



# Council Meeting Agenda

**Tuesday 17 October 2023 at 6:00 pm**  
Council Chambers (and by video conferencing)  
East Gippsland Shire Council Corporate Centre  
273 Main Street, Bairnsdale 3875





## Acknowledgement of Country

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

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

## Council information

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

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

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

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.



## 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  
Alba Elling Acting General Manager Business Excellence  
Stuart McConnell General Manager Place and Community

## Purpose of Council meetings

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

## Governance Rules

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

## Councillors pledge

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



## Vision

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

## Our Strategic Objectives

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



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# 1 Procedural

## 1.1 Recognition of Traditional Custodians

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

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

## 1.2 Apologies

## 1.3 Declaration of Conflict of Interest

## 1.4 Confirmation of Minutes

That the minutes of the Council Meeting held Tuesday 26 September 2023 be confirmed.

## 1.5 Next Meeting

The next Council Meeting (Statutory) is scheduled to be held on Thursday 26 October 2023 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 Petition to Request Review of Books in East Gippsland Library Collection**

Authorised by      Acting General Manager Business Excellence

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#### **Conflict of Interest**

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

#### **Executive Summary**

This report informs Council of a petition submitted by Mr Carl Fechner from Bairnsdale seeking Council to remove a book from the children's section of Council's public libraries. The petition was received electronically on 23 September 2023. The petition states:

*"I, the undersigned, urgently request your attention and action regarding the need to review and address the presence of adult sex education books in the children's section of the East Gippsland Shire Council public library."*

The petition has been received and presented in accordance with Governance Rule 8.7. The petition included 93 signatures (as of 12 October 2023), of which all meet 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 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.

*\* 93 petitioners engaged in this petition in the hard copy format. Of those, all signatories met Governance Rule 8.7 (1)(e). 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 Mr Carl Fechner requesting to "I, the undersigned, urgently request your attention and action regarding the need to review and address the presence of adult sex education books in the children's section of the East Gippsland Shire Council public library";***
- 3. that the petition be referred to the relevant General Manager for consideration and response; and***
- 4. notes that the Chief Executive Officer will arrange for Council Officers to write to the head petitioner advising them of these actions.***

### **1.7.2 Questions of Council**

### **1.7.3 Public Submissions**

## **1.8 Items for Tabling**

In accordance with section 54(4)(b) of the *Local Government Act 2020*, a copy of the Audit and Risk Committee Annual Assessment is to be tabled and subsequently recorded in the minutes of the meeting.

### **Attachments**

1. Audit and Risk Committee Performance Report 2022/23 [**1.8.1.1** - 44 pages]



# **Audit and Risk Committee**

## **Annual Performance Report**

### **2022/23**





## EXECUTIVE SUMMARY

This report outlines the results of the Audit and Risk Committee's (the Committee) annual performance review for 2022/23. 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 (CEO) 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 there is now gender balance among the independent members of the Committee and the revised Charter was adopted by Council on 16 August 2022.

The Committee thought that it is generally working well and the suggestions listed below for 2022/23 are 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
- Understanding the expectations of the Councillor cohort of their reporting outside of the minutes post Committee meeting.

## 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 4 September 2023. The meeting was facilitated by the Committee Chair.
3. This Report outlining the findings of the performance review is prepared by the Chair and circulated electronically to Committee members for review and endorsement during August 2023.
4. This Report is to be discussed informally at a joint meeting between Councillors and Audit and Risk Committee members on 26 September 2023.



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. Nineteen people were eligible to complete the survey (six committee members [three sitting independent members and three Councillors]), six Councillors who do not sit on the Committee, and seven Senior Officers). Twelve people chose to respond (63%): three members, four Councillors who are not members and five 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 2022/23 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 the 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 it continues to progress on a path of continual improvement and is adding value 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.



***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.

The Committee recognised that council members see substantially greater material than independent members. A more general understanding of Council (or) 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 its advice to Council.

Whilst a wrap up post meeting for Councillor feedback is conducted without Officers present, the feedback in the survey indicated reporting from the Audit Committee to Council, wasn't meeting one Councillor's expectations. It is understood a verbal update is provided to Councillors post the ARC meeting.

An action for Officers is to understand what (and how) the Councillor cohort would like to receive feedback on from the Audit Committee.

The majority of responses were positive noting the Committee operates within the Charter and the adopted internal audit plan which references the Charter.

An additional action for Officers is to revise Q1 so that there is greater clarification regarding the role of respondents ie:

- Independent Committee Member
- Councillor (Non-Committee Member)
- Councillor (Committee Member)
- Senior Officer

***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; or do differently? (Q4)***

Communication and administration of the Committee has developed positively in the preceding 12 months and the Committee members noted the Committee is working effectively.

While one respondent noted reports being presented may be operational in nature and would like to understand whether the Independent Members consider it worthwhile in retaining such reports.

Agreed Committee action:

- Benchmark against other councils.
- Reports to record reference to the Charter, so as to make the connection earlier.

***Thinking about the way the Committee operates, is there anything the Committee or Committee members should stop doing; start doing; or do differently? (Q5)***

Overall responses relating to how the Committee operates was favourable with minor suggestions relating to:

- Best practice relating to the appointment of Internal Auditors would include an Independent Member of the Committee; and
- Remain within the parameters of the Audit and Risk Committee Charter.



***What should be the key areas of focus for the Committee during 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;
- Internal and External Audit;
- Project/Capital Management;
- 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; and
- 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.

***Is there anything about the Committee's Charter and/or membership arrangements that you believe needs to be changed? (Q7)***

Some respondents felt the Charter having been recently reviewed is operating effectively. Other items of note included the current vacancy within the Independent Members and one respondent having the desire for perhaps an increase in remuneration.

***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.

Opinion was split on whether the Committee adequately understands and reviews Council's risk management framework and Council's major risks. Some respondents indicated 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. Respondents 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.

A respondent noted, the Committee works within the Charter and would have preferred the Committee to address the Culture and staff turnover strategy. As an advisory committee, this links to Risk Management and the retention strategy attached to the risk, and therefore it was agreed a separate agenda item was not required.





### ***Meeting Administration (Q10)***

It was generally agreed that meeting administration enables well run and productive meetings, and agendas reflect the key responsibilities of the Committee, whilst allowing sufficient time for discussion.

### ***Audit and Risk Committee Professional Development (Q11 and Q12)***

Consider removing these questions in future performance questionnaire as all committee members undertake professional development as part the course of employment or personal development.

## **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 operating effectively within the new Charter which has improved its clarity of role and be more strategic.

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. The Councillor Cohort noted however they would like to be presented with greater information post an ARC meeting.

Further the Committee believes that its 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**

1. Audit and Risk Committee Annual Performance Questionnaire 2022/23
2. Audit and Risk Committee Annual Performance Questionnaire Results 2022/23

## Audit and Risk Committee - Annual Performance Assessment 2022/23

### Questionnaire Information

This questionnaire has been prepared to assist in assessing the Audit and Risk Committee's performance. Responses must be submitted by **5pm Monday 7 August 2023**.

The questionnaire is intended to be completed online by the three (3) current independent Committee Members, other regular participants at the meetings and all Councillors.

Questions 1-6 are designed to obtain general views about the Committee and where it should focus over the next 12 months.

Questions 8-10 contain more specific questions. In response to every statement, respondents are asked to indicate whether they **Agree**, **Disagree** or **Don't Know**.

These sections also provide an opportunity to include comments and/or suggestions for improvement.

If respondents **Don't Know**, or don't feel qualified to answer specific questions, these fields can be left blank. However, where the **Disagree** response is chosen, respondents are asked to provide the reasons why they disagree in the comments section provided.

Questions 11-12 are to be completed by **Committee Members only** and focus on professional development activities and aspirations.

\* 1. What is your role on the Audit and Risk Committee?

- ☐ Committee Member
- ☐ Councillor (Non-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 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?

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 for the Committee in the next 12 months?

7. Is there anything about the Committee's Charter and/or membership arrangements that you believe needs to be changed?

8. 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.

	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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and regulations.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee understands and reviews management systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee adequately understands and reviews the Council's enterprise risk management framework.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee meets its obligations under the Charter.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Should the Committee have more or less responsibilities?			
<div></div>			



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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The mix of skills on the Committee allows it to effectively perform its responsibilities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee's overall financial literacy is adequate in light of the Committee's responsibilities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee has responded appropriately (eg framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee has been sufficiently probing and challenging in its deliberations.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are there areas of the Shire's operations that the Committee needs to understand better?

10. Meeting Administration

	Agree	Disagree (Please describe why in the section below)	Don't Know
Committee meetings are well run and productive.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the Charter are addressed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How can the Committee meetings be more productive and effective?			
<div></div>			

11. **FOR COMMITTEE MEMBERS ONLY**

Please 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.

12. **FOR COMMITTEE MEMBERS ONLY**

Is there any professional development that you believe would be beneficial to your role as an Audit and Risk Committee Member? If so, list below:



Attachment 2

## **Responses to**

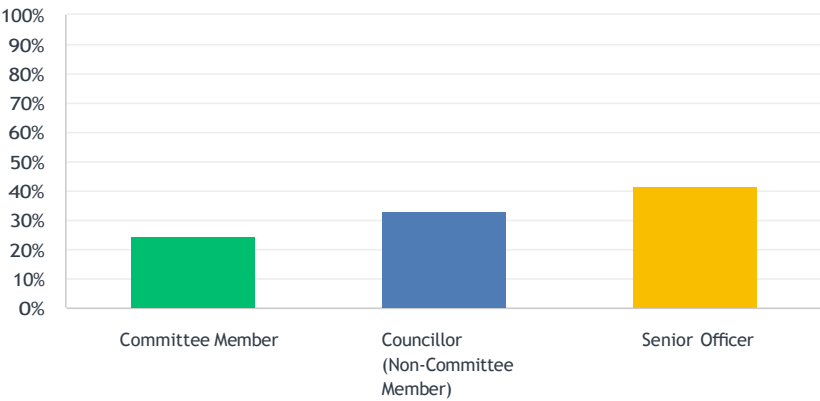
### **Audit Committee Performance Survey 2022/23**

## **Combined responses**

Audit and Risk Committee - Annual Performance Assessment

Q1 What is your role on the Audit and Risk Committee?

Answered: 12    Skipped: 0



ANSWER CHOICES		RESPONSES	
Committee Member		25.00%	3
Councillor (Non-Committee Member)		33.33%	4
Senior Officer		41.67%	5
TOTAL			12



## Audit and Risk Committee - Annual Performance Assessment

## Q2 What does the Committee do well?

Answered: 12 Skipped: 0

#	RESPONSES	DATE
1	I do not have a clear view on what the committee does well as I have very little interaction with the committee. I have not attended a meeting with the current chair.	8/7/2023 8:21 AM
2	New member, In my brief experience the committee diligently review all information provided. Discussions are informed and worthwhile.	8/3/2023 9:40 PM
3	It is chaired very well. It is well supported It provides time and space for voicing of new issues and voicing of differing views on current issues in each meeting, It examines it's performance internally annually and allows for external comments (from non-participating councillors) It manages the annual workplan by ensuring completion It abides by its charter	8/3/2023 3:22 PM
4	We have an effective Chair. The committee is comfortable challenging management. Audit committee meetings are conducted effectively with sufficient time spent on significant or emerging issues. The pre-meeting is an extremely valuable exercise. Members come to the meetings well prepared.	8/1/2023 12:45 PM
5	Considers matters presented to it by the organisation, and provide advice and suggestions for ways forward (where relevant). Members seek advice from each other in meetings and separately, which is a demonstration of the regard they hold for their individual expertise.	8/1/2023 12:17 PM
6	Seems to provide independent opinions on a range of issues. Reviews Council progress and provides relevant advice.	8/1/2023 11:43 AM
7	Interrogation of papers and documentation. Deep diving into matters beyond financial. Taking a broad perspective on the business continuity and supporting officer's decision.	8/1/2023 9:53 AM
8	Provides respectful feedback on reports Provides constructive comments to officers	7/25/2023 3:21 PM
9	Provide advice and guidance, seeks clarification on matters and suggests improvements to reports.	7/25/2023 3:18 PM
10	The Committee works well with the Senior Officers incredibly well to achieve the best outcome for Council.	7/21/2023 8:22 AM
11	I believe the committee has the skills to and does delve into financial issues and risk situations and so provides councillors with either assurance that all is as should be or warning otherwise. I believe the committee does this	7/18/2023 5:48 AM
12	Provide independent constructive feedback to Council on a range of audit and risk matters.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment

### Q3 Are there any specific tasks or functions the Committee could undertake in a better way? (If YES, please specify what they are)

Answered: 11    Skipped: 1

#	RESPONSES	DATE
1	I think it will be useful for the committee to consider the new strategic risk register and then consider how it responds to and adds value to Council's management of these risks.	8/7/2023 8:21 AM
2	No	8/3/2023 9:40 PM
3	I have no substantive suggestions here. (The only minor request is that in the pre-amble to this survey, there is a category for "non-independent committee member/councillor" )	8/3/2023 3:22 PM
4	The Committee is evolving to engage with the organisation as a partner, providing specialised advice. This continuing to build and strengthen would be welcomed.	8/1/2023 12:17 PM
5	Perhaps providing strong frank and fearless advice in the form of a short synopsis in layman's terms to Councillors. To flag any concerns or promote positives. Councillors reading is substantial a dot point short report would be appreciated.	8/1/2023 11:43 AM
6	The committee has evolved with changes in membership to be much more governance focussed, and less operational. It was bogged down previously from a top down operational predisposition. Much better at present with a great chair clearly under the A&R charter and c boundaries.	8/1/2023 9:53 AM
7	No	7/25/2023 3:21 PM
8	As a relatively new officer presenting to ARC it would be helpful to be identify the committee and the chair for each meeting.	7/25/2023 3:18 PM
9	None I can think of at the moment.	7/21/2023 8:22 AM
10	I believe the committee is appointed for their expertise and as such it's not my position to tell them how to do their job	7/18/2023 5:48 AM
11	Ensure they focus on matters included in the Charter and their roles and responsibilities. Manage the meeting time to ensure each item is provided with time for due review/consideration.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment

**Q4 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?**

Answered: 10    Skipped: 2

#	RESPONSES	DATE
1	The officers have a role in pointing the committee to key areas for consideration - the revised strategic risk register should assist in that regard.	8/7/2023 8:21 AM
2	Yes	8/3/2023 9:40 PM
3	No suggestions to contribute; From what I can see, the officers do a great job of supporting this important committee.	8/3/2023 3:22 PM
4	The administrative and communication approach to support the Committee has evolved positively in the last 12 months. Feedback on this improvement has been provided by members of the Committee. The approach will continue to evolve as learnings occur and further improvements are identified.	8/1/2023 12:17 PM
5	Continue to ensure that transparency and all relevant information is provided to the committee. That any issues flagged are met with action.	8/1/2023 11:43 AM
6	Sometimes I wonder why we are providing A&R with some reports, they seem too operational. It would be good to seek the members perspectives on what is worth keeping, stopping or what they haven't seen that they should.	8/1/2023 9:53 AM
7	No	7/25/2023 3:21 PM
8	I think it's working effectively already.	7/21/2023 8:22 AM
9	From my observation the committee has always been well supported by staff and the organisation in carrying out their duties	7/18/2023 5:48 AM
10	Don't know.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment

### Q5 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?

Answered: 11    Skipped: 1

#	RESPONSES	DATE
1	I do not have sufficient exposure to the committee to comment	8/7/2023 8:21 AM
2	No	8/3/2023 9:40 PM
3	I would just comment that the pre-meeting is very valuable for highlighting the major items for discussion ... and should continue Similarly, the time at the end of the meeting for highlighting the items to go forward to Councillor group is also a very important step. Committee members are all comfortable in raising any issues of concern, I believe ... which is ideal.	8/3/2023 3:22 PM
4	Best practice would suggest that the selection panel involved in appointing an internal auditor would include an independent member of the Audit Committee. It would be useful to include the Committees work plan at every meeting to track completion of activities as well as any proposed amendments.	8/1/2023 12:45 PM
5	The Committee is operating well.	8/1/2023 12:17 PM
6	Certainly continue to have the best interests of community at the forefront of their minds. Continue to ensure accountability to all involved in the organisation engaging external Governing bodies if appropriate if there is cause for enquiry.	8/1/2023 11:43 AM
7	Nothing to note. This is a highly credentialed and very functional membership.	8/1/2023 9:53 AM
8	Stick to the Charter requirements	7/25/2023 3:21 PM
9	As above.	7/21/2023 8:22 AM
10	As a councillor who doesn't sit on the committee I prefer not to comment	7/18/2023 5:48 AM
11	Refer to response to Q2.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment

## Q6 What should be the key areas of focus for the Committee in the next 12 months?

Answered: 9    Skipped: 3

#	RESPONSES	DATE
1	Refer to comments above.	8/7/2023 8:21 AM
2	Internal and external plans have been developed, I believe ... While some internal work is being progressed, I am yet to be convinced that we all (Independent A & R committee members/Councillors/Council officers/community) have obtained a substantive, scientifically-based and standardized understanding of the disruptions and difficulties that ongoing instability in our climate systems will cause, with the risk to business as usual for Local Government (amongst many, many other things). A & R could be calling this out and seeking a whole-of Council/whole of community response.	8/3/2023 3:22 PM
3	Ensure we are meeting the requirements of the Charter plus assist where necessary in relation to emerging issues, risks or unfavourable trends.	8/1/2023 12:45 PM
4	The Committee has endorsed a program for the next 12 months, which sets out it focal areas.	8/1/2023 12:17 PM
5	To continue to monitor the risk framework and financial processes of council and its performance. Ensure our compliances processes are in order. Especially in the area of procurement. Address long term issues around staff retention. We have had a 75 % turn over in senior staff which suggests a systemic organisational cultural issue. Ensure internal and external audits are compliant and in order.	8/1/2023 11:43 AM
6	Councillor behaviour, implications of the Sandon report, planning, state wide code of conduct implementations...	8/1/2023 9:53 AM
7	Charter, internal audit and Enterprise risk	7/25/2023 3:21 PM
8	Project delivery oversight in this financially challenging environment.	7/21/2023 8:22 AM
9	I think unless there is an issue that emerges suddenly then the committee is best left to carry out their work plan as scheduled	7/18/2023 5:48 AM

## Q7 Is there anything about the Committee's Charter and/or membership arrangements that you believe needs to be changed?

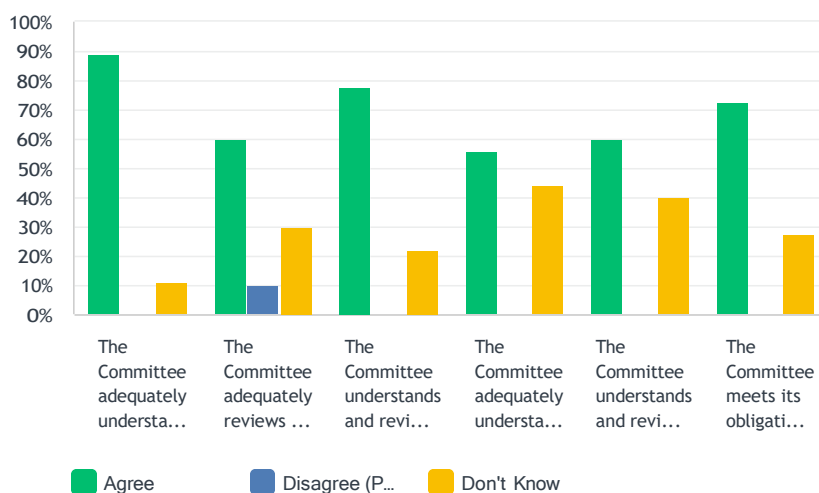
Answered: 9    Skipped: 3

#	RESPONSES	DATE
1	N/A	8/7/2023 8:21 AM
2	No. Having recently been reviewed, I believe it is still quite adequate	8/3/2023 3:22 PM
3	With one independent member position currently vacant. The skill set being sought to fill this vacancy is intended to support and augment the current skills of the existing independent members.	8/1/2023 12:17 PM
4	Perhaps an increase in remuneration.	8/1/2023 11:43 AM
5	Refer to above. The charter is recent and quite fresh by my take.	8/1/2023 9:53 AM
6	No	7/25/2023 3:21 PM
7	Not at the moment.	7/21/2023 8:22 AM
8	I think it has the right skill mix	7/18/2023 5:48 AM
9	No comment.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

**Q8 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.**

Answered: 12 Skipped: 0



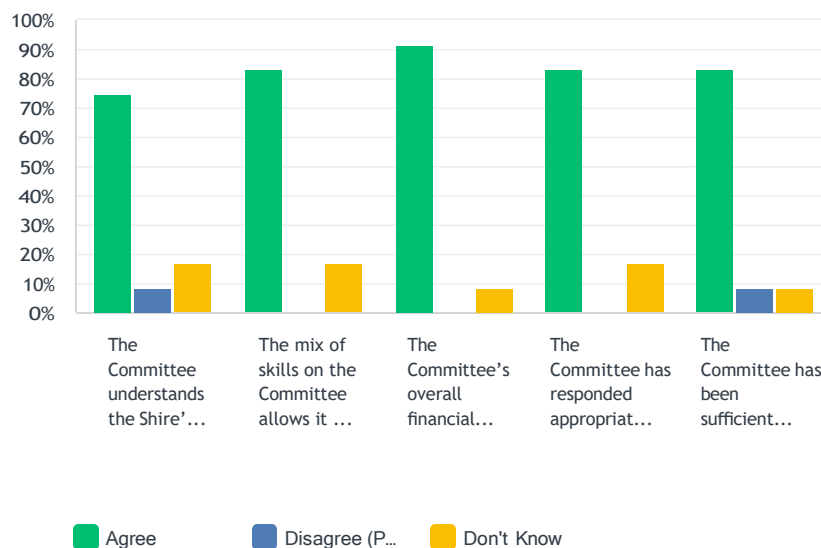
	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	88.89% 8	0.00% 0	11.11% 1	9
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and regulations.	60.00% 6	10.00% 1	30.00% 3	10
The Committee understands and reviews management systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	77.78% 7	0.00% 0	22.22% 2	9
The Committee adequately understands and reviews the Council's enterprise risk management framework.	55.56% 5	0.00% 0	44.44% 4	9
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks.	60.00% 6	0.00% 0	40.00% 4	10
The Committee meets its obligations under the Charter.	72.73% 8	0.00% 0	27.27% 3	11

#	SHOULD THE COMMITTEE HAVE MORE OR LESS RESPONSIBILITIES?	DATE
1	No changes suggested	8/3/2023 3:22 PM
2	It should not have less.	8/1/2023 12:45 PM
3	No	8/1/2023 12:17 PM
4	More.	8/1/2023 11:43 AM
5	Some OHS reports seem too operational. That could be a delete option. Climate change as a risk should or could be higher and govern greater prominence. We are seeing this effect indirectly with insurance costs.	8/1/2023 9:53 AM
6	I think it is about right.	7/25/2023 3:21 PM
7	Not at this stage	7/18/2023 5:48 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q9 Audit and Risk Committee Skills and Understanding

Answered: 12 Skipped: 0



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee understands the Shire's business sufficiently to enable the Committee to fulfil its responsibilities under the Charter.	75.00% 9	8.33% 1	16.67% 2	12
The mix of skills on the Committee allows it to effectively perform its responsibilities.	83.33% 10	0.00% 0	16.67% 2	12
The Committee's overall financial literacy is adequate in light of the Committee's responsibilities.	91.67% 11	0.00% 0	8.33% 1	12
The Committee has responded appropriately (eg framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	83.33% 10	0.00% 0	16.67% 2	12
The Committee has been sufficiently probing and challenging in its deliberations.	83.33% 10	8.33% 1	8.33% 1	12

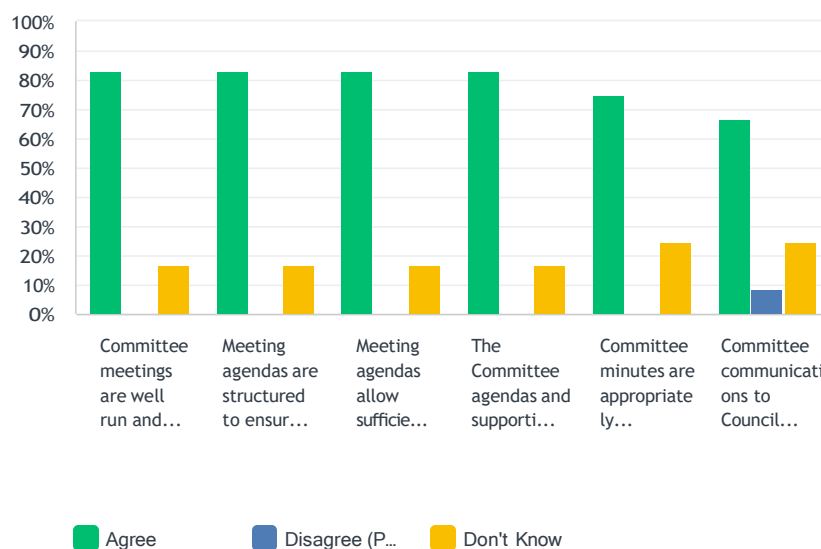
#	ARE THERE AREAS OF THE SHIRE'S OPERATIONS THAT THE COMMITTEE NEEDS TO UNDERSTAND BETTER?	DATE
1	Ref my answer to Q 6 Increasingly unstable climate is a growing risk (to wellbeing, to food production and security, to safety, to our BAU economy, to flora and fauna and every aspect of our environment which supports us), which we all need to understand better, including how an individual Council can best respond.	8/3/2023 3:22 PM
2	In the last 12 months, the organisation has provided more details to the Committee on climate change related activities and the capital works program. This has assisted the Committee to be aware of the complexities in some of the areas of the organisation's extensive portfolio.	8/1/2023 12:17 PM
3	I am concerned that certain long standing issues have in some areas not been sufficiently addressed. One issue such as staff retention and organisational cultural issues. I haven't attended all meetings but to my knowledge how ever there has not been any implementation of a strategy in place to address the matter.	8/1/2023 11:43 AM
4	As noted climate change and coastal inundation would could be a standing agenda item.	8/1/2023 9:53 AM
5	No	7/25/2023 3:21 PM



## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q10 Meeting Administration

Answered: 12 Skipped: 0



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
Committee meetings are well run and productive.	83.33% 10	0.00% 0	16.67% 2	12
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the Charter are addressed.	83.33% 10	0.00% 0	16.67% 2	12
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	83.33% 10	0.00% 0	16.67% 2	12
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	83.33% 10	0.00% 0	16.67% 2	12
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	75.00% 9	0.00% 0	25.00% 3	12
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.	66.67% 8	8.33% 1	25.00% 3	12

#	HOW CAN THE COMMITTEE MEETINGS BE MORE PRODUCTIVE AND EFFECTIVE?	DATE
1	No further suggestions here	8/3/2023 3:22 PM
2	The Committee may consider increased engagement with the internal auditor. This is currently being facilitated by the organisation.	8/1/2023 12:17 PM
3	Perhaps the information could be sent with a highlight of importance to our email address.	8/1/2023 11:43 AM
4	They are the right duration. No longer please!	8/1/2023 9:53 AM
5	Nothing to add	7/25/2023 3:21 PM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

**Q11 FOR COMMITTEE MEMBERS ONLY**

Please 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.

Answered: 2    Skipped: 10

#	RESPONSES	DATE
1	Govern with (Provider): Webinar - Understanding the Legal liability for a Cyber Security Attack.	8/1/2023 12:45 PM
2	AICD course.	8/1/2023 9:53 AM

**Q12 FOR COMMITTEE MEMBERS ONLY**

Is there any professional development that you believe would be beneficial to your role as an Audit and Risk Committee Member? If so, list below:

Answered: 1    Skipped: 11

#	RESPONSES	DATE
1	Financial literacy maybe...?	8/1/2023 9:53 AM

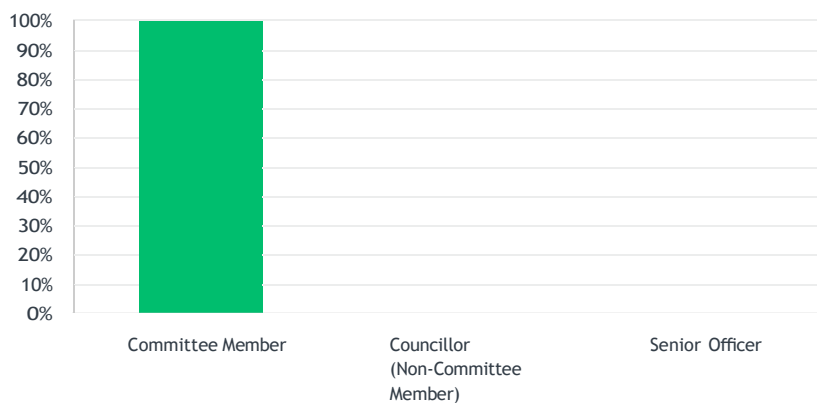


## Committee Responses

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q1 What is your role on the Audit and Risk Committee?

Answered: 3 Skipped: 0



ANSWER CHOICES	RESPONSES	
Committee Member	100.00%	3
Councillor (Non-Committee Member)	0.00%	0
Senior Officer	0.00%	0
<b>TOTAL</b>		<b>3</b>

## Q2 What does the Committee do well?

Answered: 3 Skipped: 0

#	RESPONSES	DATE
1	New member, In my brief experience the committee diligently review all information provided. Discussions are informed and worthwhile.	8/3/2023 9:40 PM
2	We have an effective Chair. The committee is comfortable challenging management. Audit committee meetings are conducted effectively with sufficient time spent on significant or emerging issues. The pre-meeting is an extremely valuable exercise. Members come to the meetings well prepared.	8/1/2023 12:45 PM
3	The Committee works well with the Senior Officers incredibly well to achieve the best outcome for Council.	7/21/2023 8:22 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

**Q3 Are there any specific tasks or functions the Committee could undertake in a better way? (If YES, please specify what they are)**

Answered: 2 Skipped: 1

#	RESPONSES	DATE
1	No	8/3/2023 9:40 PM
2	None I can think of at the moment.	7/21/2023 8:22 AM

**Q4 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?**

Answered: 2 Skipped: 1

#	RESPONSES	DATE
1	Yes	8/3/2023 9:40 PM
2	I think it's working effectively already.	7/21/2023 8:22 AM

**Q5 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?**

Answered: 3 Skipped: 0

#	RESPONSES	DATE
1	No	8/3/2023 9:40 PM
2	Best practice would suggest that the selection panel involved in appointing an internal auditor would include an independent member of the Audit Committee. It would be useful to include the Committees work plan at every meeting to track completion of activities as well as any proposed amendments.	8/1/2023 12:45 PM
3	As above.	7/21/2023 8:22 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

### Q6 What should be the key areas of focus for the Committee in the next 12 months?

Answered: 2   Skipped: 1

#	RESPONSES	DATE
1	Ensure we are meeting the requirements of the Charter plus assist where necessary in relation to emerging issues, risks or unfavourable trends.	8/1/2023 12:45 PM
2	Project delivery oversight in this financially challenging environment.	7/21/2023 8:22 AM

### Q7 Is there anything about the Committee's Charter and/or membership arrangements that you believe needs to be changed?

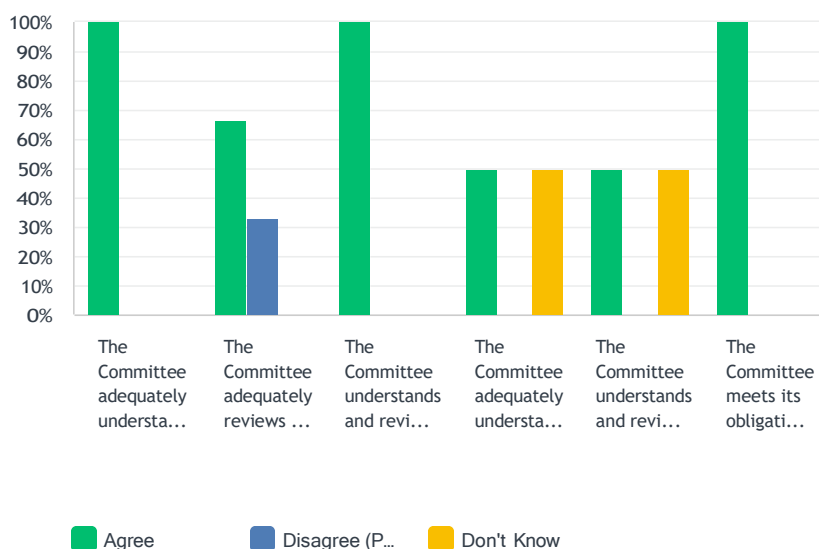
Answered: 1   Skipped: 2

#	RESPONSES	DATE
1	Not at the moment.	7/21/2023 8:22 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

**Q8 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.**

Answered: 3   Skipped: 0

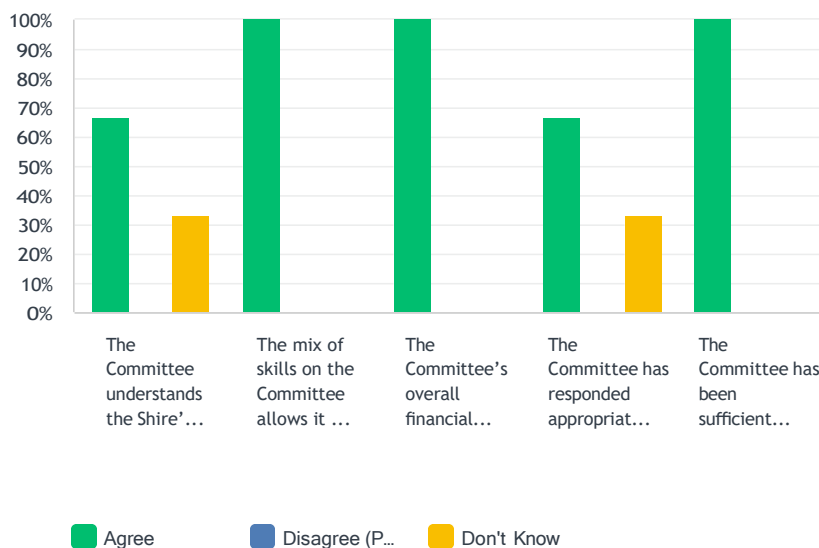


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	100.00% 2	0.00% 0	0.00% 0	2
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and regulations.	66.67% 2	33.33% 1	0.00% 0	3
The Committee understands and reviews management systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	100.00% 2	0.00% 0	0.00% 0	2
The Committee adequately understands and reviews the Council's enterprise risk management framework.	50.00% 1	0.00% 0	50.00% 1	2
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks.	50.00% 1	0.00% 0	50.00% 1	2
The Committee meets its obligations under the Charter.	100.00% 2	0.00% 0	0.00% 0	2

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q9 Audit and Risk Committee Skills and Understanding

Answered: 3 Skipped: 0



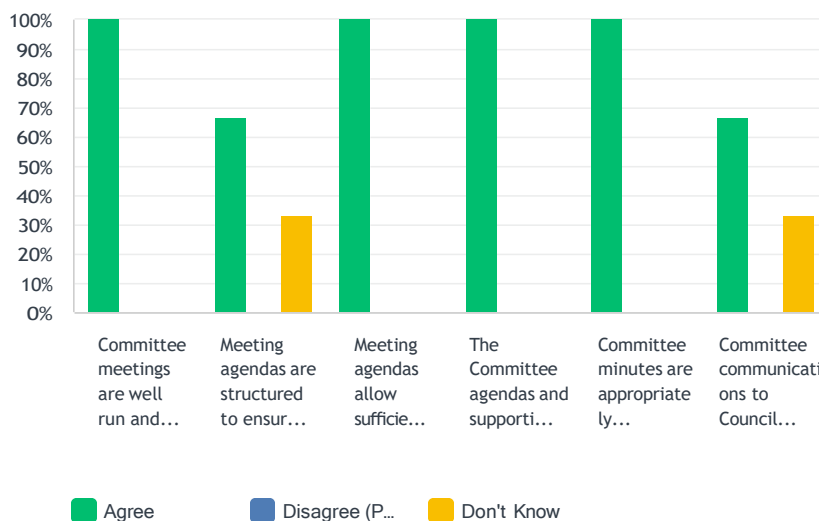
	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee understands the Shire's business sufficiently to enable the Committee to fulfil its responsibilities under the Charter.	66.67% 2	0.00% 0	33.33% 1	3
The mix of skills on the Committee allows it to effectively perform its responsibilities.	100.00% 3	0.00% 0	0.00% 0	3
The Committee's overall financial literacy is adequate in light of the Committee's responsibilities.	100.00% 3	0.00% 0	0.00% 0	3
The Committee has responded appropriately (eg framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	66.67% 2	0.00% 0	33.33% 1	3
The Committee has been sufficiently probing and challenging in its deliberations.	100.00% 3	0.00% 0	0.00% 0	3



## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q10 Meeting Administration

Answered: 3 Skipped: 0



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
Committee meetings are well run and productive.	100.00% 3	0.00% 0	0.00% 0	3
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the Charter are addressed.	66.67% 2	0.00% 0	33.33% 1	3
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	100.00% 3	0.00% 0	0.00% 0	3
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	100.00% 3	0.00% 0	0.00% 0	3
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	100.00% 3	0.00% 0	0.00% 0	3
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.	66.67% 2	0.00% 0	33.33% 1	3

## Q11 FOR COMMITTEE MEMBERS ONLY

Please 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.

Answered: 1 Skipped: 2

#	RESPONSES	DATE
1	Govern with (Provider): Webinar - Understanding the Legal liability for a Cyber Security Attack.	8/1/2023 12:45 PM



## Senior Officer Responses

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q1 What is your role on the Audit and Risk Committee?

Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
Committee Member	0.00%	0
Councillor (Non-Committee Member)	0.00%	0
Senior Officer	100.00%	5
<b>TOTAL</b>		<b>5</b>

## Q2 What does the Committee do well?

Answered: 5 Skipped: 0

#	RESPONSES	DATE
1	I do not have a clear view on what the committee does well as I have very little interaction with the committee. I have not attended a meeting with the current chair.	8/7/2023 8:21 AM
2	Considers matters presented to it by the organisation, and provide advice and suggestions for ways forward (where relevant). Members seek advice from each other in meetings and separately, which is a demonstration of the regard they hold for their individual expertise.	8/1/2023 12:17 PM
3	Provides respectful feedback on reports Provides constructive comments to officers	7/25/2023 3:21 PM
4	Provide advice and guidance, seeks clarification on matters and suggests improvements to reports.	7/25/2023 3:18 PM
5	Provide independent constructive feedback to Council on a range of audit and risk matters.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

### Q3 Are there any specific tasks or functions the Committee could undertake in a better way? (If YES, please specify what they are)

Answered: 5    Skipped: 0

#	RESPONSES	DATE
1	I think it will be useful for the committee to consider the new strategic risk register and then consider how it responds to and adds value to Council's management of these risks.	8/7/2023 8:21 AM
2	The Committee is evolving to engage with the organisation as a partner, providing specialised advice. This continuing to build and strengthen would be welcomed.	8/1/2023 12:17 PM
3	No	7/25/2023 3:21 PM
4	As a relatively new officer presenting to ARC it would be helpful to be identify the committee and the chair for each meeting.	7/25/2023 3:18 PM
5	Ensure they focus on matters included in the Charter and their roles and responsibilities. Manage the meeting time to ensure each item is provided with time for due review/consideration.	7/17/2023 9:42 AM

### Q4 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?

Answered: 4    Skipped: 1

#	RESPONSES	DATE
1	The officers have a role in pointing the committee to key areas for consideration - the revised strategic risk register should assist in that regard.	8/7/2023 8:21 AM
2	The administrative and communication approach to support the Committee has evolved positively in the last 12 months. Feedback on this improvement has been provided by members of the Committee. The approach will continue to evolve as learnings occur and further improvements are identified.	8/1/2023 12:17 PM
3	No	7/25/2023 3:21 PM
4	Don't know.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

**Q5 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?**

Answered: 4    Skipped: 1

#	RESPONSES	DATE
1	I do not have sufficient exposure to the committee to comment	8/7/2023 8:21 AM
2	The Committee is operating well.	8/1/2023 12:17 PM
3	Stick to the Charter requirements	7/25/2023 3:21 PM
4	Refer to response to Q2.	7/17/2023 9:42 AM

**Q6 What should be the key areas of focus for the Committee in the next 12 months?**

Answered: 3    Skipped: 2

#	RESPONSES	DATE
1	Refer to comments above.	8/7/2023 8:21 AM
2	The Committee has endorsed a program for the next 12 months, which sets out it focal areas.	8/1/2023 12:17 PM
3	Charter, internal audit and Enterprise risk	7/25/2023 3:21 PM

**Q7 Is there anything about the Committee's Charter and/or membership arrangements that you believe needs to be changed?**

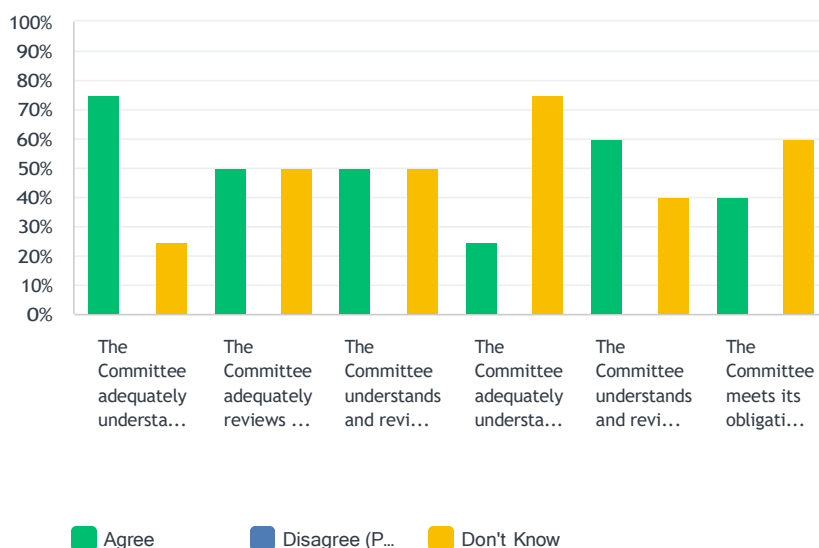
Answered: 4    Skipped: 1

#	RESPONSES	DATE
1	N/A	8/7/2023 8:21 AM
2	With one independent member position currently vacant. The skill set being sought to fill this vacancy is intended to support and augment the current skills of the existing independent members.	8/1/2023 12:17 PM
3	No	7/25/2023 3:21 PM
4	No comment.	7/17/2023 9:42 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

**Q8 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.**

Answered: 5 Skipped: 0



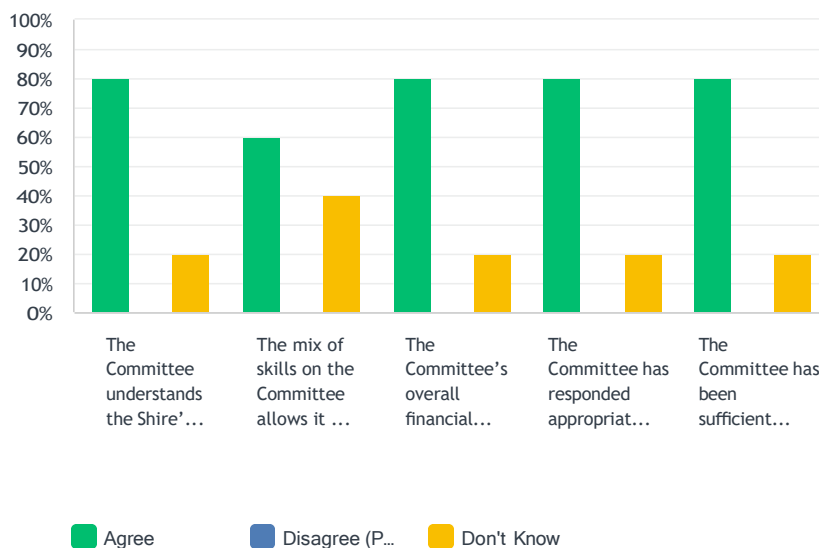
	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	75.00% 3	0.00% 0	25.00% 1	4
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and regulations.	50.00% 2	0.00% 0	50.00% 2	4
The Committee understands and reviews management systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	50.00% 2	0.00% 0	50.00% 2	4
The Committee adequately understands and reviews the Council's enterprise risk management framework.	25.00% 1	0.00% 0	75.00% 3	4
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks.	60.00% 3	0.00% 0	40.00% 2	5
The Committee meets its obligations under the Charter.	40.00% 2	0.00% 0	60.00% 3	5

#	SHOULD THE COMMITTEE HAVE MORE OR LESS RESPONSIBILITIES?	DATE
1	No	8/1/2023 12:17 PM
2	I think it is about right.	7/25/2023 3:21 PM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q9 Audit and Risk Committee Skills and Understanding

Answered: 5 Skipped: 0



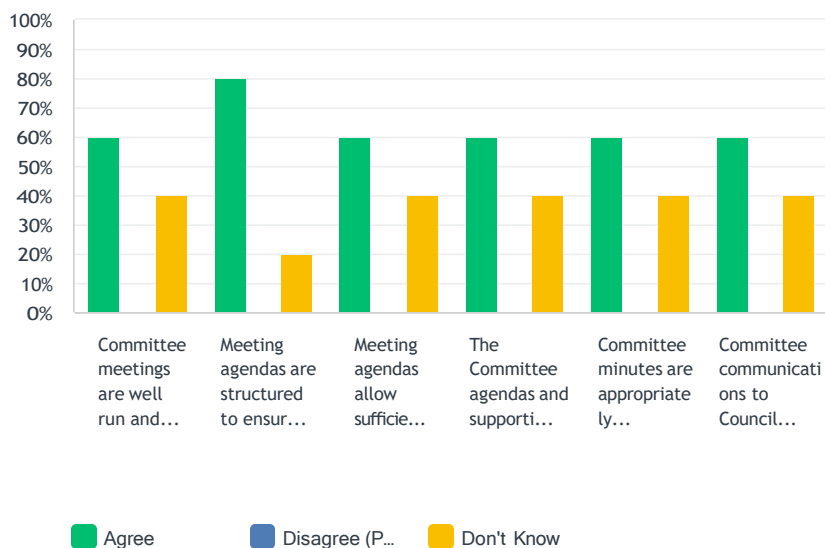
	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee understands the Shire's business sufficiently to enable the Committee to fulfil its responsibilities under the Charter.	80.00% 4	0.00% 0	20.00% 1	5
The mix of skills on the Committee allows it to effectively perform its responsibilities.	60.00% 3	0.00% 0	40.00% 2	5
The Committee's overall financial literacy is adequate in light of the Committee's responsibilities.	80.00% 4	0.00% 0	20.00% 1	5
The Committee has responded appropriately (eg 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% 0	20.00% 1	5
The Committee has been sufficiently probing and challenging in its deliberations.	80.00% 4	0.00% 0	20.00% 1	5

#	ARE THERE AREAS OF THE SHIRE'S OPERATIONS THAT THE COMMITTEE NEEDS TO UNDERSTAND BETTER?	DATE
1	In the last 12 months, the organisation has provided more details to the Committee on climate change related activities and the capital works program. This has assisted the Committee to be aware of the complexities in some of the areas of the organisation's extensive portfolio.	8/1/2023 12:17 PM
2	No	7/25/2023 3:21 PM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q10 Meeting Administration

Answered: 5 Skipped: 0



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
Committee meetings are well run and productive.	60.00% 3	0.00% 0	40.00% 2	5
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the Charter are addressed.	80.00% 4	0.00% 0	20.00% 1	5
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	60.00% 3	0.00% 0	40.00% 2	5
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	60.00% 3	0.00% 0	40.00% 2	5
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	60.00% 3	0.00% 0	40.00% 2	5
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% 3	0.00% 0	40.00% 2	5



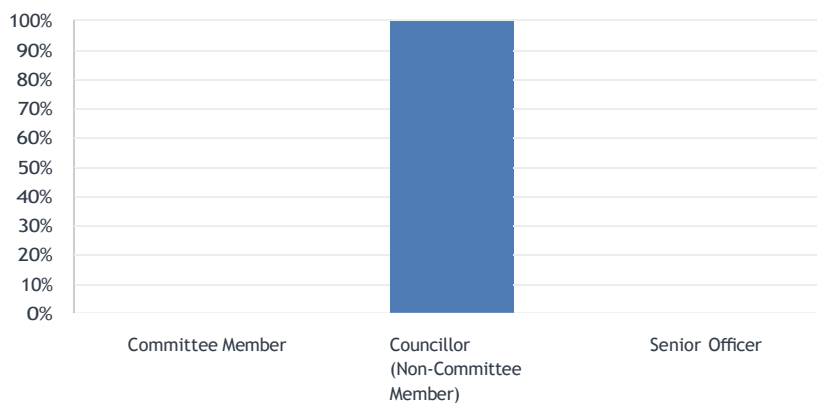


**Councillor**  
**(not Audit and Risk Committee member)**  
**Responses**

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q1 What is your role on the Audit and Risk Committee?

Answered: 4 Skipped: 0



ANSWER CHOICES	RESPONSES	
Committee Member	0.00%	0
Councillor (Non-Committee Member)	100.00%	4
Senior Officer	0.00%	0
<b>TOTAL</b>		<b>4</b>

## Q2 What does the Committee do well?

Answered: 4 Skipped: 0

#	RESPONSES	DATE
1	It is chaired very well. It is well supported It provides time and space for voicing of new issues and voicing of differing views on current issues in each meeting, It examines it's performance internally annually and allows for external comments (from non-participating councillors) It manages the annual workplan by ensuring completion It abides by its charter	8/3/2023 3:22 PM
2	Seems to provide independent opinions on a range of issues. Reviews Council progress and provides relevant advice.	8/1/2023 11:43 AM
3	Interrogation of papers and documentation. Deep diving into matters beyond financial. Taking a broad perspective on the business continuity and supporting officer's decision.	8/1/2023 9:53 AM
4	I believe the committee has the skills to and does delve into financial issues and risk situations and so provides councillors with either assurance that all is as should be or warning otherwise. I believe the committee does this	7/18/2023 5:48 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

### Q3 Are there any specific tasks or functions the Committee could undertake in a better way? (If YES, please specify what they are)

Answered: 4   Skipped: 0

#	RESPONSES	DATE
1	I have no substantive suggestions here. (The only minor request is that in the pre-amble to this survey, there is a category for "non-independent committee member/councillor" )	8/3/2023 3:22 PM
2	Perhaps providing strong frank and fearless advice in the form of a short synopsis in layman's terms to Councillors. To flag any concerns or promote positives. Councillors reading is substantial a dot point short report would be appreciated.	8/1/2023 11:43 AM
3	The committee has evolved with changes in membership to be much more governance focussed, and less operational. It was bogged down previously from a top down operational predisposition. Much better at present with a great chair clearly under the A&R charter and c boundaries.	8/1/2023 9:53 AM
4	I believe the committee is appointed for their expertise and as such it's not my position to tell them how to do their job	7/18/2023 5:48 AM

### Q4 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?

Answered: 4   Skipped: 0

#	RESPONSES	DATE
1	No suggestions to contribute; From what I can see, the officers do a great job of supporting this important committee.	8/3/2023 3:22 PM
2	Continue to ensure that transparency and all relevant information is provided to the committee. That any issues flagged are met with action.	8/1/2023 11:43 AM
3	Sometimes I wonder why we are providing A&R with some reports, they seem too operational. It would be good to seek the members perspectives on what is worth keeping, stopping or what they haven't seen that they should.	8/1/2023 9:53 AM
4	From my observation the committee has always been well supported by staff and the organisation in carrying out their duties	7/18/2023 5:48 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

### Q5 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?

Answered: 4 Skipped: 0

#	RESPONSES	DATE
1	I would just comment that the pre-meeting is very valuable for highlighting the major items for discussion ... and should continue Similarly, the time at the end of the meeting for highlighting the items to go forward to Councillor group is also a very important step. Committee members are all comfortable in raising any issues of concern, I believe ... which is ideal.	8/3/2023 3:22 PM
2	Certainly continue to have the best interests of community at the forefront of their minds. Continue to ensure accountability to all involved in the organisation engaging external Governing bodies if appropriate if there is cause for enquiry.	8/1/2023 11:43 AM
3	Nothing to note. This is a highly credentialed and very functional membership.	8/1/2023 9:53 AM
4	As a councillor who doesn't sit on the committee I prefer not to comment	7/18/2023 5:48 AM

### Q6 What should be the key areas of focus for the Committee in the next 12 months?

Answered: 4 Skipped: 0

#	RESPONSES	DATE
1	Internal and external plans have been developed, I believe ... While some internal work is being progressed, I am yet to be convinced that we all (Independent A & R committee members/Councillors/Council officers/community) have obtained a substantive, scientifically-based and standardized understanding of the disruptions and difficulties that ongoing instability in our climate systems will cause, with the risk to business as usual for Local Government (amongst many, many other things). A & R could be calling this out and seeking a whole-of Council/whole of community response.	8/3/2023 3:22 PM
2	To continue to monitor the risk framework and financial processes of council and its performance. Ensure our compliances processes are in order. Especially in the area of procurement. Address long term issues around staff retention. We have had a 75 % turn over in senior staff which suggests a systemic organisational cultural issue. Ensure internal and external audits are compliant and in order.	8/1/2023 11:43 AM
3	Councillor behaviour, implications of the Sandon report, planning, state wide code of conduct implementations...	8/1/2023 9:53 AM
4	I think unless there is an issue that emerges suddenly then the committee is best left to carry out their work plan as scheduled	7/18/2023 5:48 AM

### Q7 Is there anything about the Committee's Charter and/or membership arrangements that you believe needs to be changed?

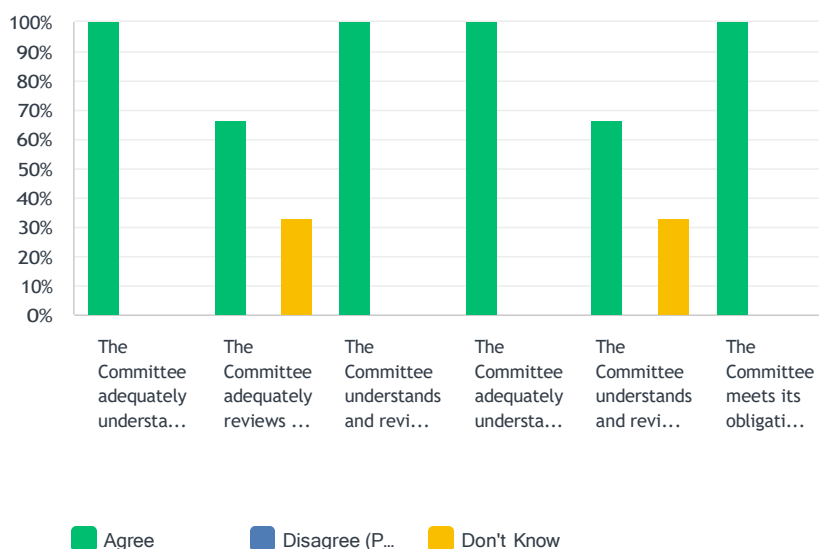
Answered: 4 Skipped: 0

#	RESPONSES	DATE
1	No. Having recently been reviewed, I believe it is still quite adequate	8/3/2023 3:22 PM
2	Perhaps an increase in remuneration.	8/1/2023 11:43 AM
3	Refer to above. The charter is recent and quite fresh by my take.	8/1/2023 9:53 AM
4	I think it has the right skill mix	7/18/2023 5:48 AM

## Audit and Risk Committee - Annual Performance Assessment 2022/23

**Q8 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.**

Answered: 4 Skipped: 0

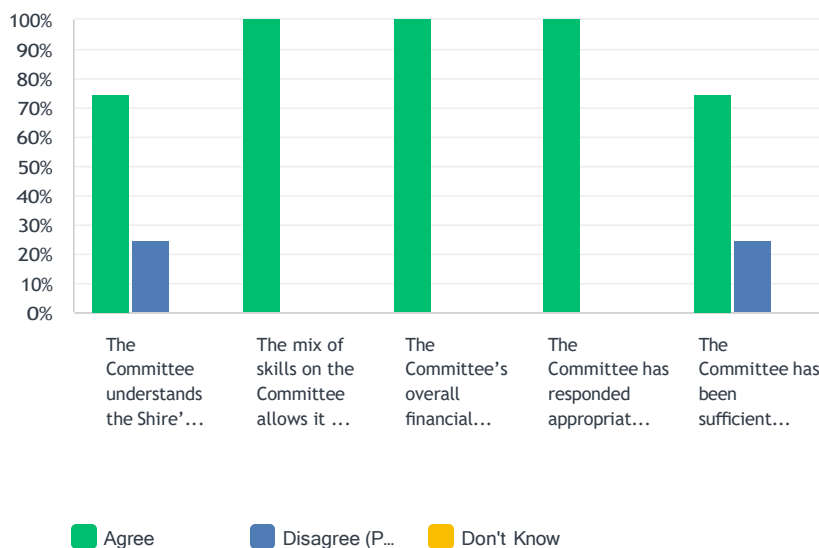


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee adequately understands and reviews Council's financial and performance reporting requirements.	100.00% 3	0.00% 0	0.00% 0	3
The Committee adequately reviews the effectiveness of the system for monitoring Council's compliance with relevant laws and regulations.	66.67% 2	0.00% 0	33.33% 1	3
The Committee understands and reviews management systems and arrangements for maintaining effective internal controls, including in respect of audit plans, audit reports and identified issues.	100.00% 3	0.00% 0	0.00% 0	3
The Committee adequately understands and reviews the Council's enterprise risk management framework.	100.00% 3	0.00% 0	0.00% 0	3
The Committee understands and reviews whether an effective approach is being followed in managing the Council's major risks.	66.67% 2	0.00% 0	33.33% 1	3
The Committee meets its obligations under the Charter.	100.00% 4	0.00% 0	0.00% 0	4

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q9 Audit and Risk Committee Skills and Understanding

Answered: 4 Skipped: 0

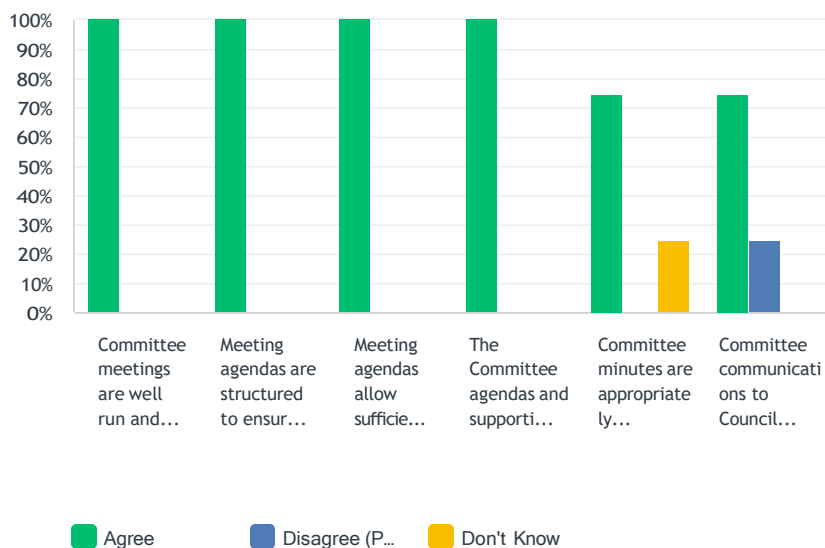


	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
The Committee understands the Shire's business sufficiently to enable the Committee to fulfil its responsibilities under the Charter.	75.00% 3	25.00% 1	0.00% 0	4
The mix of skills on the Committee allows it to effectively perform its responsibilities.	100.00% 4	0.00% 0	0.00% 0	4
The Committee's overall financial literacy is adequate in light of the Committee's responsibilities.	100.00% 4	0.00% 0	0.00% 0	4
The Committee has responded appropriately (eg framed a recommendation for consideration by Council or the CEO) where significant risks and/or control breakdowns have been identified.	100.00% 4	0.00% 0	0.00% 0	4
The Committee has been sufficiently probing and challenging in its deliberations.	75.00% 3	25.00% 1	0.00% 0	4

## Audit and Risk Committee - Annual Performance Assessment 2022/23

## Q10 Meeting Administration

Answered: 4 Skipped: 0



	AGREE	DISAGREE (PLEASE DESCRIBE WHY IN THE SECTION BELOW)	DON'T KNOW	TOTAL
Committee meetings are well run and productive.	100.00% 4	0.00% 0	0.00% 0	4
Meeting agendas are structured to ensure that over the course of the year, all key responsibilities in the Charter are addressed.	100.00% 4	0.00% 0	0.00% 0	4
Meeting agendas allow sufficient time to discuss the most complex and critical issues.	100.00% 4	0.00% 0	0.00% 0	4
The Committee agendas and supporting papers are of sufficient clarity and quality to make informed decisions.	100.00% 4	0.00% 0	0.00% 0	4
Committee minutes are appropriately maintained, of good quality and distributed in a timely manner.	75.00% 3	0.00% 0	25.00% 1	4
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.	75.00% 3	25.00% 1	0.00% 0	4

#	HOW CAN THE COMMITTEE MEETINGS BE MORE PRODUCTIVE AND EFFECTIVE?	DATE
1	No further suggestions here	8/3/2023 3:22 PM
2	Perhaps the information could be sent with a highlight of importance to our email address.	8/1/2023 11:43 AM
3	They are the right duration. No longer please!	8/1/2023 9:53 AM

## **2 Notices of Motion**

## **3 Deferred Business**

## **4 Councillor and Delegate Reports**



## 5 Officer Reports

### 5.1 Place and Community

#### 5.1.1 Planning Application 5.2022.344.1 (344/2022/P) - Multi-lot Subdivision and Native Vegetation Removal - 10 Fullarton Drive, Paynesville

Authorised by General Manager Place and Community

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#### Conflict of Interest

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

#### Executive Summary

The planning permit application currently before Council seeks a permit for a Multi-lot Subdivision and Native Vegetation Removal at 10 Fullarton Drive, Paynesville. The subject land is one lot with a land area of 10.7 hectares. The land is located on the northern side of Fullarton Drive and northeast of Eagle Bay Terrace, west of Burden Place, and south of the Point Fullarton Gippsland Lakes Reserve.

Officers have reviewed all of the relevant information, taking into consideration the concerns of objectors, referral authority comments, and recommend issuing a Notice of Decision to Grant a Planning Permit, subject to the conditions set out in **Attachment 1**.

A copy of the plans and supporting documents submitted with the application can be found in **Attachments 2 & 3**.

Public notice occurred and there have been 52 written objections submitted. The objections are provided at **Attachment 4**. Referral authority submissions are provided at **Attachment 5**. Minutes of the Planning Consultation Meeting (PCM) are provided at **Attachment 6**.

Following the PCM and in response to objections, the applicants have prepared additional supporting materials for Council's consideration. **Attachment 7** includes a native mammal management plan, revised drainage proposal, revised proposed building envelopes and concept building envelope cross-sections, and confirmation of lodgement of *Environmental Protection and Biodiversity Conservation Act* 1999 (EPBC Act) referral.

A detailed assessment of the proposal is provided at **Attachment 8**, which sets out the reasons for the officer recommendation.

#### 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 5.2022.344.1 (formerly referred to as 344/2022/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 Multi-lot subdivision and native vegetation removal at 10 Fullarton Drive, Paynesville, subject to permit conditions in Attachment 1.**
-

## Background

### Permit History

The subject land has been the subject of two previous planning permit applications lodged for Lake Park Holdings Pty Ltd (not the current applicant). Both applications were appealed for Failure to Determine (s79 of the *Planning and Environment Act 1987* (the *Act*)). The responsible authority's position established for each application was not to support the applications. No planning permit was granted by Victorian Civil and Administrative Tribunal (VCAT) in either matter. The relevant determinations may be reviewed at:

[Lake Park Holdings Pty Ltd v East Gippsland SC \[2011\] VCAT 1491 \(4 August 2011\)](#)

[Lake Park Holdings Pty Ltd v East Gippsland SC \[2014\] VCAT 1449 \(21 November 2014\)](#)

The previous determinations have been considered in the preparation of the current planning permit application by the permit applicant. It is noted that multiple objectors to one or both of the previous determinations were involved in the VCAT deliberations and maintain concerns with the proposal, as expressed in their written submissions.

Critical to the assessment of this application in relation to previous VCAT determinations is:

- The proposal must be considered on its individual merits against the Planning Scheme as it currently applies. Changes to Planning Scheme requirements since 2014 may affect the proposal and outcomes.
- Any outcomes discussed in relation to the previous proposals in a compulsory conference (mediation) are not mandatory outcomes of the current proposal.
- Refusal by VCAT to grant a prior permit does not mean that the responsible authority cannot consider an application with a modified outcome. Reference is made to the outcomes of 30 Clifton West Road, Wy Yung, where only particular matters were re-considered in VCAT after the original application was refused.
- The number of lots has been reduced.
- Lots are designed to provide for development on the created lots to be fully above the nominal flood protection level declared for the site.

In the 2014 determination, Members Naylor and Harty wrote:

### **THE WAY FORWARD**

*141 We gave serious consideration to issuing an interim decision allowing the Applicant the opportunity to amend the proposal to address our concerns. However, the problem with this approach is that we are unable to be specific as to the changes that are necessary. Some of the issues we have identified affect broad aspects of the proposal and, as such, it is not the role of the Tribunal to redesign a proposal. That task is best left to the applicant and the applicant's expert advisers and technicians.*

*142 What we can conclude is that there are many details that need to be dealt with in designing an acceptable subdivision layout for this site. The applicant has successfully dealt with some of these, but there are other details that, in combination, require some significant changes to the subdivision layout. Our strong preference is for the Applicant to consider deleting the northernmost lots 29 to 42 and redesigning lots 1 to 10. We consider this would create opportunities to address the remaining issues in this case.*

## Site Analysis

The subject land is formally described as Lot C on Plan of Subdivision 311448U, and is 10.7 hectares in area, and irregularly shaped. The site is at the northern edge of Paynesville, immediately adjacent to the Point Fullarton Gippsland Lakes Reserve (Point Fullarton; refer **Figure 1**).

The site has frontage/access to Burden Place to the east, Molly Drive (currently no addresses allocated), and in two sections of Fullarton Drive (No. 10 and the north-western current extent). The northern extent of the land across the site is low-lying, and the terrain rises to meet surrounding existing residential development to the south/southwest.

The property is grazed intermittently and has been largely left as bare paddock since the original Fullarton Drive subdivision occurred in the early 1990s. Fullarton Drive's current extent is largely developed, as is Eagle Bay Terrace to the western edge of the site. Development on each adjacent lot is limited to single dwellings, most of single-storey construction. The height of dwellings is restricted under Covenants on the majority of the lots, as outlined in the applicant's submission.

There are footpaths along the northern side of Fullarton Drive, but no footpath connection is made to Paynesville Road via Burden place. A recreational walking track is located within the reserve to the north of the site. Informal car parking has been established on the north eastern corner of the lot.

The property is predominantly cleared of standing trees, with the exception of a large tree located on part of the lower area of the site. The tree is intended to be retained within the reserve and adjacent to proposed drainage and wetland infrastructure. Some additional native vegetation has been classified and will be impacted by the site works for the subdivision. The grass cover will also be impacted by the subdivision works. Natural levels will be retained wherever possible.

The land is located within the General Residential Zone and is subject to the Design and Development Overlay (Schedule 11), and Land Subject to Inundation Overlay (LSIO). The land is affected by an area of Aboriginal Cultural Sensitivity. The site is not within a declared bushfire prone area.



**Figure 1: Site and Locality Plan (site in red, town centre purple, growth area yellow)**

#### Proposal Details/Discussion

The application currently before Council seeks approval for:

- Multi-lot Subdivision (shown **Figure 2**; 59 Lots) with lots ranges in sizes from 600m<sup>2</sup> to 1,693m<sup>2</sup>.
- Establishment of roads (not subject to a planning permit consideration save to create the roads via subdivision) – Molly Drive from the existing extent and looping to Burden Place opposite 23 Burden Place/North of The Inlet – and the extension of Fullarton Drive to the northwest edge of the property, below properties in Eagle Bay Terrace.
- Removal of Native Vegetation
- Five patches of native vegetation, totalling 0.058 ha to be offset to facilitate proposed lots 55, 56, 57, and 58.
- Drainage proposal.
- The applicant has prepared documentation recommending a wetland with two sediment detention basins. A revision to the documentation and peer review is provided as a part of **Attachment 7**.





**Figure 2 – Proposed subdivision**

The application seeks to respond to the findings of the previous VCAT determinations by:

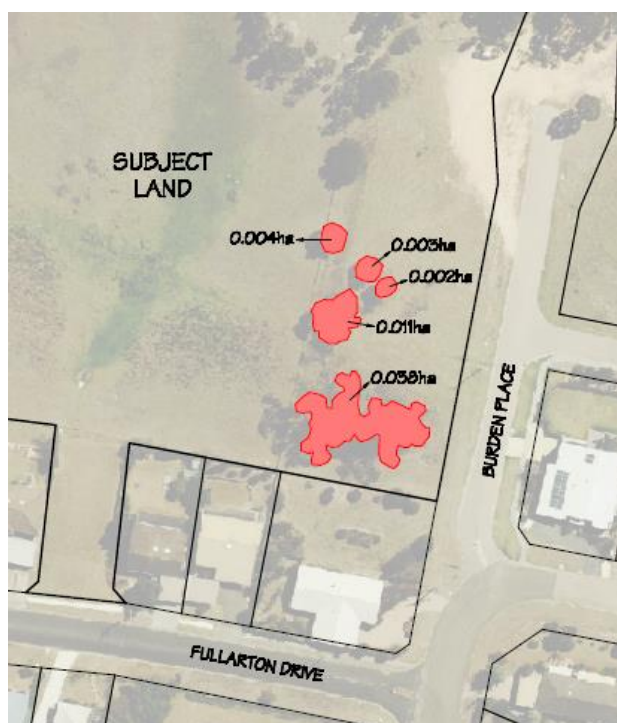
- Measuring a 1.5 metre (as at 4 July 2023 plans for consideration) height from finished floor level (FFL) of the balcony, deck, or interior of the nearest part of a neighbouring dwelling in Fullarton Drive or Eagle Bay Terrace and setting a height restriction/vertical building envelope on the new property below based on that height or a height of 4.5 metres from a high point of the land, whichever is lesser.
- Reducing the number of lots from 77 proposed by application 1/2012/P.
- Changing the road and lot layout such that only the south side of Molly Drive will contain lots for development, lengthening such lots, and connecting Molly Drive to Burden Place rather than the allowance in position at 10 Fullarton Drive.
- Protecting the most significant tree on the property by redirecting the road alignment and associated services (power, sewer, and water).
- Establishing the reserve area as a functional reserve for drainage, supporting the buffer between development and the RAMSAR wetland environment to the north, and limited passive recreation.

## Current Status

The application has been made subject to notification pursuant to the Act and referred to statutory agencies/authorities as required.

Some additional information was provided following the planning consultation meeting, which is contained at **Attachment 6**. The additional information has been reviewed and informs the **recommendation** and proposed permit conditions at **Attachment 1**. It is noted that the commentary in this report relates to the most recent set of plans submitted to Council on 4 July 2023. These changes are not formal amendments to the application, but inform the conditions recommended for approval.

With respect to the EPBC Act, the applicant has been encouraged to undertake a self-assessment. EPBC Act assessment and approval is a process managed by the Commonwealth Government outside of the scope of the Act.



**Figure 3: Vegetation to be Removed**

Officers were advised by the applicant on 4 July 2023 that the referral (App. No. 01908) specifically addresses the concerns raised by objectors regarding the project's potential impact on Latham Snipe habitat. The applicant has confirmed that if the referral response requires modification to the plan, then an application would be made to amend the planning permit (if such is granted before the referral is concluded).

Further study is planned in the next peak season for migratory birds.

## 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*.

### East Gippsland Planning Scheme

Planning policy relating to the proposal generally seeks to:

- Direct development to appropriately zoned and serviced land;
- Protect residential amenity;
- Respect neighbourhood character;
- Protect environmental features of significance; and
- Ensure that human life and property is not placed at an unacceptable level of risk.

The key aspect of decision making in relation to this matter will be to ensure that the application has appropriately addressed all the purposes and objectives of the Zone, Overlays and Particular Provisions relating to the subject site and immediate surrounds. A full assessment against the relevant purposes and objectives has been made and provided at **Attachment 8**.

The policy, standards, and decision guidelines are summarised below to inform Council of the scope of considerations which are made in the detailed Planning Scheme assessment.

### Planning Scheme Controls and decision criteria

The following is a summary of the controls applicable to the assessment. Further detail of the considerations for each control is at **Attachment 8**.

Scheme Part	Detail	Relevance
<b>Zones</b>	General Residential Zone (Schedule 1)	A permit is required to subdivide land
<b>Overlays</b>	Design and Development Overlay (Schedule 14)	A permit is required to subdivide land
	Land Subject to Inundation Overlay (LSIO)	A permit is required to subdivide land
<b>Particular Provisions</b>	Native Vegetation	A permit is required to remove, destroy or lop native vegetation, including dead native vegetation
	Residential Subdivision	Assessment criteria (objectives and standards) relating to proposals between 16 and 59 lots

The Planning Officers, having considered the proposal in accordance with the relevant zones, overlays, and policies, and with special consideration given to the VCAT decisions, find that the proposal satisfactorily is compliant with the relevant planning requirements and can be implemented and permitted, subject to predominantly standard conditions. The conditions will be satisfied through the certification of the plan of subdivision and statement of compliance with conditions.

## **Collaborative procurement**

Not applicable

## **Council Plan**

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

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

## **Council Policy**

The Planning Delegations Policy has been considered and due to the proposal having received substantial public objection, and subsequently being subject to a planning consultation meeting, the matter is recommended for determination by Council.

## **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; or
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; or
3. Modify the recommendation to include additional or amended conditions, if considered necessary to address any outstanding concerns.

## **Resourcing**

### *Financial*

Not applicable.

### *Plant and equipment*

Not applicable.

### *Human Resources*

Assessment of the application undertaken by planning officers of Council.

### *Risk*

The risks of this proposal have been considered and the recommendation is low risk.



## Economic

The creation of 59 new development lots and the works required to prepare the lots for development and subsequently build new dwellings represents significant economic activity.

## Social

A Social Impact Comment in accordance with Council's Social Impact Assessment Guidelines for Development Applications (May 2013) was included with the application. Officers have reviewed the comment and confirm that no higher level of assessment is required. The size of the development does not warrant a full assessment and there is no identified negative social impact of additional housing development in a residential area which is fully serviced.

### *Gender Impact Statement*

Considerations of Gender Equality in Planning are made in relation to planning strategy, including planning scheme amendments and policy changes. Individual assessment of planning applications tend to be gender neutral, however Council officers consider factors such as community safety, privacy, and accessibility in an integrated and multi-faceted decision-making process.

## Environmental

The proposal is located adjacent to the Gippsland Lakes Reserve, a significant natural environment which is RAMSAR listed. The applicant acknowledges the sensitivities involved in development adjacent to this significant ecosystem. The applicant attests that their objective is to improve conditions through best practice environmental design and response, including improvements to existing stormwater discharge regime for the neighbourhood.

The applicant has made a referral to the Commonwealth Government under the EPBC Act to address the concerns raised by objectors regarding the project's potential impact on Latham Snipe habitat.

A mammal management plan has been developed to assist in carefully developing the site to avoid harm to native species currently occupying or visiting parts of the land. The plan is provided at **Attachment 7**.

When consideration is given to the requirements of the Act with respect to environmental objectives, it is considered that the proposal is compliant, and that by advancing other approval streams before a planning permit is granted, the applicants have shown their commitment to the best possible environmental outcomes, whilst also achieving desired development outcome in appropriately zoned land.

The engineering report for the application states: *As is usual practice where CASS [Coastal Acid Sulfate Soils] is potentially present, the Geotechnical Investigation of the site prior to detailed design will include a CASS investigation and recommendations for management if found. Further if CASS is found this will assist in informing the detailed design, in particular avoidance where practical and materials selection (such as sulphate resistant materials) for construction through the CASS profile.*

A condition to this effect has been included.

## *Climate change*

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

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

Sea level rise is a critical consideration of the application. The proposal responds to best practice sea level consideration, providing appropriate setbacks to the lots from designated inundation levels.

The issue of the potential future inundation of the reserve and drainage infrastructure has been raised as a concern. In a 1%AEP flood event, and taking account of future sea level rise, part of the drainage infrastructure could be temporarily inundated in the future. A condition of approval has been included to require a Coastal Hazard Vulnerability Assessment which would identify the risks associated with inundation and any proposed future measures required to mitigate those risks (consistent with Cl.13.01-2S of the East Gippsland Planning Scheme).

## **Engagement**

### Notice of Proposal

Public notification was undertaken in the form of letters to adjoining landowners and occupiers and two signs on site were erected (Fullarton Drive and Burden Place), in accordance with Section 52 of the Act and the instructions issued by the responsible authority.

52 objections have been received. Some objections are lodged from joint objectors, and some objectors have made multiple submissions.

A table outlining the objections is at **Attachment 4**.

In summary the objections raised the following concerns/issues:

- Insufficient response to concerns raised in prior VCAT determinations.
- 18 metre rear setback from existing lots.
- View sharing considerations:
  - Height limits proposed at 1.5 m from neighbouring dwellings don't consider seated views – preference for alternative method of calculation – similar to that undertaken in prior VCAT hearings.
  - Height limits should be considered from natural ground level of a given point of the property similar to existing restrictions on neighbouring property.
  - Horizontal views are not comparable to the existing views.
  - Insufficient information to determine how each property's view will be impacted
  - Restrictions on canopy trees is also required.
- Encroachment of development on the Ramsar wetland.
- Loss of habitat for fauna, including protected species under the various Commonwealth agreements.
- Lack of consideration of EPBC Act requirements.
- Snipe habitat within the proposed development area.
- Potential for future subdivision of the proposed lots.
- Traffic and safety.
- Volume of traffic worsening conditions in Burden Place.
- Minimal pedestrian facilities are available.

- Egress to Paynesville Road, sight lines, etc.
- A secondary egress point must be provided.
- Construction traffic and activity, amenity impacts to existing development.

### Response to Objections

Council Officers have carefully considered the objections that have been lodged and the presentations which were made in the planning consultation meeting (Minutes of which are provided at **Attachment 6**).

### *Impact on Views*

The applicant has redesigned the proposal which previously was refused by VCAT, taking into consideration the view corridor/view sharing arguments, which were significant reasons for refusal of the prior applications. In reducing the number of lots, increasing the depth of the lots between existing properties on Fullarton Drive and Molly Drive, and contemplating and proposing development guidelines including height restrictions for each lot, the applicant has demonstrated they have also responded to concerns and are seeking to compromise.

It is noted that none of the responses are requirements of the planning controls which apply to the land. An existing Design and Development Overlay regulates when a planning permit would be required in relation to the height of a proposed development. Where a planning permit is required, there will be public notice of the permit application, giving the current/potential future owners and occupiers of land in the area opportunity to further consider dwelling design.

**Figure 4** demonstrates a portion of the building envelope plan submitted with the application. Key features of the plan show:

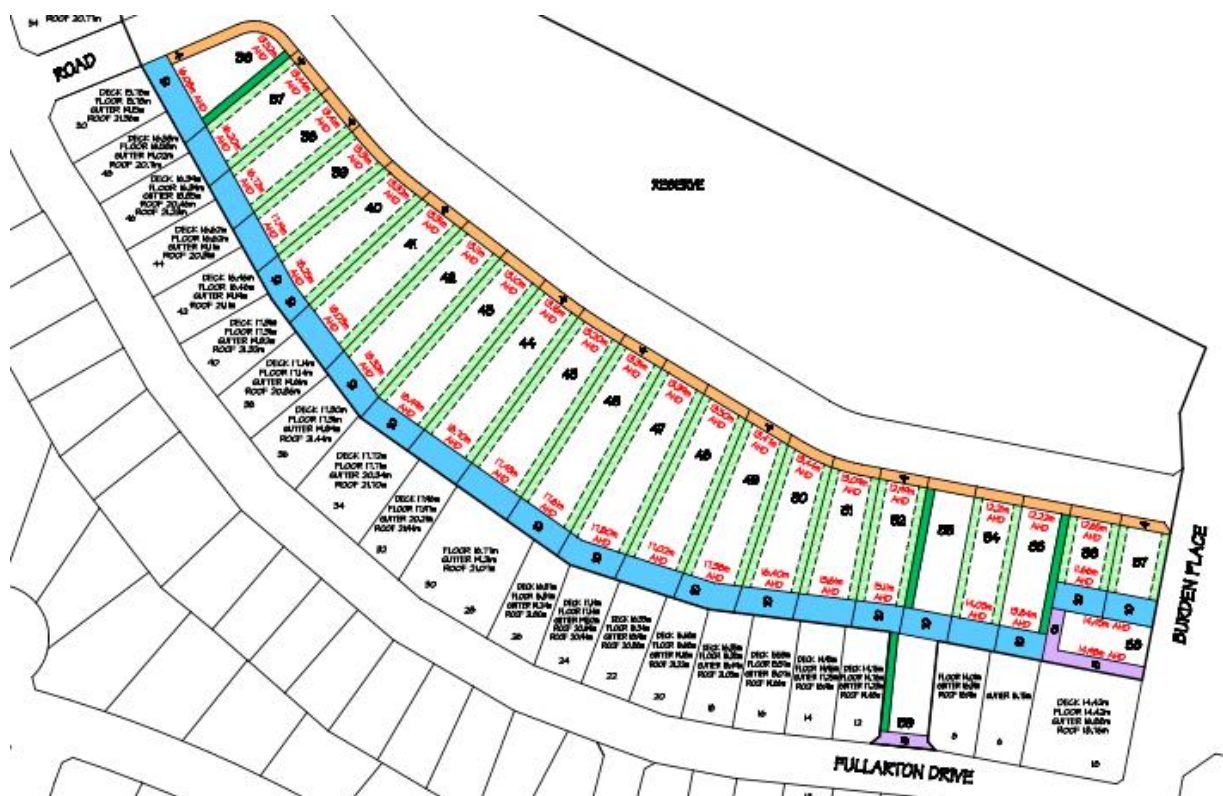
- Setback of 10 metres from rear of existing Fullarton Drive properties, inclusive lots 56 and 57.
- Select mandatory 3 metre setbacks to one side of lots 36, 53, 55, and 59.
- Mandatory setbacks of 3 metres to either side of Lots 37-52, 55, 56, and 57.
- Mandatory 5 metre setback to the southern and western boundaries of Lot 58, and to Fullarton Drive for Lot 59.
- Mandatory 4 metre street setbacks (except to Burden Place for Lot 57).
- Building envelope heights derived from;
  - 4.5m above the highest point of building envelope
  - 7.5m above the lowest point of building envelope
 unless otherwise dictated by oblique viewline (cross section plans prepared and attached in **Attachment 6**). The maximum heights (AHD) at the front and rear of the envelopes are drawn on the building envelope plan.

