       117,11         Non-recurrent - Commonwealth Government       -       22         Community Development       140       66         Bushfire Recovery       -       22         Econnic Development       124       6         Environmental Management       1,445       5         Roads       29       Recreational, Leisure and Community Facilities       7         Non-recurrent - State Government       203       5         Community Development       203       5         Arts and Culture       72       6         Economic Development       640       66         Bushfire Recovery       4,722       3,11         Emergency Management       4       4         Libraries       60       6         Environmental Management       4       7         Work for Victoria       288       2,00         Recreational, Leisure and Community Facilities       134       11         Human resource       66       6         Recreational, Leisur		Environmental Management	94	94
Public Health   Recurrent - Other   Environmental Sustainability		Libraries	374	361
Recurrent - Other   Environmental Sustainability   -   -		Parks and Gardens	-	7
Environmental Sustainability   Total recurrent operating grants   23,790   17,17   1		Public Health	37	37
Total recurrent operating grants         23,790         17,11           Non-recurrent - Commonwealth Government         140         67           Bushfire Recovery         -         28           Econmic Development         124         66           Environmental Management         1,445         8           Roads         29         Recreational, Leisure and Community Facilities         7           Non-recurrent - State Government         203         9           Community Development         203         9           Arts and Culture         72         2           Economic Development         640         66           Bushfire Recovery         4,722         3,11           Emergency Management         4         4           Libraries         60         6           Environmental Management         4         2           Work for Victoria         288         2,00           Roads         24         3           Strategic planning         130         1           Human resource         66         6           Recreational, Leisure and Community Facilities         134         1           Waste         10         1         1         1		Recurrent - Other		
Non-recurrent - Commonwealth Government         140         66           Bushfire Recovery         -         25           Econmic Development         124         6           Environmental Management         1,445         5           Roads         29         Recreational, Leisure and Community Facilities         7           Non-recurrent - State Government         203         5           Community Development         203         5           Arts and Culture         72         6           Economic Development         640         66           Bushfire Recovery         4,722         3,1*           Emergency Management         4         60           Libraries         60         6           Environmental Management         4         8           Work for Victoria         288         2,00           Roads         24         9           Strategic planning         130         9           Human resource         66         66           Recreational, Leisure and Community Facilities         134         10           Waste         134         10           Non-recurrent - Other         59         6           Environmental Management<		Environmental Sustainability	<u>-</u>	22
Community Development         140         66           Bushfire Recovery         -         22           Econnic Development         124         66           Environmental Management         1,445         8           Roads         29         Recreational, Leisure and Community Facilities         7           Non-recurrent - State Government         203         9           Community Development         203         9           Arts and Culture         72         6           Economic Development         640         66           Bushfire Recovery         4,722         3,11           Emergency Management         4         60           Libraries         60         6           Environmental Management         4         60           Work for Victoria         288         2,00           Roads         24         313           Strategic planning         130         130           Human resource         66         66           Recreational, Leisure and Community Facilities         134         11           Waste         134         11           Non-recurrent - Other         59         50           Community Development         <		Total recurrent operating grants	23,790	17,174
Community Development         140         66           Bushfire Recovery         -         22           Econnic Development         124         66           Environmental Management         1,445         8           Roads         29         Recreational, Leisure and Community Facilities         7           Non-recurrent - State Government         203         9           Community Development         203         9           Arts and Culture         72         6           Economic Development         640         66           Bushfire Recovery         4,722         3,11           Emergency Management         4         60           Libraries         60         6           Environmental Management         4         60           Work for Victoria         288         2,00           Roads         24         5           Strategic planning         130         1           Human resource         66         6           Recreational, Leisure and Community Facilities         134         11           Waste         134         11           Non-recurrent - Other         59         5           Community Development         1 </td <td></td> <td>Non-recurrent - Commonwealth Government</td> <td></td> <td></td>		Non-recurrent - Commonwealth Government		
Bushfire Recovery   Econmic Development   124   66			140	679
Econmic Development			-	250
Environmental Management       1,445       8         Roads       29         Recreational, Leisure and Community Facilities       7         Non-recurrent - State Government         Community Development       203       9         Arts and Culture       72       72         Economic Development       640       66         Bushfire Recovery       4,722       3,1°         Emergency Management       4       60         Libraries       60       60         Environmental Management       4       4         Work for Victoria       288       2,00         Roads       24       2         Strategic planning       130       4         Human resource       66       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Non-recurrent - Other       59       50         Environmental Management       59       50         Community Development       1       50         Events       20       20         Libraries       51       4         Arts and Culture       3       7,2		·	124	65
Roads       29         Recreational, Leisure and Community Facilities       7         Non-recurrent - State Government       203       5         Community Development       203       5         Arts and Culture       72       5         Economic Development       640       66         Bushfire Recovery       4,722       3,11         Emergency Management       60       6         Libraries       60       6         Environmental Management       4       4         Work for Victoria       288       2,00         Roads       24       5         Strategic planning       130       130         Human resource       66       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Non-recurrent - Other       59       50         Environmental Management       59       50         Community Development       50       2         Events       20       20         Libraries       51       3         Arts and Culture       3       7,2		•	1,445	50
Recreational, Leisure and Community Facilities       7         Non-recurrent - State Government       203       5         Community Development       203       5         Arts and Culture       72       6         Economic Development       640       65         Bushfire Recovery       4,722       3,11         Emergency Management       60       60         Libraries       60       60         Environmental Management       4       4         Work for Victoria       288       2,00         Roads       24       4         Strategic planning       130       130         Human resource       66       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       11       11         Won-recurrent - Other       59       134       10         Environmental Management       59       59       50       20         Community Development       1       50       20         Events       20       20         Libraries       51       31       41         Arts and Culture       3       7,2*				-
Non-recurrent - State Government           Community Development         203         5           Arts and Culture         72         5           Economic Development         640         66           Bushfire Recovery         4,722         3,17           Emergency Management         60         5           Libraries         60         6           Environmental Management         4         4           Work for Victoria         288         2,00           Roads         24         5           Strategic planning         130         130           Human resource         66         66           Recreational, Leisure and Community Facilities         134         11           Waste         134         11           Non-recurrent - Other         59         5           Environmental Management         59         5           Community Development         1         50           Events         20         5           Libraries         51         4           Arts and Culture         3         7,2*				5
Community Development         203         5           Arts and Culture         72         72           Economic Development         640         66           Bushfire Recovery         4,722         3,1°           Emergency Management         60         6           Libraries         60         6           Environmental Management         4         70           Work for Victoria         288         2,00           Roads         24         7           Strategic planning         130         130           Human resource         66         66           Recreational, Leisure and Community Facilities         134         10           Waste         134         10           Mon-recurrent - Other         50         2           Environmental Management         59         2           Community Development         50         2           Events         20         2           Libraries         51         3           Arts and Culture         3         7,2°           Total non-recurrent operating grants         8,406         7,2°		·		
Arts and Culture       72         Economic Development       640       65         Bushfire Recovery       4,722       3,17         Emergency Management       60       5         Libraries       60       60         Environmental Management       4       4         Work for Victoria       288       2,00         Roads       24       5         Strategic planning       130       130         Human resource       66       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Non-recurrent - Other       50       20         Environmental Management       59       20         Community Development       1       50       2         Events       20       20         Libraries       51       20         Arts and Culture       3       7,2*			203	95
Economic Development       640       66         Bushfire Recovery       4,722       3,11         Emergency Management       8         Libraries       60       60         Environmental Management       4       288       2,00         Roads       24       24         Strategic planning       130       130         Human resource       66       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Mon-recurrent - Other       59       50       20         Environmental Management       59       50       20         Community Development       1       50       20         Events       20       20         Libraries       51       51         Arts and Culture       3       7,2*			72	16
Bushfire Recovery       4,722       3,1°         Emergency Management       8         Libraries       60         Environmental Management       4         Work for Victoria       288       2,00         Roads       24         Strategic planning       130         Human resource       66         Recreational, Leisure and Community Facilities       134         Waste       134         Non-recurrent - Other       59         Environmental Management       59         Community Development       1         Economic Development       50         Events       20         Libraries       51         Arts and Culture       3         Total non-recurrent operating grants       8,406       7,2'			640	659
Emergency Management       60         Libraries       60         Environmental Management       4         Work for Victoria       288       2,00         Roads       24         Strategic planning       130         Human resource       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Mon-recurrent - Other       59       50       20         Environmental Management       59       50       20         Community Development       1       50       20         Events       20       20         Libraries       51       51         Arts and Culture       3       7,2*         Total non-recurrent operating grants       8,406       7,2*			4,722	3,118
Libraries       60         Environmental Management       4         Work for Victoria       288       2,00         Roads       24         Strategic planning       130         Human resource       66         Recreational, Leisure and Community Facilities       134         Waste       134         Non-recurrent - Other       59         Environmental Management       59         Community Development       1         Economic Development       50         Events       20         Libraries       51         Arts and Culture       3         Total non-recurrent operating grants       8,406       7,2*		·		85
Environmental Management       4         Work for Victoria       288       2,00         Roads       24       4         Strategic planning       130       4         Human resource       66       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Non-recurrent - Other       59       66         Environmental Management       59       66         Community Development       1       60         Economic Development       50       20         Events       20       20         Libraries       51       51         Arts and Culture       3       7,2*         Total non-recurrent operating grants       8,406       7,2*			60	15
Work for Victoria       288       2,00         Roads       24       24         Strategic planning       130       130         Human resource       66       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Non-recurrent - Other       59       134       10         Environmental Management       59       59       50       20         Community Development       1       50       20         Events       20       20       20         Libraries       51       51         Arts and Culture       3       7,2*         Total non-recurrent operating grants       8,406       7,2*			4	4
Roads       24         Strategic planning       130         Human resource       66         Recreational, Leisure and Community Facilities       134       10         Waste       134         Non-recurrent - Other       59         Environmental Management       59         Community Development       1         Economic Development       50         Events       20         Libraries       51         Arts and Culture       3         Total non-recurrent operating grants       8,406       7,2*		<del>-</del>	288	2,007
Strategic planning       130         Human resource       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Mon-recurrent - Other         Environmental Management       59       59         Community Development       1       50       2         Economic Development       50       2         Events       20       20         Libraries       51       51         Arts and Culture       3       7,2*         Total non-recurrent operating grants       8,406       7,2*			24	15
Human resource       66         Recreational, Leisure and Community Facilities       134       10         Waste       134       10         Non-recurrent - Other       59       10         Environmental Management       59       1         Community Development       1       50       2         Economic Development       50       2         Events       20       20         Libraries       51       51         Arts and Culture       3       7,2         Total non-recurrent operating grants       8,406       7,2			130	-
Recreational, Leisure and Community Facilities       134       10         Waste       134       134         Non-recurrent - Other       3       3         Environmental Management       59       59         Community Development       1       50       2         Events       20       20         Libraries       51       51         Arts and Culture       3       7,2*         Total non-recurrent operating grants       8,406       7,2*			66	-
Waste       134         Non-recurrent - Other       59         Environmental Management       59         Community Development       1         Economic Development       50         Events       20         Libraries       51         Arts and Culture       3         Total non-recurrent operating grants       8,406       7,2°			134	106
Non-recurrent - Other       59         Environmental Management       59         Community Development       1         Economic Development       50       2         Events       20         Libraries       51         Arts and Culture       3         Total non-recurrent operating grants       8,406       7,2°			134	10
Environmental Management         59           Community Development         1           Economic Development         50         2           Events         20           Libraries         51           Arts and Culture         3           Total non-recurrent operating grants         8,406         7,2*				
Community Development         1           Economic Development         50         2           Events         20           Libraries         51           Arts and Culture         3           Total non-recurrent operating grants         8,406         7,2°			59	2
Economic Development         50         2           Events         20           Libraries         51           Arts and Culture         3           Total non-recurrent operating grants         8,406         7,2°		<u> </u>		2
Events         20           Libraries         51           Arts and Culture         3           Total non-recurrent operating grants         8,406         7,2°				29
Libraries         51           Arts and Culture         3           Total non-recurrent operating grants         8,406         7,2°		·		-
Arts and Culture 3 Total non-recurrent operating grants 8,406 7,2				-
Total non-recurrent operating grants 8,406 7,2°				5
				7,217
				24,391
			,	-,

## Notes to the Financial Report For the Year Ended 30 June 2022

(b) Capital Grants	2022	2021
	\$'000	\$'000
Recurrent - Commonwealth Government		
Roads to recovery	3,507	3,803
Recurrent - State Government		
Recreational, Leisure and Community Facilities	9	9
Total recurrent capital grants	3,516	3,812
Non-recurrent - Commonwealth Government		
Buildings	-	374
Bridges	1,550	1,801
Aerodrome	220	111
Footpath and Cycleways	197	400
Other Infrastructure	230	182
Parks, Open Space and Streetscapes	738	57
Recreational, Leisure and Community Facilities	3,493	261
Roads	1,618	1,640
Environmental sustainability	176	-
Car Parks	20	-
Non-recurrent - State Government		
Buildings	507	24
Other Infrastructure	-	20
Caravan Parks	11	-
Parks, Open Space and Streetscapes	862	152
Recreational, Leisure and Community Facilities	6,168	1,696
Governance	-	100
Waste Management	186	28
Roads	980	1,218
Footpath and Cycleways	123	18
Non- recurrent - Other		
Recreational, Leisure and Community Facilities	11	-
Other	-	4
Total non-recurrent capital grants	17,090	8,086
Total capital grants	20,606	11,898
(c) Unspent grants received on condition that they be spent in a specific manner		
Operating		
Balance at start of year	7,003	8,492
Received during the financial year and remained unspent at balance date	8,752	3,960
Received in prior years and spent during the financial year	(5,266)	(5,449)
Balance at year end	10,489	7,003
Capital		
Balance at start of year	20,516	1,573
Received during the financial year and remained unspent at balance date	10,251	20,134
Received in prior years and spent during the financial year	(8,285)	(1,191)
Balance at year end	22,482	20,516
<b>/</b>		

#### (d) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with AASB 15 Revenue from Contracts with Customers. When both these conditions are satisfied, the Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies AASB 1058 Income for Not-for-Profit Entities.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

East Gippsland Shire Council
2021/2022 Financial Report

rt	For the Year Ended 30 June 2022		
		2022	2021
	Income recognised under AASB 1058 Income of Not-for-Profit Entities	\$'000	\$'000
	General purpose	28,619	19,414
	Specific purpose grants to acquire non-financial assets	20,605	11,898
	Other specific purpose grants	1,124	1,811
	Revenue recognised under AASB 15 Revenue from Contracts with Customers		
	Specific purpose grants	2,453	3,166
	-	52,801	36,289
	-		
		2022	2021
3.5	Contributions	\$'000	\$'000
	Monetary	1,074	58
	Non-monetary	1,044	6,077
	Total contributions	2,118	6,135
	<u>-</u>		
	Contributions of non monetary assets were received in relation to the following asset classes.		
	Land	365	1,949
	Roads	593	2,079
	Drainage	51	1,152
	Off Street Car Park	-	334
	Footpath	35	563
	Total non-monetary contributions	1,044	6,077
	Monetary and non monetary contributions are recognised as revenue at their fair value when contributed asset.	Council obtains	control over the
3.6	Net gain/(loss) on disposal of property, infrastructure, plant and equipment		
	Proceeds of sale	994	933
	Written down value of assets disposed	(443)	(997)
	Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	551	(64)
	<u> </u>		
	The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer		
3.7	Other income		
	Interest	341	499
	Investment property rental	944	942
	Reimbursements - Other	1,047	2,366
	Reimbursements - Natural Disasters	6,917	11,438
	Other	142	117
	Total other income	9,391	15,362
	-		

Interest is recognised as it is earned.

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

## Notes to the Financial Report For the Year Ended 30 June 2022

·	2022	2021
Note 4 The cost of delivering services	\$'000	\$'000
4.1 (a) Employee costs		
Wages and salaries	26,834	27,002
WorkCover	1,676	1,180
Casual staff	3,316	2,580
Superannuation	3,080	2,792
Fringe benefits tax	126	143
Total employee costs	35,032	33,697
(b) Superannuation		
Council made contributions to the following funds:		
Defined benefit fund	••	
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	22	27
		27
Accumulation funds		
	1.051	4 424
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	1,051 255	1,431 178
Employer contributions - Australian Super		
Employer contributions - Hostplus	230	161
Employer contributions - Vic Super	180	149
Employer contributions - other funds	1,342	846
	3,058	2,765
Employer contributions payable at reporting date.	50	145
Refer to note 9.3 for further information relating to Council's superannuation obligations.		
4.2 Materials and services		
Contractors		
- Bridge Maintenance	-	142
- Road maintenance	12,144	17,666
- Road and Bridge design	-	60
- Vegetation management	2,305	1,207
- Ferry maintenance	217	142
- Aerodrome Operations and maintenance	100	92
- Building maintenance	237	131
- Electrical Services	32	-
- Ferry service	651	520
- Waste collection	4,176	3,938
- Waste Management	766	891
- Animal pound services	255	241
- Courier services	85	86
- Cleaning	1,156	995
- Street Lighting	1,074	-
- Community facilities IT implementation	222	-
- Consulting	351	-
- Other		87
Total Contractors	23,771	26,198
Other materials and services		
Building maintenance	230	313
General maintenance	12,268	11,089
Utilities	1,913	2,042
Office administration	1,069	1,105
Information technology	2,314	2,053
Insurance	1,246	1,141
Consultants	1,509	1,750
Contributions	3,048	3,466
Total Other materials and services	23,597	22,959
Total materials and services	47,368	49,157

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

East Gippsland Shire Council
2021/2022 Financial Report

ort	For the Year Ended 30 June 2022		
4.2	2 Parassistian	2022	2024
4.3	3 Depreciation	\$'000	2021 \$'000
		·	
	Property	3,478	3,449
	Plant and equipment	2,919	3,278
	Infrastructure	17,372	14,842
	Total depreciation	23,769	21,569
	Refer to note 5.2( b ), 5.8 and 6.1 for a more detailed breakdown of depreciation and a	amorusauon charges and accounting	ропсу.
4.4	4 Amortisation - Intangible assets		
	Software	85	77
	Landfill Airspace	900	900
	Total Amortisation - Intangible assets	985	977
4.5	5 Amortisation - Right of use assets		
	Property	69	70
	Plant and Equipment	19	14
	Total Amortisation - Right of use assets	88	84
4.6	6 Bad and doubtful debts		
	Parking fine debtors	38	6
	Animal fine debtors	68	17
	Rates debtors	(13)	32
	Other debtors	9	(3)
	Total bad and doubtful debts	102	52
	Movement in provisions for doubtful debts		
	Balance at the beginning of the year	1,016	988
	New provisions recognised during the year	66	52
	Amounts already provided for and written off as uncollectible	(5)	(24)
	Balance at end of year	1,077	1,016
	Provision for doubtful debt is recognised based on an expected credit loss model. looking information in determining the level of impairment.	This model considers both historic	and forward
4.7	7 Borrowing costs		
	Interest - Borrowings	297	290
	Total borrowing costs	297	290
	Borrowing costs are recognised as an expense in the period in which they are incurr qualifying asset constructed by Council.	ed, except where they are capitalise	d as part of a
4.8	B Finance Costs - Leases		
	Interest - Lease Liabilities	18	17
	Total finance costs	18	17

#### Notes to the Financial Report For the Year Ended 30 June 2022

Report	For the Year Ended 30 June 2022		
4.9	Other expenses	2022	2021
		\$'000	\$'000
	Auditors' remuneration - VAGO - audit of the financial statements, performance statement	54	40
	and grant acquittals Auditors' remuneration - Internal Audit	25	FC
		35	56
	Councillors' allowances	361	330
	Operating lease rentals	234	394
	Memberships/Subscriptions	324	255
	Bank fees and charges	223	201
	Legal fees	354	774
	Assets written-off -Buildings	454	950
	Assets written-off -Bridges	633	3,035
	Assets written-off -Roads	1,199	2,426
	Assets written-off -Others	156	215
	Others	25	50
	Total other expenses	4,052	8,726
Note 5	Our financial position		
	Financial assets		
	(a) Cash and cash equivalents		
	Cash on hand	11	12
	Cash at bank	89,487	87,162
	Term deposits	27,049	5,024
	Total cash and cash equivalents	116,547	92,198
	Total financial assets	116,547	92,198
	Councils cash and cash equivalents are subject to external restrictions that limit amounts available	e for discretionary use. T	hese include:
	- Trust funds and deposits (Note 5.3(b))	3.033	2,835
	- Unexpended grants (Note 3.4(c))	25,581	20,551
	- Non-Discretionary Reserves (Note 9.1(b))	1,526	1,120
	Total restricted funds	30,140	24,506
	Total unrestricted cash and cash equivalents	86,407	67,692
	Intended allocations		
	Although not externally restricted the following amounts have been allocated for specific future put	moses by Council:	
	- Cash held to fund carried forward capital works	53.668	26,097
	- Cash held to fund carried forward landfill rehabilitation projects	793	719
	- Unexpended grants (Note 3.4(c))	7,390	6,968
	- Tambo Bluff Estate	289	394
	- Water transport replacement reserve	2,600	2,300
	- Orbost Landfill Discretionary Reserve Bushfire 2019/20	9,581	9,626
	Total funds subject to intended allocations	74,321	46,104
	Total failed despose to intellect dilocations	17,021	70,104

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

## Notes to the Financial Report For the Year Ended 30 June 2022

	2022	2021
(b) Trade and other receivables	\$'000	\$'000
Current		
Statutory receivables		
Rates debtors	3,606	3,936
Special rate assessment	938	662
Infringement debtors	865	792
Provision for doubtful debts - statutory	(1,012)	(960)
Net GST receivable	1,443	874
Non statutory receivables		
Other debtors	3,327	5,745
Provision for doubtful debts - other debtors	(65)	(56)
Total current trade and other receivables	9,102	10,993
Non-current Non-current		
Statutory receivables		
Special rate scheme	194	241
Total non-current trade and other receivables	194	241
Total trade and other receivables	9,296	11,234

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

#### (c) Ageing of Receivables

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

Current (not yet due)	2,807	5,447
Past due by up to 30 days	204	142
Past due between 31 and 180 days	189	42
Past due between 181 and 365 days	30	29
Past due by more than 1 year	31	29
Total trade and other receivables	3,261	5,689

#### (d) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$65,000 (2021: \$56,000) were impaired. The amount of the provision raised against these debtors was \$65,000 (2021: \$56,000). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

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

Past due by more than 1 year	65	56
Total trade and other receivables	65	56

#### Notes to the Financial Report For the Year Ended 30 June 2022

2021

2022

5.2 Non-financial assets	2022	2021	
(a) Other assets			
Prepayments	202	946	
Accrued income	955	5,219	
Grant income receivable	6,816	1,529	
Other	25	32	
Total other assets	7,998	7,726	
(b) Intangible assets			
Software	545	528	
Landfill air space	454	1,354	
Total intangible assets	999	1,882	
	Software	Landfill	Total
	\$'000	\$'000	\$'000
Gross carrying amount			
Balance at 1 July 2021	2,040	4,854	6,894
Other additions	102	-	102
Balance at 30 June 2022	2,142	4,854	6,996
Accumulated amortisation and impairment			
Balance at 1 July 2021	1,512	3,500	5,012
Amortisation expense	85	900	985
Balance at 30 June 2022	1,597	4,400	5,997
	-		
Net book value at 30 June 2021	528	1,354	1,882

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

Payables, trust funds and deposits and unearned income/revenue	\$'000	\$'000
(a) Trade and other payables		
Non-statutory payables		
Trade payables	9,528	8,204
Accrued expenses	2,277	1,270
Total trade and other payables	11,805	9,474
(b) Trust funds and deposits		
Refundable deposits	2,391	2,248
Fire services levy	208	233
Retention amounts	434	354
Total trust funds and deposits	3,033	2,835
(c) Unearned income/revenue		
Grants received in advance - operating	3,099	35
Grants received in advance - capital	22,482	20,516
Caravan Park and other	224	243
Prepaid Marina Income	146	183
Total unearned income/revenue	25,951	20,977
(d) Unearned income - Non Current		
Prepaid Marina Income	428	383
-	428	383

Unearned income/revenue represents consideration received in advance from customers in respect of government grants for projects yet to have completed the obligation for use of the grant, marina berth licences received for future years and caravan park bookings paid in advance. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

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

#### Purpose and nature of items

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

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

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

5.4 Interest-bearing liabilities	2022	2021
	\$'000	\$'000
Current		
Other borrowings - secured	-	1,700
-	•	1,700
Non-current		
Other borrowings - secured	1,650	1,650
-	1,650	1,650
Total	1,650	3,350
Borrowings are secured by mortgages over the general rates of Council.		
(a) The maturity profile for Council's borrowings is:		
Not later than one year	-	1,700
Later than one year and not later than five years	1,150	-
Later than five years	500	1,650
	1,650	3,350

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

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

## Notes to the Financial Report For the Year Ended 30 June 2022

For the Year E	nded 30 June	2022	
Employee	Landfill restoration	Native Vegetation	Tota
\$ '000	\$ '000	\$ '000	\$ '000
7,004	11,792	192	18,988
995	374	16	1,385
(638)	(708)	(21)	(1,367
(744)	(4.400)		(0.040
(711)	(1,499)	-	(2,210
6,650	9,959	187	16,796
6 717	15.040	211	21,968
			766
	, ,		(2,982
(400)	(2,002)	(20)	(2,302
(204)	(560)	-	(764
7,004	11,792	192	18,988
		2022	202
		\$'000	\$'00
		2,805	2,726
			3,623
			3,222
		11,153	9,571
			655
			8,570
	_		192
			9,417
		16,796	18,988
2022	2021		
φ 000	\$ 000		
2 380	2 367		
2,708	2,729		
425	359		
2,948	3,261		
3,373	3,620		
6,081	6,349		
569	655		
569	655		
6,081	6,349		
	\$'000 7,004 995 (638) (711) 6,650  6,717 951 (460) (204) 7,004  7,004  2022 \$'000 2,380 328 2,708  425 2,948 3,373 6,081	Employee \$\begin{array}{c} Landfill restoration \$\\$ '000 \\ 7,004 & 11,792 \\ 995 & 374 \\ (638) & (708) \\ (711) & (1,499) \end{array} \\ 6,650 & 9,959 \end{array} \\ 6,650 & (2,502) \\ (204) & (560) \end{array} \\ 7,004 & 11,792 \\ \end{array} \\ 2022 & 2021 \\ \$'000 & \$'000 \\ 2,380 & 2,367 \\ 328 & 362 \\ 2,708 & 2,729 \\ \end{array} \\ 425 & 359 \\ 2,948 & 3,261 \\ 3,373 & 3,620 \\ 6,081 & 6,349 \end{array} \end{array} \]	Testoration   \$'000   \$'000   \$'000

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

#### Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

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

#### Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as the Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key assumptions:		
- discount rate	3.33%	0.88%
- index rate	2.00%	1.50%
	2022	2021
(b) Landfill restoration provision	\$'000	\$'000
Current	5,072	3,222
Non-current	4,887	8,570
	9.959	11.792

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

3.55%	0.013%
2.00%	2.00%
187	192
187	192
11,153	9,571
5,643	9,417
16,796	18,988
2022	
1,500	1,500
300	300
8,305	3,305
1,650	3,350
11,755	8,455
	2.00%  187 187  11,153 5,643 16,796  2022  1,500 300 8,305 1,650

1 694

10,061

3 386

5,069

Used facilities

**Unused facilities** 

### 5.7 Commitments

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

(a) Commitments for	expenditure
---------------------	-------------

Qualization of Not later than 1 years         Later than 1 years         Later than 1 years         Later than 1 years         Later than 2 years         Later than 3 years         Later than 5 years         Total Total than 2 years         Later than 5 years         Total Total than 2 years         Later than 5 years         Total Total Total than 2 years         Later than 5 years         Total	(a) Commitments for expenditure	-	1.6.6.4	1.4.4.40		
2022         Not later than 9 years         later than 5 years         later than 5 years         Later than 5 years         Total years           Cleaning         707         500         5000         \$000         \$000           Cleaning         707         50         -         -         66           Road Infrastructure Maintenance         599         600         64         -         1,833           Waste Management         4,204         4,076         2,639         -         1,939           Waste Management         6,156         5,097         3,473         -         1,031           Total         189         -         -         -         1,031           Roads         117         -         -         -         1,031           Roads         117         -         -         -         1,031           Recreation         15,546         -         -         -         1,634           Waste         2,065         -         -         -         2,05           Other         3,334         -         -         -         2,05           Waste         2,065         -         -         -         2,05			Later than 1	Later than 2		
Potenting         Type of the potenting         Type of the potenting of the potenti		Not later than	•	•	Later than 5	
Operating         \$'000	2022					Total
Cleaning				-	-	
Cleaning         707         50         -         757           Ferry Operations/Maintenance         655         1         -         66           Road Infrastructure Maintenance         599         600         664         -         1,853           Waste Management         4,204         4,076         2,639         -         10,919           Other Service Contracts         581         370         180         -         1,321           Total         6,156         5,097         3,473         -         14,726           Capital           Buildings         189         -         -         -         117           Broads         117         -         -         -         117           Bridges         1,331         -         -         -         16,546           Waste         2,065         -         -         -         16,546           Waste         2,065         -         -         -         2,065           Other         3,384         -         -         -         2,632           Total         1,year         1,year         1,year         1,year         1,year         1,year         1,	Operating	, , , , ,	****	,	****	,
Name		707	50	-	-	757
Name		65	1	-	-	66
Other Service Contracts         581         370         180         -         1,131           Total         6,156         5,097         3,473         -         14,726           Capital         Buildings         189         -         -         -         189           Roads         1177         -         -         -         117           Bridges         1,331         -         -         -         1,511           Recreation         16,546         -         -         -         -         1,6546           Waste         2,065         -<		599	600	654	-	1,853
Capital   Sample	Waste Management	4,204	4,076	2,639	-	10,919
Capital         Buildings         189         -         -         189         -         -         189         117         -         -         117         117         Bridges         1117         -         -         117         117         Bridges         1,331         -         -         -         1,331         1,331         -         -         -         1,531         1,534         -         -         -         1,534         -         -         -         1,534         -         -         -         1,534         -         -         -         -         1,534         -         -         -         -         2,065         -         -         -         -         -         2,065         -	Other Service Contracts	581	370	180	-	1,131
Buildings   189   -	Total	6,156	5,097	3,473	•	14,726
Buildings   189   -	Capital					
Not later than 1   12   12   13   13   14   14   14   14   14   14	•	189	-	-	-	189
Recreation   16,546   -	•	117	-	-	-	117
Waste Other         2,065 as 384 as 3884	Bridges	1,331	-	-	-	1,331
Other Total         8,384         -         -         8,384           Total         28,632         -         -         2,8632           Not later than 1 1 year and not 1 year and not 1 year and not 1 year and not 1 year years years years years years years         Total 1 year years years years years         Total 1 year years years years         Total 1 year years years years         Total 1 year years years         Total 1 year years years         Total year years y	Recreation	16,546	-	-	-	16,546
Not later than 1 year and not later than 2 years and not later than 5 years years years years years   Total	Waste	2,065	-	-	-	2,065
Later than 1   Later than 2   years and not later than 5   years   y	Other	8,384	-	-	-	8,384
2021         Not later than 1 year         year and not 1 year         years and not later than 2 years         Later than 5 years         Total           \$ 1 year         \$ 000	Total	28,632	-	-	-	28,632
2021         Not later than 1 year         year and not 1 year         years and not later than 2 years         Later than 5 years         Total           \$ 1 year         \$ 000						
2021         Not later than 1 year         later than 2 years         later than 5 years         Later than 5 years         Total years           \$7000						
2021         1 year         years         years         years         Total           \$'000         \$'0			•	•		
Operating         \$'000	2024					Total
Operating           Cleaning         127         -         -         127           Ferry Operations/Maintenance         504         39         -         -         543           Road Infrastructure Maintenance         600         600         1,255         -         2,455           Waste Management         3,317         3,185         5,096         -         11,598           Other Service Contracts         568         436         527         -         1,531           Total         5,116         4,260         6,878         -         16,254           Capital         8         552         -         -         -         552           Roads         3,850         -         -         -         3,850           Bridges         3,384         -         -         -         3,384           Recreation         5,216         -         -         -         5,216           Waste         4,292         -         -         -         4,292           Other         1,010         -         -         -         1,010	2021			-	-	
Cleaning         127         -         -         -         127           Ferry Operations/Maintenance         504         39         -         -         543           Road Infrastructure Maintenance         600         600         1,255         -         2,455           Waste Management         3,317         3,185         5,096         -         11,598           Other Service Contracts         568         436         527         -         1,531           Total         5,116         4,260         6,878         -         16,254           Capital         8         -         -         -         552           Roads         3,850         -         -         -         552           Roads         3,384         -         -         -         3,384           Recreation         5,216         -         -         -         5,216           Waste         4,292         -         -         -         4,292           Other         1,010         -         -         -         1,010	Operation	\$ 000	\$ 000	\$ 000	\$ 000	\$ 000
Ferry Operations/Maintenance         504         39         -         -         543           Road Infrastructure Maintenance         600         600         1,255         -         2,455           Waste Management         3,317         3,185         5,096         -         11,598           Other Service Contracts         568         436         527         -         1,531           Total         5,116         4,260         6,878         -         16,254           Capital           Buildings         552         -         -         -         552           Roads         3,850         -         -         -         3,850           Bridges         3,384         -         -         -         3,384           Recreation         5,216         -         -         -         5,216           Waste         4,292         -         -         -         4,292           Other         1,010         -         -         -         1,010	. •	107				107
Road Infrastructure Maintenance         600         600         1,255         -         2,455           Waste Management         3,317         3,185         5,096         -         11,598           Other Service Contracts         568         436         527         -         1,531           Total         5,116         4,260         6,878         -         16,254           Capital           Buildings         552         -         -         -         552           Roads         3,850         -         -         -         3,850           Bridges         3,384         -         -         -         3,384           Recreation         5,216         -         -         -         5,216           Waste         4,292         -         -         -         4,292           Other         1,010         -         -         -         1,010	_			-	-	
Waste Management         3,317         3,185         5,096         -         11,598           Other Service Contracts         568         436         527         -         1,531           Total         5,116         4,260         6,878         -         16,254           Capital         8         -         -         -         -         552           Roads         3,850         -         -         -         -         3,850           Bridges         3,384         -         -         -         3,384           Recreation         5,216         -         -         -         5,216           Waste         4,292         -         -         -         4,292           Other         1,010         -         -         -         1,010	• •			1 255	-	
Other Service Contracts         568         436         527         -         1,531           Total         5,116         4,260         6,878         -         16,254           Capital         Buildings           Boads         552         -         -         -         552           Roads         3,850         -         -         -         3,850           Bridges         3,384         -         -         -         3,384           Recreation         5,216         -         -         -         5,216           Waste         4,292         -         -         -         4,292           Other         1,010         -         -         -         1,010					-	
Total         5,116         4,260         6,878         -         16,254           Capital         Buildings         552         -         -         -         552           Roads         3,850         -         -         -         3,850           Bridges         3,384         -         -         -         3,384           Recreation         5,216         -         -         -         5,216           Waste         4,292         -         -         -         4,292           Other         1,010         -         -         -         1,010	•				-	
Capital       Buildings     552     -     -     552       Roads     3,850     -     -     -     3,850       Bridges     3,384     -     -     -     3,384       Recreation     5,216     -     -     -     5,216       Waste     4,292     -     -     -     4,292       Other     1,010     -     -     -     1,010						
Buildings       552       -       -       -       552         Roads       3,850       -       -       -       3,850         Bridges       3,384       -       -       -       -       3,384         Recreation       5,216       -       -       -       5,216         Waste       4,292       -       -       -       4,292         Other       1,010       -       -       -       1,010	Total	3,110	4,200	0,070	-	10,234
Roads       3,850       -       -       -       3,850         Bridges       3,384       -       -       -       3,384         Recreation       5,216       -       -       -       5,216         Waste       4,292       -       -       -       4,292         Other       1,010       -       -       -       1,010	Capital					
Bridges       3,384       -       -       -       3,384         Recreation       5,216       -       -       -       5,216         Waste       4,292       -       -       -       4,292         Other       1,010       -       -       -       1,010	Buildings		-	-	-	
Recreation       5,216       -       -       -       5,216         Waste       4,292       -       -       -       4,292         Other       1,010       -       -       -       1,010		3,850	-	-	-	3,850
Waste     4,292     -     -     -     4,292       Other     1,010     -     -     -     1,010	Bridges	3,384	-	-	-	,
Other 1,010 1,010	Recreation	,	-	-	-	,
	Waste	,	-	-	-	,
Total18,304 18,304	Other		-	-	-	
	Total	18,304	-	-	•	18,304

#### 5.8 Leases

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

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

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

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

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

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

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

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

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

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

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

#### Notes to the Financial Report For the Year Ended 30 June 2022

Right-of-Use Assets	Property	Equipment	Total
	\$'000	\$'000	\$'000
Balance at 1 July 2021	774	11	785
Additions	65	72	137
Disposal	(63)	-	(63)
Amortisation charge	(70)	(18)	(88)
Balance at 30 June 2022	706	65	771
Lease Liabilities	2022	2021	
Maturity analysis - contractual undiscounted cash flows	\$'000	\$'000	
Less than one year	110	77	
One to five years	261	288	
More than five years	606	673	
Total undiscounted lease liabilities as at 30 June	977	1,038	
Lease liabilities included in the Balance Sheet at 30 June:			
Current	102	62	
Non-current	758	759	
Total lease liabilities	860	821	

#### Short-term and low value leases

Total lease commitments

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

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Expenses relating to:	2022 \$'000	2021 \$'000
Short-term leases	203	362
Leases of low value assets	30	28
Total	233	390
Variable lease payments (not included in measurement of lease liabilities)	Nil	Nil
Non-cancellable lease commitments - Short-term and low-value leases Commitments for minimum lease payments for short-term and low-value lease Payable:	es are payable as follows:	
Within one year	108	40
Later than one year but not later than five years	22	35
Later than five years	36	40

Notes to the Financial Report For the Year Ended 30 June 2022

#### Note 6 Assets we manage

#### 6.1 Property, infrastructure, plant and equipment

#### Summary of property, infrastructure, plant and equipment

	Carrying amount 30 June 2021	Additions	Contributions	Revaluation	Depreciation	Disposal	Write-off	Transfers	Carrying amount 30 June 2022
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property	266,151	-	365	10,554	(3,478)	-	(610)	2,637	275,619
Plant and equipment	14,270	-	-	-	(2,919)	(442)	-	4,358	15,267
Infrastructure	947,094	-	679	20,917	(17,372)	-	(1,833)	12,308	961,793
Work in progress	9,759	38,200	-	-	-	-	-	(18,389)	29,570
	1,237,274	38,200	1,044	31,471	(23,769)	(442)	(2,443)	914	1,282,249

Summary of Work in Progress	Opening WIP \$'000	Additions \$'000	Write-off \$'000	Transfers \$'000	Closing WIP \$'000
Property	1,261	8,783	-	(1,368)	8,676
Plant and equipment	160	5,534	-	(4,312)	1,382
Infrastructure	8,338	23,883	-	(12,709)	19,512
Total	9,759	38,200		(18,389)	29,570

#### Notes to the Financial Report For the Year Ended 30 June 2022

(a) Property								
	Land - specialised	Land - non specialised	Total Land & Land Improvements	Heritage buildings	Buildings - specialised	Total Buildings	Work In Progress	Total Property
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	146,008	3,634	149,642	17,095	169,392	186,487	1,261	337,390
Accumulated depreciation at 1 July 2021	-	-		(8,799)	(61,179)	(69,978)	-	(69,978)
	146,008	3,634	149,642	8,296	108,213	116,509	1,261	267,412
Movements in fair value								
Additions	-	-		-			8,783	8,783
Contributions	365	-	365	-	-	-	-	365
Revaluation	-	-		-	17,070	17,070	-	17,070
Disposal	(156)	-	(156)	-	(835)	(835)	-	(991)
Write-off	-		•		`- ′	• '		`- '
Transfers	452		452		2,691	2,691	(1,368)	1,775
Impairment losses recognised in operating result		-		-		-		
	661	-	661	-	18,926	18,926	7,415	27,002
Movements in accumulated depreciation	-							
Depreciation and amortisation	-	-		(252)	(3,226)	(3,478)	-	(3,478)
Revaluation	-	-		-	(6,516)	(6,516)	-	(6,516)
Accumulated depreciation of disposals	-	-		-	381	381	-	381
Impairment losses recognised in operating result	-	-		-	-		-	-
Transfers		-		-	(506)	(506)	-	(506)
	-	-		(252)	(9,867)	(10,119)	-	(10,119)
At fair value 30 June 2022	146,669	3,634	150,303	17,095	188,318	205,413	8,676	364,392
Accumulated depreciation at 30 June 2022	-	-	•	(9,051)	(71,046)	(80,097)	-	(80,097)
Carrying amount	146,669	3,634	150,303	8,044	117,272	125,316	8,676	284,295

(b) Plant and Equipment						
	Plant machinery and equipment	Fixtures fittings and furniture	Computers and telecomms	Library books	Work In Progress	Total plant and equipment
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	22,400	10,526	5,024	5,105	160	43,215
Accumulated depreciation at 1 July 2021	(13,461)	(7,004)	(4,193)	(4,127)	-	(28,785)
	8,939	3,522	831	978	160	14,430
Movements in fair value	·					
Additions	•	-	-	-	5,534	5,534
Contributions	-	-	-	-	-	-
Revaluation	•	-	-	-	-	
Disposal	(1,510)	-	-	-	-	(1,510)
Write-off	-	-	-	-	-	-
Transfers	2,663	787	696	212	(4,312)	46
Impairment losses recognised in operating result	-	-	-	-	-	-
	1,153	787	696	212	1,222	4,070
Movements in accumulated depreciation						
Depreciation and amortisation	(1,655)	(795)	(298)	(171)	-	(2,919)
Accumulated depreciation of disposals	1,068	-	-	-	-	1,068
Impairment losses recognised in operating result	-	-	-	-	-	
Transfers	-	-	-	-		
	(587)	(795)	(298)	(171)	-	(1,851)
At fair value 30 June 2022	23,553	11,313	5,720	5,317	1,382	47,285
Accumulated depreciation at 30 June 2022	(14,048)	(7,799)	(4,491)	(4,298)	-	(30,636)
Carrying amount	9,505	3,514	1,229	1,019	1,382	16,649

#### Notes to the Financial Report For the Year Ended 30 June 2022

(c) I	nfrag	etru	cture

	Roads	Bridges	Footpaths and cycleways	R Drainage	decreational, leisure and community Was facilities	te Management	Parks open space and streetscapes	Aerodromes Offs	street car parks Othe	r Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	747,288	109,602	35,322	91,119	35,287	10,809	34,053	8,677	12,225	27,133	8,338	1,119,853
Accumulated depreciation at 1 July 2021	(96,818)	(8,689)	(5,863)	(20,892)	(13,482)	(4,613)	(5,089)	(390)	(1,739)	(6,846)	-	(164,421)
	650,470	100,913	29,459	70,227	21,805	6,196	28,964	8,287	10,486	20,287	8,338	955,432
Movements in fair value												
Additions	-	-	-	-	-	-	-	-	-	-	23,883	23,883
Contributions	593	-	35	51	-	-	-	-	-	-	-	679
Revaluation	16,515	2,406	781	2,014	780	239	753	192	270	599	-	24,549
Disposal	(1,732)	(727)	-	-	-	-	-	-	-	-	-	(2,459)
Write-off	-	-	-	-	-	-	-	-	-	-	-	-
Transfers	7,228	3,423	702	477	-	229	-	7	75	167	(12,709)	(401)
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-	-	-	-	<u> </u>
	22,604	5,102	1,518	2,542	780	468	753	199	345	766	11,174	46,251
Movements in accumulated depreciation												<u> </u>
Depreciation and amortisation	(11,252)	(1,268)	(606)	(902)	(744)	(793)	(497)	(111)	(258)	(941)	-	(17,372)
Revaluation	(2,140)	(190)	(130)	(462)	(298)	(102)	(112)	(9)	(38)	(151)	-	(3,632)
Accumulated depreciation of disposals	532	94	-	-	-	-	-	-	-	-	-	626
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-	-	-	-	-
Transfers	-	-	-	-	-	-	-	-	-	-		<u> </u>
_	(12,860)	(1,364)	(736)	(1,364)	(1,042)	(895)	(609)	(120)	(296)	(1,092)	-	(20,378)
At fair value 30 June 2022	769,892	114,704	36,840	93,661	36,067	11,277	34,806	8,876	12,570	27,899	19,512	1,166,104
Accumulated depreciation at 30 June 2022	(109,678)	(10,053)	(6,599)	(22,256)	(14,524)	(5,508)	(5,698)	(510)	(2,035)	(7,938)	-	(184,799)
Carrying amount	660,214	104,651	30,241	71,405	21,543	5,769	29,108	8,366	10,535	19,961	19,512	981,305

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

#### Acquisition

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

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

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

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#### Land under roads

Council recognises land under roads it controls at fair value after 30 June 2008.

#### Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

 $Road\ ear thworks\ are\ not\ depreciated\ on\ the\ basis\ that\ they\ are\ assessed\ as\ not\ having\ a\ limited\ useful\ life.$ 

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

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

#### Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

#### Leasehold improvements

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter. At balance date there were no leasehold improvements.

#### Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer Todd Svanberg, Certified Practicing Valuer CPV AAPI AM ASA, Director of JLL Public Sector Valuations Pty Ltd and Emily Villani RPV PMAPI, Valuer JLL Public Sector Valuations Pty Ltd as at 30 June 2019. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement. An index based revaluation was conducted in the current year for buildings only, this valuation was based on the Victoria Valuer-General's indices. A full revaluation of these assets will be conducted in 2022/23.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation
Specialised Land	-	-	146,669	30/06/2021
Non Specialised land	-	3,634	-	30/06/2021
Heritage Buildings	-	-	8,044	30/06/2019
Buildings	-	-	117,272	30/06/2022
Total	-	3,634	271,985	

#### Valuation of infrastructure

Valuation of all infrastructure assets was undertaken by Council's engineering and asset management staff as at 31 December 2017.

The date of the current valuation is detailed in the following table. An index based revaluation was conducted in the current year as at 31 December 2021, this valuation was based on Construction industries producer price indices for Victoria, a full revaluation of these assets will be conducted in 2022/23.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation
Roads	-	-	660,214	31/12/2021
Bridges	-	-	104,651	31/12/2021
Footpaths and cycleways	-	-	30,241	31/12/2021
Drainage	-	-	71,405	31/12/2021
Recreational, leisure and community facilities	-	-	21,543	31/12/2021
Waste management	-	-	5,769	31/12/2021
Parks, open space and streetscapes	-	-	29,108	31/12/2021
Aerodromes	-	-	8,366	31/12/2021
Off street car parks	-	-	10,535	31/12/2021
Other infrastructure	-	-	19,961	31/12/2021
Total		•	961,793	

#### Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 0% and 90%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$0.02 and \$720 per square metre.

Specialised buildings are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$257 to \$8,442 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 15 years to 80 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 15 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2022	2021
Reconciliation of specialised land	\$'000	\$'000
Land under roads	2,998	2,691
Parks and reserves	74,649	74,596
Recreation and Leisure	38,582	38,582
Residential Land	469	469
Commercial Land	480	480
Aerodrome Land	2,413	2,413
Community Services Land	4,940	4,940
Business Centre/Library Land	3,929	3,929
Caravan Park Land	2,380	2,380
Carpark Land	3,844	3,693
Depot Land	239	239
Quarry Reserve Land	155	155
Drainage Reserve Land	6,691	6,541
Saleyard and Pound Facility Land	731	731
Waste Management Land	3,852	3,852
Road Reserves	317	317
Total specialised land	146,669	146,008

East Gippsland Shire Council
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6.2 Investment property	2022 \$'000	2021 \$'000
Balance at beginning of financial year	8,882	8,704
Additions	-	-
Transfer	(914)	-
Fair value adjustments	295	178
Balance at end of financial year	8,263	8,882

Investment property is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise.

#### Valuation of investment property

Valuation of investment property has been determined in accordance with an independent valuation by Todd Svanberg, Certified Practicing Valuer CPV AAPI AM ASA, Director of JLL Public Sector Valuations Pty Ltd and Emily Villani RPV PMAPI, Valuer JLL Public Sector Valuations Pty Ltd, who has recent experience in the location and category of the property being valued. The valuation is at fair value, based on the current market value for the property. An index based valuation was conducted in the current year. This valuation was based on Indices provided by the Victoria Valuer-General. A full valuation of these assets will be conducted in 2022/23.

/ Doonlo and volations his	•	2022 No.	2021 No.
People and relationship Council and key manag		No.	No
(a) Related Parties			
Parent entity			
East Gippsland Shire Co	uncil is the parent entity.		
(b) Key Management Pe			
	nel (KMP) are those people with the authority and responsibility for planning, directing ar ecutive Officer and General Managers are deemed KMP.	nd controlling the activities of East Gipps	sland Shire Counci
Details of KMP at any time	e during the year are:		
Councillors	Councillor Mark Reeves (Mayor from 28/10/2021 to 30/06/2022)		
	Councillor Mendy Urie (Mayor - 1/7/2021 to 27/10/2021)		
	Councillor Arthur Allen (Deputy Mayor 28/10/2021 to 30/6/2022)		
	Councillor Jane Greacen		
	Councillor Tom Crook		
	Councillor Trevor Stow		
	Councillor Kirsten Van Diggele		
	Councillor Sonia Buckley		
	Councillor John White		
	Chief Executive Officer		
	General Manager Business Excellence		
	General Manager Assets and Environment		
	General Manager Place and Community		
	General Manager Bushfire Recovery (1/7/2021 to 31/12/2021)		
T-4-1 Novel ( O	,	0	40
Total Number of Counc		9	16
	Officer and other Key Management Personnel	5	5
Total Number of Key M	anagement Personnel	14	21
(c) Remuneration of Ke	/ Management Personnel	2022	2021
(-,	,	\$	\$
Total remuneration of key	management personnel was as follows:	•	Ì
Short-term benefits	That lagoritorit porconition that are followed:	1,263	1,318
Long-term benefits		22	25
Post employment benefit		88	92
Termination benefits	,	-	-
Total		1,373	1,435
			,,,,,
	agement personnel whose total remuneration from Council and any related entities,	2000	0004
fall within the following ba	INOS:	2022 No.	2021 No.
		No.	
\$1 - \$9,999		-	6
\$10,000 - \$19,999		-	7
\$20,000 - \$29,999		6	1
\$30,000 - \$39,999		1	-
\$40,000 - \$49,999		-	1
\$50,000 - \$59,999		2	1
\$70,000 - \$79,999		1	-
\$200,000 - \$209,999		-	2
\$210,000 - \$219,999		-	2
\$220,000 - \$229,999		3	-
\$290,000 - \$299,999		-	1
\$300,000 - \$309,999		1	-
		14	21
(d) Senior Officer Remu			
	cer of Council, other than Key Management Personnel, who:		
	onsibilities and reports directly to the Chief Executive; or nuneration exceeds \$151,000 (\$151,000 in 2020/21)		
The number of Senior Of	icers are shown below in their relevant income bands:		
		2022	2021
Income Range:		No.	No
\$180,000 - \$189,999		-	1
\$190,000 - \$199,999		1	-
		1	1
		<u> </u>	
		2022	2021
			\$
		3	
Total Remuneration for the	e reporting year for Senior Officers included above, amounted to:	\$	Ψ
Total Remuneration for the	e reporting year for Senior Officers included above, amounted to:	194,109	186,852

#### 7.2 Related party disclosure

#### (a) Transactions with related parties

During the period Council entered into the following transactions with related parties.

For the year ended 30 June 2022, Council paid \$112,938 to staff related to Key Management Personnel and has accrued benefits payable to these staff of \$20,486 as at 30 June 2022, under standard employment terms and conditions.

For the year ended 30 June 2022, Council paid \$212,510 to suppliers and contractors related to Key Management Personnel on normal commercial terms and conditions. Details of these related party transactions for Key Management Personnel are as follows:

Cr White	Melwood Investments Pty Ltd - \$192,645 for contracted slashing services
Cr Allen	Leftrade Pty Ltd - \$8,599 for works and services
Cr Greacen	Cunninghame Medical Cente - \$266 for employee related medical services
General Manager Assets and Environment	The Right Man - \$11,000 for consultancy services

#### (b) Outstanding balances with related parties

The following balances are outstanding at the end of the reporting period in relation to transactions with related parties

Nil

#### (c) Loans to/from related parties

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Nil

#### (d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Nil

#### Note 8 Managing uncertainties

#### 8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

#### (a) Contingent assets

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.

Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:

	2022	2021
	\$'000	\$'000
Not later than one year	913	718
Later than one year and not later than five years	2,139	2,097
Later than five years	1,696	1,849
	4,748	4,664

#### (b) Contingent liabilities

#### Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Future superannuation contributions

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 are \$17,983.

#### Landfill

Council operates a number of landfills. Council will have to carry out site rehabilitation works in the future. Council has provided the Environment Protection Authority with a bank guarantee in their favour of \$1.3 million to meet the remedial action financial assurance requirements for licenced landfill sites.

#### Liability Mutual Insurance

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

#### MAV Workcare

Council was a participant of the MAV WorkCare Scheme. The MAV WorkCare Scheme provided workers compensation insurance. MAV WorkCare commenced business on 1 November 2017 and the last day the Scheme operated as a self-insurer was 30 June 2021. In accordance with the Workplace Injury Rehabilitation and Compensation Act 2013, there is a six year liability period following the cessation of the Scheme (to 30 June 2027). During the liability period, adjustment payments may be required (or received). The determination of any adjustment payments is dependent upon revised actuarial assessments of the Scheme's tail claims liabilities as undertaken by Work Safe Victoria. If required, adjustments will occur at the 3-year and 6-year points during the liability period, and will affect participating members.

#### 8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2022 reporting period. Council assesses the impact of these new standards. As at 30 June 2022 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2023 that are expected to impact Council.