There has been some debate as to whether the calculation of standing eye level should instead be referenced to sitting eye level (1.3 metres), in consideration of the nature of enjoyment of the view. Council officers take the view that there would be greater comfort with and acceptance of the proposal if an amended plan was required to demonstrate height restrictions for each lot consistent with the lesser of:

- 4.5 metres from highest point of the building envelope; or
- 1.3 metres (seated eye level) above the finished floor level of whichever building level of the dwelling on the immediately adjacent lot has established patio/decking/balcony surveyed and recorded on the Plan of Levels (Existing Conditions) (version 2 Crowther and Sadler 09/08/2022).

Despite the debate, the applicants have, since the PCM, prepared the Cross Section plans for each lot relying on the 2 degree oblique view line from 1.5 m. These diagrams are provided at **Attachment 6**. On further review of the VCAT history, Officers note that the determination regarding view sharing has not been seen as a significant precedent. Using the cross-reference system for VCAT cases (eCite), only one further case made reference to the determination in *Lake Park Holdings v East Gippsland Shire [2014]* with respect to views. All other references to both cases were in relation to other matters considered, including native vegetation consideration and reliance on a previously lodged CHMP.

Council Officers support the revised cross sections and vertical height limit calculated by a 2-degree oblique view line 1.5m above the habitable area of the neighbouring dwelling provided in **Attachment 6**. There is an amended plans condition proposed to further modify the section diagrams plans to include an additional restriction for a maximum height limit of 7.49 metres above natural ground level. This would further reduce the maximum heights on only a few lots. Under the current DDO14, where there is a permit required where the height exceeds 7.5 metres from natural ground level, this will prevent the need for a planning permit for a single dwelling on each lot.



**Figure 4 – part (southern) Building Envelope Plan (v7 Crowther and Sadler 09/06/2023)**

**Figure 5** demonstrates the northern/Fullarton Drive extension building envelope plan. Rear setbacks along this area are reduced to 5 metres. On the western side of the road, only one-sided mandatory side setbacks are imposed. On the eastern side of the road, one of the two 3 metre side setbacks must be adopted. Shared crossovers are also nominated for several lots, helping to encourage boundary sharing development (common walls/garages etc).

Also shown is a 5-metre setback to all boundaries of Lot 34, protecting view corridors for 58 and 60 Fullarton Drive.

A condition is also recommended that a Section 173 Agreement will restrict the height of vegetation planted on the proposed lots:

- Within the building envelope - no greater than the maximum building height allowed, as specified on the endorsed cross section plan pertaining to the individual allotment;
- Outside the building envelope – must not exceed 2m above natural ground level.

#### *Restricting future subdivision*

The applicant has confirmed they would be agreeable to a condition of approval restricting future subdivision of the lots created. The building envelopes make further subdivision difficult to achieve. It would be most practical not to impose a condition, as there would remain a requirement for further permits with further opportunity for public notice of any such proposal, along with most other use and development other than standard single dwelling development. Officers do not recommend implementing this condition.

#### *Traffic impacts*

Included in the application material was a traffic impact assessment. According to the assessment which is based on best practice assessment of traffic volume, road hierarchy, and road design, the proposed additional traffic fits within the design capability of the existing road network. Future development within the Paynesville Growth Area Structure Plan (PGASP) area may alter traffic movement further, and interventions may occur when that development occurs.

As the site is not immediately adjacent to Paynesville Road, there is no mandatory referral requirement to Department of Transport and Planning.

#### *Native Wildlife*

Two processes have commenced since the PCM. One is investigation into habitat of Latham's Snipe and referral of the proposal under the EPBC Act. This process could have been run external to the planning permit process. The applicant wished to provide certainty to the objectors and responsible authority and has therefore confirmed the referral was made on 3 July 2023. Assessment is likely to take several months, and the applicant has acknowledged that any directions of the referral which will require redesign of the proposal will be taken into account and the permit (if granted before the referral response) would need to be amended. A permit cannot be acted on until the EPBC Act assessment process is completed. A condition to that effect has been included. The condition is proposed to satisfy the requirements of clause 12.01 - 1S of the planning scheme by ensuring that the determination considers biodiversity impacts via the EPBC Act process.



**Figure 5 - part (northern) Building Envelope Plan (v7 Crowther and Sadler 09/06/2023)**

Secondly, the applicant engaged Biosis to prepare a mammal management plan (Biosis, 24 March 2023, included at **Attachment 6**). The findings of the plan suggest management strategies which will minimise impacts of the Eastern Grey Kangaroo population which spends time on the property, amongst other areas including the Point Fullarton Gippsland Lakes Reserve. The recommendations are proposed to be included in construction and environmental management plans prepared as a result of conditions.

Under the PGASP, natural corridors are intended to be protected through the back-zoning of key properties on the north side of Bay Road/Paynesville to Eagle Point walking track. This is a long term solution to maintaining the wildlife corridor – as the PGASP and Eagle Point Structure Plan provide an urban growth boundary for each settlement that will preserve the connection from the rural landscape between settlements to the Point Fullarton Reserve. Section 60 of the Act requires consideration of, “(e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.” It is considered by the officers that the net impact of the development is mitigated by maintaining a largely natural reserve in the northern sections of the property, and by introducing stormwater treatment which is currently not provided. Environmental considerations beyond the scope of the planning consideration (EBPC Act) must be resolved at that level and will influence further environmental enhancement of the proposal if required.

## Referral Authorities

A multi-lot subdivision has general referral requirements to servicing authorities, who have consented to the application. The referral responses are contained at **Attachment 5**. Reticulated gas is no longer proposed to be installed, following the State Government directive of July 2023.

The application for subdivision of land partially covered with the LSIO carries a referral to East Gippsland Catchment Management Authority. Conditional consent is provided to the grant of a permit, with the conditions focussed on suitable stormwater management and detention to prevent inundation in the lower region of the property.

Internal review of the application was undertaken by the Senior Technical Officer – Development, the Manager Community Facilities and Open Space, and several members of the works team in relation to reserves, stormwater management, and landscaping.

## **Attachments**

1. Proposed Conditions [**5.1.1.1** - 8 pages]
2. Advertised Application Documents Pt 1 [**5.1.1.2** - 112 pages]
3. Advertised Application Documents Pt 2 [**5.1.1.3** - 163 pages]
4. Objections list [**5.1.1.4** - 106 pages]
5. Referral Authority Responses [**5.1.1.5** - 19 pages]
6. Minutes of the Planning Consultation Meeting 21 December 2022 [**5.1.1.6** - 8 pages]
7. Further Application Documents [**5.1.1.7** - 74 pages]
8. Detailed Assessment of the Proposal [**5.1.1.8** - 55 pages]

**PROPOSED CONDITIONS**

**Application:** 5.2022.344.1 (formerly referred to as 344/2022/P)  
**Proposal:** Multi-lot Subdivision and Native Vegetation Removal  
**Property Address:** 10 Fullarton Drive PAYNESVILLE  
**Property Title** Lot C PS 311448 -

**WHAT WILL THE PERMIT ALLOWS?**

Planning Scheme Clause no.	Description of what the permit allows, in accordance with the endorsed plans
32.08-3	Subdivide land
43.02-3	Subdivide land
44.04-3	Subdivide land
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:****Endorsed Plans**

1. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Amended Plans requirement**

2. Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application/other specified plans but modified to show:
  - a. Cross section plans generally in accordance with Version 1 (30/05/2023) with vertical heights limited to 7.49 m above natural surface level.
  - b. Building envelope plan consistent with Version 7 (09/06/2023) modified in accordance with 2.a.
  - c. Subdivision layout plan modified in accordance with final drainage plan, if required.
3. Before any works commence on site, a coastal hazard vulnerability assessment to the satisfaction of the responsible authority must be submitted to and endorsed by the responsible authority. The assessment must respond generally to the relevant criteria set out in *Guidelines for Developing a Coastal Hazard Assessment (DELWP, August 2017)* including consideration of sea level rise, storm surge and coastal processes and should identify any proposed measures to mitigate the identified risks.

**Environment Protection (Biodiversity Conservation) Act 1999**

4. Prior to the commencement of any use or development permitted by this permit, the permit holder must to the satisfaction of the Responsible Authority obtain any necessary further approvals required under the Commonwealth *Environment Protection (Biodiversity Conservation) Act 1999*.

**S173 Legal Agreement**

5. Before a statement of compliance is issued, the owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* to provide for the following:
  - a. Any future dwellings on the subject land must be connected to a rainwater tank with a capacity of at least 2000 litres. The rainwater tank must be plumbed to all toilets and laundries in the dwelling/s. All stormwater treatment assets must be maintained in good working order.



- b. The construction of dwellings must be undertaken on each lot in accordance with the endorsed building envelope plans unless with the written consent of the responsible authority.
- c. No vegetation shall be planted on the lots:
  - Within the building envelope which exceeds the maximum building height allowed, as specified on the endorsed cross section plan pertaining to the individual allotment; or
  - Outside the building envelope which exceeds a height of 2 metres above natural ground level.

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

### **Native Vegetation**

#### **Notification of permit conditions**

- 6. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

#### **Protection of trees to be retained**

- 7. Before works start, a native vegetation protection fence must be erected around the large tree to be retained on site and be inspected and approved by Council's nominated officer(s). This fence will protect the tree by demarcating the tree protection zone and must be erected at a radius of 12 times the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree. The fence must be constructed of star pickets and fluoro bunting to the satisfaction of the Responsible Authority. The fence must remain in place until all works are completed to the satisfaction of the Responsible Authority.

Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:

- a. vehicular or pedestrian access
- b. trenching or soil excavation
- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- d. entry and exit pits for underground services
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Construction activity planned for within the tree protection zone must be designed and managed to prevent the removal of the tree in accordance with the permit conditions.

### **Native Vegetation Offsets**

#### **Offset requirement**

- 8. To offset the removal of 0.058 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:

#### **General offset**

A general offset of 0.014 general habitat units:

- located within the East Gippsland Catchment Management Authority boundary or East Gippsland Shire Council municipal district
- with a minimum strategic biodiversity score of at least 0.176.

#### **Offset evidence and timing**

- 9. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. This evidence is one or both of the following:

- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or
- credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

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 by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

#### **Monitoring and reporting for onsite offset implementation**

10. In the event that a security agreement is entered into as per **condition 9** the applicant must provide the 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.

#### **Landscaping**

11. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:
  - a. be prepared to the satisfaction of the responsible authority
  - b. be prepared by a suitably qualified person
  - c. have plans drawn to scale with dimensions
  - d. be submitted to the responsible authority in electronic form
  - e. include the following:
    - i. Tree Protection Zone plan for any retained vegetation to be approved and implemented before any machinery is onsite or works begins.
    - ii. layout of landscaping and planting within all open areas of the subject land
    - iii. a survey (including botanical names) of all existing vegetation to be retained
    - iv. details of surface finishes of pathways and driveways
    - v. a planting schedule of all proposed street trees, reserve trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant; and
    - vi. Access tracks provided to detention basins of a negotiated standard.

#### **Completion of landscaping**

12. Before the issue of statement of compliance, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority. The responsible authority may consent in writing to vary this requirement.

#### **Landscape maintenance**

13. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority for a period of 24 months from practical completion and joint final inspection with Council's Open Space unit.

#### **Construction Plans and Management**

14. Before any works associated with the subdivision start, a detailed drainage management plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The design and documentation for the drainage works must be prepared in accordance with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:
  - a. Drainage infrastructure (where required and as appropriate to the site), including swale drains and culverts, piping/drains and pits.
  - b. Any modification to the terrain, such as filling and excavation.

- c. Drainage easements as required.
  - d. Methods of on-site detention, including the provision of sediment traps, wetlands, rock beach outlets, detention basins and gross pollutant traps.
  - e. Avoidance of impact on the retained tree.
  - f. Maintenance areas and accessways to accommodate required maintenance vehicles, Constructed to an appropriate standard.
  - g. Maintenance requirements, including proposed scheduling of works specific to asset management best practice related to each type of drainage asset proposed.
15. Before the issue of Statement of Compliance all drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.
16. Before the issue of Statement of Compliance each lot as shown on the endorsed plans must be drained to the satisfaction of the Responsible Authority.
17. All new services to the subdivision must be placed underground in shared trenching. Design for the installation of services must meet the requirements of the relevant authorities and must be approved by those authorities to the satisfaction of the Responsible Authority.
18. Before the commencement of works, road construction plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must show:
- a. Fully asphalted pavement for all new road work, with a minimum width of asphalt pavement, the same as width as Fullarton Drive's sealed pavement, or wider, and semi mountable kerb and channel.
  - b. Fully asphalted pavement with a temporary gravel turning area with a minimum radius of ten metres at the end of the new section of Fullarton Drive.
  - c. Verge areas with a width sufficient for the construction of drainage infrastructure and for pedestrian access.
  - d. Concrete footpaths a minimum of 1.5 metres wide on north side of the new section of Fullarton Drive, and on the south side of the proposed new road.
  - e. Common Property concrete driveway, a minimum width of 4m to access Lots 34 and 35.
  - f. Pedestrian and intersection street lighting using LED technology, non decorative.
  - g. Statutory signage and traffic control devices and line marking as appropriate.
  - h. One street tree per lot, no closer than 3m to any service pit, with root barrier asset protection.
  - i. Construction methodology to avoid damage to the tree to be retained.

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.

19. During construction and maintenance activities, adequate steps must be taken to stop soil erosion and the movement of sediment off site and into drainage lines, watercourses and onto adjoining land to the satisfaction of the Responsible Authority. Methods include but are not limited to:
- a. A geotechnical Investigation of the site prior to detailed design to include a Coastal Acid Sulfate Soils investigation and a Coastal Acid Sulfate Soils Management Plan for all civil construction works.
  - b. Control of on-site drainage by intercepting and redirecting run-off in a controlled manner to stabilised vegetated areas on site.

- a. Installation of sediment control structures such as sediment basins, sediment fences and sediment traps when construction commences and maintaining them until the site is stabilised.
    - b. Re-vegetating all disturbed areas as quickly as possible or within 14 days after construction works are completed.
  20. All earthworks associated with the development must be stabilised in accordance with standard engineering design and practices against erosion and failure. All earthworks or retaining structures must not encroach across neighbouring property boundaries to the satisfaction of the Responsible Authority.
  21. Before any works associated with the subdivision start, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must include:
    - Location of any temporary construction works office and machinery storage area;
    - The construction works access way;
    - Details of construction days and hours;
      - 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, management of mammals, and areas of archaeological significance;
    - Measures and techniques to manage dust control;
    - A note that Dewatering of sedimentation/retention basins during construction is prohibited without the prior approval of the Responsible Authority;
    - The location of a machinery and vehicle wash down area and requirements for the ongoing use of the of the machinery and vehicle wash down area by contractors;
    - Location and management of litter storage areas, construction waste areas and chemical storage areas; and
    - Methods of ensuring all contractors are informed of the requirements of the construction management plan and persons responsible for ensuring the construction management plan is adhered to.
- All construction works and requirements of the construction management plan must be undertaken and completed in accordance with the endorsed construction management plan to the satisfaction of the Responsible Authority.
22. Before the issue of a Statement of Compliance, any portion of Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development must be repaired/reinstated to the satisfaction of the responsible authority.
  23. 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.

24. 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**

25. This permit will expire if any of the following circumstances applies:
- The native vegetation removal is not started within two years of the date the permit is issued.
  - The native vegetation removal is not completed within 10 years of the date the permit is issued.
  - The plan of subdivision is not certified within two years of the date the permit is issued.
  - 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.

**East Gippsland Catchment Management Authority Conditions**

26. Prior to Certification of the Plan of subdivision, a Stormwater Management Plan (SMP) must be developed to the satisfaction of East Gippsland Catchment Management Authority. The Stormwater Management Plan must demonstrate that all stormwater discharge from the subdivision will meet the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999), and must quantify the reduced loads of sediment, nutrient and gross pollutants in kg/year.
27. Prior to the issue of a Statement of Compliance for the subdivision, the water quality treatment works outlined in the Stormwater Management Plan must be undertaken to the satisfaction of East Gippsland Catchment Management Authority.

**AusNet Electricity Services Pty Ltd conditions**

28. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the Subdivision Act.
29. The applicant must –
- Enter into an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot under 16Ha on the endorsed plan.
  - Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
  - Enter into an agreement with AusNet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AusNet Electricity Services Pty Ltd.
  - Provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of "AusNet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.

- Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.
- Adjust the position of any existing AusNet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.
- Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for any electric substations or Isolating Transformers.
- Provide survey plans for any electric substations or Isolating Transformers required by AusNet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AusNet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- Provide to AusNet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- Ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

#### **East Gippsland Water conditions**

30. Extend water supply infrastructure to the satisfaction of East Gippsland Water.
31. Extend sewerage infrastructure to the satisfaction of East Gippsland Water.
32. Relocate sewerage infrastructure where it significantly traverses proposed lots.
33. Submit design, construction, commissioning and as constructed documentation on all proposed infrastructure, or alterations to existing infrastructure, for written approval by East Gippsland Water.
34. Pay applicable development planning charges.
35. Existing water meter (No. R04010186), is to be disconnected and returned to East Gippsland Water.
36. Place easement(s) on the plan of subdivision over existing/proposed infrastructure, to the satisfaction of East Gippsland Water.
37. Should East Gippsland Water determine that a gravity sewerage system is not feasible, then a pressure sewer system may be approved. In this instance, pressure sewer pumps for relevant lots are to be purchased (prepaid) from East Gippsland Water before the relevant statement of compliance can be issued.
38. Enter into a Developer Works Agreement with East Gippsland Water Prior to the approval of any design plans by East Gippsland Water. This agreement will set out the basis upon which the water and sewerage works (as applicable), must be provided by the Developer, to serve the proposed Development.
39. Any infrastructure outside of the development that is required to provide sewerage and/or water supply services to the development is to be funded by the applicant as agreed in the Developer Works Agreement. The type and extent of additional infrastructure will be subject to detailed engineering design, as approved by East Gippsland Water.

#### **Department of Environment Energy and Climate Action Conditions**

40. All works must not increase erosion, sediment, impacts to flora and fauna or the health and viability of the Point Fullarton Gippsland Lakes Reserve and the Lake King wetlands Ramsar site to the satisfaction of the Responsible Authority.

**Notes**

1. Before undertaking works within a Council road reserve, an application for consent of works within road reserve must be obtained from the Roads and Traffic unit of Council. Refer to the Infrastructure Design Manual (IDM) for crossover designs.
2. Gas service connections not to be provided in accordance with Victorian State Government ban.
3. Any outcome of the EPBC Act referral which necessitates amendment to the plans must be resolved before the works commence. This may be in the form of a satisfaction matter under condition 1 of the permit or otherwise as a s72 Amendment in accordance with the provisions of the P&E Act.
4. The recommendations of the approved Cultural Heritage Management Plan should be implemented through construction planning and final design, alongside the built outcome.

**East Gippsland Water notes**

5.
  - (A) In accordance with Section 136 of the Water Act 1989, easements are required over existing/proposed infrastructure. This requirement applies even if the infrastructure is in common property or there is a Section 12(2) easement over the land.
  - (B) For easement(s) created, the Land Benefited/In Favour Of is to be in the name of "East Gippsland Region Water Corporation".
  - (C) For any lot area that cannot be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are to be listed as restrictions on title, to the satisfaction of East Gippsland Water.
  - (D) Each lot is to be separately serviced by the water and/or sewerage reticulation system. Subject to East Gippsland Water's requirements being met, relevant infrastructure will then become East Gippsland Water's to own, operate and maintain in perpetuity.
  - (E) If water services are required, each lot must be separately connected to the water reticulation system and separately metered, to the satisfaction of East Gippsland Water.
  - (F) Design documentation to be submitted after certification application has been made.
  - (G) Development planning charges apply where East Gippsland Water approve design, construction, commissioning and as constructed documentation (actual charge is based on the final cost of the works).
  - (H) Any specific requirements for sewerage and/or water supply infrastructure relating to coastal inundation or flooding is to be funded by the applicant.

## ADVERTISED

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14 September 2022

Form 2

**NOTICE OF AN APPLICATION FOR PLANNING PERMIT**

<b>The land affected by the application is located at:</b>	<b>10 Fullarton Drive PAYNESVILLE Lot C PS 311448</b>
<b>The application is for a permit to:</b>	<b>Multi-lot Subdivision and Native Vegetation Removal</b>
<b>The applicant for the permit is:</b>	<b>Crowther &amp; Sadler Pty Ltd</b>
<b>The application reference number is:</b>	<b>344/2022/P</b>
<b>You may look at the application and any documents that support the application on the website of the responsible authority.</b>	<b>(Intentionally blank)</b>

This can be done anytime by visiting the following website:

<https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

**An objection must** ♦ **be sent to the Responsible Authority in writing,**  
♦ **include the reasons for the objection, and**  
♦ **state how the objector would be affected.**

<b>The Responsible Authority will not decide on the application before:</b>	<b>Subject to applicant carrying out notice</b>
---	---

**If you object, the Responsible Authority will tell you its decision.**

Please note submissions received will be made available for inspection and may be made available to other parties in accordance with the Planning & Environment Act 1987. If you have concerns about this, please contact the East Gippsland Shire Council's Planning Office.

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## REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10130 FOLIO 573

Security no : 124099516124D

Produced 09/08/2022 12:34 PM

### LAND DESCRIPTION

Lot C on Plan of Subdivision 311448U.  
PARENT TITLE Volume 10022 Folio 856  
Created by instrument PS311448U 25/08/1993

### REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor

PAYNESVILLE ARMSTRONG PTY LTD of LEVEL 9 575 BOURKE STREET MELBOURNE VIC  
3000  
AV671916V 26/05/2022

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AV671917T 26/05/2022  
PERPETUAL CORPORATE TRUST LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

### DIAGRAM LOCATION

SEE PS311448U FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AV662995X (E)	CONV PCT & NOM ECT TO LC	Completed	25/05/2022
AV670407Y (E)	PRIORITY NOTICE	Registered	26/05/2022
AV671916V (E)	TRANSFER	Registered	31/05/2022
AV671917T (E)	MORTGAGE	Registered	31/05/2022

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 10 FULLARTON DRIVE PAYNESVILLE VIC 3880

### ADMINISTRATIVE NOTICES

NIL

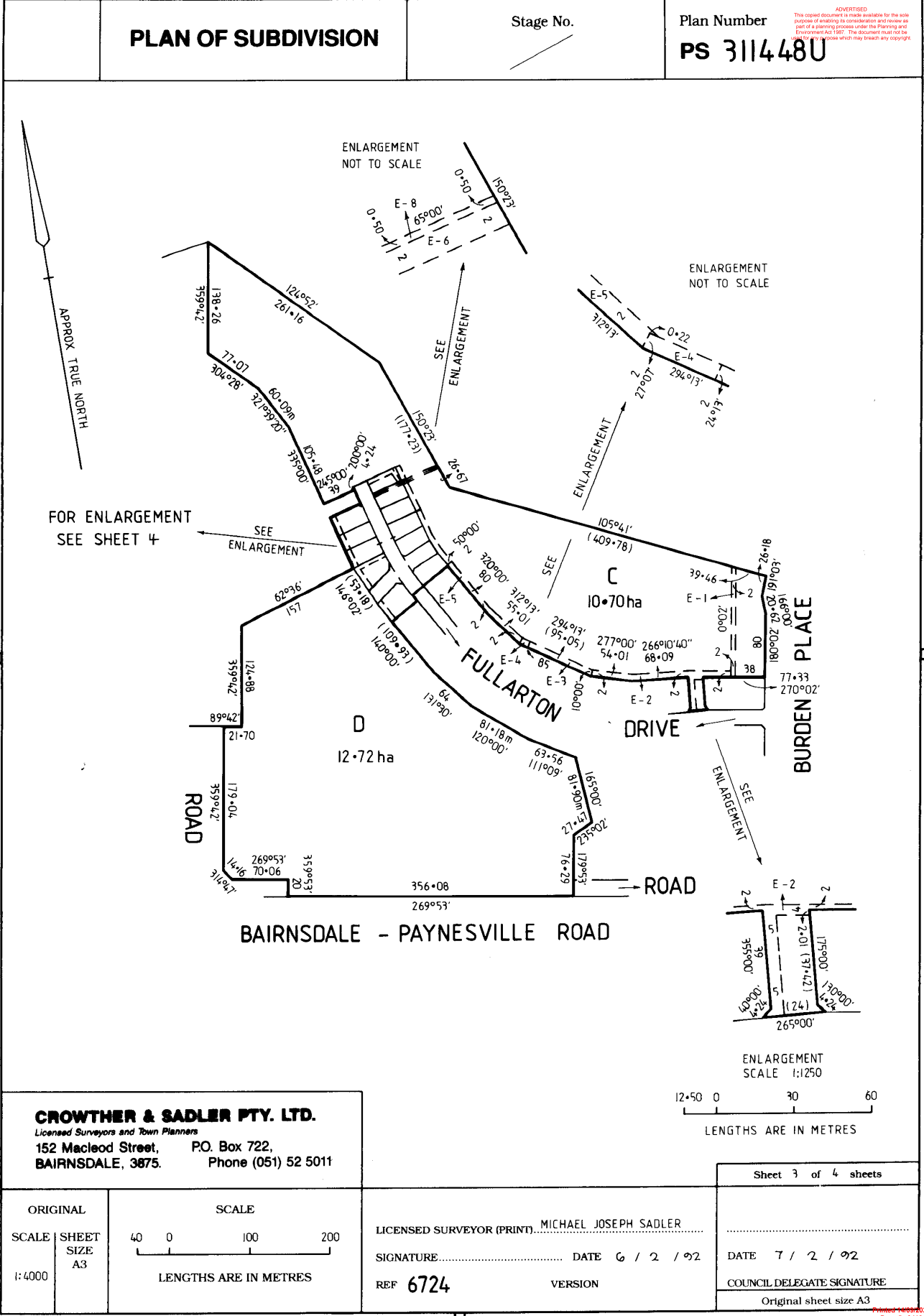
eCT Control 19205Y MAKINSON D'APICE  
Effective from 31/05/2022

DOCUMENT END

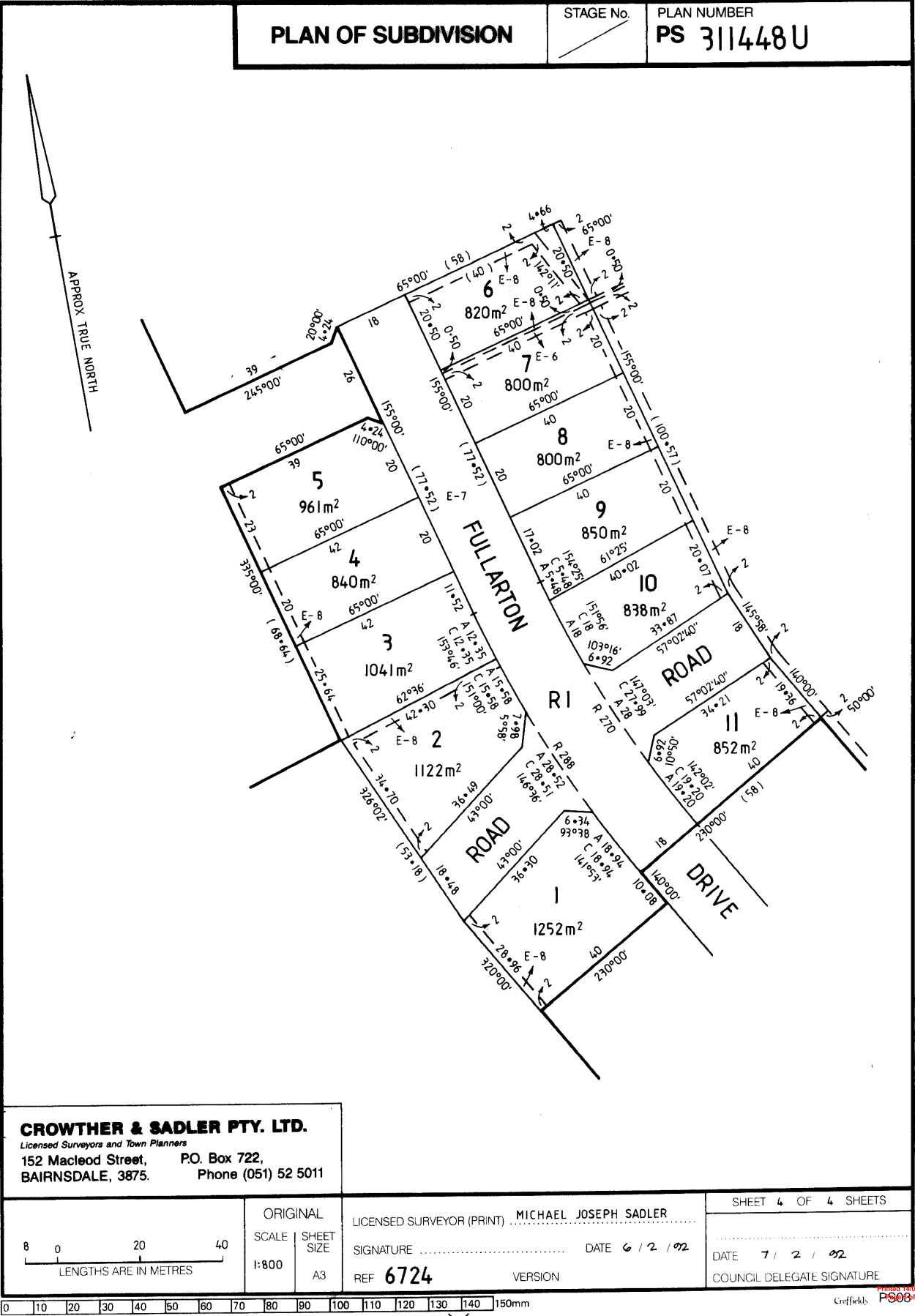
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PLAN OF SUBDIVISION		STAGE NO. /	LTO use only EDITION	Plan Number PS 311448U
<b>Location of Land</b> <b>Parish:</b> BAIRNSDALE <b>Township:</b> — <b>Section:</b> — <b>Crown Allotment:</b> 145 (PART) <b>Crown Portion:</b>  <b>LTO Base Record:</b> PARISH 1 ( 2042 ) <b>Title Reference:</b> V.10022 F.856  <b>Last Plan Reference:</b> PS 307152R LOT 2 <b>Postal Address:</b> FULLARTON DRIVE (at time of subdivision) PAYNESVILLE 3880  <b>AMG Co-ordinates</b> E 562 700 Zone: 55 (of approx. centre of land in plan) N 5804 500		<b>Council Certificate and Endorsement</b> Council Name: SHIRE OF BAIRNSDALE Ref: 80-91-0096 1. This plan is certified under section 6 of the Subdivision Act 1988. <del>2. This plan is certified under section 11(7) of the Subdivision Act 1988.</del> <del>Date of original certification under section 6 / /</del> <del>3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.</del> <b>OPEN SPACE</b> (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/ <del>has not</del> been made. <del>(ii) The requirement has been satisfied.</del> (iii) The requirement is to be satisfied in Stage..... Council delegate <del>Council seal</del> Date 7 / 2 / 92 Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / /		
<b>Vesting of Roads and/or Reserves</b>		<b>Notations</b>		
Identifier	Council/Body/Person	<b>Staging</b> This is/is not a staged subdivision Planning Permit No. 77-90-0097		
ROAD R1	SHIRE OF BAIRNSDALE	<b>Depth Limitation</b> DOES NOT APPLY		
FOR EASEMENT INFORMATION SEE SHEET 2				
<b>Survey</b> This plan is/ <del>is not</del> based on survey This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No.				
<b>Easement Information</b>				
<b>Legend:</b> A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Statement of Compliance/ Exemption Statement				
Received <input checked="" type="checkbox"/>				
Date 23 / 8 / 93				
<b>LTO use only</b>				
PLAN REGISTERED				
TIME 3.06				
DATE 25 / 8 / 93				
Assistant Registrar of Titles				
Sheet 1 of 4 Sheets				
<b>CROWTHER &amp; SADLER PTY. LTD.</b> Licensed Surveyors and Town Planners 152 Macleod Street, P.O. Box 722, BAIRNSDALE, 3875. Phone (051) 52 5011		LICENSED SURVEYOR (PRINT) MICHAEL JOSEPH SADLER SIGNATURE..... DATE 6 / 2 / 92 REF 6724 VERSION		
		DATE 7 / 2 / 92 COUNCIL DELEGATE SIGNATURE Original sheet size A3		

TOC



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## Planning Report

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### Multi-Lot Subdivision and Removal of Native Vegetation

10 Fullarton Drive, Paynesville

Our Reference – 19972

9 August 2022



FS 520900



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*Note: Applicable Planning Application fee is \$2,048.40*

## 1. Introduction

This Planning Report is prepared in support of a proposed multi-lot subdivision and removal of native vegetation at 10 Fullarton Drive, Paynesville. The report addresses the provisions of the General Residential Zone, Design and Development Overlay 14, Land Subject to Inundation Overlay and relevant Particular Provisions as contained within the East Gippsland Planning Scheme.



Locational Plan (Source: Vic Plan)



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## 2. Subject Land & Surrounding Context

Formally described as Lot C on PS311448 the subject land is known as 10 Fullarton Drive, Paynesville.

The subject land is irregular in shape and consists of an area of 10.702 hectares.



*Aerial image of the subject Land and immediate Surrounds (Source: Intramaps)*

The land enjoys road frontage to Fullarton Drive (to the east of the subject land and to the central part of the property, Burden Place east of the subject land, and an unnamed road stub approximately 40m long located centrally extending north-east from the intersection of Fullarton Drive and Wisteria Place.



*Existing road stub viewed from Fullarton Drive*

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A road sign indicates this small section of road between 50 Fullarton Drive and 54 Fullarton Drive is named Molly Drive, however no formal road name appears to have been adopted on external mapping. Molly Drive is recognised on Council's Public Road Register.



*Molly Drive road sign*

Fullarton Drive is a constructed urban road containing road pavement, roll over kerb and street drainage.



*Fullarton Drive looking east from intersection of Wisteria Place and Molly Drive*

Burden Place is a part developed urban road and part unconstructed road to the north.



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*Burden Place looking southward, with subject land to right of picture*



*Northern extent of Burden Place that is not yet constructed*

The site also enjoys a northern frontage to the Point Fullarton Gippsland Lakes Reserve, its western boundary adjoins an existing agricultural property and south of the land is numerous residential properties within Fullarton Drive and Eagle Bay Terrace.

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The land is currently undeveloped residential zoned land used for the purposes of cattle grazing. There is a significant Gippsland Red Gum located in the eastern part of the subject land and patches of native vegetation located adjacent to the northern boundary, and within the eastern part of the property along the Burden Place interface.



*Tree to be retained, viewed from the east (Source: Roots 2 Leaves)*

The property falls from the southern boundary to the northern boundary however, not at a consistent grade. The land has an undulating form from east to west.



*Undulating landform of the subject land, looking east from Molly Road*

An Existing Conditions Plan highlighting the contours of the land is provided in support of the Application to provide more detail on existing levels on site.

Located to the north of the property is the Point Fullarton walking/cycling path that links Paynesville with Eagle Point, the Point Fullarton Gippsland Lakes Reserve and further north Lake King. The reserve area contains patches of native vegetation close to the northern boundary of the land and recedes to brackish water tolerant lower forms of native vegetation further north.

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*Eastern entrance to the Point Fullarton Walking/Cycling Path*

East of the subject land across Burden Place is the southern “bank” of residential properties within Windermere Terrace and residential properties within The Inlet that front the constructed waterway. To the north-east is an undeveloped parcel of Mixed Use Zoned land.



*Existing dwellings in The Inlet*



*Existing dwellings in Windermere Terrace, viewed from The Inlet*

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West of the subject land is a vacant parcel of farming land that is currently used for grazing. It is noted that this land is identified for future residential rezoning in the Paynesville Growth Area Structure Plan.



*Adjacent FZ land, viewed from the western termination of Fullarton Drive*

Immediately to the south of the property are the northern facing residential “banks” of properties developed along Fullarton Drive and Eagle Bay Terrace. These properties have generally been developed with dwellings orientated to face northwards for good solar exposure and to take advantage of views.



*Existing dwellings on northern side of Fullarton Drive, viewed from subject land*



*Existing dwellings on northern side of Fullarton Drive, viewed from subject land*



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*Examples of existing dwellings on northern side of Fullarton Drive, where the built form transitions with the topography*



*Existing dwellings developed on northern side of Eagle Bay Terrace*



*Existing dwellings developed on northern side of Eagle Bay Terrace*

South of these properties are further residential homes developed on the southern side of Fullarton Drive and Eagle Bay Terrace.



*Existing dwellings developed on southern side of Fullarton Drive*

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*Existing dwellings developed on southern side of Fullarton Drive*



*Looking west along Eagle Bay Terrace*

There is great variety and little consistency associated with built form, with a range of forms and styles reflecting the tastes and preferences of individual landowners.

The sloping topography allows for the staggering of built form across allotments in a northerly direction, providing for the sharing of views.



*Example of view sharing across allotments, looking north-east from Eagle Bay Terrace*



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No stormwater drainage infrastructure provides formal drainage of the property however, an unregulated stormwater drainage outfall that services the southern precinct of the area is located within the eastern part of the property. Overland flow from higher properties to the south is discharged across the subject land to the adjacent Crown Reserve without any form of detention or treatment.

Reticulated services are available within the locality, including natural gas and Fibre to Node NBN.

The subject land enjoys relatively easy access to commercial and entertainment areas, educational facilities, active and passive recreational opportunities, community facilities and services as well as employment nodes.

Site Context Plan



A	Subject land
B	Point Fullarton Wetland and walking track (approximate location)
C	Paynesville Primary School
D	Active Recreation Precinct
E	Paynesville Kindergarten
F	Industrial and Marine Employment precinct
G	Commercial Centre – southern strip
H	Commercial Centre – eastern strip
I	Gippsland Lakes Yacht Club

## 2.1. Recent Planning Application History and VCAT Lessons

Of relatively recent times there have been two planning applications seeking to develop the subject land to subdivide the land to create a multi-lot subdivision.

The two applications were each refused by East Gippsland Shire Council were the subject of applications for review at the Victorian Civil and Administrative Tribunal (VCAT). The two applications were refused at VCAT.

A review of the VCAT decisions and associated application documentation provides advice and guidance on future applications.

### **Application 1: VCAT Reference P3462/2010<sup>1</sup> Planning Application 385/2010/P**

Application 1 sought an 84 lot subdivision that was amended prior to the VCAT hearing to an 82 lot subdivision.

The decision advises, in short, that the proposed subdivision did not adequately address the sensitivities of the subject land and the surrounds.

VCAT acknowledged that the land was within the town boundary and the proposal accorded with local policy to utilise residential zoned land for residential development, however there was no overriding demand for residential development to outweigh the constraints of the subject land.

The proposed filling of the land to mitigate future climate change impacts was considered an inappropriate design response. VCAT determined there should be no development below 2.8 metres AHD, and that the sensitive interface with public land must be carefully considered.

The decision directed that stormwater design must be carefully considered in light of possible climate change and impacts on vegetation within the coastal reserve. The retention and protection of the large Gippsland Red Gum was emphasised.

Views to and from Lake King, including views of neighbouring properties towards Lake King have to be considered carefully. View sharing is considered necessary and appropriate, however a one-size-fits-all building envelope may not be a sufficiently responsive outcome over the whole site.

Traffic generation was not considered unreasonable, with pedestrian safety in terms of a broader footpath network deemed a matter for Council consideration. It is worth noting that at the time, footpath provision in the broader Paynesville area was extremely limited.

<sup>1</sup> Lake Park Holdings Pty Ltd v East Gippsland SC [2011] VCAT 1491, [http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2011/1491.html?context=1;query=lake%20park%20holdings%20pty%20ltd%20v%20east%20gippsland%20sc;mask\\_path=au/cases/vic/VCAT](http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2011/1491.html?context=1;query=lake%20park%20holdings%20pty%20ltd%20v%20east%20gippsland%20sc;mask_path=au/cases/vic/VCAT)

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**Application 2: VCAT Reference P2565/2013<sup>2</sup>  
Planning Application 1/2012/P**

Application 2 proposed a multi-lot subdivision creating 77 lots.

VCAT observed that further residential development was appropriate within the township boundary, with no local policy seeking to exclude the land from development or stipulate lot sizes or density.

Additional traffic generation was again considered acceptable.

Retention of the Gippsland Red Gum was again emphasised, and the location of public open space adjoining the reserve was deemed acceptable. Landscaping of the reserve should incorporate elements of lower height vegetation to assist to screen development whilst also allowing for view opportunities.

Efforts to minimise the loss of native vegetation were encouraged, acknowledging that some vegetation removal may be unavoidable, and should be. The removal of native vegetation is acceptable under the Guidelines, however removal should be minimised where possible, and appropriately offset.

The interface with Farming Zoned land was not considered to have been appropriately addressed given farming activities that will occur on the adjoining land. This matter is no longer considered to carry weight given the adoption of the Paynesville Growth Area Structure Plan and Council's intent to rezone for residential use.

The proposed subdivision design was considered by VCAT not to achieve appropriate view sharing. VCAT observed that two storey form is acceptable provided reasonable view sharing is incorporated.

In assessing view impacts on adjoining dwellings, the Tribunal found it unreasonable to assess based on a sitting view of 1.2m, and instead adopted a standing height of 1.5m.

Setbacks of built form to neighbouring properties was considered important to relieve visual bulk.

Careful consideration of stormwater treatment and detention is required, and the use of a wetland would be consistent with good practice, even when located on land subject to inundation in a flood event. Improved environmental outcomes would be achieved by capturing stormwater from existing residential development to the south, that currently discharge stormwater untreated directly into adjoining Crown land.