#### 8.3 Financial instruments

#### (a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

#### (b) Market risl

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

#### Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the Local Government Act 2020. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

#### (c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

#### (d) Liquidity risk

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(b), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

#### (e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 2.5% and -0.5% in market interest rates (AUD) from year-end rates of 0.85%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

## Notes to the Financial Report For the Year Ended 30 June 2022

#### 8.4 Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

#### Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from two to four years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

#### Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

#### 8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

# Notes to the Financial Report For the Year Ended 30 June 2022

Note 9 Other matters

1 Reserves	Balance at beginning of reporting period	Increment (decrement)	Balance at end of reporting period
(a) Asset revaluation reserves	\$'000	\$'000	\$'000
2022			
Property			
Land and land improvements	111,638	-	111,638
Buildings	84,209	10,554	94,763
	195,847	10,554	206,401
Infrastructure			
Roads	505,101	14,375	519,476
Bridges	73,975	2,216	76,191
Footpaths and cycleways	17,079	651	17,730
Drainage	43,745	1,552	45,297
Recreational, leisure and community facilities	13,760	482	14,242
Waste management	3,080	137	3,217
Parks, open space and streetscapes	10,969	641	11,610
Aerodromes	966	183	1,149
Offstreet car parks	1,882	232	2,114
Other infrastructure	17,343	448	17,791
	687,900	20,917	708,817
Total asset revaluation reserves	883,747	31,471	915,218
2021			
Property			
Land and land improvements	91,334	20,304	111,638
Buildings	84,209	-	84,209
	175,543	20,304	195,847
Infrastructure			
Roads	438,692	66,409	505,101
Bridges	64,857	9,118	73,975
Footpaths and cycleways	14,489	2,590	17,079
Drainage	37,015	6,730	43,745
Recreational, leisure and community facilities	11,715	2,045	13,760
Waste management	2,461	619	3,080
Parks, open space and streetscapes	7,991	2,978	10,969
Aerodromes	111	855	966
Offstreet car parks	846	1,036	1,882
Other infrastructure	15,603	1,740	17,343
	593,780	94,120	687,900
Total asset revaluation reserves	769,323	114,424	883,747

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

#### East Gippsland Shire Council 2021/2022 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2022

	-			
	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$1000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
(b) Other reserves				
2022				
Car Parking	193	-	-	193
Development Contribution Plans	19	110	-	129
Lakes Entrance Northern Growth Area	1	-	-	1
Recreational Land	873	273	(2)	1,144
Road Upgrading	34	25	-	59
Total Other reserves	1,120	408	(2)	1,526
2021				
Car Parking	193	-	-	193
Development Contribution Plans	19	-	-	19
Lakes Entrance Northern Growth Area	1	-	-	1
Recreational Land	815	58	-	873
Road Upgrading	34	-	-	34
Total Other reserves	1,062	58	-	1,120

The Recreation Land Reserve receives developer contributions for future development of public open space.

Development Contribution Plans receive contribution from developers upon the sale of land in a prescribed planning area.

The Car Parking Reserve receives developer funds for future development of public car parks.

The Road Upgrading Reserve receives contributions from developers for the future upgrade of specific roads as required by development plans.

Lakes Entrance Northern Growth Area receive contributions in accordance with the development plan.

# East Gippsland Shire Council 2021/2022 Financial Report

#### Notes to the Financial Report For the Year Ended 30 June 2022

9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)	2022 \$'000	2021 \$'000
Surplus/(deficit) for the year	30,976	19,517
Depreciation/amortisation	24,842	22,630
Profit/(loss) on disposal of property, infrastructure, plant and equipment	(551)	64
Write off property, plant and equipment	2,442	6,626
Fair value adjustments for investment property	(295)	(178)
Contributions - Non-monetary assets	(1,044)	(6,077)
Financing cost in financing activities	339	309
Change in assets and liabilities:		
(Increase)/decrease in trade and other receivables	1,969	1,410
Increase/(decrease) in other current assets	(303)	(365)
Increase/(decrease) in trade and other payables	1,666	(560)
(Decrease)/increase in other liabilities	5,019	17,881
(Decrease)/increase in provisions	(2,192)	(2,980)
Increase/(Decrease) in trust funds	198	36
Net cash provided by/(used in) operating activities	63,066	58,313

#### 9.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

#### Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2022, this was 10.0% as required under Superannuation Guarantee (SG) legislation (2021: 9.5%)).

#### Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of East Gippsland Shire Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

## Notes to the Financial Report For the Year Ended 30 June 2022

#### Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

As at 30 June 2021, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category.

The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 109.8%. The financial assumptions used to calculate the VBI were:

Net investment returns 4.75% pa Salary information 2.75% pa Price inflation (CPI) 2.25% pa.

As at 30 June 2022, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category. It is expected to be completed by 31 October 2022.

Vision Super has advised that the VBI at 30 June 2022 was 102.2%. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). The financial assumptions used to calculate this VBI were:

Net investment returns 5.5% pa Salary information 2.5% pa to 30 June 2023, and Price inflation (CPI) 3.0% pa.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2021 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years

#### **Employer contributions**

#### (a) Regular contributions

On the basis of the results of the 2021 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2022, this rate was 10.0% of members' salaries (9.5% in 2020/21). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

#### (b) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

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## Notes to the Financial Report For the Year Ended 30 June 2022

#### The 2021 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2021 and the last full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	2021	2020	
	(Interim)	(Triennial)	
	\$m	\$m	
- A VBI Surplus	214.7	100.0	
- A total service liability surplus	270.3	200.0	
- A discounted accrued benefits surplus	285.2	217.8	

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2021.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2021.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2021.

Council was notified of the 30 June 2021 VBI during August 2021 (2020: August 2020).

#### The 2022 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2022 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2022. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

#### Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2022 are detailed below:

			2022	2021
Scheme	Type of Scheme	Rate	\$'000	\$'000
Vision super	Defined benefits	10.0% (2021:9.5%)	22	27
Vision super	Accumulation	10.0% (2021:9.5%)	1,051	1,431
Various other funds	Accumulation	10.0% (2021:9.5%)	2,007	1,334

There were contributions outstanding of \$50,428 as at 30 June 2022 and no loans issued from or to the above schemes as at 30 June 2022.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 is \$17,983.

East Gippsland Shire Council 2021/2022 Financial Report

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

#### Note 10 Change in accounting policy

There have been no changes to accounting policies in the 2021-22 year.

There are no pending accounting standards that are likely to have a material impact on council

# **East Gippsland Shire Council Performance Statement**

For the year ended 30 June 2022

#### **Description of municipality**

East Gippsland is a large and vibrant region in a beautiful natural setting, home to proud and involved communities that embrace and encourage self-reliance, responsibility and new ideas. The past 30 years have seen East Gippsland evolve from its rural origins to a flourishing economic and tourism region in Eastern Victoria, drawing more than one million visitors each year.

The region has kept its identity and sense of place as it has grown. The shire stretches from west of Bairnsdale to the New South Wales border, covering more than 21,000 square kilometres or 10 per cent of the state. East Gippsland's unique qualities are both its strength and challenges. The region is distinguished by its natural setting, with its southern edge defined by the Gippsland Lakes and rugged coastline and the rising backdrop of the High Country. Historical rural landscapes and natural bushland areas characterise the region and surround its communities.

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

# **East Gippsland Shire Council Sustainable Capacity Indicators**For the year ended 30 June 2022

			Res	ults		
	Indicator  measure	2019	2020	2021	2022	Material Variations and Comments
	Population					
C1	Expenses per head of municipal population [Total expenses / Municipal population]	\$1,953.22	\$2,250.55	\$2,386.32	\$2,285.97	There has been significant additional expenditure for the last 3 years relating to bushfire grant funded programs together with additional expenditure relating to the restoration works following the 2019-20 bushfires. This has increased this measure over the last three years; but will also begin to reduce potentially as funded programs and works are completed.
C2	Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	\$21,029.01	\$20,767.18	\$22,789.57	\$23,419.57	
C3	Population density per length of	15.86	15.89	15.99	15.95	
	road [Municipal population / Kilometres of local roads]					
	Own-source revenue					
C4	Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,599.56	\$1,788.08	\$1,906.34	\$1,791.01	There was significant income in 2019-20 and 2020-21 from bushfire related activities where Council was reimbursed for restoration works as well as a significant increase in user fees from the income for disposing of bushfire waste. Own source revenue has now reduced to a more normal level.
	Recurrent grants					
C5	Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	\$414.07	\$471.68	\$439.73	\$564.45	The increase in the advance Victoria Grants Commission payment in 2021-22 year over the advance payment in the 2020-21 year was \$5.3m and this accounts for the increase in recurrent grants per head of municipal population.
	Disadvantage					
C6	Relative Socio-Economic Disadvantage [Index of Relative Socio-Economic Disadvantage by decile]	3.00	3.00	3.00	3.00	

# **East Gippsland Shire Council Sustainable Capacity Indicators**

For the year ended 30 June 2022

	Workforce Turnover					
C7	Percentage of staff turnover  [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x 100	11.6%	9.6%	12.8%	20.5%	The increase in turnover is consistent with trends across Australia with low turnover during the pandemic due to concerns with job security. With the lifting of restrictions and ability to travel both interstate and internationally, there has been an increase in resignations as well as earlier retirement of the workforce which may contribute to the increased turnover.

#### **Definitions**

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

<sup>&</sup>quot;infrastructure" means non-current property, plant and equipment excluding land

<sup>&</sup>quot;local road" means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004* 

<sup>&</sup>quot;population" means the resident population estimated by council

<sup>&</sup>quot;own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

<sup>&</sup>quot;relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

<sup>&</sup>quot;SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

<sup>&</sup>quot;unrestricted cash" means all cash and cash equivalents other than restricted cash.

# **East Gippsland Shire Council Service Performance Indicators**

			Res	sults		
	Service/ indicator/ measure	2019	2020	2021	2022	Material Variations and Comments
	Aquatic Facilities		,	•	•	
AF6	Utilisation					
	Utilisation of aquatic facilities [Number of visits to aquatic facilities / Municipal population]	8.31	5.63	4.06	6.07	Attendance steadily increased over the year as COVID-19 restrictions eased and more services and programs were reintroduced in the facilities. For the period 1 April - 30 June, the attendance returned to similar rates experienced before the bushfires and COVID-19.
	Animal Management					
AM7	Health and safety					
	Animal management prosecutions [Number of successful animal management prosecutions]	New in 2020	100%	0	100%	There were four animal management prosecutions, and Council was successful with all four cases. Prosecutions are conducted on an as needs basis or when required under the <i>Domestic Animals Act 1994</i> .
	Food Safety					
FS4	Health and safety					
	Critical and major non-compliance outcome notifications [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	90.48%	85.71%	100.00%	100.00%	All major and critical non- compliance notifications for food premises were followed up. For the 2021 period, there were eight critical and major non-compliance notifications.
	Governance					
G5	Satisfaction					
	Satisfaction with council decisions [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	46.00	54.00	51.00	50.00	Council has considered a number of matters in which community interest was high. A focus for Council is to continue to represent the interests of the community by considering and being responsive to the diversity of interests and needs of the municipal community.

# **East Gippsland Shire Council Service Performance Indicators**

			Res	ults			
	Service/ indicator/ measure	2019	2020	2021	2022	Material Variations and Comments	
	Libraries				•		
LB4	Participation						
	Active library borrowers in municipality [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	19.60%	19.01%	16.88%	13.81%	As this indicator is averaged out over the past three years, this year's result is showing the extended impacts of the Black Summer Bushfires and COVID-19 lockdowns and restrictions.	
	Roads						
R5	Satisfaction						
	Satisfaction with sealed local roads [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	49.00	55.00	53.00	41.00	Council manages almost 1,500km of sealed roads and invests heavily in the maintenance and upgrade of these roads annually. The wet conditions over the past year have had an adverse effect on roads throughout East Gippsland, including Council managed roads and roads managed by other State authorities. The reduction in satisfaction is felt to reflect general dissatisfaction with all roads regardless of who is the responsible road authority, with this reflected in the verbatim comments that accompanied the survey, many of which focused on Department of Transport managed roads.	
	Statutory Planning						
SP4	Decision making						
	Council planning decisions upheld at VCAT [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	25.00%	100%	50.00%	75.00%	Four of Council's planning decisions were appealed to VCAT over the year, with one being upheld, one set aside and two were varied by VCAT.	
	Waste Collection						
WC5	Waste diversion						
	Kerbside collection waste diverted from landfill [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	51.45%	52.48%	53.48%	53.32%	The consistent higher result for this indicator is due to the higher volume of green organics collected. This is attributed to the higher rainfall across the year causing more need for garden maintenance and collection.	

# **East Gippsland Shire Council Service Performance Indicators**

For the year ended 30 June 2022

#### **Definitions**

"active library borrower" means a borrower of a library who has borrowed a book from the library.

"annual report" means an annual report prepared by a council under sections 98 of the Act

"class 1 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the Food Act 1984

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"major non-compliance outcome notification" means a notification received by a council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"population" means the resident population estimated by council.

		Results Forecasts								
	Dimension/indicator/measure	2019	2020	2021	2022	2023	2024	2025	2026	Material Variations and Comments
	Efficiency									
	Expenditure level									
E2	Expenses per property assessment [Total expenses / Number of property assessments]	\$2,882.19	\$3,356.25	\$3,549.43	\$3,414.94	\$3,395.42	\$3,232.79	\$3,257.67	\$3,327.94	There was a significant increase in expenses post the 2019-20 bushfire events and this has impacted on the indicator for the last three years. It is expected that this indicator will reduce over the coming years back to a more normal level.
	Revenue level									
E4	Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	New in 2020	\$1,599.31	\$1,623.26	\$1,653.46	\$1,679.24	\$1,701.64	\$1,723.74	\$1,750.43	Rates have only increased by the rate cap plus growth.
	Liquidity									
	Working capital									
L1	Current assets compared to current liabilities [Current assets / Current liabilities] x100	349.01%	344.27%	248.59%	256.80%	179.55%	151.05%	129.49%	139.47%	A slight increase but consistent with the previous year as a result of the capital works and landfill rehabilitation projects incomplete in the 2021-22 year that are carried forward for completing in the 2022-23 year. This results in a decrease to cash at year end in the 2022-23 year when compared to the 2021-22 year and results in a reduction to current assets in the forecast years as the assumption is that capital works and landfill rehabilitation projects will all be completed in the year that they are budgeted in. This accounts for the reduction in this indicator for the 2022-23 year onwards.

			Res	ults			Fore	casts		
	Dimension/indicator/measure	2019	2020	2021	2022	2023	2024	2025	2026	Material Variations and Comments
	Unrestricted cash						•			
L2	Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	-8.44%	48.17%	123.66%	61.38%	94.57%	56.30%	44.91%	46.70%	Current liabilities have increased over the previous year as a result of additional unearned income for capital projects. There was also a movement from non-current provisions for landfill rehabilitation to current provisions. This has reduced the percentage as a result. In the future years unrestricted cash is reduced as a result of advance grant funds being used together with funds being utilised from internal discretionary reserve for specific works. As a result the ratio will decrease in future years.
	Obligations						•			
	Loans and borrowings									
02	Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	7.15%	5.69%	5.53%	2.64%	15.27%	14.85%	13.37%	11.90%	A loan repayment of \$1.7m was made during the 2021-22 year whilst no new borrowings were taken up in the 2021-22 year. New borrowings are planned in the 2022-23 year of \$4.168m and this will impact on the indicator in the out years.
O3	Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	3.99%	1.75%	0.48%	3.23%	3.01%	0.46%	1.52%	1.48%	Loan repayments of \$1.7m were made during the 2021-22 year whilst in the previous financial year there were no borrowings repaid. This indicator will increase in the outyears as new borrowings and repayments are planned from the 2022-23 year onwards.

			Res	ults			Fore	casts		
	Dimension/indicator/measure	2019	2020	2021	2022	2023	2024	2025	2026	Material Variations and Comments
04	Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	16.35%	19.91%	13.42%	9.79%	23.43%	22.06%	16.69%	19.02%	Non-current liabilities decreased as a result of a movement from non-current to current liabilities for the Landfill Rehabilitation provision. This has reduced the total of non-current liabilities as a percentage of own source revenue.
05	Asset renewal	Nain	126.060/	147.600/	113 750/	205 120/	100 100/	152.000/	100 200/	Council since for this in disease, to be set
O5	Asset renewal and upgrade compared to depreciation [Asset renewal and asset upgrade expense / Asset depreciation] x100	New in 2020	136.06%	147.69%	112.75%	285.12%	189.16%	152.86%	106.36%	Council aims for this indicator to be at 100% or greater and the result is based on the actual capital works undertaken each year.
	Operating position									
	Adjusted underlying result									
OP1	Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100	4.34%	9.78%	4.49%	10.33%	-12.03%	-0.87%	0.82%	-0.21%	The increased advance Victoria Grants Commission payment was the main contributor to the increase result in this indicator. The underlying deficits forecasts for the 2022-23 and 2023-24 year are a result of grant funding being received in earlier years but the expenditure continuing into the 2022-23 and 2023-24 years.
	Stability									
	Rates concentration									
S1	Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	59.64%	49.85%	50.77%	50.72%	65.84%	63.37%	62.72%	63.07%	The 2021-22 result is consistent with the previous year noting that the advance Victoria Grants Commission payment has increased the underlying revenue for the 2021-22 year and reduced the underlying revenue in the

For the year ended 30 June 2022

_		Results			Forecasts					
	Dimension/indicator/measure	2019	2020	2021	2022	2023	2024	2025	2026	Material Variations and Comments
	Rates effort									2022-23 year which has then increased the percentage of rates compared to underlying revenue in 2022-23. This then remains consistent in the forecast years.
S2	Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.57%	0.55%	0.55%	0.51%	0.40%	0.35%	0.32%	0.30%	The significant increase in property CIV of approximately 31% overall has resulted in a decrease in rates compared to property values. The assumption going forward is that property values will increase at a greater percentage that the annual percentage increase in rates.

#### **Definitions**

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

<sup>&</sup>quot;adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

<sup>&</sup>quot;asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

<sup>&</sup>quot;current assets" has the same meaning as in the AAS

<sup>&</sup>quot;current liabilities" has the same meaning as in the AAS

<sup>&</sup>quot;non-current assets" means all assets other than current assets

<sup>&</sup>quot;non-current liabilities" means all liabilities other than current liabilities

<sup>&</sup>quot;non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

<sup>&</sup>quot;own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

<sup>&</sup>quot;population "means the resident population estimated by council

<sup>&</sup>quot;rate revenue" means revenue from general rates, municipal charges, service rates and service charges

<sup>&</sup>quot;recurrent grant "means a grant other than a non-recurrent grant

<sup>&</sup>quot;residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

<sup>&</sup>quot;restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

<sup>&</sup>quot;unrestricted cash" means all cash and cash equivalents other than restricted cash.

# **East Gippsland Shire Council Other Information**

	Retired measures		Res			
	Service/ indicator/ measure	2019	2020	2021	2022	Material Variations and Comments
	Animal Management				•	
AM4	Health and Safety					
	Animal management prosecutions [Number of successful animal management prosecutions]  Efficiency	2.00	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by AM7 from 1 July 2019.
E1	Revenue level Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments] Obligations	\$1,689.12	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by E4 from 1 July 2019.
01	Asset renewal Asset renewal compared to depreciation [Asset renewal expense / Asset depreciation] x 100	112.51%	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by O5 from 1 July 2019.

# **East Gippsland Shire Council Other Information**

For the year ended 30 June 2022

#### 1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020.* 

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its financial plan on 28 June 2022. The financial plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The financial plan can be obtained by contacting council.

#### **East Gippsland Shire Council Independent Auditor's Report**

For the year ended 30 June 2022

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

Elizabeth Collins, CPA

Principal Accounting Officer Dated: 20 September 2022

In our opinion, the accompanying performance statement of the East Gippsland Shire Council for the year ended 30 June 2022 presents fairly the results of council's performance in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020.* 

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

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

We have been authorised by the council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify this performance statement in its final form.

Councillor Mark Reeves

Councillor

Dated: 20 September 2022

Inthe alle

Councillor Arthur Allen

Councillor

Dated: 20 September 2022

Fiona Weigall

Acting Chief Executive Officer Dated: 20 September 2022

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#### **East Gippsland Shire Council Independent Auditor's Report**

For the year ended 30 June 2022



#### Independent Auditor's Report

To the Councillors of East Gippsland Shire Council

#### Opinion

I have audited the accompanying performance statement of East Gippsland Shire Council (the council) which comprises the:

- description of municipality for the year ended 30 June 2022
- sustainable capacity indicators for the year ended 30 June 2022
- service performance indicators for the year ended 30 June 2022
- financial performance indicators for the year ended 30 June 2022
- other information and
- certification of the performance statement.

In my opinion, the performance statement of East Gippsland Shire Council in respect of the year ended 30 June 2022 presents fairly, in all material respects, in accordance with the performance reporting requirements of Part 4 of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

#### **Basis for Opinion**

I have conducted my audit in accordance with the Audit Act 1994 which incorporates the Australian Standards on Assurance Engagements. I further describe my responsibilities under that Act and those standards in the Auditor's Responsibilities for the Audit of the performance statement section

My independence is established by the Constitution Act 1975. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to my audit of the performance statement in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### Councillors' performance statement

The Councillors are responsible for the preparation and fair presentation of responsibilities for the the performance statement in accordance with the performance reporting requirements of the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020 and for such internal control as the Councillors determines is necessary to enable the preparation and fair presentation of a performance statement that is free from material misstatement, whether due to fraud or error.

Level 31 / 35 Collins Street, Melbourne Vic 3000 T 03 8601 7000 enquiries@audit.vic.gov.au www.audit.vic.gov.au

#### **East Gippsland Shire Council Independent Auditor's Report**

For the year ended 30 June 2022

Auditor's audit of the performance statement

As required by the Audit Act 1994, my responsibility is to express an opinion responsibilities for the on the performance statement based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if. individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance

> As part of an audit in accordance with the Australian Standards on Assurance Engagements, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the performance statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the overall presentation, structure and content of the performance statement, including the disclosures, and whether performance statement represents the underlying events and results in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

MELBOLIBNE 28 September 2022

Travis Derricott as delegate for the Auditor-General of Victoria

## **East Gippsland Shire Council**

273 Main Street

PO Box 1618 Bairnsdale VIC 3875











### **6 Officer Reports**

#### 6.1 Chief Executive Officer

6.1.1 East Gippsland Shire Council Audit and Risk Committee

Performance Review 2021/22

Authorised by Chief Executive Officer

#### **Conflict of Interest**

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

#### **Executive Summary**

A requirement of the *Local Government Act* 2020 section 54(4), Council's Audit and Risk Committee (the Committee) must undertake an annual assessment of its performance against the Audit and Risk Committee Charter and provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting. This is reflected in the Audit and Risk Committee Charter (the Charter) at clause 1.5(j).

This report seeks Council's consideration and noting of the report on the Committee's annual performance review for 2021/22, provided at **Attachment 1**.

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

Generally, responses indicated the Committee is meeting the expectations of those involved in its operation.

Suggested areas for improvement include:

- advise Council with a greater focus on strategic planning process and assessed risk and mitigation strategies;
- implement the changes of the Committee's revised Charter; and
- keep meeting discussions on track and on time while allowing appropriate levels of discussion.

#### Officer Recommendation

That Council notes this report on the annual performance review of the East Gippsland Shire Council Audit and Risk Committee for the year ended 30 June 2022, provided at Attachment 1.

#### **Background**

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

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

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

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

The results of the survey were assessed by the Committee at a meeting in August. The discussion focused on the issues raised in the survey and considered ways of improving the practice of the Committee. The final report on the performance review and its outcomes was subsequently prepared by the Chair and endorsed by the Committee at a special meeting held on 20 September 2022.

The process has indicated a general agreement that the Committee has met the objectives as outlined in the Audit and Risk Committee Charter for 2021/22.

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

#### 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, Section 53 which stipulates that Councils must establish an Audit and Risk Committee and Section 54 (4) re the Audit and Risk Committee to undertake an annual assessment of its performance against the Audit and Risk Committee Charter and provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting.

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

#### **Council Policy**

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

#### **Options**

Not applicable for this report.

#### Resourcing

**Financial** 

Not applicable for this report.

Plant and equipment

Not applicable for this report.

**Human Resources** 

Not applicable for this report.

Risk

Not applicable for this report.

#### **Economic**

Not applicable for this report.

#### Social

Not applicable for this report.

#### **Environmental**

Not applicable for this report.

Climate change

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

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

#### **Engagement**

Not applicable for this report.

#### **Attachments**

1. Audit and Risk Committee Performance report 2021-22 [6.1.1.1 - 63 pages]



# Audit and Risk Committee Annual Performance Report 2021/22



#### **EXECUTIVE SUMMARY**

This report outlines the results of the Audit and Risk Committee's (the Committee) annual performance review for 2021/22. The Audit and Risk Charter (the Charter) requires the Committee to review its performance against the requirements of the Charter each year and to provide the analysis to the Council.

The annual performance review is discussed with Council at a joint briefing session and a Council report is tabled by the Chief Executive Officer providing an overview for consideration at the next Council meeting.

The Committee met in August to discuss the results of the performance review which was conducted using a survey to elicit feedback on the key elements of the Charter and operation of the Committee. Generally, responses indicated the Committee is meeting the expectations of those involved in its operation.

At last year's review meeting discussions were primarily related to gender representation on the Committee; the desire for consensus on the purpose; the scope of the Committee and to ensure that the Charter met expectations of all participants. Since then then there is now gender balance among the independent members of the Committee and the Charter has been revised and is with Council for its consideration.

The Committee thought that it is generally working well and the suggestions listed below for 2022/23 are merely refinements of the existing process in the spirit that through this performance review process we are challenging ourselves to continuously improve.

- Advising Council with a greater focus on strategic planning process and assessed risk and mitigation strategies.
- Assisting Council Officers in the preparation of Committee papers by providing guidance, through the Chair, as to areas of interest by commenting on the draft agenda before substantial work is undertaken.
- Implement the changes of the Committee's revised Charter.
- Keep meeting discussions on track and on time while allowing appropriate levels of discussion

#### Background

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

The process undertaken for the review is summarised as follows:

- 1. A questionnaire on the performance of the Committee was completed by individual Committee members, Councillors who do not sit on the Committee and senior officers.
- 2. Discussion on the collated responses by the Committee at a special members-only session held on 15 August 2022. The meeting was facilitated by the Committee Chair.
- 3. This Report outlining the findings of the performance review has been prepared by the Chair and circulated to Committee members for review and endorsement during August 2022.



- 4. This Report is to be discussed informally at a joint meeting between Councillors and Audit and Risk Committee members on 20 September 2022.
- 5. A Council Report providing a summary of the performance review (incorporating this Report and feedback from the discussion with Councillors) is to be tabled by the Chief Executive Officer for consideration by Council at the next available Council meeting.

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

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

The evaluation questionnaire (refer **Attachment 1**) and the summary report of the feedback received (refer **Attachment 2**) were used to evaluate the Audit and Risk Committee's performance by the three groups surveyed (Committee responses; senior officer responses and responses by Councillors who do not sit on the Committee). This enabled a comparison between the responses of Committee and non-Committee respondents.

In analysing the feedback from the review, it should be emphasised that the scope for meaningful statistical analysis is very limited. This is because the sample size is small and not necessarily representative. Twenty-one (21) people were eligible to complete the survey (seven committee members [four sitting independent members and three Councillors), six Councillors who do not sit on the Committee, and eight senior officers). Nine (9) people chose to respond (40%): five members, two Councillors who are not members and two senior officers.

By necessity the primary focus of the evaluation is on considering and interpreting comments; especially the issues and suggestions they highlight.

#### Discussion

Beyond the broad themes identified in the Executive Summary, the review provided an overview of the functioning of the Committee during the 2021/22 period. Taking these areas of performance in turn, the responses are summarised below.

#### Findings from the review

#### What does the committee do well? (Q2)

The Committee is perceived by those responding to survey to be engaged and respectful while thoroughly reviewing the prepared papers. The in-camera pre-meetings of the Committee are seen to be valuable in terms of all members being able to gain an insight into other members attitudes and in prioritising agenda items so sufficient time is allocated to those areas of most critical importance and requiring extensive discussion by the Committee.

The Committee felt that progressing on a path of continual improvement being able to add value to particularly in relation to strategic risk management.



The Committee acknowledges that it has been greatly assisted in this by Council Staff in the preparation of papers of generally high quality consistent with the agreed program of work endorsed by the Committee particularly those papers relating to strategic risk management.

#### Are there any specific tasks or functions the Committee could undertake in a better way? (Q3)

It was noted that the agendas tended to be weighted on assurance items with less discussion on strategic issues and that the papers were often a report on past activities rather than looking forward which is required to evaluate existing and emerging risks.

Suggestions for improvement were considered by the Committee with a view to potentially reducing the time spent by management preparing the papers without affecting and perhaps even enhancing the relevance and quality of the material prepared for review and consideration at the meetings. The responses generally indicated that there was a large amount of material to get through in a meeting and questioned whether there was sufficient time to review the current suite of comprehensive papers. The Committee noted that it had been through a period of disruption with multiple changes to its membership.

The Committee recognised that council members see substantially greater material than independent members. A more general understanding of Council(lor) perceived challenges and risks in meeting Council's Strategic objectives was generally considered by independent members to be extremely useful for a better understanding of the EGSC strategic risk landscape and likely to enhance it's advice to Council.

The Committee agreed it could have a more structured involvement in the development of the Agenda for meetings. The Committee will propose that it be presented with a draft agenda well prior to Council staff commencing detailed work. This should provide guidance on those areas the Committee perceives best placed to meet both its legislative and charter obligations. It is proposed that this process will be coordinated through the Chair.

Thinking about what the organisation does to assist the Committee to meet its responsibilities, is there anything Council or Council officers should stop doing; start doing; do more; or do less? (Q4)

Members also felt that the delineation of tasks and responsibilities could be better clarified and that the new Charter should assist with this.

While one member noted an undercurrent of negativity by management, other members noted levels of transparency and co-operation. It was generally noted that a respectful tension could be productive and that the level of tension/interaction between the committee and management is consistent with independent members' experience on similar bodies.

Thinking about the way the Committee operates, is there anything the Committee or Committee members should stop doing; start doing; do more; or do less? (Q5)

Responses to the survey indicated an awareness by Committee members that improvement suggestions may appear to be critical and that they should be cognisant of this.

As the Committee meets infrequently it should examine how it can most productively spend its time on assurance or strategic advisory role. The Committee recognises that both can potentially add value to Council but notes that many assurance functions are performed by internal and external audit.



#### What should be the key areas of focus for the committee in the next 12 months? (Q6)

Respondent recommended key areas of focus for the next 12 months include:

- Strategic Risk Internal Audit and the related EGSC internal control environment.
- External Audit
- Project Management in a challenging Covid and related grant monies environment.
- Finalising the Charter and aligning tasks to meet Charter objectives and requirements
- legal, financial, health, environmental risks of Climate Change which will be tackled as an emerging risk
- Evaluating consistency between Council's strategic plans, forecast financials and associated risks
- Ensure the Committee is meeting its objectives and is across any emerging risks and have a good understanding of the mitigation strategies proposed by Management.
- OHS issues
- Impact of inflation on the supply chain and disposable income for rate payers

## Is there anything about the committee's Charter and/or membership arrangements that you believe needs to be changed? (Q7)

It was felt that the Charter review process during the year had produced a document capable of serving the Committee well.

With two independent members leaving the Committee during the year an effort was made to ensure there is a good and experienced combined skill set in strategic risk management and the Committee feels this has been achieved while also achieving gender balance. Looking forward the Committee anticipates that when recruiting future independent members greater attention will be paid to recruit for any identified gaps required to achieve objectives under the new Charter.

It was felt that there needed to be more prescription around the circulation of the agenda and minutes from a "timely fashion" to within a specified number of business days.

The definition of "Risk Management" needs to be updated in line with current risk standards.

The Committee's responsibilities are in the areas of: Risk Management; Internal Control; Financial Reporting; and Performance Reporting. The Committee liaises with Council, the external auditor and the internal auditor where required. (Q8)

The respondents generally agreed that the Committee adequately understands, and reviews matters within its responsibility. In addition, there was general, but not universal, agreement that the Committee adequately understands and reviews:

- Council's financial and performance reporting requirements;
- Council's compliance with relevant laws and regulations; and
- Management's systems and arrangements for maintaining effective internal controls.

Some independent members noted that even though they had a strong finance and accounting background that the variance reporting was extremely difficult to understand. It was noted that this is largely due to the many projects being undertaken with expenditure spanning multiple periods.



Opinion was split on whether the Committee adequately understands and reviews Council's risk management framework and Council's major risks. Many on the Committee felt they did not understand Council's strategic objectives and therefore could not understand strategic risks or their management. Risk Management understanding by the Committee is improving continuously as newly appointed risk management resources identify risks and improve the reporting in this area, particularly in the area of strategic risk. The Committee felt that there was a way to go yet to obtain adequate understanding of the strategic risks facing council but that this understanding is improving as related risk management reporting improves.

#### Audit and Risk Committee skills and understanding (Q9)

The respondents indicated that the Audit and Risk Committee members generally understand the Shire's business sufficiently to fulfil their responsibilities under the Charter and the skills to perform their responsibilities, including financial literacy.

Of note is that one quarter of the respondents to the survey felt the Committee has not been sufficiently probing and challenging in its deliberations, these respondents were committee members.

#### Meeting Administration (Q10)

With the exception of meeting agendas allowing sufficient time, it was generally agreed that the meeting administration enabled the Audit and Risk Committee meetings to be productive meetings.

#### Audit Committee professional development (Q11 and Q12)

There were few responses to this with many members already holding similar roles. It was suggested that LG Pro – Introduction may be useful.

#### Committee observations

The Committee discussed these and provided the following observations:

In this year's review the discussions were broadly based and focussed on how the Committee could best provide value by working with Councillors and Council Staff to East Gippsland Shire. The Committee is optimistic that the proposed new Charter will help improve it's the clarity of its role and be more strategic. It recognises that due to the independence of the Committee there is the possibility of some tension as presentations are made but believes that if these are handled respectfully it should give Council more confidence in proposed actions.

There was a general consensus that the agendas are overpacked and that this needs to be improved to allow more time to discuss items of critical importance to achieving the Committee's objectives under the proposed new Charter. The Committee felt that the in-camera pre-meetings are an invaluable tool in helping to focus on issues of importance during the formal meeting.

Further the Committee believes that it's efforts on continual improvement should make it more responsive to Council needs within the time constraints imposed by infrequent meeting.

Last year's review noted the imbalance of gender representation on the Committee. This has now been resolved and while the Committee believes it currently has an appropriate combined skill mix to provide advice on the areas required legislation and the Charter, it will seek to identify if there are any gaps as the new Charter is embedded and target any new recruitment accordingly.



#### **Attachments**

- Audit and Risk Committee Performance Survey 2021/222 questions Summary Audit and Risk Committee Performance Survey results 2021/22 2.



## Attachment 1

## **Copy Online**

Audit and Risk Committee
Assessment Questionnaire 2021/22

This questionnaire is designed to assist in assessing the Audit and Risk Committee's performance.

The questionnaire is intended to be completed online by the four independent committee members, other regular participants at the committee's meetings and all Councillors.

Questions 1–6 are designed to obtain general views about the committee and where it should focus in the next 12 months.

Questions 8-10 contain more specific questions. In response to every statement, Committee members and stakeholders are asked to indicate whether they agree, disagree or don't know by placing a tick in the appropriate column.

These sections also provide an opportunity to include comments and/or suggestions for improvement.

If respondence don't know, or don't feel qualified to answer specific questions, these areas can be left blank. However, where the 'disagree' option is chosen, respondents will be required to provide an explanatory comment before progressing to the next question.

Questions 1-12 are to be completed by Committee members <u>only</u> and focus on professional development activities and aspirations.

1. What is your role on the Audit and Risk Committee?
Audit and Risk Committee member
Councillor (non Audit and Risk Committee member)
Senior Officer
2. What does the Committee do well?
3. Are there any specific tasks or functions the committee could
undertake in a better way? (If 'yes', please specify what they are)

4. Thinking about the organisation does to assist the committee to meet
its responsibilities, is there anything Council or Council officers should
stop doing, start doing, do more or less?
5. Thinking about the way the Committee operates, is there anything the Committee or Committee members should stop doing, start doing, do more or do less?
6. What should be the key areas of focus the Committee in the next 12 months?
7. Is there anything about the Committee's Charter and/or membership
arrangement that you believe needs to be changed?

the internal auditor where required.			
	Agree	Disagree (Please describe why in the section below)	Don't know
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	$\bigcirc$		
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and and regulations.	$\bigcirc$	$\bigcirc$	$\bigcirc$
The Committee understands and reviews management's systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	$\bigcirc$	$\bigcirc$	$\bigcirc$
The Committee adequately understands and reviews the Council's enterprise risk management framework.	$\bigcirc$	$\bigcirc$	$\bigcirc$
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks	$\bigcirc$	$\bigcirc$	0
The Committee meets its obligations under the charter.	$\bigcirc$	$\bigcirc$	$\bigcirc$
Should the Committee have more or less responsibilities?			

8. The Committee's responsibilities are in the areas of: Risk Management, Internal Control, Finance Report and Performance

Reporting. The Committee liaises with Council, the external auditor and

9. Audit and Risk Committee skills and understanding				
	Agree	Disagree (Please describe why in the section below)	Don't Know	
The Committee understands the Shire's business sufficiently to enable the committee to fulfil its responsibilities under the charter.	$\circ$	0	$\circ$	
The mix of skills on the committee allows it to effectively perform its responsibilities.	$\bigcirc$	$\bigcirc$	$\bigcirc$	
The Committee's overall financial literacy is adequate in light of the committee's responsibilities.	$\bigcirc$	$\bigcirc$	$\bigcirc$	
The committee has responded appropriately (e.g. framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	$\bigcirc$	$\bigcirc$	$\bigcirc$	
The Committee has been sufficiently probing and challenging in its deliberations.		$\bigcirc$		
Are there areas of the Shire's operations that the Committee nee	ds to un	derstand b	etter?	

10. Meeting administration			
		Disagree (Please describe why in the	
	Agree	section below)	Don't Know
Committee meetings are well run and productive.			
Meeting agendas are structured to ensure that over the cours of the year, all key responsibilities in the charter are addressed.	se 🔾	$\bigcirc$	$\bigcirc$
Meeting agendas allow sufficient time to discuss the most complex and critical issues.			
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	$\bigcirc$	$\bigcirc$	$\bigcirc$
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.			$\circ$
Committee communications to Council about the committee' activities are of an appropriate quality and Council is kept we informed on a timely basis of the Committee's deliberations.	_	$\bigcirc$	$\bigcirc$
How can the Committee meetings be more productive and effe	ective?		
-28			
11. FOR COMMITTEE MEMBERS ONLY			
Please list any professional development you have			the
last 12 months that is relevant to your role as an	Audit aı	nd Risk	
Committee member.			
12. FOR COMMITTEE MEMBERS ONLY			
Is there any professional development that you k	pelieve w	ould be	
beneficial to your role as an Audit and Risk Comr	mittee m	ember?	lf so,
list below:			



## Attachment 2

## Responses to

## **Audit Committee Performance Survey 2021/22**

**Combined responses** 

## 1. What is your role on the Audit and Risk Committee?



ANSWER CHOICES	RESPONSES	
Audit and Risk Committee member	55.56%	5
Councillor (non Audit and Risk Committee member)	22.22%	2
Senior Officer	22.22%	2
TOTAL		9

### 2. What does the Committee do well?

#	RESPONSES	DATE
1	It follows a well thought through program to cover the main risk and audit issues relevant for EGSC. Management are always available to provide necessary resources to respond to ARC member questions. ARC representatives are well qualified to comment on audit and risk related issues. Other attendees, particularly from Internal and External Audit are well qualified and provide valid information for ARC consideration. Management are very attuned to the risk environment and raise 'left field' or emerging issues for ARC consideration.	7/26/2022 11:42 AM
2	Council officers have experience and understanding in matters which need to be reported. The committee is able to fearlessly and appropriately question and seek further understanding when needed.	7/22/2022 9:02 PM
3	Provides respectful feedback. Keeps the organisation accountable for agreed actions. Uses its external experience to add value.	7/19/2022 11:30 PM
4	Canvasses a range of opinion and thoroughly reviews presented papers	7/19/2022 3:34 PM
5	Over see the operations of council	7/19/2022 11:21 AM
6	I have not been a member for the full Financial Year. However, the meeting(s) I have been in attendance, indicate a fully engaged Committee with a questioning culture. I find the work plan to be a key and useful document for the Committee to monitor requirements and activity. I find the pre-meeting in camera session extremely valuable and to gain insight on what other members are thinking/assessing/ focusing on.	7/18/2022 11:48 AM
7	I believe the committee home in on areas of critical importance to the originisation and give councillors an additional level of comfort	7/18/2022 9:49 AM
8	Preparation for meetings and the Officer's present information with an informed view.	7/18/2022 9:13 AM
9	Provides feedback to Council on audit and risk related matters.	7/15/2022 3:17 PM

## 3. Are there any specific tasks or functions the committee could undertake in a better way? (If 'yes', please specify what they are)

#	RESPONSES	DATE
1	ARC meeting papers could be provided on a more timely basis i.e. one week prior to a meeting. Some issues, particularly emerging issues, are not necessarily reported on after the first meeting the issue is raised. Reporting should continue, no matter how brief, until the issue is resolved or warrants no further consideration by ARC.	7/26/2022 11:42 AM
2	The committee has been through a period of some disruption. It will be important for the views and questions of newer independent members to be sought.	7/22/2022 9:02 PM
3	Sometimes we get caught in the minutiae; however it has been better of late, and is usually done with good intention.	7/19/2022 11:30 PM
4	Give more focus to setting the agenda of items to examine.	7/19/2022 3:34 PM
5	Identify and evaluate the risks to council, assets and environment posed by a changing climate.	7/19/2022 11:21 AM
6	•	7/18/2022 11:48 AM
7	During my time on the committee I thought the boundaries between the committee's legitimate role and that of officers became blurred at times	7/18/2022 9:49 AM
8	Nothing I can note at this stage.	7/18/2022 9:13 AM
9	Not sure; but the timing for items being considered/reviewed may need to be kept in mind so that all items have adequate time to review etc.	7/15/2022 3:17 PM

# 4. Thinking about does the organisation do to assist the committee to meet its responsibilities, is there anything Council or Council officers should stop doing, start doing, do more or less?

#	RESPONSES	DATE
1	There is an undercurrent of negativity by management about the role currently being performed by particularly independent ARC members. If existent, management need to be aware that we are are all on the same team working to achieve the best outcomes for EGSC. Refer also comments in Q. 5 about how ARC members can address this situation.	7/26/2022 11:42 AM
2	-	7/22/2022 9:02 PM
3	-	7/19/2022 11:30 PM
4	The papers are too long to adequately cover in a 3 hour meeting and committee members do not have sufficient time to get involved in the detail of all items.	7/19/2022 3:34 PM
5	-	7/18/2022 11:48 AM
6	As long as boundaries are defined I believe the current arrangement works well	7/18/2022 9:49 AM
7	Nothing I can think of at this stage.	7/18/2022 9:13 AM
8	Review what matters should be going to A&R Committee and at what level of detail.	7/15/2022 3:17 PM

## 5. Thinking about the way the Committee operates, is there anything the Committee or Committee members should stop doing, start doing, do more or do less?

#	RESPONSES	DATE
1	ARC members are appreciative of the efforts by management in improving EGSC risk management and audit culture. However, the nature of the role is questioning often with suggestions for improvement which may come across as being overly critical. ARC members need to be conscious of this and take increasingly more care to ensure EGSC management and staff efforts are fully appreciated.	7/26/2022 11:42 AM
2	-	7/22/2022 9:02 PM
3	-	7/19/2022 11:30 PM
4	As the Committee only meets a few times a year the Committee should look to see how it can most productively spend that time. To me the main issue is whether the Committee should continue in its pre-dominantly assurance role or look to take more of a strategic and risk assessment role.	7/19/2022 3:34 PM
5	-	7/18/2022 11:48 AM
6	Be aware of their boundaries	7/18/2022 9:49 AM
7	Nothing of note at the moment.	7/18/2022 9:13 AM
8	Review what matters should be going to A&R Committee and at what level of detail.	7/15/2022 3:17 PM

## 6. What should be the key areas of focus the Committee in the next 12 months?

#	RESPONSES	DATE
1	Strategic Risk Internal Audit and the related EGSC internal control environment. External Audit. Project Management in a challenging Covid and related grant monies environment.	7/26/2022 11:42 AM
2	1. Finalising the Charter. 2. Pleased that the legal, financial, health, environmental risks of Climate Change will be tackled as an emerging risk. This needs to be an urgent focus in my view.	7/22/2022 9:02 PM
3	Align activities to the revised Charter	7/19/2022 11:30 PM
4	Evaluating consistency between Council's strategic plans, forecast financials and associated risks.	7/19/2022 3:34 PM
5	Climate change risk	7/19/2022 11:21 AM
6	Ensure the Committee is meeting its objectives and is across any emerging risks and have a good understanding of the mitigation strategies proposed by Management.	7/18/2022 11:48 AM
7	Oh&s particularly in regards to industrial man slaughter	7/18/2022 9:49 AM
8	The impact of inflation on the supply chain and the disposable income for rate payers. This is a twofold view based on Council being able to meet budgets and also allowing the community to be able to meet personal obligations without it being detrimental to Council. The Committee can see this from an advisory perspective financially.	7/18/2022 9:13 AM
9	In accordance with the Charter.	7/15/2022 3:17 PM

## 7. Is there anything about the Committee's Charter and/or membership arrangement that you believe needs to be changed?

#	RESPONSES	DATE
1	The membership is I believe optimal currently with a good gender balance and extensive range of appropriate skills across the four independent members. The ARC Charter has recently been reviewed and requires no furher comment here.	7/26/2022 11:42 AM
2	I believe the latest Charter draft is an excellent, clear comprehensive document which should serve the committee very well.	7/22/2022 9:02 PM
3	I'm not sure what value the internal auditors attendance at the whole meeting adds to the discussion.	7/19/2022 11:30 PM
4	This has been discussed and I beleive that other than providing more clarity on the goal's of the Committee the exisiting charter is adequate.	7/19/2022 3:34 PM
5	Charter discussion at the 2nd May and next meeting - 25 July will inform this and resolve the issues raised at the 25 July meeting. There also is an opportunity to be a bit more prescriptive around the circulation of agenda and minutes from "timely fashion" to within x business days". Also the definition of Risk Management needs to be updated in line with the most current risk standard.	7/18/2022 11:48 AM
6	No	7/18/2022 9:49 AM
7	Nothing at this stage.	7/18/2022 9:13 AM
8	This is for the Committee to decide.	7/15/2022 3:17 PM

# 8. The Committee's responsibilities are in the areas of: Risk Management, Internal Control, Finance Report and Performance Reporting. The Committee liaises with Council, the external auditor and the internal auditor where required.



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	88.89% 8	0.00%	11.11% 1	9	2.78
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and and regulations.	66.67% 6	11.11%	22.22%	9	2.44
The Committee understands and reviews management's systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	77.78% 7	11.11%	11.11%	9	2.67
The Committee adequately understands and reviews the Council's enterprise risk management framework.	44.44% 4	22.22%	33.33%	9	2.11
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks	37.50% 3	25.00% 2	37.50% 3	8	2.00
The Committee meets its obligations under the charter.	66.67% 6	0.00%	33.33%	9	2.33

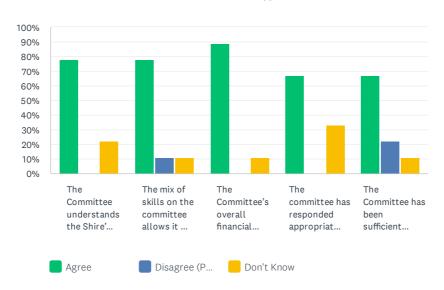
#	SHOULD THE COMMITTEE HAVE MORE OR LESS RESPONSIBILITIES?	DATE
1	There is some uncertainty concerning the extent of ARC involvement in EGSC policy update/creation. ARC, in my opinion, should only be asked to comment on policies of relevance to EGSC's risk, internal control and audit environment.	7/26/2022 12:31 PM
2	The Charter (latest draft) outlines clearly the committee's responsibilities which are set about right, in my view. When the committee is running well, it will be a great resource for	7/22/2022 9:15 PM

### Council to use for feedback and advice when needed.

I think we have a way to go in regard to enterprise risk both at the ARC and within the organisation.	7/19/2022 11:30 PM
The allocated reponsibilites appear to be appropriate particularly as legislatively the Committee can have no delegated authorities. Relevent laws and regulations: There is insufficient time for the Committee to adequately review these items other than to toally rely on internal and external audit functions. Major Risks - the only reports seen on risks are those that were historically determined. There hasn't been a presentation on Council's major objectives and risks to achieving those objectives.	7/19/2022 3:58 PM
My answers reflect the fact I have only attended one meeting.	7/18/2022 11:48 AM
I think their brief is encompassing, it needs boundaries defined between officers roles and committee roles	7/18/2022 9:55 AM
Within the LG Act and the requirements of an Advisory Committee, I feel we are discharging our role adequately.	7/18/2022 9:15 AM
	organisation.  The allocated reponsibilites appear to be appropriate particularly as legislatively the Committee can have no delegated authorities. Relevent laws and regulations: There is insufficient time for the Committee to adequately review these items other than to toally rely on internal and external audit functions. Major Risks - the only reports seen on risks are those that were historically determined. There hasn't been a presentation on Council's major objectives and risks to achieving those objectives.  My answers reflect the fact I have only attended one meeting.  I think their brief is encompassing, it needs boundaries defined between officers roles and committee roles  Within the LG Act and the requirements of an Advisory Committee, I feel we are discharging

## 9. Audit and Risk Committee skills and understanding



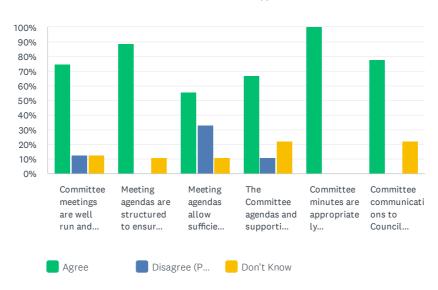


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee understands the Shire's business sufficiently to enable the committee to fulfil its responsibilities under the charter.	77.78% 7	0.00%	22.22%	9	2.56
The mix of skills on the committee allows it to effectively perform its responsibilities.	77.78% 7	11.11%	11.11%	9	2.67
The Committee's overall financial literacy is adequate in light of the committee's responsibilities.	88.89% 8	0.00%	11.11%	9	2.78
The committee has responded appropriately (e.g. framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	66.67%	0.00%	33.33%	9	2.33
The Committee has been sufficiently probing and challenging in its deliberations.	66.67% 6	22.22% 2	11.11%	9	2.56

ARE THERE AREAS OF THE SHIRE'S OPERATIONS THAT THE COMMITTEE NEEDS TO UNDERSTAND BETTER?	DATE
A little unclear currently until newer members are settled in and fully 'operational'.	7/22/2022 9:15 PM
I note that a previous committee member got into the detail too much and was seeking to direct rather than add value.	7/19/2022 11:30 PM
Available time is insufficient to enable the Committee to understand the Shire's operations although Council members of the committee should individually understand its operations. The Committee now appears to lack experience of operating at the top level of government bodies.	7/19/2022 3:58 PM
We need but currently dont have an overarching approach to climate risk.	7/19/2022 11:25 AM
On occasions has intruded into officers roles	7/18/2022 9:55 AM
Management of risk.	7/18/2022 9:15 AM
	TO UNDERSTAND BETTER?  A little unclear currently until newer members are settled in and fully 'operational'.  I note that a previous committee member got into the detail too much and was seeking to direct rather than add value.  Available time is insufficient to enable the Committee to understand the Shire's operations although Council members of the committee should individually understand its operations. The Committee now appears to lack experience of operating at the top level of government bodies.  We need but currently dont have an overarching approach to climate risk.  On occasions has intruded into officers roles

## 10. Meeting administration





	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
Committee meetings are well run and productive.	75.00% 6	12.50% 1	12.50% 1	8	2.63
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the charter are addressed.	88.89% 8	0.00%	11.11%	9	2.78
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	55.56% 5	33.33%	11.11%	9	2.44
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	66.67% 6	11.11%	22.22%	9	2.44
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	100.00%	0.00%	0.00%	9	3.00
Committee communications to Council about the committee's activities are of an appropriate quality and Council is kept well informed on a timely basis of the Committee's deliberations.	77.78% 7	0.00%	22.22%	9	2.56

#	HOW CAN THE COMMITTEE MEETINGS BE MORE PRODUCTIVE AND EFFECTIVE?	DATE
1	These are challenging times with many projects being funded by grants from a variety of sources which has resulted in an unprecedented level of and pressure on EGSC projects with these projects often not being completed in the year they were budgeted to be.  Resultant accounting has also become very difficult with a number of significant variances required to be explained/summarised. Even with a financial background, full understanding of these significant variances has proved very challenging.	7/26/2022 12:31 PM
2	I do trust that productivity and effectiveness of meetings will now improve (now that we have elected a new chair and are close to finalising a new Charter). I have been pleased that some other Councillors have attended meetings as observers or to ask questions this will improve understanding of role of this committee and its value as a resource.	7/22/2022 9:15 PM
3	Frequency and timing can put pressure on the meeting agenda.	7/19/2022 11:30 PM

4	The agendas as presented appear weighted towards assurance items rather than strategic consideration of complex issues. The papers themselves are usually a report on what has been done rather than an evaluation of options considered and the risks considered in arriving at a preferred course of action. The committee's role is not to make decisions but to	7/19/2022 3:58 PM
	provide comfort to Council that appropriate processes in place and that risks have been adequately addressed.	

# 11. FOR COMMITTEE MEMBERS ONLYPlease list any professional development you have undertaken in the last 12 months that is relevant to your role as an Audit and Risk Committee member.

#	RESPONSES	DATE
1	Nil.	7/26/2022 12:31 PM
2	-	7/22/2022 9:15 PM
3	nil	7/19/2022 3:58 PM
4	AICD webinar - Digital Disruption – Moving from surviving to thriving, Governance Institute Webinar - Putting the "G" into risk governance, Governance Institute Webinar - Top 5 Governance Risks. CPA Australia - Learning Insights - February 2022 Module	7/18/2022 11:48 AM
5	LG Pro - Introduction to Council	7/18/2022 9:15 AM

# 12. FOR COMMITTEE MEMBERS ONLYIs there any professional development that you believe would be beneficial to your role as an Audit and Risk Committee member? If so, list below:

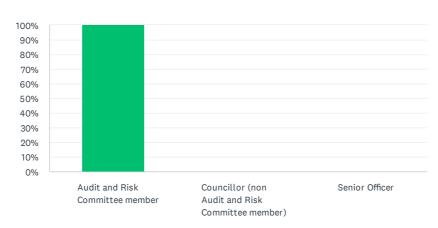
#	RESPONSES	DATE
1	Nil. My current role as Chair and Treasurer of Mallacoota Community Bank and previous experience in internal audit, external audit and IT risk management being sufficient for me to perform the role adequately.	7/26/2022 12:31 PM
2	-	7/22/2022 9:15 PM
3	Not so much formal develoment but it could be useful to have some sort of association of ARC members across similar Councils to see if common issues arise.	7/19/2022 3:58 PM
4	LG Pro - Introduction to Council (for anyone new to Council)	7/18/2022 9:15 AM



## **Committee Responses**

## 1. What is your role on the Audit and Risk Committee?





ANSWER CHOICES	RESPONSES	
Audit and Risk Committee member	100.00%	5
Councillor (non Audit and Risk Committee member)	0.00%	0
Senior Officer	0.00%	0
TOTAL		5

### 2. What does the Committee do well?

#	RESPONSES	DATE
1	It follows a well thought through program to cover the main risk and audit issues relevant for EGSC. Management are always available to provide necessary resources to respond to ARC member questions. ARC representatives are well qualified to comment on audit and risk related issues. Other attendees, particularly from Internal and External Audit are well qualified and provide valid information for ARC consideration. Management are very attuned to the risk environment and raise 'left field' or emerging issues for ARC consideration.	7/26/2022 11:42 AM
2	Council officers have experience and understanding in matters which need to be reported. The committee is able to fearlessly and appropriately question and seek further understanding when needed.	7/22/2022 9:02 PM
3	Canvasses a range of opinion and thoroughly reviews presented papers	7/19/2022 3:34 PM
4	I have not been a member for the full Financial Year. However, the meeting(s) I have been in attendance, indicate a fully engaged Committee with a questioning culture. I find the work plan to be a key and useful document for the Committee to monitor requirements and activity. I find the pre-meeting in camera session extremely valuable and to gain insight on what other members are thinking/assessing/ focusing on.	7/18/2022 11:48 AM
5	Preparation for meetings and the Officer's present information with an informed view.	7/18/2022 9:13 AM

## 3. Are there any specific tasks or functions the committee could undertake in a better way? (If 'yes', please specify what they are)

#	RESPONSES	DATE
1	ARC meeting papers could be provided on a more timely basis i.e. one week prior to a meeting. Some issues, particularly emerging issues, are not necessarily reported on after the first meeting the issue is raised. Reporting should continue, no matter how brief, until the issue is resolved or warrants no further consideration by ARC.	7/26/2022 11:42 AM
2	The committee has been through a period of some disruption. It will be important for the views and questions of newer independent members to be sought.	7/22/2022 9:02 PM
3	Give more focus to setting the agenda of items to examine.	7/19/2022 3:34 PM
4	-	7/18/2022 11:48 AM
5	Nothing I can note at this stage.	7/18/2022 9:13 AM

## 4. Thinking about does the organisation do to assist the committee to meet its responsibilities, is there anything Council or Council officers should stop doing, start doing, do more or less?

#	RESPONSES	DATE
1	There is an undercurrent of negativity by management about the role currently being performed by particularly independent ARC members. If existent, management need to be aware that we are are all on the same team working to achieve the best outcomes for EGSC. Refer also comments in Q. 5 about how ARC members can address this situation.	7/26/2022 11:42 AM
2	-	7/22/2022 9:02 PM
3	The papers are too long to adequately cover in a 3 hour meeting and committee members do not have sufficient time to get involved in the detail of all items.	7/19/2022 3:34 PM
4	-	7/18/2022 11:48 AM
5	Nothing I can think of at this stage.	7/18/2022 9:13 AM

## 5. Thinking about the way the Committee operates, is there anything the Committee or Committee members should stop doing, start doing, do more or do less?

#	RESPONSES	DATE
1	ARC members are appreciative of the efforts by management in improving EGSC risk management and audit culture. However, the nature of the role is questioning often with suggestions for improvement which may come across as being overly critical. ARC members need to be conscious of this and take increasingly more care to ensure EGSC management and staff efforts are fully appreciated.	7/26/2022 11:42 AM
2	-	7/22/2022 9:02 PM
3	As the Committee only meets a few times a year the Committee should look to see how it can most productively spend that time. To me the main issue is whether the Committee should continue in its pre-dominantly assurance role or look to take more of a strategic and risk assessment role.	7/19/2022 3:34 PM
4	-	7/18/2022 11:48 AM
5	Nothing of note at the moment.	7/18/2022 9:13 AM

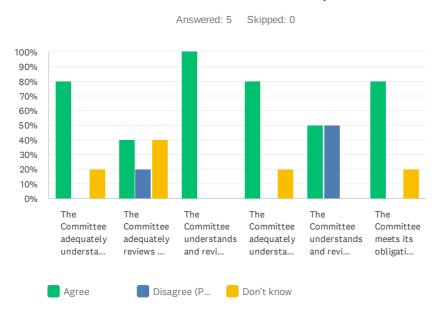
## 6. What should be the key areas of focus the Committee in the next 12 months?

#	RESPONSES	DATE
1	Strategic Risk Internal Audit and the related EGSC internal control environment. External Audit. Project Management in a challenging Covid and related grant monies environment.	7/26/2022 11:42 AM
2	1. Finalising the Charter. 2. Pleased that the legal, financial, health, environmental risks of Climate Change will be tackled as an emerging risk. This needs to be an urgent focus in my view.	7/22/2022 9:02 PM
3	Evaluating consistency between Council's strategic plans, forecast financials and associated risks.	7/19/2022 3:34 PM
4	Ensure the Committee is meeting its objectives and is across any emerging risks and have a good understanding of the mitigation strategies proposed by Management.	7/18/2022 11:48 AM
5	The impact of inflation on the supply chain and the disposable income for rate payers. This is a twofold view based on Council being able to meet budgets and also allowing the community to be able to meet personal obligations without it being detrimental to Council. The Committee can see this from an advisory perspective financially.	7/18/2022 9:13 AM

## 7. Is there anything about the Committee's Charter and/or membership arrangement that you believe needs to be changed?

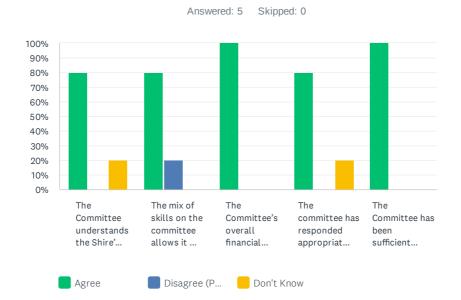
#	RESPONSES	DATE
1	The membership is I believe optimal currently with a good gender balance and extensive range of appropriate skills across the four independent members. The ARC Charter has recently been reviewed and requires no furher comment here.	7/26/2022 11:42 AM
2	I believe the latest Charter draft is an excellent, clear comprehensive document which should serve the committee very well.	7/22/2022 9:02 PM
3	This has been discussed and I beleive that other than providing more clarity on the goal's of the Committee the exisiting charter is adequate.	7/19/2022 3:34 PM
4	Charter discussion at the 2nd May and next meeting - 25 July will inform this and resolve the issues raised at the 25 July meeting. There also is an opportunity to be a bit more prescriptive around the circulation of agenda and minutes from "timely fashion" to within x business days". Also the definition of Risk Management needs to be updated in line with the most current risk standard.	7/18/2022 11:48 AM
5	Nothing at this stage.	7/18/2022 9:13 AM

8. The Committee's responsibilities are in the areas of: Risk Management, Internal Control, Finance Report and Performance Reporting. The Committee liaises with Council, the external auditor and the internal auditor where required.



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	80.00% 4	0.00%	20.00%	5	2.60
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and and regulations.	40.00%	20.00%	40.00%	5	2.00
The Committee understands and reviews management's systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	100.00%	0.00%	0.00%	5	3.00
The Committee adequately understands and reviews the Council's enterprise risk management framework.	80.00% 4	0.00%	20.00%	5	2.60
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks	50.00%	50.00% 2	0.00%	4	2.50
The Committee meets its obligations under the charter.	80.00% 4	0.00%	20.00%	5	2.60

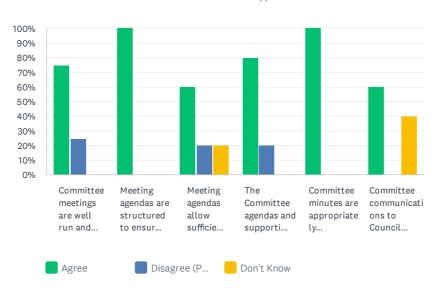
## 9. Audit and Risk Committee skills and understanding



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee understands the Shire's business sufficiently to enable the committee to fulfil its responsibilities under the charter.	80.00% 4	0.00%	20.00%	5	2.60
The mix of skills on the committee allows it to effectively perform its responsibilities.	80.00% 4	20.00%	0.00%	5	2.80
The Committee's overall financial literacy is adequate in light of the committee's responsibilities.	100.00%	0.00%	0.00%	5	3.00
The committee has responded appropriately (e.g. framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	80.00% 4	0.00%	20.00%	5	2.60
The Committee has been sufficiently probing and challenging in its deliberations.	100.00%	0.00%	0.00%	5	3.00

## 10. Meeting administration

Answered: 5 Skipped: 0



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
Committee meetings are well run and productive.	75.00% 3	25.00% 1	0.00%	4	2.75
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the charter are addressed.	100.00%	0.00%	0.00%	5	3.00
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	60.00%	20.00% 1	20.00%	5	2.40
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	80.00%	20.00% 1	0.00%	5	2.80
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	100.00% 5	0.00% 0	0.00%	5	3.00
Committee communications to Council about the committee's activities are of an appropriate quality and Council is kept well informed on a timely basis of the Committee's deliberations.	60.00%	0.00% 0	40.00%	5	2.20

# 11. FOR COMMITTEE MEMBERS ONLYPlease list any professional development you have undertaken in the last 12 months that is relevant to your role as an Audit and Risk Committee member.

#	RESPONSES	DATE
1	Nil.	7/26/2022 12:31 PM
2	-	7/22/2022 9:15 PM
3	nil	7/19/2022 3:58 PM
4	AICD webinar - Digital Disruption – Moving from surviving to thriving, Governance Institute Webinar - Putting the "G" into risk governance, Governance Institute Webinar - Top 5 Governance Risks. CPA Australia - Learning Insights - February 2022 Module	7/18/2022 11:48 AM
5	LG Pro - Introduction to Council	7/18/2022 9:15 AM

# 12. FOR COMMITTEE MEMBERS ONLYIs there any professional development that you believe would be beneficial to your role as an Audit and Risk Committee member? If so, list below:

#	RESPONSES	DATE
1	Nil. My current role as Chair and Treasurer of Mallacoota Community Bank and previous experience in internal audit, external audit and IT risk management being sufficient for me to perform the role adequately.	7/26/2022 12:31 PM
2	-	7/22/2022 9:15 PM
3	Not so much formal develoment but it could be useful to have some sort of association of ARC members across similar Councils to see if common issues arise.	7/19/2022 3:58 PM
4	LG Pro - Introduction to Council (for anyone new to Council)	7/18/2022 9:15 AM



## **Senior Officer Responses**

## 1. What is your role on the Audit and Risk Committee?

Answered: 2 Skipped: 0



ANSWER CHOICES	RESPONSES	
Audit and Risk Committee member	0.00%	0
Councillor (non Audit and Risk Committee member)	0.00%	0
Senior Officer	100.00%	2
TOTAL		2

### 2. What does the Committee do well?

#	RESPONSES	DATE
1	Provides respectful feedback. Keeps the organisation accountable for agreed actions. Uses its external experience to add value.	7/19/2022 11:30 PM
2	Provides feedback to Council on audit and risk related matters.	7/15/2022 3:17 PM

### 3. Are there any specific tasks or functions the committee could undertake in a better way? (If 'yes', please specify what they are)

#	RESPONSES	DATE
1	Sometimes we get caught in the minutiae; however it has been better of late, and is usually done with good intention.	7/19/2022 11:30 PM
2	Not sure; but the timing for items being considered/reviewed may need to be kept in mind so that all items have adequate time to review etc.	7/15/2022 3:17 PM

# 4. Thinking about does the organisation do to assist the committee to meet its responsibilities, is there anything Council or Council officers should stop doing, start doing, do more or less?

#	RESPONSES	DATE
1	-	7/19/2022 11:30 PM
2	Review what matters should be going to A&R Committee and at what level of detail.	7/15/2022 3:17 PM

# 5. Thinking about the way the Committee operates, is there anything the Committee or Committee members should stop doing, start doing, do more or do less?

#	RESPONSES	DATE
1	-	7/19/2022 11:30 PM
2	Review what matters should be going to A&R Committee and at what level of detail.	7/15/2022 3:17 PM

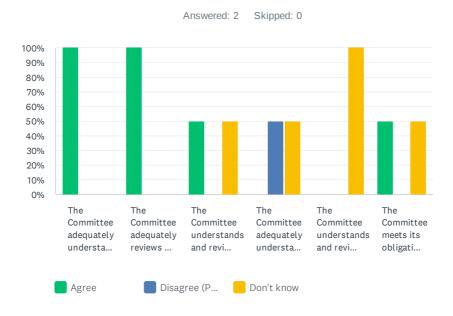
### 6. What should be the key areas of focus the Committee in the next 12 months?

#	RESPONSES	DATE
1	Align activities to the revised Charter	7/19/2022 11:30 PM
2	In accordance with the Charter.	7/15/2022 3:17 PM

### 7. Is there anything about the Committee's Charter and/or membership arrangement that you believe needs to be changed?

#	RESPONSES	DATE
1	I'm not sure what value the internal auditors attendance at the whole meeting adds to the discussion.	7/19/2022 11:30 PM
2	This is for the Committee to decide.	7/15/2022 3:17 PM

# 8. The Committee's responsibilities are in the areas of: Risk Management, Internal Control, Finance Report and Performance Reporting. The Committee liaises with Council, the external auditor and the internal auditor where required.

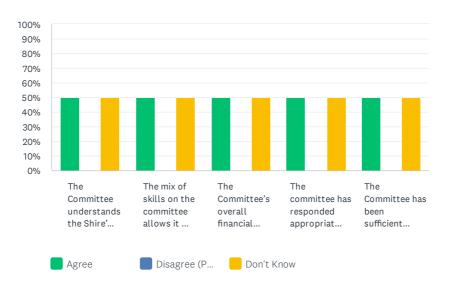


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	100.00%	0.00%	0.00%	2	3.00
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and and regulations.	100.00%	0.00%	0.00%	2	3.00
The Committee understands and reviews management's systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	50.00%	0.00%	50.00%	2	2.00
The Committee adequately understands and reviews the Council's enterprise risk management framework.	0.00%	50.00% 1	50.00% 1	2	1.50
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks	0.00%	0.00%	100.00%	2	1.00
The Committee meets its obligations under the charter.	50.00%	0.00%	50.00%	2	2.00

#	SHOULD THE COMMITTEE HAVE MORE OR LESS RESPONSIBILITIES?	DATE
1	I think we have a way to go in regard to enterprise risk both at the ARC and within the organisation.	7/19/2022 11:30 PM

#### 9. Audit and Risk Committee skills and understanding

Answered: 2 Skipped: 0

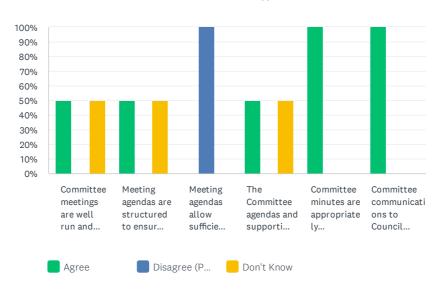


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee understands the Shire's business sufficiently to enable the committee to fulfil its responsibilities under the charter.	50.00%	0.00%	50.00%	2	2.00
The mix of skills on the committee allows it to effectively perform its responsibilities.	50.00%	0.00%	50.00% 1	2	2.00
The Committee's overall financial literacy is adequate in light of the committee's responsibilities.	50.00%	0.00%	50.00%	2	2.00
The committee has responded appropriately (e.g. framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	50.00%	0.00%	50.00%	2	2.00
The Committee has been sufficiently probing and challenging in its deliberations.	50.00%	0.00%	50.00%	2	2.00

#	ARE THERE AREAS OF THE SHIRE'S OPERATIONS THAT THE COMMITTEE NEEDS TO UNDERSTAND BETTER?	DATE
1	I note that a previous committee member got into the detail too much and was seeking to direct rather than add value.	7/19/2022 11:30 PM

#### 10. Meeting administration

Answered: 2 Skipped: 0



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
Committee meetings are well run and productive.	50.00% 1	0.00%	50.00% 1	2	2.00
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the charter are addressed.	50.00%	0.00%	50.00%	2	2.00
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	0.00%	100.00%	0.00%	2	2.00
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	50.00% 1	0.00%	50.00%	2	2.00
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	100.00%	0.00%	0.00%	2	3.00
Committee communications to Council about the committee's activities are of an appropriate quality and Council is kept well informed on a timely basis of the Committee's deliberations.	100.00%	0.00%	0.00%	2	3.00

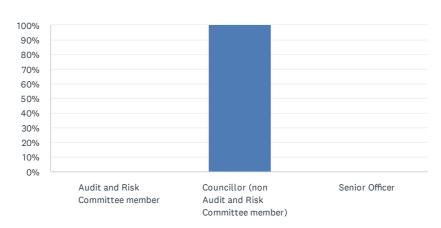
#	HOW CAN THE COMMITTEE MEETINGS BE MORE PRODUCTIVE AND EFFECTIVE?	DATE
1	Frequency and timing can put pressure on the meeting agenda.	7/19/2022 11:30 PM



# Councillor (not Audit and Risk Committee member) Responses

#### 1. What is your role on the Audit and Risk Committee?

Answered: 2 Skipped: 0



ANSWER CHOICES	RESPONSES	
Audit and Risk Committee member	0.00%	0
Councillor (non Audit and Risk Committee member)	100.00%	2
Senior Officer	0.00%	0
TOTAL		2

#### 2. What does the Committee do well?

#	RESPONSES	DATE
1	Over see the operations of council	7/19/2022 11:21 AM
2	I believe the committee home in on areas of critical importance to the originisation and give councillors an additional level of comfort	7/18/2022 9:49 AM

## 3. Are there any specific tasks or functions the committee could undertake in a better way? (If 'yes', please specify what they are)

#	RESPONSES	DATE
1	Identify and evaluate the risks to council, assets and environment posed by a changing climate.	7/19/2022 11:21 AM
2	During my time on the committee I thought the boundaries between the committee's legitimate role and that of officers became blurred at times	7/18/2022 9:49 AM

4. Thinking about does the organisation do to assist the committee to meet its responsibilities, is there anything Council or Council officers should stop doing, start doing, do more or less?

#	RESPONSES	DATE
1	As long as boundaries are defined I believe the current arrangement works well	7/18/2022 9:49 AM

# 5. Thinking about the way the Committee operates, is there anything the Committee or Committee members should stop doing, start doing, do more or do less?

#	RESPONSES	DATE
1	Be aware of their boundaries	7/18/2022 9:49 AM

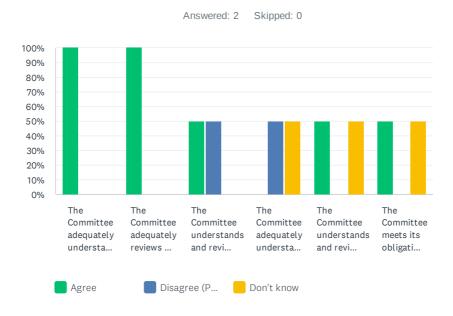
### 6. What should be the key areas of focus the Committee in the next 12 months?

#	RESPONSES	DATE
1	Climate change risk	7/19/2022 11:21 AM
2	Oh&s particularly in regards to industrial man slaughter	7/18/2022 9:49 AM

## 7. Is there anything about the Committee's Charter and/or membership arrangement that you believe needs to be changed?

#	RESPONSES	DATE
1	No	7/18/2022 9:49 AM

# 8. The Committee's responsibilities are in the areas of: Risk Management, Internal Control, Finance Report and Performance Reporting. The Committee liaises with Council, the external auditor and the internal auditor where required.

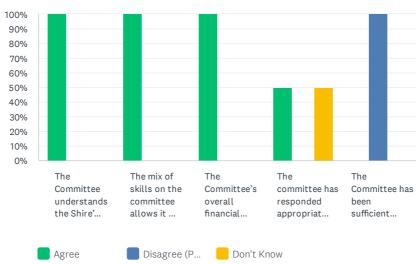


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	100.00%	0.00%	0.00%	2	3.00
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and and regulations.	100.00%	0.00%	0.00%	2	3.00
The Committee understands and reviews management's systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	50.00%	50.00% 1	0.00%	2	2.50
The Committee adequately understands and reviews the Council's enterprise risk management framework.	0.00%	50.00% 1	50.00%	2	1.50
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks	50.00%	0.00%	50.00%	2	2.00
The Committee meets its obligations under the charter.	50.00% 1	0.00%	50.00%	2	2.00

#	SHOULD THE COMMITTEE HAVE MORE OR LESS RESPONSIBILITIES?	DATE
1	I think their brief is encompassing, it needs boundaries defined between officers roles and committee roles	7/18/2022 9:55 AM

#### 9. Audit and Risk Committee skills and understanding



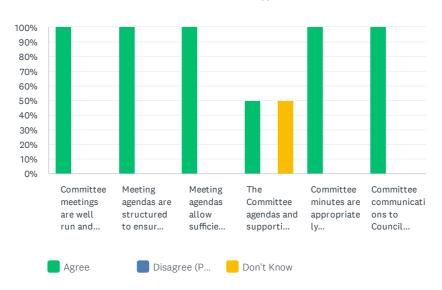


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
The Committee understands the Shire's business sufficiently to enable the committee to fulfil its responsibilities under the charter.	100.00%	0.00%	0.00%	2	3.00
The mix of skills on the committee allows it to effectively perform its responsibilities.	100.00%	0.00%	0.00%	2	3.00
The Committee's overall financial literacy is adequate in light of the committee's responsibilities.	100.00%	0.00%	0.00%	2	3.00
The committee has responded appropriately (e.g. framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	50.00%	0.00%	50.00%	2	2.00
The Committee has been sufficiently probing and challenging in its deliberations.	0.00%	100.00%	0.00%	2	2.00

#	ARE THERE AREAS OF THE SHIRE'S OPERATIONS THAT THE COMMITTEE NEEDS TO UNDERSTAND BETTER?	DATE
1	We need but currently dont have an overarching approach to climate risk.	7/19/2022 11:25 AM
2	On occasions has intruded into officers roles	7/18/2022 9:55 AM

#### 10. Meeting administration





	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL	WEIGHTED AVERAGE
Committee meetings are well run and productive.	100.00%	0.00%	0.00%	2	3.00
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the charter are addressed.	100.00%	0.00%	0.00%	2	3.00
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	100.00%	0.00%	0.00%	2	3.00
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	50.00% 1	0.00%	50.00%	2	2.00
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	100.00%	0.00%	0.00%	2	3.00
Committee communications to Council about the committee's activities are of an appropriate quality and Council is kept well informed on a timely basis of the Committee's deliberations.	100.00%	0.00%	0.00%	2	3.00

#### 6.2 Place and Community

6.2.1 Planning Permit Application 102/2022/P - Tamboon Road, Cann

**River - Waste Transfer Station** 

Authorised by General Manager Place and Community

#### **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 the Use and Development of a Waste Transfer Station and the Removal of Native Vegetation.

The basis for the proposed development being recommended for approval is:

- The development is proposed to be operated by the Council, acting as Public Land Manager (as conferred by Department of Environment, Land, Water and Planning (DELWP)) and consistent with the provisions of Clause 36.03-6;
- The proposed development is consistent with both State and Local Planning Policy in providing a valuable community facility, which would assist in achieving improved materials reclamation and recycling targets, thus minimising the quantum of the waste being disposed to landfill; and
- The application was referred to both DELWP and the Environment Protection Authority (EPA) and neither has raised objections subject to appropriate conditions

In addition, 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 is provided at **Attachment 2**. Further information supplied by the applicant, including a Road Safety Audit is at **Attachment 3**.

Due to the number of objections received a Planning Mediation (virtual) meeting was undertaken on Monday 18 July 2022, in accordance with the Planning Permit Applications Delegations Policy 2018.

The meeting was chaired by an independent facilitator, who was appointed to ensure impartiality and a fair and unbiased mediation process. The mediation process will be discussed in more detail later in this report.

A detailed assessment against the East Gippsland Planning Scheme has been undertaken and the proposal is viewed as being consistent with the relevant planning policies and requirements.

This report has also been peer reviewed by a qualified Town Planner employed by Brimbank City Council and confirmation of this is provided at **Attachment 4**.

#### 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 102/2022/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 the Use and Development of East Gippsland Shire Transfer Station and the Removal of Native Vegetation at Tamboon Road, Cann River, subject to permit conditions in Attachment 1.

#### **Background**

Site Description

The subject site measures 87.0280 Hectares and is located off Tamboon Road, Cann River and is accessed via Gauge Track (an unsealed track), running west from Tamboon Road. The site is approximately 4.1 kilometres from the Cann River township.

The site is Crown Land and has been largely cleared of native vegetation as it was formerly used as a logging coupe. The proposal requires the removal of 0.988 Hectares of native vegetation.

The site is located within the Public Conservation and Resource Zone, within a Bushfire Management Overlay and surrounded by native forest. The site is approximately 1.5 kilometres from the nearest residential property.

Below is an aerial image of the application site.



Google Maps Aerial Image

#### **Proposal Details**

The application currently before Council seeks approval for the Use and Development of East Gippsland Shire Waste Transfer Station (WTS) and the Removal of Native Vegetation.

The WTS is to consists of 4 bin bays, proposed to be located on concrete structural aprons. The bin bays are proposed to be of reinforced precast concrete construction. The bin bays will be adjacent to a loading area to the east, which will be hotmix surfaced. There will be a separate recycling building and an oil storage area.

Separate gravelled areas are to be provided to the north for the depositing of green waste and scrap metal. An oil storage area is to be provided, which will provide a double skinned container to minimise risk of spillage and a small recycling building is also to be provided.

The site is within a largely cleared area of vegetation. A new security fence is proposed around the facility and a widened gravel pavement along Tamboon Road.

The site will serve a local population of approximately 200 people and on average 5 customers are expected to use the facility each day.

#### Operational Hours

The proposed WTS will operate between 8am and 1pm every day except Tuesdays and Thursdays.

#### Waste Streams

- The WTS will accept household waste, along with e-waste, metals and green waste;
- The WTS will receive a small amount of commercial waste from Cann River businesses:
- The WTS will accept putrescible waste (as do all of the other WTS in East Gippsland Shire). The putrescible waste will consist of the kerbside collection from Cann River and street litter bins. The waste is regularly removed from the WTS to be disposed of off-site; and
- The proposals include a recycling building which will enable unwanted items which would have otherwise been dumped in landfill to be offered for others to use and repurpose.

#### Vehicular Movements

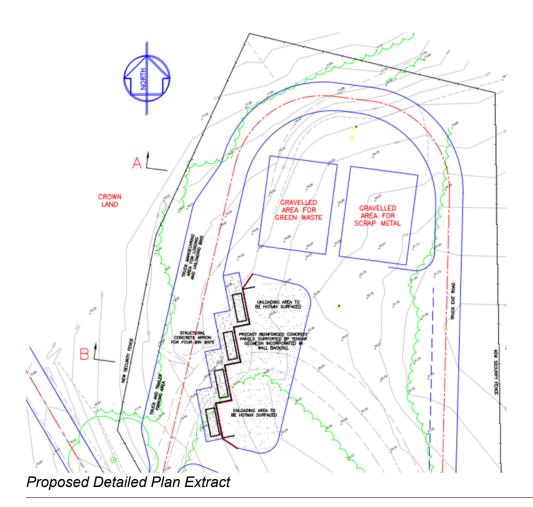
It is envisaged that the WTS will attract five customers per day. In addition to this the site has an operational requirement for two staff members, so this would typically generate a similar number of trips. In addition, it is estimated that the site would generate approximately three truck movements per week.

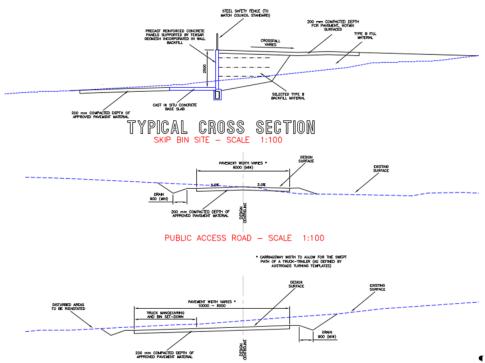
In total, the proposed use is anticipated to generate approximately 7-8 vehicular movements per day.

Extracts of the submitted proposed plans are provided on the following pages for reference.



Overall Proposed Plan Extract





Proposed Cross Sections Extract

The application includes the following supporting documents:

- A Road Safety Audit;
- A Native Vegetation Assessment;
- A Biodiversity Impact Assessment & Offset Requirement Report; and
- An Environmental Risk Management Plan.

#### **Special Circumstances**

In this case, as the applicant is the East Gippsland Shire Council, the following special circumstances apply:

- The CEO has directed, in accordance with the Delegation Policy, that the application will be determined by Council and not under delegated Officer powers;
- A Mediation session was facilitated by an independent mediator from 'My Legal Crunch' Lawyers;
- Councillors were invited to participate as observers and to ask any questions of clarification as required to inform their future determination of the application; and
- A full Officer's report is now provided to this Council meeting for consideration.

#### **Public Notification**

#### **Advertising Required:**

Public notification was undertaken in the form of letters to neighbouring landowners, a sign was placed on site and notice in the Snowy River Mail in accordance with Section 52 of the *Planning and Environment Act* 1987.

A statutory declaration has been provided that confirms notification was undertaken as directed and that the responsible authority will not decide on the application before 26 April 2022.

#### **Summary of Objections**

Nine letters of objection were received, along with a petition which was signed by 132 people. The objections received raised the following concerns:

- Lack of consultation with the public prior to site selection;
- Traffic issues in Cann River already;
- Poor Condition of Tamboon Road;
- Lack of Truck Management Plan for the WTS;
- Location of WTS in proximity to entrance to Croajingalong National Park and the nationally significant site at Point Hicks is inappropriate and will harm tourism;
- Increased risk of rubbish along the route to the WTS;
- Concerns regarding waste being routed through residential area;
- Increased noise;
- Increased air pollution from vehicle movements;
- Safety concerns regarding truck movements;
- Destruction of native vegetation;
- Harm to wildlife from traffic;
- Run-off from waste: and
- Need for improved storage of waste materials.

Due to the number of objections received a Planning Mediation (virtual) Meeting was undertaken on Monday 18 July 2022, in accordance with the Planning Permit Applications Delegations Policy 2018.

The meeting was chaired by an independent facilitator, who was appointed to ensure impartiality and a fair and unbiased mediation process.

The meeting 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. Councillors in attendance were Cr Reeves (Mayor), Cr Allen (Deputy Mayor), Cr Buckley and Cr Urie.

The meeting was attended by seven members of the public.

The meeting offered the opportunity for an open discussion between the applicant and objectors to the proposals and a further opportunity for any questions to be answered regarding the development. Concerns raised were broadly similar to those points raised in writing ahead of the meeting.

The meeting did offer the opportunity for clarification by the applicants that the recommendations of the Road Safety Audit will be implemented, and specific upgrades made to the roads within the vicinity of the site.

#### Conclusions from Mediation

Objectors were predominantly resolute in their position that the location of the proposed Waste Transfer Station is inappropriate and that an alternative location should be found.

The road safety improvements which are highlighted in the Road Safety Audit and which the Council committed to delivering was positively received and the introduction of the additional screening to prevent green waste being blown from the site should also be welcomed.

However, in summary the majority of objectors were of the view that the site selected was unsuitable in principle and that amendments to the scheme or assurances regarding the operation of the facility could overcome these fundamental objections.

A detailed assessment against the East Gippsland Planning Scheme has been undertaken and the proposal is viewed as being consistent with the relevant planning policies and requirements.

A question was raised by one of the attendees of the meeting regarding the need for the application to be referred to Earth Resources, due to the proximity to the quarry. The question was taken on notice and investigated. The following explains the outcome: Clause 52.09-7 prescribes where referral is required:

'Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the person or body specified as the person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital (emphasis added):
  - o Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.
- An application to construct a building or construct or carry out works on land for which a
  work authority has been applied for or granted under the Mineral Resources (Sustainable
  Development) Act 1990.'
- An application to use or develop land for accommodation in a rural zone if the building
  or works associated with the accommodation is located within 500 metres from the
  nearest title boundary of land on which a work authority has been applied for or granted
  under the Mineral Resources (Sustainable Development) Act 1990.

This requirement does not apply to:

- An application to extend a building or works; and
- An application that is required to be referred to the Secretary under section 55 of the Act.'

Therefore, referral of the proposed development to Earth Resources is not required, as the application does not fit within any of the above criteria.

Objectors raised concerns regarding the potential for the spread of invasive species from the on-site stored green waste, which is proposed to be stored on an open gravel hard-standing area, prior to being taken of site for disposal. Further discussions have taken place with the applicant regarding this matter and with a view to addressing these concerns. The applicant has offered to install a material screen along the inside of all fencing to the boundaries of the site. This screen will assist in reducing the potential for foliage / items of green waste from being blown from the site and establishing itself in adjacent woodland.

The objections will be considered in more detail later in this report.

#### **Assessment**

#### 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:

- Clause 12 Environmental and Landscape Values
- Clause 13 Environmental Risks and Amenity
- Clause 14 Natural Resource Management
- Clause 18 Transport

#### Assessment:

#### Clause 12 (Environmental and Landscape Values)

'Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, Australia's Strategy for Nature 2019-2030, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.'

The proposal includes the removal of 0.988 hectares of native vegetation. However, the site has previously been commercially logged and largely cleared of native vegetation. The application is accompanied by a Native Vegetation Assessment and offsets are proposed. This will be discussed in more detail later in this report.

#### Clause 13 (Environmental Risks and Amenity)

This clause relates to climate change impacts, bushfire, floodplains, soil degradation, noise, air quality and amenity, human health and safety. The clause summary states: 'Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- Land use and development compatibility.
- Effective controls to prevent or mitigate significant impacts.

Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change.'

The proposed development promotes the objectives of the clause by virtue of facilitating materials reclamation and recycling in the interests of the protection of the environment and a desire to move away from the dumping of mixed waste and move to a more sustainable way of life.

#### Clause 14 (Natural Resource Management)

Clause 14 is summarised as:

'Planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development.'

The proposed development seeks to minimise resource consumption and to promote recycling. Furthermore, the proposed development will assist in negating the need for further land take to provide a landfill at Cann River.

#### Clause 18 (Transport)

The aspirations of Clause 18 are summarised as:

'Planning should ensure a safe, integrated and sustainable transport system that:

- Provides access to social and economic opportunities to support individual and community wellbeing.
- Facilitates economic prosperity.
- Actively contributes to environmental sustainability.
- Facilitates network-wide efficient, coordinated and reliable movements of people and goods.
- Supports health and wellbeing.'

The development will generate very limited vehicular movements considering the scale of the proposals and will avoid the need for lengthier vehicular trips to other Waste Transfer Stations within the Shire or the Bairnsdale Landfill site.

#### **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;
- 21.04 Environmental and Landscape Values; and
- 21.06 Natural Resource Management.

#### Assessment:

#### 21.02 (Municipal Overview)

The Municipal Strategic Statement provides a vision and clear strategic directions for land use and development in East Gippsland Shire, in a way which helps achieve economic, social and environmental goals.

The proposed development would provide a required Waste Transfer Station for the Cann River area and would assist in achieving improved materials reclamation and recycling targets, thus minimising the quantum of the waste being disposed of as landfill.

The proposal would contribute to improved public services for the benefit of the community.

#### 21.04 (Environmental and Landscape Values)

The following summary of the aspirations of the clause are provided below: 'The Council has an important custodial role in relation to East Gippsland's unique biodiversity and large tracts of intact native vegetation. We will continue to work with owners and developers to restore and maintain the biodiversity of our rivers, waterways, lakes and wetlands. We will protect sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values. The ideal of integrity guides many of the following objectives and strategies: aesthetic integrity (including views and vistas); integrity of the natural environment; and, importantly, cultural integrity.'

The proposed development has been located on an area which has previously been deforested, thereby reducing vegetation loss to a minimum. The application is accompanied by a Native Vegetation Assessment and offsets are proposed to address the ecological harm. The site is surrounded by woodland which would prevent wider views of the WTS.

#### 21.06 (Natural Resource Management)

The following summary of the aspirations of the clause are provided below: 'The Council plays an important role in managing the region's considerable natural resources, which include agriculture, forestry and timber, water and minerals. Many of the strategies outlined in this section take the form of encouraging: encouraging the use and development of rural land to support agriculture; identifying suitable plantation sites and encouraging commercial forestry within them; encouraging better management of our water supply and improving the water quality of our rivers, coastal estuaries and lakes; encouraging exploration for (and development of) mineral resources in appropriate areas.'

The proposed development has been located on a site which has previously been commercially logged, thereby minimising further deforestation. The proposed WTS process should not result in harm to the natural environment by virtue of the sealed nature of the waste skips. Material is not to be dumped on site and will be transferred elsewhere for further processing. The use of Waste Transfer Stations and the separation and sorting of waste, increased levels of recycling and reduced dumping of waste in landfill sites will reduce the amount of land lost to landfill and risks to surrounding land of migration of contamination.

#### **Local Policies**

Not applicable.

#### **Assessment:**

#### Zone

The application site is within the Public Conservation and Resource Zone (PCRZ).

The purpose of the zone is stipulated as being:

- To implement the Municipal Planning Strategy and the Planning Policy Framework;
- To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values;
- To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes; and
- To provide for appropriate resource-based uses.

#### **Decision Guidelines**

There are decision guidelines stipulated within Clause 36.03-6 for development within the PCRZ and these are as follows:

- 'The Municipal Planning Strategy and the Planning Policy Framework:
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land; and
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.'

The proposed development has been assessed against the provisions of the MSS and PPF earlier within this report. The proposals are submitted by the Assets and Environment Department of the Shire and DELWP has provided consent for the development upon Crown Land and have no objections to the proposals as submitted.

Clause 36.03-1 – states:

'Any other use not in section 2 or 3:

Must be a use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Safety Act 2010, the Port Management Act 1995 or the Crown Land (Reserves) Act 1978.'

Confirmation was sought from DELWP that the Council will be fulfilling the role as the Public Land Manager once the lease for the site has been signed and prior to the Waste Transfer Station becoming operational.

DELWP has confirmed that East Gippsland Shire Council will be acting as Public Land Manager once the lease is signed and prior to the implementation of the planning permit. Accordingly, a Planning Permit for the development can be considered by the Council and a permit issued. If a permit is to be issued a condition is considered beneficial to ensure that the Waste Transfer Station is only operated either by or on behalf of, the Public Land Manager.

#### Overlay

#### 44.06 Bushfire Management Overlay (BMO)

The purpose of the overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework;
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire;
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented; and
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

#### **Decision Guidelines**

Pursuant to clause 44.06-2 of the overlay, a permit is not required to construct a building or construct or carry out works associated with an Industry as the footprint (floor area) would not be increased.

#### **Particular Provisions**

#### Clause 52.17 – Native Vegetation

#### Purpose of the Clause:

'To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

- 1. Avoid the removal, destruction or lopping of native vegetation:
- 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided;
- 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation; and
- 4. To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.'

#### **Decision Guidelines**

Clause 52.17 states: 'Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.'

Clause 65 states: 'Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.'

The proposal includes the removal of 0.988 Hectares of native vegetation. However, the site has previously been commercially logged and largely cleared of native vegetation. The application is accompanied by a Native Vegetation Assessment which concludes:

The proposed site is within two Special Management Zones (SMZ) within the Tamboon State Forest. The two SMZs have the same attributes. 'Forest values identified by the SMZ layer are not affected by this proposal as confirmed in email advice from Garry Carr (Senior Forest Management and Roading Officer, Snowy District, Forest and Fire Operations Division, Forest, Fire and Regions, DELWP, 9/12/2020.'

#### The report advises:

'Native Vegetation at the site is highly disturbed due to historic logging activity approximately seven years ago. The area proposed for the Transfer Site is mostly within the landing area. Heavy compaction has been remedied through deep ripping the site which is recovering much slower that the surrounding area.'

'Vegetation present at the project site was consistent with regenerating lowland forest EVC 16. One Habitat Zone was identified at the site; HZA comprises two parts separated by an existing track. No large trees are present at the site, or in the immediate surrounding area.'

'One canopy species was recorded, Silvertop Ash, as scattered emergent immature trees and as medium shrubs (<5m).' The area of vegetation removal is shown on the following drawing extract:

This site was one of several which were considered by the applicants. This site was selected due to many different selection factors, such as, proximity to the community which will use the site, trip generation and travel times for waste entering and leaving the site, distance from residential receptors and of relevance to Clause 52.17 the amount of native vegetation which would require removal. The applicant has selected a site which has already largely been stripped of native vegetation. Therefore, the arboricultural and ecological damage associated with the development is minimised to a level which is acceptable. It is considered, on balance, that the environmental and social benefits of the development significantly outweigh any potential harm.

#### Clause 53.14 Resource Recovery

The purpose of this clause is:

 To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

#### **Decision Guidelines**

The decision guidelines are:

'Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government;
- The impact of the proposal on the amenity of the surrounding are;.
- The State-wide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015);
- Any Regional Waste and Resource Recovery Implementation Plan including the Metropolitan Waste and Resource Recovery Implementation Plan (Metropolitan Waste and Resource Recovery Group, 2016); and
- Relevant guidelines applicable to the application including the guideline for Designing,
  Constructing and Operating Composting Facilities (Environmental Protection Authority,
  2015), the Guide to Best Practice for Organics Recovery (Sustainability Victoria, 2009)
  and the Guide to Best Practice at Resource Recovery Centres (Sustainability Victoria,
  2009).'

The proposed WTS is an important recovery facility, which will assist the Shire in achieving improved environmental outcomes for the local and immediate regional community.

Furthermore, the development has been sited with the intention of minimising impacts upon the amenities of residential occupiers. The proposed siting is circa 4km from the settlement of Cann River and circa 1.5km from the nearest dwelling. Due to the considerable separation distance of the WTS to residential properties, the nature of the operation and the limited amounts of waste and vehicular movements it is not considered that the proposed development would be detrimental to the amenity of neighbouring occupiers.

#### **General Provisions**

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.

#### **Assessment**

The application site is Crown Land and as such Land Manager Consent was required from Department of Environment, Land, Water and Planning (DELWP) to submit the application.

It is understood that a number of other sites were considered and eventually discounted prior to this site being selected. Nonetheless the matter of site selection is not a matter for planning consideration and an assessment of the acceptability of the proposal within the proposed location is necessary.

By way of background the applicant has provided some information regarding the need for the facility:

'The Cann River landfill is approximately 99% full and is expected to reach capacity in early 2023. The WTS cannot be constructed on the existing landfill site due to EPA requirements regarding risk assessments and specifically due to gas generation associated within the landfill. Subsidence is also an associated risk. Furthermore, due to the age of the landfill there are limited records regarding content and location of content, which exacerbates the risk level from contaminants and gasses.'

All waste will be stored in 30sqm bins and as such chemical run off is not a risk. Furthermore, the site will not accept hazardous waste.

The proposed facility would be served by a graveled access road with a hot mix surfaced unloading / vehicle maneuvering areas.

#### Amenity

The proposed WTS is a significant distance (approximately 1km) from the closest neighbouring residential property. The proposed buildings and works to the facility would not be to the detriment of neighbouring properties. Waste Transfer Stations are capable of being operated within close proximity to residential properties provided they are managed appropriately. The significant distance of separation and screening of the facility by surrounding vegetation will render impact upon the surrounding environment negligible from a noise, smell or dust perspective. The size of the WTS is also considered relatively small, with the main aim to service the local community.

#### Highways

The submitted Road Safety Audit has considered the potential impact upon the development upon the safety of the users of the immediately surrounding road network. The report makes recommendations regarding specific highway improvements which would be advantageous from a safety perspective. The Shire is committed to making these improvements where possible. It is worthy of note that the existing Cann River landfill receives on average 6 customers per day. Accordingly, the trip generation through Cann River is likely to be largely unchanged in this regard. However, the landfill currently accepts large volumes of kerbside waste. The WTS will only accept a small proportion of the kerbside waste with the remainder being directed to Bairnsdale. It is anticipated that there will be circa 3 visits by trucks per week, to deliver / remove waste.

#### Advertising

The application was advertised by means of on-site and press notices. Furthermore, Cann River community consultation was undertaken by the applicants in October 2021 and subsequent updates / dialogue has followed.

#### **Engineering Referral Response**

The application was referred to the Senior Technical Officer Development who did not object to the proposal subject to appropriate conditions.

#### **Review of Objectors Concerns**

In response to the concerns of objectors which may not have already been addressed within this report:

- Concerns were raised by an objector regarding the impact of the WTS upon the nearby Croajingalong National Park and the nationally significant site at Point Hicks and the resultant harm to tourism. The potential for impact upon tourism is closely related to environmental impacts and pollution of the local environment. The facility will contribute towards reducing the potential for localised pollution by receiving waste, which is to be predominantly deposited in skips, and regularly being removed off site to be processed within Bairnsdale. The WTS will significantly reduce the potential for pollution in comparison with the Cann River landfill site, which is soon to cease. The site will also largely be screened from view from outside of the immediate vicinity by vegetation. Therefore, the potential for a negative impact upon the Croajingalong National Park, Point Hicks and tourism within the area is considered negligible;
- Concerns have been raised regarding traffic congestion. However, waste trucks and car
  movements is anticipated to be very low (3 truck deliveries / removals per week and 6
  customers per day). Accordingly, any impact in terms of road congestion, air pollution
  from vehicles and disturbance from vehicles passing through Cann River would be
  minimal and could not reasonably be considered to unduly prejudice the amenities of
  residents. Furthermore, the provided Road Safety Audit was satisfactory and suggested
  safety improvements will be made: and
- Concerns have been expressed regarding noise emissions from the WTS. Noise would be limited to the truck movements highlighted above and the depositing of materials by visitors to the site. The site is over 1 km from the nearest residential receptors. Furthermore, you would often find WTS operating within quite close proximity to residential properties, without a prejudicial impact upon residential amenities.

Full copies of the objections are provided at **Attachment 5**.

#### Legislation

The application is assessed in accordance with the requirements of the *Planning and Environment Act* 1987.

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.

#### **Council Plan**

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

Strategic Objective 3: 3.4 Environmentally and financially sustainable practices reduce waste going to landfill.

#### **Council Policy**

The application has been referred to Council for determination in accordance with the Planning Permit Delegations Policy.

#### **Options**

Council has three options:

1. Adopt the Officer's recommendation to approve the development subject to conditions.

This is the preferred option as the proposal is considered to meet the relevant planning requirements.

2. Set aside the Officer's recommendation and resolve to refuse the application.

Council would need to specify the reasons for refusal, relevant to the provisions of the Planning Scheme.

3. Modify the recommendation to include additional or amended conditions, if considered necessary to address any outstanding concerns.

The proposed conditions are considered to address outstanding matters.

Control	Clause(s)	Consideration
Public Conservation and Resource Zone	36.03-2	Use and development
Native Vegetation	52.17	Removal of native vegetation due to the size of the site exceeding 0.4 Hectares.
Resource Recovery	53.14	To facilitate the establishment and expansion of a Transfer station in appropriate locations with minimal impact on the environment and amenity of the area.

The application under assessment does not require a permit pursuant to the Bushfire Management Overlay by virtue of the provisions of 44.06-2 of the Planning Scheme. Clause 44.06-2 stipulates that a permit is required for buildings and works associated within specific types of uses and Waste Transfer Station does not fall within any of these categories.

#### **Cultural Sensitivity**

Pursuant to the *Aboriginal Heritage Regulations 2007*, a Cultural Heritage Management Plan (CHMP) is not required as the land is not mapped as having values of cultural heritage.

# Resourcing

Financial

Nil.

Plant and equipment

Not applicable.

**Human Resources** 

Assessment has been undertaken by Planning staff.

Risk

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

#### **Economic**

The development represents a substantial financial investment in services for the local community.

# Social

A Social Impact Assessment is not considered to be required.

Gender Impact Statement

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

#### **Environmental**

The proposal is not considered to have significant adverse environmental impacts. The site has been predominantly cleared of native vegetation. A Biodiversity Impact Assessment & Offset Requirement Report was submitted in support of the application. The report recommends off sets and this is discussed in detail earlier in this report.

Climate change

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

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

# **Engagement**

AUTHORITY	DET or REC	REFERRAL CLAUSE	RESPONSE
DELWP	Det (55)	66.02-2	Conditional consent
EPA	Det (55)	66.02-1	Response received 15/07 raising no objections.

# **Department of Environment Land Water and Planning (DELWP)**

A response was received from DELWP which stated:

'Under delegation from the Secretary, Department of Environment, Land, Water and Planning (DELWP) and pursuant to Clause 66.02-2 DELWP is a recommending referral authority for the removal of native vegetation under Clause 52.17 of the East Gippsland Planning Scheme for this application.

I wish to advise that DELWP does not object to the granting of a planning permit and recommends the following Conditions'. The required Conditions are summarised below:

The Submitted Native Vegetation Report is endorsed and forms part of the permit, the native vegetation permitted to be removed is 0.988 Hectares and is comprised of no large trees.

Native vegetation offsets - 1.030 species units of habitat for Square Tailed Kite and 1.035 species units of habitat for Masked Owl. Furthermore, the native vegetation off set is to be located within the East Gippsland Municipal Area. Prior to any vegetation being removed evidence that the required offset has been secured is to be provided and an annual offset site report provided, if the offsets provided include first party offsets for a period of 10 years and at the request of the Responsible Authority following this. Conditions are also recommended regarding the temporary fencing off (during construction) of vegetation not to be removed and preventing the storage / dumping of materials and trafficking of machinery through native vegetation.

# **Environment Protection Authority (EPA)**

The EPA requested additional information, including:

- A description of the amount of waste that will be received in any month in tonnes and the maximum amount of waste that will be stored on the site at any one time in cubic metres.
- Description of the types of materials that will be received and stored at the facility, including an expected breakdown of the volume for each type of material;
- An Environment Management Plan that demonstrates the potential amenity, environmental and human health impacts from the proposed use of the site are prevented and mitigated. This should include (but not be limited to) dust, noise, odour, waste management etc. The proposals currently does not sufficiently demonstrate how environmental, human health and amenity risks will be managed and mitigated;
- Clarification on the types of mechanical equipment used as part of the operation and whether mitigation measures against potential noise have been addressed; and
- Details on whether any liquids including oil will be stored and utilised as part of the proposal.

The additional information was submitted by the applicant and sent to the EPA on the 25 May 2022. The EPA has subsequently advised of no objections.

# **Attachments**

- 1. Waste Transfer Station Conditions [6.2.1.1 3 pages]
- 2. 102.2022. P Proposed Endorsed Plans [**6.2.1.2** 22 pages]
- 3. S 20220098- RE P-001- A Tamboon Rd, Cann River RŠA [6.2.1.3 28 pages]
- 4. Confirmation of Peer Review [**6.2.1.4** 1 page]
- 5. 102.2022. P Objections [**6.2.1.5** 33 pages]

# 102/2022/P - Tamboon Road CANN RIVER CA 34 - Use and Development of East Gippsland Shire Transfer Station and the Removal of Native Vegetation

#### PROPOSED PERMIT CONDITIONS

#### **Time Limit condition**

- 1. This permit will expire if any of the following circumstances applies:
  - The development is not started within two years of the issue date of this permit.
  - The development is not completed within four years of the issue date of this permit.
  - The use has not commenced within four years of the issue date of this permit.

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.

- 2. The development hereby approved shall only be implemented and subsequently operated at all times by either the Public Land Manager or another acting on behalf of the Public Land Manager.
- 3. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 4. External lighting must be designed, baffled and located to prevent any detrimental effect on nearby land, to the satisfaction of the Responsible Authority.
- 5. Before the commencement of works, the road access, loading area, storage, dump site and drainage works will be constructed in accordance with a road construction plans No. 206456, Revision A, dated 16/02/2022 by Streeter Civil Engineering Services Pty Ltd 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 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.

#### Department of Environment, Land, Water & Planning conditions Endorsed plans

6. The Department of Environment Land Water and Planning native vegetation report (ID: ETH\_2021\_006, dated 21 June 2021) included with the application will be endorsed and form part of this permit.

#### Native vegetation permitted to be removed, destroyed or lopped

- 7. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.988 hectares of native vegetation, which is comprised of:
  - i. no large trees

### Native vegetation offsets

- 8. To offset the removal of 0.988 hectares of native vegetation, as set out in the Native Vegetation Removal Report ETH\_2021\_006, the permit holder must secure the following native vegetation offset in accordance with <u>Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)</u>:
  - a. 1.030 species units of habitat for Square-tailed Kite, Lophoictinia isura and 1.035 species units of habitat for Masked Owl, Tyto novaehollandiae novaehollandiae:
    - located within the East Gippsland Catchment Management boundary or East Gippsland municipal area
- 9. Before any native vegetation is removed, evidence the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
  - i) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
  - ii) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

#### Offset evidence

10. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning & Approvals at the Department of Environment, Land, Water and Planning Gippsland regional office by email to Gippsland.Planning@delwp.vic.gov.au

## First party offset reporting

11. Where the offset includes a first party offset, the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

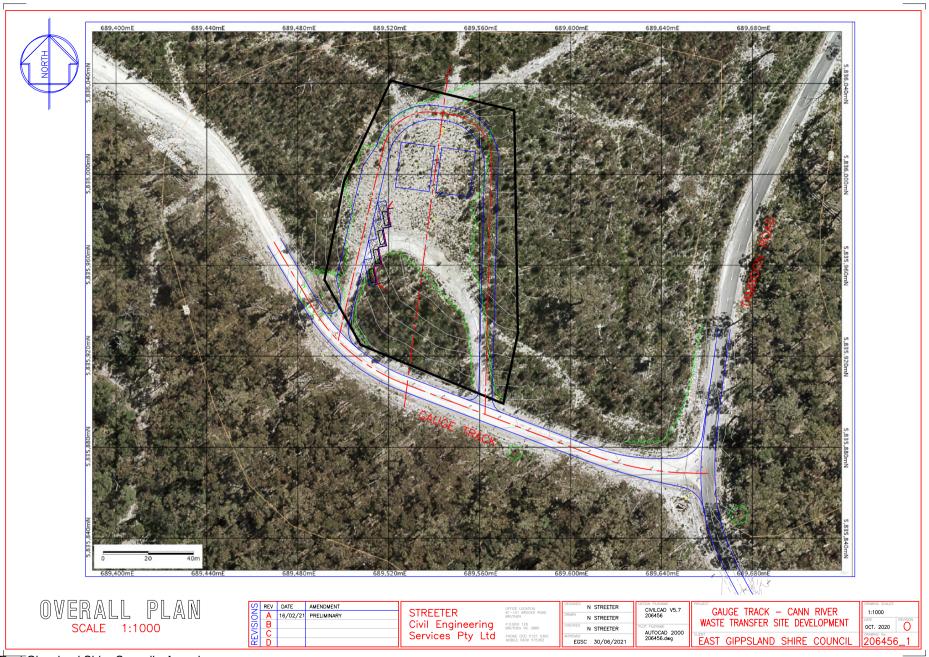
## **Notification of permit conditions**

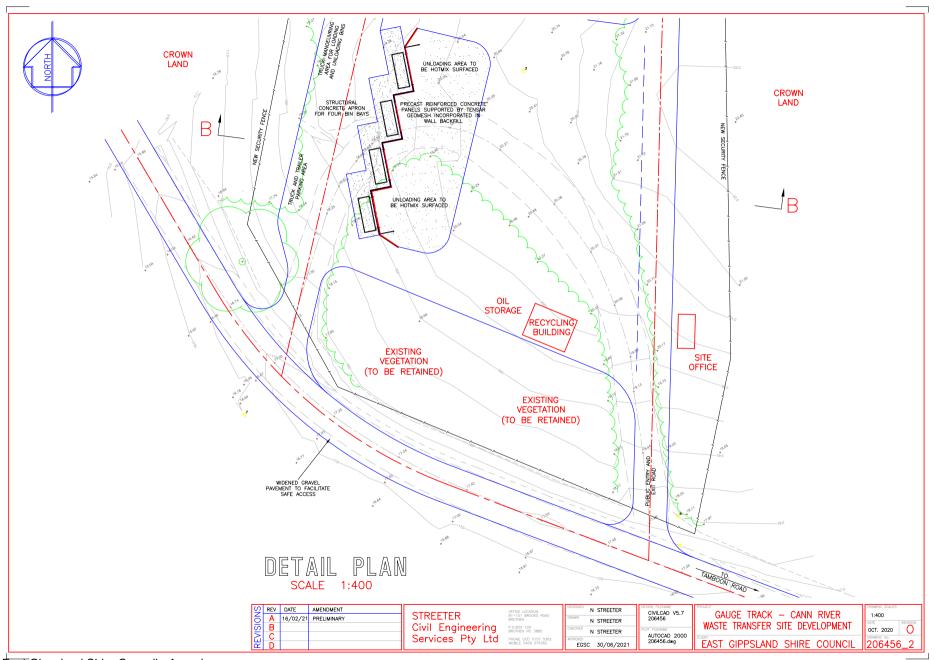
12. Before works start, the permit holder must advise all persons undertaking the works on site of all relevant permit conditions and associated statutory requirements or approvals.