<sup>2</sup> Lake Park Holdings Pty Ltd v East Gippsland SC [2014] VCAT 1449, [http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2014/1449.html?context=1;query=lake%20park%20holdings%20pty%20ld%20v%20east%20gippsland%20sc;mask\\_path=au/cases/vic/VCAT](http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2014/1449.html?context=1;query=lake%20park%20holdings%20pty%20ld%20v%20east%20gippsland%20sc;mask_path=au/cases/vic/VCAT)

## 2.2 Opportunities and Constraints

To achieve an appropriate design response for the development of the property it was considered necessary to understand the site opportunities and constraints, summarised in the following table.

Opportunities	Constraints
GRZ1 zoning, within settlement boundary	Low lying in parts
North facing land parcel	Potential climate change impacts
Expansive vista	Topography
Ability to link with existing infrastructure	Servicing limitations
Environmental opportunities	Revegetation / landscaping
Generous land area	Possible presence of Coastal Acid Sulfate Soils
Opportunity to respect and share views of neighbouring properties	Community expectations following recent VCAT decisions
Topography	Covenants established on adjacent properties
Landscaping	
Strategic expectations for residential development to the west	

### 2.3 Neighbouring covenants

To understand the constraints imposed on adjoining properties, we have obtained title search particulars for a sample of adjoining lots within Fullarton Drive, Eagle Bay Terrace and Burden Place. A total of 11 titles were researched, examining properties created through seven different Plans of Subdivision.

Initially it was anticipated that allotments within a Plan of Subdivision would have had an identical Restrictive Covenant applied as part of the initial transfer of land from the Developer.

On examination this proved not to be the case, with a great deal of variety in restriction, and inconsistency in Application. Whilst this investigation was not exhaustive, it provides some insight on existing encumbrances.

Properties on the lower (north-eastern) side of Fullarton Drive typically have a Covenant that prohibits structures with a greater height than 4.5m from the natural surface of the ground at the highest point of the allotment. These Covenants do not expire. The lower allotments north of Molly Drive are an exception, with no limitations on height given the absence of any encumbrance.

Properties on the higher (south-western) side of Fullarton Drive have no limitations, with no Covenants imposed. Similarly, the property at 18-20 Burden Place is not encumbered.

The majority of properties within the Eagle Bay Village are encumbered with an expansive Covenant that imposes the following limitations:

- Prescribes a minimum floor area for dwellings;
- Prohibits the use of second hand materials (with an exception for second hand bricks);
- Requires external materials to be bricks of a nominal dimension, unless treated with render or texture coating;
- Prohibits external walls of heavily blended, mottled or rock face brick work;
- Prohibits the use of Hardiplank or cement sheet as an external wall or roofing material;
- Prescribes roofing materials of slate, clay tile, cement tile or colorbond;
- Prescribes a maximum floor area for outbuildings;
- Prescribes a minimum roof pitch of 22° for any structure greater than 10m<sup>2</sup>;
- Prescribes a minimum internal ceiling height;
- Requires gutters and downpipes to be colour coated or painted;
- Prescribes dwellings constructed at 2, 4 and 6 Eagle Bay Terrace (inclusive) to adopt a minimum setback of 9 metres for any windows, doorways, balconies or other similar viewing points;
- Prescribes fencing materials for side and front fences;



- 
- The map shows a residential area with several streets and plots. The streets include Eagle Bay Terrace, The Crescent, Eagle Bay Drive, and Eagle Bay Court. The plots are numbered, and the area is color-coded: pink for residential plots, green for open land, and blue for water. A red line outlines a specific area, and a blue line outlines a specific plot. The map includes labels for streets such as Eagle Bay Terrace, The Crescent, Eagle Bay Drive, and Eagle Bay Court. A scale bar is visible in the bottom left corner.

Despite the expansive limitations on many elements of built form, there is no maximum height limitation on dwellings or outbuildings. Conversely, Clauses (a)(viii) and (a)(ix) prescribe minimum heights. The only elements that seek to preserve views at height is Clause (e) relating to vegetation between dwellings. Building envelopes were not imposed on allotments within this Estate.

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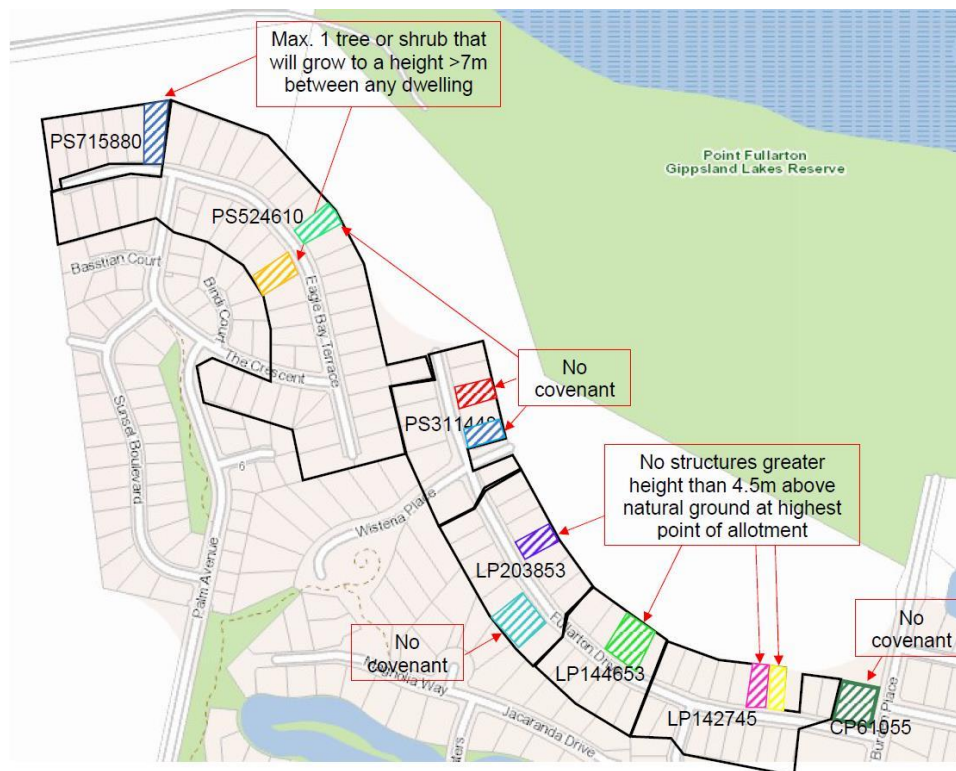
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Interestingly, of the three titles reviewed within the Eagle Bay Village estate there was some variety, one had no form of Covenant registered on title. The other two had a Covenant with an expiration date of 31 December 2024.

The following diagram demonstrates the extent of covenant research undertaken. Copies of the title search particulars are able to be provided to Council should it be of assistance.



Map of surrounding covenants as researched  
(Base plan sourced from VicPlan)

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### 3. Design Philosophy

The subject land has recently changed ownership, and the new owner wishes to create a subdivision that is an extension of the Paynesville northern precinct that demonstrates site responsiveness and inclusion, taking on board the direction provided by previous VCAT decisions and undertaking a review of the property's constraints and opportunities.

The intention is to develop the property in a responsible manner to ensure environmental sustainability, neighbour's amenity is not unreasonably impacted, and the internal and external amenity of future residents is afforded.

The design team considered the unique location, with the concerns of neighbours of great importance.

Research of prior applications for review lodged at VCAT with respect to the property clearly advises of the need for view sharing. View sharing is not about maintaining a current view enjoyed by neighbouring residents nor is it appropriate for a new proposal to obliterate views.

To address this matter it was considered necessary to obtain accurate information to inform building envelopes. A Feature Survey was undertaken to establish the existing conditions of the subject land, obtaining data in the form of service availability, service location, levels of the subject land, levels of neighbouring properties (including ground, floor and ceiling height) and an understanding of the environmental significance of the area. This information is depicted on the Existing Conditions with Levels Plan (Version 2) which accompanies this Application.

#### 4. The Proposal

The subject Application proposes a multi-lot subdivision to create 59 vacant lots for future residential development.

The subdivision layout strikes a balance of residential expansion, compliance with Council's Strategic Planning Strategy, ensuring neighbours amenity, respecting the neighbourhood character, consideration of topography, provision of public open space and environmentally sensitive design.

A significant area of public open space is proposed to the north of the subject land (3.613 hectares) providing for current and potential environmental impacts into the future including more frequent flooding and coastal climate change impacts such as vegetation migration, native fauna and flora refuge, visual and physical setback to the foreshore and a passive recreational area for occupants of the area.

The proposed Reserve will include that part of the informal car park utilised by some visitors to the Point Fullarton Walking/Cycling Path located on the subject land.



*Informal car parking area, established primarily on subject land*

The proposed subdivision design differs from previous schemes by limiting proposed development to a single row of lots in front of the existing housing in Fullarton Drive via a new intersection with Burden Place in the east.

This new road will connect in the west with Molly Drive, with land on the northern side of the road retained within a Reserve. This design provides opportunity for casual surveillance and active interface with the Reserve, creating for large extensive lots where future development will be required to work with the terrain of the land.

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Extract from Proposed Subdivision Plan depicting eastern component

The westerly section of the development will consist of two banks of lots and providing a vehicle link to the west through the extension of Fullarton Drive. The topography of this part of the land slopes more steeply towards the Crown abuttal, which allows for more development potential without unreasonable impact on the views of neighbouring residents.



Extract from Proposed Subdivision Plan depicting western component



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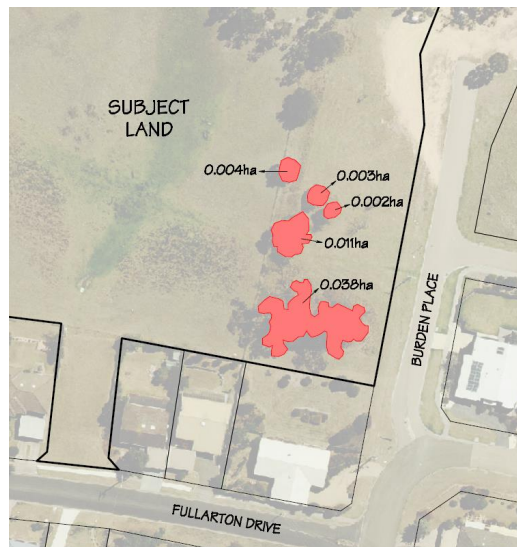
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The proposed subdivision will necessitate the removal of native vegetation within the eastern parts of the subject land, as detailed on the Plan of Vegetation Removal.

The extent of vegetation to be removed has been minimised as far as possible, with vegetation closer the northern Crown boundary retained, as has the Large Old Tree.

A later section of this Report will address consideration of Clause 52.17 relating to *Native Vegetation*.



*Extract from Plan of Vegetation Removal*

Each of the proposed allotments will be connected to electricity, water, sewerage, drainage and telecommunications via reticulated means.

While the subject land is currently connected to all available services within the area, existing connections on the land will need to be upgraded for future development, as detailed within the Access & Servicing Strategy prepared by Crossco Consulting submitted as part of this Application.

Given the irregular shape of the two westernmost allotments, our client intends to retain proposed Lots 1 and 16 within their ownership in the medium term, pending Council rezoning of the neighbouring western property. Upon rezoning, these allotments will be realigned (subject to further Council approval) to achieve a more regular allotment form, consistent with adjoining lots to the east.

#### Response to future Climate Change impacts

Although the land has been residentially zoned for many years and located within the town boundary, in designing the subdivision the site has been assumed as a greenfield site within the context of future climate change impacts. The main distinction here is that projected sea level rise to the year 2100 has been considered, as opposed to the incremental sea level rise to the year 2040 which may be considered for infill sites within existing urban area.

The subdivision has been designed with regard for proposed sea level rise of not less than 0.8 metres by 2100, and the declared flood level for Paynesville of 2.0m AHD.

Fill and protection options were not explored, considered to represent maladaptation and an inappropriate response. Rather, an appropriate design response is proposed through a combination of non-intervention, avoidance and nature-based methods.

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To achieve this, it was considered necessary to ensure all future lots be wholly located above the 2.8 metre AHD level, allowing for future climate change sea level rise on top of a 1:100 AEP flood level.

The provision of a large Reserve containing the lower-lying portions of the site is considered an appropriate response having regard for the following:

- It avoids intervention with coastal processes via careful management of the reserve for the purposes of maintenance and minor land management (i.e. grass slashing).
- The reserve provides opportunity for nature-based adaptation including natural revegetation and migration of flora species.
- Under single management an integrated approach to management of the lower areas of the land can be better achieved.
- In the short to long-term the public open space can augment the foreshore reserve allowing for a wildlife corridor to be achieved in perpetuity and provide an immediate wildlife refuge.

#### Interface with proposed Reserve and Crown land

The Point Fullarton Reserve and walking/cycling track, located to the immediate north of the subject land, provide an important community environmental and passive recreational asset.

During the marketing campaign associated with the sale of the subject land by previous owners, some members of the public expressed concern that the proposed development would result in the removal of the existing walking track. We categorically deny this suggestion, as the track is entirely located on the adjacent Crown land. The proposed subdivision will not alter this highly valued community asset, nor the integrity of native vegetation along the northern boundary.

The provision of a Reserve adjacent to the northern boundary will provide further protection to the sensitive Crown abuttal.

In response to this context, the fencing of the proposed lots with an abuttal to the proposed Reserve must be sensitively designed and present in a consistent style and form for the dual purposes of an aesthetically appealing presentation and the delineation of the public / private interface.

It is expected that a Condition of Planning Permit would require detail on the proposed fencing to be erected on the northern boundaries of lots 16-35 to be specified on the Reserve Landscape Plan.

The erection and ongoing maintenance of fencing in accordance with the endorsed plan would then be enshrined within a Section 173 Agreement.

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### Building Envelopes

A key element of the subject Application is the nomination of lot specific three-dimensional building envelopes, which will specify vertical and horizontal limitations to development.

Building envelopes will nominate minimum setbacks from boundaries and maximum building heights for future dwellings. Building envelopes will apply to all ancillary structures excluding swimming pools and retaining wall structures.

With the sharing of views considered paramount, the height of buildings will typically be limited to 4.5m AHD above the highest level within the building envelope. The only exceptions are where this would result in a height greater than the standing eye level of the immediately adjoining dwelling, as established by survey. In those instances, the maximum height will not exceed the standing eye level of the immediately adjacent dwelling.

Rear setbacks have been nominated with respect for the prevailing landform. In the western component, where the land slopes more steeply in a northerly direction, a rear setback of 5m is proposed. For the eastern component, where the slope is more gentle, a 10m rear setback is proposed.

To review the appropriateness of the proposed maximum heights, a series of sectional drawings have been prepared by Modan which demonstrate how views will continue to be shared and enjoyed by adjacent properties and the proposed allotments.

These sections show exaggerated possible built form outcomes with the intention of presenting a 'worst case scenario', and in some instances show future buildings well in excess of that able to be developed in the General Residential Zone, being 11.0 metres.

A minimum front setback of 4m has been nominated for all allotments. A 3m side setback on one side is proposed for each allotment. This will maintain corridors of views between dwellings, whilst also retaining the efficiencies that can be achieved in construction when an element such as a garage wall is constructed on the side boundary, as is typical for many contemporary homes.

For proposed Lots 16-33 (inclusive) and 36-57 (inclusive), the location of the side setback will be left to the discretion of the purchaser, with alternate options provided. This discretion has not been afforded to Lots 34, 35, 58 or 59, where the side setback has been nominated having regard for either lot orientation or encumbrances associated with existing or proposed easements.

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For Lots 1-15 (inclusive), side setbacks have been nominated on the opposite side of the proposed vehicular access that is to be constructed as part of the civil works program, having regard for the steeper landform. Careful positioning of the crossovers has provided the opportunity to provide for view sharing corridors, informed by an inspection of adjoining properties.

#### Draft Development Guidelines

To ensure an appropriate built form outcome is achieved, that respects the locale of the setting and provides for high quality design that is sympathetic of views of future built form from the public and private realm, draft Development Guidelines have been developed.

A draft document forms part of the suite of documents supporting this Application, however we expect Council will require further refinement of this document prior to endorsement, taking on board feedback from referral authorities and other interested parties. The draft Guidelines address matters such as front, side and rear setbacks, and provide clarity on maximum building heights in addition to the numeric limitation specified on the Building Envelope Plan.

The Guidelines seek to ensure appropriate built form when viewed from Lake King, with the intention to provide a good quality amenity for new and existing residents, and negate visual intrusion to neighbours by restricting vegetation height and the prohibition of any structures (including sheds) or the parking of vehicles or the like within setbacks.

#### Proposed Section 173 Agreement

A Section 173 Agreement is proposed to be entered with Council to ensure ongoing compliance with the Building Envelope Plan and the Development Guidelines.

Unlike other instruments such as a Developer Covenant, Restriction on Title or Memorandum of Common Provisions, in this instance a Section 173 Agreement is considered the preferable mechanism as it provides assurance to existing residents, who would not otherwise be beneficiaries of such instruments, of the enforceability of the Development Guidelines.

The Section 173 agreement will enable Council to be an independent party to ensure compliance with the setbacks and Guidelines and provide statutory review.

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## 5 Application triggers

The subject Application triggers approval at the following Clauses of the East Gippsland Planning Scheme:

- Clause 32.08-3 of the General Residential Zone for subdivision;
- Clause 43.02-3 of the Design and Development Overlay 14 for subdivision;
- Clause 44.04-3 of the Land Subject to Inundation Overlay for subdivision; and
- Clause 52.17 relating to Native Vegetation for the removal of native vegetation.

### 5.1 Community consultation

It is acknowledged that recent Planning Applications proposing the subdivision of the subject land resulted in unprecedented levels of objection from the community. Many of the concerns held by the community were well articulated in the VCAT decisions, which has guided the design philosophy adopted for the subject Application.

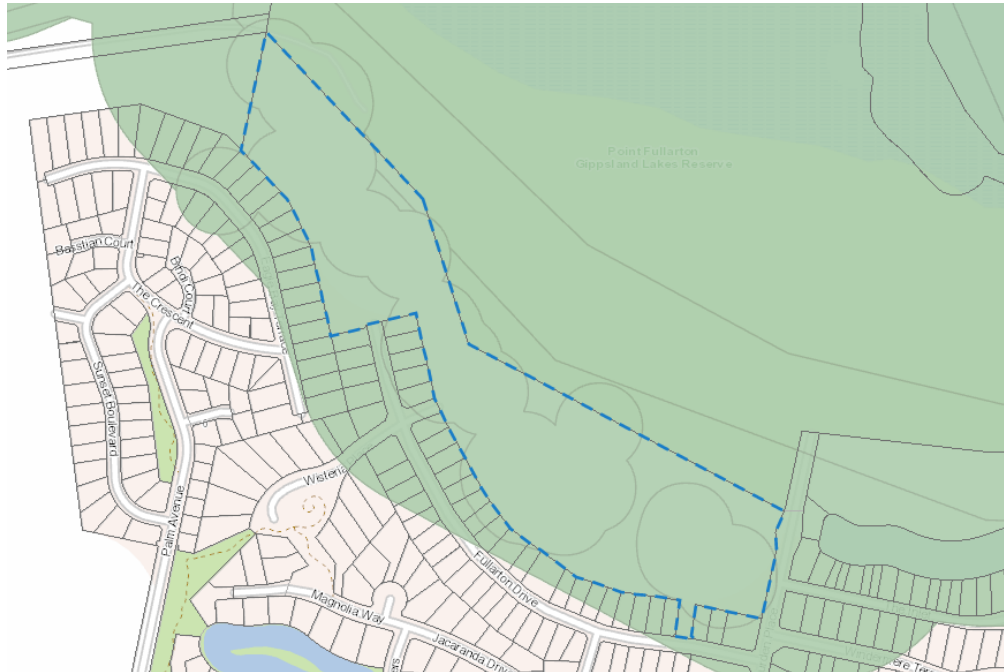
To 'test' the current proposal, we have undertaken selected consultation with a small group of interested persons, including some of the parties to the previous VCAT decisions. This provided the opportunity to socialise the proposed subdivision layout, and provided valuable insight which has informed the preparation of this Application.

In addition to the conventional public notification requirements prescribed by Section 52 of the *Planning & Environment Act 1987*, we believe there would be merit in convening a drop-in session where interested persons may learn more about the proposal. This has been raised in pre-application discussions with the Manager Planning, and we look forward to working with Council on how this opportunity could best be delivered to benefit the Paynesville community.



## 6. Cultural Heritage

The proposed subdivision represents a high impact activity of land deemed to be of Cultural Heritage Sensitivity, and therefore requires the preparation of a Cultural Heritage Management Plan (CHMP) pursuant to Regulation 7 of the *Aboriginal Heritage Regulations 2007*.



*Extract from Cultural Heritage Sensitivity mapping, with sensitive areas shown in green (Source: VicPlan)*

CHMP No. 10680 was prepared by Vanessa Edmonds of Archaeological Consulting Services Pty Ltd on 15 April 2010, and subsequently approved by the Gunaikurnai Land and Waters Aboriginal Corporation on 22 April 2010. A copy is enclosed in support of the subject Application.

Whilst this CHMP depicts an alternative scheme of subdivision, as pursued by Planning Application 385/2010/P, VCAT has previously determined in 2014 that this specific earlier approval may be utilised in support of an amended subdivision proposal.

In *Lake Park Holdings Pty Ltd v East Gippsland SC & Ors (includes Summary)* (Red Dot) [2014] VCAT 826<sup>3</sup>, Deputy President Dwyer determined this was acceptable where there was a continuing nexus between the CHMP and the activity for which the planning permit was being sought.

<sup>3</sup> [http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2014/826.html?context=1;query=lake%20park%20holdings%20pty%20ld%20v%20east%20gippsland%20sc;mask\\_path=au/cases/vic/VCAT](http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2014/826.html?context=1;query=lake%20park%20holdings%20pty%20ld%20v%20east%20gippsland%20sc;mask_path=au/cases/vic/VCAT)

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This represented a departure from the Three Pillars 'test' previously established by Deputy President Gibson in 2012<sup>4</sup>.

Deputy President Dwyer observed, at paragraph 26, the following:

*To use the approach I have outlined above, it is necessary to undertake a fair and objective reading of the CHMP as a whole. Having done so, I consider that the CHMP dated 15 April 2010 is a sufficient CHMP in respect of the activity now proposed in the permit application that is the subject of the application for review in this proceeding. My reasons for forming this view in this case are primarily as follows:*

- *the approved CHMP references a plan (Figure 2-1) as part of its description of the activity, but not in a manner that ties it exclusively to that plan. That plan shows a proposed subdivision layout for 82 lots, and the balance as open space, whereas the activity is described in the CHMP as being a residential subdivision of 'up to 110 lots'. There is an implicit recognition that the number of lots may vary, provided the maximum is not exceeded;*
- *the current amended plans show a 77 lot subdivision, with a virtually identical road layout to that on the plan in the approved CHMP. The only material change is that the overall site coverage of lots has been reduced, by removing or reducing the size of lots adjacent to the lakeside reserve, and with a larger area now included within that reserve. The evidence is that the amended lots now sit above relevant flood levels, and less excavation and fill will be required;*
- *importantly, the CHMP was undertaken as a 'complex' assessment across the entire activity area, and it had identified a number of aboriginal heritage sites – one of moderate/high scientific significance. The CHMP nonetheless allows for disturbance of all such sites, subject to certain 'salvage' excavations to obtain samples of archaeological deposits at least one month prior to the subdivision activity commencing. The CHMP thus essentially contemplates disturbance of the entire site after these salvage excavations and sampling are undertaken. The proposed changes to the subdivision layout and open space will therefore not affect the specific outcome contemplated by the already approved CHMP. The changed layout cannot be said to open up any new parts of the activity area, within which a proper assessment has not been undertaken or for which there are no relevant recommendations; and*
- *the CHMP does contain very specific recommendations in relation to two aboriginal heritage sites, including the site of moderate/high scientific significance. However, these specific recommendations allow for the complete disturbance of these sites as well, subject to the prior 'salvage' excavations I have mentioned. The proposed changes to the subdivision layout and open space in the vicinity of these sites will therefore also not affect the specific outcome for these sites contemplated by the already approved CHMP.*

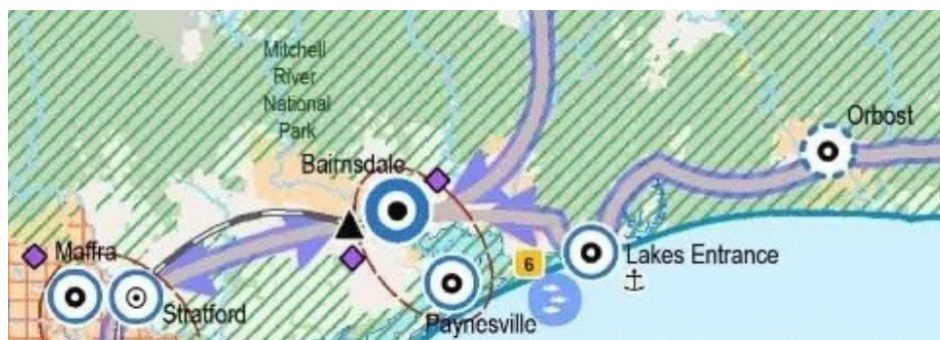
The approved CHMP is able to be submitted in support of the subject Application, having regard for the tests outlined above. The proposed subdivision is able to comply with the management recommendations specified within the approved CHMP, which includes a controlled salvage excavation of no less than 5m<sup>2</sup>.

<sup>4</sup> Three Pillars Property Group v Brimbank CC (includes Summary) (Red Dot) [2012] VCAT 368 (2 April 2012): <http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2012/368.html>

## 7. Planning Policy

### 7.1 Planning Policy Framework

Paynesville is recognised as a sub-regional network of Bairnsdale highlighting the close economic, social and cultural links between the two urban areas. Clearly defined within Clause 11.01-1R *Settlement - Gippsland* sub-regional networks are supported to grow and support an integrated relationship between towns.



Extract from Gippsland Regional Growth Plan, highlighting the sub regional network linking Paynesville and Bairnsdale (Clause 11.01-1R)

Developing a network of settlements across Victoria to provide for growth, opportunity and deliver choice, Bairnsdale (and the sub-regional network of Paynesville) is supported for sustainable growth. The proposed subdivision builds on the networks of high-quality integrated settlements of Victoria as outlined in Clause 11.01-1S *Settlement - Victoria* and achieves many of the strategies including:

- Provides for population growth of a of a sub-regional settlement.
- Assists to meet the needs of appropriately located residential development to meet the community's needs.
- Minimises the exposure to natural hazard due to future climate change.
- Limits urban sprawl and directs growth into a residential zoned parcel of land within the existing township boundary.
- Provides for compact urban areas around the existing social, community, commercial and employment areas of the Paynesville township.
- Ensures land identified for future urban expansion is not compromised and is integrated into the proposed development.

Clause 11.02-1S *Supply of Urban land* seeks to ensure an appropriate supply of urban land is provided for future residential, commercial and industrial development. The subject land has been zoned for residential development since the commencement of the East Gippsland Planning Scheme. The proposed development seeks to sensitively and responsively develop the land for urban development as has been the strategic intent of the planning scheme since inception and prior.

*Planning for Places* at Clause 11.03 acknowledges the need for growth areas (at Clause 11.03-2S). The proposal represents the logical development of the land for residential purposes while appropriately considering the natural environment and local conditions. The proposal will facilitate land supply for urban development in a logical and integrated manner, responding to the significant increase in demand for vacant land escalating during the past two years. The proposal will assist to enact the development of the town envisaged by Council, and provides a unique diversity of development parcels while maintaining environmental and social responsibilities.

Consistent with Clause 11.03-04S *Coastal Settlement* the proposed subdivision:

- Will assist to manage coastal population growth within a zoned, integrated land parcel and urban modified environment.
- Builds upon the existing coastal development node of Paynesville.
- Is within the township boundary.
- Avoids current and potential impact from future climate change.
- Ensures future lots will be connected to all available utility services in particular sewerage.
- Improves the current unregulated and untreated discharge of local precinct stormwater over the property by providing appropriate and environmentally sensitive treatment.

The subdivision design respects Clause 12.01-1S *Protection of Biodiversity*, acknowledging the unique and important biodiversity of this area of the Gippsland Lakes. The proposed Reserve will provide a significant buffer from coastal Crown land ensuring existing vegetation is protected, providing space for RAMSAR flora and fauna habitat to be respected, allowing future migration of vegetation species as a result of potential future climate change and allows for a fauna refuge. Whilst a small amount native vegetation loss will occur, native vegetation offsets will be met, ensuring no net loss of biodiversity.

The subdivision will result in the need to remove a small amount of native vegetation. The native vegetation to be removed to facilitate the subdivision is of a low ecological quality. Vegetation losses will be offset as per the guidelines for native vegetation removal however, the provision of public open space with associated native vegetation benefits (opposed to current grazing) will provide an environmental gain, as well as meeting native vegetation offset requirements as per the regulations consistent with Clause 12.01-2S *Native Vegetation Management*.

The subdivision design has had regard to the sensitive marine and coastal environmental location. Provision of generous public open space will provide flora and fauna opportunities with sensitive management. The proposed revegetation and landscaping has been deliberately proposed to ensure environmental gains while ensuring view loss for current and future occupants is not compromised and possible impact of bushfire is minimised as sought by Clause 12.02-2S *Protection of Marine and Coastal Environment*.



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There is the need to sensitively design stormwater to prevent pollutants, sediment and ensure appropriate water quality entering the natural environment. The proposal seeks to prevent any direct discharge of stormwater into the natural environment. Stormwater will be captured and treated in an environmentally sustainable manner before release including stormwater that is currently discharging over the property in an unregulated and untreated manner.

It has been seen as prudent to ensure that prior to and during development of stormwater disposal basins there is the possibility of uncovering coastal acid sulfate soils. A management plan has been developed to ensure any CASS is treated responsibly in accordance with established Best Practice Guidelines<sup>5</sup>.

The Gippsland Lakes is nominated a significant environment and landscape at Clause 12.05-1S. The landscape will be respected through the subdivision design with the incorporation of public open space fronting the immediate Gippsland Lakes reserve, landscaping of the reserve, use of sensitive building heights within a backdrop of urban development and guidelines promoting development that respects the topography of the land as such the proposal is considered to respond appropriately.

To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning is the objective of Clause 13.01-1S *Natural Hazards and Climate Change*. It is proposed to only develop land for residential purposes located well above the predicted sea level rise including a 1:100 year flood event, which for Paynesville is 2.8 metres AHD. The majority of lots areas will be above 4.0 metres AHD ensuring appropriate mitigation from future predicted climate change in the event of a 1:100 year flood event. Consistent with *Coastal Inundation and Erosion* Clause (13.01-2S) the proposal seeks to avoid the impacts of predicted sea level rise.

It is noted that the subject land is not located within a Bushfire Management Overlay nor is the land within a designated bushfire prone area as advised by Clause 13.02-1S.

The subject site contains low lying land towards the northern boundary. The land is subject to currently infrequent flooding impacts as modelled by the 1:100 ARP flood. This part of the property will not be developed for the purposes of residential development ensuring the objectives and strategies of Clause 13.03-1S *Floodplain Management* are achieved.

The subject land is bounded by Farming Zone land to the west which is used for agricultural production in the form of cattle grazing. This land has been earmarked for future residential development into the future in accordance with the Paynesville Growth Area Structure Plan.

<sup>5</sup> Department of Sustainability and Environment, Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulfate Soils, October 2010:  
[https://www.marineandcoasts.vic.gov.au/\\_data/assets/pdf\\_file/0016/31237/CASS-BPMG-2010.pdf](https://www.marineandcoasts.vic.gov.au/_data/assets/pdf_file/0016/31237/CASS-BPMG-2010.pdf)

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It is understood Council has and continues to pursue the strategy to rezone the land for residential development as such the objectives and strategies associated with Clause 14.01 *Agriculture* and consideration of the interface with farming land are considered to have minimal relevance.

The proposed design response involves a multi-lot subdivision that creates a new road to front the proposed reserve and extends an existing road to create a bank of residential lots to the west that front the reserve. The development of a road that fronts the reserve will provide for security and casual surveillance of the reserve and allows for public participation of the reserve.

The lots to the west fronting the reserve are intended to have fencing of a consistent and transparent nature to be specified on a Detailed Landscape Plan and enforced through Guidelines within a legal agreement to ensure casual surveillance of the reserve can take place. Given the northern outlook of dwellings afforded it is envisaged that the reserve will have inherent safety as sought by Clause 15.01-1S relating to *Urban design*. Associated with the design philosophy of the subdivision the built form will be respectful of the landscape settling, topography of the land, interface with the public realm, provides for view sharing and will develop lots of a size, shape and character respectful of the locale and setting.

Clause 15.01-3S *Subdivision Design* seeks to ensure the design of subdivision achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. The proposed subdivision provides an attractive and safe neighbourhood by providing extensive public open space, good amenity outcomes for future residents having north facing allotments, road connections that provide for the sharing of traffic volumes, providing alternatives in the event Fullarton Drive is inoperable, and connects with the wider Paynesville northern residential community.

Lot sizes are diverse allowing for a range of housing options and design while space has been provided to ensure the wildlife corridor along the Lake frontage will be retained including the protection of the Gippsland Red Gum that will provide immediate appeal for future residents. A footpath network has been developed to ensure that healthy lifestyles can be attained, car dependency can be reduced and the informal car parking area associated with the Point Fullarton Walking Track can be formalised.

The neighbourhood character of the northern Paynesville district area is categorised, in general, by single lots with detached dwellings. The proposed subdivision has been designed to ensure the character of significant land parcels and detached dwellings can continue. Lot sizes, shape and orientation provides consistency with neighbouring areas and promotes sustainable housing development. The proposed subdivision will maintain appropriate street development and alignment of roads and lots will fit comfortably within the locale as sought through Clause 15.01-5S *Neighbourhood Character*.

Clause 16.01-1S *Housing Supply* seeks to facilitate well-located, integrated and diverse housing that meets community needs. The proposed development

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provides an excellent opportunity to provide housing that is consistent with the character of the area, can facilitate housing which can take advantage of the solar aspect, represents appropriate development and infill of residential zoned land, integrates well with the existing urban fabric and provides housing opportunities within a town that has recently seen an extensive take up of existing (and future) housing stock.

Consistent with Clause 18.02 *Movement Networks* the proposed subdivision will provide for footpaths, road upgrades and new roads of a standard meeting the requirements of the Infrastructure Design Manual and achieving a safe and efficient network for pedestrians, cyclists and vehicles.

As sought by VPP 19 *Infrastructure* the proposed development will successfully link in with the existing infrastructure of the area and will improve stormwater drainage outcomes.

## 7.2 Local Planning Policy

The subject land has been identified for many years to be within the town boundary and is zoned for residential purposes. The land is therefore, considered infill development of a growth area. As sought by Clause 21.03 *Settlement* the proposed development achieves the relevant objectives and goals:

- Will make the best use of the community's investment in infrastructure.
- Ensures connection to reticulated sewerage
- Provides a diversity of lots in the form of size and shape ensuring that the future lots can be developed and enjoyed by a range of household types.
- Has been designed to deliberately avoid future climate change impacts and respect the foreshore fauna and flora.
- Provides for infrastructure links in the form of footpath and road connections to the wider precinct.
- Provides infill of an underutilised vacant residentially zoned property that is within the settlement boundary and connected to the wider township.
- Resists providing pedestrian trails through the adjoining native vegetation within the foreshore reserve, and directs pedestrian flow to existing road reserves (that link to the Fullarton Point Walking Track).

The proposed subdivision design enhances the environmental values of the precinct. Lessons learnt from previous proposals advise of the need to retain the Gippsland Red Gum which has been achieved, and to provide space for migrating vegetation in a southerly manner due to potential climate change through the provision of a generous area of public open space. Native vegetation required to be removed to facilitate the subdivision has been kept to an absolute minimum, and will be offset in accordance with the relevant ensuring the biodiversity of the area is maintained as sought by Clause 21.04-1.

As required by Clause 21.04-2 *Landscape*, the proposed subdivision's future development has been taken into consideration to ensure the landscape amenity of surrounding properties are maintained. The subject site is located within a heavily modified environment surrounded by extensive development to the south. The proposal incorporates building envelopes to reduce massing, scale and height. This is achieved through setbacks and height limitations, informing the design of future development to utilise the topography of the land with stepped design preventing excessive and prominent building form and massing across lots.

The use of water sensitive design through detention and treatment basins (incorporating untreated stormwater discharge on the property) is recognised as best practice and improves the quality of stormwater discharging from the new proposal (See Clause 21.03-4).

*Floodplain Management* at Clause 21.05-1 has been acknowledged and is accommodated for within the subdivision design. The proposal seeks to avoid



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the hazard with all development located above the 2.8 metre contour and resists maladaptation, such as proposing fill in the floodplain.

The adjacent western property is identified in the Paynesville Growth Area Structure Plan as land to be rezoned for residential purposes. The land is not identified as prime agricultural land and the development of urban development on the subject site will have little impact on the current maintenance grazing activities currently taking place on the western property (as it does on the subject land currently) ensuring productive agricultural land is not detrimentally impacted (Clause 21.06-1).

The proposed subdivision has appropriately considered the character of this northern precinct of Paynesville. The proposed lot orientation, size, shape and boundaries has had respect for the existing town character and amenity of neighbouring properties. The foreshore area is well respected through the setback of lots and subsequent built form from the foreshore reserve. Social impacts of the proposal have been considered and a social impact comment has been provided in a later section of this report, demonstrating compliance with Clause 21.07 *Built Environment and Heritage*.

Clause 21.08 *Housing* in local policy seeks to provide local content above State policy. The proposal will provide 59 lots within an established urban and residentially zoned area for future housing within a settlement, allowing for a diversity of housing and provides choice for future landowners.

Clause 21.12 *Strategies for Sub-Regions, Towns and Localities* describes Paynesville as forming part of the Lakes & Coastal Sub-region. It advises that Paynesville, located approximately 16 kilometres south of Bairnsdale, has grown in recent times, and acts as both a dormitory and retirement area. Opportunity for significant expansion of the town is recognised by virtue of the district town classification within the Coastal Settlement Framework at Clause 21.12-2.

The proposed subdivision is consistent with the vision for Paynesville, as it provides for the expansion of residential opportunities taking advantage of the features of the locality around boating, tourism and healthy living, with access to walking and riding trails, passive and active recreation.

Objectives relevant to the proposal include:

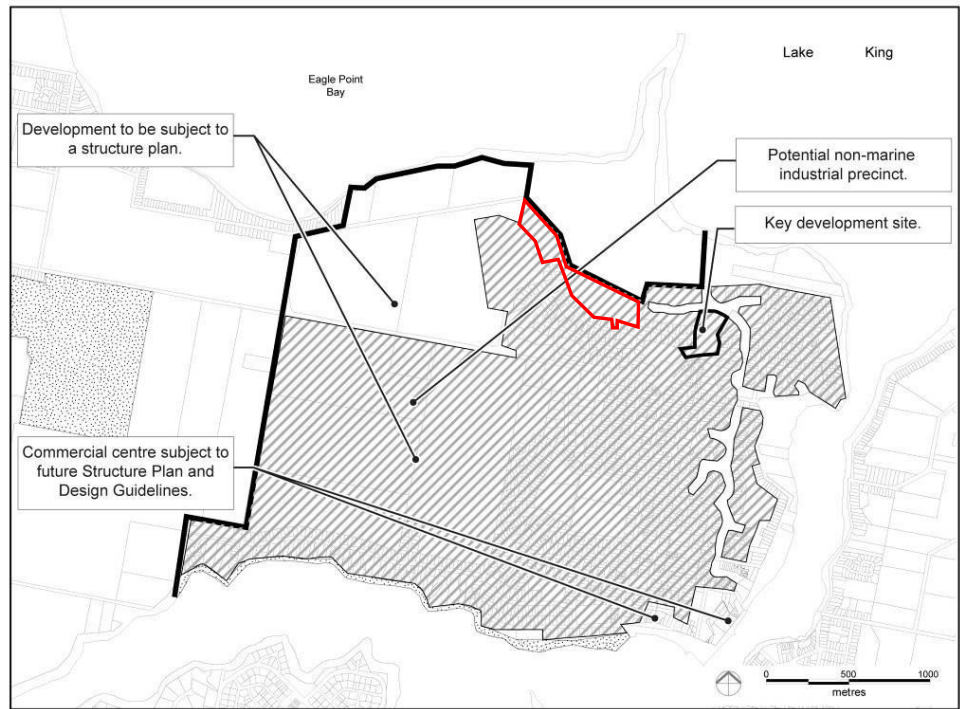
- To ensure that there is a connectivity between precincts, including residential, commercial and recreation town centre activity areas, the foreshore and waterfront and the natural environment.
- To manage the expansion of the town boundary and new residential development to ensure a variety of housing types and styles and add to the special character of Paynesville.

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Consistent with the relevant strategies that underpin the objectives, the proposal is consistent with the *Paynesville Strategy Plan* and provides opportunities to supplement and create new vegetated areas within the town boundary which will be achieved through the provision of an expansive area of public open space. Notably the subject land is identified as a residential area to 2020 in the *Paynesville Strategy Plan*.



LEGEND

- Settlement Boundary
- Key areas of open space

Residential development area to 2020

*Paynesville Strategy Plan, with subject land highlighted in red (Clause 22.12-2)*

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### 7.3 Paynesville Growth Area Structure Plan

On 2 August 2016 East Gippsland Shire Council adopted the *Paynesville Growth Area Structure Plan* ('PGASP').

The PGASP study area does not directly include the subject land, however it has high relevance as it relates to the direct western neighbouring property and the general growth of Paynesville.



Extract from Figure 1, with subject land marked in yellow (PGASP, p.6)

PGASP clearly identifies the land to the west of the subject land to be rezoned residential. It is our understanding that Council is currently preparing a Planning Scheme Amendment to achieve this objective. The plan also identifies the need for the continuation of Fullarton Drive to provide vehicular and pedestrian permeability of the precinct, allowing for traffic volumes and flows to be evenly distributed and to provide for orderly future development.

A Traffic Assessment Report prepared by SALT<sup>3</sup> forms part of the adopted PGASP document which specifies minimum construction standards for the extension of Fullarton Drive within the subject land, categorising the road as an Access Place, which proposes a 15.0m wide road reserve with a footpath on one side only.

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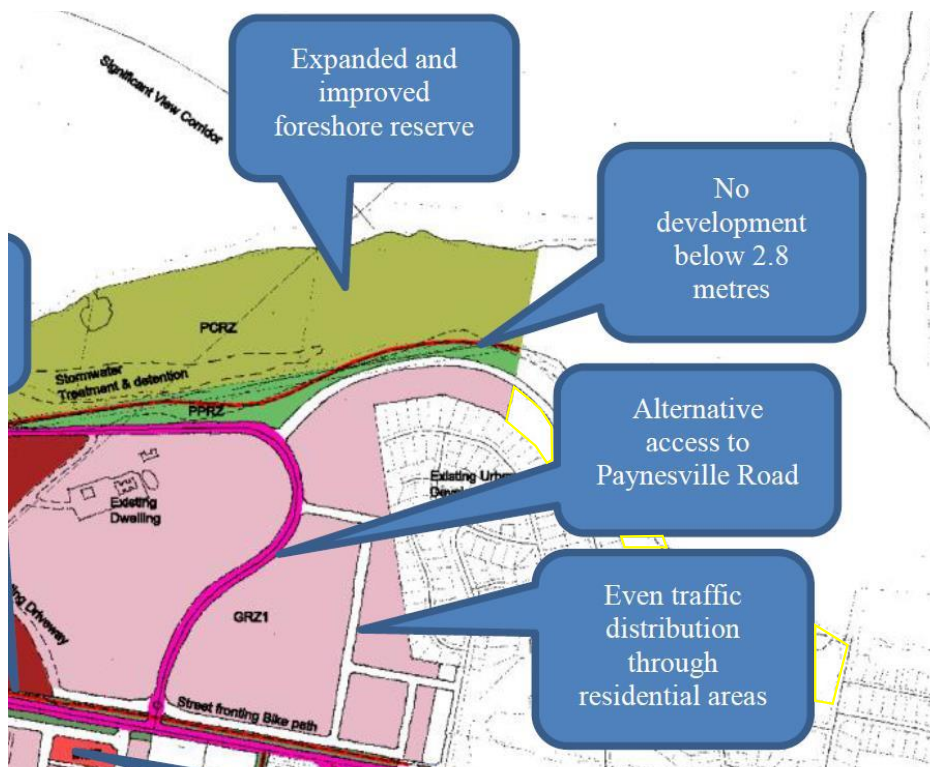
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*Proposed Road Categories, with subject land marked in yellow (SALT<sup>3</sup>, p. 37)*

PGASP anticipates parts of the precinct will be impacted by coastal climate change, and calls for careful consideration of the foreshore reserve below 2.8 metres AHD. The proposed subdivision will assist with this objective providing for stormwater treatment through nutrient stripping and revegetation opportunities within the extensive public reserve proposed below the 2.8 metres AHD contour.

The proposed subdivision is consistent with the objectives and guidelines as stipulated in PGASP, acknowledging that although adopted by Council it is yet to have any statutory weight.



*Extract from Annotated Preferred Urban Structure Plan,  
with subject land marked in yellow (PGASP, p.16)*



## 8. Planning Elements

### 8.1 General Residential Zone

The subject land is located in the General Residential Zone.



Extract from GRZ mapping (Source: VicPlan)

The proposed subdivision is entirely consistent with the purpose of the General Residential Zone ('GRZ') as it seeks to facilitate orderly development that respects the neighbourhood character of the area, both established and preferred. The proposal will result in housing growth in a location that is well placed in terms of access to services and facilities.

The subject application does not require consideration of garden area, given each of the proposed allotments exceeds 400m<sup>2</sup> in area. All proposed lots are appropriately dimensioned and oriented to accommodate future residential development with appropriate solar access, with sufficient area to accommodate private open space, garden area, externally accessible storage and vehicle manoeuvres.

There are no neighbourhood character objectives contained within Schedule 1 to the GRZ.

An application to subdivide land must meet the objectives and should meet the standards of Clause 56. An assessment of the proposed subdivision against the relevant objectives and standards of Clause 56 is provided in the following table.

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Objective	Design Response
<b>56.01-1</b> <b>Subdivision Site &amp; Context Description</b>	<b>Complies</b> <p>Earlier sections of this Report provide a detailed description of the subject land and surrounds, supported by an Existing Conditions Plan that forms part of this submission.</p> <p>The site sits within an existing residential precinct and has the ability to be connected to a full range of reticulated services.</p> <p>The site is located a short walk to Fullarton Reserve Walking Track and is within close proximity to community facilities, commercial services, educational facilities and active and passive recreation.</p>
<b>56.01-2</b> <b>Subdivision Design Response</b>	<b>Complies</b> <p>Allotments have been designed to complement the surrounding pattern of subdivision, will incorporate building envelopes to ensure view sharing and appropriate future built form development. Access is provided via a new road that leads from Burden Place to Molly Drive, and the western extension of Fullarton Drive. An expansive public open space reserve adjoining the foreshore reserve is proposed for passive recreational enjoyment and landscape/environmental improvements.</p>
<b>56.02-1</b> <b>Strategic Implementation Objective</b>	<b>Complies</b> <p>Please refer to Section 7 of this report for commentary on compliance with State and Local Policy, including the Paynesville Growth Area Structure Plan.</p>
<b>56.03-4</b> <b>Built Environment Objective</b>	<b>Complies</b> <p>The subdivision has been designed to facilitate future vehicle and pedestrian connectivity with the western adjoining property consistent with the PGASP.</p> <p>The proposed subdivision layout and incorporation of building envelopes integrates lots with the existing built form (housing) of the area.</p> <p>The provision of a large area of public open space will provide a community asset for occupiers of the proposed subdivision and the wider precinct.</p>
<b>56.04-1</b> <b>Lot Diversity &amp; Distribution Objectives</b>	<b>Complies</b> <p>The proposed allotments range from 600m<sup>2</sup> in area to 1,693m<sup>2</sup> in area, providing for diversity in size whilst being respectful of the existing allotment pattern and surrounding development.</p> <p>No average net residential density is specified for the subject land within the East Gippsland Planning Scheme.</p>



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Objective	Design Response
<b>56.04-2</b> <b>Lot Area &amp; Building Envelopes Objective</b>	<b>Complies</b> <p>With each proposed allotment in excess of 500m<sup>2</sup> in area, there is no requirement to nominate Building Envelopes as part of the proposal.</p> <p>Having regard for previous VCAT decisions, it was considered imperative to provide building envelopes to ensure appropriate future built form outcomes are achieved and view sharing is provided for neighbouring properties.</p> <p>Each of the proposed lots can easily accommodate a rectangle measuring 10m x 15m. The lot dimensions are appropriate to accommodate private open space, vehicle movements and infrastructure whilst maintaining good solar access.</p>
<b>56.04-3</b> <b>Solar Orientation of Lots Objective</b>	<b>Complies</b> <p>The proposed layout and orientation provides appropriate solar exposure to each allotment. All proposed lots are generous in size ensuring strong solar access, having regard for future built form outcomes.</p>
<b>56.04-4</b> <b>Street Orientation Objective</b>	<b>Complies</b> <p>All lots, with the exception of Lot 34, have the ability to front the new road, Burden Place or Fullarton Drive.</p> <p>The proposed new internal road will provide an active interface with the proposed public open space, and lots have been orientated to face the public open space and provide opportunities for casual surveillance.</p>
<b>56.04-5</b> <b>Common Area Objectives</b>	<b>N/A</b> <p>There are no areas of Common Property nominated.</p>
<b>56.05-1</b> <b>Integrated Urban Landscape Objectives</b>	<b>Complies</b> <p>It is anticipated that a condition on permit will trigger requirement for a Landscape Plan to be endorsed which will include the nomination of street trees to achieve the expected streetscape presentation for each of the road types, in addition to enhancing landscaping along Burden Place and Molly Drive.</p> <p>A Reserve Landscape Plan will also be required, informed by detailed drainage design of the proposed basins. It is considered important that landscaping in the public open space reserve has incorporates vegetation of a lower height to respect views of the Lakes enjoyed by current and future landowners, but ensuring a softening of future built form when viewed from the Lake and adjacent Crown land.</p>

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Objective	Design Response
<b>56.05-2</b> <b>Public Open Space Provision Objectives</b>	<b>Complies</b> <p>The proposed large area of public open space will perform a passive recreation, environmental and drainage function, incorporating water sensitive urban design techniques and enhance the nature based character of the area.</p> <p>Each of the proposed lots is within 1km of the proposed open space, consistent with the requirements of Standard C13.</p>
<b>56.06-2</b> <b>Walking &amp; Cycling Network Objectives</b>	<b>Complies</b> <p>A footpath will be developed along the southern side of the new road that will link to Fullarton Drive via Molly Drive.</p> <p>New footpaths will be provided on each side of the Fullarton Drive extension. The width of each road is sufficient for the joint use of vehicles and cyclists.</p>
<b>56.06-4</b> <b>Neighbourhood Street Network Objective</b>	<b>Complies</b> <p>As advised by the Traffic Impact Assessment the proposed roads are of suitable widths to accommodate additional traffic volumes, with the surrounding road network able to readily accommodate any additional traffic. Proposed road designs were determined to be consistent with the IDM, the Planning Scheme and best practice.</p> <p>No modifications to the existing road network are considered necessary, and all lots can be easily accessed by service and emergency vehicles.</p>
<b>56.06-5</b> <b>Walking &amp; Cycling Network Detail Objectives</b>	<b>Complies</b> <p>Footpaths have been logically located to provide appropriate pedestrian access. Pavement edge, kerb and channel are integrated to ensure safe travel for cyclists. Footpaths are of a sufficient width to accommodate wheelchairs, prams and other footpath bound vehicles.</p>
<b>56.06-6</b> <b>Public Transport Network Detail Objectives</b>	<b>Complies</b> <p>Unfortunately, public transport within Paynesville is limited. The PGASP Traffic Assessment Report does not suggest any future bus routes north of Paynesville Road, suggesting that <i>"the street forms as proposed will be adequate to accommodate alterations to accommodate bus stops as required"</i> (p.46). As the land to the west of the subject land is further developed with an access onto Paynesville Road there may be the need to provide for bus stops further to the west, however at this time based on the strategic vision it is unlikely considered unlikely.</p>

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Objective	Design Response
<b>56.06-7</b> <b>Neighbourhood Street Network Detail Objective</b>	<b>Complies</b> The proposed road network will be constructed to the specifications of Infrastructure Design Manual (refer to Access and Servicing Strategy Plans). We understand these specifications are prioritised over those contained within the Planning Scheme.
<b>56.06-8</b> <b>Lot Access Objective</b>	<b>Complies</b> The proposed subdivision has been designed to ensure safe and convenient vehicle access and egress for all allotments. None of the proposed allotments will be provided access from an arterial road and each of the Lots are greater than 300m <sup>2</sup> in area.
<b>56.07-1</b> <b>Drinking Water Supply Objectives</b>	<b>Complies</b> Reticulated drinking water is available to the land. It is expected that a condition of permit will require the owner of the land to enter into an agreement with East Gippsland Water for the supply of reticulated water to each lot.
<b>56.07-2</b> <b>Reused &amp; Recycled Water Objective</b>	<b>N/A</b> East Gippsland Water, the relevant local authority does not have any requirements for the installation of reused and recycled water supply in this precinct at this time.  The use of rainwater tanks with a minimum retention & reuse of 2000 litres will allow for garden irrigation and use in sanitary facilities, reducing demand for reticulated water.
<b>56.07-3</b> <b>Wastewater Management Objective</b>	<b>Complies</b> It is expected that a Condition of permit will require the owner of the land to enter into an agreement with East Gippsland Water for the connection of each lot to the reticulated sewer network.
<b>56.07-4</b> <b>Stormwater Management Objectives</b>	<b>Complies</b> The accompanying Site Drainage Plans demonstrates how the site can be drained to best practice requirements.  It is proposed to utilise rainwater tanks with a minimum retention & reuse of 2000 litres, overflow for tanks will be drained via pipes to sediment basins (where in times of peak flows stormwater overflow will be diverted to drying areas and allowed to evaporate), then transferred to the wetland and/or bio-retention basin for release into a contour swale.  It is expected that a condition of permit will require the preparation of a Detailed Drainage Design to the satisfaction of Council.

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Objective	Design Response
<b>56.08-1</b> <b>Site Management Objectives</b>	<b>Complies</b> <p>The site will be managed to the satisfaction of the Responsible Authority. Site management techniques and information will be included within the project's Construction Management Plan, expected to be required as a Condition of Permit. It is expected that the Construction Management Plan must have regard for the amenity of existing neighbouring properties during construction activities.</p>
<b>56.09-1</b> <b>Shared Trenching Objectives</b>	<b>Complies</b> <p>Shared trenching for reticulated services will be undertaken where possible in accordance with the standards of the relevant supply agency.</p> <p>Shared trenching is a common construction method that also provides cost benefits to the developer. The need for shared trenching can be stipulated within permit conditions if necessary.</p>
<b>56.09-2</b> <b>Electricity, telecommunications &amp; Gas Objectives</b>	<b>Complies</b> <p>Electricity, telecommunications and gas are available within the precinct. Each of the proposed lots are able to be connected in accordance with the requirements of the respective service provider.</p>
<b>56.09-3</b> <b>Fire Hydrants Objective</b>	<b>Complies</b> <p>Details as to the location of fire hydrants will be provided as part of detailed construction documentation in accordance with permit conditions.</p> <p>Hydrants will be located to ensure appropriate coverage to rear of future dwellings by being within 120 metres of rear boundaries.</p>
<b>56.09-4</b> <b>Public Lighting Objective</b>	<b>Complies</b> <p>Street lighting will be provided in accordance with Council's standard, with detail regarding location and standard to be provided as part of detailed construction documentation.</p>

The assessment of the proposal against the relevant objectives and standards of Clause 56 indicates a high level of compliance. It is accepted that service provider and referral agency responses will form conditions of the permit. It is also acknowledged that further detailed plans will need to be submitted to address matters such as landscaping, drainage and construction management.

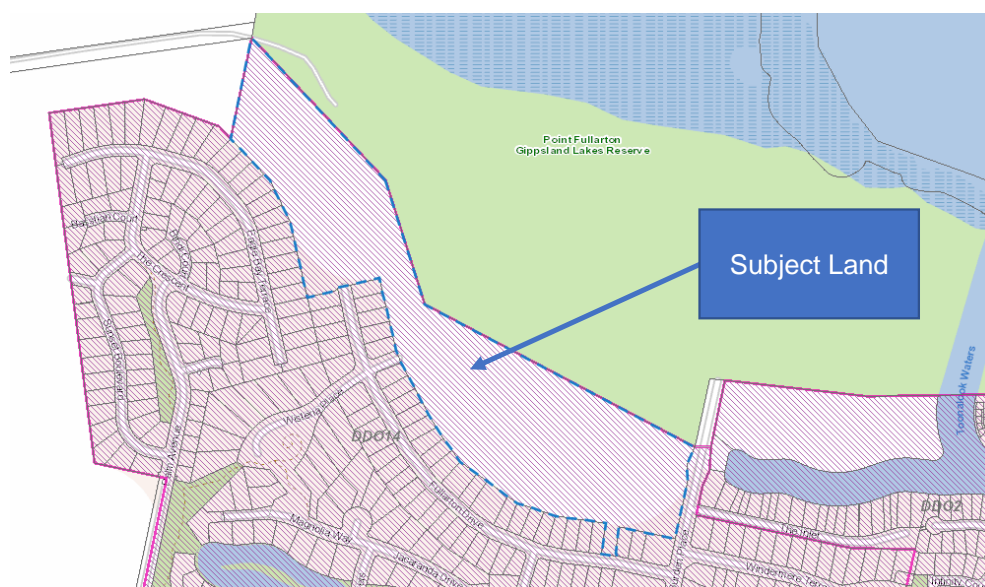
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## 8.2 Design and Development Overlay – Schedule 14

The property is located in the Design and Development Overlay - Schedule 14 (*Residential Development in Coastal Settlements: Paynesville*).



Extract from DDO14 mapping (Source: VicPlan)

The land is not located within any specific area identified in the Schedule, however objectives and decision guidelines apply to all areas including the subject land. We note there are no design objectives that relate specifically to subdivision.

It is considered that the proposed subdivision responds well to the objectives and decision guidelines of all areas:

- The township character of Paynesville in this precinct are of larger lots orientated to the north to capture solar access and take advantage of the expansive northerly views. The subdivision will continue to provide lots of similar orientation, shape and area to the adjoining lots. Lots to the east of the land are larger than adjoining lots to enable for an appropriate design response associated with future dwelling development.
- The height and visual bulk of future development on the lots to be created has been carefully considered. Building envelopes have been proposed to allow for view sharing, directing future dwellings to be designed with respect for the topography of the land and minimising height and scale when viewed from the water.
- Landscaping the public open space reserve and the existing vegetation within the foreshore reserve will provide softening of the future dwellings when viewed from the foreshore walking track and more so when viewed from the water.

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- There is an opportunity with the provision of public open space to in part restore the vegetated character of the area and provide for environmental gains via improvements to water quality and allowing for regeneration and space for vegetation migration in time.
- It is proposed to introduce Development Guidelines via a section 173 agreement that will specify a range of design requirements, height limitations, setbacks, minimising plant heights to the rear of lots backing onto existing development and the like.
- Care has been taken to ensure the protection of the Gippsland Red Gum, to ensure native vegetation within the foreshore and wetlands is respected via minimising excavations close to the vegetation, and preventing the direct release of stormwater into the wetlands.
- Pedestrian footpaths will be provided allowing pedestrian linkages into the wider precinct.
- The public open space provision will provide for and add to the foreshore wildlife corridor and act as a fauna refuge.
- The subdivision of private lots will be well above the predicted sea level rise combined with a 1:100 rainfall event (which is declared at 2.8 metres AHD in Paynesville).



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### 8.3 Land Subject to Inundation Overlay

A small part of the subject land is located in the Land Subject to Inundation Overlay, as depicted in the following image.



Extract from LSIO mapping (Source: VicPlan)

The subdivision design has been careful to avoid areas affected by the Land Subject to Inundation Overlay and areas that will potentially be impacted by future climate change. As such all proposed freehold lots to be created are well above the 2.8 metre AHD contour.

A contour swale drain is proposed to be constructed within the mapped overlay area. It is considered that this minor intrusion into the Overlay area is acceptable as it will provide for appropriate drainage discharge on the land rather direct than to the wetlands during the overwhelming majority of days.

The proposed works do not require planning approval, being associated with a minor utility installation (storm or flood water drains or retarding basins). Clause 62.02-1 exempts buildings and works associated with a minor utility installation.

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#### 8.4 Native Vegetation (Clause 52.17)

The proposal will result in the removal of a small patch of native vegetation, that has been significantly degraded as a result of weed infestation.

The application has appropriate regard for the provisions of Clause 52.17 *Native Vegetation*. The design has been developed to avoid where possible the removal of native vegetation including ensuring the large old Gippsland Red Gum is retained and avoidance of native re-vegetation removal that is occurring on the northern lower sections of the property adjacent to Crown land.



Extract from NVIM mapping, with vegetation to be retained shown in green, and removed shown in red (Source: <https://nvim.delwp.vic.gov.au/Biodiversity>)

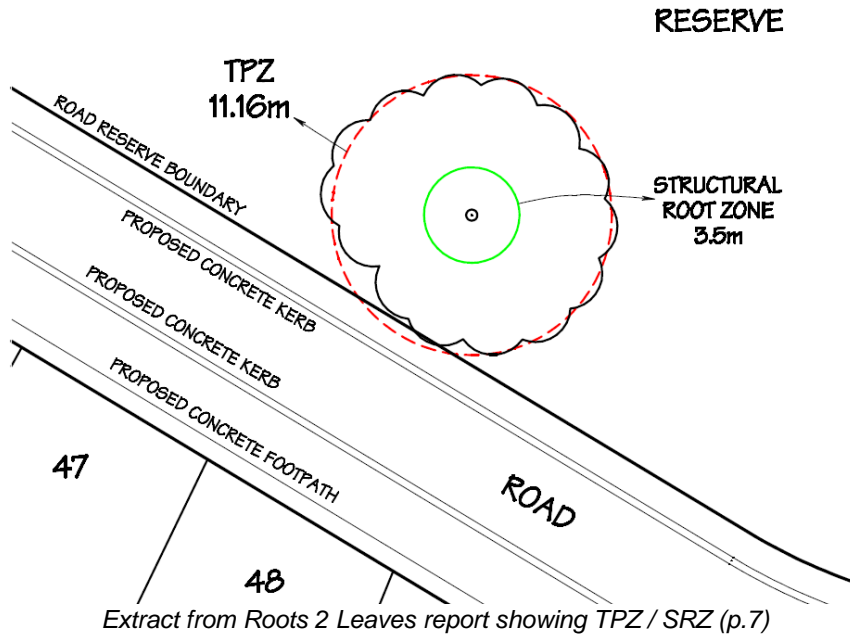
To ensure the large Gippsland Red Gum will not be impacted as a result of the subdivision, an Arborist was commissioned to inspect the tree, determine the Tree Protection Zone and Structural Root Zone of the tree, and to provide recommendations on protection measures to be adopted during construction, to ensure the ongoing health of the tree. A Development Site Report prepared by Roots 2 Leaves Tree Services is provided in support of the Planning Application.

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The small area of lower grade native vegetation proposed to be removed from the south-eastern part of the subject land comprises isolated and heavily degraded native vegetation.



Vegetation to be removed, viewed from Burden Place  
(Date of photograph: 9 August 2022)

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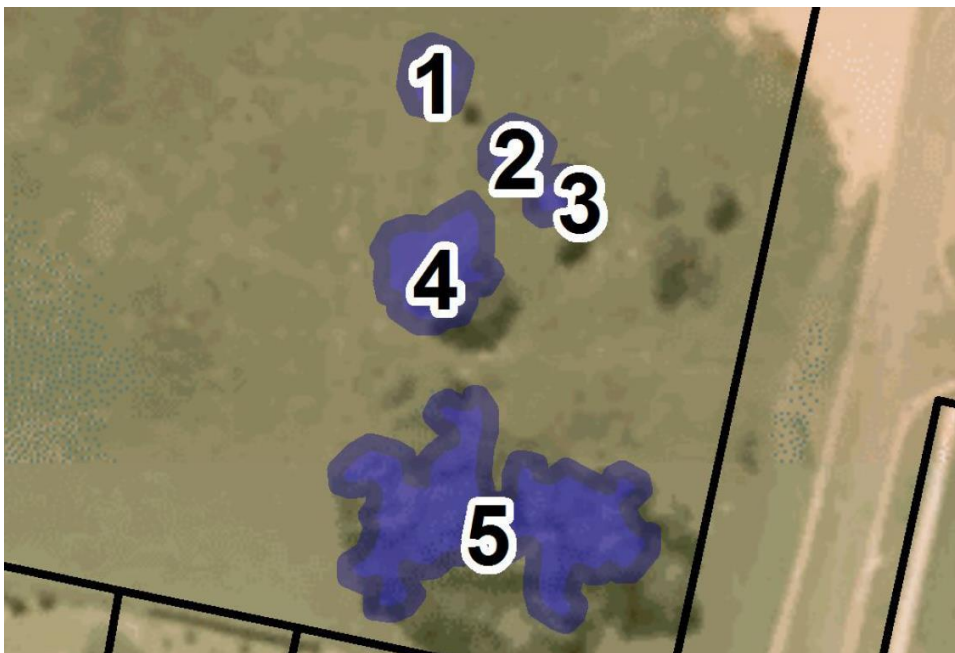
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*Vegetation to be removed, viewed from Burden Place  
(Date of photograph: 9 August 2022)*

Five small patches with a combined extent of 0.058 hectares are proposed to be removed, with no large trees included within the patches, and no large or small scattered trees to be removed.



*Mapped extent of native vegetation to be removed (Source: NVIM Report)*

The extent of vegetation proposed to be removed has been minimised as far as possible, with no ability to avoid vegetation loss and achieve a structured urban form with appropriate access provisions.

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*Extent of vegetation removal proposed has been minimised as far as possible  
(Date of photograph: 9 August 2022)*

A Native Vegetation Removal Report has been prepared documenting the extent of vegetation proposed to be removed, confirming the application is able to proceed under a Basic Assessment Pathway.

To compensate for the loss of native vegetation, a third-party offset will be secured to ensure no net loss of biodiversity, in accordance with the requirements of Clause 52.17-5. The offset type is a general offset and the offset amount is 0.014 general habitat units. A quotation from Vegetation Link confirming the availability of the required credits with all necessary attributes has been obtained and is included with the application.

In response to the application requirements specified at Table 4 of the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) ('the Guidelines') we offer the following comments.

Requirement	Response
1. Information regarding native vegetation to be removed.	<p>The enclosed Vegetation Removal Plan depicts the extent of native vegetation to be lost in the context of the property.</p> <p>Please refer to the enclosed Native Vegetation Removal Report ('NVRP') that confirms the Application is able to proceed under a Basic Assessment Pathway.</p> <p>The extent of vegetation removal proposed includes five small patches totalling 0.058 ha. No scattered trees or large trees within patches are proposed to be removed.</p> <p>The NVRP has determined the strategic biodiversity value score of the vegetation presumed to be lost is 0.176, with a condition score of 0.240.</p>

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Requirement	Response
<b>1. Information regarding native vegetation to be removed</b>  <b>(continued)</b>	<p>The subject land does not include any coastal areas or sensitive wetlands.</p> <p>General offsets in the order of 0.014 general habitat units with a minimum strategic biodiversity value score of 0.176 will be required to compensate for the native vegetation loss.</p>
<b>2. Topographic and land information</b>	Please refer to the enclosed Existing Conditions Plan that confirms the subject land is undulating with slopes exceeding 20 percent, there is little evidence of erosion.
<b>3. Recent, dated photographs of the native vegetation to be removed</b>	<p>In addition to photos provided on previous pages, the following photos are of the native vegetation to be removed, taken on 25 March 2022.</p> 



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Requirement	Response
4. Other vegetation removed	We are unaware of any other native vegetation approved to be removed, removed without the required approvals, on the subject land or contiguous land in the same ownership.
5. Avoid & minimise statement	<p>The subject land is identified as an area for residential development. In delivering the expected outcome and creating lots each less than 4,000m<sup>2</sup>, all vegetation within the property boundaries of proposed freehold lots is presumed lost in addition to the loss associated with the new road. The application seeks to minimise the removal of native vegetation by retaining one large native tree (Gippsland Red Gum). Retention of the tree has been assessed by an arborist. The investigation has identified opportunities in by which the tree can be afforded protection and retained.</p> <p>Works associated with the construction of road infrastructure and service provision will be located outside the Tree Protection Zone.</p> <p>Vegetation in proximity to the northern boundary, adjoining Crown land, is also avoided.</p> <p>A third party offset will be provided to compensate for the loss of native vegetation, to the satisfaction of DELWP.</p>
6. Property Vegetation Plan	Not applicable – A Property Vegetation Plan made pursuant to Section 69 of the <i>Conservation, Forests and Land Act 1987</i> has not been prepared.
7. Defendable Space	Not applicable – the subject land is not located within the Bushfire Management Overlay.
8. Native Vegetation Precinct Plan Response	Not Applicable – the Application is not made under Clause 52.16. No Native Vegetation Precinct Plan applies to the subject land.
9. Offset Statement	Please refer to the enclosed quotation from Vegetation Link (dated 26 July 2022) confirming that the required native vegetation credits with suitable attributes are available for purchase from a third party. The quotation confirms the offset will be located within the boundaries of either the East Gippsland Catchment Management Authority or East Gippsland Shire.

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## 8.5 Public Open Space Contribution and Subdivision (Clause 53.01)

The Plan of Subdivision included within the accompanying title search particulars details that a public open space contribution has been made previously. Accordingly, no further contribution is required, pursuant to Section 18(5) of the *Subdivision Act 1988*.

Regardless, it is proposed to create a public open space reserve of 3.613 hectares to be vested with Council. The public open space will provide for passive recreation, landscaping, water quality treatment and environmental benefits.

It is acknowledged that a small portion of the proposed Reserve will be burdened by stormwater infrastructure. Given this infrastructure will treat the wider catchment including the subject land, delivering improvements in water quality above and beyond that required by the subject Application.

It is expected that Council will require the development of a Reserve Landscape Plan as a Condition of Permit, and that the Reserve will be transferred to Council ownership in a fully developed form, following the standard maintenance period.

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## 8.6 Traffic Implications

The Application is supported by a Traffic Impact Assessment prepared by Traffix Group. The Assessment was informed by traffic surveys, intersection turning movement counts and a review of accident data for the locality

Consistent with the methodology adopted in traffic studies supporting the Paynesville Growth Area Strategy, the Traffix Report also adopted a conservative rate of 7 vehicle trips per day per lot. The Assessment determined the surrounding road network is capable of accommodating the additional traffic likely to be generated by the proposed subdivision, and that the proposed new road standards are consistent with the requirements of the Infrastructure Design Manual, Clause 56 of the East Gippsland Planning Scheme, and best practice.

The Assessment concludes with the following statement:

*“Overall, there are no traffic engineering reasons why a permit for this residential subdivision should not be granted, subject to appropriate conditions” (p.29).*

## 8.7 Social Impact Comment

Given the application seeks to create between twenty and sixty lots, Policy Guidelines for Residential Development as detailed at Clause 21.08 require the provision of a Social Impact Comment in accordance with Council's *Social Impact Assessment Guidelines for Development Applications* (May 2013) ('SIA Guidelines').

We provide the following comments based on the discussion points provided at Attachment 4 of the SIA Guidelines:

- 2021 Census data recently released for the Statistical Area of Paynesville indicates an average of 2.0 persons per household. It is estimated the development of 59 proposed lots would result in a population increase of 118 persons, being an increase of 2.7% on the 2021 Census data. The inclusion of 59 new dwellings represents a 2.1% increase in the number of dwellings for the statistical area. The estimated resident population over the past five years has increased by 203 persons, or 5%. On that basis the additional population resulting from the proposed subdivision is not considered to be of statistical significance.
- The median age of the Statistical Area of Paynesville is 63 years. This reflects an aged community, much older than the National median age of 38 years.
- The proposed subdivision will not result in any benefit or disadvantage, direct or indirect, to a particular population cohort or group in the community.
- The proposal will not create any increased employment opportunities, other than those generated as a consequence of construction activity.
- Median rent and mortgage repayments for the Paynesville statistical area are substantially less than the Australian average, indicating more affordable housing. The creation of additional allotments will deliver improvements consistent with the objectives promoted by *Homes for Victorians* (2017).
- The proposal is not considered to have an impact on current social, recreational or community infrastructure in the precinct, based on the benchmarks for quantitative analysis provided at Table 4 of the SIA Guidelines.
- The proposed development will expand the existing footpath network, which will in turn decrease the risk for pedestrians within the development and the precinct.

In summary, the proposed subdivision represents a sound social outcome.

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## 9. Conclusion

The proposed multi-lot subdivision and removal of native vegetation at 10 Fullarton Drive, Paynesville is considered to accord with all relevant provisions of the General Residential Zone, Design and Development Overlay 14, Land Subject to Inundation Overlay and relevant Particular Provisions of the East Gippsland Planning Scheme.

The subdivision has been designed in a site responsive manner balancing competing policies and objectives contained within the East Gippsland Planning Scheme, and having regard for community expectations and previous decisions by VCAT. The resultant proposal is consistent with the Planning Policy Framework and Local Policy and has been designed to complement the adjoining properties.

For these reasons we respectfully request that Council consider the merits of the application favourably and resolve to issue a planning permit.

East Gippsland Shire Council

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## 10. Attachments

- Application Form (lodged via Portal)
- Existing Conditions Plan (Version 1)
- Plan of Levels (Existing Conditions) V2
- Proposed Subdivision Plan (Version 3)
- Proposed Building Envelope Plan (Version 6)
- Vegetation Removal Plan (Version 1)
- Draft Development Guidelines
- Archaeological and Heritage Management Solutions
  - CHMP 10690
- Roots 2 Leaves Tree Services
  - Development Site Report
- Crossco Consulting:
  - Access & Servicing Strategy
  - Stormwater Management Strategy
- Traffix Group
  - Traffic Engineering Assessment
- Modan
  - Sectional drawings
- Native Vegetation Removal Report (21 July 2022)
- Vegetation Link
  - Quotation (26 July 2022)
- Waterway Management Consultants
  - Peer review and letter of support (5 August 2022)
- Copy of Title



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# **Northviews Residential Subdivision, 10 Fullarton Drive, Paynesville, Gippsland Lakes, Southeast Victoria**

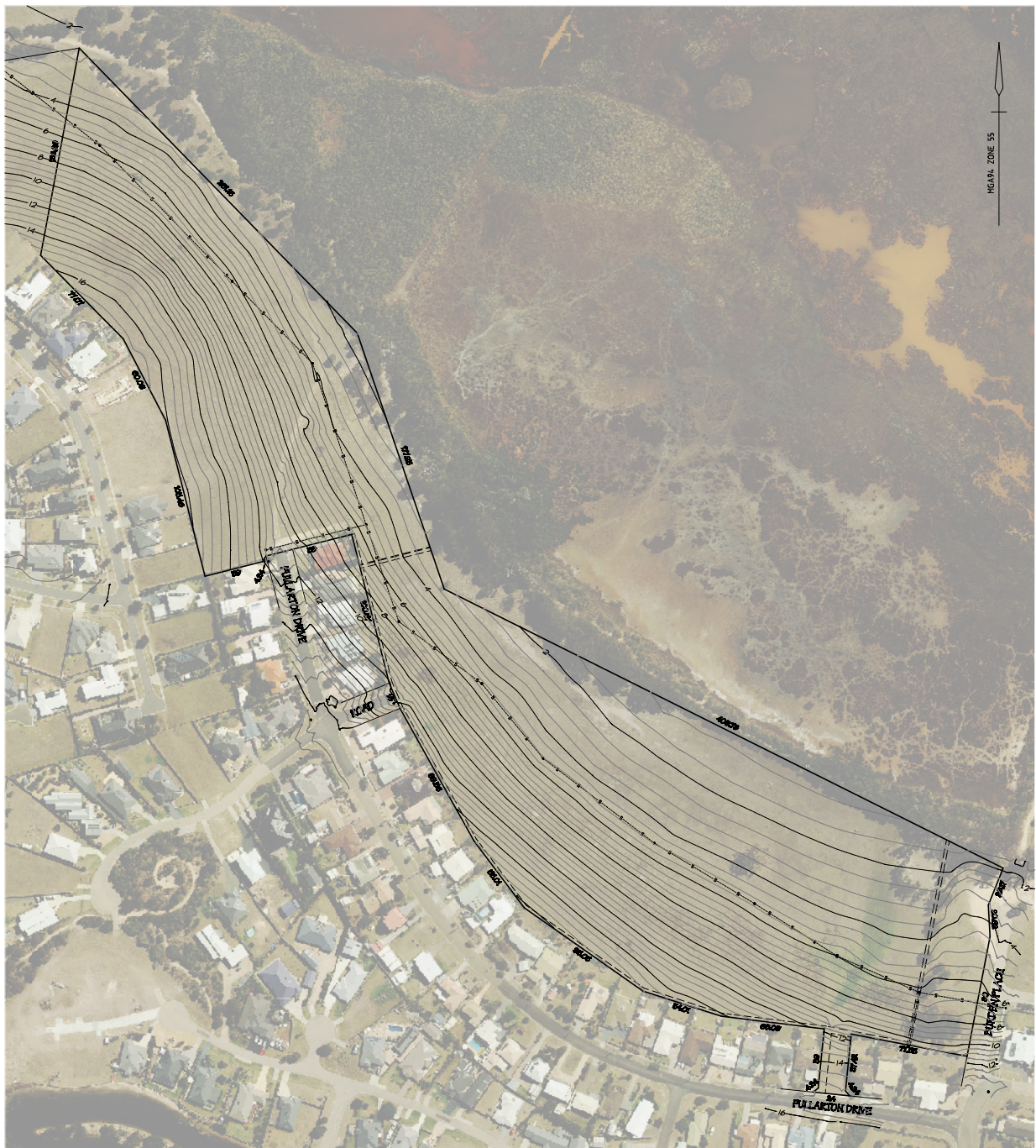
## **COMPLEX CULTURAL HERITAGE MANAGEMENT PLAN (MEDIUM)**



Cultural Heritage Management Plan Identifier: 10690  
Date of Completion: 15<sup>th</sup> April 2010



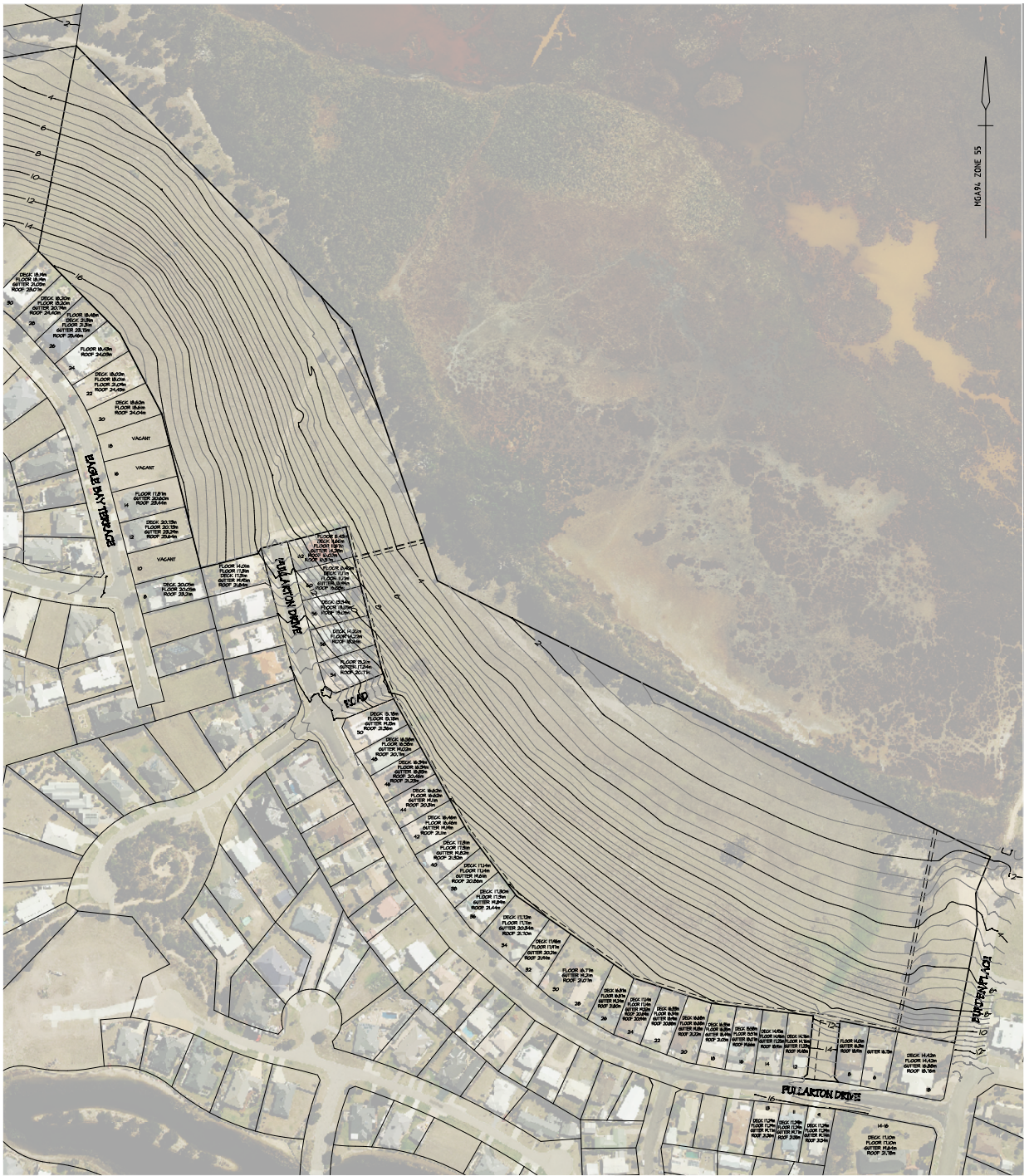
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<p>RESI VENTURES PTY LTD 10 FULLARTON DRIVE, PAINESVILLE</p>	<p>SCALE (HORIZONTAL)</p> <p>1 : 1250</p>	<p>SCALE (VERTICAL)</p> <p>1 : 2500</p>	<p>NOTATIONS</p> <p>AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY</p>	<p>EXISTING CONDITIONS PLAN</p> <p>PARTISH OF BAINSDALE CROWN ALLOTMENT 144 (PART) LOT 6 ON PS911448U</p>
<p><b>Crowther &amp; Sadler</b> Pty Ltd LICENSED SURVEYORS &amp; TOWN PLANNERS 180 HARGREAVE STREET, PAINESVILLE, VIC 3910 P 03-498 8011 E contact@crowthersadler.com.au</p>	<p>SCALE (HORIZONTAL)</p> <p>1 : 1250</p>	<p>SCALE (VERTICAL)</p> <p>1 : 2500</p>	<p>REVISIONS</p> <p>19972 VERSION 1 - PS911448U 14/04/2022</p>	<p>Printed 14/09/20 Page 67 of 11</p>