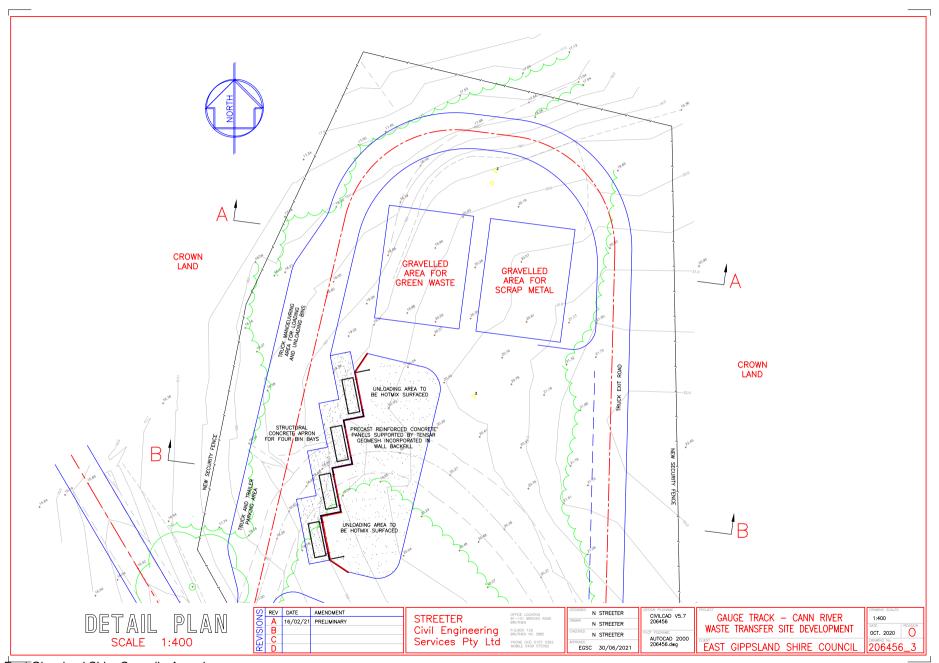
## Protection of retained native vegetation

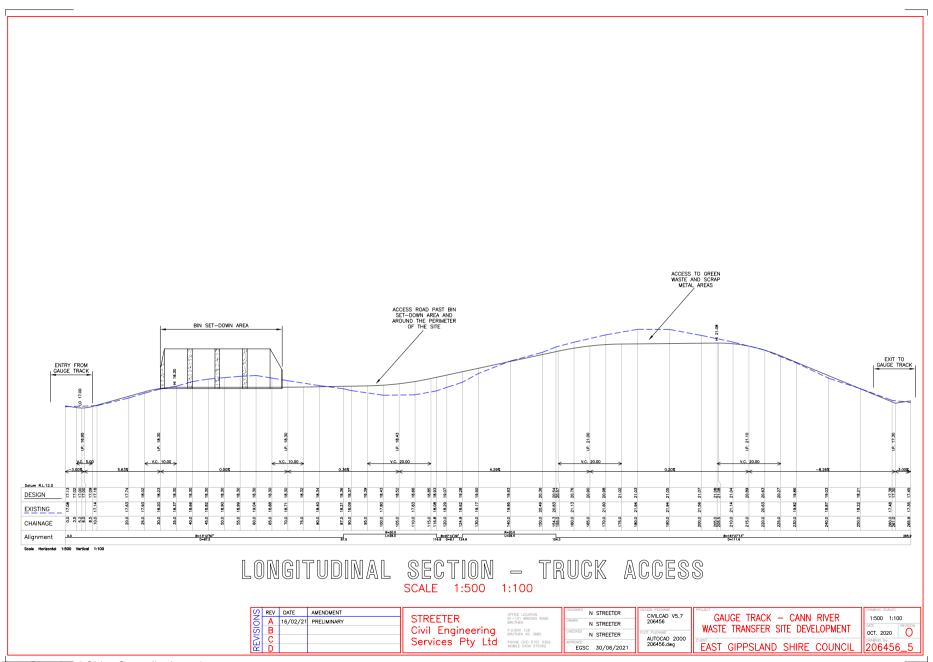
13. Before works start, a vegetation protection fence must be erected around all patches of native vegetation (or scattered trees) to be retained next to any construction impact area. This fencing must be erected on the construction zone boundary. Where the patch native vegetation contains canopy trees, the vegetation protection fence must be at a distance from the retained native vegetation that is not less than the tree protection zones, in accordance with AS 4970-2009 Protection of Trees on Development Sites. The vegetation protection fence must be constructed of star pickets, chain mesh or similar to the satisfaction of the responsible authority. The native vegetation protection fence must remain in place until all works are completed to the satisfaction of the responsible authority.

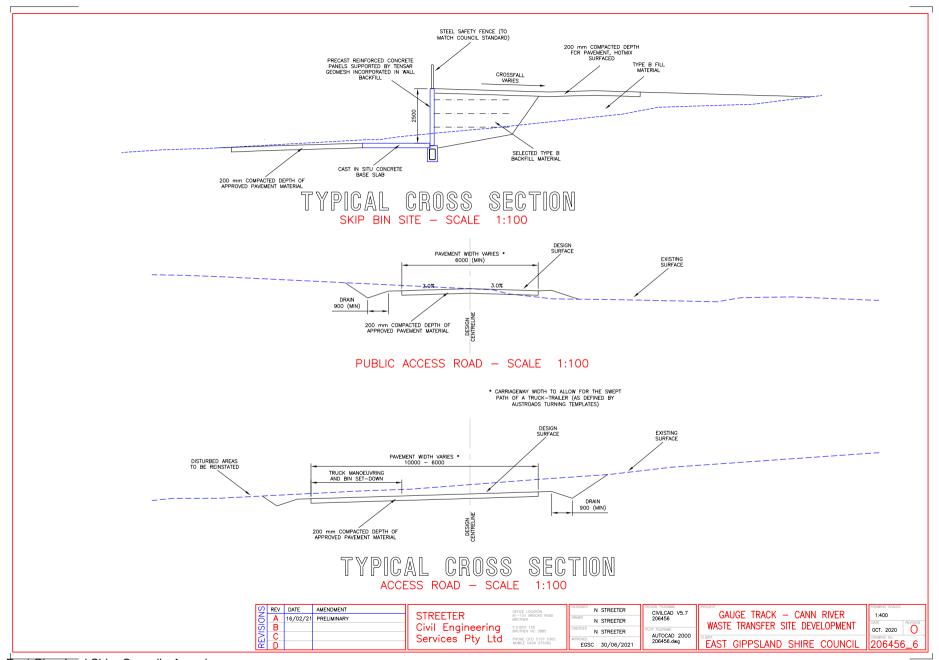
- 14. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
  - i) vehicular or pedestrian access
  - ii) trenching or soil excavation
  - iii) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
  - iv) entry and exit pits for the provision of underground services
  - v) any other actions or activities that may result in adverse impacts to retained native vegetation.

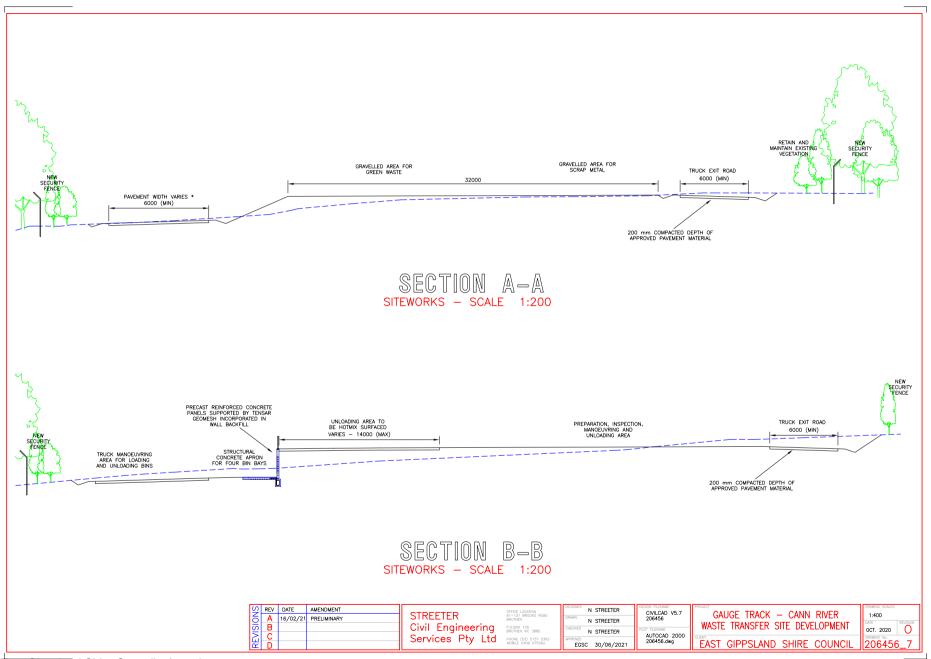


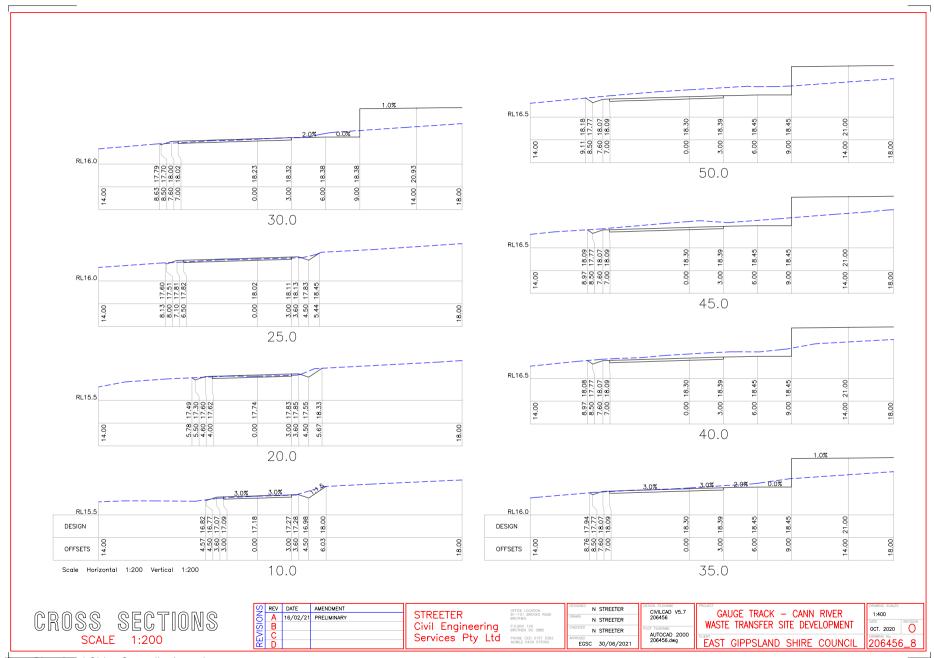


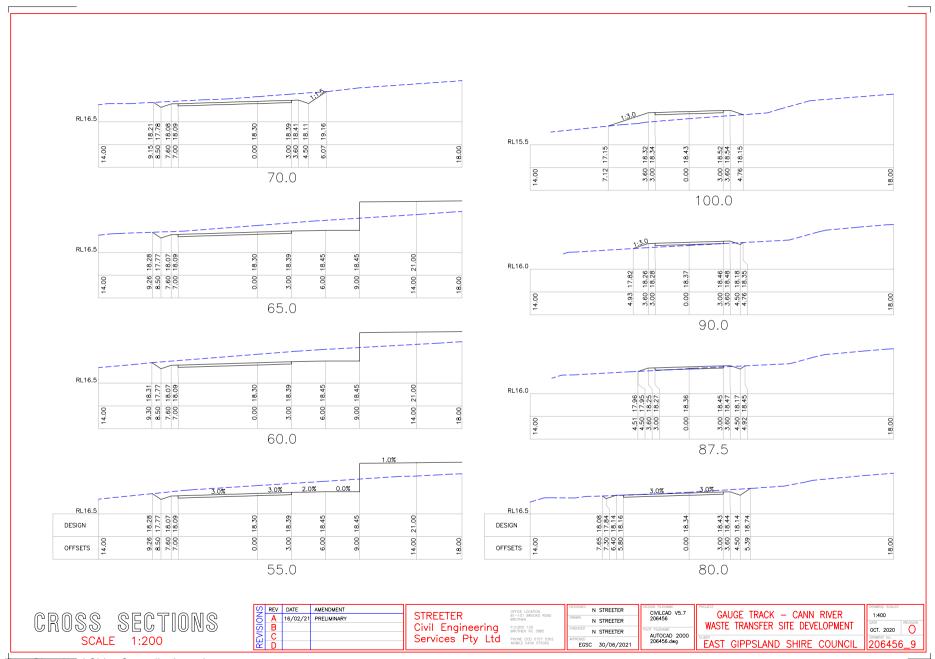


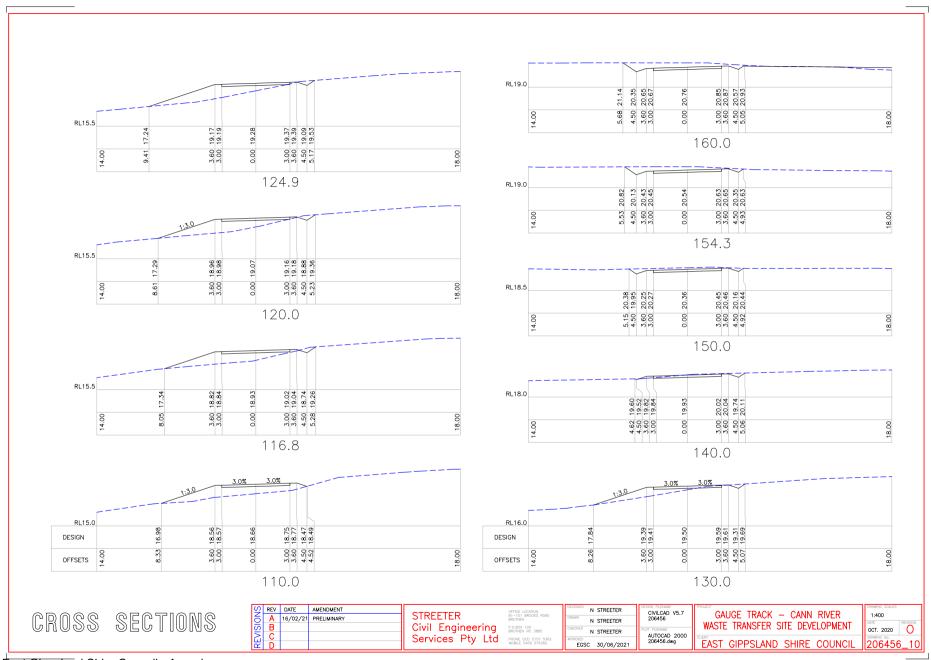


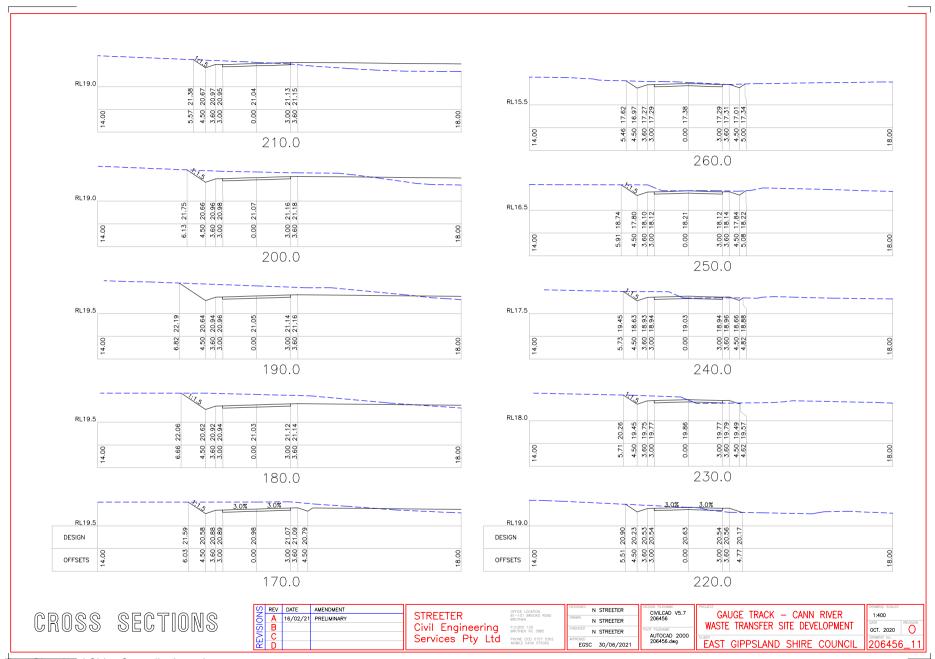














# Native vegetation removal report

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the Guidelines for the removal, destruction or lopping of native vegetation. The report is not an assessment by DELWP of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

Date of issue: 21/06/2021 Report ID: ETH\_2021\_006

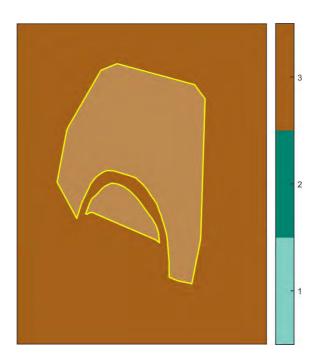
Time of issue: 3:15 pm

Project ID	20029 NVR Cann River_Final
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# Assessment pathway

Assessment pathway	Detailed Assessment Pathway
Extent including past and proposed	0.988 ha
Extent of past removal	0.000 ha
Extent of proposed removal	0.988 ha
No. Large trees proposed to be removed	0
Location category of proposed removal	Location 3  The native vegetation is in an area where the removal of less than 0.5 hectares could have a significant impact on habitat for one or more rare or threatened species.

#### 1. Location map





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# Native vegetation removal report

# Offset requirements if a permit is granted

Any approval granted will include a condition to obtain an offset that meets the following requirements:

Species offset amount <sup>1</sup>	1.030 species units of habitat for Square-tailed Kite, Lophoictinia isura     1.035 species units of habitat for Masked Owl, Tyto novaehollandiae     novaehollandiae
Large trees	0 trees

NB: values within tables in this document may not add to the totals shown above due to rounding

Appendix 1 includes information about the native vegetation to be removed

Appendix 2 includes information about the rare or threatened species mapped at the site.

Appendix 3 includes maps showing native vegetation to be removed and extracts of relevant species habitat importance maps

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<sup>1</sup> The species offset amount(s) required is the sum of all species habitat units in Appendix 1.



# Native vegetation removal report

# Next steps

Any proposal to remove native vegetation must meet the application requirements of the Detailed Assessment Pathway and it will be assessed under the Detailed Assessment Pathway.

If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. Council will refer your application to DELWP for assessment, as required. **This report is not a referral assessment by DELWP.** 

This Native vegetation removal report must be submitted with your application for a permit to remove, destroy or lop native vegetation.

Refer to the *Guidelines for the removal, destruction or lopping of native* vegetation (the Guidelines) for a full list of application requirements This report provides information that meets the following application requirements:

- The assessment pathway and reason for the assessment pathway
- A description of the native vegetation to be removed (partly met)
- Maps showing the native vegetation and property (partly met)
- Information about the impacts on rare or threatened species.
- The offset requirements determined in accordance with section 5 of the Guidelines that apply if approval is granted to remove native vegetation.

Additional application requirements must be met including:

- Topographical and land information
- Recent dated photographs
- · Details of past native vegetation removal
- An avoid and minimise statement
- A copy of any Property Vegetation Plan that applies
- A defendable space statement as applicable
- A statement about the Native Vegetation Precinct Plan as applicable
- A site assessment report including a habitat hectare assessment of any patches of native vegetation and details of trees
- An offset statement that explains that an offset has been identified and how it will be secured.

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Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

www.delwp.vic.gov.au

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Obtaining this publication does not guarantee that an application will meet the requirements of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes or that a permit to remove native vegetation will be granted.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes.

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# Appendix 1: Description of native vegetation to be removed

The species-general offset test was applied to your proposal. This test determines if the proposed removal of native vegetation has a proportional impact on any rare or threatened species habitats above the species offset threshold. The threshold is set at 0.005 per cent of the mapped habitat value for a species. When the proportional impact is above the species offset threshold a species offset is required. This test is done for all species mapped at the site. Multiple species offsets will be required if the species offset threshold is exceeded for multiple species.

Where a zone requires species offset(s), the species habitat units for each species in that zone is calculated by the following equation in accordance with the Guidelines:

Species habitat units = extent x condition x species landscape factor x 2, where the species landscape factor = 0.5 + (habitat importance score/2)

The species offset amount(s) required is the sum of all species habitat units per zone

Where a zone does not require a species offset, the general habitat units in that zone is calculated by the following equation in accordance with the Guidelines:

General habitat units = extent x condition x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The general offset amount required is the sum of all general habitat units per zone.

# Native vegetation to be removed

	Information provided by or on behalf of the applicant in a GIS file								Informa	ition calcu	lated by EnSym	
Zone	Туре	BioEVC	BioEVC conservation status	Large tree(s)	Partial removal	Condition score	Polygon Extent	Extent without overlap	SBV score	HI score	Habitat units	Offset type
2-A	Patch	egl_0016	Least Concern	0	no	0.540	0.100	0.100	0.730	0.930	0.104	10230 Square-tailed Kite Lophoictinia isura
										0.940	0.105	10250 Masked Owl <i>Tyto novaehollandiae</i> novaehollandiae
1-A	Patch	egl_0016	Least Concern	0	no	0.540	0.888	0.888	0.730	0.930	0.925	10230 Square-tailed Kite Lophoictinia isura
										0.940	0.930	10250 Masked Owl <i>Tyto novaehollandiae</i> novaehollandiae

# Appendix 2: Information about impacts to rare or threatened species' habitats on site

This table lists all rare or threatened species' habitats mapped at the site.

Species common name	Species scientific name	Species number	Conservation status	Group	Habitat impacted	% habitat value affected
Masked Owl	Tyto novaehollandiae novaehollandiae	10250	Endangered	Dispersed	Top ranking map	0.0201
Square-tailed Kite	Lophoictinia isura	10230	Vulnerable	Dispersed	Top ranking map	0.0066
Green-striped Greenhood	Pterostylis chlorogramma	504728	Vulnerable	Dispersed	Top ranking map	0.0019
Glossy Black-Cockatoo	Calyptorhynchus lathami lathami	10265	Vulnerable	Dispersed	Habitat importance map	0.0003
Wiry Stackhousia	Stackhousia nuda	503243	Rare	Dispersed	Habitat importance map	0.0003
Prawn Greenhood	Pterostylis pedoglossa	502809	Vulnerable	Dispersed	Habitat importance map	0.0003
Coast Cassinia	Cassinia maritima	507665	Rare	Dispersed	Habitat importance map	0.0003
Leafless Tongue-orchid	Cryptostylis hunteriana	500882	Endangered	Dispersed	Habitat importance map	0.0002
Elegant Daisy	Brachyscome salkiniae	504796	Rare	Dispersed	Habitat importance map	0.0002
Dwarf Bottlebrush	Callistemon subulatus	500567	Rare	Dispersed	Habitat importance map	0.0002
Forest Red-box	Eucalyptus polyanthemos subsp. longior	504754	Rare	Dispersed	Habitat importance map	0.0002
Black Bog-sedge	Schoenus melanostachys	503049	Rare	Dispersed	Habitat importance map	0.0002
Spiked Goodenia	Goodenia stelligera	501514	Rare	Dispersed	Habitat importance map	0.0002
Whiteroot	Lobelia purpurascens	502732	Rare	Dispersed	Habitat importance map	0.0002
Privet Pomaderris	Pomaderris ligustrina subsp. ligustrina	502662	Rare	Dispersed	Habitat importance map	0.0002
Prick <b>l</b> y Mirbe <b>l</b> ia	Mirbelia pungens	503864	Vulnerable	Dispersed	Habitat importance map	0.0002
Smooth Rice-grass	Tetrarrhena turfosa	503349	Rare	Dispersed	Habitat importance map	0.0002
Soft Skullcap	Scutellaria mollis	503090	Rare	Dispersed	Habitat importance map	0.0002
Coast Grey-box	Eucalyptus bosistoana	501253	Rare	Dispersed	Habitat importance map	0.0002

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Razor Sword-sedge	Lepidosperma limicola	501924	Rare	Dispersed	Habitat importance map	0.0002
Diamond Python	Morelia spilota spilota	62968	Endangered	Dispersed	Habitat importance map	0.0002
Rush Lily	Sowerbaea juncea	503207	Rare	Dispersed	Habitat importance map	0.0001
Blotched Hyacinth-orchid	Dipodium variegatum	503688	Rare	Dispersed	Habitat importance map	0.0001
Paperbark Tea-tree	Leptospermum trinervium	501950	Rare	Dispersed	Habitat importance map	0.0001
Giant Hop-bush	Dodonaea viscosa subsp. angustifolia	504427	Rare	Dispersed	Habitat importance map	0.0001
Eastern Pomaderris	Pomaderris discolor	502655	Rare	Dispersed	Habitat importance map	0.0001
Smooth Geebung	Persoonia levis	502464	Rare	Dispersed	Habitat importance map	0.0001
Bentham's Bush-pea	Pultenaea benthamii	502838	Rare	Dispersed	Habitat importance map	0.0001
Genoa Grevillea	Grevillea parvula	504550	Vulnerable	Dispersed	Habitat importance map	0.0001
Yellow-wood	Acronychia oblongifolia	500116	Rare	Dispersed	Habitat importance map	0.0001
Rough Blown-grass	Lachnagrostis rudis subsp. rudis	500159	Endangered	Dispersed	Habitat importance map	0.0001
Purple Coopernookia	Coopernookia barbata	500816	Rare	Dispersed	Habitat importance map	0.0001
Prickly Podolobium	Podolobium ilicifolium	502395	Rare	Dispersed	Habitat importance map	0.0001
Blue-leaf Stringybark	Eucalyptus agglomerata	501243	Rare	Dispersed	Habitat importance map	0.0001
Green-striped Greenhood	Pterostylis chlorogramma	504728	Vulnerable	Dispersed	Habitat importance map	0.0001
Rough Daisy-bush	Olearia asterotricha	502300	Rare	Dispersed	Habitat importance map	0.0001
Masked Owl	Tyto novaehollandiae novaehollandiae	10250	Endangered	Dispersed	Habitat importance map	0.0001
Trailing Guinea-flower	Hibbertia dentata	501665	Rare	Dispersed	Habitat importance map	0.0001
Lilac Lily	Schelhammera undulata	503026	Rare	Dispersed	Habitat importance map	0.0001
Sooty Owl	Tyto tenebricosa tenebricosa	10253	Vulnerable	Dispersed	Habitat importance map	0.0001
Mauve-tuft Sun-orchid	Thelymitra malvina	503374	Vulnerable	Dispersed	Habitat importance map	0.0001
Square-tailed Kite	Lophoictinia isura	10230	Vulnerable	Dispersed	Habitat importance map	0.0000
River Hook-sedge	Carex nemoralis	503473	Rare	Dispersed	Habitat importance map	0.0000
				1	1	·

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Hairy Beard-heath	Leucopogon microphyllus var. pilibundus	501988	Rare	Dispersed	Habitat importance map	0.000
Sandfly Zieria	Zieria smithii subsp. smithii	503605	Rare	Dispersed	Habitat importance map	0.0000
Leafless Pink-bells	Tetratheca subaphylla	503355	Rare	Dispersed	Habitat importance map	0.0000
Cobra Greenhood	Pterostylis grandiflora	502798	Rare	Dispersed	Habitat importance map	0.0000
Lacy Wedge-fern	Lindsaea microphylla	502015	Rare	Dispersed	Habitat importance map	0.0000
Small-flower Mat-rush	Lomandra micrantha subsp. tuberculata	504711	Rare	Dispersed	Habitat importance map	0.0000
Powerful Owl	Ninox strenua	10248	Vulnerable	Dispersed	Habitat importance map	0.0000
Lace Monitor	Varanus varius	12283	Endangered	Dispersed	Habitat importance map	0.0000
Greater Glider	Petauroides volans	11133	Vulnerable	Dispersed	Habitat importance map	0.0000
One-flower Early Nancy	Wurmbea uniflora	503583	Rare	Dispersed	Habitat importance map	0.0000
River Leafless Bossiaea	Bossiaea riparia	500441	Rare	Dispersed	Habitat importance map	0.0000
Silky Kidney-weed	Dichondra sp. 1	505786	Rare	Dispersed	Habitat importance map	0.0000
Spot-tailed Quoll	Dasyurus maculatus maculatus	11008	Endangered	Dispersed	Habitat importance map	0.0000
Tremont Bundy	Eucalyptus aff. goniocalyx (Dandenong Ranges)	507008	Vulnerable	Dispersed	Habitat importance map	0.0000
White-throated Needletail	Hirundapus caudacutus	10334	Vulnerable	Dispersed	Habitat importance map	0.0000
Cliff Cudweed	Euchiton umbricola	501475	Rare	Dispersed	Habitat importance map	0.0000
Long-footed Potoroo	Potorous longipes	11179	Vulnerable	Dispersed	Habitat importance map	0.0000
White Supp <b>l</b> ejack	Ripogonum album	502940	Rare	Dispersed	Habitat importance map	0.0000
Bolwarra	Eupomatia laurina	501344	Rare	Dispersed	Habitat importance map	0.0000
Swamp Violet	Viola caleyana	503527	Rare	Dispersed	Habitat importance map	0.0000

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#### Habitat group

- Highly localised habitat means there is 2000 hectares or less mapped habitat for the species
- Dispersed habitat means there is more than 2000 hectares of mapped habitat for the species

#### Habitat impacted

Habitat importance maps are the maps defined in the Guidelines that include all the mapped habitat for a rare or threatened species

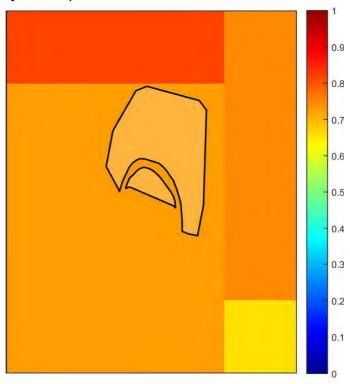
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- Top ranking maps are the maps defined in the Guidelines that depict the important areas of a dispersed species habitat, developed from the highest habitat importance scores in dispersed species habitat maps and selected VBA records
- Selected VBA record is an area in Victoria that represents a large population, roosting or breeding site etc.

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# Appendix 3 – Images of mapped native vegetation

# 2. Strategic biodiversity values map

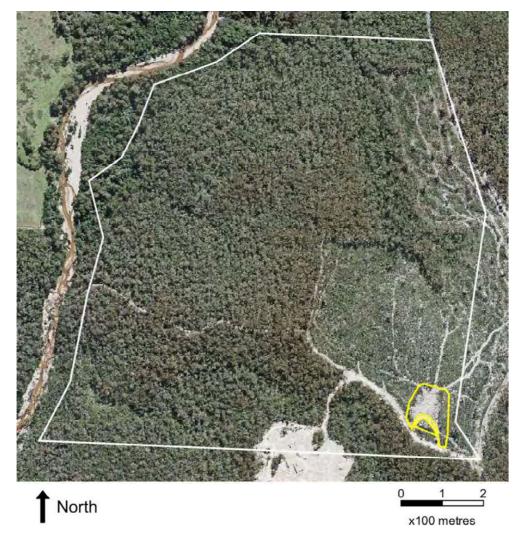


3. Aerial photograph showing mapped native vegetation



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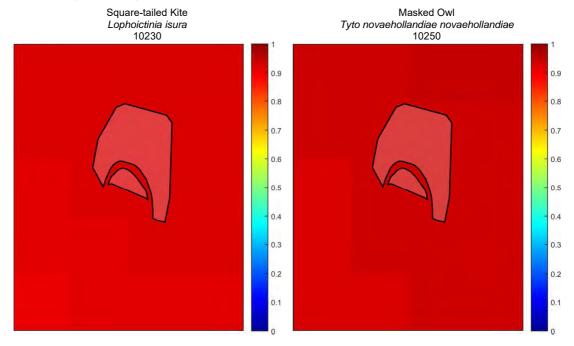
# 4. Map of the property in context



Yellow boundaries denote areas of proposed native vegetation removal.

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## 4. Habitat importance maps



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Biodiversity Impact Assessment & Offset Requirement: Cann River Transfer Station

Appendix 10. Native Vegetation Credit Register Report





# Tamboon Road, Cann River Road Safety Audit

**Audit Stage: Existing Conditions** 







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# **Information Page**

CLIENT: East Gippsland Shire Council PROJECT NUMBER: S20220098

#### QUALITY RECORD:

Issue	Date	Description	Prepared By	Reviewed By	Approved By
Α	6 June 2022	First issue	M McCardel	J Robertson	of Robinson
			N Louey		

## Safe System Solutions Pty Ltd

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# List of Abbreviations

AADT – Annual Average Daily Traffic

AGRD - Austroads Guide to Road Design

AS - Australian Standard

CAM – Chevron Alignment Marker

DoT – Department of Transport

RDN - Road Design Note

RRPM – Raised Reflective Pavement Marker

RSA - Road Safety Audit

Vpd- Vehicles per day

# 1. Introduction

Safe System Solutions Pty Ltd has been engaged by East Gippsland Shire Council to undertake an existing conditions Road Safety Audit (herein referred to as either RSA or audit) for Tamboon Road between the town centre of Cann River (at the Princes Highway/Monaro Highway roundabout) and Gauge Track.

As part of the audit, consideration has been given to the proposed tip site on Gauge Track which is expected to generate approximately 7-8 vehicle movements per day.

The location of the RSA is shown in Figure 1.

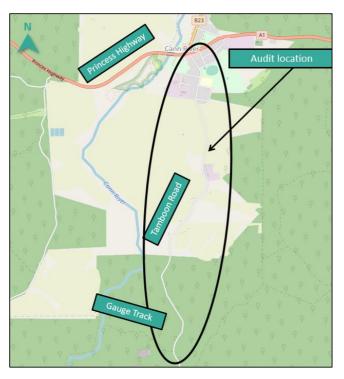


Figure 1 Locality plan and RSA location (source: OpenStreetMap)

# 1.1 Purpose of this report

The purpose of this report is to document the findings of the completed RSA and offer recommended mitigations to identified road safety risks and hazards.

# 1.2 Scope and limitations

This report has been prepared by Safe System Solutions Pty Ltd for the client and may only be used and relied on by the client for the purpose agreed between Safe System Solutions Pty Ltd and the client as set out in Section 1.1 of this report.



# 2. Guidance for RSA

RSA is a term used internationally to describe a recognised process which identifies road safety related risks and hazards. The primary objective of the RSA is to reduce road trauma at the RSA location. The Guide to Road Safety Part 6: Road Safety Audit (Austroads, 2022) is the primary guidance for undertaking RSAs in Australia and New Zealand.

An RSA is not a review or check of compliance with standards and/or guidelines for design projects or existing roads and it is possible that not every risk or hazard that affects road user safety has been identified.

Although the adoption of the audit recommendations will improve the level of safety of the audit location it will not, however, eliminate all the road user safety risks.

RSA is a formal process and responses to audit findings and recommendations should be documented by the client in writing. If recommendations are not accepted by the client then reasons should be included within the written response. A client is under no obligation to accept all the audit findings and recommendations and should consider these in conjunction with all other project considerations. It is not the role of the auditor to approve the client's response to an audit.

# 2.1 RSA within the Safe System

The RSA pre-dates the emergence of the Safe System approach. Within the Safe System, an RSA is relevant as it is recognised that full compliance with road standards alone may not result in a road system that eliminates fatal and serious injury road crashes.

The Guide to Road Safety Part 6: Road Safety Audit states:

Safe System principles must be given due consideration in all activities within the road safety management of a road network, including RSA.

In basic terms this is to be achieved during the RSA process by:

- Identifying and considering key crash types that result in fatal and serious injury
- Relating possible crash forces to tolerable levels, regardless of the likelihood, when identifying and assessing risks/hazards
- Consideration of audit findings and mitigation measures by their alignment with the Safe System e.g. in terms of operating speed, impact angles etc.

While RSAs are intended to identify risks and hazards associated with all crash types, increased focus is required to identify risks and hazards that may result in fatal and serious injury crashes. For this reason, sound knowledge in the Safe System is essential for all participants in the RSA process.

VicRoads Safe System Assessment Guidelines (2019) states that a Safe System assessment *must* be undertaken for any Victorian Government project greater than \$5M in value, is *desirable* for where the project value is greater than \$2M and *optional* for projects under \$2M. Where A Safe System Assessment is not undertaken, the project team should document how the project has considered Safe System alignment. Safe System assessments are most valuable when conducted during the early stages of a project.



# 2.2 The RSA process

The simplified process to undertake an RSA is shown by Figure 8.1 (Austroads, 2022), reproduced as Figure 2.

# The Steps



Figure 2 Simplified RSA process (source: Austroads, 2022)



# 3. Conducting the RSA

# 3.1 Selection of the RSA team

It is a requirement in Victoria that audits are undertaken in teams of two or more, with at least one Senior Road Safety Auditor. Each auditor must be accredited and registered on VicRoads Register of Road Safety Auditors (www.vrsa.com.au). Table 1 provides details of the RSA team.

Table 1: RSA team

Name	Accreditation	Employer		
Max McCardel	Senior Road Safety Auditor	Safe System Solutions Pty Ltd		
Nathan Louey	Road Safety Auditor	Safe System Solutions Pty Ltd		

# 3.2 Existing conditions

Tamboon Road is a two-lane, two-way local road which runs between Cann River to the south towards Tamboon. The section to be audited is sealed and is between the town centre of Cann River (at the four-leg roundabout of Princes Highway and Monaro Highway) and the unsealed road at Gauge Track which forms an unsignalised T-intersection. Side roads intersecting with Tamboon Road are unsignalised T-intersections and are a mix of sealed and unsealed, with the majority lacking Stop or Give Way linemarkings. Tamboon Road passes through a mix of different areas with residential in the north, farming and forest in the south.

The traffic lanes are approximately 3.0m wide along this section of Tamboon Road and there is minimal/no shoulder with the exception being at the northern end near the roundabout where the traffic lanes are particularly wide (~4.5m) with kerbs. Tamboon Road has various speed limits throughout with a speed limit of 50km/h between the roundabout and north of Cameron Street, increasing to 60km/h between north of Cameron Street and ~250m south of Humphrey Street (noting a 40km/h school zone around Cann River P-12 College) and the remaining sections south being 100km/h. There is an indented section of the road on the east side adjacent to the college to allow for parking. The alignment of the road is windy, with several horizontal curves throughout.

No crashes were recorded along the route from 1/1/2014 to 30/06/2020.

### 3.3 Undertaking the RSA

### 3.3.1 Meetings and site inspection

A commencement meeting is an opportunity for the client to confirm the RSA objectives, scope, any focus, and timeframe. A commencement meeting was held via phone call on 23 May 2022.

Table 2 lists site inspections completed for the audit.

Table 2: Site inspections

Activity	Location	Date	Time		
Day site inspection	Tamboon Road, Cann River	23.05.22	15:40		
Night site inspection	Tamboon Road, Cann River	23.05.22	17:40		

Photos taken during the site inspections are included as Appendix A.

### 3.3.2 Risk assessment

Risk and hazards identified by the audit have been assigned a risk rating based on the **likelihood** and **severity** of the crash type associated with the risk or hazard.

The Austroads risk assessment matrix (Figure 10.2, Austroads, 2022) is reproduced as Figure 3.

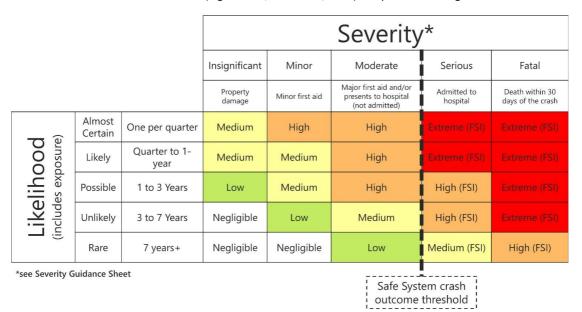


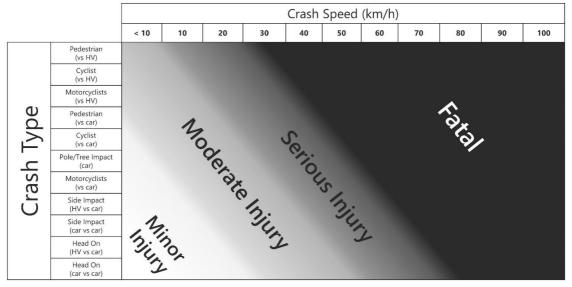
Figure 3 Risk assessment matrix (source: Austroads, 2022)



Corresponding to the assessed level of risk, Austroads provides the priorities for mitigation:

- Negligible no action required
- Low should be corrected or the risk reduced if the treatment cost is low
- Medium should be corrected or the risk significantly reduced, if the treatment cost is moderate, but not high
- High should be corrected or the risk significantly reduced, even if the treatment cost is high
- Extreme must be corrected regardless of cost

The risk matrix is intended to be used in conjunction with the severity guidance sheet (Figure 10.3, Austroads 2022), reproduced as Figure 4. The severity guidance sheet provides an indication of crash severity outcomes for a range of crash types and crash speeds. Professional engineering judgement is required to confirm the severity outcomes indicated by the guidance sheet, as research into Safe System tolerance speeds continues to evolve.



General indication only - professional judgement required

Figure 4 Severity guidance sheet (source: Austroads, 2022)



### 3.3.3 Making recommendations

Recommendations are provided for all identified risks and hazards. Recommendations are categorised into one of the Safe System treatment categories described in Table 3.

Table 3: Safe System treatment categories (source: Austroads, 2018)

Treatment category	Description
Primary	Road planning, design and management considerations that practically eliminate the potential of fatal and serious injuries occurring in association with the foreseeable crash types.
Supporting (step towards)	Road planning, design and management considerations that improve the overall level of safety associated with foreseeable crash types, but not expected to virtually eliminate the potential of fatal and serious injury occurring. Improves the ability for a Primary Treatment to be implemented in the future.
Supporting	Road planning, design and management considerations that improve the overall level of safety associated with foreseeable crash types, but not expected to virtually eliminate the potential of fatal and serious injury occurring.  Does not change the ability for a Primary Treatment to be implemented in the future.
Non-Safe System Other Elements	Road planning, design and management considerations that are not expected to achieve an overall improvement in the level of safety associated with foreseeable crash types occurring.  Reduces the ability for a primary treatment to be implemented in the future.



# 4. Overarching comments

East Gippsland Shire Council has received a number of comments regarding the proposed tip site north of the Gauge Track and the additional vehicle movements anticipated. Some of these comments have been copied below; Safe System Solutions Pty Ltd (SSS) have also provided responses to these comments:

#	Comment	SSS Comment Responses
1	The Road is too dangerous to take the additional traffic	The auditors understand the tip site is expected to generate 7-8 additional vehicle movements per day. This increase in traffic would likely have a negligible impact on the pavement conditions and safety of the road.
2	The route passes the local School.	Noted. The auditors assume that quarry traffic and other heavy vehicles would already use Tamboon Road to access Princes Hwy / Monaro Hwy. Thus, the presence of heavy vehicles would already exist near the school.  Council could consider measures to restrict heavy vehicle movements outside the school during school pick up / drop off times.
3	The road doesn't meet minimum road widths.	The road cross section (width) within the 50-60km/h speed zones is generally consistent with other 50-60km/h speed zones across the state. The road cross section (width) within the sign-posted 100km/h speed zone does not align well with Safe System principles. At these higher speeds, ideally there would be full edge barrier containment to shield errant vehicles from striking roadside hazards (trees and embankments). Similarly, there would be a continuous median treatment to mitigate the risk of head-on collisions.  The auditors note the function, class and exposure (traffic volumes) of Tamboon Road mean it is extremely unlikely to receive the level of investment required to bring the cross-section to this safer standard.  The council could therefore consider implementing a reduced speed limit within this section to reduce the risk of crashes.
4	It will generate unacceptable additional traffic through the centre of town.	The auditors have no comment on what defines an 'acceptable' level of additional traffic. It is noted however that the amount of traffic expected to be generated is small in comparison to the existing volumes.
5	There are several concealed driveways that are passed on route.	This has been noted as an audit finding #17. The response / recommendation can be found in Appendix B.



#	Comment	SSS Comment Responses
6	Conflict with the Quarry traffic that is opposite the proposed site on Gauge Track.	The auditors note the tip site access / egress intersects with the route to and from the quarry. This conflict point is assessed as a relatively low risk considering the small number of traffic movements in the area. However, to further mitigate this risk – detailed Vehicle Management Plans could be prepared to communicate to drivers how access / egress is managed.



# 5. RSA findings and recommendations

A table containing audit findings and recommendations table is included as Appendix B.



# 6. Conclusion

This RSA has been conducted in accordance with the Guide to Road Safety Part 6: Road Safety Audit (Austroads, 2022).

The findings and recommendations of the RSA are provided for consideration and response by the client.

Auditors:

Max McCardel BEng (Hons) Senior Road Safety Auditor

6 June 2022

Nathan Louey BEng (Hons) Road Safety Auditor



Appendix A: Site photos



Photo 1: Tamboon Road – facing south



Photo 2: Facing towards Tamboon Road at Princes Highway/Monaro Highway roundabout – facing south



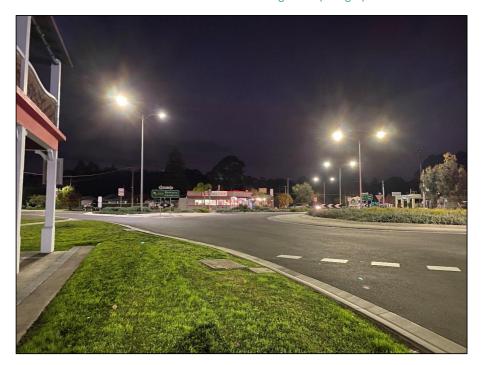
**Photo 3:** Gauge Track at Tamboon Road intersection – facing east



**Photo 4:** Tamboon Road at Gauge Track intersection – facing north



**Photo 5:** Tamboon Road – facing south (at night)



**Photo 6:** Facing towards Tamboon Road at Princes Highway/Monaro Highway roundabout – facing south (at night)





**Photo 7:** Gauge Track at Tamboon Road intersection – facing east (at night)



**Photo 8:** Tamboon Road at Gauge Track intersection – facing south



Appendix B: RSA findings and recommendations



Road Safety Audit Findings and recommendations table Appendix B | 1

# Audit findings and recommendations

	F	Risk Assessmei	nt	Recommendations		Responsible Officer	
Audit Findings	Likelihood	Severity	Level of Risk	P – Primary ST – Step Towards S – Supporting N – Non-Safe System	Accept Yes/No	Comments	
<ol> <li>There is a lack of clear line marking at the indented section adjacent to the college. This may lead to cars parking in alternative arrangements (angled, parallel) and lead to potential collisions. Furthermore, the bus zone is not line marked and cars may attempt to park at this location.</li> </ol>	Unlikely	Minor	LOW	Consider providing defined line markings for parallel or angled parking as well as for the bus bay. (S)			
The state of the s							
2. The sealed intersections at Cameron Street and Wilson Street do not have Stop or Give Way line marking or signage increasing the potential for a failure-to-give-way collision.	Unlikely	Moderate	MEDIUM	Consider installing give way or stop line markings and signage at all intersections. (S)			
Toronto Toront							



 $\label{eq:Road Safety Audit}$  Findings and recommendations table  $\label{eq:Appendix B | 2} \mbox{Appendix B | 2}$ 

	F	Risk Assessme	nt	Recommendations	Responsible Officer		
Audit Findings	Likelihood	Severity	Level of Risk	P – Primary ST – Step Towards S – Supporting N – Non-Safe System	Accept Yes/No	Comments	
3. The remaining intersections with side roads (e.g. Humphreys Street) and driveways are unsealed, with several of them noted to bring gravel and dirt onto the main alignment, which could lead to a motorcyclist losing stability on this section while also providing less traction for vehicles turning to and from Tamboon Road.  Furthermore, as the side roads are not sealed, there are no Stop or Give Way line markings or signage increasing the potential for a failure-to-give-way collision.	Unlikely	Moderate	MEDIUM	Consider sealing all side road intersections and driveways with Tamboon Road to reduce gravel spilling on the main alignment. (S)  Consider installing give way or stop line markings and signage at all intersections. (S)			
4. The arrangement at Stephenson Street which provides additional parking for the college introduces potential collisions as there is a lack of clarity on where vehicles can enter/exit.   **The arrangement at Stephenson Street which provides additional parking for the college introduces potential collisions as there is a lack of clarity on where vehicles can enter/exit.	Unlikely	Minor	LOW	Consider sealing and formalising the arrangement for vehicles at Stephenson Street by clearly identifying and separating the entry and exit. (S)  e.g.  OR  Consider sealing and modifying the intersection to a conventional T-intersection with a centre line and Stop/Give Way line markings and signage. (S)			



SAFE SYSTEM SOLUTIONS Road Safety Audit Findings and recommendations table Appendix B | 3

		Risk Assessme	nt	Recommendations	Responsible Officer	
Audit Findings	Likelihood	Severity	Level of Risk	P – Primary ST – Step Towards S – Supporting N – Non-Safe System	Accept Yes/No	Comments
5. Several temporary road signs were noted to be knocked down, pr from viewing any potential information on it (if in use) while also hazard. Auditors do note some of the signs appear to have been near the hazard Ahead signage to warn of potential hazards.	becoming a roadside	Serious	HIGH (FSI)	Consider either removing the temporary signage if not in use or ensure the signage is adequately secured to ensure it remains visible for road users and does not enter the main alignment. (S)		
6. There are several exposed culvert ends along this section of Tamb present a roadside hazard if motorists veer off the roadway at the		Moderate	MEDIUM	Consider installing driveable endwalls. (S)		





 $\label{eq:Road Safety Audit}$  Findings and recommendations table  $\label{eq:Appendix B | 4} \mbox{Appendix B | 4}$ 

		R	Risk Assessme	nt	Recommendations	Responsible Officer		
	Audit Findings	Likelihood	Severity	Level of Risk	P – Primary ST – Step Towards S – Supporting N – Non-Safe System	Accept Yes/No	Comments	
7.	While the majority of the pavement surface on this section of Tamboon Road appeared sound, there were some isolated sections with damage with potholes which may lead to loss of control if hit at speed.	Rare	Serious	MEDIUM (FSI)	Consider undertaking an audit of the pavement condition and repair areas that are in poor condition. (S)  Consider implementing a reduced speed limit to reduce the risk of crashes. (S)			
8.	For a section of Tamboon Road ~750m north of the intersection with Gauge Track, there is a lack of centre line road markings. Motorists may veer into the opposing lane of traffic increasing the potential for a head-on collision.	Rare	Serious	MEDIUM (FSI)	Install centre line marking. (S)			



SAFE SYSTEM SOLUTIONS  $\begin{tabular}{ll} Road Safety Audit \\ Findings and recommendations table \\ Appendix B \parallel 5 \end{tabular}$ 

	F	Risk Assessme	nt	Recommendations		Responsible Officer	
Audit Findings	Likelihood	Severity	Level of Risk		Accept Yes/No	Comments	
9. There are several sub-standard curves located throughout the route, with no warning or advisory signs. Motorists, particularly drivers of heavy trucks may not expect certain corners or may enter them at excessive speeds increasing the potential for run-off road incidents and potential roll overs for the latter.	Rare	Serious	MEDIUM (FSI)	Consider an audit of the curves throughout this section and install appropriate advisory speed limits and warning signs for curves as well as CAMs if necessary (see AS1742.2). (S)			
				Consider implementing a reduced speed limit to reduce the risk of crashes. (S)			
10. It was noted that there was a mix of temporary and permanent signage regarding trucks throughout the route. It is unclear if truck movements will be common in the long term.	To Note	To Note	N/A	Consider installing permanent signage if truck movements are expected in the long term or replacing the permanent signs with temporary signs.			
11. It was noted that some temporary road signs installed (which were still visible) were difficult to read as they were located in drainage pits or installed on guide posts.	To Note	To Note	N/A	See AS1742.3 Clauses 4.3.2 and 4.5 for the positioning of temporary road signs and mounting.			
12. The Trucks Entering sign is outdated and is showing signs of damage on the front.	To Note	To Note	N/A	Consider replacing the sign with the current sign for Trucks Crossing/Entering (W5-22).			



 $\begin{tabular}{ll} Road Safety Audit \\ Findings and recommendations table \\ Appendix B \mid \ 6 \end{tabular}$ 

	F	Risk Assessme	nt	Recommendations		Responsible Officer		
Audit Findings	Likelihood	Severity	Level of Risk	P – Primary ST – Step Towards S – Supporting N – Non-Safe System	Accept Yes/No	Comments		
A temporary road sign facing towards southbound traffic on Tamboon Road has no distance provided on the NEXT X km sign to give motorists an idea of how far along the road trucks will be operating.	To Note	To Note	N/A	Ensure a distance is provided on this sign to the nearest km to provide motorists a better idea of how long the hazard exists.				
14. A temporary road sign facing towards southbound traffic on Tamboon Road has a Prepare to Stop supplementary sign, however this should only be displayed in conjunction with a Traffic Controller (see AS1742.3 Clause 4.7.2 (b)) and no traffic controller was observed on site.	To Note	To Note	N/A	Consider removing the sign when not in active use.				





 $\begin{tabular}{ll} Road Safety Audit \\ Findings and recommendations table \\ Appendix B \parallel 7 \end{tabular}$ 

	F	Risk Assessme	nt	Recommendations	Responsible Officer		
Audit Findings	Likelihood	Severity	Level of Risk	P – Primary ST – Step Towards S – Supporting N – Non-Safe System	Accept Yes/No	Comments	
15. The traffic lane width for Tamboon Road for the majority of the route is approximately 3m – this may be insufficient particularly if large trucks are to use the route (e.g. B-doubles) resulting in potential side swipe and run-off-road crashes.	Unlikely	Minor	LOW	Consider widening the road to allow for a desired lane width of 3.5m (see AGRD Part 3 Clause 4.2.6) or providing a sealed shoulder to allow cars to shift away from oncoming wide vehicles if necessary. (S)  Consider implementing a reduced speed limit to reduce the risk of crashes. (S)			
16. There are several steep elevation changes and trees in close proximity to the road on both sides of Tamboon Road which create a significant hazard if motorists veer off.	Unlikely	Serious	HIGH (FSI)	As mentioned in audit finding #9, consider an audit of the curves throughout this section and install appropriate advisory speed limits and warning signs for curves as well as CAMs if necessary (see AS1742.2). (S)  Consider installing safety barriers if necessary (see AGRD Part 6) to protect particularly dangerous sections. (S)  Consider implementing a reduced speed limit to reduce the risk of crashes. (S)			
17. Some of the driveways along Tamboon Road (e.g. 290 Tamboon Road, 262 Tamboon Road) are concealed and on curves which may result in failure to give way crashes.	Unlikely	Serious	HIGH (FSI)	Consider consulting with property owners about potentially relocating their access points to locations with improved visibility and sight lines. (S)  Consider installing 'concealed entrance' signage, referring to VicRoads Supplement to AS 1742.2:2009. (S)			

Hi Andrew,

Thank you for providing the opportunity to peer review the application/report.

I have independently reviewed the planning report for the proposed East Gippsland Shire Transfer Station at Tamboon Road Cann River (102/2022/P) and found it to be satisfactory.

Kind regards



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STEVEN LAFFY OF CANN RIVER WISH 70 CBTECT PROPOSED TRANFER STATION AT GAUGE TRACK CANN RIVER. APPLICATION REFERENCE 102/2022

10000 S FOR THE OBSECTION. WILL ADD TO TRAFFIL ON TAMBOON IS NOW UP TO STANDARD FOR TRAFFIC THAT ALPEADY USEING IT. THE CARTAGE OF RUBBISH THROUGHMAIN RESIDETUAL AREA AND PAST SCHOOLS. KUDBISH THAT WILL BE LEFT ON SIDE OF AD THIS IS THE TOURIST CLATE WAY FOR CAMPU RILLER. SEVEN CONCEPTED PRIVE WAYS WILL BE IN DANGER FROM INCREASED TRAFFIC. FIRE ROLATED ISSEUS.

BECAUSE OF THE LIES AND DEBETTION THAT HAS ALREAD ACURRED they the still I had grave teams FER WHAT THE EUTURE MAY MOUN FOR THIS TRANSFE STATION THE SHIRE HAS NOT HAD PROPER CONSCITATION, HAS NOT BEEN FORWARD WITH INECRMATION AND IT SEEMS THEY THE OTHER IDEAS WHAT WINT CHANN

**EGSC** 

2 6 APR 2021

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6/30/22, 10:42 AM dwa7148.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

Sent: Thursday, 21 April 2022 7:54:21 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: Leonie Cameron

**Email address:** 

Postal address: Noorinbee 3890

Mobile phone number:

Planning permit number: 102/2022/P

What has been proposed?: Use and Development of East Gippsland Shire Transfer Station and the

Removal of Native Vegetation

What is the address to be used or developed?: Tamboon Road Cann River

Who has applied for the permit?: East Gippsland Shire

What are the reasons for your objection?: No consultation with the Community prior to site selection. The site will take trucks through the main residential area of Cann River and past the School. Traffic Flow is a problem in Cann River already. As a member of Cann Valley District Representative Group and Spokesperson for the Waste Transfer Working party we have been informed in writing by a DELWP Senior Manager Kellinde Chester that three way consultations should occur between DELWP. The Shire and the community over site selection, this has not happened. The site Shire have selected was one of several proposed by DELWP, it is not accurate in the DA to say the site was proposed by DELWP, there are other potential sites available from DELWP and the community have proposed other sites. As a resident with a house at Tamboon South, like many members of the Cann Valley District Representative Group who also have homes at Peach Tree and Tamboon South it is common knowledge the poor state of the Tamboon Road and the glaring abscence of a truck management plan for both the Quarry and the proposed waster transfer Station by the Shire.

How would you be affected by the granting of this permit?: As a member of the Cann Valley District Representative Group and a member of the team working with Stafford Consulting on a Tourism Development plan for the Cann Valley area we are keen to support a Waste Management Facility but not on the road as the entrance to Croajingalong National Park and the nationally significant site at Point Hicks our areas best options for tourism adventures. As active members of our community offering our time and resources to assist community development the Shire has treated us and the community with contempt, your neglect of the Cann Valley areas residents views through consultation has made the community distressed on top of drought, bushfires and floods plus lockdowns. The congested traffic in Cann River and past the school.

**Privacy Statement:** Yes

6/30/22, 10:43 AM dwa217F.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

Sent: Thursday, 21 April 2022 8:54:17 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 Jephcott

Email address:

Postal address:

Mobile phone number

Home phone number: Not applicable

Work phone number:

Planning permit number: 102/2022/P

What has been proposed?: Development and use of East Gippsland Shire Waste Transfer Station and the removal of native vegetation.

What is the address to be used or developed?: Tamboon Road, Cann River

Who has applied for the permit?: East Gippsland Shire Council

What are the reasons for your objection?: 1. The Tamboon Rd runs directly through the most populated residential area in the Cann River township. Past the Hall & Recreation Reserve and the Cann River P12 College. The proposal will introduce additional heavy vehicle traffic which will pose a safety threat to children and adults and additional noise in the residential area. 2. The Tamboon Rd is also the main access road to the western end of the Croajingalong National Park. Tourists and residents use the road to access Pt Hicks, Thurra River, Mueller Inlet, Furnell Landing and Peach Tree Creek. Positioning a Waste Transfer Station on the road is a landscape incursion that will detract from the native forest drive experience for these users. 3. The current Waste Management Site and alternative sites proposed by the community are located on the western side of Cann River and offer immediate access for heavy vehicles carrying waste to the Princes Hwy heading towards Orbost. These sites have been past over without adequate justification provided to the community. 4. The community consultation undertaken has been late, tokenistic and inadequate. Local residents have been asking for a discussion with all the parties involved - EGSC, DELWP and the EPA at the same forum. This has not occurred. The application states that the proposed site was nominated by DELWP. This is inaccurate ...... DELWP suggested a number of sites in and around Cann River. The EGSC settled on the Tamboon Rd site and began the planning process (including significant expenditure according to EGSC staff) before any community consultation was undertaken. It was only brought to the wider communities attention when a local contractor was included in planning discussions. 5.

How would you be affected by the granting of this permit?: I am one of the many local residents in the Cann Valley area that take their rubbish and recycling to the Waste Facility off the Old Coast Road. I have been doing this for over 40 years. Access to the current site for me is via the Monaro Hwy and Princes Hwy to the Old Coast Road turnoff. These are well maintained roads that cater for substantial levels of traffic. The Tamboon Road is significantly inferior in standard (narrow bitumen seal and poorly maintained road

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6/30/22, 10:43 AM dwa217F.htm

shoulders) and difficult to traverse with other road users, many of whom have no experience on narrow country roads and thereby travel down the centre of the road and are are not confident to move off the bitumen seal. The other personal affect on me is the complete frustration with a local government authority that is not interested in catering for the communities preferred siting of the Waste Transfer Station.

**Privacy Statement:** Yes

6/30/22, 10:45 AM dwaA57D.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

**Sent:** Monday, 25 April 2022 11:19:31 AM **To:** Feedback Address For Web Page

Subject: Report an Issue

### Report an Issue

A 'Report an Issue' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Your name: Jan Kraina

**Email address** 

Mobile phone number:

House name or number:

Street name:

Town: Cann River

Postcode: 3890

My issue is about:: Animals, Hard waste, Rubbish bins, Other

What is your issue?: Objections to permit – 102/2022/P, Waste Transfer Station at Tamboon Road, Cann River CA34 1) Increased traffic on Tamboon Road to Gauge track caused by residents, general public and pick up and delivery waste vehicles. This will affect noise levels, is a danger to wildlife and will contribute to further degradation of the road. 2) On the site we're objecting to the proposed method for green waste management in confined stockpiles as per EPA guidelines. Could council consider a more secure method of containment ie. green waste bin or a finer mesh fencing 3) If the site is open to the public 24/7 with no staff management on site it would increase misuse and dumping of hazardous materials 4) Increase in roadside litter 5) We object to the location of the site as at the end of Gauge track there is a local tourist destination, the Cann River falls. This beautiful and scenic site is frequently visited by ourselves and locals and may be affected by litter from the site and run off from green waste. How would you be affected by the granting of this permit. Our property is located at 300 Tamboon Road, abutting the state forest that the waste transfer station will be located at. We will be affected by noise pollution from increased traffic on the road, increase in roadside litter and increase in noise from the proposed site when bins are collected as we can already hear constant noise from the quarries activities. Increased noise on Tamboon road from trucks collecting bins x4, green waste and scrap metal (all different trucks at different times). We already witness a high number of wildlife deaths on Tamboon road between the Cann River township and Gauge track, this will increase with further traffic going to and from the site. This is very worrying as wildlife in this area is still recovering from the 2019/20 fires. This will affect us because we are deeply concerned for the wildlife in the area and dedicated to preserving it. The Cann River falls are located at the end of gauge track, and are recovering from being severely burnt in the 2019/20 fires. These falls are frequently visited and enjoyed by us and our neighbours via walking/floating down the river from our property as well as via Gauge track. It will affect us to have the waste transfer station at the gateway to this peaceful and picturesque location. It will be unsightly and cause inappropriate noise pollution.

How long has it been an issue?: NA

Have you raised this issue with council previously?: Yes

file:///C:/DATAWRKS/TEMP/9468580/dwaA57D.htm

6/30/22, 10:45 AM dwaA57D.htm

Date you first raised this issue with council: 20/10/2021

Where is this issue located?: Tamboon Road, Cann River CA34 (corner Gauge Track)

How should we contact you about this issue?: Phone

**Privacy Statement:** Yes

### **East Gippsland Shire Council**

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



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

## **Objection to Planning Permit Application**

Planning and Environment Act 1987

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

Vour Dotoile

Your Details:						
Name: Jan Kraina						
Postal address:	Caulfield, Vic					
	Cann River					
Phone number: F	Work:	Mobile				
Email address:	<u> </u>	Fax:				
Permit Details:						
Planning permit number: 102/20	22/P					
What has been proposed? Was	te Transfer Station	ent of East Gippsla	and Shire Tra	ınsfei	r staf	tion
and the removal of native veget	ation at Tamboon Road, Cann River					
What is the address to be used	or developed?					
Tamboon Road, Cann River - C	A34					
Who has applied for the permit?						
Paul Rooney						
Objection Details:						
What are the reasons for your o	biection?					
_	dents, general public and pick up and delivery waste vehicles. This will affect noise is	levels, is a danger to wildlife and wi	ill contribute to further deg	radation o	f the road	 d.
2) On the site were objecting to the proposed me	thod for green waste management in confined stockpiles as containment ie. green waste bin or a finer mesh fencing	per EPA guidelines.				
	ff management on site it would increase misuse and dumping					
4) Increase in roadside litter						
We object to the location of the site as at the e     This beautiful and scenic site is frequently visited	nd of Gauge track there is a local tourist destination, the Car d by ourselves and locals and may be affected by litter from:	nn River falls. the site and run off from o	green waste.			_
Privacy Statement						

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

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

JUL15

### **East Gippsland Shire Council**

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



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

How would you be affected by the granting of this permit?		
Our property is located at 300 Tamboon Road, abutting the state forest that the waste transfer station will be located.		
We will be affected by noise pollution from increased traffic on the road, increase in roadside litter and		
increase in noise from the proposed site when bins are collected as we can already hear constant noise		
from the quarries activities. Increased noise on Tamboon road from trucks collecting bins x4,		
green waste and scrap metal (all different trucks at different times). We already witness a high number of		
_wildlife deaths on Tamboon road between the Cann River township and Gauge track,		
this will increase with further traffic going to and from the site. This is very worrying as wildlife in this area is		
still recovering from the 2019/20 fires. This will affect us because we are deeply concerned for the wildlife in t		
he area and dedicated to preserving it.		
The Cann River falls are located at the end of gauge track, is recovering from being severely burnt in the 2019/20 fires. These falls are frequently visited and enjoyed by us and our neighbours via walking/floating down the river from our property as well as via Gauge track. It will affect us to have the waste transfer station at the gateway to this peaceful and picturesque location. It will be unsightly and cause inappropriate noise pollution.		
f you need more space for any part of this form please attach another sheet.		
Signature:		
Name: Jan Kraina Date: 25 /4 /2022		

Office Use Only:	
Objection Received by:	_ Date Received://
Planning officer responsible:	_ Date Received://

Privacy Statement
The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

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

JUL15

6/30/22, 10:44 AM dwaD32F.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

**Sent:** Sunday, 24 April 2022 7:26:47 AM **To:** Feedback Address For Web Page

Subject: Report an Issue

#### Report an Issue

A 'Report an Issue' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Your name: Maria Mura

**Email address:** 

Mobile phone number:

House name or number

Street name:

Town: Cann River

Postcode: 3890

My issue is about:: Rubbish bins, Other

What is your issue?: I do not want the waste transfer bin installed in Cann River. Council asked for local submissions then ignored the people's wishes. Why don't you pressure Victorian government to rebuild Thurra River bridge instead. We need that.

How long has it been an issue?: About a year

Have you raised this issue with council previously?: Yes

Where is this issue located?: Gauge track Cann River

How should we contact you about this issue?: Email

**Privacy Statement: Yes** 

6/30/22, 10:39 AM dwa1C06.htm

From: Di M

**Sent:** Sunday, 8 May 2022 4:22:55 PM **To:** Planning Unit Administration **Subject:** Re: Planning permit objection

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.

#### Hello

So very sorry I have missed you. Yes my concern relates to the impact of the expansion of the transfer station. I have genuine objection to the destruction of native vegetation, and damage and contamination of the land and surrounds. The adverse effect on all forms of life is immeasurable now and moving into the future. Future growth will increase the destruction further. I object to the expansion.

This was the relevant publication

### Cann River - Transfer Station

#### **UPDATE - 8 March 2022**

Council would like to take this opportunity to thank those community members participated in the recent review the proposal for the Cann Valley Waste Transfer Station and who attended the information sessions held on 6 October 2021.

Council is grateful for the time taken to provide the valuable feedback received. Council Officers have taken into consideration the concerns raised by the community about the development of the Transfer Station at Gauge Track off Tamboon Road and as a result have investigated several alternative sites which were proposed by a community working group committee established to advise Council.

Regards Di Magee

On 5 May 2022, at 11:19 am, Planning Unit Administration < Planning@egipps.vic.gov.au> wrote:

6/30/22, 10:39 AM dwa1C06.htm

Hello Dianne,

We received this email from yourself objecting to an application. Unfortunately I am unsure of which application you are objecting to.

I assume that it may be the transfer station application at Cann River but I need your advice please. Could you please provide me with an address or an application number or alternatively you can fill in this objection form that will come direct to this inbox <a href="Form: Objection to a Planning">Form: Objection to a Planning</a>
<a href="Permit Application">Permit Application (eastgippsland.vic.gov.au)</a>

Kind Regards, Kerry

From: Snapforms Notifications [no-reply@snapforms.com.au]

**Sent:** Friday, 22 April 2022 7:11:37 PM **To:** Feedback Address For Web Page

Subject: Report an Issue

### Report an Issue

A 'Report an Issue' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Your name: Dianne Magee

**Email address:** 

Mobile phone number: House name or number:

Street name:

**Town:** Lakes Entrance **Postcode:** 3909

My issue is about:: Other

What is your issue?: Objection to planning application. Planned removal of native

vegetation. Permit not visible to users or inhabitants.

How long has it been an issue?: Ongoing

Have you raised this issue with council previously?: No

Where is this issue located?: Cann river

How should we contact you about this issue?: Email

**Privacy Statement:** Yes



file:///C:/DAT/



Fact Gippsland Shire Council acknowledges the Gunaikurnai. Monero and the Ridawel people as the Traditional

6/30/22, 10:47 AM dwaACDF.htm

From:

Sent: Monday, 25 April 2022 9:25:50 PM

Subject: Petition to Review Councils Decision - Cann River Waste Transfer Station

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.

6/30/22, 10:47 AM dwaACDF.htm

#### Dear Anthony,

I wrote to you on the 12<sup>th</sup> of November 2021 On behalf of the Cann Valley District Representative Group (CVDRG) regarding concerns the committee and residents of Cann River and surrounds had regarding the proposed site for the new Waste Transfer Station to be located at Gauge Track off Tamboon Rd Cann River. (Attached CVDRG CR Transfer Station EGSC.docx)

As you are already aware the committee met with council project staff and I wrote to you on the 12<sup>th</sup> of November proposing a way forward by forming a combined community and agency working group to work through the options and gain community support and hopefully an outcome that met our collective needs.

Even though council and local agencies undertook to form the group and move forward as was suggested, we the CVDRG, members of the community consultative working group and the community most strongly assert that the processes undertaken were lacking in real consultation and consideration of the alternative options for the location of the Waste Transfer Station. We put it to council that attempts to seek input on sites on the west side of Cann River at or near the existing tip site, have been ignored and that the decision about the new transfer waste station site at Gauge Track was already decided prior to July 2021.

To say the CVDRG and community are disappointed with the outcome is a gross understatement your project team has missed an important opportunity to really put into practice your vision for **East Gippsland Shire Council to be Inclusive**, **Engaged and Open with the Cann River Community**.

The CVDRG and members of the community respectfully Petition the Council to review councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River. We are seeking engagement by council through the Combined Community Consultation Working Group, as part of the review. Our representative on this group is Leonie Cameron.

Please see attached Petition (Petition EGSC Cann River Waste Transfer Station.pdf) outlining the Nature of the Issue being petitioned, our request and 184 Names, Addresses and Signatures (the majority being local residents).

The online Petition accessed via the Tamboon Peach Tree Association Facebook link below which has received 123 Names, Addresses and Signatures.

### https://l.facebook.com/l.php?

u=https%3A%2F%2Fchng.it%2F9T8HyrFdhK%3Ffbclid%3DlwAR2754utlJMbUD4iHJgm2UzUCWMGnmOnpwpVk3q0lqXDncq34egXQxa0RnE&h=AT1d1LzGtW57UttotiXWl4Ekl0vqj4M7lRvoAnNBTuLLSfaqKOatLe\_RCiDfAzZg7Jzg6g2mtMZKu8cVWk\_qnlca\_pbpjRRl2ifzFjSM4KaPDM1DETImk2n5dRlHFK1Gc4CauQrEYin5oOSiGaBW&\_tn\_=%2CmH-R&c[0]=AT0YkilFamTM0Ap2QRPucK0qza9orSIDD1a9eVRntTe-D-

5LHnglXIA80P2YGdoSCzpCLAakVQT6YW1dn2U9QT-

PO8nezfy8\_BKIKZivVtMnPrbB9o4wvtAtHxM8GslyZJi5JB4yOjamUAzTroGSA8T9sbTiP9QjbN\_kHrL\_lcpglAAeH2w7lp YN2afWCrek1xhaqe1r9W\_7NQq6t8k

I have tried to log into the https://yoursay.eastgippsland.vic.gov.au/ in order to upload this petition but have been unable to register a logon.

I'm also unsure whether the attachments will make it through your security gateways so I will be in Bairnsdale tomorrow and will deliver the hard copy of the signed petition at the EGSC Offices in Main St.

Regards...Irene Birt Chair CVDRG



12th November 2021

To: Anthony Basford – CEO East Gippsland Shire Council and Fiona Weigall - General Manager – EGSC Assets and Environment;

Attention: Darrin McKenzie - Regional Director Gippsland DELWP and Jeremey Neilson General Manager Land and Built Environment DELWP)

Dear Anthony

#### **Cann River Waste Transfer Station**

Firstly, we would like to thank the three council officers for meeting with members of the Cann Valley District community on Wednesday 6 October 2021 to brief the community on the proposed Cann River Waste Transfer Station. The community is grateful that Council has listened to the community's feedback and are considering alternative options for waste management within the Cann District.

However, members of the community and the Cann Valley District Representative Group (CVDRG) are disappointed that they only became aware that the East Gippsland Shire Council (EGSC) was looking for a new Waste Transfer Station site in July 2021. That Council had been working on this proposal for quite some time but no community engagement or consultation had occurred up to that point.

Representatives from the Council were invited to a meeting with the CVDRG on 5 August 2021 to discuss what options were being considered. CVDRG were assured that no decisions were made, and that Council would post information they had gathered to date on the EGSC Website. The Council representatives also stated they would be happy to have further meetings once more information was available on possible sites.

As you would be aware, the residents of Cann River and surrounds are concerned with the lack of community consultation afforded to them regarding the location of the proposed new Waste Transfer Station at Gauge Track Off Tamboon Road. Whilst 3 sessions were held in Cann River on the 6th of October, numbers were limited because of Covid Safe Guidelines, and the meeting was called within a week of holding it (short notice). It should also be noted that most residents were not aware that Gauge Track was being considered as the site for the new waste transfer station.

As stated above, community is grateful that Council has listened to the community's feedback and are considering alternate options for waste management in the area and CVDRG would like to propose that Council sets up a consultative working party with representatives from

- Department of Environment Land Water and Planning (DELWP),
- Shire Waste Management Team and Assets & Projects Team, and
- Representatives the CVDRG (Frank Herbert, Leonie Cameron, Gary Arthurson) and from Cann River Community – First Nations Elder Aileen Blackburn, Gus McKinnon and Steve Laffey.

It is the intention of the CVDRG that this consultative working party would

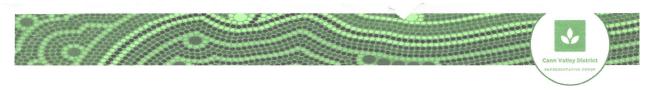
- Work through possible site options
- Consider all options with justification for acceptance or rejection as a possible site.
- Engage agencies and respective stakeholders
- · Reach agreement on options before communicating them to the wider community; and
- Participate collectively in community engagement sessions to present preferred options.

The CVDRG believe that setting up a consultative working party would rebuild trust in the community and demonstrate that EGSC truly listens to the needs of the community.

We look forward to a positive response.

Yours sincerely

### CVDRG (Chair)



# **Petition to East Gippsland Shire Council**

The Chief Executive Officer Anthony Basford East Gippsland Shire Council

Dear Anthony,

We, the undersigned, hereby respectfully lodge the following petition to the East Gippsland Shire Council.

#### **Petition Title:**

Review of Councils decision to build the new Cann River Waste Transfer Station at Gauge Track off Tamboon Road.

#### Nature of the issue to be petitioned:

The Cann Valley District Representative Group (CVDRG) who were formed as part of council's commitment to supporting the community establish this group to drive the Cann Valley District Community Plan with the express purpose of:

- Representing the whole district,
- · Coordinating effort and Communication,
- · Managing relationships with agencies on district issues and
- . To be the Voice of the Community.

The committee met with council project staff in August and wrote to council on the 12th of November 2021 to thank them for consultation to that point, even though attendance three community engagement sessions held on 6 Oct were limited because of Covid regulations. We felt assured that we were being listened to and that alternative sites were being considered. We also suggested that a combined community consultation working party be set up to:

- · Work through new site options
- Openly consider all options with justification for Acceptance and or Rejection
- Reaching agreement on options before communicating them to the wider community
- Participate collectively in community engagement sessions to present preferred options.

Even though council and local agencies undertook to form the group and move forward as was suggested, we the CVDRG, members of the community consultative working group and the community most strongly assert that the processes undertaken were lacking in real consultation and consideration of the alternative options for the location of the Waste Transfer Station. We put it to council that attempts to seek input on sites on the west side of Cann River at or near the existing tip site, have been ignored and that the decision about the new transfer waste station site at Gauge Track was already decided prior to July 2021.

#### **Petition Request**

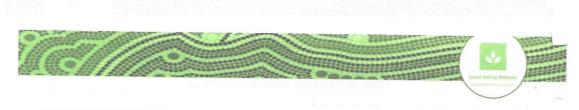
The CVDRG and members of the community respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River. We are seeking engagement by council through the Combined Community Consultation Working Group as part of the review.



We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

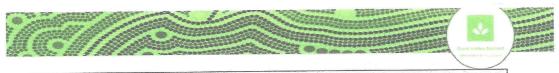
Name [Mandatory]	Address	Postcode [Mandatory]	Signature [Mandatory]
1. Cossandra		3890	
2. Nikky Amprich		3890	
3 restrainwright		253890	
4. PACK WILLTE		3890	
5. petsostill		300	
6. Josh Brownle		3890	
7. MAX KACZ		2690	
8. Rae Stevens		n 3890	
9. Lee devlin		nr 3890	
10. ADEST		RAY	
11. AVERIL SYMONS		3890	
12. REBECCA KENANT		3890	
13. Jora Matthew		Rol 388	
14. maria Kino		.River:	
15. Jami Oliver		m Bive	
16. Keith Oliver		3890	
17. R. Puyenbrock		ninee 389	
18. Jan Connley		3890/	
18. Com Hal		3890	
20. Lan Quick		3890	
21. GIVE SONVEITZER		38%	
22. Id Taylor		3890	
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24.			
25.			

Page 2



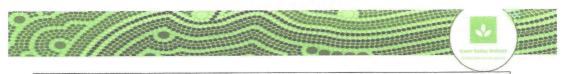
We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

Name [Mandatory]	Address	Postcode [Mandatory]	Signature
1. A. Filmer		. 3890	
2.5 WILLIS	oons	3890	
3. S. TAYLOR	000000000000000000000000000000000000000	BE3840	
4. A. Searle		3890	
5. W. Eunson		3890	
6. P. Davis		3890	
7. L Hendeson		3890	
8.G Smitz		3890	
95 5mit2		3490	
10. Dansel Elliot		3890	
11. SOUN STEWART		3889	
12. Susan Marchi		3890	
13. FRANK HERIBERT		3840	
14. EVA VARE		3890	
15 Linda Radsford		3890	
16. Zernie Percie		3890	
17. CON LaxIRS		3890	
18. E. F. LUMRS		1800	
19. SYLVIA WILLIS		WUST 3896	
PERSON HERBERT		3290	
21. Rowan PORTER		3890	
22: JOHN LOTON		3800	
23. KERRY LOTON		3890	
24. JESSEY RYBICKI		3290	
25. GEORGIA VARE		3896	
16. ADELINO MARCIN		3890	



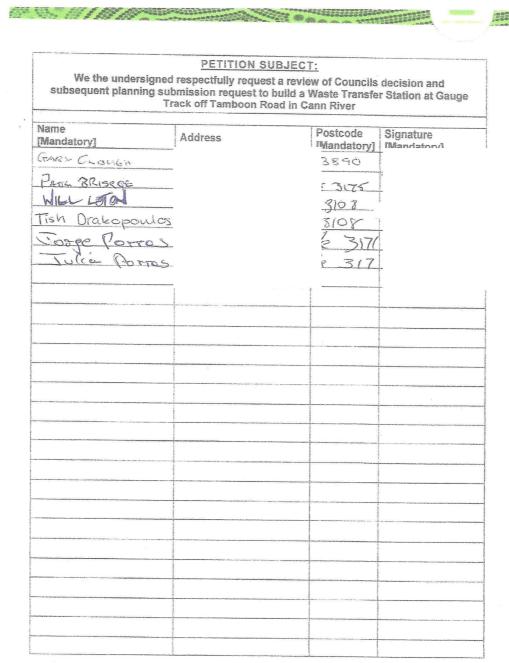
We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

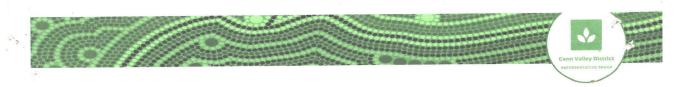
Name [Mandatory]	Address	Postcode [Mandatory]	Signature [Mandatory]
27.2 Yours		3890	
28. L TERRY		3890	
29. PTERRY		3890	
30.D STEPHENSON		3890	
31. (Vare		3890	
32. Wagne Martin		3690	
33.N STEPHENSON		Pan500 138	
34. H. Hay		3890	
35. E. THORGOOD		t. 3890	
36. T. Dixon		amboon	
37. M. Dixon-Kitk		Tamboon	
38. J. DeLUCA.		Same and the same	
39. M Moodie			
40. Rob Deluca		3875	
41. CILCA STEWART		3435	
42. Ashleigh Watts		3437	
43. Harry Behan		3435	
44. BRETT BELLAD		× (	
45 Michael Gloss		3250	
46. Lisa Gibson		£ *1	
47. Chloe Gibson		my/ 3250	
48. Cassie Wigg		Alima 390	
49. Javen Pigg		alinna	
50. Alex Partus		3058	
51. Arigal Vander Weers		3434	
52. Nicole van der Weerde		3058	



We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

Name [Mandatory]	Address	Postcode [Mandatory]	Signature [Mandatory]
53. Rebecca Pre	ttel	3890	
54. Jama John	J	, 10	
55. DAR-IL (An	Eror	3890	
56. IAN BROWN	Jhp=	3390	
57. SCOTT CANOUS	16	3890	
58. FHILLIP STE		3890	
59. Ruel Russe	e e	3893	
60. Gralme Pret	7	3890	
61. MICK COUNT	toy	3.840	
62. KEU EDEBON	165	3890	
63. PAUL PRIGHEZ		3875 <b>3890</b>	
64. KYLE HEPBU	IRN		
65. HENRY FUTNES	55	3890	West and the second sec
66. CARLA-HEPBU	ien	3888	
67. DARREN HOR	BURN	3888	
68. Maureen Bro	ome	3890	
69. John Broo	me	· ·	
70. MARK ADAMSON		3890	,
71. COL Grownly	<u>-</u>	3890	
72. Linda Coffe		3890	
73. Val. Bion	nle	3890	
74. Christino J. Brown	Vi_	3890	
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We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

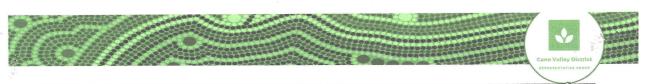
Name [Mandatory]	Address	Postcode [Mandatory]	Signature [Mandatory]
1. MARNIE SZIKU	1	3890	
2. KIPKE DXSON-HOO	whip	368	
3. Sasha Johns		3888	
4. Jan Broome		3890	
5. Craig Dooles		3890	
6. Jack Newlyn		3890	
7. CHRIS LEAR	1.	3889	
8. Chis Monda	7	3550	
9. AJDEN Seson		3892	
10. colin Rocci		3390	
11. David Sine	-	3890	:
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# PETITION SUBJECT: We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River Postcode Signature Name **Address** [Mandatory] [Mandatory] [Mandatory] 3891 3890 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23.

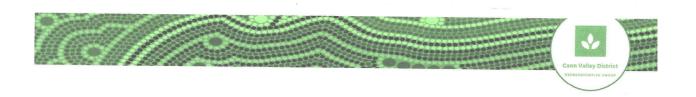
Page 2

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We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

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We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

Name [Mandatory]	Address	Postcode [Mandatory]	Signature [Mandatory]
1. LEN DUFFUS		3890	
2. DON BLANEZ		2166	
3. SALLY KALP	-	3186	
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We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

Name [Mandatory]	Address	Postcode [Mandatory]	Signat [Mand
1. Chrystal Hall		3890	
2. TammyStephenson		3ver 3890	
3 Sherytle Holsten-		3890	
4. Kellie-Ann Inch		3890	
5. Jan Quck		3890	
6. JAMES HAE NOYRE		3890	
7. PETER WIKCLS		3890	
8. Debi Taylor		3890	<
9. peter Stall		3890	
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We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

Name [Mandatory]	Address	Postcode [Mandatory]	Signature [Mandatory]
Lennifer Adam	son	3890	
Angus Birel		3909	
Admon Broome		3690	
HARK ADAHSON		3890	
maureen Broom	10	3890.	_
John Broome	3	3890	
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We the undersigned respectfully request a review of Councils decision and subsequent planning submission request to build a Waste Transfer Station at Gauge Track off Tamboon Road in Cann River

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6/30/22, 10:35 AM dwa184F.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

Sent: Wednesday, 8 June 2022 9:34:05 PM To: Feedback Address For Web Page Subject: Customer Contact Form

#### **Customer Contact Form**

A 'Customer Contact Form' has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Name: Colin jenkin

Postal address: Cann River VIC, Australia

**Email address:** 

Mobile phone number

Subject: Waste Transfer station off tamboon Rd

**Date:** 08/06/2022

**Details of customer request/issues/feedback/suggestion:** Colin jenkin strongly object to a waste transfer station off tamboon Rd Cann river,we have more than enough trucks flying down the road now to the quarry, without having more trucks n cars, trailers etc coming down our skinny road, I fear for my life everytime I try to come out of my drive way for a truck flying around the bend, so please NO MORE trucks etc on tamboon Rd. otherwise it will be an accident waiting to happen, regards a frightend rate payer ,Colin jenkin

**Privacy Statement: Yes** 

8/18/22, 10:04 AM dwa8C56.htm

From:

**Sent:** Tuesday, 5 July 2022 12:20:40 PM **To:** Planning Unit Administration;

Subject: Objection to for the Proposed Cann River Transfer Station

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.

# **Objection to the Cann River Transfer Station**

While we understand the opportunity to protest the planning permit time period has lapse to many people in the community have requested that something needs to be done. So we are trying to voice our communities concerns.

Greatest concerns with the planned Transfer Station on Gauge

Trk;

#### Public Safety -

Gauge Track at times has multiple Trucks with Trailers going in and out of the Quarry at the end of Gauge Track (Have had 60 truck loads picked up in a day). The current site on the Old Coast Rd has had multiple near misses and there is less truck traffic. We do not want anyone getting hurt and especially don't want any of our staff, subcontractors or customers hurting anyone. People stop to read the sign at the tip in the intersection all the time how will this issue be dealt with? There is little time for a truck to veer out of the way at this location. We have enough trouble at the Gauge Trk/Tamboon Rd Intersection with the public. During blasting operations at the quarry the road and transfer

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8/18/22, 10:04 AM dwa8C56.htm

station will need to be closed, the current tip site doesn't have these issues.

**Rubbish** – Tip Sites/Transfer

stations create more rubbish than a site where they are not. McKinnon Earth

Construction has been keeping Gauge Track clean of rubbish for over 15 years.

We don't have the resources to support the clean up of the extra waste this

site with create. We have a tip site why can't we use it?

Security - Cann River

Tip Site has had multiple security breaches in a small scale. Creating a new transfer station will bring more people to Gauge Track where there is thousands of dollars of equipment on site creating a serious security concern.

Who at DELWP has

**approved this new site?** James Pardew local management and Tracey West manager of leases told us they did not give approval for this new site.

The local Indigenous group

has not approved this site.

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8/18/22, 10:04 AM dwa8C56.htm

#### **McKinnon Earth**

Construction have supported the Shire for many, many years and have had a great relationship and are feeling like we are being unheard, not listened to, when we rarely ask for help. McKinnon Earth Construction is a family run business that have been active in the community for many years donating time and resources more than one can count to nearly every community organisation in the valley. We are the only large scale contractor. If it wasn't for McKinnon Earth Construction on New Years Day 2020 there may not be the community of Cann River. How much expense would that have cost the Shire?

#### The current tip site

has road access and at least space for 2 shipping containers why can this site not be continue to be used? We have been told by Paul Rooney (EGShire) a landfill site cannot be built on. Why can't the current road into the tip be left and the current pad for 2 recycling containers and the Atco be used for waste?

There would then be no disturbance and no cost!

We are a small scale family run business. The 4<sup>th</sup> largest employer in a town of 194 people. Material from this quarry support a vast array of people from all walks of life. This transfer station threatens the life of Gauge Trk Quarry and possibly the neighboring quarry. It's the only quarry for over 150kms. Servicing road creation for EG Shire, Vic Roads, DELWP, VicForests and private roads. It provides material for all of the above plus CMA, EG Water, a plethora of community and private business. Saving money on

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travel and road damage from travelling further away.

We hear that the reason the current tip site can't be used is because it can't be built on. We're not asking for anything to be built.

Keep what is there. Use what has already been created. Save the Shire and Rate payers time and money and use the site we already have and don't have an issue with.

Sincerely,

Gus McKinnon On behalf of the Cann River Community

6.2.2 Planning Permit application 259/2022/P - Use and Development of

a Residential Hotel, Buildings and works (Retail Premises), Display of Signs, Subdivision, Bicycle Facilities waiver, and Sale and Consumption of Liquor - 19 Dalmahoy Street, Bairnsdale

Authorised by General Manager Place and Community

## **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 the Use and Development of a Residential Hotel, Buildings and works (Retail Premises), Display of Signs, Subdivision, Bicycle Facilities waiver, and Sale and Consumption of Liquor, at 19 Dalmahoy Street, Bairnsdale.

In essence, the basis for the proposed development being recommended for approval is:

- The proposed development is consistent with both State and Local Planning Policy in providing an appropriate re-use of a brownfield site, within an appropriate location, within the Commercial 1 Zone; and
- The development will also provide increased variety of accommodation choice for visitors to East Gippsland and is considered to comply with the Bairnsdale Growth Strategy 2009.

In addition, any requirements for additional detailed information can reasonably be addressed through permit conditions.

A copy of the plans and documents submitted with the application is provided at **Attachment 2**. A traffic assessment was prepared and is provided at **Attachment 3**. All of the documentation which was subject to notice is available through Council's Advertised Planning Permit list: 259/2022/P 19 Dalmahoy Street BAIRNSDALE Application

Four objections have been lodged against the grant of a permit, which are attached at **Attachment 4**. The applicant has responded positively to the objections and accepted certain conditions to address some of the concerns raised.

A detailed assessment against the East Gippsland Planning Scheme has been undertaken and the proposal is viewed as being consistent with the relevant planning policies and requirements.

#### 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 259/2022/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 the Use and Development of a Residential Hotel, Buildings and Works (Retail Premises), Display of Signs, Subdivision, Bicycle Facilities waiver, and Sale and Consumption of Liquor, at 19 Dalmahoy Street, Bairnsdale, subject to permit conditions in Attachment 1.

## **Background**

# Site Description

The site measures 1.5 Hectares and is currently occupied by Dahlsens Trade Centre. The site is predominantly located within the Commercial 1 Zone and partly located within the General Residential Zone (along the southern boundary) and is not subject to any Overlays.

The existing business is in the process of relocating to another premises in Bairnsdale. No planning permit is required for the demolition of the existing premises.

Below is an aerial image of the application site (Figure 1).



Figure 1 - Aerial Image of 19 Dalmahoy Street - Centrally located in the image

# **Proposal Details**

The application currently before Council seeks approval for the Use and Development of a Residential Hotel, Buildings and works (Retail Premises), Display of Signs, Subdivision, Bicycle Facilities waiver, and Sale and Consumption of Liquor. Extracts of the proposed plans are provided below for reference.

The ground floor of the premises will consist of a retail premises totalling 717 sqm of floorspace. The apartment hotel will consist of entrances to the east and south, along with terraces, a conference room and lounge area, manager's office, reception and back of house facilities. The upper three storeys will provide the serviced apartments (66 in total).

Below (**Figure 2**) is an extract of submitted aerial image showing the separate land parcels which constitute the property known as 19 Dalmahoy Street.

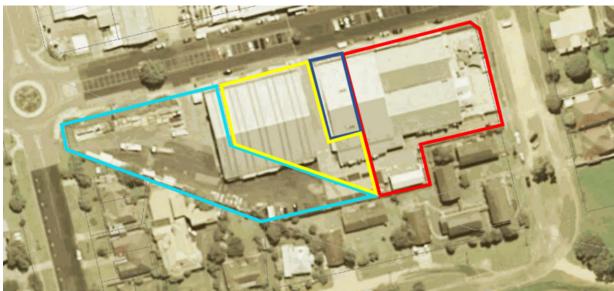


Figure 2 - Lot 1 – shown in blue; Lot 2 - shown in yellow; Lot 3 – shown in red; and Lot 4 – shown in teal.

The proposal includes the request to subdivide the existing titles into a layout consistent with the proposed serviced apartments and retail complex – creating lot 1 of 4042 square metres and a balance Lot 2 of 6704 square metres which is likely to be the subject of a future redevelopment proposal. This proposal is shown at **Figure 3.** 

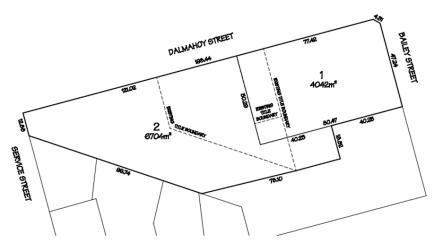


Figure 3. Proposed Subdivision Plan extract

**Figures 4 and 5** are extracts of the computer generated images (CGIs) and **Figure 6** is the elevational drawings of the proposed front / side and rear elevations of the proposed building.



Figure 4. CGI of Proposed Front / Side Elevations



Figure 5. CGI of Proposed Front / Side Elevations



Figure 6. Front (Northern) and Rear (Southern) Elevations

Extracts of the proposed floorplans for the ground (**Figure 7**) and first floors (**Figure 8**). In the interests of brevity extracts of the second and third floor plans are not provided, as these are very similar to the first floor.

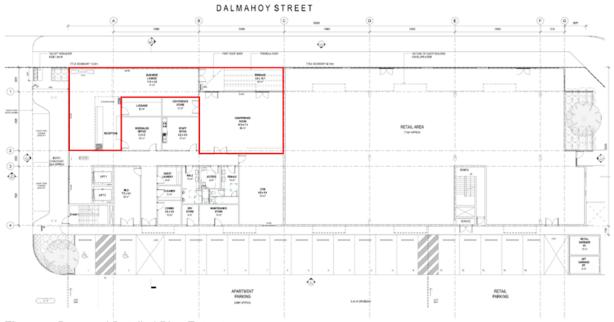


Figure 7. Proposed Detailed Plan Extract

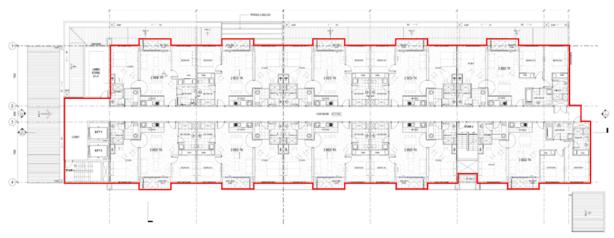


Figure 8. First Floor plans

It is proposed that the car park to the rear (south) of the new building will be divided to provide 31 parking spaces and a loading area for the residential hotel, which will be accessed by automated gates. The retail element of the development will be allocated 15 spaces and a loading area. A shared parking area consisting of 18 parking spaces for use by patrons of both hotel and retail elements is proposed to the southern portion of the site. An extract of the proposed Landscape Concept Plan is provided at **Figure 9** for reference.

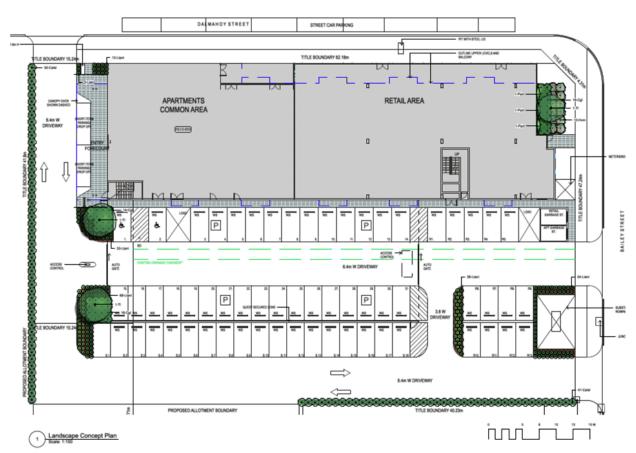


Figure 9 – Extract of Landscape Concept Plan demonstrating proposed car parking.

## 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* 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.

The application is assessed in accordance with the requirements of the Planning and Environment Act 1987.

#### 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:

- Clause 11 Settlement;
- Clause 13 Environmental Risks and Amenity;
- · Clause 17 Economic Development; and
- Clause 18 Transport

#### **Assessment:**

#### Clause 11 (Settlement)

The strategies of the Clause of relevance are:

'Encourage a form and density of settlements that supports healthy, active and sustainable transport.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.'

### Clause 12 (Environmental and Landscape Values)

'Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, Australia's Strategy for Nature 2019-2030, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.'

#### Clause 13 (Environmental Risks and Amenity)

This clause relates to climate change impacts, bushfire, floodplains, soil degradation, noise, air quality and amenity, human health and safety. The clause summary states:

'Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- Land use and development compatibility.
- Effective controls to prevent or mitigate significant impacts.

Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change.'

#### Clause 17 (Economic Development)

Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.

Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

Clause 17.01-1S – 'Diversified economy Objective- To strengthen and diversify the economy.

## Strategies

Protect and strengthen existing and planned employment areas and plan for new employment areas.

Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.'

#### Clause 17.04 Tourism

17.04-1S 'Facilitating Tourism

Objective - To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

#### Strategies

Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities. Seek to ensure that tourism facilities have access to suitable transport.

Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.'

17.04-1R 'Tourism - Gippsland

#### Strategies

Facilitate tourism in strategic tourism investment areas shown on the Gippsland Regional Growth Plan.

Facilitate tourism development in existing urban settlements to maximise access to infrastructure, services and labour and to minimise impacts on the environment and exposure to natural hazards.

Support nature-based tourism proposals that complement and are compatible with the region's environment and landscape attractions or are close to identified strategic tourism investment areas.'

#### Gippsland Regional Growth Plan

'Tourism in Gippsland generates around \$860 million per annum and employs about 5300 people representing about six per cent of the region's total workforce1. Most visitors to the region come from the domestic market, while unique nature-based attractions provide an opportunity to draw a greater number of international visitors. The tourism sector has the potential for industry growth independent of population growth. Future tourism development is planned to complement existing environmental and heritage assets while managing potential impacts on environmental and landscape values.

To progress these opportunities, strategic tourism investment areas have been identified in places conducive to nature-based tourism (refer to Section 3 of the background report). Opportunities exist for private sector investment in towns and sensitively designed tourism infrastructure.

'Encourage tourism development to locate within an existing urban settlement in identified strategic tourism investment areas', (except in special circumstances).

The Background Report (Chapter 1.3 'Tourism') provides the following guidance with regard to tourism:

'There is an opportunity to develop tourism in Gippsland and capitalize on the range of environmental and cultural heritage assets, including those on public land and the rural farmed landscape.'

The report also identifies that there is opportunity for 'further investment to meet unmet demand' and 'new investment to facilitate new tourism opportunities'.

#### Clause 18 (Transport)

The aspirations of Clause 18 are summarised as:

'Planning should ensure a safe, integrated and sustainable transport system that:

- Provides access to social and economic opportunities to support individual and community wellbeing.
- Facilitates economic prosperity.
- Actively contributes to environmental sustainability.
- Facilitates network-wide efficient, coordinated and reliable movements of people and goods.
- Supports health and wellbeing.'

#### Policy Framework Assessment

The proposal is for the redevelopment of a brownfield site, which is entirely hard surfaced. The site is also surrounded by existing built form. Therefore, the impact of the proposed development upon the natural environment and landscape is considered to be negligible.

The proposed development promotes the objectives of the clause by virtue of being the redevelopment of a brownfield site, within an urban area. The scheme is located within close proximity to the town centre and as such vehicular trip generation will be minimised. The proposals also include cycle parking to promote a reduction in the use of the private car and is located within a short walk from the train station. The scheme has also been designed with regard to the impact upon the amenity of neighbouring occupiers.

The proposals are wholly compliant with regard to economic development policy and specifically the development of tourism facilities. The scheme would provide for new tourist accommodation, within the existing town centre.

Bairnsdale is identified as a Regional Centre and is highlighted as a location where growth should be promoted. Tourism should be directed to existing settlements and within easy access to public transport. The proposed development would be within a 500 metre (6 minute walk) of the railway station.

#### **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
- 21.04 Environmental and Landscape Values; and
- 21.09 Economic Development.

## 21.02 (Municipal Overview)

The Municipal Strategic Statement provides a vision and clear strategic directions for land use and development in East Gippsland Shire, in a way which helps achieve economic, social and environmental goals.

#### 21.03 (Settlement)

Objective 1 – Main Towns

### Strategy 1.4

'Support medium density development for both tourist and permanent residential use in residential zones.'

The following summary of the aspirations of the clause are provided below:

## 21.04 (Environmental and Landscape Values)

'The Council has an important custodial role in relation to East Gippsland's unique biodiversity and large tracts of intact native vegetation. We will continue to work with owners and developers to restore and maintain the biodiversity of our rivers, waterways, lakes and wetlands. We will protect sites of significance by encouraging sensitive development,

sympathetic to the character of the area and its aesthetic values. The ideal of integrity quides many of the following objectives and strategies: aesthetic integrity (including views and vistas); integrity of the natural environment; and, importantly, cultural integrity.

# 21.09 Economic Development

'The Council will continue to play an important role in developing the region's economy. We will encourage businesses to invest in niche commercial markets and will encourage industry to locate (or relocate) to strategic locations close to major towns. We will encourage our traditional industries to remain competitive and to source new markets thereby expanding the number and range of jobs on offer. A major part of our work will be building on our claim to be a 'clean, green and beautiful' region by developing and promoting East Gippsland as a major tourist destination.

This Clause provides local content to support Clause 17 of the State Planning Policy Framework.'

## Commercial 1 Zone

The application site predominantly falls within Commercial Zone 1. However, a strip of the site adjacent to the southern boundary falls within the General Residential Zone.

The purpose of the Commercial 1 Zone is:

#### 'Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework. To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.'

The purpose of the General Residential Zone is:

## 'Purpose

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 nonresidential uses to serve local community needs in appropriate locations.

#### **Decision Guidelines**

There are decision guidelines stipulated within Clause 34.01-8 for development within Commercial Zone 1 and these are as follows:

## 'Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

#### Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

#### Subdivision

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

## Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.'

There are decision guidelines stipulated within Clause 32.08-13 for development within the General Residential Zone and these are as follows:

#### 'Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

#### Subdivision

- 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.

#### Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

#### Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.'

The proposed development has been assessed against the provisions of the MSS and PPF earlier within this report.

#### **Particular Provisions**

Assessment of Signage (52.05), Car Parking (52.06), Liquor Licencing (52.27) and Bicycle Facilities (52.34) are contained in the general assessment, below.

#### **General Provisions**

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.

The proposed development represents an opportunity for an appropriate increase in the density of development within a sustainable location. The development would also provide a valuable addition to the accommodation provisions within Bairnsdale and would provide increased choice and variety of accommodation options for visitors.

#### **Assessment**

The application site is brownfield land, which is predominantly within Commercial Zone 1. The site is located within the centre of the town and is surrounded by urban development. The redevelopment of the site represents a sustainable form of development, which will increase development density within the town centre.

The site is within a short walk of all of the services and facilities provided within the town centre of Bairnsdale. Furthermore, the proposed development is within a short walk of the railway station. The development is also within an area which is attractive for the use of bicycles as a means of transportation and this will be encouraged by the provision of secure cycle parking on site for use by both staff and visitors.

## Design

The proposed building is 4 storey in design and will be the largest building within this part of town. The buildings currently on site are large industrial buildings with a utilitarian appearance.

The proposed building will be finished in painted render (colours White Watsonia and Monument), with portal, vertical louvres, balconies and roof screening louvres in precious silver. Roof, soffit, fascias and awning will be finished in Colourbond (colour Monument) and windows frames and metal work will be in Monument colour.

Amenity

The site is surrounded by built form, including:

- To the north of the site is Dalmahoy Street with commercial properties opposite.
- To the east of the site lies Bailey Street with residential properties opposite;
- To the south of the site are residential properties; and
- To the west of the site is a mixture of education and residential.

The proposed building is four storey in height and extends to 13.6 metres at its highest point, development replaces existing buildings on site which are of significant size.

The proposed building is 30 metres from the shared boundary with the two storey residential accommodation to the south at Bailey Street and Rupert Street. The closest properties at Bailey Street are approximately a further 2.8 metres from the shared boundary. Accordingly, the proposed development is considered to be acceptable with regard to privacy and overlooking. The submitted shadow diagrams evidence that the development will have no detrimental impact upon light levels currently enjoyed by neighbouring occupiers.

Details of the proposed external lighting to the car park will be required via Condition, in order to ensure no detriment to residential amenity.

#### Car parking and Bicycle facilities

The Planning Scheme stipulates the parking requirements in Clause 52.06-05. The application is supported by a Traffic Engineering Assessment (**Attachment 3**), which assesses the proposal against the Planning Scheme parking requirements. The findings of the Assessment are not disputed. The scheme currently proposes 31 spaces for the apartments (which equates to 0.52 spaces per serviced apartment). The retail element requires 1.8 spaces per 100 sqm and 13 spaces are proposed. A further 18 unallocated spaces and 62 spaces in total are proposed.

It is pertinent to note that with connecting doors to studios open, the development could be operating with as few as 30 one and two bedroom apartments.

The proposed development currently proposes a deficit in car parking provision of 15 spaces. However, on balance the quantum of proposed car parking is considered generous and it is the view of Officers that the scheme would benefit from additional soft landscaping, to the rear of the development which would result in the loss of 3-4 spaces in order to provide an additional 3 canopy trees and to provide secure cycle parking facilities.

The submitted Traffic Engineering Assessment provided confirms that there are 333 onstreet car parking spaces within 200 metres of the application site. The parking within the vicinity of the site is typically unrestricted, with a small number of 1P and 2P spaces). Furthermore, the report records 186 parking spaces were occupied, leaving 147 vacant at the time of survey – an occupancy of 56%.

Therefore, considering that the development is located within easy access of public transport, walking and cycling distance of the town centre and the plentiful supply of parking on street the proposed quantum of parking is considered acceptable.