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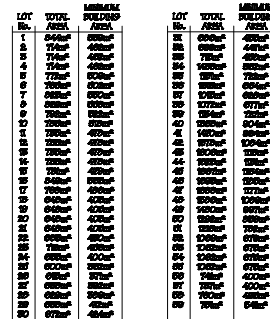
RESI VENTURES PTY LTD 10 FULLARTON DRIVE, PAYNESVILLE		NOTATIONS		PLAN OF LEVELS (EXISTING CONDITIONS)
Crownthorpe & Sadler Pty Ltd LICENCED SURVEYORS & TOWN PLANNERS 150-152 GERRARD STREET, MELB. VIC. 3000 P. 03-9588 8811 E. crownthorpe@csadler.com.au		AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY CONTOUR INTERVAL - 0.5m		
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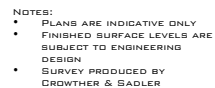
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<p><b>RESI VENTURES PTY LTD</b> 10 FULLARTON DRIVE, PAINESVILLE</p> <hr/> <p><b>Crowthorne &amp; Sadler Pty Ltd.</b> <b>LICENCED SURVEYORS &amp; TOWN PLANNERS</b> 191 MACDOUGALL STREET, MELB. VIC. 3000 P 03-9486 8811 E crowthorne@csadlers.com.au</p> <hr/> <p>FULLARTON VIC, Lot 1050-1059, 1070-1079, 1090-1099, 1102-1st Verandah, 1102-2nd Prop Village</p>	<p><b>SCALE (HIGHEST SCALE)</b></p> <p>1 : 1250</p> <hr/> <p><b>SCALE (SMALLEST SCALE)</b></p> <p>1 : 2500</p>	<p><b>SUBDIVISION ID#:</b></p> <p>19172</p> <p>VERSION # - PRVW 27-04-2022</p>	<p><b>NOTATIONS</b></p> <p>AREAS ARE APPROXIMATE ONLY DIMENSIONS ARE SUBJECT TO SURVEY</p>	<p><b>PROPOSED SUBDIVISION</b></p> <p>PARRISH OF BAIRNSDALE CROWN ALLOTMENT 144 (PART) LOT C ON PS311448U</p>
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<b>CLIENT</b>	<b>ADDRESS</b>
Resi Ventures	Paynesville, Victoria
<b>PROJECT</b>	<b>STATUS</b>
Paynesville	DRAFT

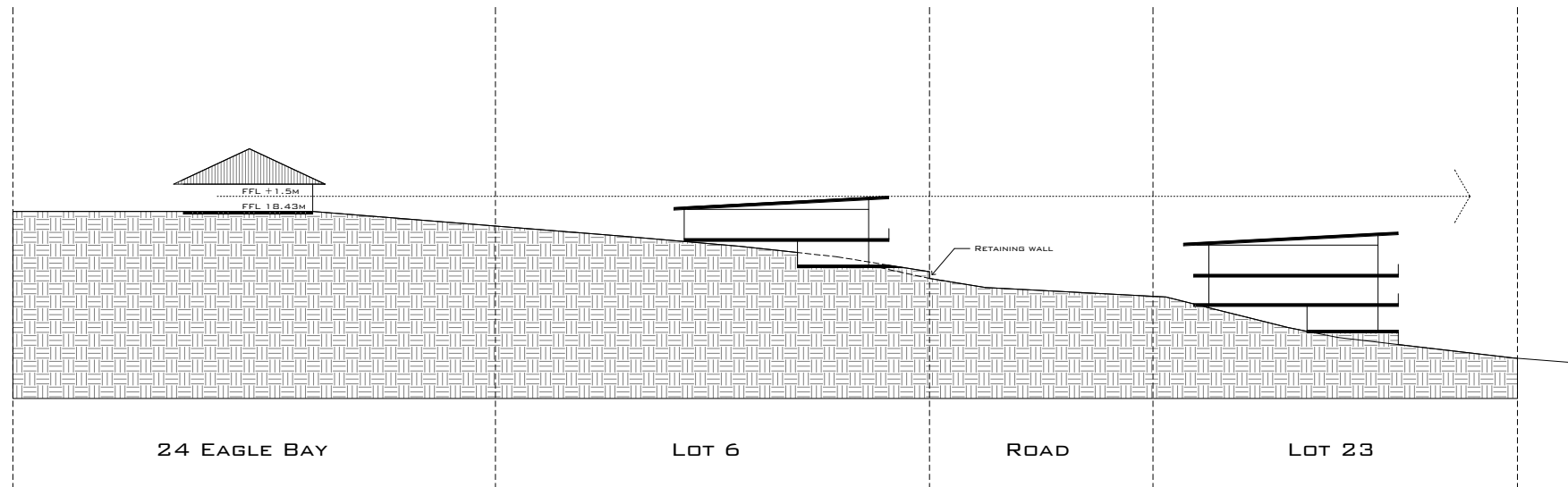
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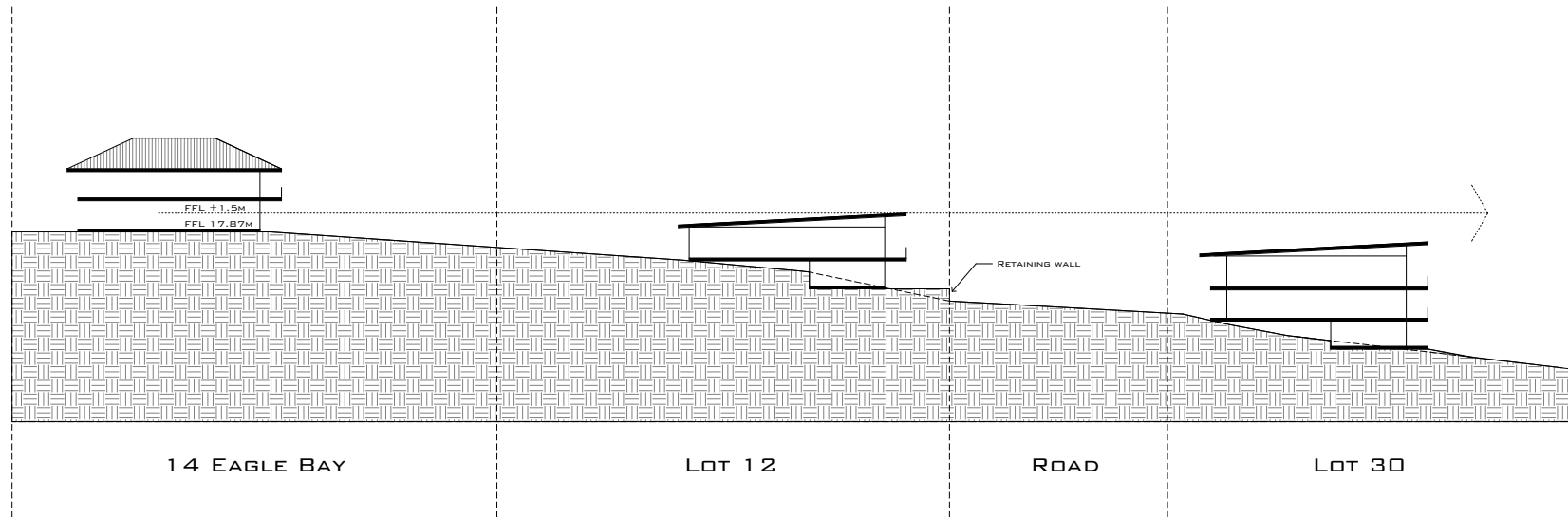
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UD102	24 Eagle Bay	CLIENT	ADDRESS	DATE
		Resi Ventures	Paynesville, Victoria	8/8/2022
	Scale 1:200 @A1	PROJECT	STATUS	VERSION
		Paynesville	DRAFT	3

UD102	24 Eagle Bay	CLIENT	ADDRESS	DATE
		Resi Ventures	Paynesville, Victoria	8/8/2022
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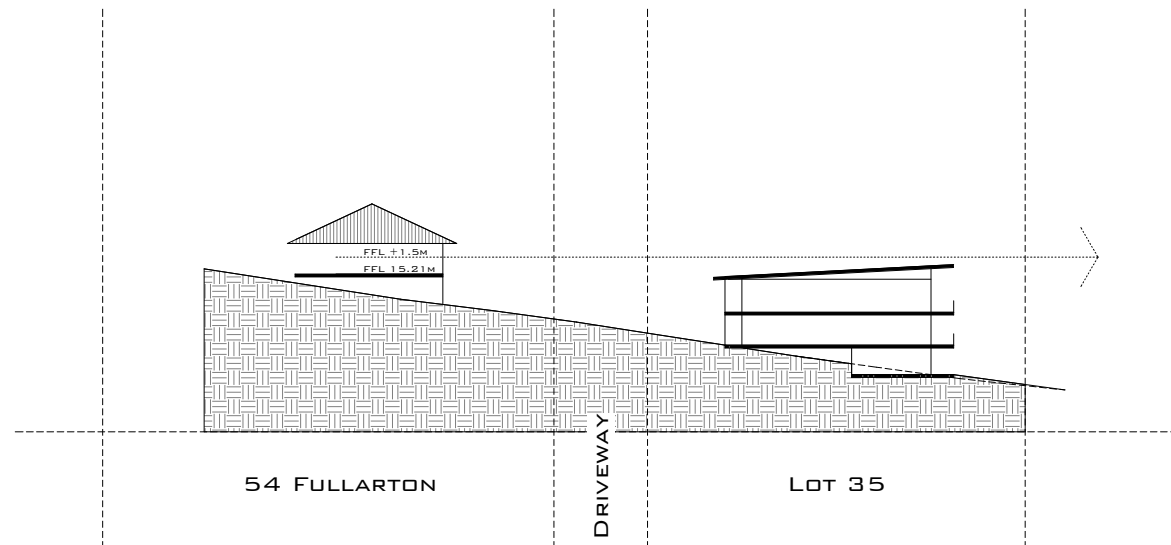


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UD103 14 Eagle Bay  
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CLIENT Resi Ventures  
ADDRESS Paynesville, Victoria  
PROJECT Paynesville  
STATUS DRAFT  
DATE 8/8/2022  
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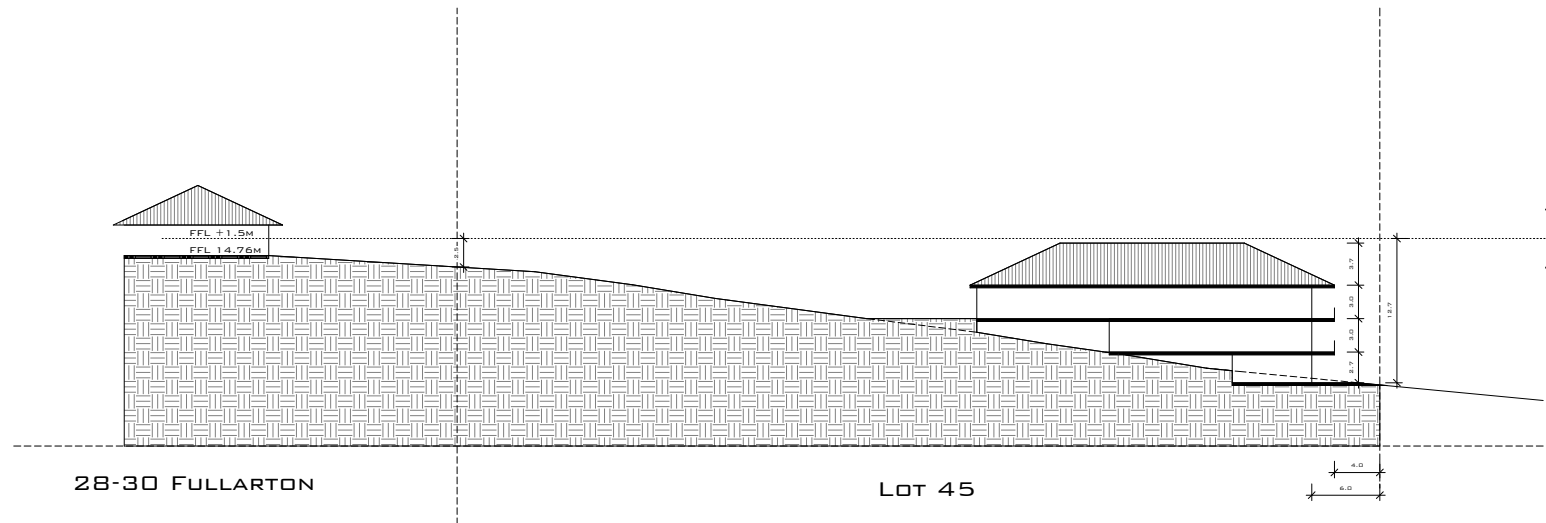
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		Resi Ventures	Paynesville, Victoria	8/8/2022
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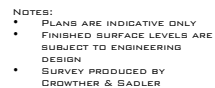


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		Resi Ventures	Paynesville, Victoria	8/8/2022
		PROJECT	STATUS	VERSION
	Scale 1:200 @A1	Paynesville	DRAFT	3

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**DRAFT DEVELOPMENT GUIDELINES**  
**10 Fullarton Drive, Paynesville**  
 Lot C on PS311448U

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## **INTRODUCTION**

These Guidelines have been prepared to protect and enhance the value and amenity of the estate and adjoining properties by ensuring future development is sympathetic to existing development and subject to similar planning and development controls and considerations.

## **DESIGN PHILOSOPHY**

The design philosophy for the residential development is to assist owners and their designers to build homes with a cohesive appearance throughout the estate, respectful of the surrounding environment.

In general, the design philosophy has been based around a style that can be referred to as Coastal Urban Design that encourages built forms and landscaping to emphasise the coastal atmosphere of the locality.

## **AIM**

- Establish an appropriate architectural, landscape and coastal urban character with design elements that respond to the coastal identity and contributes to the natural setting.
- Create a quality residential development with high standards of design and construction to establish visual connectivity and compatibility throughout the estate.
- Retain important vistas of the Gippsland Lakes and its environs.
- Encourage the exploration and use of the most appropriate, site responsive and environmentally sensitive engineering solutions to optimise energy efficiency.

## **GUIDELINE ELEMENTS**

### **1. BUILDING SETBACKS**

- All front, side and rear setbacks must comply with ResCode, unless otherwise outlined in the building envelope diagrams or s173 Agreement.
- All Buildings, including outbuildings must be contained within the building envelope nominated on the Building Envelope Plan as endorsed by Council or as amended from time to time. Swimming pools, pool fences and retaining walls may be constructed outside the building envelope.
- Garage doors must be setback a minimum of 5 metres from the property frontage to provide opportunity for off-street visitor parking.
- Buildings must not be set back from the front street alignment more than one-third of the depth of the allotment, in accordance with Building Regulation 73.

### **2. SITE PLANNING AND DESIGN**

- Buildings must be appropriately designed to minimise visual impacts from the public realm.
- Consider the location and conditions of the site, e.g., slope, views, overshadowing and solar access, overlooking private open spaces of neighbouring properties. Design to maximise northerly views.
- Access constraints into lots will determine the position of the garage and the configuration of the dwelling. In general, vehicle access and garage positioning should be closer to the road frontage thereby reducing land cut and retaining walls.
- Utilise sun penetration with shading to optimise passive solar benefits in conjunction with insulation and other building methods to conserve energy. Sun protection of walls, openings and

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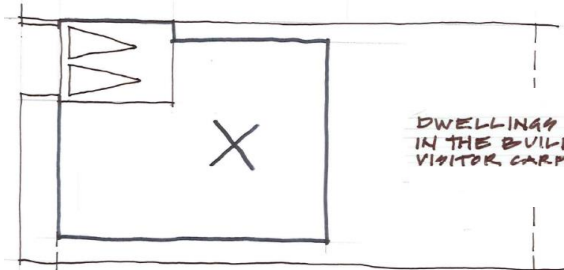
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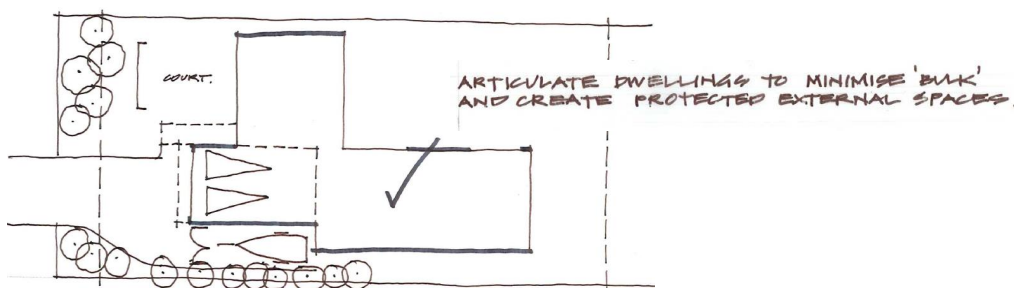
Page 2

terraces should be achieved by roof overhangs, verandahs, pergolas or other structurally integrated elements of the building.

- Building envelopes are minimum dimensions. Further indentations and recesses to articulate facades are encouraged. A sheer un-modulated building façade to the minimum front setback are not supported.

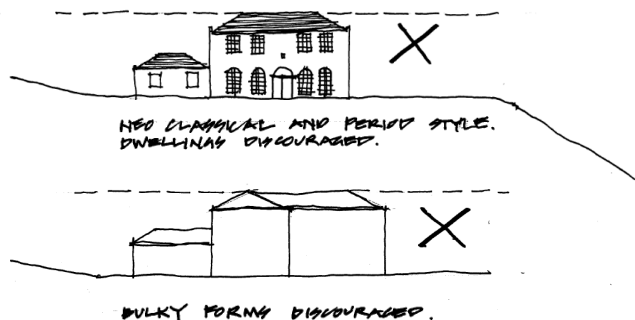


- Corner site designs must address both street frontages through landscaping solutions to both street frontages.
- Design dwellings, terraces, etc. to prevent overshadowing and overlooking of habitable rooms and private open spaces of neighbouring properties.



### 3. BUILT FORM

- Buildings should be designed with a modulated and stepped or terraced profile towards the north. The aim is for a gradual transition from the streetscape towards the foreshore.
- Replicated historical or period designs are inappropriate and will not be approved. Designs that incorporate and reflect the forms of a coastal environment with a relaxed, lightweight style are encouraged.



- Transportable buildings and dependent persons units are not permitted.

### 4. BUILDING HEIGHT

The Building Envelope Plan as endorsed by Council nominates a maximum building height to Australian Height Datum (AHD) for each allotment, with the objective being to protect the visual amenity and maximise the sharing of views throughout the estate.

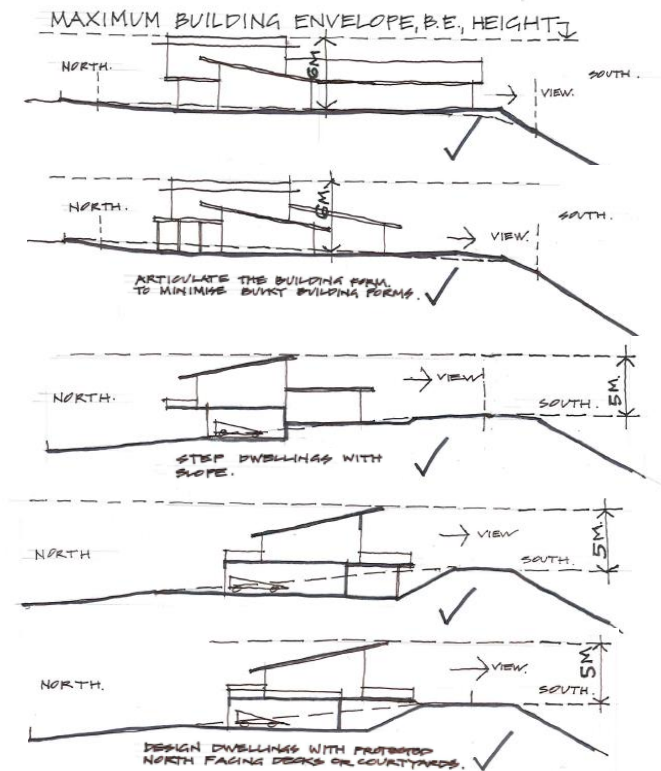
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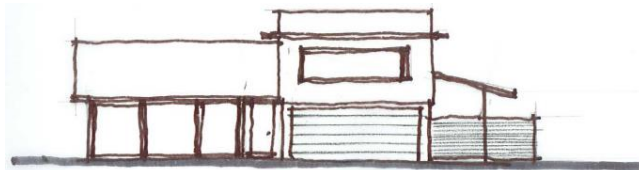
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Buildings on sloping land should be designed in a manner that reduces the overall height above natural surface level, with split level designs encouraged. For the avoidance of any doubt, no part of any structure may exceed the maximum building height. This includes the roof and any roof-top elements, such as solar panels or antennas.



## 5. GARAGES, CARPORTS AND OUTBUILDINGS

- Each lot must provide for fully enclosed or covered parking for not less than 2 cars.
- The siting of the garage/carport should not visually dominate the streetscape but should be integrated and appear as a complementary part of the dwelling.



- Garages, carports and outbuildings incorporated within the roof structure of the dwelling are preferred.
- Freestanding structures that are part of an overall integrated design for the lot and constructed of materials consistent with those used for the primary dwelling are also encouraged.
- Outbuildings may only be constructed in conjunction with or subsequent to the construction of a dwelling.
- Outbuildings must not be constructed of or clad entirely in Colorbond or the like.
- For the avoidance of any doubt, outbuildings must also comply with the building height restrictions, and must be contained within the Building Envelope.

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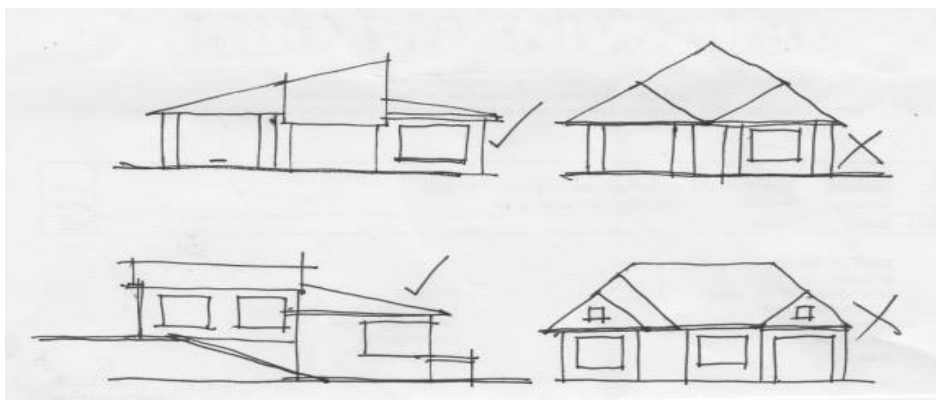
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## 6. WINDOWS AND OPENINGS

- Windows should be located to optimise views where possible and to take advantage of solar access to living areas.
- The coastal theme and views encourages the use of large window openings. Window grouping and placement in relation to solid walls should be balanced in relation to overall proportions.

## 7. ROOF FORM

- Varied but harmonious range of roof forms to blend with the general slope of the land and designed to allow views from adjoining sites is encouraged.
- Complementary roof design is important to maintain a coherent image for the development and to avoid competing and dominating forms.
- Roof form, material and colour on garages and carports should be integrated and complementary to the main house roof.
- Simple, low pitched roof forms with profiles that are sympathetic to the slope and are integrated within the total building design are encouraged.
- Roof forms that incorporate any elements of hip or gable construction will not be approved.



## 8. EXTERNAL MATERIALS AND COLOURS

- Building materials and colours must complement the natural coastal environment and vegetation. A subdued and natural palette is preferred to minimise reflection and glare.
- Variation in building materials is encouraged to provide articulation and interest. Careful consideration should be given to the percentage and proportion of the appropriate materials to provide a balanced mix.
- Small architectural elements, such as accents, features and imaginative elements, which use highlight colours or materials are encouraged.
- New materials must be utilised for all buildings, excluding recycled materials considered appropriate by the Responsible Authority on the basis of architectural merit.

## 9. SERVICE AREAS AND EXTERNAL FIXTURES

- Boats, caravans, recreational vehicles or trailers parked on any lot must be reasonably concealed from public view from the street, reserves, adjoining allotments and the lake.
- No boats, caravans, recreational vehicles or trailers may be parked within 10 metres of the rear boundary of an allotment.

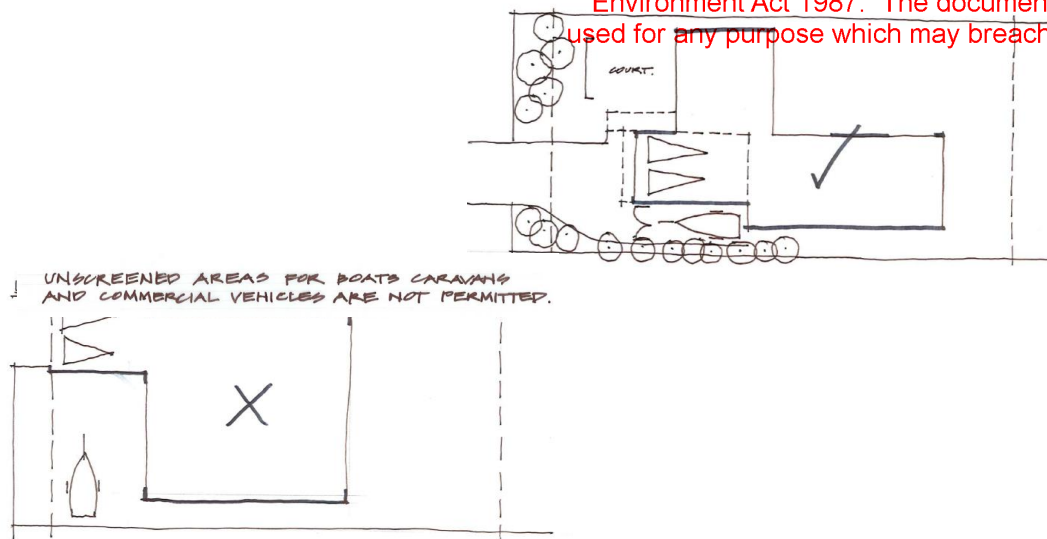
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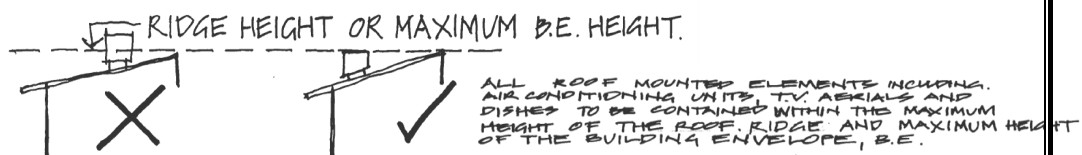
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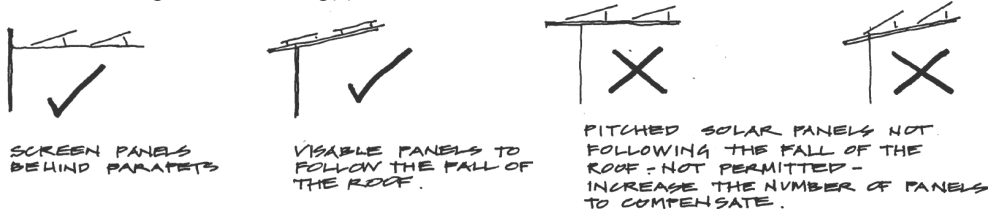
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- Areas used for the purpose of airing or drying clothes, water storage tanks, refuse storage areas and heating and cooling units must also be reasonably concealed from public view.
- Roof mounted equipment (e.g. Air conditioning units, Aerials, antennas, satellite dishes and the like) must not project above the roof ridgeline and be appropriately screened.



- If solar panels are to be used, elevation plans must demonstrate how they are to be integrated within the design of the building(s).



#### 10. LANDSCAPE GUIDELINES

- Landscaping should minimise the visual intrusion of buildings and car parking areas and contribute to the prevailing pattern of vegetation.
- Native species are encouraged with vegetation responding to the coastal setting preferred.
- Each allotment may plant no more than one tree or shrub which will grow to a height at maturity of greater than 5 metres.
- Nominated street trees, or any other vegetation within road reserves, must have a height at maturity of no greater than 5 metres.

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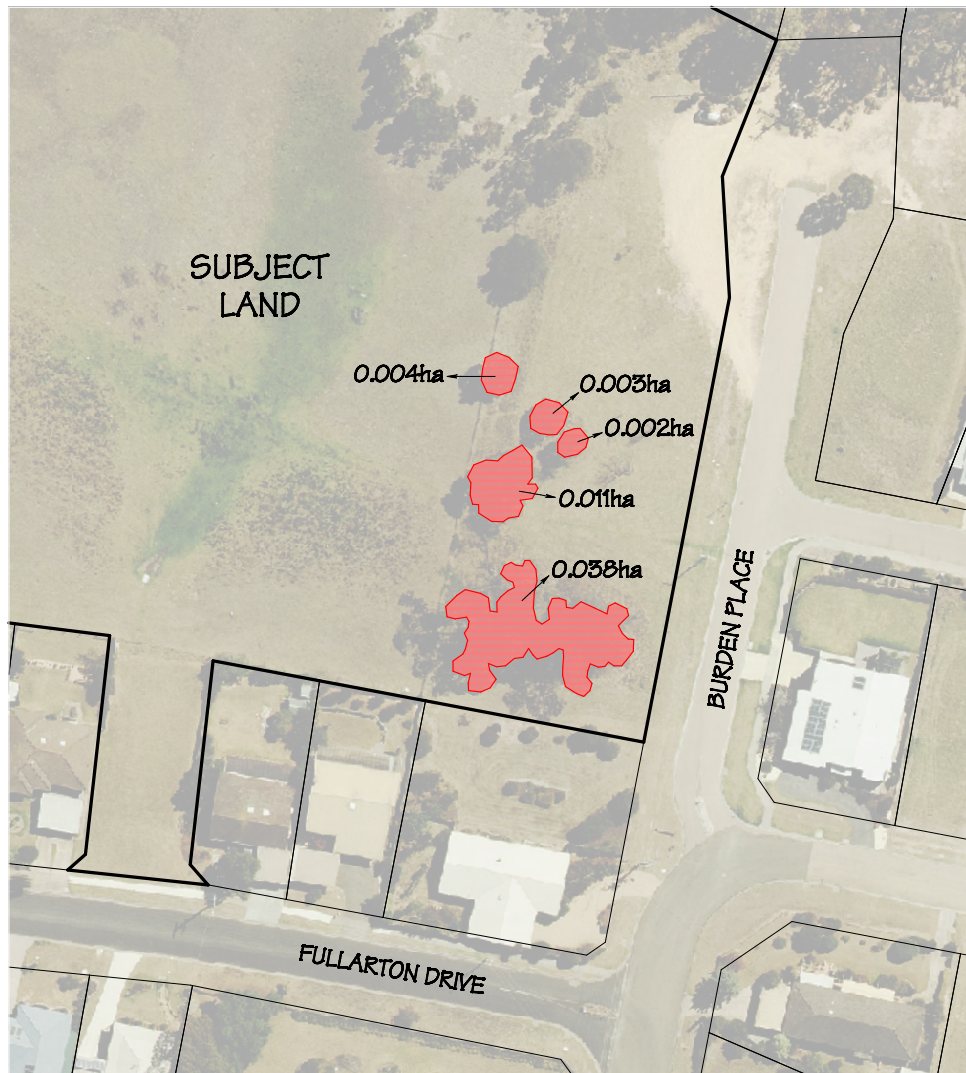
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## PLAN OF VEGETATION REMOVAL

PARISH OF BAIRNSDALE  
CROWN ALLOTMENT 144 (PART)

LOT C ON PS311448U

MGA94 ZONE 55



RESI VENTURES PTY LTD  
10 FULLARTON DRIVE, PAYNESVILLE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
182 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 6162 8011 E. contact@crowthersadler.com.au

FILENAME: Y:\19000-19999\19900-19999\19972 Resi Ventures\19972 Veg Removal V1.pro

## NOTATIONS

 - DENOTES VEGETATION  
TO BE REMOVED

SCALE (SHEET SIZE A3)

1 : 800

SURVEYORS REF.

19972

VERSION 1 - DRAWN 22/01/2022

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179 Old Orbost Road, Swan Reach 3909

ABN: 301 597 457 67

## Development Site Report

10 Fullarton Drive, Paynesville

Crowther & Sadler Pty Ltd

**Prepared by**

Nathan Williamson

Certificate 5 Arborist

ISA TRAQ Qualified

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## Executive Summary

On the 20<sup>th</sup> of July 2022, Roots 2 Leaves Tree Services was contacted requesting a site inspection at 10 Fullarton Drive and the property behind. A scope was identified prior to the site visit. That scope required the company to identify a single tree within the proposed area, if any are significant, as well as their SRZ and TPZ for the planned development.

The consultation involved inspection of a Red Gum Located within the centre of the property, the site was measured by plans supplied to identify no go Zones for Tree protection and if room was left for the road proposal.

This tree has been assessed using the Tree Risk Assessment Qualified system (TRAQ) to identify risk, visual inspections have been conducted using VTA and development encroachments have been identified by calculating and measuring the TPZ



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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## Introduction

### Brief

This report has been commissioned by Kate Young – Crowther & Sadler Pty Ltd and she has requested Roots 2 Leaves Tree Services to visit the site in Paynesville and assess and identify a tree that is within the proposed site as well as give advice on any trees that may be affected by the proposed works.

This report has been prepared by Roots 2 Leaves Tree Services Pty Ltd and authorized by its employee, Nathan Williamson, Consulting Arborist.

A Site inspection was carried out on 27<sup>th</sup> July, 2022, by Nathan Williamson. Data entry has been provided by Nathan Williamson of Roots 2 Leaves Tree Services Pty Ltd.

Trees are a lovely part of our environment and without them we would lose out on many great advantages including shade, aesthetics, and most importantly our existence. However, it is necessary that trees in key areas, such as high traffic areas, are assessed for health, structure, and any associated risks.

### Scope of works

- Identify Tree Species
- Provide site image with all trees
- Include existing and proposed site maps
- Provide images of each tree and identification
- Provide information on each tree including TPZ and SRZ
- Outline TPZ protection and Tree Management

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## Methodology

Inspection date

27/7/2022

Date report was written

27/7/2022

Inspection method

The site inspection was carried out unaccompanied during sunny and still conditions. The trees were inspected from the ground and observations were made of the growing environment and surrounding area. Wood density and extent of decay was determined using a mallet where appropriate. Distances were measured using a measuring wheel. TPZ was calculated using DBH Tape

This assessment has been conducted using the (VTA) method for assessment Level 1. This method has been slightly modified to include a walk around the trunk.

The content of this report has been prepared based on the arborist's experience within the tree industry.

All information that has been given to the arborist has been included in this report.



Site Map 1 – image includes the tree locations and numbers within 2-meter accuracy

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## Discussion

Tree #	1
Genus & Species	<i>Eucalyptus tereticornis</i>
Common name	Red Gum
DBH (m)	.93
Height (m)	16
Spread (m)	12
Age	Mature
Health	Fair
Structure	Good
Native	Yes
Retention value	High
<b>Tree Protection</b>	
TPZ	11.6m
SRZ	3.5m



- This tree was identified to have some large amounts of deadwood within the canopy
- This tree is Single Stemmed
- This tree has an evenly balanced crown
- Bird hollows and bird nest where observed.
- Minor Damage to cambium at base, likely from cattle or wildlife
- Tree is Native to the region.

Trees play a huge part in new and old developments; it is important where possible to work around trees and attempt to retain them however sometimes an area may have large numbers of trees and there isn't enough space to develop without damaging trees or their roots. This report helps to identify the Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) to identify if this tree will be adversely affected by the proposed development.

Due to changes within the Arboriculture field, there is now a new method for identify the SRZ, this is calculated by measuring the DRC, Diameter of the Root Crown (Buttress of Tree) and then following the calculations. This information can be found within our data tables.

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Pre-development Site Report – 10 Fullarton Drive, Paynesville

The Observed Red Gum located at 10 Fullarton Drive, Paynesville is a native species and is located within the proposed development, Measurements have been taken using the plans provided by Crowther & Sadler. It was measured that the tree is located 26m from the nearest property boundary.

The Tree was measured and has a DBH of .93m and a Tree protection zone of 11.6m and a SRZ of 3.5m. If the Proposed Road and curb is kept to a maximum of 15m from the property boundaries, then this will allow full protection of the TPZ of the tree. If more room for the road construction is required, then Australian Standards for Trees on development sites will allow a 10% encroachment into the TPZ without further investigation required.

Additional protection measures should be considered still which include:

- Canopy dripline should be mulched.
- Exclusion tapes or fencing should be erected around the TPZ Restricting all access.
- After excavation any severed roots should be cut clean by an arborist.
- Some minor pruning should also be considered.

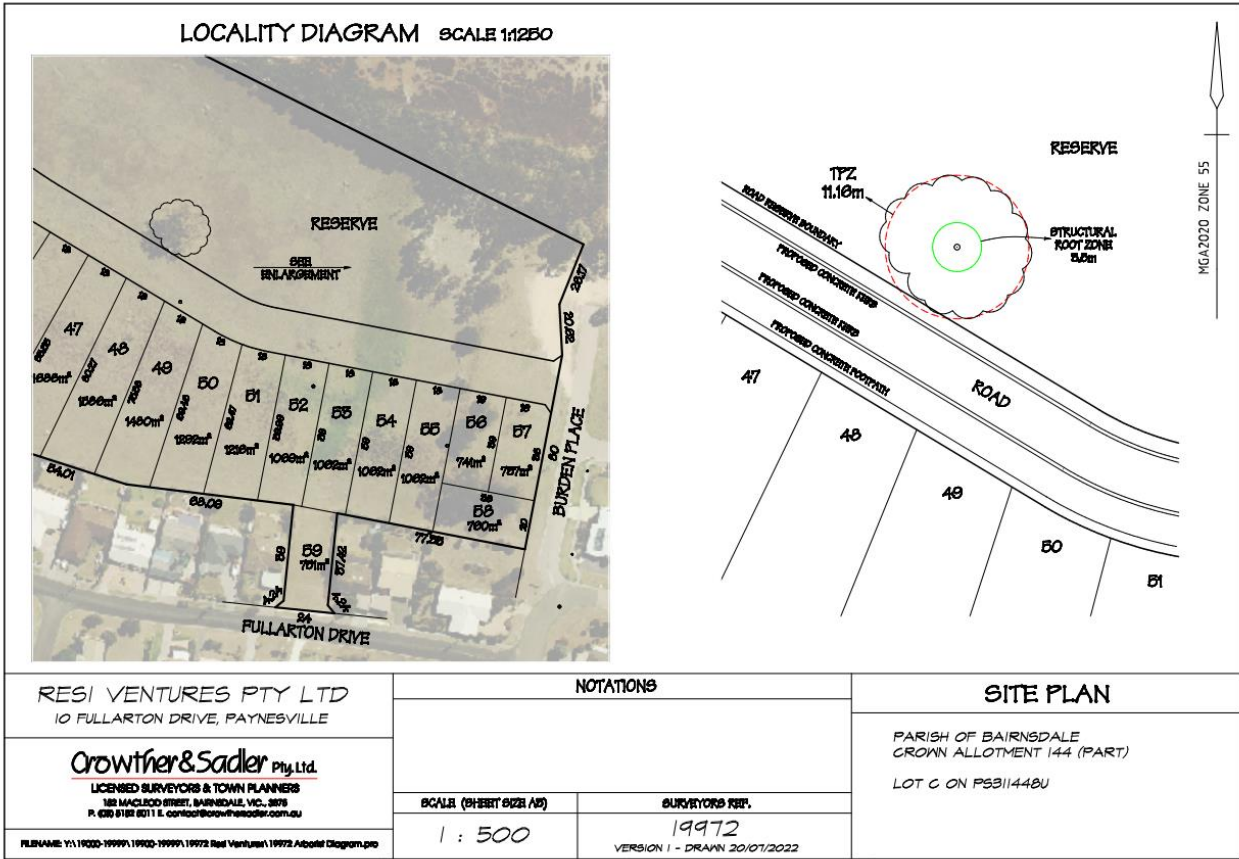


Figure 1 – image showing Tree Location and TPZ/SRZ



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Figure 3 – Image Showing Distance from property boundary to trunk

A Sewage or Storm Water Access Point was also observed near the property boundaries on site. All services should remain on the south side of the road.

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## Conclusion

If the road Construction and edges are kept to a maximum width of 15m from the property boundaries to the south, then no works will affect the TPZ of this tree. However if an additional meter or 2 is required then this will still be within the 10% allowance and will not affect the health or Structure of the tree. See Figure 4

By creating a no-go zone and mulching the drip line this will both improve tree health and prevent equipment and personnel from parking or driving over the TPZ and will eliminate any concerns of compaction or root damage.

If roots are observed over 3cm DBH after the excavation has been carried out it is recommended that an arborist be contacted to come in and clean cut the observed roots and record this data.

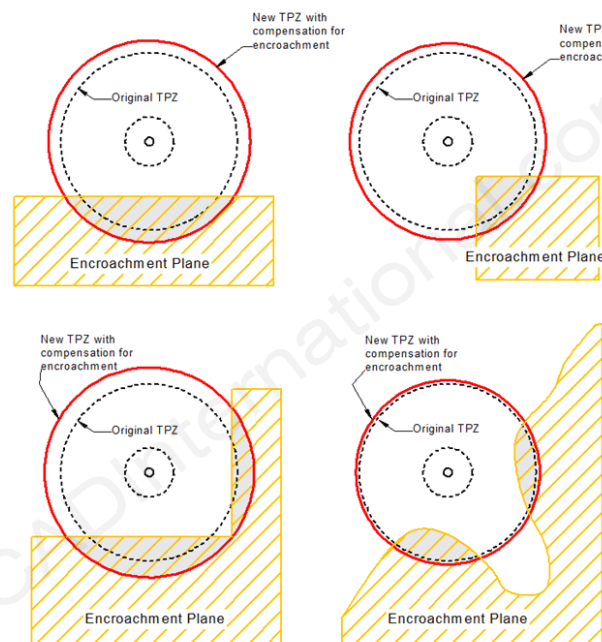


Figure 4 – Acceptable TPZ Encroachments according to Australian Standards

## Recommendations

- Mulch the trees dripline.
- Create a no-go zone around the TPZ.
- Keep All Construction and Equipment out of TPZ or out side 10% encroachment.
- Prune Deadwood From tree for future safety.
- Follow up with an inspection after excavations have been completed and clean cut any roots.

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## References

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## Appendices 1

### Testimony

I am a Qualified Consulting Arborists with over 8 years in the industry directly and many more years spent learning about trees and arboriculture, I have Studied both my Cert 3 in Arboriculture and Cert 5 in Arboriculture at Wodonga institute of Tafe, under the instruction of some reputable industry leaders including Rod Hall.

As an arborist in the Field, I have extensive knowledge of trees and multiple situations and locations including remote/ Forest settings to Cityscapes/urban settings.

## Appendices 2

### Limitations of Tree Risk Assessments

It is important for the tree owner or manager to know and understand that all trees pose some degree of risk from failure or other conditions. The information and recommendations within this report have been derived from the level of tree risk assessment identified in this report, using the information and practices outlined in the International Society of Arboriculture's Best Management Practices for Tree Risk Assessment, as well as the information available at the time of the inspection. However, the overall risk rating, the mitigation recommendations, or any other conclusions do not preclude the possibility of failure from undetected conditions, weather events, or other acts of man or nature.

Trees can unpredictably fail even if no defects or other conditions are present. It is the responsibility of the tree owner or manager to schedule repeat or advanced assessments, determine actions, and implement follow up recommendations, monitoring and/or mitigation. Roots 2 Leaves Tree Services can make no warranty or guarantee whatsoever regarding the safety of any tree, trees, or parts of trees, regardless of the level of tree risk assessment provided, the risk rating, or the residual risk rating after mitigation.

This information is solely for the use of the tree owner and manager to assist in the decision-making process regarding the management of their tree or trees. Tree risk assessments are simply tools which should be used in conjunction with the owner or tree manager's knowledge, other information and observations related to the specific tree or trees discussed, and sound decision making.

### Glossary

Tree risk Assessment has a unique set of terms with specific meanings. Definitions of all specific terms may be found in the International Society of Arboriculture's Best Management Practice for Tree Risk Assessment. Definitions of some of these terms used in this report are as follows:

*The likelihood of failure* may be categorized as imminent meaning that failure has started or could occur at any time; probable meaning that failure may be expected under normal

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### Pre-development Site Report – 10 Fullarton Drive, Paynesville

weather conditions within the next 3 years; possible meaning that failure could occur but is unlikely under normal weather conditions during that time frame; and improbable meaning that failure is not likely under normal weather conditions and may not occur in severe weather conditions during that time frame.

*The likelihood of the failed tree part impacting a target may be categorized as high meaning that a failed tree or tree part will most likely impact a target; medium meaning that a failed tree or tree part may or may not impact a target with equal likelihood; low meaning that the failed tree or tree part is not likely to impact a target; and very low meaning that the chance of a failed tree or tree part impacting the target is remote.*

The Likelihood of Failure and Impact is defined by Table 1, the Likelihood Matrix:

Likelihood of Failure	Likelihood of Impacting Target			
	Very Low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

*The consequences of a known target being struck may be categorized as severe meaning that impact could involve serious personal injury or death, damage to high value property, or disruption to important activities; significant meaning that the impact may involve personal injury, property damage of moderate to high value, or considerable disruption; minor meaning that impact could cause low to moderate property damage, small disruptions to traffic or a communication utility, or minor injury; and negligible meaning that impact may involve low value property damage, disruption that can be replaced or repaired, and do not involve personal injury.*

*Targets are people, property, or activities that could be injured, damaged, or disrupted by a tree failure*

#### *Levels of assessment*

- 1) *Limited visual assessments* are conducted to identify obvious defects.
- 2) *Basic assessments* are visual inspections done by walking around the tree looking at the site, buttress roots, trunk, and branches. It may include the use of simple tools to gain information about the tree or defects.
- 3) *Advanced assessments* are performed to provide detailed information about specific tree parts, defects, targets of site conditions. Drilling to detect decay is an advanced assessment technique.

*Tree Risk Ratings* are terms used to communicate the level of risk rating. They are defined in Table 2, the Risk Matrix, as a combination of Likelihood and Consequences:

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

Likelihood of Failure & Impact	Consequences of Tree Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

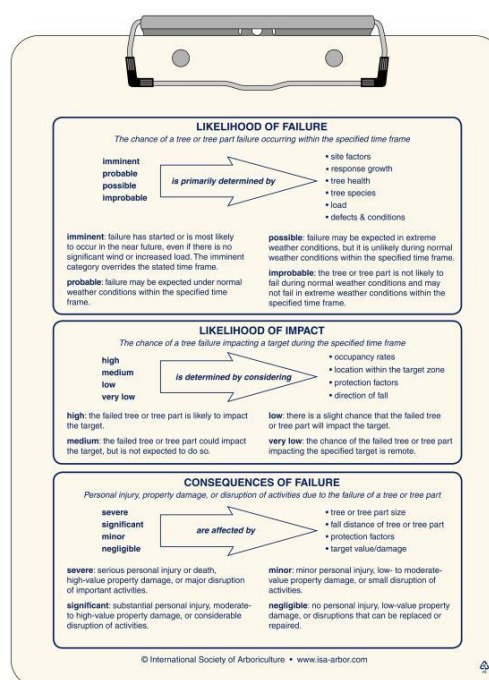
*Overall tree risk rating* is the highest individual risk identified for the tree. The residual risk is the level of risk the tree should pose after the recommended mitigation. Mitigation priority 1 is defined as mitigation activities that should be scheduled prior to the next growing season. Mitigation Priority 2 can be scheduled on the next routine maintenance cycle.

Information and likelihoods are observed and depending report type written, this image shows the likelihoods and site factors etc observed on site.

## Visual Tree Assessment (VTA)

VTA is a visual tree inspection method which, guided by the principles of biomechanics and based on the “Axiom of Constant Stress” (Mattheck, 1993), considers, and complies with the current jurisdiction (Breloer and Mattheck, 1992). The VTA procedure is composed of three steps:

1. Visual inspection for diagnostic symptoms of defects and visual inspection of the tree’s vitality. No further steps are taken when there are no indications that the tree presents a significant hazard.
2. Thorough examination of any defects which have been indicated in step 1.
3. Measurement and analysis of defects which turn out to be critical. Evaluation of the tree’s residual strength.



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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

## Appendices 3

Arboriculture Descriptors (from Table 1) Taken from Cameron McGregor May 2018

### a) Tree Name

Provides botanical name (genus, species, variety, and cultivar) according to accepted international taxonomic classification, and common name

### b) Tree Type

Describes the general geographical origin of the species and its type e.g., deciduous or evergreen.

Category	Description
Native Evergreen	evergreen Occurs within Australia and typically retains its leaves year-round Exotic deciduous
Exotic deciduous	Occurs outside Australia and typically sheds its leaves during Winter

### c) Height & Width

Indicates the height and width of individual trees. Measurement is expressed in meters. Height was determined using a Clinometer and width was paced.

### d) DBH

Diameter at Breast Height (1.4 meters from ground level). Measurements were taken using a diameter tape and is expressed in millimetres.

### e) Age

Relates to the physiological stage of the tree's life cycle.

Category	Description
Semi-mature (SM)	Tree rapidly increasing in size and yet to achieve expected size
Mature (M)	Tree at expected Size in situation, with reduced incremental growth

### f) Health

Assesses various attributes to describe the overall health and vigour of the tree

Descriptor	Vigour/extension growth	Decline symptoms/deadwood	Foliage density, size, colour	Pest & disease
Good	Above typical	None or Minimal	Better than typical	None or minimal

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Fair	Typical	Typical or expected	Typical	Typical, within damage threshold
Fair to Poor	Below Typical	More than typical	Exhibiting deficiencies	Exceeds damage thresholds
Poor	Minimal	Excessive and large amount/size	Exhibiting severe deficiencies	Extreme and contributing decline

## g) Structure

Assesses principal components of tree structure

Descriptor	Root plate and lower stem	Trunk	Primary Branch support	Outer Crown and roots
Good	No damage, disease or decay, obvious basal flare, stable in ground	No damage, disease, or decay, well tapered	Well formed, attached, spaced, and tapered	No disease, decay, or structural defect
Fair	Minor damage or decay, basal flare present	Minor damage or decay	Typically formed, spaced, and tapered	Minor damage, disease, or decay; minor branch end weight or over extension
Fair to Poor	Moderate damage or decay; minimal basal flare	Moderate damage or decay, approaching recognised thresholds	Weak decayed or with acute branch attachments, previous branch failure evidence	Moderate damage, disease, or decay fungal fruiting bodies present; major branch end weight or over extension
Poor	Major damage, disease, or decay; fungal fruiting bodies present. Excessive lean placing pressure on root plate	Major damage, disease or decay exceeds recognised thresholds, fungal fruiting bodies present. Acute lean, stump resprout.	Decayed cavities or has acute branch attachments with included bark; excessive compression flaring, failure likely	Major damage, disease, or decay; fungal fruiting bodies present, major branch end weight or over extension

## Appendices 4

Occupancy rates in target zones (Taken directly from TRAQ 2013)

The amount of time one or more targets is within the target zone- its occupancy rate- is a primary component of assessing the likelihood of a target being impacted. Not all targets may be always present in the target zone. Occupancy rates can be classified as constant, frequent, occasional, or rare. Static targets, represent a constant occupancy, while movable and mobile targets can be in any of the following four classifications:

## Constant Occupancy

Constant occupancy indicates that a target is present at nearly all times, 24 hours a day, 7 days a week. Examples include, buildings, constant steady stream of traffic, constant steady stream of pedestrians. Each person or vehicle may occupy the target area for a very short time but, in aggregate, they represent constant occupancy.

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## Pre-development Site Report – 10 Fullarton Drive, Paynesville

### Frequent Occupancy

If the target zone is occupied for a large portion of a day or week, the use is classified as frequent. Suburban streets that receive moderate volumes of traffic, car parks for facilities that are open during the daytime only, footpaths in shopping areas, and busy delivery areas are examples of frequent occupancy.

### Occasional Occupancy

Occasionally used sites can be defined as those that are occupied by people or targets infrequently or irregularly. Examples include country roads, low use footpaths, and low use sections of parks. In some instances, a seldom-used area may be heavily used for short periods. Examples might include cemeteries, a field surrounded by trees that is used for special event parking, or trails and access roads used only when an event is under way. The client or tree manager may define whether the risk assessment is to consider low- or high use times or both.

### Rare Occupancy

This category is for sites that are not commonly used by people. Backcountry trails, fenced areas that are well away from more actively used parts of a site, remote parts of an estate, and gardens through which neither workers nor visitors typically pass would all have a rare occupancy. The client or tree manager may decide, as a matter of policy, that the risk in these areas is so low that risk assessments is not justified.

## Assumptions and Limiting Conditions

- This report has been prepared utilising accepted contemporary standards of tree care and maintenance, evaluation and assessment procedures, diagnostic and reporting techniques and sound arboriculture practices as recommended by the sources listed in the 'References' section of this report.
- The information and recommendations within this report have been derived from the level of tree risk assessment identified in this report, using the information and practices outlined in the International Society of Arboriculture's Best Management Practices for Tree Risk Assessment, as well as the information available at the time of the inspection.
- All care has been taken to obtain reasonable and relevant information from qualified and reliable sources in the preparation of this report
- Any legal or technical description given is assumed to be correct.
- No responsibility is assumed by Roots 2 Leaves for matters legal in nature related to this Tree Risk Report (report).
- The overall risk rating, the mitigation recommendations, or any other conclusions do not preclude the possibility of failure from undetected conditions, weather events, or other acts of man, animals or nature.
- All trees can unpredictably fail even if no defects or other conditions are present, and therefore all trees pose some degree of risk from failure or other conditions.

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### Pre-development Site Report – 10 Fullarton Drive, Paynesville

- Roots 2 Leaves and their employees cannot detect every condition that affects a tree's health, condition, and structural integrity. Conditions are often hidden within trees and below ground where humans cannot naturally see or detect.
- Roots 2 Leaves cannot and does not make any warranty or guarantee whatsoever regarding the safety of any tree, trees, or parts of trees, regardless of the level of tree risk assessment provided, the risk rating or the residual risk rating after mitigation.
- Notwithstanding anything in the report, express or implied, the client is not entitled to recover from Roots 2 Leaves Tree Services Pty Ltd, its employees, agents and/or subcontractors, any damages for business interruption or loss of actual or anticipated revenue, income or profits or any consequential, special, contingent or penal damage, whatsoever, and the client releases Roots 2 Leaves Tree Services Pty Ltd from any such liability.
- Without limiting any of the foregoing, the Client or other person shall at all times be limited (to the extent permitted by law) to damages in the amount paid by the Client to Roots 2 Leaves for its services. The limitation applies whether the claim is based on warranty, contract, statute, tort (including negligence) or otherwise.
- Visual material within this Report such as sketches, diagrams, photographs, etc. are not necessarily to scale and should not be construed as engineered data for construction.
- Unless otherwise stated, Roots 2 Leaves' employee's observations have been visually made from ground level.
- In the event that Roots 2 Leaves recommends retesting or inspection of trees at stated intervals, or recommends the installation of engineering solutions, it is recommended that such retesting or inspections are done at 12 month intervals (maximum) unless otherwise specified in writing. It is the responsibility of the tree owner or manager or other person responsible for the trees to initiate and arrange for the retesting or inspections.
- Intervention treatments of trees may involve considerations beyond the scope of Roots 2 Leaves, such as property boundaries and ownership, disputes between neighbours, sight lines, landlord-tenant matters, and other related incidents. Roots 2 Leaves cannot take such issues into account unless complete and accurate information is given prior or at the time of the site inspection. Roots 2 Leaves cannot accept responsibility for the authorisation or non-authorisation of any recommended treatment or remedial measures undertaken.
- If this report is to be used in a court of law, or any other legal situation, or by other parties Roots2Leaves Tr must be advised in writing prior to the written report being presented in any form to any other party. All written reports must be read in their entirety. At no time shall part of the written assessment be referred to unless taken in full context with the whole written report.

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## Native vegetation removal report

## A report to support an application to remove, destroy or lop native vegetation in the Basic Assessment Pathway using the modelled condition score

This report provides information to support an application to remove native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report is not an assessment by DELWP or local council of the proposed native vegetation removal. Biodiversity information and offset requirements have been calculated using modelled condition scores contained in the *Native vegetation condition map*.

**Date and time:** 22 July 2022 14:02 PM

**Lat./Long.:** -37.9043204976289,147.718860626839

**Native vegetation report ID:**

**Address:** 10 FULLARTON DRIVE PAYNESVILLE  
3880

319-20220722-013

### Assessment pathway

#### The assessment pathway and reason for the assessment pathway

Assessment pathway	Basic Assessment Pathway
Extent of past plus proposed native vegetation removal	0.058 hectares
No. large trees	0 large tree(s)
Location category	Location 1  The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.

### Offset requirement

#### The offset requirement that will apply if the native vegetation is approved to be removed

Offset type	General offset
Offset amount	0.014 general habitat units
Offset attributes	
Vicinity	East Gippsland Catchment Management Authority (CMA) or East Gippsland Shire Council
Minimum strategic biodiversity value score	0.176
Large trees	0 large tree(s)

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## Native vegetation removal report

## Biodiversity information about the native vegetation

### Description of any past native vegetation removal

Any native vegetation that was approved to be removed, or was removed without the required approvals, on the same property or on contiguous land in the same ownership, in the five year period before the application to remove native vegetation is lodged is detailed below.

Permit/PIN number	Extent of native vegetation (hectares)
None entered	0 hectares

### Description of the native vegetation proposed to be removed

Extent of all mapped native vegetation	0.058 hectares
Condition score of all mapped native vegetation	0.240
Strategic biodiversity value score of all mapped native vegetation	0.220
Extent of patches native vegetation	0.058 hectares
1	0.004 hectares
2	0.003 hectares
3	0.002 hectares
4	0.011 hectares
5	0.038 hectares
Extent of scattered trees	0 hectares
No. large trees within patches	0 large tree(s)
No. large scattered trees	0 large tree(s)
No. small scattered trees	0 small tree(s)

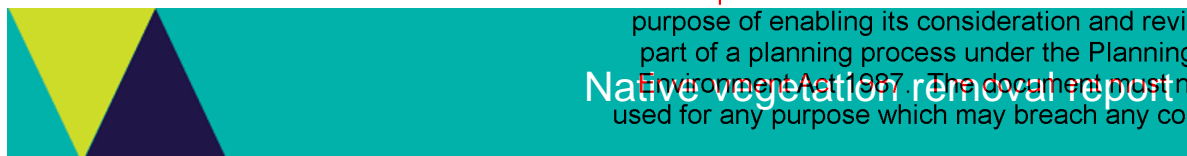
### Additional information about trees to be removed, shown in Figure 1

Tree ID	Tree circumference (cm)	Benchmark circumference (cm)	Scattered / Patch	Tree size
N/A				



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## Native vegetation removal report

## Other information

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

### Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed must be provided with the application. All photographs must be clear, show whether the vegetation is a patch of native vegetation or scattered trees, and identify any large trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

### Topographical and land information

Description of the topographic and land information relating to the native vegetation to be removed, including any ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan. **This is an application requirement and your application will be incomplete without it.**

### Avoid and minimise statement

This statement describes what has been done to avoid the removal of, and minimise impacts on the biodiversity and other values of native vegetation. **This is an application requirement and your application will be incomplete without it.**

### Defendable space statement

Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required if your application also includes an application under the Bushfire Management Overlay.

### Offset statement

An offset statement that demonstrates that an offset is available and describes how the required offset will be secured. **This is an application requirement and your application will be incomplete without it.**

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## Native vegetation removal report

## Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in *Guidelines for the removal, destruction or lopping of native vegetation*. If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. This *Native vegetation removal report* must be submitted with your application and meets most of the application requirements. The following needs to be added as applicable.

### Property Vegetation Plan

Landowners can manage native vegetation on their property in the longer term by developing a Property Vegetation Plan (PVP) and entering in to an agreement with DELWP.

If an approved PVP applies to the land, ensure the PVP is attached to the application.

### Applications under Clause 52.16

An application to remove, destroy or lop native vegetation is under Clause 52.16 if a Native Vegetation Precinct Plan (NVPP) applies to the land, and the proposed native vegetation removal is not in accordance with the relevant NVPP. If this is the case, a statement that explains how the proposal responds to the NVPP considerations must be provided.

If the application is under Clause 52.16, ensure a statement that explains how the proposal responds to the NVPP considerations is attached to the application.

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For more information contact the DELWP Customer Service Centre 136 186

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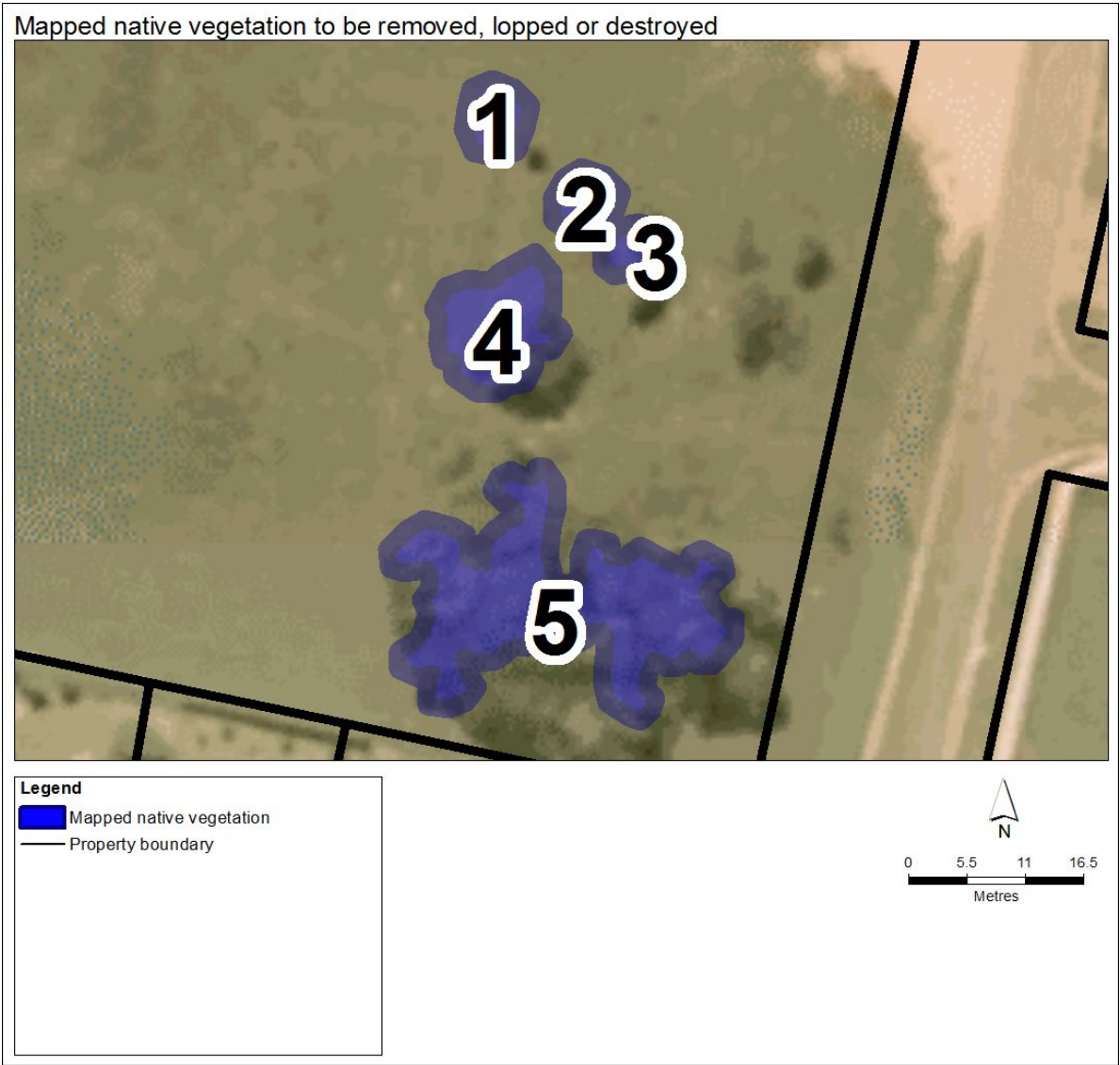
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Native vegetation removal report

Figure 1 – Map of native vegetation to be removed, destroyed or lopped



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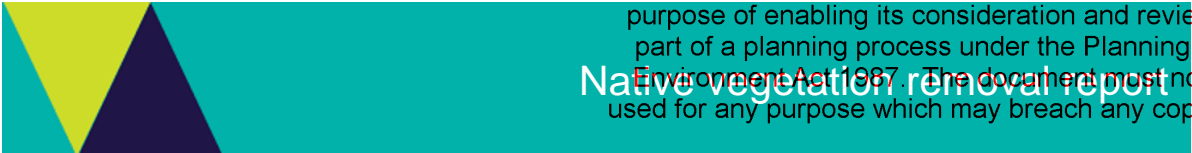
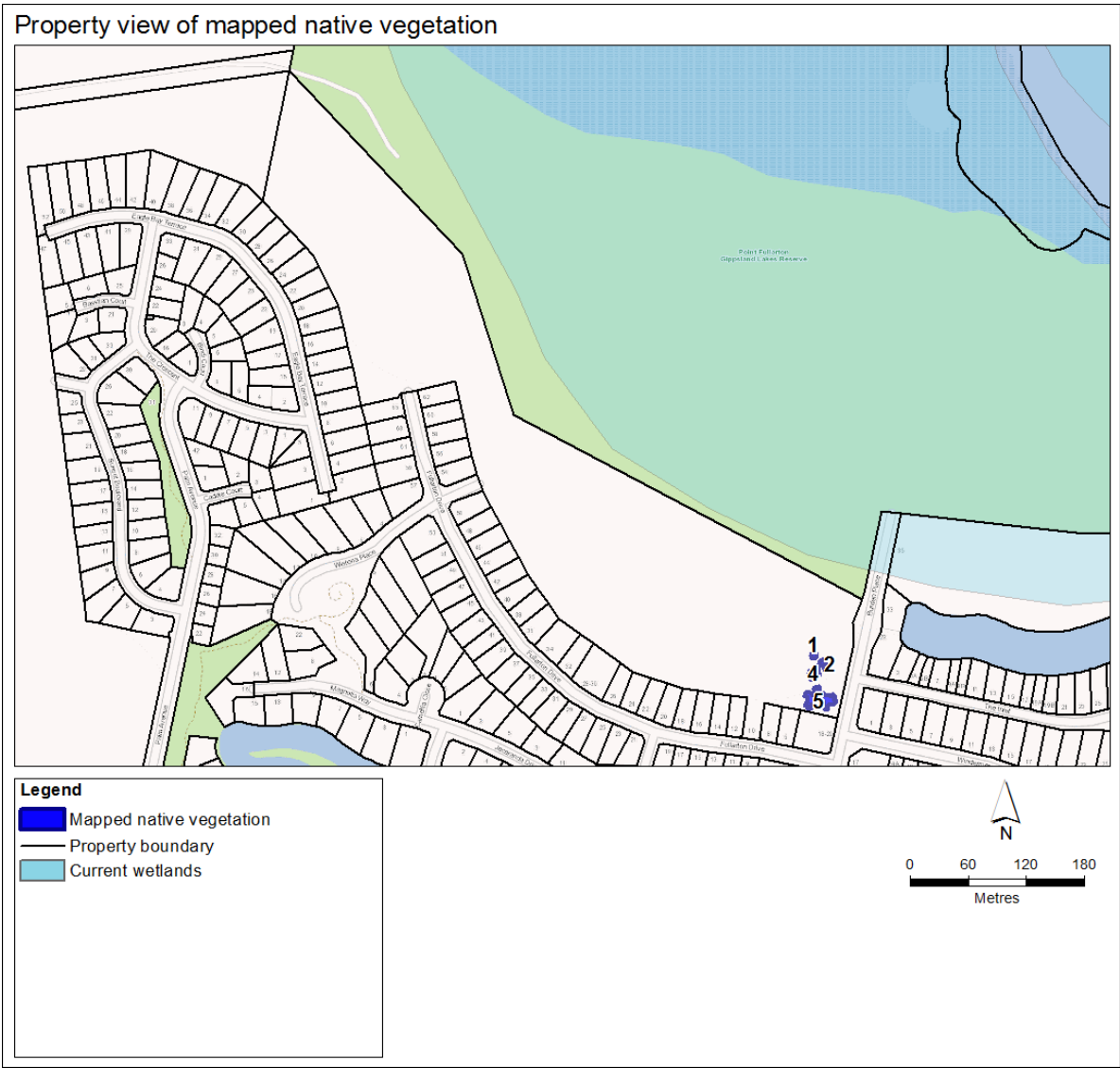
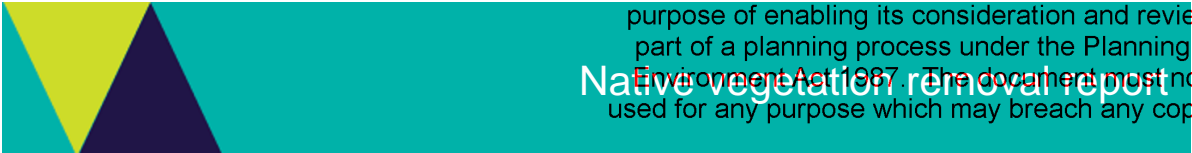


Figure 2 – Map of property in context



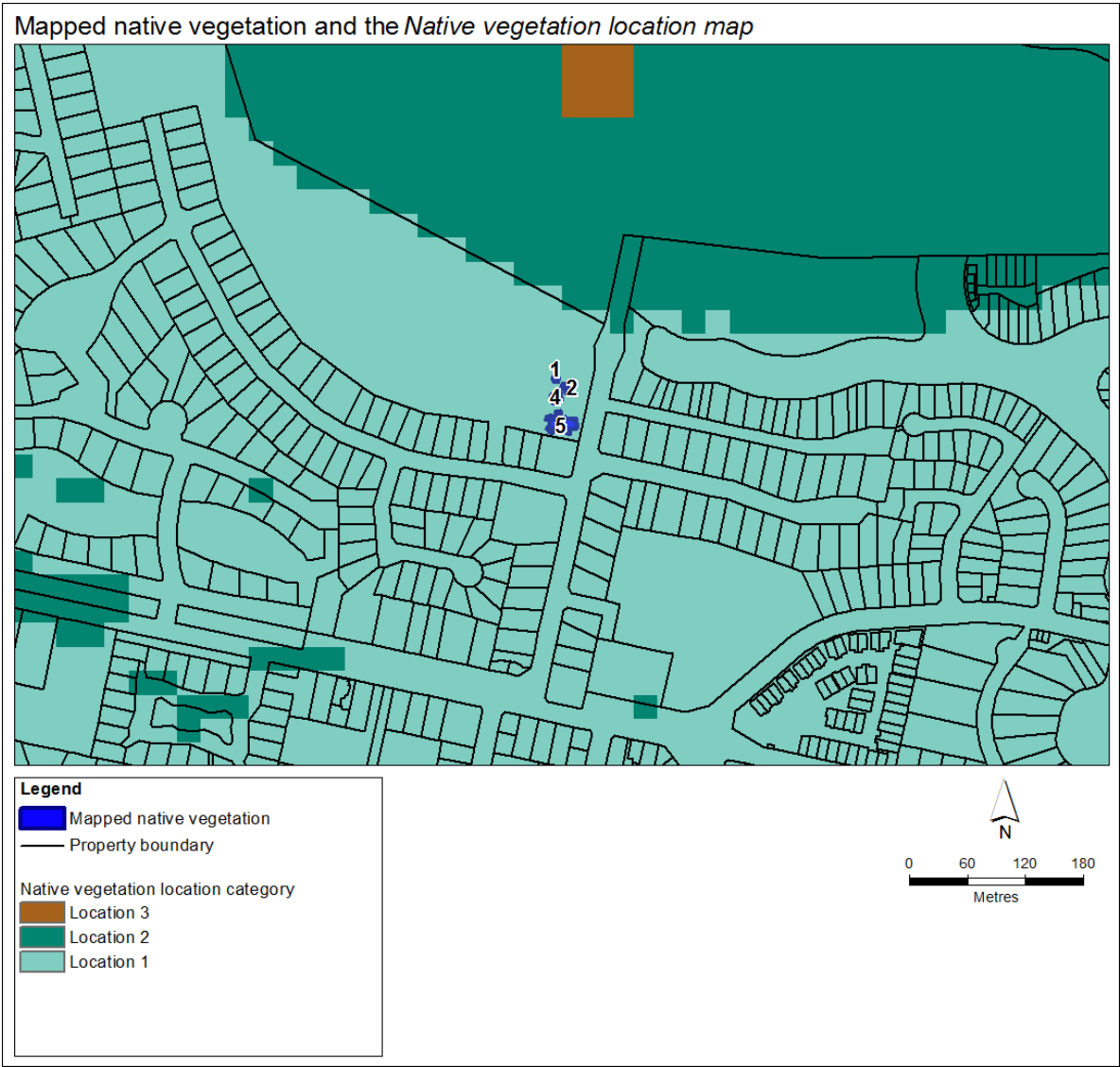
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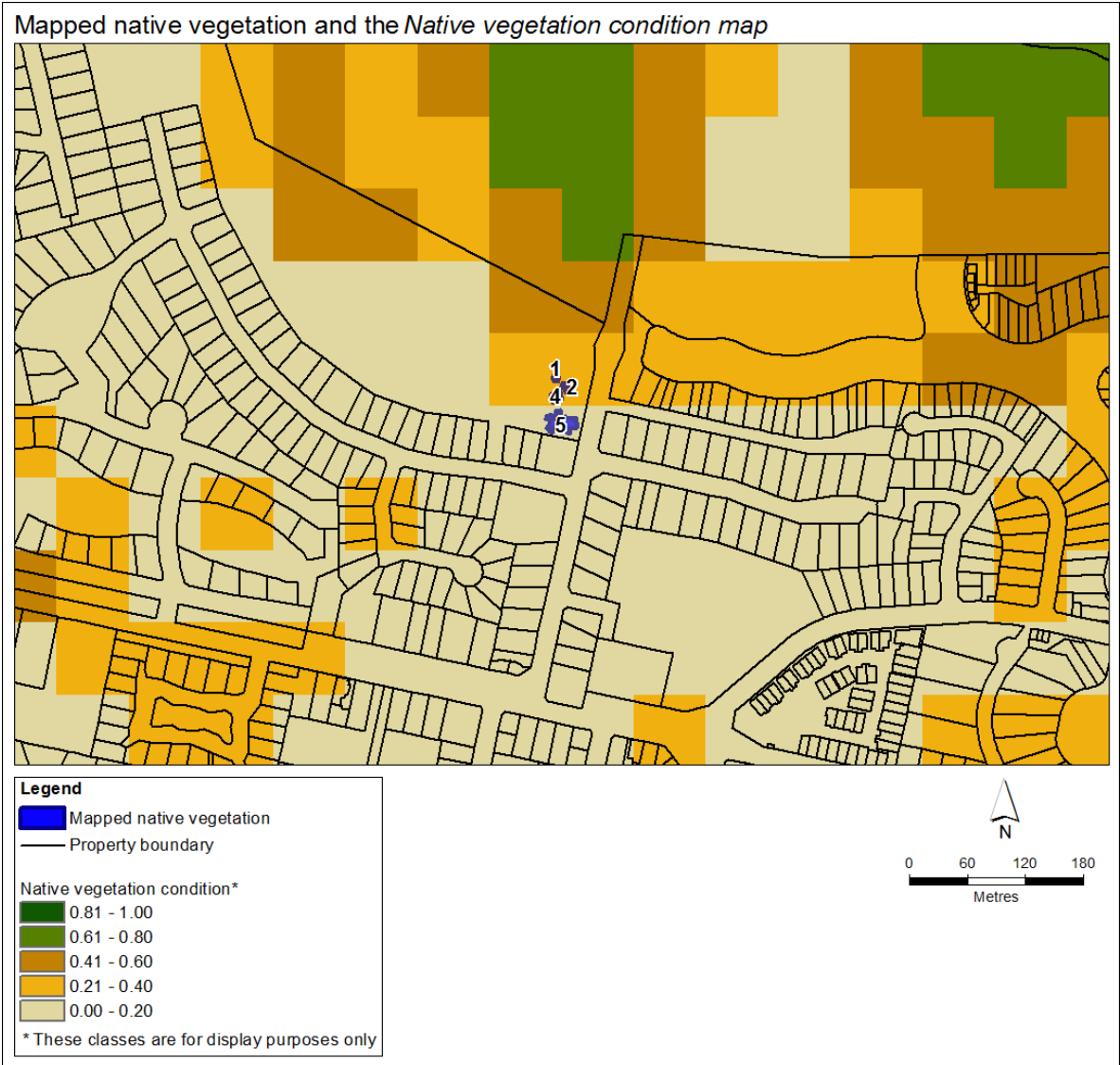
Figure 3 – Biodiversity information maps



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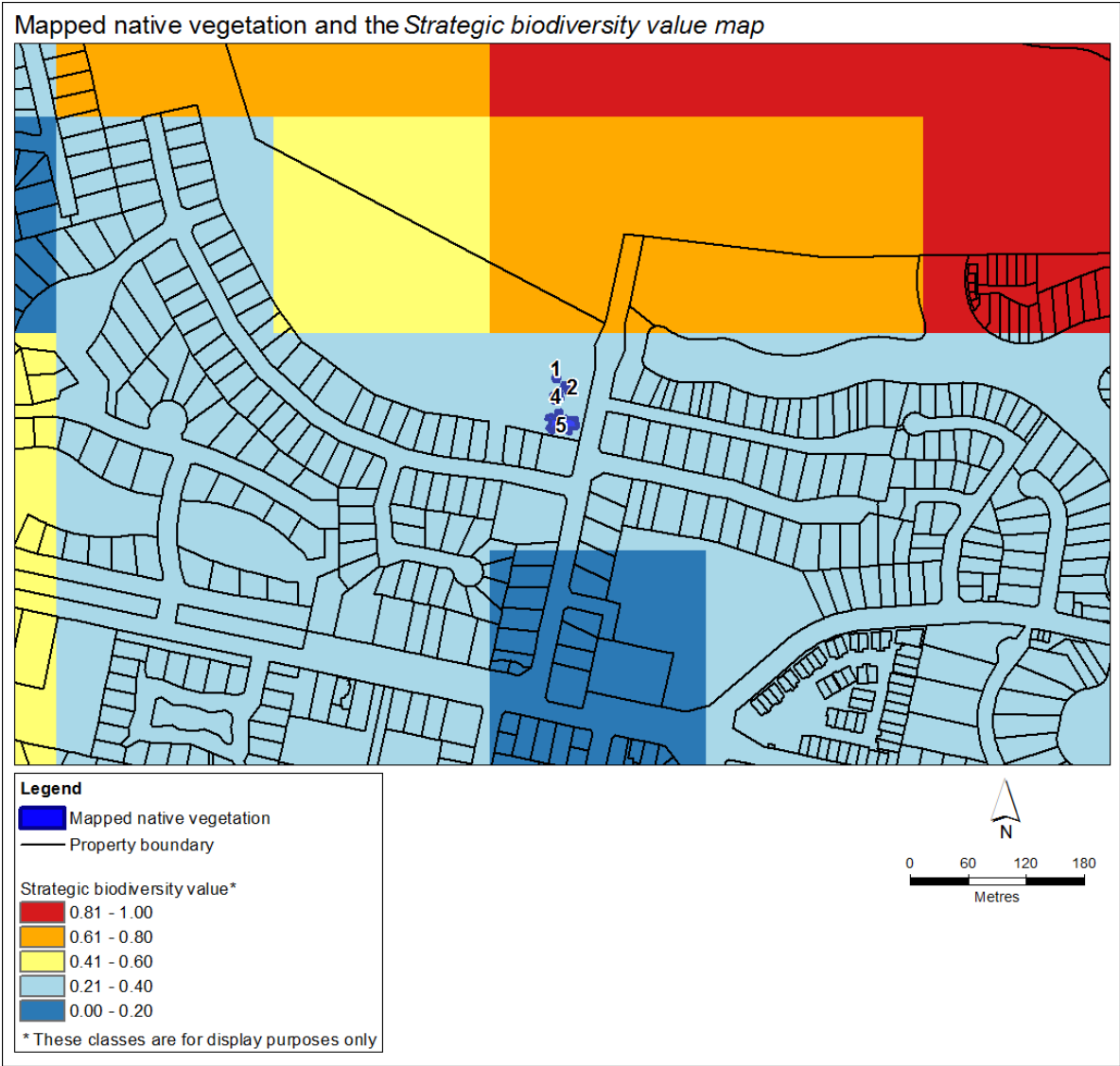




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Native vegetation removal report



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## Native vegetation removal report

## Appendix 1 - Details of offset requirements

## Native vegetation to be removed

<b>Extent of all mapped native vegetation (for calculating habitat hectares)</b>	0.058	The area of land covered by a patch of native vegetation and/or a scattered tree, measured in hectares. Where the mapped native vegetation includes scattered trees, each tree is assigned a standard extent and converted to hectares. A small scattered tree is assigned a standard extent defined by a circle with a 10 metre radius and a large scattered tree a circle with a 15 metre radius.  The extent of all mapped native vegetation is an input to calculating the habitat hectares.
<b>Condition score*</b>	0.240	The condition score of native vegetation is a site-based measure that describes how close native vegetation is to its mature natural state. The condition score is the weighted average condition score of the mapped native vegetation calculated using the <i>Native vegetation condition map</i> .
<b>Habitat hectares</b>	0.014	Habitat hectares is a site-based measure that combines extent and condition of native vegetation. It is calculated by multiplying the extent of native vegetation by the condition score:  <b>Habitat hectares = extent x condition score</b>
<b>Strategic biodiversity value score</b>	0.220	The strategic biodiversity value score represents the complementary contribution to Victoria's biodiversity of a location, relative to other locations across the state. This score is the weighted average strategic biodiversity value score of the mapped native vegetation calculated using the <i>Strategic biodiversity value map</i> .
<b>General landscape factor</b>	0.610	The general landscape factor is an adjusted strategic biodiversity value score. It has been adjusted to reduce the influence of landscape scale information on the general habitat score.
<b>General habitat score</b>	0.009	The general habitat score combines site-based and landscape scale information to obtain an overall measure of the biodiversity value of the native vegetation. The general habitat score is calculated as follows:  <b>General habitat score = habitat hectares x general landscape factor</b>

\* **Offset requirements for partial removal:** If your proposal is to remove parts of the native vegetation in a patch (for example only understorey plants) the condition score must be adjusted. This will require manual editing of the condition score and an update to the calculations that the native vegetation removal tool has provided: habitat hectares, general habitat score and offset amount.