#### Sale of Alcohol

The proposal includes the sale of alcohol, for which a licence will be required from the Victorian Commission for Gambling and Liquor Regulation (VCGLR). The proposals do not include a bar area or restaurant. The apartments will not be served by mini bars, instead alcohol is available for purchase from reception for consumption within the private apartments of guests or any functions within the conference area, terrace and lounge areas. Alcohol will be sold 7 days per week, between the hours of 7am and 11pm under an ordinary licence from VCGLR. The maximum capacity of the licenced area will be determined by Building Regulations. It is understood that the capacity is likely to be circa 70 patrons.

The sale of alcohol will only be permitted to hotel guests and patrons attending functions. Considering the conditions under which alcohol is proposed to be sold (subject to licence) it is considered unlikely that the proposals would prejudice the amenity of neighbouring residential occupiers due to noise emissions or rowdy alcohol related anti-social behaviour.

#### Proposed Signage

The application includes the requirement for advertising signage, which will be placed on the front (northern), rear (southern) and side (eastern) elevations of the building. The signage will consist of individual letters spelling out the name Quest. The individual letters are proposed to be backlit.

The signage needs to be considered with regard to its impact upon the character of the area, the cumulative impact of signage, impacts upon views and vistas including domination of skyline, the impact of illumination upon residential amenity and impact upon road safety.

Whilst not specifically stated within the application submission, the application does include high wall signage, to the front, side and rear elevations of the proposed building and these have been considered as part of this application. The proposed signage is considered to be in keeping with the character of the area, which is predominantly commercial and there are other examples of large commercial signs within the vicinity of the site, however, these are predominantly non-illuminated. There is sufficient separation distance from adjacent residential uses to prevent a prejudicial impact upon residential amenity.

## Referrals Response

The application was subject to internal advice from the Environment Health Officers and Senior Technical Officer - Development who did not object to the proposal subject to appropriate conditions relating to:

- Compliance with the Food Act 1984, Food Standards Code with regard to the design, construction and fit out of food premises.
- The protection of Council's assets
- The submission and approval of a Drainage Management Plan,
- A concrete vehicle crossover to the site from Bailey Street
- The submission and approval of a Construction Management Plan;
- A note regarding the need for a non-utility minor works consent of works within road reserve application must be lodged with the *Roads and Traffic* unit of Council and approved prior to works within the road reserve.

The application did not attract any mandatory referrals to external statutory authorities under Clause 66 of the Scheme. The two-lot subdivision is exempt from referral requirements and the servicing authorities have the opportunity to comment at the Certification stage of the proposed subdivision. Standard conditions are imposed as required by the Scheme.

## **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:

# **Council Policy**

The application was lodged at the time that assessment was commenced in accordance with the Planning Permit Applications Delegations Policy 2018. The cost of the development is greater than \$5 million, it is considered appropriate to continue to report the matter to Council for determination, despite the policy change approved on 20 September 2022. Officers believe the proposal is also of significant community interest.

#### **Options**

Council has three options:

1. Adopt the Officer's recommendation to approve the development subject to conditions.

This is the preferred option as the proposal is considered to meet the relevant planning requirements.

2. Set aside the Officer's recommendation and resolve to refuse the application.

Council would need to specify the reasons for refusal, relevant to the provisions of the Planning Scheme.

3. Modify the recommendation to include additional or amended conditions, if considered necessary to address any outstanding concerns.

The proposed conditions are considered to address outstanding matters, including the reference to bicycle facilities below.

Control	Clause(s)	Consideration
Bicycle Facilities	52.34	A planning permit is required to waive the requirement for bicycle facilities. Officers are of the view that there is no justification for not providing cycle parking on site.

## **Cultural sensitivity**

Pursuant to the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) has been prepared, as part of the subject land is identified as an area of cultural heritage sensitivity. The proposed works are also considered to be a high impact activity. The CHMP was submitted for consideration as part of this application. Some credit was given to the fact that the existing development covers the entire site and was likely to have caused significant ground disturbance.

## Resourcing

Financial

Nil

Plant and equipment

Not applicable.

**Human Resources** 

Assessment has been undertaken by Planning staff.

Risk

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

#### **Economic**

The development represents a substantial financial investment in services for the local community.

#### Social

A Social Impact Assessment is not considered to be required. The applicant has made a Social Impact Comment in accordance with the Social Impact Assessment Guidelines for Development Applications 2015. The applicant concludes that the development would have a negligible social impact and no further assessment is warranted. Officers agree with the applicant's Social Impact Comment.

## Gender Impact Statement

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

#### **Environmental**

The proposal is not considered to have an adverse environmental impact. The site is entirely hard surfaced at present. The proposed development does include some soft landscaping, including tree planting.

## Climate change

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

## **Engagement**

Public notification was undertaken in the form of letters to neighbouring landowners, a sign was placed on site and notice was published in the Bairnsdale Advertiser Newspaper, in accordance with Section 52 of the Planning and Environment Act 1987.

A statutory declaration has been provided that confirms notification was undertaken as directed and that the responsible authority will not decide on the application before 21<sup>st</sup> July 2022.

#### Summary of Objections

Four (4) letters of objection have been received, which are provided at **Attachment 4**. The objections received raised the following concerns:

- 1. Existing problems with alcohol and drug abuse within the Bailey Street and Rupert Street area and concerns that the proposed development will result in increased opportunities for access to alcohol, which may be abused if not adequately policed;
- 2. Negative effects upon residential assets (unspecified);
- 3. Lack of individuality / local architectural reference within the built form;
- 4. Dominant scale of the building over the surrounding residential properties;
- 5. Overlooking from the fenestration on upper storeys;
- 6. Overshadowing from the proposed building upon adjacent residential properties;
- 7. Lack of tree planting and soft landscaping within the scheme;
- 8. Changing climatic effects have not been considered;
- 9. Pedestrian space / flow has not been considered;
- 10. Omission of cycle parking from the scheme;
- 11. Capacity within potable water and sewerage infrastructure questioned;
- 12. Light and noise pollution has not been considered;
- 13. The development is contrary to the guidance contained within the EGSC Shaping the Future Community Vision 2040 Statement;
- 14. Unfair competition for existing smaller businesses;
- 15. Lack of vibrant and active interface with Dalmahoy Street;
- 16. Heat load upon the front of the building in summer
- 17. Concerns regarding the 4 storey height of the building; and
- 18. Concerns regarding light pollution from lighting to the car park.

#### Review of Objectors Concerns

In response to the concerns of objectors which may not have already been addressed within this report.

- Objections relating to the consumption of alcohol are considered to relate to concerns regarding alcohol abuse/ over consumption and associated rowdy and antisocial behaviour. The premises includes modestly sized lounge and conference areas. Council Officers are of the view that the premises is capable of serving alcohol without detriment to the amenity of neighbours, provided suitable conditions are imposed, relating to patron numbers, hours of operation and relating to noise and disturbance. Furthermore, it is important to note that the EPA has separate powers to enforce against noise pollution matters and the VCGLR in association with the Police have robust powers to curtail any anti-social behaviour and to withdraw the licence to sell alcohol if the establishment is not being run in a satisfactory manner.
- Lack of individuality / local architectural reference within the built form The property is not located within a Heritage Overlay and nor is the site the subject of any specific design requirements. Therefore, the Council has little justification for seeking to amend the design of the building, which is considered to be an improvement architecturally compared with what is currently on site and will not be out of keeping with the general character of the area;
- Pedestrian space / flow has not been considered the proposed car park is as well served by pedestrian walkways as one could expect, considering the limited scale and shape of the site. Pedestrians have direct access to the footpath along Dalmahoy Street via the entrance forecourt:
- The development is located within the Commercial 1 Zone and as such commercial competition is not a material planning consideration.

#### **Attachments**

- 1. Proposed Conditions [6.2.2.1 4 pages]
- 2. Plans 19 Dalmahoy Street Bairnsdale [6.2.2.2 18 pages]
- 3. Traffic Engineering Assessment 19 Dalmahoy Street Bairnsdale [6.2.2.3 30 pages]
- 4. 259.2022. P Redacted Objections [**6.2.2.4** 10 pages]

259/2022/P - 19 Dalmahoy Street BAIRNSDALE
Lot 1 & 2 TP 299042, Lot 1 TP 087033, CP 104808 - Use and
Development of a Residential Hotel, Buildings and works (Retail
Premises), Display of Signs, Subdivision, Bicycle Facilities waiver,
and Sale and Consumption of Liquor

#### **Proposed Conditions**

- 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) The provision of six cycle spaces within a secure structure on site; and
  - b) An amendment to the Proposed Site and Landscaping Plans to show the provision of an additional three trees on site, within the rear car park area, (totalling six proposed canopy trees on site).
- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. Before the development commences, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan submitted with the application. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale. The plans must show:
  - A schedule of all proposed vegetation (trees, shrubs and ground covers)
    which includes botanical names, common names, mature size and total
    quantities of each plant.
  - Pot sizes and specific location of the plants to be planted.
  - Buildings, outbuildings and other structural features on the land that influence the landscape design.
  - Natural features that influence the landscape design.
  - Details of in ground services which may impact upon the deliverability and success of the planting scheme;
  - Proposed irrigation methods.
  - A minimum of six canopy trees of an agreed species; and
  - The proposed design features such as paths, paving, lawn, finished surfaces and outdoor lighting.

Landscaping in accordance with this approved plan and schedule must be completed before the before the issue of statement of compliance.

4. Before the commencement of works, a drainage management plan must be submitted to and approved by the Responsible Authority. All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

The drainage plans must include:

- Drainage infrastructure (where required and as appropriate), including piping/drains and pits.
- Any modification to the terrain, such as filling and excavation.
- Any build over easements and legal points of discharge.
- Methods of on-site detention, including the provision of sediment traps and rainwater tanks as required.

The drainage works and requirements must be undertaken and completed in accordance with the approved plans and be to the satisfaction of the Responsible Authority.

- 5. Before the building is occupied, a standard industrial concrete vehicular crossover must be constructed to Bailey Street to suit the proposed driveway, to the satisfaction of the Responsible Authority.
- 6. Before the commencement of any works associated with the development 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;
  - A Traffic Management Plan is required;
  - Details of construction days and hours;
    - 7am 6pm Monday to Friday
    - 7am 1pm Saturday
    - Public Holidays; only as approved by Council
  - 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;
  - 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. The food premises must comply the Food Act 1984, Food Standards Code Australia New Zealand and AS 4674-2004 Design, construction and fit out of food premises.
- 8. The use and development must be managed so that the amenity of the area is not detrimentally affected through the:

- transport of materials, goods or commodities to or from the land;
- appearance of any buildings, works or materials;
- emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, soot, ash, dust, waste water, waste products, grit or oil;
- presence of vermin; or
- (insert other as required).
- All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to the satisfaction of the responsible authority.
- 10. External lighting must be designed, baffled and located to prevent any detrimental effect on nearby land, to the satisfaction of the Responsible Authority.
- 11. Before the use commences, areas set aside for parked vehicles and access lanes, as shown on the approved plan(s) must be:
  - a) Constructed to the satisfaction of the Responsible Authority.
  - b) Properly formed to appropriate levels to the satisfaction of the Responsible Authority.
  - c) Constructed to the satisfaction of the Responsible Authority.
  - d) Drained and maintained to the satisfaction of the Responsible Authority.
  - e) Line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times to the satisfaction of the Responsible Authority.

- 12. Both before the building is occupied and before the issue of statement of compliance, any portion of Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development must be repaired/reinstated to the satisfaction of the responsible authority.
- 13. Unless with the written consent of the Responsible Authority, the sale of alcohol hereby permitted must only take place on any given day between the hours of: 7 am and 11 pm.
- 14. Unless with the written consent of the Responsible Authority, the sale of alcohol is only permitted to guests staying at the approved accommodation or patrons attending a function at the premises.

15.

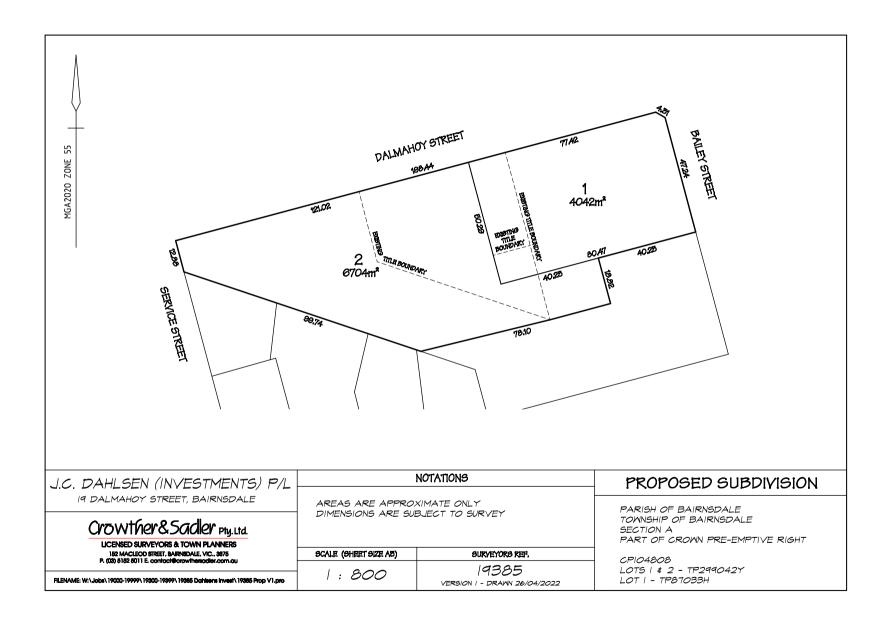
- 16. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 17. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside on the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
- 18. The owner of the land must enter into an agreement with:

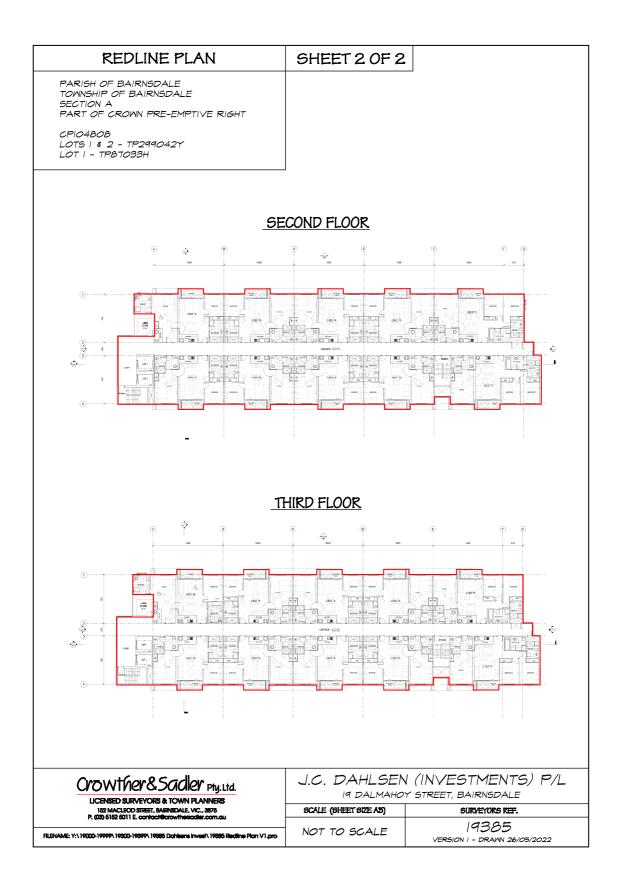
- A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- A suitably qualified person for the provision of fibre ready telecommunication 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.
- 19. 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.

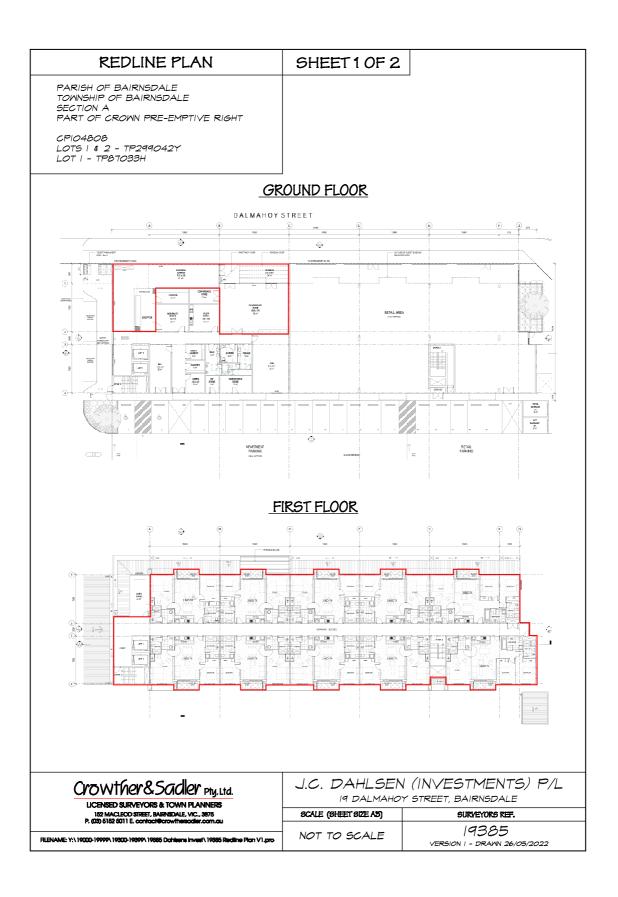
#### Time Limit condition

- 20. This permit will expire if any of the following circumstances applies:
  - The development is not started within two years of the issue date of this permit.
  - The development is not completed within four years of the issue date of this permit.
  - The use has not commenced within four years of the issue date of this
    permit.
  - 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.





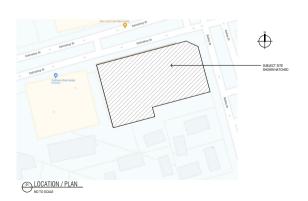


#### PROPOSED MIXED-USE DEVELOPMENT

## CORNER OF DALMAHOY AND BAILEY STREET'S, BAIRNSDALE TOWN PLANNING APPLICATION

DWG No.	DESCRIPTION	SCALE
TP.00	COVER SHEET, LOCATION PLAN AND 3D IMAGES	NTS
TP.01	SURVEY OF EXISTING SITE	1:200
TP.02	SITE PLAN AND DESIGN RESPONSE	1:200
TP.03	GROUND FLOOR PLAN	1:100
TP.04	LEVEL 1 FLOOR PLAN	1:100
TP.05	LEVEL 2 FLOOR PLAN	1:100
TP.06	LEVEL 3 FLOOR PLAN	1:100
TP.07	ROOF PLAN	1:100
TP.08	EAST AND WEST ELEVATIONS	1:100
TP.09	NORTH AND SOUTH ELEVATIONS	1:100
TP.10	3D IMAGES	NTS
TP.11	SECTIONS A-A, B-B	1:100
TP.12	BUILDING SHADOW DIAGRAM - 9am SEP 22nd	1:200
TP.13	BUILDING SHADOW DIAGRAM - 12noon SEP 22nd	1:200
TP.14	BUILDING SHADOW DIAGRAM - 3pm SEP 22nd	1:200

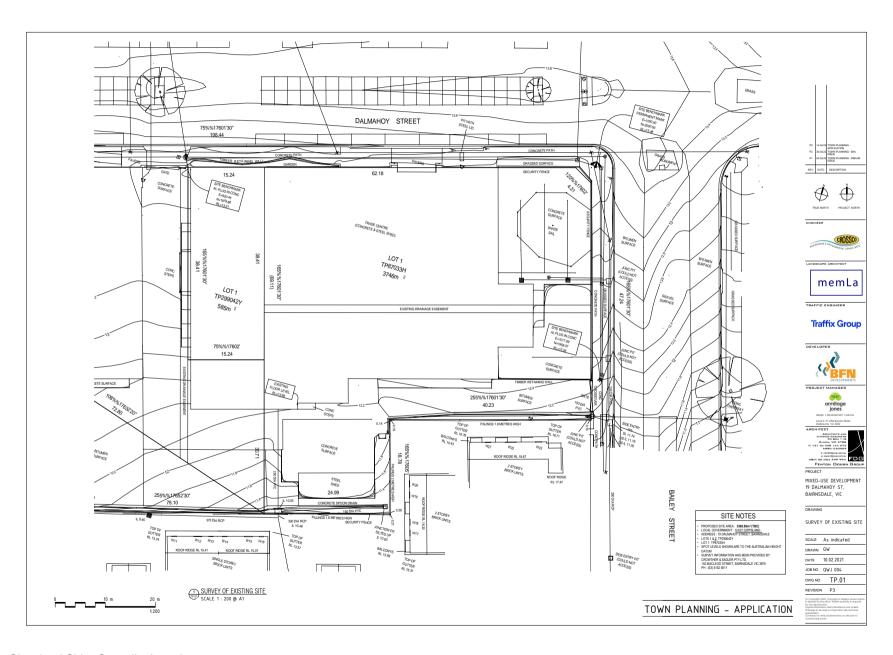


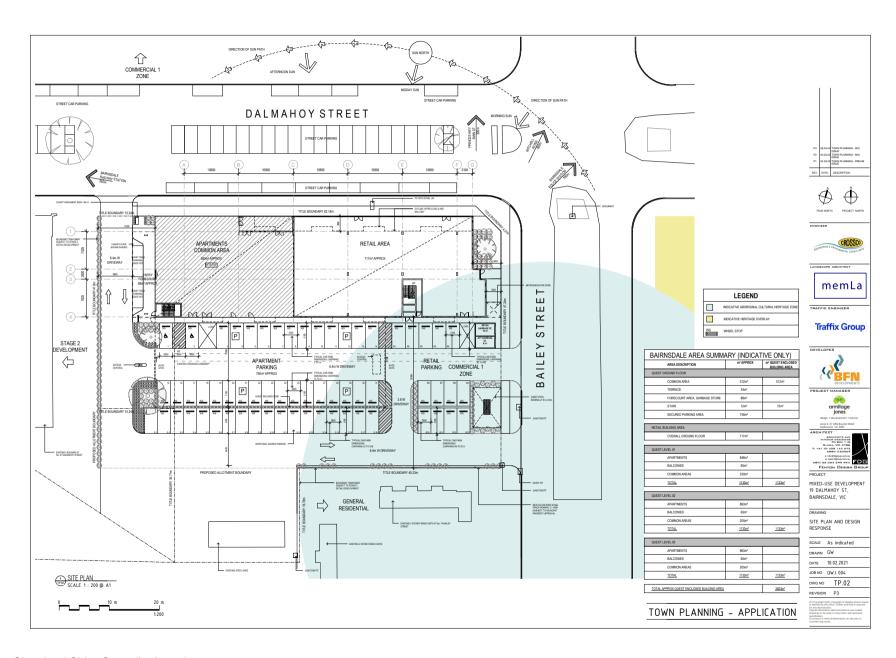


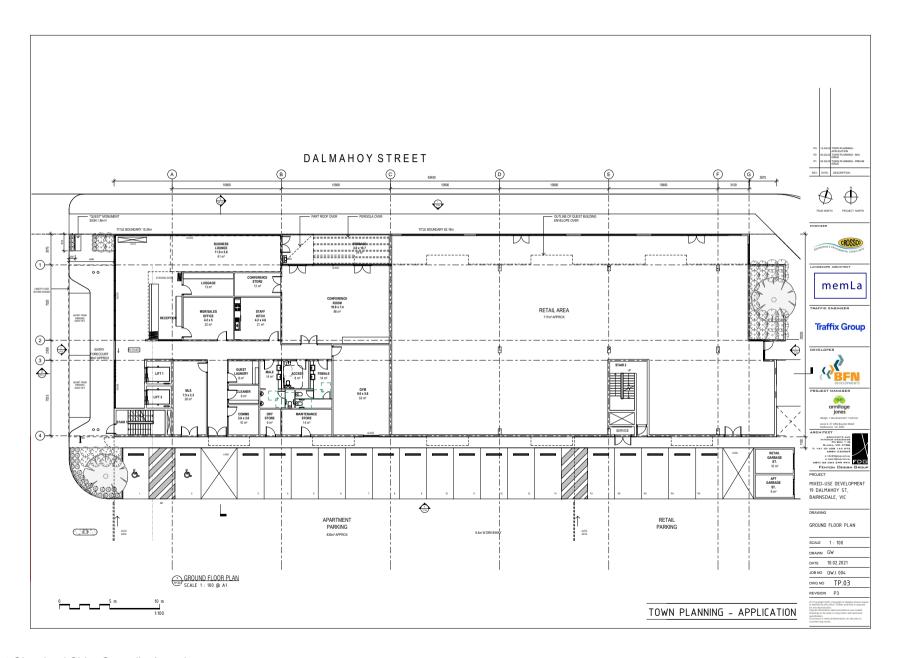


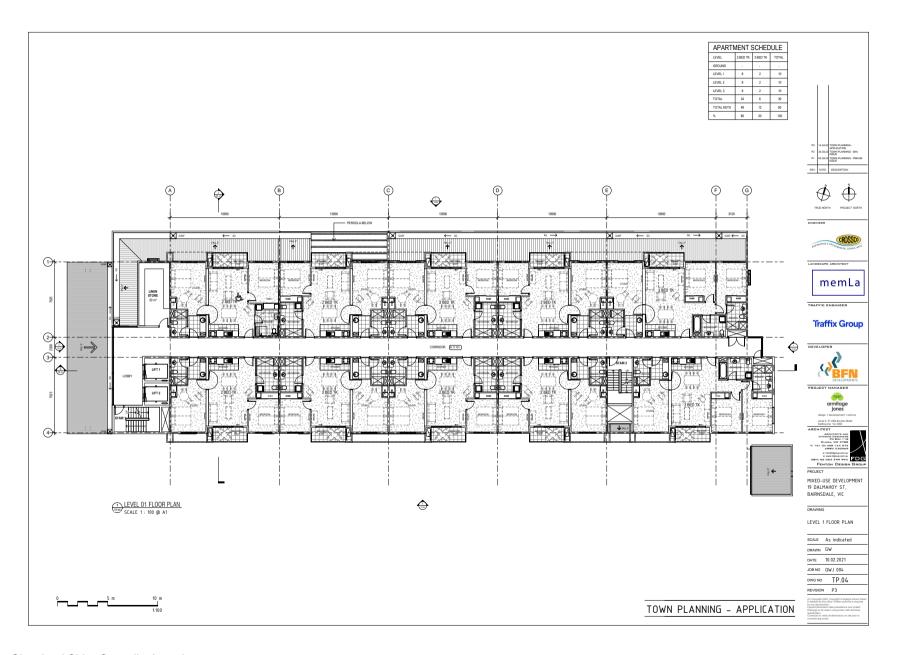
TOWN PLANNING - APPLICATION

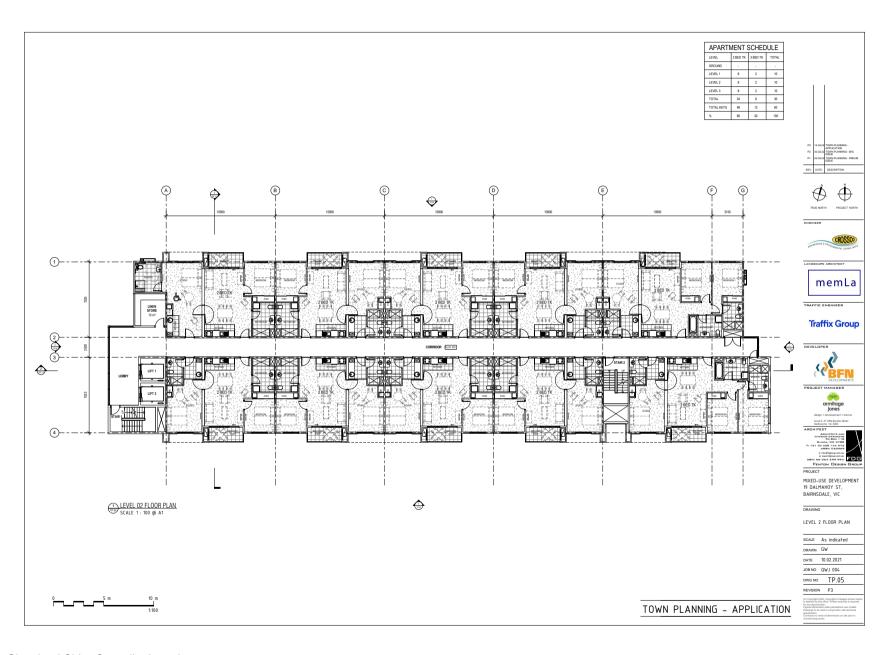


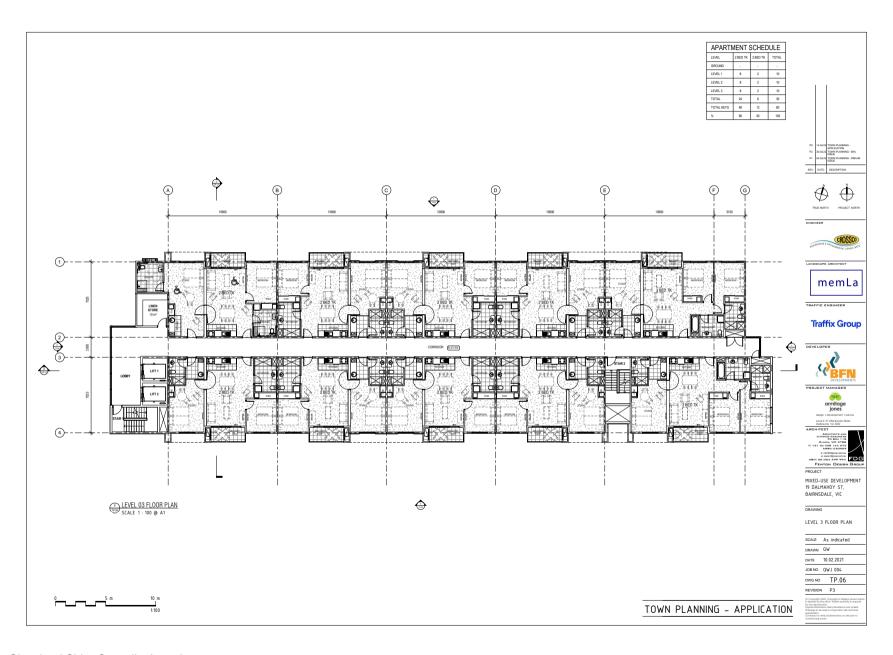


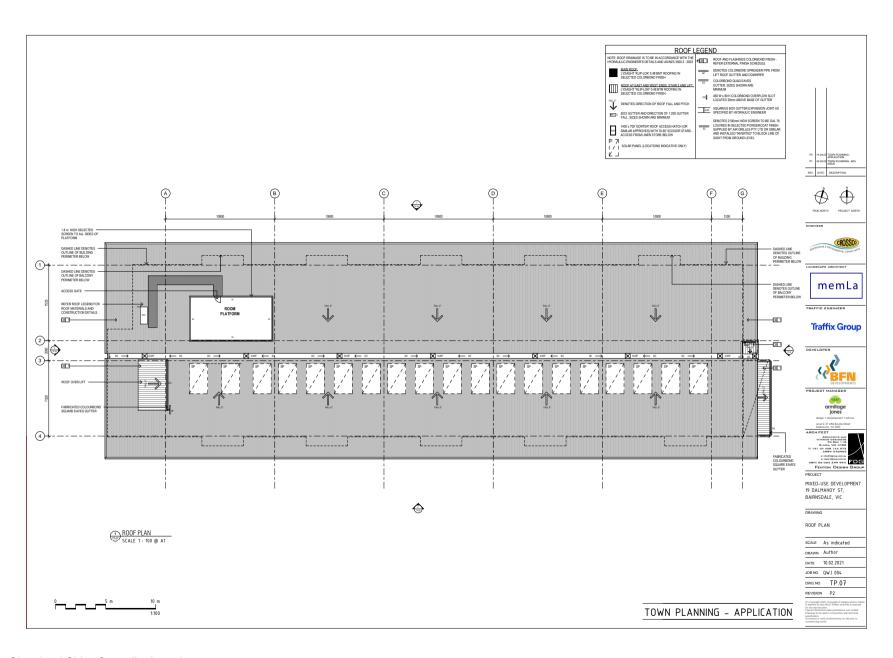


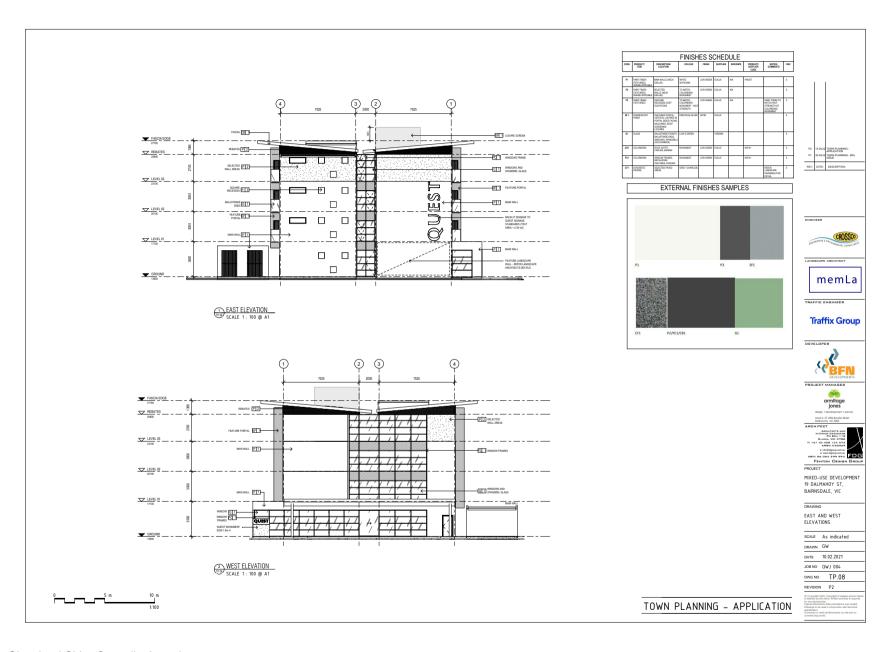






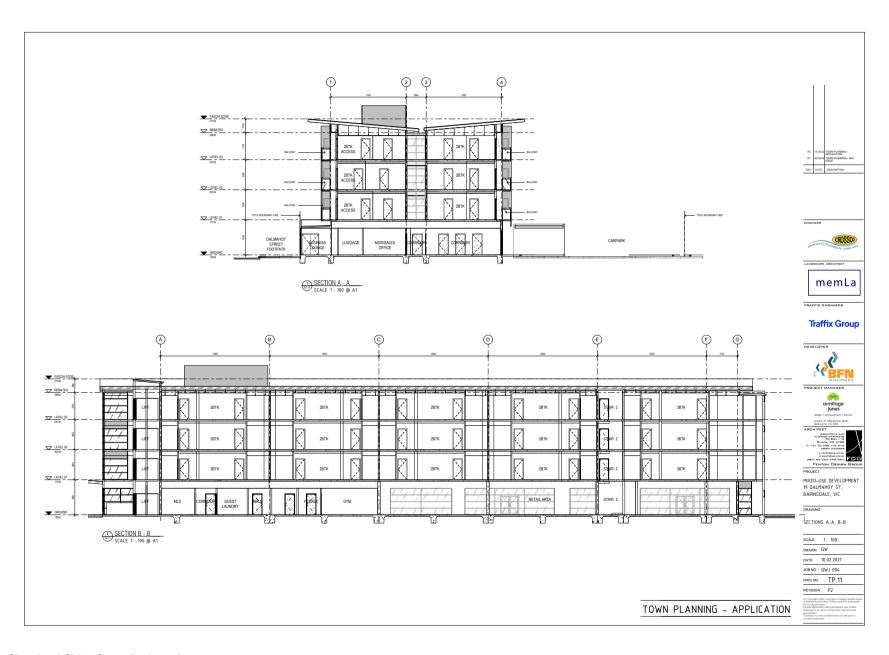


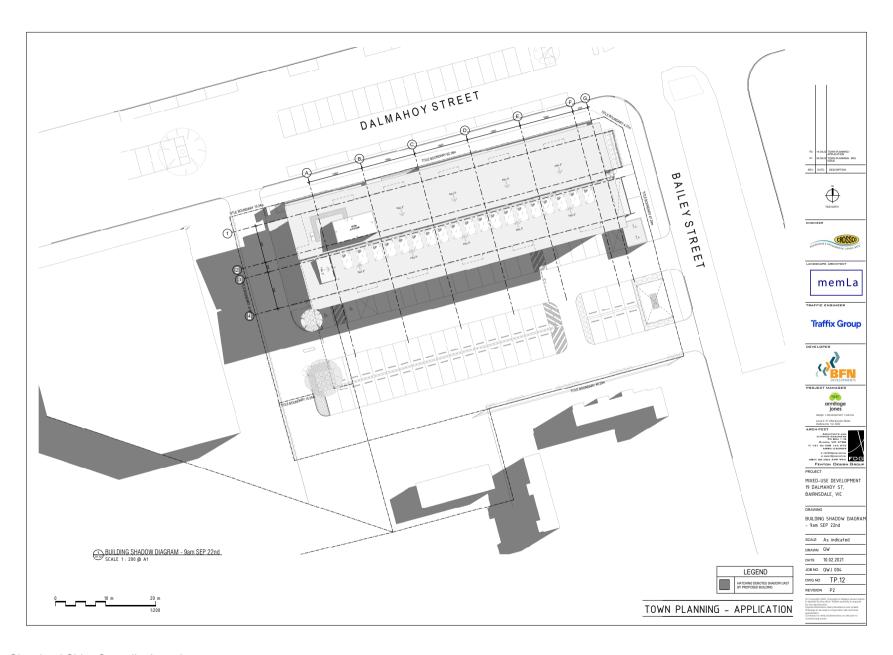


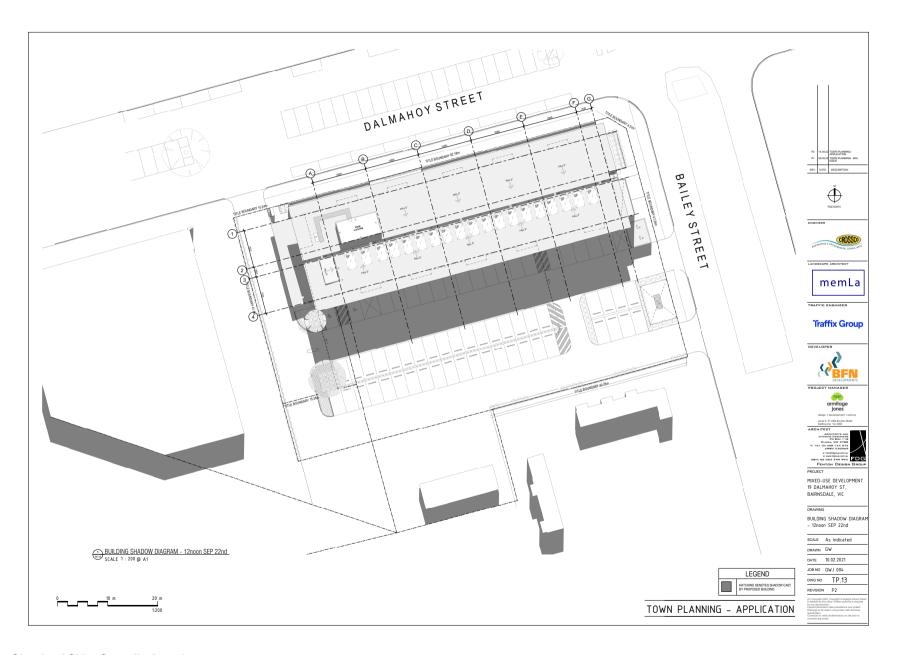


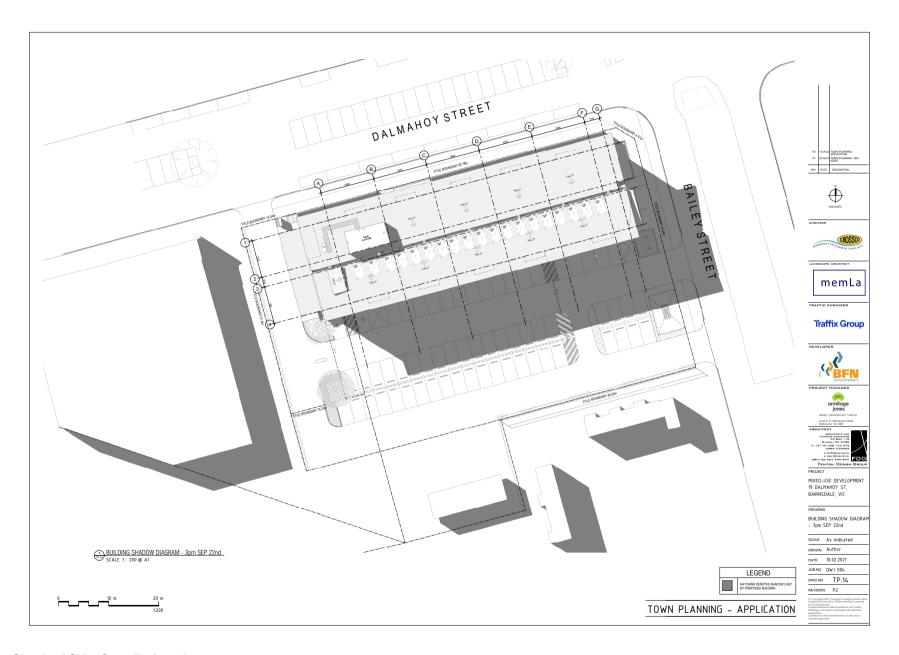












## **Traffix Group**

# Traffic Engineering Assessment

Proposed Mixed Use Development 19 Dalmahoy Street, Bairnsdale

Prepared for BFN Developments

May 2022

G31089R-01A

Level 28, 459 Collins St Melbourne Victoria 3000 T: 03 9822 2888 admin@traffixgroup.com.au

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## **Traffic Engineering Assessment**

19 Dalmahoy Street, Bairnsdale

#### **Document Control**

Our Reference: G31089R-01A

Issue No.	Туре	Date	Prepared By	Approved By
Α	Draft	10/05/2022	Y. Leow/ M. Woollard	M. Woollard

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G31089R-01A

## **Traffic Engineering Assessment**

19 Dalmahoy Street, Bairnsdale

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## Traffic Engineering Assessment

19 Dalmahoy Street, Bairnsdale

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Appendix A	<b>Development</b>	<b>Plans</b>
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Appendix B Parking Inventory and Spot Survey

Appendix C Carpark Layout Review

Appendix D Swept Path Diagrams

#### 1. Introduction

Traffix Group has been engaged by BFN Developments to undertake a traffic engineering assessment for the proposed mixed use development at 19 Dalmahoy Street, Bairnsdale.

#### 2. Proposal

The proposal is for a mixed use development on the site as set out in the following table. A copy of the development plans prepared by FDG Group (dated April, 2022) are attached at Appendix A.

The site comprises serviced apartments operated by Quest, with associated ancillary uses and a retail tenancy on the ground floor.

A development summary is provided in the table below.

Table 1: Development Summary

Use Size/No.		Car Parking Allocation	Resultant Car Parking Rate
Residential Hotel (Quest Serviced Apartments)	60 apartments <sup>(Note 1)</sup>	31	0.52 car spaces per serviced apt <sup>(Note 2)</sup>
Shop	717m <sup>2</sup>	13	1.8 car spaces per 100m <sup>2</sup>
Additional Shared Car Spaces (Note 3)		18	-
	TOTAL	62	-

Note 1: Can be as few as 30 apartments if studios are combined with adjacent one/two-bedroom apartments.

Note 2: A rate of 1.03 car spaces per apartment if studios are combined with the apartments.

Note 3: An additional 18 car spaces are provided on the site for use as shared parking between the current application (serviced apartments and retail) and the Stage 2 development, which is yet to be resolved.

The residential hotel component includes ancillary communal facilities including a gym, conference room, manager's office and lounge area. Each of these ancillary facilities are for the use of the hotel guests and staff only.

The residential hotel is designed such that a studio can be combined with an adjacent one or two-bedroom apartment to accommodate bookings that require larger rooms. Accordingly, as few as 30 apartments can be available when the rooms are combined.

A total of 62 car spaces are proposed on the site, including 44 car spaces specifically allocated to the proposed uses, and 18 spaces to be shared between the current application and the Stage 2 development which is yet to be resolved.

The 31 spaces allocated to Quest are provided beyond a control point, which is accessible by guests and staff.

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An additional 2 short-term spaces are provided along the internal accessway which are used as drop-off/pick-up spaces or spaces for guests to park to retrieve their access cards for the carpark. These spaces could also be used by delivery vehicles or couriers.

Two loading zones are provided on the site, including one for each use, suitable for use by a 6.4m long SRV (small rigid vehicle).

Bicycle parking is provided within a bicycle rack located adjacent to the short-term car parking along the entry forecourt.

Pedestrian access to the residential hotel and the retail tenancy is provided directly to Dalmahoy Street and from the rear carpark.

Waste collection will occur on-street via a private contractor along Bailey Street.

Post-development, 9 on-street car spaces will be available along the site's frontage to Dalmahoy Street (no net change to car parking conditions) and 4 on-street spaces will be available along the site's frontage to Bailey Street (net loss of one car space).

## 3. Existing Conditions

#### 3.1. Subject Site

The subject site is 19 Dalmahoy Street, Bairnsdale. The table below summarises the key characteristics of the subject site.

Table 2: Subject Site Description

Characteristic	Description
Address	19 Dalmahoy Street
Area	3,560m² (proposed Stage 1 lot alignment)
Frontages	62.2m to Dalmahoy Street 47.2m to Bailey Street
Zoning	Commercial 1 Zone (C1Z)
Current use of site	Dahlsons Trade Centre, restricted retail type use, approximately 2,700m <sup>2</sup>
Car parking and loading provision	On-site loading, with limited car parking
Vehicle access	Double width crossover to Dalmahoy Street, and Double width crossover to Bailey Street.
On-street parking along site frontage	9 car spaces on Dalmahoy Street, and 5 car spaces on Bailey Street.



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Figure 1: Aerial Photograph (Source: Nearmap)

#### 3.2. Transport Network

#### 3.2.1. Road Network

The subject site directly abuts Dalmahoy Street, along its northern boundary and Bailey Street, along its eastern boundary. A summary of the local road network is provided in the table below.

Photos of the surrounding road network are presented following the table.

Table 3: Local Road Network

Road Name	Agency	Classification	Configuration	Speed Limit	Parking
Dalmahoy Street	Council	Urban Collector	2 traffic lanes Median car parking Kerbside parallel car parking on both sides	60km/h	Generally Unrestricted
Bailey Street	Council	Urban Access	2 traffic lanes Median car parking Kerbside parallel car parking on both sides	50km/h	Generally Unrestricted

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Figure 2: Dalmahoy Street, view east

Figure 3: Dalmahoy Street, view west





Figure 4: Bailey Street, view north

Figure 5: Bailey Street, view south

#### 3.2.2. Car Parking Conditions

Traffix Group completed an inventory of on-street parking during the site inspection on Wednesday 9<sup>th</sup> March, 2022 at 1pm.

The purpose of the inventory was to ascertain the supply and management of car parking in the area.

The detailed parking inventory is presented at Appendix B. The survey area is presented in the figure below.

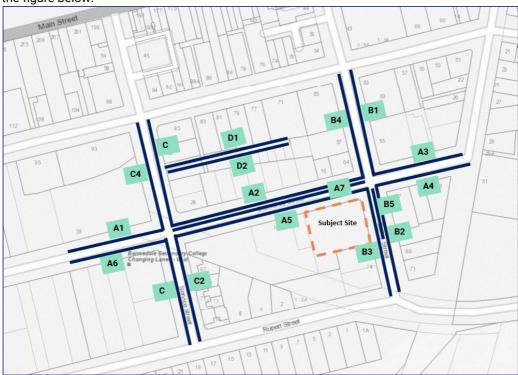


Figure 6: Parking Survey Inventory (Source: Google Maps)

The key findings of the inventory were:

- There are 333 on-street car spaces within approximately 200m of the subject site.
- Parking is generally unrestricted, with a small number of short-term car spaces (1P and 2P spaces)
- The level of car parking is increased due to the use of median car parking within Dalmahoy Street and Bailey Street.
- At the time of the site inspection/car parking inventory 186 car spaces were occupied, leaving 147 vacancies, at an occupancy of 56%.



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#### 3.2.3. Public Transport

The site is served by a number of bus routes as well as Bairnsdale Railway Station, as demonstrated within the map below.

The diagram below illustrates the location of the nearest public transport services. A summary of services is provided at Table 4.

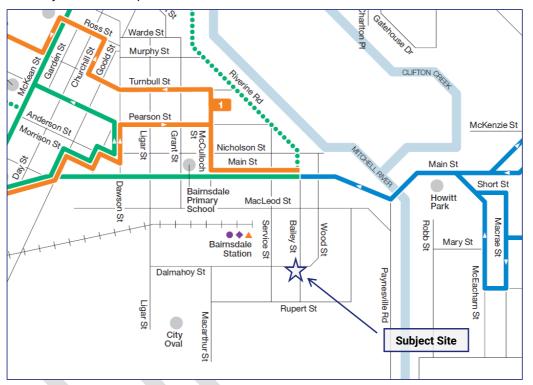


Figure 7: Public Transport Services (Source: Melway Online & PTV)

Table 4: Summary of Public Transport Services

Service	Distance to Service	Operates Between	
Bairnsdale Railway Station	500m walking distance	Melbourne & Bairnsdale	
Bus Route 1	400m walking distance	Bairnsdale to West Bairnsdale	
Bus Route 2	400m walking distance	Bairnsdale to East Bairnsdale	
Bus Route 3	400m walking distance	Bairnsdale to Wy Yung	



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### 4. Traffic Engineering Assessment

#### 4.1. Statutory Car Parking Assessment

The proposed development falls under the land-use categories of 'shop' and 'residential hotel' under Clause 73.03 of the Planning Scheme. The Planning Scheme sets out the parking requirements for new developments under Clause 52.06. The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- · To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- · To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The statutory parking requirements are set out at Clause 52.06-5 of the Planning Scheme. The site is not located within the Principal Public Transport Network area and accordingly the Column A parking rates apply.

The statutory car parking assessment is set out in the table below.

Table 5: Statutory Car Parking Assessment - Column A of Clause 52.06-5

Proposed Use	Size/No.	Car Parking Rate (Column A Rates)  Car Parking Requirement(Note 1)		Car Parking Provision	Shortfall (-) /Surplus (+)
Shop	717m <sup>2</sup>	4 spaces to each 100m <sup>2</sup> of LFA 28		13	- 15
Residential Hotel	30-60 apts.	To the satisfaction of the responsible authority		31	-
Additional Car Parking		18	+ 18		
Total		28 (Note 2)	62	-15 (Note 2)	

Note 1: Clause 52.06-5 specifies that where a car parking calculation results in a requirement that is not a whole number, the number of spaces should be rounded down to the nearest whole number.

Note 2: Plus car parking for the residential hotel to the satisfaction of the Responsible Authority



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The development has a statutory car parking requirement of 28 car spaces under Clause 52.06-5 for the retail component. The provision of 13 car spaces for this use requires a reduction of 15 car spaces under Clause 52.06-7.

Residential hotel does not have a statutory car parking requirement under Clause 52.06-5. Accordingly, sufficient car parking must be provided to the satisfaction of the Responsible Authority.

An empirical assessment of the proposed car parking provision for the residential hotel is discussed in detail in the following sections.

#### **Disabled Parking**

Clause 52.06-9 states that:

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

One disabled car space is required under the NCC in relation to the development. Two disabled car spaces are proposed to be provided for the development.

#### 4.2. Reducing the Requirement for Car Parking

#### 4.2.1. Car Parking Demand Assessment

Clause 52.06-7 allows for the statutory car parking requirement to be reduced (including to zero). An application to reduce (including reduce to zero) the number of car spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

Clause 52.06-7 sets out that a Car Parking Demand Assessment must have regard to the following key factors:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or proposed occupants (residents or employees) of the land.
- Any empirical assessment or case study.

The car parking demand assessment is set out as follows.

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#### **Residential Hotel Component**

Serviced apartment parking rates vary according to the style or type of accommodation provided, the clientele expected and the locality. Serviced apartments expected to accommodate mostly international or interstate visitors will generate a negligible parking demand by guests as these visitors are very unlikely to bring a car, but a small proportion may hire one. Guests from country areas or greater Melbourne would generate some parking demand.

The residential hotel component of the development includes up to 60 studio, one-bedroom and two-bedroom apartments. This amount can be reduced to as few as 30 apartments if the studios are combined with an adjacent one or two-bedroom apartments, to accommodate families etc.

Accordingly, at any one time there will be between <u>30-60 serviced apartments</u>. A total of <u>31 car spaces</u> are allocated to the serviced apartment component of the development at all times.

The serviced apartment component of the development therefore provides car parking at a rate of **0.52-1.03 car spaces per serviced apartment**, dependent on the configuration of the apartments at any given time.

An additional 18 car spaces are provided on the site on a shared basis with the development of Stage 2 of the site. We note that the intention of the shared spaces are to provide surplus to general parking needs for all uses across the site. We anticipate that some of the 18 shared spaces would be used by the serviced apartments from time to time.

Generally, the range of car parking rates for serviced apartments is between 0 to 0.8 car spaces per apartment. The proposal provides 0.52-1.03 car spaces per apartment (with additional car parking available if required), which we are satisfied is appropriate for this site and this operator (Quest Apartments). Quest Apartments, are experienced operators, with a number of apartment complexes in Victorian regional settings. They have a robust operation model and have dictated the number of car spaces which will be required to operate in this location.

We are satisfied that the provision of parking for the residential hotel component of the development will meet the demand of the development.

#### **Retail Component**

We are satisfied that the statutory car parking rate for a shop of 4 car spaces per 100m<sup>2</sup> is appropriate to apply to this retail use. The application of these rates results in a demand for 28 car spaces. As 13 spaces are provided on the site for this use, a reduction of 15 car spaces is sought for this component of the development.

Approximately 30% of the car parking demand, or 8 spaces, are expected to be associated with staff car parking demands. This level of staff car parking will be fully accommodated on the site.

The overflow of 15 car spaces will be associated with customer demands and will need to be accommodated within the shared carparking on the balance of the site and within the nearby

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on-street car parking resources. A total of 9 car spaces are provided along the retail frontage, including 5 spaces along Dalmahoy Street, and 4 spaces along Bailey Street.

#### **Car Parking Demand Summary**

Our car parking demand assessment indicates that:

- all car parking associated with the residential hotel component of the development will be accommodated on the site,
- all staff car parking associated with the retail component of the development will be accommodated on the site.
- an overflow of 15 customers spaces will be generated by the retail component of the development, and
- an additional 18 car spaces are available to the development on a shared basis with Stage 2 of the site if required.

#### 4.2.2. Appropriateness of Providing Fewer Car Spaces than the Demand Assessment

If the number of car spaces is not met on the site under the Car Parking Demand Assessment, the second step is to consider whether it is appropriate to allow fewer spaces to be provided than the number likely to be generated by the site as assessed by the Car Parking Demand Assessment.

Clause 52.06-7 sets out a series of car parking provision factors that should be considered when assessing the appropriateness of providing fewer car spaces on the site than are likely to be generated by the use.

The table below reviews the proposed car parking reduction against the decision factors of Clause 52.06-7.

Table 6: Review of Car Parking Reduction Factors

Decision factor of Clause 52.06-7	Response
The Car Parking Demand Assessment.	<ul> <li>Our car parking demand assessment indicates that:</li> <li>all car parking associated with the residential hotel component of the development will be accommodated on the site,</li> <li>all staff car parking associated with the retail component of the development will be accommodated on the site,</li> <li>an overflow of 15 customers spaces will be generated by the retail component of the development, and</li> <li>an additional 18 car spaces are available to the development on a shared basis with Stage 2 of the site if required.</li> </ul>

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Decision factor of Clause 52.06-7	Response
<ul> <li>The availability of alternative car parking in the locality of the land, including:         <ul> <li>Efficiencies gained from the consolidation of shared car parking spaces.</li> <li>Public car parks intended to serve the land.</li> <li>On street parking in non residential zones.</li> <li>Streets in residential zones specifically managed for non-residential parking.</li> </ul> </li> </ul>	Our office undertook a car parking inventory and spot car parking survey at the time of our site inspection. The inventory indicates that there is significant car parking located within close proximity to the site.  At the time of the site inspection/car parking inventory 186 car spaces were occupied, leaving 147 vacancies, at an occupancy of 56%. Accordingly, there is significant car parking availability within the nearby area, which accommodate overflow demands by the development.  A total of 13 car spaces will be provided along the site's combined frontages to Dalmahoy Street and Bailey Street post development. This 13 spaces does not include the car spaces provided within the median of Dalmahoy Street and Bailey Street which significantly increases the level of car parking which is directly accessible along the frontage of the site.  Accordingly, we are satisfied that there are significant car parking resources available within close proximity to the site which can be utilised by the development to support the car parking reduction sought.
Any car parking deficiency associated with the existing use of the land.	The site is currently occupied by Dahlsons Trade Centre, a restricted retail type use with an approximate floor area of 2,700m². Limited staff car parking is provided on the site. Accordingly, the existing use of the site would have included a heavy reliance on on-street carparking within close proximity to the site to fulfill its car parking demand. A car parking rate of 3 car spaces per 100m² applies to restricted retail uses under Clause 52.06-5 of the Planning Scheme.  Applying this car parking rate to the existing use of the site results in a total car parking demand of 81 car spaces. Approximately 30% of the total car parking demand, or 24 spaces, is expected to be accommodated by staff of the development. The balance of the car parking demands of 57 spaces would be associated with customers of the development.  Based on the above, the existing car parking deficiency of the site is higher than the overflow of car parking demands proposed to be generated by the site.

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D	ecision factor of Clause 52.06-7	Response
•	Access to or provision of alternative transport modes to and from the land.	The proposal includes a bicycle rack located on the south-west side of the building, which can be used by staff or customers/guests of the development.  The site is located within 500m walking distance of Bairnsdale Railway Station and within 400m of 3 bus routes which operate via the town centre.  Accordingly, customers, guests and staff of the development have access to alternative transport modes when required.

#### **Summary**

Based on the above, we are satisfied that the level of car parking provided to the site is appropriate. The car parking proposed on the site will provide adequate parking for the residential hotel and staff of the retail tenancy. The overflow car parking generated by the site relates to customers of the development.

We are satisfied that the overflow car parking generated by customers of the retail tenancy is appropriate based on:

- the availability of on-street car parking within the nearby area, including the 13 spaces available along the site's combined frontages to Dalmahoy Street and to Bailey Street post-development.
- the existing car parking deficiency associated with the current use of the site as a restricted retail use, and
- the availability of alternative transport modes, including bicycle parking and public transport services.

#### 4.3. Bicycle Parking Provision

Clause 52.34 of the Planning Scheme specifies bicycle parking requirements for new developments. The purpose of Clause 52.34 is to:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

The development provides bicycle parking within a bicycle rack located at the south-west corner of the building and will be available for staff, customers and guests of the development.

We note that the Dalmahoy Street verge is suitable for accommodating bicycle parking for short-term users. Any bicycle parking provided in this regard would also be to the benefit of the wider community.

The statutory bicycle parking requirement of the development under Clause 52.34 is set out in the table below.

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Table 7: Statutory Bicycle Parking Assessment - Clause 52.34

Use	Size/No. Statutory Bicycle Parking Requirement						
		Employees	Guests or Customers	spaces required			
Retail premises other than specified	717m²	1 space per 300m <sup>2</sup> of LFA	space per 300m <sup>2</sup> of LFA 1 space per 500m <sup>2</sup> of LFA				
Residential Building Note 1	30-60 rooms in developments of rooms in developments		1 space per 10 lodging rooms in developments of four or more storeys	3-6 staff 3-6 guests			
TOTAL	8-15 spaces						
Note 1: 'Residential hotel' falls under 'residential building'.							

**Note 1:** Residential noter rails under residential building.

Based on the above, a total of 8-15 spaces are required by the development. Bicycle parking is provided within a bicycle rack in the south-wet corner of the building. We are satisfied that this level of bicycle parking is appropriate. If required by Council, additional bicycle parking could be provided within the forecourt area, or if a need arises in the future.

Additional bicycle parking could also be provided within the verge of Dalmahoy Street adjacent the site.

Based on the above, we are satisfied that the provision of bicycle parking is appropriate and can be increased if deemed appropriate.

#### 4.4. Review of Carpark Layout and Vehicle Access Arrangements

Traffix Group has provided design advice to the project architect to achieve a satisfactory carpark layout. The proposed parking layout has been assessed under the following quidelines:

- Clause 52.06-9 of the Planning Scheme (Design Standards for car parking),
- AS2890.1-2004 Part 1: Off-Street Car Parking, where relevant, and
- AS2890.6-2009 Part 6: Off-Street Car Parking for People with Disabilities.

A detailed assessment of the carpark layout and vehicle access arrangements against the relevant design standards of the Planning Scheme and Australian Standards is provided at Appendix C.

The vehicle access arrangements for the site include an access control in the form of a card reader for guests and staff of the serviced apartment car parking area. Vehicles can enter exit through the access control appropriately, as demonstrated within our swept paths attached at Appendix D. The gate at either end of the serviced apartment carpark automatically opens when approached from inside the carpark.



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Based on the above and the assessment at Appendix C, we are satisfied that the design and layout of the carpark and vehicle accessways complies with the objectives of Clause 52.06 and the Australian Standards, where relevant.

### 4.5. Loading and Waste Collection Arrangements

#### 4.5.1. Loading

Clause 65.01 of the Planning Scheme states that the Responsible Authority must consider a number of matters as appropriate including:

 The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

A loading bay is provided for the serviced apartment component as well as the retail component. Each of the loading bays are suitable to accommodate a 6.4m long SRV (small rigid vehicle, specified under AS2890.2-2018). We consider these sized trucks to be sufficient to accommodate the likely loading requirements generated by the uses on the site. Swept path diagrams demonstrating access to the loading bays are attached at Appendix D.

Accordingly, we are satisfied that adequate loading has been provided for each of the uses proposed.

#### 4.5.2. Waste Collection

Our office has prepared a waste management plan (G31089R-02A, dated May, 2022), which sets out that waste collection is to occur along the site's frontage to Bailey Street via private contractor.

We are satisfied that on-street waste collection is appropriate from a traffic engineering perspective and will not have a detrimental impact to the operation of Bailey Street.

#### 4.6. Traffic Impact Assessment

#### 4.6.1. Traffic Generation

#### **Residential Hotel**

A total of 31 car spaces are proposed to be allocated to staff and guests of the serviced apartments.

The RTA Guide suggests a rate of 3 vehicle trip ends per apartment per day, and 0.4 vehicle trip ends per apartment in the evening peak period for motel apartments.

In our experience, the majority of guests typically check-in and check-out between 10am and 2pm, with the remaining trip types (work, entertainment, etc) spread throughout the day.

This is a conservative rate to apply to this development, as serviced apartments generally have stays of more than one day, when compared with traditional hotel units, which this rate is based on. Accordingly, there is unlikely to be a high number of arrivals at any one time.



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We expect that the majority of guests will arrive and depart from the serviced apartments outside of peak commuter periods and movements are likely to be spread throughout the day.

Based on the above rates and applying these rates to only the apartments with an associated car space, the serviced apartments are expected to generate 93 vehicle trip ends over the course of a day and 12 vehicle trip ends during the peak periods (mainly the evening).

#### **Retail Component**

The RTA guide sets out that specialty retail shops generate traffic in the PM peak hour at a rate of 5.6 vehicle movements per 100m<sup>2</sup>. The guide states that the peak hour for this use occurs within the PM peak hour. In our experience, the AM peak period is far lower than the PM peak period at around 30% of the PM demand.

Accordingly, the retail component of the development is expected to generate 40 vehicle movements in the PM peak hour, with 12 vehicle movements in the AM peak hour.

#### **Summary**

Based on the above, a total of 42 vehicle movements are expected in the PM peak hour and 24 vehicle movements in the AM peak hour.

This level of traffic represents less than 1 vehicle movement every 1-2 minutes in the PM peak hour and 1 vehicle movement every 2-3 minutes during the AM peak period, distributed between entry and exit movements. All vehicles will access the site to/from Dalmahoy Street or to/from Bailey Street.

We are satisfied that the level of traffic generated as a result of this proposal will not have a detrimental impact to the operation of Dalmahoy Street, Bailey Street or the nearby road network.

#### 4.6.2. Impact of pick-up and drop-off vehicles

The development is likely to generate some level of vehicle movements to and from the site, associated with the dropping off and picking up of guests.

The two car spaces located adjacent to the entry forecourt can be used by taxis/Uber vehicles to drop-off/pick-up guests, as well as along the site's frontages, where 13 car spaces will be available post-development (net loss of one space).

We are satisfied that there is appropriate consideration for movements by taxis/Uber vehicles, and these movements will not have a detrimental impact to the safety or operation of Dalmahoy Street, Bailey Street or nearby road network.



## 5. Conclusions

Having undertaken a detailed traffic engineering assessment of the proposed mixed use development at 19 Dalmahoy Street, Bairnsdale, we are of the opinion that:

- a) the proposed retail tenancy has a statutory car parking requirement for 28 car spaces under Clause 52.06-5,
- a) the provision of 13 car spaces for this use results in a reduction of 15 car spaces being sought under Clause 52.06-7 of the Planning Scheme,
- b) the residential hotel use does not have a statutory car parking requirement under Clause 52.06-5 of the Planning Scheme and accordingly, car parking must be provided to the satisfaction of the Responsible Authority for this use,
- c) the provision of 31 car spaces for the serviced apartment component at a rate of 0.52-1.03 car spaces per apartment (depending on the configuration of the apartments) is appropriate and will not result in an overflow of car parking,
- d) our car parking demand assessment indicates that:
  - i. all car parking associated with the residential hotel component of the development will be accommodated on the site,
  - all staff car parking associated with the retail component of the development will be accommodated on the site,
  - iii. an overflow of 15 customers spaces will be generated by the retail component of the development, and
  - iv. an additional 18 car spaces are available to the development on a shared basis with Stage 2 of the site if required.
- e) the car parking reduction for the development is appropriate based on:
  - the availability of on-street car parking within the nearby area, including the 13 spaces available along the site's combined frontages to Dalmahoy Street and to Bailey Street post development,
  - ii. the existing car parking deficiency associated with the current use of the site as a restricted retail use, and
  - iii. the availability of alternative transport modes, including bicycle parking and public transport services.
- a) bicycle parking is not a significant issue for this development and additional bicycle parking can be provided for the development if required by Council,
- b) the proposed car parking layout and access arrangements accord with the requirements of the Planning Scheme and AS2890.1:2004 (where relevant) and current practice,
- c) loading activities will be accommodated on the site and the loading areas provided are suitable to accommodate the needs of each use,
- d) waste collection will be undertaken on-street along the site's frontage to Bailey Street and is an acceptable arrangement from a traffic engineering perspective,

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- e) the level of traffic generated by this proposal is low and can be adequately accommodated by Dalmahoy Street and Bailey Street, without having a detrimental impact on the safety or operation of the surrounding road network, and
- f) there are no traffic engineering reasons why a planning permit for the proposed mixed use development at 19 Dalmahoy Street, Bairnsdale, should be refused, subject to appropriate conditions.



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# **Appendix A**

**Development Plans** 

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# **Appendix B**

**Parking Inventory and Spot Survey** 

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# **Appendix C**

**Carpark Layout Review** 

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Table C1: Carpark Layout and Access Assessment

Requirement	Assessment	Design Response
Clause 52.06-9 Design Standard 1 - Accessways		
Must be at least 3m wide	✓	Accessways are greater than 3m in width
Have an internal radius of at least 4m at changes of direction or intersection or be at least 4.2m wide.	<b>√</b>	B99 design car can navigate all bends.
		Objective achieved.
Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forwards direction with one manoeuvre.	<b>√</b>	Complies.
Provide at least 2.1m headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8m.	✓	Complies.
If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.	✓	Complies.
Provide a passing area at the entrance at least 6.1m wide and 7m long if the accessway serves ten or more car parking spaces and is either more than 50m long or connects to a road in a Transport Zone 2 or Transport Zone 3.	✓	Passing area provided.
Have a corner splay or area at least 50% clear of visual obstructions extending at least 2m along the frontage road from the edge of an exit lane and 2.5m along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	✓	Splays provided.
If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6m from the road carriageway.	N/A	No access to transport zone.
If entry to the car space is from a road, the width of the accessway may include the road.	N/A	Not applicable

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Requirement					Assessment	Design Response
Clause 52.06-9 Design Standard 2 – Car Parking Spaces						
Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2 under Clause 52.06-9.						
Angle of car spaces accessway	to Accessway	width Car park width	Car park le	ength		All car spaces provided at minimum width and
Parallel	3.6 m	2.3 m	6.7 m			access aisle dimensions,
45°	3.5 m	2.6 m	4.9 m			with some spaces
60°	4.9 m	2.6 m	4.9 m		1	exceeding the minimum
90°	6.4 m	2.6 m	4.9 m		·	requirements.
	5.8 m	2.8 m	4.9 m			All car spaces provided
	5.2 m	3.0 m	4.9 m			at 5.1m long, exceeding
	4.8 m	3.2 m	4.9 m			the requirement of 4.9m
AS2890.1-2004 (off str and less to marked spa are to be used in prefer	eet). The dimension wees to provide imprence to the Austra	ole 2 vary from those shown ions shown in Table 2 allocate proved operation and accessalian Standard AS2890.1-200 tralian Standard AS2890.6-2	e more space to a . The dimensions 94 (off street) exc	isle widths in Table 2		long spaces.
<ul> <li>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</li> <li>A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.</li> <li>A structure, which may project into the space if it is at least 2.1 metres above the space.</li> </ul>				other into a umn		
Diagram 1 Clea	arance to ca	r parking spaces				
200 50 Rear of space				•	Complies.	
± Car Sp	Jace	Dimensions in millim	etres			
+ 1	<u> </u>	Clearance req	32.5			
100 Accessv	way	Tree or colum	n permitted			
Car spaces in garages/carports must be at least 6m long and 3.5m wide for a single space and 5.5m wide for a double space measured inside the garage/carport.				N/A	No garages proposed.	

**Traffix Group** 

19 Dalmahoy Street, Bairnsdale

Requirement			Assessment	Design Response	
Where parking spaces additional 0.5m in leng space.		N/A	No tandem car spaces.		
Where two or more ca dwelling, at least one			N/A	No dwellings provided	
Disabled car parking s accordance with AS28 Australia. Disabled ca into an accessway wid A minimum headroom the disabled car space 2009.	390.6-2009 and the or parking spaces m th specified in Tab of 2.5m is to be pr	Building Code of nay encroach le 2 by 0.5m. rovided above	<b>√</b>	Complies.	
Clause 52.06-9 Design	n Standard 3 - Grad	ients			
Accessway grades mucent) within 5 metres of pedestrians and vehicuto the wheelbase of the pedestrian and vehicuthe car park; and the svehicle crossover at the This does not apply to dwellings or less.	of the frontage to e les. The design mu e vehicle being des lar traffic volumes; lope and configura ne site frontage.	<b>√</b>	Complies.		
have the maximum gradesigned for vehicles  Type of car park  Public car parks				Complies.	
Private or residential car parks	20 metres or less longer than 20 metres	1:4 (25%)			
Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.  Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres			✓ ✓	Complies.  Complies.	
apart for clearances, to responsible authority	o the satisfaction o	of the		Complies.	

**Traffix Group** 

19 Dalmahoy Street, Bairnsdale

Requirement	Assessment	Design Response	
Clause 52.06-9 Design Standard 4 – Mechanical Parking			
At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.	N/A	-	
Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.	N/A	-	
The design and operation is to the satisfaction of the responsible authority.	N/A	-	
Clause 52.06-9 Design Standard 5 - Urban Design			
Ground level car parking, garage doors and accessways must not visually dominate public space.			
Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.	N/A*	These matters are related to urban design, rather than specifically traffic engineering.	
Design of car parks must take into account their use as entry points to the site.			
Design of new internal streets in developments must maximise on street parking opportunities.	N/A	No internal streets proposed	
Clause 52.06-9 Design Standard 6 - Safety			
Car parking must be well lit and clearly signed.	<b>√</b>	Car parking will be appropriately lit and signed, and could be done so through the preparation of a car parking management plan, if required.	
The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.	<b>✓</b>	We are satisfied that the car parking areas will be visible from the building.	
Pedestrian access to car parking areas from the street must be convenient.	<b>~</b>	A pedestrian path extends along the outside of the building, along one side of the carpark and connects to both Dalmahoy Street and Bailey Street.	

**Traffix Group** 

19 Dalmahoy Street, Bairnsdale

Requirement	Assessment	Design Response	
Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.	<b>~</b>	A separate pedestrian path is provided along one side of the carpark. We are satisfied that appropriate connections are made from the building to the car parking.	
Clause 52.06-9 Design Standard 7 - Landscaping			
The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.			
Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.	N/A*	These requirements are not strictly related to traffic engineering matters.	
Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.			

**Traffix Group** 



# **Appendix D**

**Swept Path Diagrams** 

**Traffix Group** 

Bairnsdale, Vic. 3875

21st July 2022

**EGSC** 

2 2 JUL 2022

INFORMATION MANAGEMENT

East Gippsland Shire Council 273 Main Street Bairnsdale, Vic. 3875

Dear Sir/Madam

Re: Planning Application 259/2022/P Use and Development of a Residential Hotel, Buildings and works (Retail Premises), Display Signs, Subdivision, Bicycle Facilities waiver, and Sale and Consumption of Liquor 19 Dalmahoy Street, Bairnsdale

I am writing this objection on behalf of my neighbours, Lindsay and Sharon Earles at

Street,

Wynne and Lorraine Davies,

Street, and myself at

Street Bairnsdale.

Our objection is in relation to Alcohol, accessible from 7am - 11pm on the premises.

There is a very serious issue in relation to drugs and alcohol that occurs regularly around the Flats on the Corner of Bailey Street, and Flats at 2 Rupert Street, Bairnsdale ..... just around the corner from the proposed Quest Hotel. You may wish to consult the Bairnsdale Police about this problem: for us as neighbours across the road it's a disturbing fact. In Rupert Street, between Service and Bailey Streets, the majority of residents are elderly.

We presume that this proposed venue with such access to alcohol, will not be policed, and therefore will create additional problems to our neighbourhood and to the Bairnsdale Police Force. With all the best intentions of the business world, sadly, we're afraid that this issue will only grow and ultimately will not be of benefit, particularly to the nearby neighbourhood.

If the building is to proceed, we would like to know what safeguards and assurances are being given to our community so that our peace continues.

Yours sincerely

**Mary Saunders** 

Wynne and Lorraine Davies

Lindsay and Sharon Earles

7/28/22, 12:40 PM dwa5FC5.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

Sent: Thursday, 21 July 2022 6:16:59 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: Rosemary Benet

**Email address:** 

Postal address: Bairnsdale

Mobile phone number:

Planning permit number: 259/2022

What has been proposed?: Proposed development re Lot 1 &2 TP 299042 Lot 1 TP 087033 CP104808

What is the address to be used or developed?: 19 Dalmahoy Street Bairnsdale

Who has applied for the permit?: Dauhlsen

What are the reasons for your objection?: Please refer to Mr. Scott Dizais submission, dated 21 July 2023. Mr.Dizais's succinctly articulates the reason for my objection. I fully support Mr. Dizais reasoning.

**How would you be affected by the granting of this permit?:** Please refer to Mr. Dizais's submission dated 21 July 2022. The effect of this proposed development in its current form, is articulated in Mr. Dizais's submission. I endorse his views.

**Privacy Statement:** Yes

7/28/22, 12:34 PM dwa5DBD.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

Sent: Thursday, 21 July 2022 2:28:03 PM

To: Planning Unit Administration

Subject: Objection to a Planning Permit Application

#### **Objection to a Planning Permit Application**

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

Name: Scott Dizais

**Email address:** 

Postal address 3airnsdale 3875

Mobile phone number

Planning permit number: 259/2022/P

What has been proposed?: 19 Dalmahoy Street BAIRNSDALE Lot 1 & 2 TP 299042, Lot 1 TP 087033, CP 104808 Use and Development of a Residential Hotel, Buildings and works (Retail Premises), Display of Signs, Subdivision, Bicycle Facilities waiver, and Sale and Consumption of Liquor

What is the address to be used or developed?: 19 Dalmahoy Street BAIRNSDALE Lot 1 & 2 TP 299042, Lot 1 TP 087033, CP 104808

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

What are the reasons for your objection?: There are many. Please see attached documentation

How would you be affected by the granting of this permit?: It will negatively affect myself, my family and our residential assets in many ways as we will have to commute past it on a daily basis.

Attach any further information: dalmahoy st objection.pdf

**Privacy Statement: Yes** 

Scott Dizais

Bairnsdale, 3875

**Ref**: objection to application for Planning Permit, number 259/2022/P, 19 Dalmahoy Street BAIRNSDALE Lot 1 & 2 TP 299042, Lot 1 TP 087033, CP 104808

To whom it may concern,

I object to this proposed development as it will negatively affect myself, my family and our residential assets as we will have to commute past it on a daily basis.

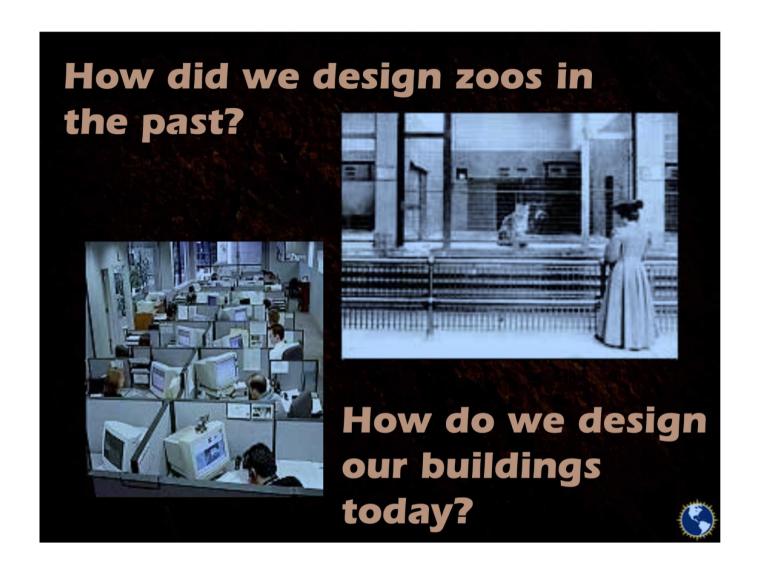
Such 'cut-copy' buildings which appear to be stamped out of a mould, are unable to express the individuality of the area / town they are built in. In this instance, the proposed development is certainly a misfit, and expresses isolation in its surroundings. The depressing burden of 'mass accommodation' inevitably creates feelings of alienation to those who permanently reside nearby and destroys any familiarity or connectivity with the community and environment.

The structure imposes an 'arrogant social order' to the surrounding dwellings and their occupants; the women's refuge to the east – the development's multiple rooms and storeys always occupied by strangers, looking into the women's refuge yard, compromising a sense of protection, security and safety; the housing to the south – poorly designed and built to begin with, now accentuated by the monolith that will overshadow the southerly dwellings, which will add to the dark, damp, enclosed feelings that the vulnerable and disadvantaged residents will have to live with, along with the increase in energy costs for more heating and lighting. It will also exacerbate existing infrastructure (particularly drainage) issues which in a recent occasion has required Ministerial intervention.

- The proposed building does not create coherent and well-shaped public space next to it.
- There is no transition from street to front door
- There are no design features to shield from the direct hot summer sun
- Provision for tree planting and urban landscaping is non-existent
- Pedestrian space has not been considered
- Change in climatic effects surrounding have not been considered
- Light and noise pollution has not been considered or modelled
- Social behaviour considerations haven't been considered
- Water infrastructure water infrastructure issues are known in these two streets in town. Is
  current water infrastructure capable of meeting the demand of the development and pumping it to
  the 4th floor? Can the sewage system cope with the added volumes and composition derived from
  transient guests? For example, non-biodegradable items and other toxicants flushed down the toilet

The outcome is a development and structure that is machinelike, abstract, lifeless, uninteresting, and incapable of exciting or moving us. In comparison, our CAD has some inspiring architecture that has a quality of character that has endured and are architectural landmarks for our town. Such as: The Grand Terminus Hotel, The Library (old building), the Historical Society building, the Art Gallery, the old Courthouse, and on a more contemporary note – the rammed earth construction of the Brabuwooloong Medical Centre and the Bratowooloong Kindergarten, with its generous green space, beautifully dimensioned and shaped, and complimentary to the existing environmental values.

The building and design can be better and can be more deeply rooted in the physical, psychological, and social nature of the environment. Such accommodation can be cheaper to build, maintain and operate when produced this way. By changing the design and construction materials there is an opportunity of betterment all round for the development



It is interesting to compare the proposed development against the EGSC Shaping the Future – community vision 2040 statement.

Development fails the EGSC Vision:

- By creating an 'imbalanced' built environment
- ....being 'innovative' this development is prehistoric modus operande
- ....being 'sustainable' the development is the antithesis of sustainability from design, materials, construction, energy efficiency, social-environmental factors

#### Development fails what the EGSC values:

- ....'The local history, heritage and architecture that shapes our towns and landscapes'. The design is
  another architectural faux pas planning to be imposed on this part of town one residential street
  to the south and east, residential housing, the periphery of the significant McLeods Morass
  wetlands
- ....'Our existing industrial activity, local retailers and employers and their entrepreneurial spirit'. The
  development directly competes with (closest) The Grand Terminus Hotel (restaurant, bar,
  accommodation), New Leaf Café (established, beautiful and popular complimentary business to
  Dahlsen's Garden Centre), Bairnsdale RSL (conference rooms, restaurant, bar), Main Street
  businesses, the range of family-owned motels throughout town etc. Corporate accommodation and
  restaurant (Bairnsdale International Motel; was Mecure)

Development fails what EGSC determines 'priorities for the future':

- Wavering bicycle facilities permit, thus discouraging in CAD bike transport and connectivity
- Development design, construction, and operation does not reduce emissions or reduce waste
- ....'unique tourism offerings and the potential for adventure and nature-based tourism'. Planning your tourist visit to stay in a concrete tilt-panel box isn't in the spirit of landscape-based tourism
- ....' Our energy-driven economy is transformed to one where alternative energy sources are
  preferred, to ensure that East Gippsland is recognised and marketed as an environmentally
  sustainable business location'. The proposed development does not set any example for
  environmentally sustainable business

#### Comments on 5. Planning Policy

#### Settlement

- Rooms for those whose mobility is challenged is merely minimum standard
- The development may ....' assist to create a vibrant and prosperous town centre which provides commercial and service activities. Is the development in its form and in its surrounding context needed?
- I have worked on Quest's buildings in a previous career they are not high-quality buildings. The development's interface with Dalmahoy St is poor there is no transition
- It is arguable that the development may strengthen the Bairnsdale CAD as a focus for business, shopping, working or leisure
- ....'provides significant investment'. The keyword here is investment; considering the uncertain fiscal
  future, such investment will likely be a liability and contradict local policy, unfairly placing a cost
  burden on future generations
- It is close to Bairnsdale Railway Station the advantageous link between visitation from Rail travellers to a Quest apartment complex and vice versa is questionable
- It is in handy walking distance of the CAD
- The Quest business model isn't really supportive of high employment
- There are no business synergies except for cheapest cost goods and services. The development is antagonistic to other small local businesses
- There are adequate accommodation venues that foster inclusivity close by
- 'the use of water sensitive urban design' to improve stormwater quality is a broad statement....compared to what? It is a biophysical impossibility that the design, construction and operation of the development can assist in environmental improvement

#### Building Design

- There is no 'vibrant and active interface' to Dalmahoy St. It is a concrete box emanating from a
  concrete footpath. The heat load in summer along this aspect of the development will be frightening
  and it hasn't been assessed or modelled. If it has, what are the calculations / evidence. If not, why
  not?
- Consideration of overshadowing may have been considered but it is not stated how far the shadow
  effects will be in winter on to adjacent property. It will become the highest building in Bairnsdale
  (albeit St Mary's church steeple). It is too high to compliment the surrounding built environment.
  What is the exact height measurement?
- Addressing the buildings mass and scale by cosmetic enhancement is poor. Function comes before form.
- · Car parking rationale is fair
- Overshadowing effects haven't been communicated. Don't design buildings with dark, enclosed, isolated places where dark deeds are likely to occur litter, graffiti, antisocial behaviour, vandalism, access to neighbouring properties (currently the locked gates are a deterrent for those scallywags who would otherwise jump the back fence to get up to mischief. Light pollution impacts to neighbouring properties, our wildlife friends that inhabit the area, beneficial insects and pollinators crucial to agricultural activities (farmland within 200 m of the site)
- '....Views and vistas will not be impacted by the proposal'. A four storey building hard up on the edge
  of a residential street and a significant wetland adjacent to that will impact views and vistas....the
  horizon for a start!
- There is no consideration regarding the views and vistas into the yards of the residential properties nearby from visitors to the apartments
- It's one thing responding to the local context providing landscape screening, it's another to enable
  the use of landscaping and greenspace to add function and beauty to the development. This hasn't
  been considered and should. It is the Year 2022 and all the development offers is a lowest-commondenominator approach to building design and construction. There are plenty of examples of better
  design, construction and how that adds both aesthetic and economic value to a building.

#### Neighbourhood Character

....'The proposed building will sit comfortably within the locale, maximising setbacks to residential
interfaces while providing a commercial building that respects the streetscape, provides an
interesting and modern design and provides for a scale befitting the Bairnsdale CAD consistent with
Clause 15.01-5S Neighbourhood Character.' It is hard to take this paragraph seriously! Someone
has their hand in their pants again.

These 'architects of choice', consultants and planners are making decisions affecting people they have never seen, land where they have never smelled the grass or experienced the natural environment, and certainly have no connection or understanding of the environmental ramifications beyond the site's immediate boundary.

#### Energy and Resource Efficiency

Pretty basic energy efficiency features – a balcony door being able to be opened for ventilation.
 What about in winter? An energy inefficient split system in every apartment. Northerly aspect natural light – apartments of this design do let a fair amount of light in, but only to the room area directly facing north, even then the light can be quite intense requiring window tinting and quality curtains. Any southerly aspect or oriented areas become what is commonly referred to as a 'Siberia'

#### Diversified Economy

 Growth in retail and tourism services as well as providing jobs closer to where people live – a token contribution. The Bairnsdale pool does more for the community regarding such services

Business

It is questionable whether the facilities and services provided by the development will provide a net
community benefit when it directly competes with well-established and popular facilities and services
already in close proximity. These small businesses are recovering from the Covid lockdowns and
need to be prioritised for community support. On one hand, a four-storey apartment complex isn't
available in Bairnsdale, on the other, we do have a two-storey complex with a restaurant being the
Bairnsdale International. It begs the question regarding net-community benefit

#### Facilitating Tourism

 The development isn't well-designed, its site arbitrary, and insofar as alignment to meeting objects of demand and growth, our town businesses, vacant shops and limited transport, the development in its proposed form hardly merits a place to visit

#### Tourism - Gippsland

....'development that minimises impacts on the environment'. Every stage of this development has
negative effects on the environment as stated in many government strategies. However, I do sense
the development's spirit in 'keeping things local' as per the outdated Gippsland Regional Growth Plan

#### Comments on 5.2 Local Planning Policy

#### Settlement

- It is not the best use of the community's investment in community infrastructure
- It does not strengthen the Bairnsdale CAD, nor consolidate the retail and commercial areas
- It is dubious if Bairnsdale even needs greater than three storey development, especially on the immediate boundary of the commercial and residential zone. However, the site is ideal for a better form of commercial development

From a town planning perspective, does this set precedent for a structure larger than the 4-storey complex? How will this structure support, and be a part of the larger centre in this southern part of the CAD when it is drastically different in scale and construction materials to surrounding buildings? This makes surrounding buildings simply 'negative space' with no attachment or transition to and from a large homogenous structure. It is apparent that the scale of the smaller, surrounding architecture and businesses do not lend 'support' to such a large structure, meaning: what business and activities around the precinct occur. This 4-storey monolith is simply being plonked on a parcel of land with a suitable footprint.

#### Urban waterways

The spruiking of 'improved detention and treatment of storm water' – it will be new, so of course it
should improve stormwater functions. What difference it will make considering the aged and basic
existing and connecting stormwater infrastructure is unknown, and presumably any difference or
improvement would be slight

#### Built Environment

- ....'the proposed residential hotel and retail premises' so it is going to be a residential hotel....just like the well-established and popular Grand Terminus Hotel nearby; what significance or prominence can such a development provide as a retail hub. Any retail space within in the proposed building is simply an attempt to maximise floor area income. Poor choice of use to optimize floor space
- It doesn't 'forward the encouragement of high standards of design' it has already been stated in this document that the design is 'cost-effective. The proposed development is basic at best
- Will only provide an active building frontage, not frontages, that are not interesting, barely inviting or welcoming, and lacks any architectural identity
- Cosmetic appearances do not make genuine positive visual contributions to any building, nor does a
   (Butterfly roof' design. The proposed development lacks an authenticity that it could otherwise have
   with the local area.

- ....'upper floors do not turn their back on the carpark' please explain? Box like design does not provide sense of security and safety. Countless human and animal behaviour studies attest to this.
- It is an obvious admission that any sense of security and safety is imposed by the development is compromised by the inclusion of full outside lighting that will be on during dark hours. How would you like it if your neighbour leaves their bright lights on all night? Not exactly a model for energy efficiency or sustainability

#### Sustainable development and Economic Development

- The development will detract to East Gippsland's identity, aesthetic quality and economic diversity
- Does Bairnsdale really require upper-level apartments? People live and reside here for the space. If there was such a demand for upper-level developments, we would see multi-storey housing everywhere. We don't.
- The development will not support development, it will simply add and impose development to this space within the Bairnsdale CAD
- There is more attractive tourist infrastructure that benefit the region than an inappropriate
  development. In fact, such developments detract from the tourist appeal when inappropriately
  placed
- Continually advancing the accommodation of the needs of the challenged is fantastic, and more 'ability inclusive' infrastructure is needed. However, in the context of this development, it is just minimum standard – 'ability-washing'

#### Strategies for Sub-Regions, Towns & Localities

 The description and three dot-points are valid. However, this development as it is presented is just development for the sake of development

Here lies the opportunity to go back to the drawing board and create something that there is a true demand for, is highly useable, is authentically connected to the landscape,

#### Comments on 6.1 Planning Elements

- The development as it presents will detrimentally impact the amenity of the surrounding neighbourhood. There will be constant noise and only the minimum standard attenuating techniques will be employed. These realities detract from all neighbouring values
- The site's current use is more friendly and appropriate to the neighbourhood, a bigger employer, demographically better integrated with surrounding business, and provides better sense of security and safety

#### Decision guidelines

- Whether the interface with neighbouring zones has been carefully considered is questionable, and it
  appears that some consideration has been made regarding the overshadowing impacts on
  neighbours. However, the development as it is presented remains a 3-dimensional misfit in the
  context of its surrounds.
- Difficult stormwater challenges will need costly design, construction and maintenance
- Traffic considerations are fair
- Carpark provisioning seems fair
- The zero lot setback to Dalmahoy St is poor design, allows no transition to the building, and although
  the development is attempting to capitalise on a strong northerly aspect, the design will facilitate
  extreme heat-loads in summer which necessitates energy intensive amelioration
- The stated 29 metre setback is not enough to counter over shadowing; it is well under-calculated.
  That amount of setback would be appropriate for a two-storey design. The consultants have failed to
  allow for the neighbour topography to the south which is sloping away. This further increase the
  shadow effect and the interruption of the horizon for those houses along Rupert Street. Please
  provide contemporary and accurate measurements and calculations

7/28/22, 12:36 PM dwa4038.htm

From: Snapforms Notifications [no-reply@snapforms.com.au]

Sent: Wednesday, 13 July 2022 12:09:10 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: Alison McGoldrick

**Email address:** 

Postal address: Bairnsdale, 3875

Mobile phone number:

Planning permit number: 259/2022/P

What has been proposed?: Residential Hotel

What is the address to be used or developed?: 19 Dalmahoy Street, Bairnsdale, 3875

Who has applied for the permit?: Crowther &SadlerPty Ltd

What are the reasons for your objection?: I believe this development will be an asset to Bairnsdale. The only part I am objecting to is the wavering of bicycle facilities.

How would you be affected by the granting of this permit?: To be honest I won't be directly be impacted by this however I believe that all work places should provide a secure place to park their bikes. The health benefits of regular exercise are well documented and all should be done to encourage activity. This development is marketed as serviced apartments and well positioned to take advantage of the many places to ride to in our area, therefore it would be an asset for residents to have a secure place for bikes. The residents could also have the opportunity t ride to their work places. 19 Dalmahoy Street is also very close to the train station and people could arrive by train with their bikes to stay. In the 11 ears I have been in Rupert Street my car has been broken into twice, I feel that the opportunity needs to be there for bike to be securely stored for residents and employees to be stored.

**Privacy Statement: Yes** 

#### 6.2.3 Community Grants Programs Round 1 2022-2023

Authorised by General Manager Place and Community

#### **Conflict of Interest**

Officers who provided advice on or prepared this report have no conflict of interest to declare.

#### **Executive Summary**

Council's Community Projects Grant Program provides funding opportunities for East Gippsland based community groups and organisations. Through this program, Council supports a wide range of projects that strengthen our communities, encourage environmental sustainability, social connection, health and well-being, and social inclusion and cultural diversity.

The objective of the Community Projects Grants Program is to provide local community-based organisations the opportunity to access funding for a variety of needs and initiatives in a manner that is open, transparent and accountable. The community value-adding aspect of the program means that Council achieves more value for each dollar expended than would be the case for projects without these partnerships.

All funding is provided on a matched dollar for dollar basis. The current Community Projects Grant round attracted 30 applications, 12 of which have been recommended for funding under Community Project grant funding. Recommended applications are outlined within **Attachment 1.** 

Guidance on other funding opportunities and support is being provided to applicants for further development of projects that were not supported in this round.

#### Officer Recommendation

#### That Council:

- 1. receives and notes this report and all attachments pertaining to this report;
- 2. adopts the recommendations for funding through the East Gippsland Shire Council Community Projects Grant Program as follows; and

Applicant No	Project Title	Funding Amount
CPR12022/2333	Upgrade Glenaladale Hall	\$5,000.00
CPR12022/2329	Peaceful Memories, Bemm River Community Centre Inc	\$5,000.00
CPR12022/2303	Tambo Upper Trail Riding Club Safety Equipment	\$720.55
CPR12022/2331	Cassilis Community Resources	\$2,681.36
CPR12022/2307	Omeo Community Hub	\$5,000.00
CPR12022/2309	Going solar system project, Swan Reach Reserve Committee of Management	\$5,000.00
CPR12022/2320	Asset Protection from wildfire, Orbost Pony Club	\$5,000.00
CPR12022/2314	Swifts Creek Gun Club/Post Bushfire & Covid- 19 Re-Opening	\$4,457.50
AP7	Aim High whilst having Fun - Music alongside Professionals, Crashendo East Gippsland	\$5,000.00
AP10	Medieval Winter Fire Festival, Bruthen Arts and Events Council	\$2,000.00
AP11	East Gippsland Geezers (E.G.G.S) On Tour	\$2,000.00
HP2	Preservation of Historic Building SS#1723 Rosehill Hillside School	\$4,100.00
	Total	\$45,959.41

3. authorises the Chief Executive Officer or delegate to advise all applicants of the outcome of this funding round.

#### **Background**

There are generally two Community Grant Program funding rounds each financial year. Annual budget allocation is split evenly across the two rounds. There are two streams offered in each round, Community Projects and Arts and Heritage. Small event funding has been integrated into a Community Projects steam to eliminate onerous application process of larger events and better suits community need.

Round one of the Community Grants Program 2022-2023 opened on Wednesday 3 June 2022 and closed on Wednesday 17 August 2022. Applications in this round must be for projects that start after notification in October 2022.

The grant round opportunity was advertised by direct email to community groups, in Community newsletters, local newspapers, through the East Gippsland Shire website and on the East Gippsland Shire Council Facebook page. Before the grant round opened the Grant Guidelines were updated to reflect date changes only.

The Community Grants Program Community Projects stream round one 2022-2023 attracted 30 applications, requesting a total of \$117,620.71 in grant funding to support projects with an overall total project value of \$777,915.42.

In total 12 applications received through Round 1 2022-2023 community grant round have been recommended for funding under the community grants funds, representing Council funding contribution of \$45,959.41 towards projects of a total delivery value of \$348,267.82

#### 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, this report has not been prepared in collaboration with third parties.

#### **Council Plan**

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

Strategic Objective 1: 1.1 Council strives to provide equitable access to their services, support and facilities.

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

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

Strategic Objective 4: 4.3 Council's work with stakeholders fosters entrepreneurship and new business opportunities, particularly with communities facing change.

### **Council Policy**

Council historically supports budget allocation for two rounds of Community Project Grants in the annual budget. This program aligns with the Service Performance Principles in the *Local Government Act* 2020 that suggest services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community.

#### **Process**

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

The Community Grants Program Round 1 2022-2023 Assessment Panel (Panel) consists of: Manager of Community Engagement and Resilience (Place and Community); Acting Coordinator Community Programs (Place and Community); Forge Theatre and Arts Hub Manager (Assets and Environment) and Arts and Culture Coordinator (Assets and Environment).

Applications are assessed against the grant program criteria and guidelines and each proposed project is discussed at the Panel meeting where the Panel considered each of the applications based on the eligibility and specific program criteria within the East Gippsland Shire Council Grants Guidelines.

The purpose of the Panel is to review, assess and provide objective, independent recommendations to Council in relation to funding for grants; assess potential risks associated with the proposed project; and to ensure that the guidelines and assessment criteria have been applied consistently and equitably for all applications.

Only projects that have the full support of the whole panel are recommended to Council.

#### **Options**

Council supports funding the 12 recommended applications from the 30 received as detailed in **Attachment 1** for a total funding value of \$45,959.41 for projects of a total delivery value of \$348,267.82. All applications received were assessed against the grant guidelines and eligibility criteria. Funding conditions will be included in individual applications to align with Council grants guidelines.

Support and feedback are offered to applicants who have not been recommended to assist them to further develop their projects and to make submission to future Council funding rounds or seek other external funding opportunities.

#### Resourcing

#### **Financial**

Funding Program	Total number of Applications	Number of recommended Community Projects	Funding recommendation (\$)	Total project investment value (\$)
Community Projects	30	12	45,959.41	348,267.82

The 2022 - 2023 budget allocation for the Community Project Grants is \$111,000.00 + 10,000.00 for Quick response grants. For the first time in 2022 an additional \$30,000.00 in small event funding has been transferred from Economic development events budget to the community projects stream to eliminate complexities of assessment against major events application and competitive funding.

\$5,000.00 is allocated to the SmartyGrants program usage fee. The remaining \$136,000.00 is allocated across Round 1 and 2. Funds are evenly distributed between the two rounds dependant on application compliance. This split considers an additional GST contingency for those applicants who fall into the category of requiring GST to be applied.

Plant and equipment

Not Application

#### Human Resources

Council Officers are not involved in the implementation or project management of any funded projects, this remains the sole responsibility of the applicant. Council Officers in the Community Engagement Unit are responsible for the administration of the Community Grants. Programs Officers have supported individual groups and organisations with project development, application submission as is appropriate.

#### Risk

The risks of this proposal have been considered as minimal impact. Management through Officer support to address incidents of backlash and supported processes are in place through communications.

#### **Economic**

The Community Projects recommended a total contribution of \$45,959.41 from Council if endorsed, which will generate a total project investment of \$348,267.82, with the 50% matching criteria required, and in some cases additional partner project investment.

#### Social

Through this program, Council supports a wide range of projects that strengthen our communities, encourage environmental sustainability, social connection, health and wellbeing, and social inclusion and cultural diversity. The Community Grant Guidelines have been developed to align with the priorities communicated through the Community vision, The Council Plan, The Municipal Health and Wellbeing Plan, and various other Council Strategies.

#### Gender Impact Statement

The Community Grants program has had a Gender Impact Assessment (GIA) completed and is compliant with the obligations and objectives of the *Victorian Gender Equality Act* 2020.

#### **Environmental**

Assessment and scoring of projects were in consideration of environmental and community impacts. Some individual projects have direct and specific positive environmental impacts.

#### Climate change

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

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

#### **Engagement**

The proposed funding opening round dates have been advertised on the Council website since the last Round 2 2021 - 2022 successful projects were announced. Round 1 2022 - 2023 advertisements commenced in June 2022 and were published in local newspapers as well as community newsletters and social media.

Online Q&A and grant information sessions were held on: Wednesday 15 June 2022, 6.00 pm, Wednesday 6 July 2022, 10.00 am, and Wednesday 13 July 2022. The Information Session links were available on Council's website:

www.eastgippsland.vic.gov.au/community/grants Email notification advertising information sessions and the funding round were sent utilising existing community and sector networks, Service Centres and Neighbourhood House's. The information sessions are conducted to assist community members with their project queries, to give examples of successful projects, advise on how to plan and write a project budget and to connect community with the appropriate program staff.

Applicants were invited to contact the Community Programs staff for information regarding: Completing applications correctly; Budget assistance; Understanding timelines and processes involved; Need for supporting documentation; and importance of acquitting the grant and acknowledging Council for the support. This provides the potential applicants with an opportunity to seek advice and become competent in completing funding applications. In turn, they may then be confident in applying for alternative grants from other funding bodies.

Multiple, individual and online and phone support meetings between program staff and applicants were also held in the lead up to the closing date. Application guidelines were made available on the Shire website and printed copies at all the Service Centres and libraries.

#### **Attachments**

1. CM CGR1 Community Project Recommended Applications (2) [6.2.3.1 - 4 pages]

## Community Grants Round 1 2022-2023 – Community projects/Recommended

Applicati on ID	Applicant	Project Title	Brief Project Description	Total Amount Requested	Total recommended for community grants funding	Total Project Cost	Panel Comments	Recommendation supported comments/conditions *LMC = Land Manger consent
CPR120 22/2333	Glenaladale Recreation Reserve Committee of Management	Upgrade Glenaladal e Hall	Permits, soil testing and formal design works and assessment for project aligning with the strategic plan	\$5,000.00	\$5,000.00	\$176,000.00	The ask is small in the scheme of the improvement works intended for the site overall. Good linkage to council plans and explanation of broader benefit - Alignment with current strategic plan	Supported, with LMC received (DWELP)
CPR120 22/2329	The Bemm River Community Recreation Centre Inc	Peaceful Memories	Upgrade of community memorial area - gardens edging, path, Shade sails and supporting vegetation - to replace degraded shade sail and improved current vegetation in line with community feedback.	\$5,000.00	\$5,000.00	\$10,000.00	A meaningful submission to support. It will provide long lasting benefit to community members and invest in a community facility	Supported, subject to funding condition for LMC and a site/plan assessment by parks and gardens team, as well as ensuring compliant shade sail infrastructure.
CPR120 22/2303	Tambo Upper Trail Riding Club Inc	Tambo Upper Trail Riding Club Safety Equipment	Purchase of location and communication device for improved safety and compliance	\$720.55	\$720.55	\$1,441.10	A good project to fund for safety of the members of the trail riding group and guests and has the potential to assist others out in the bush environment.	Supported, subject to funding agreement condition restricting future Council funding application for replacement or maintenance

### Community Grants Round 1 2022-2023 – Community projects/Recommended

CPR120 22/2331	Cassilis Recreation Reserve Committee of Management	Cassilis Community Resources	Purchase of event supporting equipment - generator and Marques + materials to upgrade storage area	\$2,681.36	\$2,681.36	\$5,362.72	A small ask which seems reasonable given the benefit that will be offered and generated for an ongoing period. The submission references the council plan and makes good reference to the benefits of social gatherings and community connection.	Supported, subject to funding agreement condition subject to LMC + restriction for future Council funding requests supporting repurposed building repairs and maintenance
CPR120 22/2307	Omeo Region Business and Tourism Association Inc	Omeo Community Hub	Start up equipment, furniture and service connections	\$5,000.00	\$5,000.00	\$53,028.00	The proposal will create a space for a wide range of community to access the space in Omeo.	Supported, subject to funding agreement condition -ongoing user agreement
CPR120 22/2309	Swan Reach Recreation Reserve Committee of Management INC	going solar system project	Purchase and installation of Solar Power to community facility	\$5,000.00	\$5,000.00	\$10,531.00	A range of users would benefit. It is in line with council's sustainability strategy recently endorsed, and application is of good standard.	Supported: Contractor proposed to complete works is an approved council provider/contractor - Subject to funding agreement condition for LMC
CPR120 22/2320	Orbost Pony Club	Asset Protection from wildfire	Purchase and installation of water tank, pump and fire standard sprinklers	\$5,000.00	\$5,000.00	\$9,935.00	Council note the application would provide ongoing benefit to the Pony Club for years to come	Supported: Subject to funding agreement condition for LMC + recommendation for strategic planning to be undertaken before further Council grant application
CPR120 22/2314	Tambo Valley Gun Club	Swifts Creek Gun Club/Post Bushfire & Covid-19 Re- Opening	Purchase of Reverse cycle system for clubrooms and upgrade to concrete lane to increase member	\$4,457.50	\$4,457.50	\$8,915.00	The benefits of the improvements are not well explained in the application itself	Supported: Improves OHS of users, social and active living opportunities and club membership growth - Club promotes safe firearms use and

## Community Grants Round 1 2022-2023 – Community projects/Recommended

			comfort and safety					opportunity for skill development.
AP7	CRASHEND O! East Gippsland	Aim High whilst having Fun - Music alongside Professiona Is	A series of workshops and concerts for primary school aged children, their families and community members will be held between Bairnsdale and Mallacoota. They will be led by two experienced professional visiting ensembles.	\$5,000.00	\$5,000.00	\$36,030.00	Considered eligible and recommended for community projects funding stream as Arts and Heritage overprescribed - Application meets all criteria and demonstrates community benefit consistent with supported projects.	Supported: Was not supported in Arts and Heritage Stream but brought across into Community Grants Stream. Proposal is an East Gippsland wide program with multiple skill building and social engagement opportunities
AP10	Bruthen Arts and Events Council Inc.	Medieval Winter Fire Festival	Aligning with the East Gippsland Winter Festival there will be a medieval themed event with a bonfire, demonstrations, music, dance, fire acts, fire sculpture	\$5,000.00	\$2,000.00	\$15,075.00	Some project budget items considered eligible and recommended for funding under community grants stream as arts and Heritage overprescribed	Supported to receive additional funding from community grant stream in addition to Arts and Culture stream. Community event demonstrating skill building and broad social community engagement
AP11	East Gippsland Geezers	East Gippsland Geezers (E.G.G.S) On Tour	A newly formed theatre and comedy group aiming to perform within the lake's region.	\$5,000.00	\$2,000.00	\$13,750.00	Some project budget items considered eligible and recommended for funding under community grants stream as arts and Heritage overprescribed	Supported to receive additional funding from community grant stream in addition to Arts and Culture stream: Supporting community engagement and social engagement opportunities

## Community Grants Round 1 2022-2023 – Community projects/Recommended

HP2	Hillside Rosehill Reserve Association Inc	Preservatio n of Historic Building SS#1723 Rosehill Hillside School	Preservation by painting of the external walls of the former state primary school No 1723 Rosehill Hillside	\$4,100.00	\$4,100.00	\$8,200.00	Considered eligible and recommended for community projects funding stream as Arts and Heritage overprescribed - Application meets all criteria and demonstrates community benefit consistent with supported projects.	Supported: Was not supported in Arts and Heritage Stream but brought across into Community Grants Stream Meets all criteria - Upgrade to Council managed community facility
			l TOTALS	\$51.959.41	\$45.959.41	\$348.267.82		

#### 6.3 Assets and Environment

#### 6.3.1 CON2023 1467 Buchan Main Street and Linkages Project

Authorised by General Manager Assets and Environment

#### **Conflict of Interest**

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

#### **Executive Summary**

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 **Confidential Attachment 1** to this report are confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The Buchan Main Street and Linkages Project will deliver an improved pedestrian network encompassing the township of Buchan and the Buchan Caves Reserve taking in the John Flynn Memorial Reserve and providing a pedestrian-friendly, walkable town, contributing to the recovery and growth opportunities of this bushfire affected community.

The proposed works originate from the Buchan and District Community Plan 2017-2021 which identified improved access to the township, from the caves reserve, as a key priority. This priority is now a key component of the overall Buchan Streetscape Project. To aid delivery the Buchan Streetscape and Linkages project has been broken into stages with the Streetscape component currently in detailed design.

The delivery of the Linkage's component of the overall project is the subject of this report. The Linkages project design has been undertaken by a local contractor Streeter Civil Engineering Services Pty. Ltd., in collaboration with Parks Victoria and the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC). This project is a partnership project given that a major section of the proposed path is located on joint managed land.

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

#### Officer Recommendation

#### That Council:

- 1. receives and notes this report and all attachments pertaining to this report.
- 2. accepts the tender submitted by \_\_\_\_\_\_ for Contract CON2023 1467 Buchan Main Street and Linkages Project for the contract amount of \_\_\_\_\_ exclusive of GST;
- 3. authorises the Chief Executive Officer to finalise the terms and to sign and seal the contract in the form proposed; and
- 4. resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential.

#### **Background**

Buchan is a rural town that supports a small but resilient farming community and the Buchan Caves. The Caves are a well-recognised and iconic tourist attraction in East Gippsland and the region's most visited attraction.

The Buchan Main Street and Linkages project aims to significantly boost the tourist economy by improving access to and enhancing the appeal of the town centre encouraging people to stop, stay and spend.

The Buchan Main Street and Linkages Project component that is the subject of this tender and report aims to achieve the following:

• Construction of shared path links between the Buchan Caves Reserve and campsite and the township of Buchan. This is shown graphically below:



Providing this connection is an important investment and it is anticipated that the project will strongly support an increase in tourists visiting the Buchan Caves also visiting the town and its businesses, providing an economic boost for Buchan.

#### 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 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**

Given the specific nature of this linkage works, this contract has not been prepared in collaboration with another local government or agency.

Consultation with other government agencies and external stakeholders has been completed throughout the project development stage.

Parks Victoria and GLaWAC are key partners for this project and Letters of Support have been provided.

#### **Council Plan**

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

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

#### **Council Policy**

Procurement has been undertaken in accordance with Council's Procurement Policy.

#### **Options**

A summary of the tender process and options considered to provide best value is provided as **Confidential Attachment 1**.

Council has the option to award a contract in accordance with the Tender Evaluation Panel's recommendation, or to not proceed with the procurement.

#### Resourcing

#### **Financial**

The project is funded in part by the State Government's Local Economic Recovery Program – Bushfire Recovery Regional Economic Stimulus and Resilience Grant Fund and with additional Council funds as listed in the table below.

	Budget
Local Economic Recovery Program – Bushfire Recovery Regional Economic Stimulus and Resilience Grant Fund – State Government *Grant of \$2.8M received, with \$505,000 allocated to Economic Activation.	*\$2,295,000
Council Funds	\$152,918
TOTAL BUDGET	\$2,447,918
Expenditure and Commitments to date	-\$143,362
CON2023 1508 Detailed Design of Main Street	-\$137,941
Available Budget	\$2,166,615

Further detailed financial information is contained in Confidential Attachment 1.

#### Plant and equipment

Plant and equipment are to be supplied as a condition in the contract by the successful contract in the entirety.

#### Human Resources

Delivery of this project will be supervised by a Project Supervisor from Council's Assets and Projects Unit, Asset and Environment Directorate. This cost has been factored into the overall project budget.

#### Risk

The risks of this proposal have been considered extensively during the design phase of this project. Tenderers were also requested to develop a construction method that minimizes risks identified in relation to protection of existing services, traffic management, property access, vibration and other key issues associated with the works.

#### **Economic**

The tender evaluation process used for this tender considered local content as an assessable criterion with a 5% weighting. This considers factors such as local purchasing, employment, and any subcontracted services locally. More broadly this project is considered to support the local Buchan economy, encouraging visitors to move between the Caves attraction and the town centre and its businesses.

#### Social

The business owners and the users of shared path linkages will directly benefit from this project with the creation of connecting the township to the Caves reserve, this will remove the need to walk/ride on the road, creating a safer way to travel for pedestrians and cyclists. The pathway will also encourage more use of 'active transport' with associated health and wellbeing outcomes.

#### Gender Impact Statement

The Buchan Main Street and Linkages Project has considered the *Gender Equality Act* 2020 in its preparation but is not relevant to its content. This report has been assessed as not requiring a Gender Impact Assessment (GIA).

#### **Environmental**

A 5% weighting has been used in the evaluation of tenders regarding environmental sustainability, with preference given to contractors who can demonstrate environmentally sustainable and environmentally sensitive practices. While designing the pathway, care was also taken to ensure that the pathway considered and avoided areas of cultural and environmental significance.

#### Climate change

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

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

#### **Engagement**

The design of this linkage pathway has been developed in partnership with Parks Victoria and GLaWAC. A Community Project Reference group has also guided the development of the pathway location. The project along with the broader Main Street design work has included extensive and broad reaching community engagement, including a range of community workshops, drop-in sessions and direct mail-outs to the Buchan community.

An internal Project Supervisor for the works will be responsible for coordinating information and engagement with the community and stakeholders regarding the construction works, staging and timing. As part of the construction methodology, the Contractor will be responsible for ongoing communication with any affected residents in terms of property access during the works.

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

#### **Attachments**

 CONFIDENTIAL REDACTED - CON2023 1467 Buchan Main Street and Linkages -Project Tender Evaluation Report [6.3.1.1 - 7 pages]

# 6.3.2 CON2023 1488 - Swifts Creek Recreation Reserve, Netball and Tennis Court Upgrade

Authorised by General Manager Assets and Environment

#### **Conflict of Interest**

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

#### **Executive Summary**

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 **Confidential Attachment 1** to this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The purpose of this report is to provide an overview of the tender for the development for upgrade to the current netball and tennis court facilities at the Swifts Creek Recreation Reserve; and in accordance with Council's Procurement Policy seek approval from Council to award the contract as recommended by the Tender Evaluation Panel.

Swifts Creek Recreation Reserve Committee (the Committee) received bushfire funding through the Local Economic Recovery program to upgrade the Swifts Creek Recreation Reserve. The project was a priority for the Swifts Creek community as the Recreation Reserve provides a focal point for bringing the community together for both sporting and passive recreation activities. The project has multiple components with only the replacement of the Reserve Netball Courts with new competition-compliant playing surfaces considered under CON2023 1488.

Whilst the Swifts Creek Recreation Reserve is not a Council asset, council has agreed to project manage the delivery of the project, given the project size and complexity.

The design for the replacement of the netball courts was recently finalised and the proposal put forward to the Swifts Creek Recreation Reserve Project Control Group for endorsement. The Swifts Creek Recreation Reserve Committee of Management had requested a minimum of two acrylic playing court surfaces suitable for both netball and tennis activities.

The space for a third court was identified in the plan, with this space to either be constructed as a third acrylic playing court or turned into a grassed area capable of being upgraded for netball use at a later date. The Committee of Management acknowledged that the third court surface was unlikely to be used as a primary playing court and if cost savings were required, this would be an area change scope on to manage that outcome.

The scope of the work for CON2023 1488 includes: a complete upgrade to two netball and tennis court playing surfaces: construction of a third court sized area, being instant turfed (kikuyu) within the fenced area that can be utilised as green space; and a complete upgrade to the court lighting system.

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

#### Officer Recommendation

#### That Council:

1.	receives and notes this report and all attachments pertaining to this report;						
2.	accepts the tender submitted by	for CON2023 1488 Swifts Creek					
	Recreation Reserve, Netball and Tennis exclusive of GST;	Court opgrade for the contract amount					

- 3. authorises the Chief Executive Officer to finalise the terms and to sign and seal the contract in the form proposed; and
- 4. resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential.

#### **Background**

Swifts Creek and the surrounding district was impacted by the 2019/20 Black Summer Bushfires. As part of the community recovery process, the upgrade of the community's sporting facilities and recreation reserve have been identified as a priority bushfire recovery project, as this provides a focal point for community gathering and interaction.

The Swifts Creek Recreation Reserve Upgrade project is funded via external bushfire recovery funds and provides fit for purpose sporting facilities and social gathering spaces. To deliver this, the proposed work comprises two key project components:

- Component One is the replacement of three existing buildings (which serve as football/netball/umpire changerooms, tennis clubroom, social rooms and emergency facilities) with one multipurpose, accessible and fully compliant facility. Given the cost escalations across the construction market, this component scope is currently being revised to meet budget availability and market conditions and is not part of CON2023 1488; and
- 2. Component Two is the replacement of the existing netball court facility with a new competition compliant facility. This component of the overall project is the subject of this contract and Council report.

The Swifts Creek Recreation Reserve is on Crown Land for which Council is not the Committee of Management. Council have been engaged to assist in the delivery of both above mentioned projects on behalf of the Department of Environment, Land, Water and Planning (DELWP), Bushfire Recovery Victoria (BRV) and the Swifts Creek Recreation Reserve Committee of Management. An agreement exists with the Swifts Creek Recreation Reserve Committee of Management to formalise these project management arrangements.

Should Council proceed with approving award of the contract, works will be carried out during the off-season for netball, limiting the impact on the 2023 netball season.

Cost escalations have impacted on the overall scope of the project, with the designs showing three multi-use Netball / Tennis Courts designed to competition standard. However, at this point in time only two of these courts will be fully constructed. The third court will be shaped to size but will be turfed with instant turf and used as a passive recreation space by the community. If at a later stage funds are available and there is demand for a third playing court, the turf will be replaced with a synthetic surface.

The project also includes fencing and lighting.

#### 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 and the need for a Gender Impact Assessment has also been assessed.

The report will assist to deliver facilities that meet relevant sporting and Australian Standards and will be delivered in accordance with the *Crown Land (Reserves) Act* 1978.

#### **Collaborative procurement**

Given the place specific nature of this contract, this report has not been prepared in collaboration with another local government or agency. However, the contract is the result of collaboration between Council and a Community Committee of Management to deliver community infrastructure.

#### **Council Plan**

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

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

#### **Council Policy**

Procurement has been undertaken in accordance with Council's Procurement Policy (2021).

#### **Options**

When developing the specifications for the Swifts Creek Recreation Reserve Netball and Tennis Courts Upgrade a design then construct option was considered and decided to be the most effective delivery method given the nature of the work. This report considers the awarding of the construction package.

Options within the Construction package identified cost saving measures to ensure value management. The options included a third playing surface in acrylic or instant turf and re-use of the existing court lighting, or complete replacement. This tender proposal identifies the third court surface as a grass surface that will require regular maintenance, and a complete upgrade of the court lighting system as the best value management outcome. Council has no responsibility to manage or maintain these assets post construction.

The Request for Tender has been through a full evaluation process and the costs of the various options for Court 3 assessed. The Tender Evaluation Panel evaluated these options to arrive at a preferred tenderer recommendation as outlined in **Confidential Attachment 1**.

#### Resourcing

#### **Financial**

The project is being funded from the State Government's Local Economic Recovery Grants Program.

### Plant and equipment

Plant and equipment are to be supplied as a condition in the contract by the successful contract in the entirety.

#### Human Resources

Delivery of this project will be supervised by a council employed Project Supervisor. This cost of project management has been factored into the overall project budget.

#### Risk

The risks of this proposal have been considered and tenderers were requested to develop a construction method that minimises risks identified in relation to property access, traffic management, vibration, dust and other key issues associated with the works.

#### **Economic**

Economic benefit generated by the project include the economic activity associated with the construction. The tender evaluation process for this tender included weighted criteria for local content and assessment of the contractor's ability to provide benefit to the local economy. This project will contribute to retaining jobs in East Gippsland.

#### Social

The users of Swifts Creek Recreation Reserve will directly benefit from this project with increased court safety, new perimeter fencing, new lighting to meet required standards, new shelters, with a new pedestrian access path to the proposed pavilion construction. More broadly the project will allow for the continued playing of sport and the bringing together of community members at the Recreation Reserve.

#### Gender Impact Statement

The Gender Equality Act 2020 was considered in the preparation of Contract CON2023 1488 Swifts Creek Recreation Reserve, Netball and Tennis Court Upgrade has been assessed as not requiring a Gender Impact Assessment (GIA).

#### **Environmental**

Replacing the existing court surface with the proposed upgraded car parking and entrance road works will decrease the sediment going into the drainage system and have a positive environmental impact.

As part of the contract requirements, the contractor will develop and implement a site-specific Construction Environmental Management Plan to mitigate other associated environmental risks.

#### 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**

As part of the planning and design stage of this project, extensive engagement was undertaken with the Swifts Creek Recreation Reserve Project Control Group. The group is made up of key stakeholders including DELWP, BRV and the Swifts Creek Recreation Reserve Committee of Management.

The Project Supervisor (Council officer) for the works will be responsible for providing initial advice to the Swifts Creek community regarding the construction works and expected commencement / completion dates.

As part of the construction methodology, the contractor will be responsible for ongoing communication with key stakeholders in terms of property access and timing during the works.

#### **Attachments**

1. CONFIDENTIAL REDACTED - CON2023 1488 Swifts Creek Recreation Reserve Netball Tennis Courts Upgrade - TEP [6.3.2.1 - 8 pages]

# 6.3.3 East Gippsland Shire Council Arts and Heritage Grants Round One 2022-2023

Authorised by General Manager Assets and Environment

#### **Conflict of Interest**

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

#### **Executive Summary**

Council supports a wide range of projects and innovative activities through its Arts and Heritage Grants program.

The objective of the Arts and Heritage Grants program is to provide local individuals (artists) and organisations the opportunity to access funding for a variety of needs and initiatives in a manner that is open, transparent, and accountable. It offers support to artists and local organisations to present and / or develop arts activity and heritage projects. The program aims to foster a strong sense of local identity, creativity, and community spirit.

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

This report presents six projects for funding consideration. All of which have been assessed as generating considerable benefits for the region.

#### Officer Recommendation

#### That Council:

- 1. receives and notes this report and all attachments pertaining to this report;
- 2. adopts the recommendations for funding through the East Gippsland Shire Council Arts and Heritage Grants program as follows; and

Applicant Number	Project Title	Funding Amount
MAP06	Lost in the Groove: A free Community Music Fiesta	\$10,000.00
AP10	Medieval Winter Fire Festival	\$3,000.00
AP11	East Gippsland Geezers (E.G.G.S) On Tour	\$3,000.00
AP03	Star Warts: The Umpire Strikes Back	\$2,000.00
AP5	NowGroove	\$3,000.00
HP1	Raymond Island Ferry History	\$5,000.00
	Total	\$26,000.00

3. authorises the Chief Executive Officer or delegate to advise all applicants of the outcome of this funding round.

#### **Background**

The Arts and Heritage grants program commenced in 2007 with an aim to support artists and local organisations to present and or develop arts activity and heritage projects throughout the shire.

The Program is comprised of four available funding streams:

- Major Arts Project Grants;
- Arts Project Grants;
- Heritage Project Grants; and
- Quick Response grants.

Projects in each category must result in some form of public presentation. Visual arts, literature, music, theatre, dance, multimedia, or other art forms.

Round one of the program opened on Wednesday 3 June 2022 and closed on Wednesday 17 August 2022. The grant round was advertised by direct email to community and arts groups, local newspapers, through the East Gippsland Shire website, and on BraveArtsEG and the East Gippsland Shire Council Facebook pages.

Before the grant round opened, the Guidelines were updated to reflect date changes only. The Guidelines are available on the Council Website: Grants (eastgippsland.vic.gov.au)

Two of the projects recommended for funding are also recommended for funding from Council's Community Grants program, which is also being considered by Council at this meeting. In these instances, there was an opportunity to share the funding for the projects between the two funding streams as the projects had event components able to meet the Community Grants fund criteria. By sharing the funding across the two grant streams, additional Arts and Heritage projects were able to be recommended for funding.

#### 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

This report is not applicable to pursuant of section 109(2) of the Local Government Act 2020.

#### **Council Plan**

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

Strategic Objective 1: 1.1 Council strives to provide equitable access to their services, support, and facilities.

Strategic Objective 1: 1.2 Collaboration with key stakeholders fosters the cultural, arts and creative communities for all activities Council has facilitated or financially contributed to.

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

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

Strategic Objective 1: 1.6 Council is culturally and linguistically inclusive and celebrates diversity.

Strategic Objective 5: 5.3 Communities are engaged in decision-making and support is provided to develop local solutions to local issues.

## **Council Policy**

There is no Council policy supporting these grants, but the grants are guided by a set of well-established guidelines that are publicly available.

The Program aligns with the Service Performance Principles in the *Local Government Act* 2020 that suggest services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community.

#### **Options**

The options available to Council include awarding all grants as recommended, awarding some of the grants as recommended, or not awarding any of the grants.

#### **Process**

The process for assessment of the applications requires a minimum of three Council Officers to assess and score each application against program specific criteria. The Officers provide comments as part of the assessment process to be used as feedback to each application.

After the applications are assessed and scored, they are individually discussed at a Grants Program Assessment Panel meeting where the panel considers the Arts and Heritage Project applications based on the eligibility and specific program criteria within the Council's Grants Guidelines.

The purpose of the assessment panel is to review, assess and provide objective, independent recommendations to Council in relation to funding for grants; and ensure that the guidelines and assessment criteria have been applied consistently. It is also ensured through the assessment panel process that equitably is provided for all applications.

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

Grants that did not meet the eligibility criteria, rated low on the assessment criteria, were assessed as offering limited community benefit, or if there were other funding streams better suited for the proposed project were not recommended to be funded.

Support and feedback will be offered to these unsuccessful applicants to assist them to further develop their project applications to make submissions to future grant funding rounds.

#### Resourcing

#### Financial

The Arts and Heritage funding allocation for 2022/2023 is \$50,000 of which \$3,000 is allocated to pay for the Arts and Heritage proportion of the annual Smarty Grants program Fee.

The remainder of that fee (\$12,000 annually) is paid by Community Grants. \$5,000 is allocated for distribute annually via the Arts and Heritage Quick Response Grants of up to \$500 each. To date \$1,000 has been allocated.

This leaves an annual allocation of \$42,000 for the Arts and Heritage for Rounds One and Two.

Due to quantity and standard of funding applications in Round One of the Arts and Heritage Grants it is recommended that \$26,000 of the total pool of funds is allocated to this round, leaving a pool of \$16,000 for Round Two applications.

All funding applications for the East Gippsland Shire Council Arts and Heritage Grants Program Round One 2022-2023 are summarised in the table below.

Funding program	Funding requested (\$)	Total Project Investment (\$)	Number of applications
Major Arts Projects	20,000	41,095	2
Arts Projects	37,708	110,031	9
Heritage Projects	13,500	52,000	3
Total	71,208	203,126	14

Given the number of applications, not all applications will receive the entire allocation for which they applied. This will not prevent the event or project proceeding.

Plant and equipment

Not Applicable.

#### Human Resources

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

Council Officers are responsible for the administration of the Arts and Heritage Grants Programs as part of their ongoing and normal duties.

#### Risk

The risks of this proposal have been considered as minimal impact. Management through Officer support to address incidents of backlash and supported processes are in place through communications.

#### **Economic**

The Arts and Heritage Projects recommended a total contribution of \$26,000 from Council if endorsed, which will generate a total investment of \$76,685 with the 50% matching criteria required and, in some cases, additional partner project investment. This investment will stimulate local economies and, in some cases, lead to even higher economic multiplier benefits.

#### Social

Applicants are asked to make a connection between their projects and the Council Plan or relevant adopted strategy. A table of connections outlined how each of the recommended Arts and Heritage Project Grants linked to the Council plan or relevant adopted strategy can be found at **Attachment 1.** 

Gender Impact Statement

The Arts and Heritage report has considered the Gender Equality Act 2020 in its preparation.

The Arts and Heritage report has been assessed as not requiring a Gender Impact Assessment (GIA).

#### **Environmental**

Assessment and scoring of projects were in consideration of environmental and community impacts.

Climate change

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

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

## **Engagement**

The proposed funding opening round dates have been advertised on the Council website since the last Round Two 2021 - 2022 successful projects were announced. Round One 2022 - 2023 advertisements commenced in June 2022 and were published in local newspapers as well as community newsletters and social media.

Online Q&A and grant information sessions were held on:

- Tuesday 15 June 6.00pm 7.00pm;
- Thursday 7 July 10.00am 11.00am; and
- Wednesday 13 July 6.00pm 7.00pm.

The Information Session links were also available on Council website.

Email dissemination advertising information sessions and the funding round were sent utilising existing Community, Arts and Heritage sector networks, Service Centres and Neighbourhood Houses.

Applicants were invited to contact the programs staff for information regarding:

- completing applications correctly;
- budget assistance;
- understanding timelines and processes involved;
- need for supporting documentation; and
- importance of acquitting the grant and acknowledging Council for the support.

#### **Attachments**

1. Recommended East Gippsland Shire Council Arts and Heritage Project Grants RD One 202 [6.3.3.1 - 9 pages]

# Attachment 6.3.3.1

East Gippsland Shire Council Arts and Heritage Project Grants – Round One 2022-2023.

# Recommended Major Arts Project grant applications

Place of delivery	Applicant ID number	Project Title	Project Description	Link to the Council Plan	Requested Amount	Total cost of project	Recommended Amount
Orbost, Lindenow and Marlo.	MAP06	Lost in the Groove: A free Community Music Fiesta	Lost in the Groove is a collaboration between QuasiTrad Music and Crashendo! East Gippsland to bring a free music fiesta to small towns for music lovers of all ages to join in. The Fiesta is unique because it invites the audience to actively participate in singing and instrumental workshops, jam sessions and gigs.  Pre-fiesta workshops in local primary schools are also proposed to promote the event and give a taste of what it is all about.	Lost in the Groove is a free community music initiative which links directly to the Council Plan 2021 - 2025 strategic objective of an inclusive and caring community that respects and celebrates diversity. The council is keen to work with organisations to foster the arts and enhance creativity in communities. Music is a binding force in community, accessible by locals regardless of cultural, social, financial and demographic background, which	\$10,000.00	\$21,095.00	\$10,000.00  Strong application and the organisations involved are good at collaboration and very capable of presenting events that will assist in music development in a region wide approach.

	in turn contributes to community well- being, inclusion, cohesion and			
	engagement.			
Total		\$10,000.00	\$21,095.00	\$10,000.00

# Recommended Arts Project grant applications.

Place of delivery	Applicant ID number	Project Title	Project Description	Link to the Council Plan	Requested Amount	Total cost of project	Recommended Amount
Bruthen	AP10	Medieval Winter Fire Festival	Aligning with the East Gippsland Winter Festival there will be a medieval themed event with a bonfire, demonstrations, music, dance, fire acts, fire sculpture and an opportunity for everyone to dress up. Expected to attract an audience of locals, regional people and from the metropolitan area.	Strategic Objective 1: An inclusive and caring community that respects and celebrates diversity.  Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.  A thriving and diverse economy that attracts investment and generates inclusive local employment.	\$5,000.00	\$15,075.00	\$3,000.00  A good local event with significant artistic merit and employment of local artists in workshops e. g. costume making, lantern making and dance. Will generate tourism and support the creative community.  Approved to receive additional funding of \$2,000.00 from community grant stream in addition to Arts and Culture stream. Community event demonstrating skill building and broad social community engagement
East Gippsland	AP11	East Gippsland Geezers(E.G.G.S) On Tour	A newly formed theatre and	Strategic Objective 1: An inclusive and	\$5,000.00	\$13,750.00	\$3,000.00
small towns		On Tour	comedy group aiming to perform within the lakes	caring community that			Good application from a new group which will tour to smaller

			region. The E.G.G.S. shows will be geared mainly to perform in smaller community venues like halls, wineries, restaurants and theatres. This Grant will produce, travel and perform 2 shows throughout the region, a musical cabaret and a Shakespearean romp. They will be using the best of the region's professional and community	respects and celebrates diversity			communities and assist to develop theatre skills of local performers.  Approved to receive additional funding of \$2,000.00 from community grant stream in addition to Arts and Culture stream: Supporting community engagement and social engagement opportunities
Tambo	VD3	Star Warts: The	theatre ranks.	Stratogic	\$3,600,00	\$10,000,00	\$2,000,00
Tambo Upper /Bairnsdale	AP3	Star Warts: The Umpire Strikes Back: Tambo upper primary school	Whole school production held at the Forge Theatre and Arts Hub in Bairnsdale 7 <sup>th</sup> December 2022	Strategic Objective 4: A thriving and diverse economy that attracts investment and generates inclusive local employment. Strategy 4.2 Collaboration	\$3,600.00	\$10,000.00	\$2,000.00  A resubmitted application from round 2, 2021-2022. Applicant has stated the importance of the play to the local school community post bushfire/COVID recovery. The project

Bairnsdale	AP5	NowGroove	To establish an Accessible Music Program for people with disabilities.	amongst key partners is facilitated to improve pathways for education and skills training.  Links to Build Recovery 2021/2022 Psychosocial Recovery – by developing and strengthening social connectedness and community cohesion – Building on existing or new social networks to engage and support individuals, families and	\$ 3382.00	6765.00	has strong capacity building and social engagement opportunities.  \$3,000.00  Good application which links with inclusion and diversity, future intent of the program is to develop an inclusive music program for all young people to enjoy.
			Total	families and communities who are experiencing social isolation	\$16,982.00	\$45,590.00	\$11,000.00

Place of delivery	Applicant ID number	Project Title	Project Description	Link to the Council Plan	Requested Amount	Total cost of Project	Recommended Amount
Raymond Island	HP1	Raymond Island Ferry History	Recommission of Plaques (signage) depicting the evolving of the RI Ferry Service from the beginning – the Gunaikurnai people were the original ferries using their bark canoes, right through to today when the present ferry was commissioned on the 7 January 1997.	Marking places of historical significance is covered in the 2021-2025 Council Plan in Strategic Objective 2 – Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.	\$5,000.00	\$10,000.00	\$5,000.00  Marking places of historical significance is covered in the 2021-2025 Council Plan, infrastructure that enriches the environment, lifestyle, and character of our communities. Subject to a funding agreement condition that final design and text approval is obtained from Council Officers.
			Total		\$5,000	\$10,000	\$5,000

ADDITIONAL Recommended Arts and Heritage grant applications financially supported from the Community grants program budget.

Place of	Applicant	Project Title	Project Description	Link to the Council	Requested	Total cost	Recommended
delivery	ID number	-		Plan	Amount	of Project	Amount

East Gippsland	AP7	Aim High whilst having Fun - Music alongside Professionals	A series of workshops and concerts for primary school aged children, their families and community members will be held between Bairnsdale and Mallacoota. They will be led by two experienced professional visiting ensembles.	Our Communities will include, encourage, respect and value all others.  Entry to this event will be free (or gold coin donation) to make it accessible to everyone no matter what age ethnicity or socioeconomic group they come from.  An indigenous welcome to country will raise awareness of Bruthen's indigenous history while also helping to make aboriginal people feel welcome at the event.	\$5,000	\$36,030	Recommended \$5,000.00  Was unable to be supported in Arts and Heritage Stream but put across into the Community Grants Stream. Proposal is an East Gippsland wide program with multiple skill building and social engagement Opportunities.
Hillside	HP2	Preservation of Historic Building SS#1723 Rosehill Hillside School	Preservation by painting of the external walls of the former state primary school No 1723 Rosehill Hillside	The connection of our project with the Council plan is about preservation of a historical building with East Gippsland. it is also enabling the Hillside & wider East Gippsland Community to be included & to celebrate the wonderful history of our 100-year-old building having been built in February 1922. To paint the exterior	\$4,100.00	\$8,200.00	Recommended \$4,100.00 Was unable to be supported in Arts and Heritage Stream but put across into the Community Grants Stream Meets all criteria - Upgrade to Council managed community facility

			will continue to			
			preserve & enhance			
			the character of this			
			historic former school			
			building- bringing the			
			past back to life &			
			prolonging the life of			
			the building going			
			forward for all			
			communities & future			
			generations to enjoy.			
		Total		\$9,100	\$44,230	\$9,100

#### 6.4 Business Excellence

# 6.4.1 Draft revised Compliance Policy

Authorised by General Manager Business Excellence

#### **Conflict of Interest**

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

#### **Executive Summary**

The report seeks Council's review and approval, of the draft revised Compliance Policy (Policy), provided at **Attachment 1**.

The existing Compliance Policy, approved in July 2017 is provided at **Attachment 2**, for reference. A review of the Policy has been undertaken which has identified only administrative changes to the Policy were required. These changes are:

- migrated into new policy template; and
- reference to the Local Government Act 2020.

#### Officer Recommendation

#### That Council:

- 1. receives and notes this report and all attachments pertaining to this report;
- 2. approves the revised Compliance Policy, as provided at Attachment 1; and
- 3. authorises the Chief Executive Officer to amend the adopted policy without formal Council consideration if the amendments required are of a minor administrative nature.

#### **Background**

Council approved the Compliance Policy in July 2017 and is now scheduled for review.

The Policy establishes Council's obligations to ensure the effective administration and enforcement of various Acts and Regulations.

To ensure the efficiency of local law compliance, in accordance with section 224 of the *Local Government Act* 1989 Community Laws Officers are appointed as Authorised Officers for the administration and enforcement of the Local Laws made under the *Local Government Act* 1989 and the *Local Government Act* 2020.

To allow for the efficient administration of compliance duties Council has delegated responsibility to various officers generally Community Laws Officers, Environmental Health Officers and Building Officers.

#### Legislation

The policy is a response to Council's obligations under the following Acts, Regulations and Rules:

This report has been prepared in accordance with *Local Government Act* 2020, section 11 and in accordance with *Local Government Act* 1989 section 224.

The policy is a response to Council's obligations under the following Acts and Regulations:

- Building Act 1993;
- Country Fire Authority Act 1958;
- Domestic Animals Act 1994;
- Environment Protection Act 1970;
- Food Act 1984;
- Impounding of Livestock Act 1994;
- Infringements Act 2006;
- Infringements Regulations 2016;
- Local Government Act 2020;
- Public Health and Wellbeing Act 2008;
- Residential Tenancies Act 1997:
- Roads Management Act 2004;
- Summary Offences Act 1966;
- East Gippsland Shire Council Local Laws 2017; and
- Road Safety Road Rules 2009.

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 to 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 1: 1.1 Council strives to provide equitable access to their services, support and facilities.

#### **Council Policy**

The Compliance Policy required a review to be undertaken. During the period of operation there have been no significant changes to the General Local Law, which would necessitate a change to the Policy. The draft revised Policy is provided at **Attachment 1**.

The review identified only administrative changes. The Policy remains consistent with the General Local Law and has been operating successfully since being implemented. Based on the review undertaken it is considered that the Policy in its amended form is suitable to perform the intended function.

# Resourcing

#### **Financial**

There are no financial implications associated with the review and adoption of the Policy.

## Plant and equipment

There are no plant and equipment implications associated with the review and adoption of the Policy.

#### Human Resources

Council has delegated investigation and enforcement power to Council's Community Laws Officers. No change is proposed to the existing delegation.

#### Risk

The risks of this policy have been considered and ensure alliance for the safety of the members of public.

#### **Economic**

There are no economic implications associated with the review and adoption of the Policy.

#### Social

There are no social implications associated with the review and adoption of the Policy.

#### Gender Impact Statement

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

#### **Environmental**

There are no environmental implications associated with the review and adoption of the Policy.

#### 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**

It was not considered necessary to undertake community consultation as part of the review process, as the Policy is a response to Council's legislative requirements.

## **Attachments**

- 1. Draft revised Compliance Policy [6.4.1.1 6 pages]
- 2. Compliance Policy 2017 [6.4.1.2 5 pages]

Version number: 5 Authorised by: General Manager Business Excellence



# **Compliance Policy**

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# **Purpose**

East Gippsland Shire Council is responsible for enforcing the provisions of a wide range of legislation providing for the safety, health and amenity of the community generally.

Council is committed to effective compliance activities and the role of this document is to provide a framework for enforcement action undertaken by Council which sets out the enforcement rationale, objectives, priorities and intended outcomes in achieving Council's legislative requirements and strategic objectives.

# Scope of policy

This policy applies to all staff in respect of compliance actions including:

- · control of animals;
- building control;
- · vegetation management;
- waste management;
- local laws;
- public and environmental health and food safety;
- litter management;
- fire hazard management;
- domestic wastewater management; and
- parking control.

within East Gippsland Shire.

Matters relating to compliance with the *Planning and Environment Act 1987* are addressed within the *Planning Compliance Policy 2017* and supporting procedure documents, available on Council's website.

# **Policy Statement**

In exercising its enforcement powers, Council will:

- Provide a fair, consistent and predictable approach to all regulatory enforcement activities.
- Instill community confidence in Council's compliance and enforcement activities through natural justice, good governance and ethical practice.
- Educate the community on relevant legislation in order to assist the community with legislative compliance.
- Ensure that the level of enforcement undertaken is proportionate to the nature and seriousness of the offence.
- Achieve an appropriate balance in terms of proactive and reactive compliance work to ensure that Council's legislative responsibilities, strategic objectives and priorities are achieved.

Compliance Policy Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number: 5 Next review date: June 2025

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# Roles and responsibilities

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

Patry/Parties	Roles and responsibilities:			
General Manager	To oversee the implementation of this Policy and supporting Procedures			
Manager	To ensure awareness of and adherence of staff to this Policy and relevant supporting Procedures			

# References / associated documents

This policy is consistent with the Council Plan 2021-2025 Strategic Objective: A transparent organisation that listens and delivers effective, engaging, and responsive services.

#### Relevant legislation:

Legislation administered by Council includes but not limited to:

- Building Act 1993
- Country Fire Authority Act 1958
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Impounding of Livestock Act 1994
- Infringements Act 2006
- Infringements Regulations 2016
- Local Government Act 1989
- Local Government Act 2020
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Roads Management Act 2004
- Summary Offences Act 1966
- East Gippsland Shire Council General Local Law 2011
- Road Safety Road Rules 2009

#### Refer to:

http://www.legislation.vic.gov.au/

http://www.eastgippsland.vic.gov.au/

Attorney General's Guidelines to the Infringements Act 2006 (Vic)

#### **Related Council policy:**

Customer Response Policy

Compliance Policy Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number: 5 Next review date: June 2025

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# Supporting procedures / guidelines

#### Related procedures (management procedures):

- Compliance Procedure
- · Infringement Review Procedure

#### **Compliance Investigation Process and Options**

The identification of a potential breach of the relevant legislation can arise from customer contact or an inspection procedure.

The first stage of the compliance procedure is investigation as to whether there has been an offence committed. Once the offence has been detected, the procedure emphasises compliance rather than prosecuting offenders.

There is a range of options available to the Council in seeking compliance with legislation or permits which include, but are not limited to:

- Education
- Advice in Writing.
- Notices (Improvement/prohibition, Compliance)
- Verbal Warning
- Written Warning
- Penalty Infringement Notice.
- Prosecution at the Magistrates Court.

All complaints are acknowledged in accordance with the provisions of the East Gippsland Shire Council Customer Response Policy. All information collected is detailed in an investigation report for Council's records and perusal (if required) by more senior officers. The report contains details of the status of investigation, documentation of evidence if required, and the Officers recommendation as to whether further action is necessary, and in what form that action is proposed to be taken to ensure compliance with the relevant legislation.

# **Privacy and Human Rights consideration**

The disclosure of information revealed by an investigation, action/enforcement proceedings taken, is regulated by the *Privacy and Data Protection Act 2014*. It is an offence to disclose such information to a third party unless exempted under the Act.

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

Compliance Policy Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number: 5 Next review date: June 2025

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# **Definitions and Abbreviations**

Term:	Meaning:	
Authorised Officer	An Authorised Officer appointed under Section 224 or 224A of the Act and includes a member of the Victoria Police who has been authorised by the Council.	
Infringement Notice	An infringement notice is an administrative method for dealing with a relatively minor offence where the person alleged to have committed the offence has the option of paying a fixed penalty rather than having the matter decided in court.	
PIN	Penalty Infringement Notice	
Proactive	Inspection and audition of various registration/licenced premises and animals. Auditing of permit conditions.	
Reactive	Investigation of complaints regarding alleged non- compliance with the relevant legislation and taking appropriate action to achieve compliance.	

# **Revision History and Review**

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
Original	Approved	04/12/2000	Council		
1	Approved	10/11/2009	Council	3720291	
2	Approved	04/02/2014	Council	5650892	Migrated into new template with separate procedure document.
3	Administrative Amendment	08/08/2016	Chief Executive Officer	6815673	New regulations and management procedure incorporated.
4	Approved	04/07/2017	Council	7222802	
5					Migrated into new template and updated relevant Legislation

Compliance Policy Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number: 5 Next review date: June 2025



# **COMPLIANCE POLICY**

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#### 1. PURPOSE

East Gippsland Shire Council is responsible for enforcing the provisions of a wide range of legislation providing for the safety, health and amenity of the community generally.

Council is committed to effective compliance activities and the role of this document is to provide a framework for enforcement action undertaken by Council which sets out the enforcement rationale, objectives, priorities and intended outcomes in achieving Council's legislative requirements and strategic objectives.

## 2. POLICY STATEMENT

In exercising its enforcement powers, Council will:

- Provide a fair, consistent and predictable approach to all regulatory enforcement activities.
- Instil community confidence in Council's compliance and enforcement activities through natural justice, good governance and ethical practice.
- Educate the community on relevant legislation in order to assist the community with legislative compliance.
- Ensure that the level of enforcement undertaken is proportionate to the nature and seriousness of the offence.
- Achieve an appropriate balance in terms of proactive and reactive compliance work to
  ensure that Council's legislative responsibilities, strategic objectives and priorities are
  achieved.

# 3. RESPONSIBILITY FOR IMPLEMENTATION AND COMPLIANCE

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

Party / Parties:	Roles and responsibilities:
Directors	To oversee the implementation of this Policy and supporting Procedures
Managers	To ensure awareness of and adherence of staff to this Policy and relevant supporting Procedures

#### 4. SCOPE OF POLICY

This policy applies to all staff in respect of compliance actions including:

- control of animals;
- building control;
- vegetation management;
- waste management;
- local laws;
- · public and environmental health and food safety;
- litter management;
- · fire hazard management;
- · domestic wastewater management; and
- parking control.

within East Gippsland Shire.

Document Owner: Manager Statutory Services

Approved by: Council Approved date: 04/07/17

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Matters relating to compliance with the *Planning and Environment Act 1987* are addressed within the *Planning Compliance Policy 2017* and supporting procedure documents, available on Council's website.

#### 5. REFERENCES / ASSOCIATED DOCUMENTS

This policy is consistent with the Council Plan 2013-17 goal "safe and active, healthy lifestyles are supported".

## Relevant legislation:

Legislation administered by Council includes but not limited to:

- Building Act 1993
- Country Fire Authority Act 1958
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Impounding of Livestock Act 1994
- Infringements Act 2006
- Infringements Regulations 2016
- Local Government Act 1989
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Roads Management Act 2004
- Summary Offences Act 1966
- East Gippsland Shire Council General Local Law 2011
- Road Safety Road Rules 2009

#### Refer to:

http://www.legislation.vic.gov.au/

http://www.eastgippsland.vic.gov.au/

Attorney General's Guidelines to the Infringements Act 2006 (Vic)

### Related policy/procedure:

- Customer Response Policy 2017
- Infringement Review Procedure 2016

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#### 6. PRIVACY AND HUMAN RIGHTS CONSIDERATION

The disclosure of information revealed by an investigation, action/enforcement proceedings taken, is regulated by the *Privacy and Data Protection Act 2014*. It is an offence to disclose such information to a third party unless exempted under the Act.

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

#### 7. DEFINITIONS AND ABBREVIATIONS

Term:	Meaning:	
Authorised Officer	An Authorised Officer appointed under Section 224 or 224A of the Act and includes a member of the Victoria Police who has been authorised by the Council.	
Infringement Notice	An infringement notice is an administrative method for dealir with a relatively minor offence where the person alleged to have committed the offence has the option of paying a fixed penalty rather than having the matter decided in court.	
PIN	Penalty Infringement Notice	
Proactive	Inspection and audition of various registration/licenced premises and animals. Auditing of permit conditions.	
Reactive	Investigation of complaints regarding alleged non- compliance with the relevant legislation, and taking appropriate action to achieve compliance.	

## **8. SUPPORTING PROCEDURES / GUIDELINES**

# Related procedures (management procedures):

- Compliance Procedure
- Infringement Review Procedure 2016

# 8.1 Compliance Investigation Process and Options

The identification of a potential breach of the relevant legislation can arise from customer contact or an inspection procedure.

The first stage of the compliance procedure is investigation as to whether there has been an offence committed. Once the offence has been detected, the procedure emphasises compliance rather than prosecuting offenders.

There is a range of options available to the Council in seeking compliance with legislation or permits which include, but are not limited to:

- Education
- Advice in Writing.
- Notices (Improvement/prohibition, Compliance)

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- Verbal Warning
- Written Warning
- Penalty Infringement Notice.
- Prosecution at the Magistrates Court.

All complaints are acknowledged in accordance with the provisions of the East Gippsland Shire Council Customer Response Policy. All information collected is detailed in an investigation report for Council's records and perusal (if required) by more senior officers. The report contains details of the status of investigation, documentation of evidence if required, and the Officers recommendation as to whether further action is necessary, and in what form that action is proposed to be taken to ensure compliance with the relevant legislation.

#### 9. REVISION HISTORY

Revision Ref. No.	Approved/ Amended/ Rescinded	Date	Council / Management	ECM Document Reference
Original	Approved	04/12/2000	Council	
1	Approved	10/11/2009	Council	3720291
2	Approved	04/02/2014	Council	5650892 (migrated into new template with separate procedure document)
3	Administrative Amendment	08/08/2016	Chief Executive Officer	6815673 (new regulations and management procedure incorporated)
4	Approved	04/07/2017	Council	7222802

Document Owner: Manager Statutory Services

Approved by: Council Approved date: 04/07/17

# 6.4.2 Draft revised Footpath Trading Policy

Authorised by General Manager Business Excellence

#### Conflict of Interest

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

# **Executive Summary**

The report seeks Council's review and approval of the draft revised Footpath Trading Policy, which is provided at **Attachment 1**.

The existing Footpath Trading Policy (the Policy), approved in July 2017 is provided at **Attachment 2**, for reference. A review of the Policy has been undertaken which has identified only administrative changes to the Policy were required. These changes are:

- migrated into new policy template; and
- reference to the Local Government Act 2020.

#### Officer Recommendation

#### That Council:

- 1. receives and notes this report and all attachments pertaining to this report;
- 2. approves the revised Footpath Trading Policy, as provided at Attachment 1; and
- 3. authorises the Chief Executive Officer to amend the adopted policy without formal Council consideration if the amendments required are of a minor administrative nature.

# **Background**

Council approved the Footpath Trading Policy in July 2017.

The Policy establishes Council's obligations under the General Local Law to ensure the effective administration and enforcement of footpath trading.

To ensure the efficiency of local law compliance, in accordance with section 224 of the *Local Government Act* 1989 Community Laws Officers are appointed as Authorised Officers for the administration and enforcement of the Local Laws made under the *Local Government Act* 1989 and the *Local Government Act* 2020.

# 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 policy is a response to Council's obligations under the following Acts, Regulations and Rules:

The policy is a response to Council's obligations under the following Acts and Regulations:

- Disability Discrimination Act 1992;
- Environment Protection Act 1970;
- Food Act 1984:
- General Local Law 2017:
- Information Privacy Act 2000;
- Planning and Environment Act 1987 (and the East Gippsland Planning Scheme);
- Summary Offences Act 1966; and
- Road Safety Road Rules 2017.

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 to 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 1: 1.1 Council strives to provide equitable access to their services, support and facilities.

# **Council Policy**

The Footpath Trading Policy required a review to be undertaken. Council Officers have undertaken the required review. During the period of operation there have been no significant changes to the General Local Law, which would necessitate a change to the Policy. The draft revised policy is provided at **Attachment 1**.

The review identified only administrative changes. The Policy remains consistent with the General Local Law and has been operating successfully since being implemented. Based on the review undertaken it is considered that the Policy in its amended form is suitable to perform the intended function.

# Resourcing

#### **Financial**

There are no financial implications associated with the review and adoption of the Policy.

# Plant and equipment

There are no plant and equipment implications associated with the review and adoption of the Policy.

# **Human Resources**

Council has delegated investigation and enforcement power to Council's Community Laws Officers. No change is proposed to the existing delegation.

#### Risk

The risks of this policy have been considered and ensure alliance for the safety of the members of public. This policy should be read in conjunction with the Footpath Trading Procedure which identifies risks and instructions to mitigate any risk.

#### **Economic**

There are no economic implications associated with the review and adoption of the Policy.

#### Social

There are no social implications associated with the review and adoption of the Policy.

# Gender Impact Statement

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

# **Environmental**

There are no environmental implications associated with the review and adoption of the Policy.

### 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**

It was not considered necessary to undertake community consultation as part of the review process, as the Policy is a response to Council's legislative requirements.

# **Attachments**

- 1. Revised Footpath Trading Policy [6.4.2.1 6 pages]
- 2. Footpath Trading Policy 2017 [6.4.2.2 5 pages]

Version number: 5 Authorised by: General Manager Business Excellence



# **Footpath Trading Policy**

# **TABLE OF CONTENTS**

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4.	Scope of policy	2
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6.	Definitions and Abbreviations	3
7.	Supporting procedures / guidelines	4
	History and Review	

# 1. Purpose

East Gippsland Shire Council has the responsibility to enforce the provisions of a wide range of legislation providing for the safety, health and amenity of the community.

This policy will provide a framework for the sustainable use and management of our roads, road related areas and public spaces (RRAPS). It will facilitate footpath trade which does not obstruct pedestrian access or create an unsafe or unsightly environment within the East Gippsland Shire. Compliance with this framework will contribute to the ambiance and vitality of public areas.

# 2. Policy Statement

Having regard to Council's responsibilities and feedback received from the community, the following principles apply: -

- (a) Council will ensure the provision of clear, safe and unobstructed access for all users along the Shire's RRAPS in accordance with Council's statutory responsibilities.
- (b) Educate traders regarding relevant legislation in order to ensure compliance.
- (c) Council will support the long-term viability and sustainability of retail business.

For the Policy to be effective, Council has a permit system in place to standardise the placement of items on RRAPS, for example, tables and chairs, "A" frame signs, product displays, clothing racks, etc.

Council's General Local Law 2017 section 45 prohibits the placement of items on RRAPS unless a permit has been issued. The permit allows for the placement of items on the area provided business operators supply evidence of current public liability insurance with their application and comply with the conditions of use.

An approved permit grants limited rights to business operators to place items on the road and to use public space for business and commercial purposes. The permit may specify conditions such as hours of use, period of permit and type of items to be placed.

Council reserves the right to withdraw the permit should the public space be required for any other purpose and/or if conditions of use are not being adhered to.

It is anticipated that in some circumstances, eg narrow footpaths, Council may not be in a position to issue a permit.

The permit period will normally be twelve months from 1 July and renewed annually. New applications will also expire on 30 June. Pro-rata payments may be considered.

Footpath Trading Policy Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number: Next review date: July 2025

# 3. Responsibility for implementation and compliance

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

Party / Parties:	Roles and responsibilities:
General Manager	To oversee the implementation of this Policy and supporting Procedures
Manager	To ensure awareness of and adherence of staff to this Policy and relevant supporting Procedures

# 4. Scope of policy

This policy applies to all individuals or companies who wish to use Council roads, road related areas and public spaces for business and commercial purposes within the East Gippsland Shire.

# 5. References / associated documents

The Council Plan 2021-25 identifies that A thriving vibrant and live able East Gippsland as one of Council's key strategic objectives

To support this objective, strategic action 2: Our Place will be accessible, safe, connected and healthy

# Relevant Legislation:

- Charter of Human Rights and Responsibilities Act 2006
- Disability Discrimination Act 1992
- Environment Protection Act 1970
- Food Act 1984
- General Local Law 2017
- · Information Privacy Act 2000
- · Local Government Act 1989
- Local Government Act 2020
- Planning and Environment Act 1987 (and the East Gippsland Planning Scheme)
- Summary Offences Act 1966
- Road Safety Road Rules 2017

Refer to: http://www.legislation.vic.gov.au/

### Related policy/procedure:

- Council Compliance Policy and supporting procedures
- · Footpath Trading Procedure

Footpath Trading Policy

Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number:

Next review date: July 2025

# **Privacy and Human Rights consideration**

The disclosure of information revealed by an investigation, action/enforcement proceedings taken, is regulated by the *Information Privacy Act* 2000. It is an offence to disclose such information to a third party unless exempted under the Act.

Council has a legal responsibility under the *Disability Discrimination Act* 1992 section 23, Access to Premises, to ensure safe and equitable usage of RRAPS for people with a range of disabilities.

This policy allows recognition and equality before the law as outlined in the Charter of Human Rights and Responsibilities Act 2006.

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

# 6. Definitions and Abbreviations

Term:	Meaning:
Application	Document submitted by applicant to Council seeking permission to place items on public footpaths/spaces.
Authorised Officer	Authorised Officer of Council appointed under section 224 of the Local Government Act 1989.
Council	East Gippsland Shire Council
General Local Law 2017	Local legislation, applicable within the East Gippsland Shire, adopted by Council under the authority of the Local Government Act 1989.
Footpath	An area open to the public that is designated for or has as one of its main uses, use by pedestrians.
Permit	Unless otherwise identified, "permit" means a permit issued by East Gippsland Shire Council under a Local Law which authorises a particular activity on council owned or Crown managed land. (Note: in certain areas, additional approvals may be required for any permanent alterations or additional works).
Public Space	Council owned and Crown managed land open to and used by the public.
Road	Has the same meaning as "Road" in the Local Government Act 1989.
Road Related Area	Has the same meaning as defined by the Victorian Road Safety Road Rules 2017 (s.13)
RRAPS	Roads, road related areas and public spaces.

Footpath Trading Policy

Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number: Next review date: July 2025

# 7. Supporting procedures / guidelines

Footpath Trading Procedure

# 8. History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
Original	Approved	03/10/2006	Council	2677366	
2	Reviewed / Amended	10/11/2009	Council	3720929	
3	Approved	02/072013	Council	5266433	
4	Approved	04/07/2017	Council	7368510	
5					Migrated into new template with separate procedure document and updated relevant legislation.

Footpath Trading Policy

Date approved: TBA

Document owner: Manager Regulatory and Compliance Services

Version number:

Next review date: July 2025



# **FOOTPATH TRADING POLICY**

## DOCUMENT CONTROL

Managed by:	Development
Status:	Approved
Responsible position:	Manager Statutory Services
Contact number:	03 5153 9500
Date approved:	July 2017
Version:	4
File number:	7368510
Approved by:	Council
Next review date:	July 2019
Security classification:	Public

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# **REVISION HISTORY** (Completed by Governance Officer)

Revision Ref. No.	Approved/ Amended/ Rescinded	Date	Council / Management	ECM Document Reference
Original	Approved	03/10/2006	Council	2677366
2	Reviewed / Amended	10/11/2009	Council	3720929
3	Approved	02/072013	Council	5266433
4	Approved	04/07/2017	Council	7368510

Document Owner: Manager Statutory Services

Approved by: Council
Approval date: 04/07/17

#### 1. PURPOSE

East Gippsland Shire Council has the responsibility to enforce the provisions of a wide range of legislation providing for the safety, health and amenity of the community.

This policy will provide a framework for the sustainable use and management of our roads, road related areas and public spaces (RRAPS). It will facilitate footpath trade which does not obstruct pedestrian access or create an unsafe or unsightly environment within the East Gippsland Shire. Compliance with this framework will contribute to the ambiance and vitality of public areas.

#### 2. POLICY STATEMENT

Having regard to Council's responsibilities and feedback received from the community, the following principles apply: -

- (a) Council will ensure the provision of clear, safe and unobstructed access for all users along the Shire's RRAPS in accordance with Council's statutory responsibilities;
- (b) Educate traders regarding relevant legislation in order to ensure compliance.
- (c) Council will support the long-term viability and sustainability of retail business.

For the Policy to be effective, Council has a permit system in place to standardise the placement of items on RRAPS, for example, tables and chairs, "A" frame signs, product displays, clothing racks, etc.

Council's *General Local Law 2011* section 52 prohibits the placement of items on RRAPS unless a permit has been issued. The permit allows for the placement of items on the area provided business operators supply evidence of current public liabilty insurance with their application and comply with the conditions of use.

An approved permit grants limited rights to business operators to place items on the road and to use public space for business and commercial purposes. The permit may specify conditions such as hours of use, period of permit and type of items to be placed.

Council reserves the right to withdraw the permit should the public space be required for any other purpose and/or if conditions of use are not being adhered to.

It is anticipated that in some circumstances, eg narrow footpaths, Council may not be in a position to issue a permit.

The permit period will normally be twelve months from 1 July and renewed annually. New applications will also expire on 30 June. Pro-rata payments may be considered.

Document Owner: Manager Statutory Services

Approved by: Council Approval date: 04/07/17

#### 3. RESPONSIBILITY FOR IMPLEMENTATION AND COMPLIANCE

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

Party / Parties:	Roles and responsibilities:	
Director Development	To oversee the implementation of this Policy and supporting Procedures	
Manager Statutory Services	To ensure staff and community awareness of and adherence to this Policy and supporting Procedures	

## 4. SCOPE OF POLICY

This policy applies to all individuals or companies who wish to use Council roads, road related areas and public spaces for business and commercial purposes within the East Gippsland Shire.

#### 5. REFERENCES / ASSOCIATED DOCUMENTS

The Council Plan 2013-17 identifies that A thriving vibrant and liveable East Gippsland as one of Council's key strategic objectives.

To support this objective, strategic action 1.3.1 states People feel safe in their communities

#### **Relevant Legislation:**

- Charter of Human Rights and Responsibilities Act 2006
- Disability Discrimination Act 1992
- Environment Protection Act 1970
- Food Act 1984
- General Local Law 2011
- Information Privacy Act 2000
- Local Government Act 1989
- Planning and Environment Act 1987 (and the East Gippsland Planning Scheme)
- Summary Offences Act 1966
- Road Safety Road Rules 2009

Refer to: http://www.legislation.vic.gov.au/

# Related policies/procedures (internal):

- · Council Compliance Policy and supporting procedures
- Footpath Trading Procedure

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#### 6. PRIVACY AND HUMAN RIGHTS CONSIDERATION

The disclosure of information revealed by an investigation, action/enforcement proceedings taken, is regulated by the *Information Privacy Act 2000*. It is an offence to disclose such information to a third party unless exempted under the Act.

Council has a legal responsibility under the *Disability Discrimination Act 1992* section 23, Access to Premises, to ensure safe and equitable usage of RRAPS for people with a range of disabilities.

This policy allows recognition and equality before the law as outlined in the *Charter of Human Rights and Responsibilities Act 2006.* 

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

### 7. DEFINITIONS AND ABBREVIATIONS

Term:	Meaning:	
Application	Document submitted by applicant to Council seeking permission to place items on public footpaths/spaces.	
Authorised Officer	Authorised Officer of Council appointed under section 224 of the Local Government Act 1989	
Council	East Gippsland Shire Council	
General Local Law 2011	Local legislation, applicable within the East Gippsland Shire, adopted by Council under the authority of the <i>Local Government Act 1989</i> .	
Footpath	An area open to the public that is designated for or has as one of its main uses, use by pedestrians	
Permit	Unless otherwise identified, "permit" means a permit issued by East Gippsland Shire Council under a Local Law which authorises a particular activity on council owned or Crown managed land. (Note: in certain areas, additional approvals may be required for any permanent alterations or additional works)	
Public Space	Council owned and Crown managed land open to and used by the public	
Road	Has the same meaning as "Road" in the Local Government Act	
Road Related Area	Has the same meaning as defined by the Victorian <i>Road Safety</i> Road Rules 2009 (s.13)	
RRAPS	Roads, road related areas and public spaces	

## **8. SUPPORTING PROCEDURES / GUIDELINES**

Footpath Trading Procedure

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