## Offset requirements

<b>Offset type</b>	General offset	A general offset is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species. All proposals in the Basic and Intermediate assessment pathways will only require a general offset.
<b>Offset multiplier</b>	1.5	This multiplier is used to address the risk that the predicted outcomes for gain will not be achieved, and therefore will not adequately compensate the biodiversity loss from the removal of native vegetation.
<b>Offset amount (general habitat units)</b>	0.014	The general habitat units are the amount of offset that must be secured if the application is approved. This offset requirement will be a condition to any permit or approval for the removal of native vegetation.  <b>General habitat units required = general habitat score x 1.5</b>
<b>Minimum strategic biodiversity value score</b>	0.176	The offset site must have a strategic biodiversity value score of at least 80 per cent of the strategic biodiversity value score of the native vegetation to be removed. This is to ensure offsets are located in areas with a strategic biodiversity value that is comparable to the native vegetation to be removed.
<b>Vicinity</b>	East Gippsland CMA or East Gippsland Shire Council	The offset site must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed.
<b>Large trees</b>	0 large tree (s)	The offset site must protect at least one large tree for every large tree removed. A large tree is a native canopy tree with a Diameter at Breast Height greater than or equal to the large tree benchmark for the local Ecological Vegetation Class. A large tree can be either a large scattered tree or a large patch tree.

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Our reference: VLQ-8328

Your reference: 10 FULLARTON DRIVE  
PAYNESVILLE

26 July 2022

Amie Ingwersen  
Crowther & Sadler

Dear Amie

**RE: Quotation for the supply of native vegetation credits**

Vegetation Link is an accredited offset provider with the Department of Environment, Land, Water & Planning (DELWP). We offer a specialised brokerage service to enable permit holders and developers to identify suitable native vegetation credits to meet their planning permit offset requirements.

Based on the information you have provided, I understand you require the following native vegetation offset:

Offset type	Vicinity	General habitat units (GHU)	Min. strategic biodiversity value (SBV)	Large trees
General	East Gippsland CMA or LGA	0.014	0.176	0

To meet your offset requirements, you can purchase native vegetation credits from a third party as per the option quoted below<sup>1</sup>. This quotation is valid for 14 days, subject to credit availability and landholder pricing.

**CTA pathway – offset site located in the East Gippsland Shire area  
(approx. 4-6 week turnaround from acceptance of quote)**

Cost of native vegetation credits – <b>invoiced by Credit Owner</b>	\$1,400.00
Transaction fees – <b>invoiced by Vegetation Link</b>	\$1,280.00
<b>Total (ex. GST)</b>	<b>\$2,680.00</b>
<b>Total (inc. GST)</b>	<b>\$2,948.00</b>

If you would like to purchase credits, let us know that you accept the quote and return the attached **purchaser details form** by email. Upon receipt of the form, we will begin the trade process. Further details of the process for credit allocation is in the FAQ below.

Should you have any queries, please do not hesitate to contact us on 1300 VEG LINK (1300 834 546) or email [offsets@vegetationlink.com.au](mailto:offsets@vegetationlink.com.au).

Sincerely,



**Lucas Rotteveel**  
Biodiversity Offset Broker

<sup>1</sup> Note that the transaction fee includes DELWP NVOR transfer and allocation fees and a Vegetation Link fee

Vegetation Link Pty Ltd  
ABN: 92 169 702 032  
[www.vegetationlink.com.au](http://www.vegetationlink.com.au)

1300 VEG LINK (1300 834 546) | [offsets@vegetationlink.com.au](mailto:offsets@vegetationlink.com.au) | PO Box 10 Castlemaine VIC 3436

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## FAQs

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### What is a third party offset?

A third party offset is an offset site owned by another landowner who manages and protects native vegetation on their land. Landowners who establish these offset sites are required to:

- Enter into a Landowner Agreement for the specified offset site. A landowner agreement is in perpetuity and is binding upon the current and future landowners of the site. It permanently restricts use of the site for many purposes.
- Implement a detailed 10-year Management Plan endorsed by the DELWP Native Vegetation Offset Register to manage and improve the biodiversity values of the site.

### How is the price of native vegetation offset credit (GHUs, GBEUs etc.) determined?

Landowners who own offset sites set their own price for native vegetation credits. They determine the price based on numerous factors. This includes but not limited to site establishment, the cost to manage the site in perpetuity (e.g., maintain fencing, control pest species), foregone use cost, and administrative costs. Depending on how the site is registered, the credit fee may be paid to either DELWP or directly to the landowner.

Further information about the work some of our landowners are doing can be found on the [Vegetation Link website](#).

### What is the process after I accept the quote?

After you accept the quote and return the purchaser table, the following steps will be undertaken:

1. We will set up a contract between the parties involved and send the contract out for signing by all parties.
2. Once the contract is signed by all parties, invoices will be issued for the fees listed in the quotation. We will send you two invoices, one for our transaction fee invoiced by Vegetation Link and one for the credit fee, usually to be paid to DELWP or the landowner. We recommend providing remittances for your payments.
3. Once payments are received, Vegetation Link will send you an allocated credit extract from the Native Vegetation Offset Register and your executed contract as evidence that you have purchased the offset.

### How long will the process take? When will I get my credits?

Generally, the process from quote acceptance to having evidence of allocated credits takes between 2-6 weeks. This is dependent on a range of factors including the type of landholder agreement, contract types and organisational workflows. We work as quickly as possible to get your credits to you within this time period.

We note that you **cannot** remove vegetation until you have been given permission by the Responsible Authority (usually the council that has issued your permit).

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### What happens if I don't have a permit yet?

When people are buying credits before a permit is issued, the following three options are most common:

- You can pay for the offsets before the planning permit is available, and then the offsets are allocated to the permit when it is available. This will incur an additional \$50 fee from DELWP. When considering this option, it is important to realise that your estimated offset requirements may be different than the actual permit requirements.
- You can wait for the planning permit to be approved first and then request a quote to meet the requirements in your permit. Should credits be available, you can then start the offset purchase process. We then use the planning permit number for allocating the credits. Allocating credits to the permit is evidence that you have purchased your offset.
- You can request a quote to confirm availability and to get an idea of the cost of offsetting before you apply for a permit. Once you receive the planning permit you can request an updated quote. It is at this point that you can then go through the offset purchase process.

We cannot guarantee credit availability until a) contracts are executed, or b) credits have been held via a pending trade lodged with DELWP Native Vegetation Offset Register.

We cannot guarantee price until a) a quote has been accepted within 14 days, and b) a Credit Trading Agreement is signed within 21 days, and c) the invoice for the credits is paid within 28 days of the date the invoice is issued.

### If I sign the contract, does that mean I MUST pay for the credits?

Yes, you have entered into a contract agreeing to pay for the offset credits therein and are required to pay for those credits. The credits must be paid for within 28 days of the date of the invoice.

### Can you hold the credits for me, as I want to pay later?

We are unable to hold credits for later payment. Please also see 'What happens if I don't have a permit yet?' above.

For further information, see [our website](#) or the [DELWP website](#).

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**Proposed Multi lot residential subdivision  
10 Fullarton Drive, Paynesville**

**Town Planning Report -  
Access & Servicing Strategy**

Prepared for:  
**Resi Ventures Pty Ltd**

Prepared by:  
**Crossco Consulting Pty Ltd**  
**PO Box 858**  
**Bairnsdale Vic 3875**



R:/2635  
Revision FINAL

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## Document revision

Version	Date	Prepared by	Comments
FINAL	05/08/2022	Crossco	Distributed to C&S

**Notice:*****This Stormwater Management Strategy:***

- 1. Has been prepared by Crossco Consulting Pty Ltd for Resi Ventures Pty Ltd.***
- 2. Is for the use of Resi Ventures Pty Ltd in seeking planning approval for the proposed subdivision at 10 Fullarton Drive, Paynesville.***
- 3. Is for the use of East Gippsland Shire in assessing any planning application submitted by Resi Ventures Pty Ltd or on their behalf by Crowther & Sadler Pty Ltd for the proposed development of 10 Fullarton Drive, Paynesville.***

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Revision FINAL

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1. Background

Crossco Consulting Pty Ltd has been engaged by Resi Ventures Pty Ltd to prepare an Access & Servicing Strategy to accompany a planning permit application that will be submitted to East Gippsland Shire Council to subdivide land at 10 Fullarton Drive, Paynesville.

A separate Stormwater Management Strategy has been prepared.

The site is subject to the East Gippsland Shire Planning Scheme and is zoned GRZ1 (General Residential Zone – Schedule 1).

To the north of the site are wetlands that fringe the Gippsland Lakes (Lake King) and forms part of the Gippsland Lakes RAMSAR site. Part of the north boundary of the subject site abuts the RAMSAR boundary.



Figure 1: Ramsar Boundary<sup>1</sup>

2. Site Overview

2.1 Property Details

Property Address	10 Fullarton Drive, Paynesville
Boundaries	Crown Land (Ramsar Boundary) to the north Existing Dwellings & vacant land to the south and west Burden Place (municipal road) to the east

<sup>1</sup> Excerpt – Gippsland Lakes Ramsar Site Boundary Description, Technical Report (DEPI Victoria), 2013

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## 2.2 Site Location

The site is located at the north/west edge of Paynesville and overlooks Point Fullarton and Lake King to the north.

Land to the south is developed for residential purposes with existing dwellings that have the following services available:

- Municipal Road access & drainage
- Sewer & Water (East Gippsland Water)
- Electricity
- Natural gas
- Communications



Figure 2: Locality Plan

Figure 2 provides an overview of the location of the site in relation to existing development at Paynesville. The waterways and wetlands associated with the town are also shown.

Figure 3 and Figure 4 show the site in the context of the abutting land and infrastructure.

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Figure 3: Aerial Overview



Figure 4: Site Aerial

### 3. Proposal

10 Fullarton Drive, Paynesville is proposed to be developed for residential purposes. The proposed 59 allotment subdivision will include services and create a Reserve to the north.

The development creates:

- Lots 1 – 33 to the west area of the site
- Lots 34 - 59 to the east area of the site



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## 4. Services

### 4.1 Roads & Drainage

Drainage and stormwater management are considered in Crossco report "Stormwater Management Strategy" and have not been duplicated in this report.

New roads are proposed to be constructed to access the subdivision as follows:

West area (Lots 1-33)	<p>Fullarton Drive currently terminates at the west boundaries of 62/65 Fullarton Drive and at this location the existing road reserve is 18 m wide.</p> <p>Fullarton Drive will be constructed further to the west (approx. 300 lm of new road).</p> <p>The extension of Fullarton Drive:</p> <ul style="list-style-type: none"> <li>- is proposed to be consistent with the width of the existing road and will provide for 2-way traffic, with footpaths on both sides of the road.</li> <li>- road reserve will gradually increase to 22 m wide to accommodate the natural slope. Refer to Crossco Drawing 2635/006 at Appendix 1 for cross sections of the extension of Fullarton Drive. Section A on Drawing 2635/001 is a typical section of the proposed Fullarton Drive extension and shows road reserve width (22m), carriageway, footpaths etc.</li> </ul>
East area (Lots 34-59)	<p>A new road to the north boundary of these proposed allotments will be constructed with allotments constructed only to the south of this road and Reserve to the north.</p> <p>The new road will terminate at Burden Place where a new intersection will be constructed, and Fullarton Drive (north of the existing Wisteria Place intersection).</p> <p>The new road will provide for two-way traffic, with a footpath (1.5m width) on the south side.</p> <p>Vehicles on Fullarton Drive and Burden Place respectively will retain right-of-way.</p> <p>Refer to Crossco Drawing 2635/001 at Appendix 1 – Section B is a typical section of the proposed new road and shows road reserve width (18 m), carriageway, footpaths etc.</p>

Road and drainage design are proposed to be consistent with the planning scheme and Infrastructure Design Manual (IDM), and other relevant design standards (such as AustRoads).



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4.2 Sewer & Water

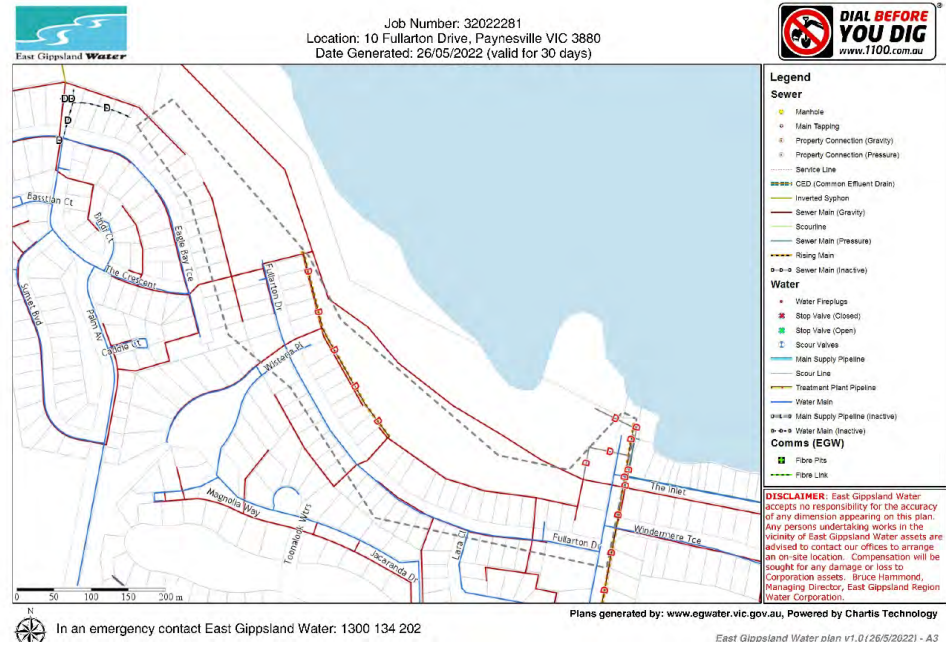


Figure 5: EGW Assets<sup>2</sup>

4.2.1 Sewer

Authority	East Gippsland Water (EGW)
Existing sewer system	<p>The general arrangement of sewer and water assets in the area are shown at Figure 5, with additional information provided at:</p> <ul style="list-style-type: none"><li>- Crossco Drawings at Appendix 1</li><li>- DBYD plans at Appendix 3.</li></ul> <p>Sewer Gravity Main: There is a sewer gravity main (225 dia) to the north of the site that outfalls sewerage to a sewer pump station (SPS) to the west at Bay Road, Eagle Point. Sections of this sewer will be rerouted in proximity of proposed Lots 16-57.</p> <p>Reticulated sewer: Wastewater generated at existing properties to the north of Fullarton Drive outfall to a reticulated sewer (c 150mm dia), with existing properties at 6-38 Fullarton Drive draining to the east, and 40-62 draining to the west. Both outfall via gravity to the 225 dia sewer gravity main.</p>

<sup>2</sup> DBYD

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With the exception of proposed Lot 59, the proposed allotments will be serviced by a new 150 dia gravity sewer:

- Lots 1 – 15 constructed in the extension of the Fullarton Drive road reserve (south side).
- Lots 16-33 constructed along the north boundary.

Lots 1 – 33 discharge to the west to the existing (partially reconstructed) 225 dia sewer gravity main.

Lots 34-57 discharge to the east via a new gravity sewer to an SPS (currently decommissioned), and outfall via a new rising main (RM) to a manhole at proposed Lot 33 to the new gravity sewer outfalling to the west. Consideration was given to discharging the RM to an existing 225 dia sewer gravity main manhole but was not preferred to avoid undertaking works / modifying the existing infrastructure when another alternative is available.

Lots 58-59 discharge to the existing sewer to the north of the existing allotments to the north of Fullarton Drive.

EGW have specific and detailed requirements for the design and construction of all sewer and water assets that must be met. This development proposes to meet all EGW requirements.

#### 4.3 Water

Authority	East Gippsland Water
Existing reticulated potable water	<p>The general arrangement of sewer and water assets in the area are shown at Figure 5, with additional information provided at:</p> <ul style="list-style-type: none"> <li>- Crossco Drawings at Appendix 1</li> <li>- DBYD plans at Appendix 3.</li> </ul> <p>Existing properties at:</p> <ul style="list-style-type: none"> <li>- Fullarton Drive are serviced by a 150mm dia watermain in Fullarton Drive.</li> <li>- Burden Place / Windermere Terrace are serviced by a 150mm dia watermain.</li> <li>- Burden Place / The Inlet are serviced by a 100mm dia watermain that terminates in Burden Place.</li> </ul>

With the exception of proposed Lots 58-59, the proposed allotments will be serviced by a new watermain:

- Lots 1 – 33 constructed in the extension of the 150mm dia watermain in the Fullarton Drive road reserve (south side).
- Lots 34-57 constructed in the proposed road reserve (south side) from Burden Place (existing 100mm dia watermain) to Fullarton Drive existing watermain.
- Lots 58-59 are proposed to be serviced from existing watermain in Burden Place and Fullarton Drive respectively.

EGW have specific and detailed requirements for the design and construction of all sewer and water assets that must be met. This development proposes to meet all EGW requirements.

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## 4.4 Natural Gas

Authority	APA Group
Existing gas main & location	<p>Refer to attached for location of existing gas mains at:</p> <ul style="list-style-type: none"> <li>- Crossco Drawings at Appendix 1</li> <li>- DBYD plans at Appendix 3.</li> </ul> <p>Existing properties connected to natural gas are serviced by a 63 dia P7 pipe in the respective road reserves.</p> <p>Refer to APA DBYD plans at Appendix 3.</p>

The proponent proposes to allow for the installation of natural gas.

## 4.5 Electrical

Figure 6 shows existing Ausnet assets in the area, with overhead services shown in blue and underground shown in maroon. The supply terminates at Burden Place north of The Inlet.



Figure 6: Ausnet Assets

Authority	Ausnet
Existing electrical infrastructure	<p>The general arrangement of Ausnet (electricity mains) assets in the area are shown at Figure 6, with additional information provided at:</p> <ul style="list-style-type: none"> <li>- Crossco Drawings at Appendix 1</li> <li>- DBYD plans at Appendix 3.</li> </ul> <p>Existing surrounding properties connected to mains electricity.</p> <p>Refer to Ausnet DBYD plans at Appendix 3.</p>

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The electricity supply will be provided underground.

Conceptual advice has been provided by an Ausnet certified electrical designer. This advice has been provided in the form of a "mark up" of a Crossco drawing is duplicated below.

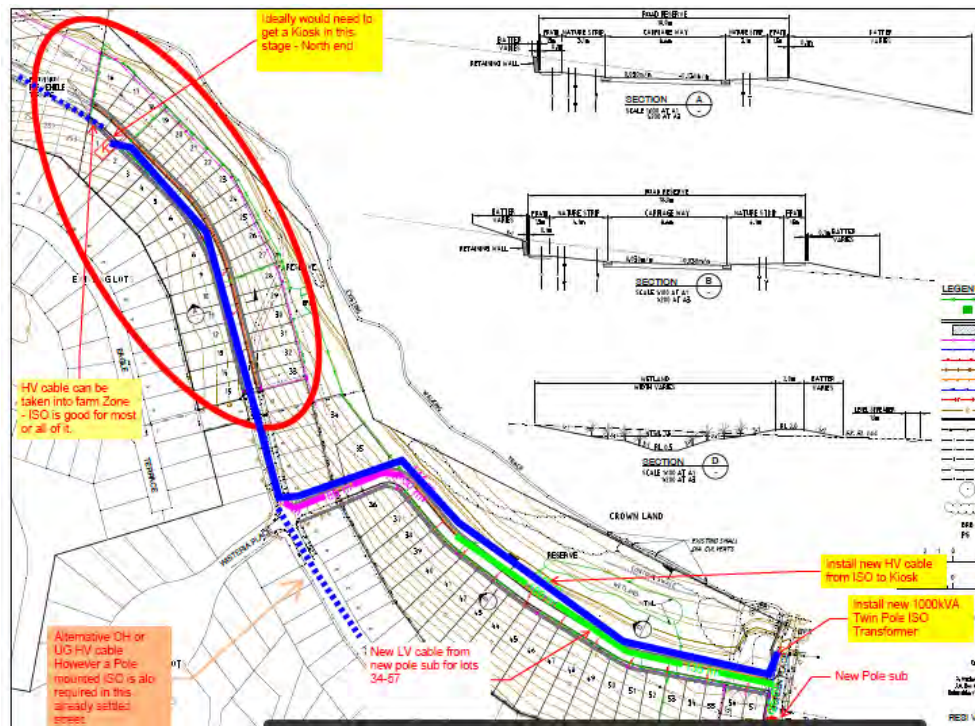


Figure 7: Concept electrical supply layout

The layout at Figure 7 is conceptual and subject to detailed design and Ausnet approval. The concept design indicates that mains electricity can be supplied to the proposed development from Ausnet assets, and further that transformers and kiosks are required. The location of the kiosks will be confirmed in detailed design and will require creation of Reserve.

The "Alternative" shown on the "mark up" to install a pole mounted ISO in proximity to 51 Fullarton Drive has been dismissed and is not the proponent's preferred electrical design solution as the required pole mounted infrastructure could be visually obtrusive to some properties on the south side of Fullarton Drive.

Public / street lighting will be included in the detailed electricity design. Street lighting is proposed to be provided on the "street circuit" and will be designed, approved and constructed in accordance with Ausnet requirements. Street lighting design will apply Ausnet and EGSC approved poles and LED technology.

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## 4.6 Communications

Authority	Telstra and NBN Co
Existing communications infrastructure	<p>The general arrangement of Telstra assets in the area are shown at Figure 8, with additional information provided at:</p> <ul style="list-style-type: none"> <li>- Crossco Drawings at Appendix 1</li> </ul> <p>The general arrangement of NBN assets in the area are shown at Appendix 3 (DBYD plans).</p> <p>All Telstra and NBN assets are located in existing road reserves.</p> <p>Existing surrounding properties are serviced by both Telstra and NBN.</p>



Figure 8: Telstra Assets

Telstra and NBN existing cables are proposed to be extended to service the proposed allotments as shown on the Crossco Drawings at Appendix 1.

All Telstra and NBN assets are proposed to be constructed underground within proposed road reserves.



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## 5. Environmental Management

### 5.1 Construction Phase

Construction of the access and servicing infrastructure outlined in this report will require management to ensure there is no off-site impact.

Compliance with EPA publication 1834 through **all** phases of construction works is strongly recommended. The publication cover page and excerpt of table of contents is included at Figure 9.

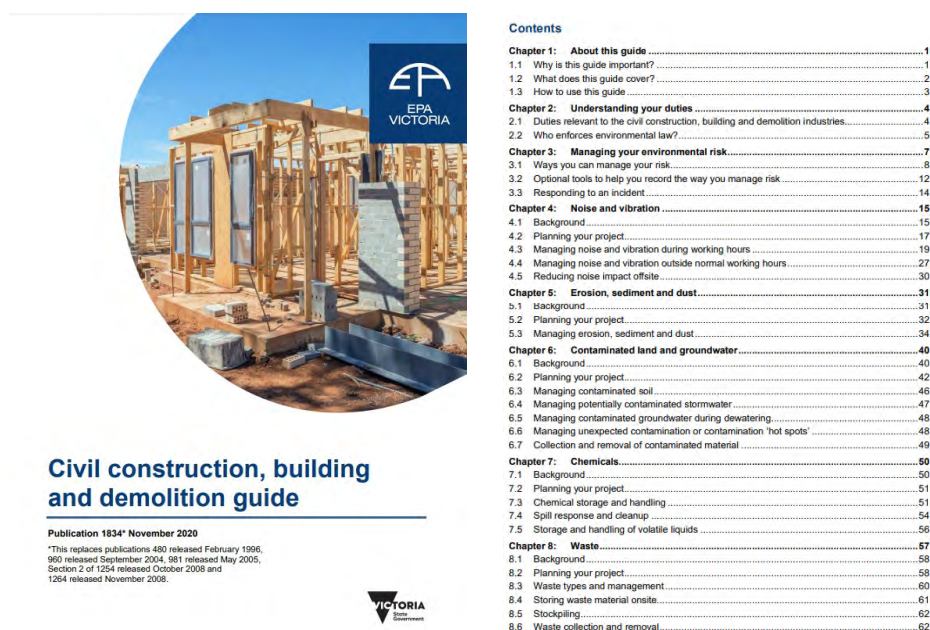


Figure 9: EPA Publication 1834 cover & ToC

### 5.2 Coastal Acid Sulphate Soils

Some works could impact coastal acid sulphate soils (CASS). Excavation of the constructed waterway immediately to the east (The Inlet waterway) is known to have disturbed CASS which was managed by a CASS Management Plan, and CASS mapping<sup>3</sup> confirms the potential for CASS to be present.

EPA Publication 1834 referenced previously includes a statement regarding the management of acid sulfate soils, with a guidance sheet for management of "Hazardous Waste" including acid sulfate soils. Requirements for the management of acid sulfate soils (if present and/or disturbed by construction) will be addressed once the risk is identified and quantified.

<sup>3</sup> VRO Coastal Acid Sulfate Soils Distribution – Map 5 for the Gippsland Lakes of Victoria



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As is usual practice where CASS is potentially present, the Geotechnical Investigation of the site prior to detailed design will include a CASS investigation and recommendations for management if found. Further if CASS is found this will assist in informing the detailed design, in particular avoidance where practical and materials selection (such as sulphate resistant materials) for construction through the CASS profile.

CASS Management Plans are commonly implemented by Civil Contractors in East Gippsland and form an important part of OH&S and Environmental management of civil construction projects throughout coastal environments. While not relevant to stormwater assets which are gifted to the municipality, East Gippsland Water has a Standard Operating Procedure (SOP) for Management of Acid Sulphate Soils and will expect compliance with this SOP for construction of assets to be gifted to EGW (water and sewer assets) and it is anticipated that a single CASS Management Plan will be developed for all civil construction works.

If a CASS Management Plan is required, it will meet the requirements of DELWP and any other relevant Authority.

## 6. Summary

Key issues are:

- Recommissioning of the SPS at Burden Place (EGW asset) is required.
- Access for the east allotments is from Burden Place.
- Access for the west allotments is created by extending Fullarton Drive.
- The proposed allotments can be serviced as required.
- No departure from design standards is proposed.
- Compliance with EPA Publication 1834 during all phases of construction will ensure environmental risk are managed.
- CASS will be managed in accordance with standard practice and statutory requirements.

M Supplitt  
05/08/2022



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**Appendix**

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**Appendix 1 – Crossco Drawings**

2635/001 Access & Servicing Strategy

2635/002 Access & Servicing Strategy

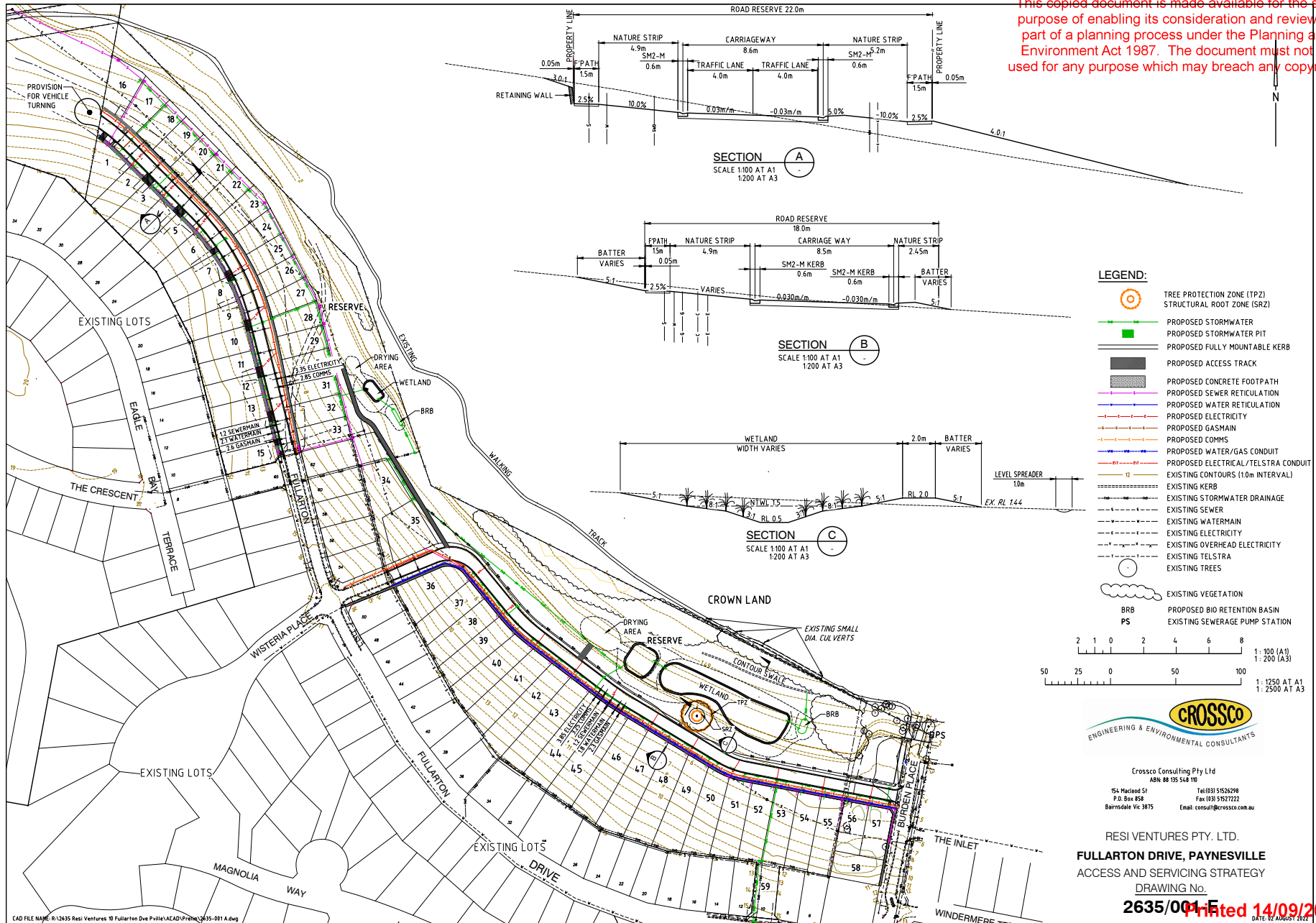
2635/003 Access & Servicing Strategy

2635/006 Indicative Sections

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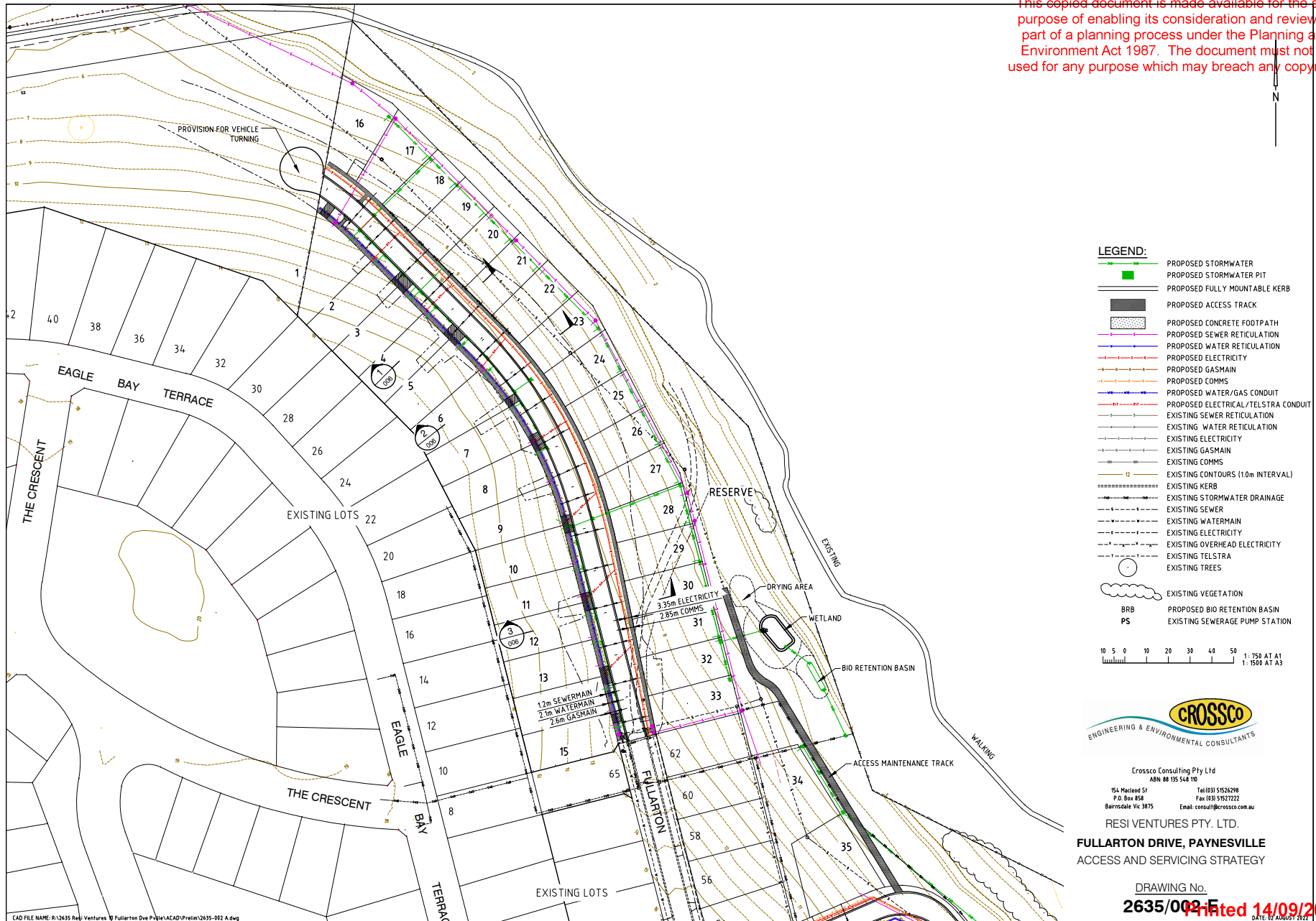
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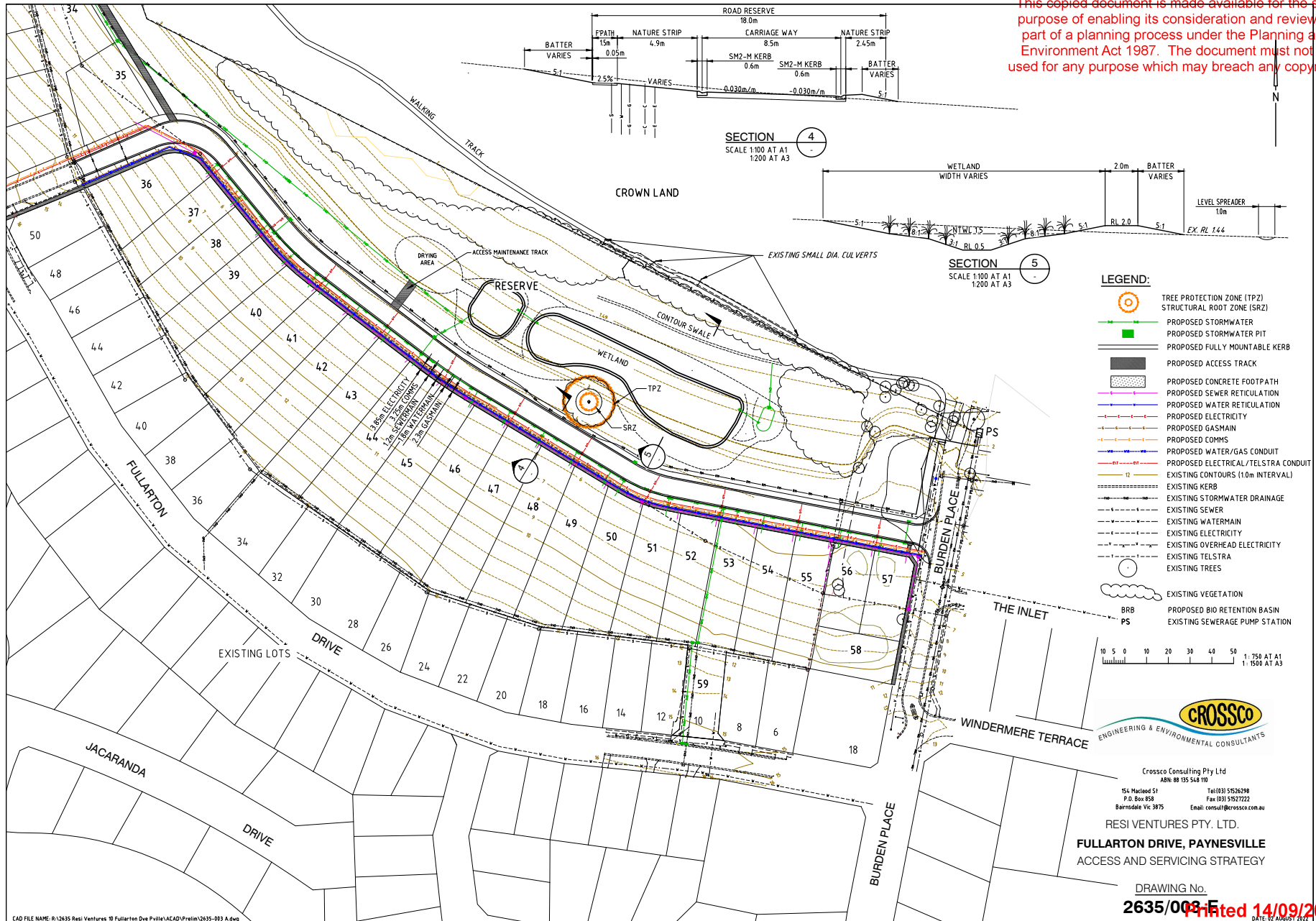
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# Attachment 5.1.1.3

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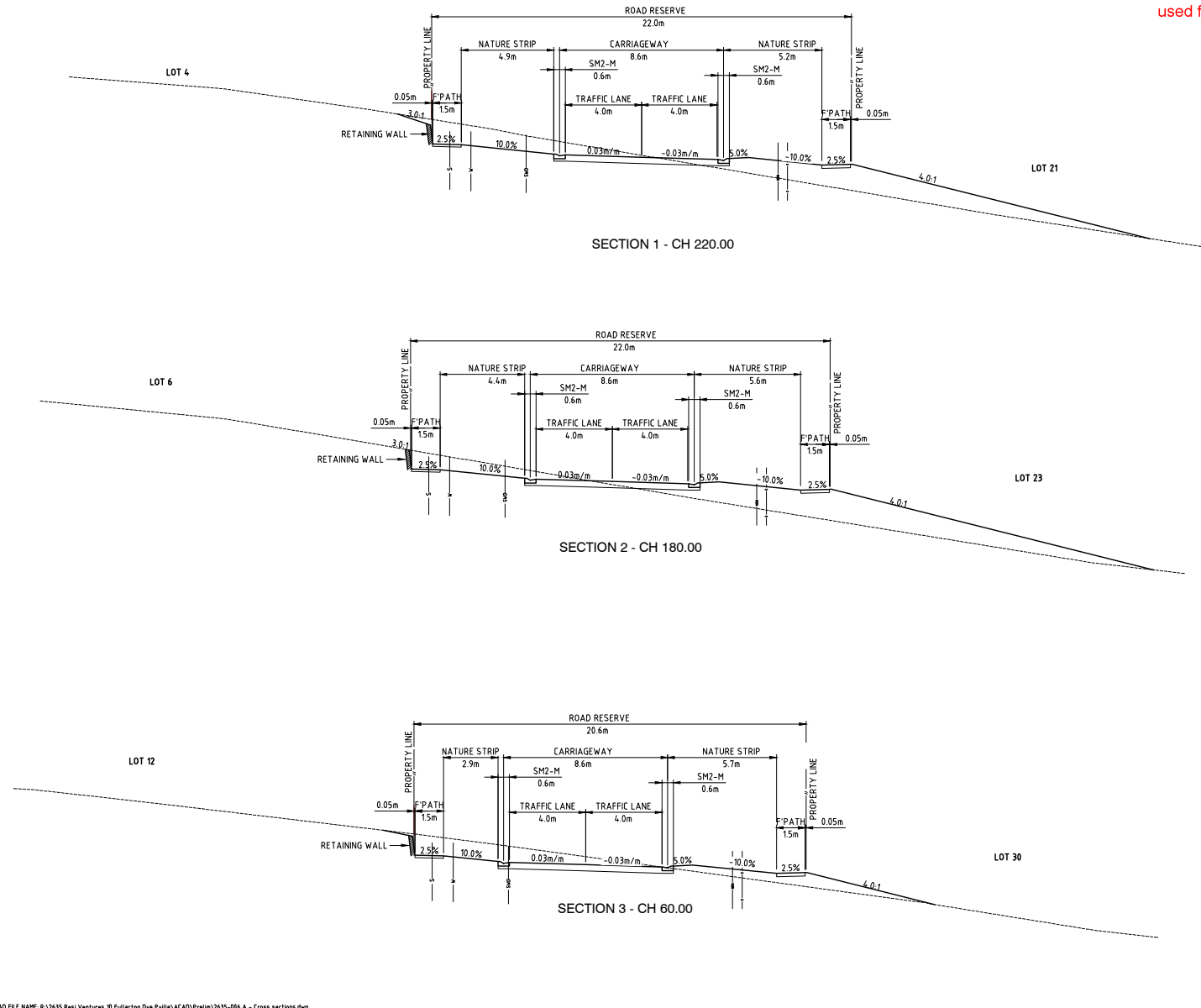
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Crossco Consulting Pty Ltd  
 ABN: 88 135 548 110  
 154 Macleod St  
 P.O. Box 858  
 Barmville Vic 3075  
 Tel: (03) 51526298  
 Fax: (03) 51527222  
 Email: consult@crossco.com.au

RESI VENTURES PTY. LTD.  
 FULLARTON DRIVE, PAYNESVILLE  
 TYPICAL SECTIONS

DRAWING No.

2635/006-E

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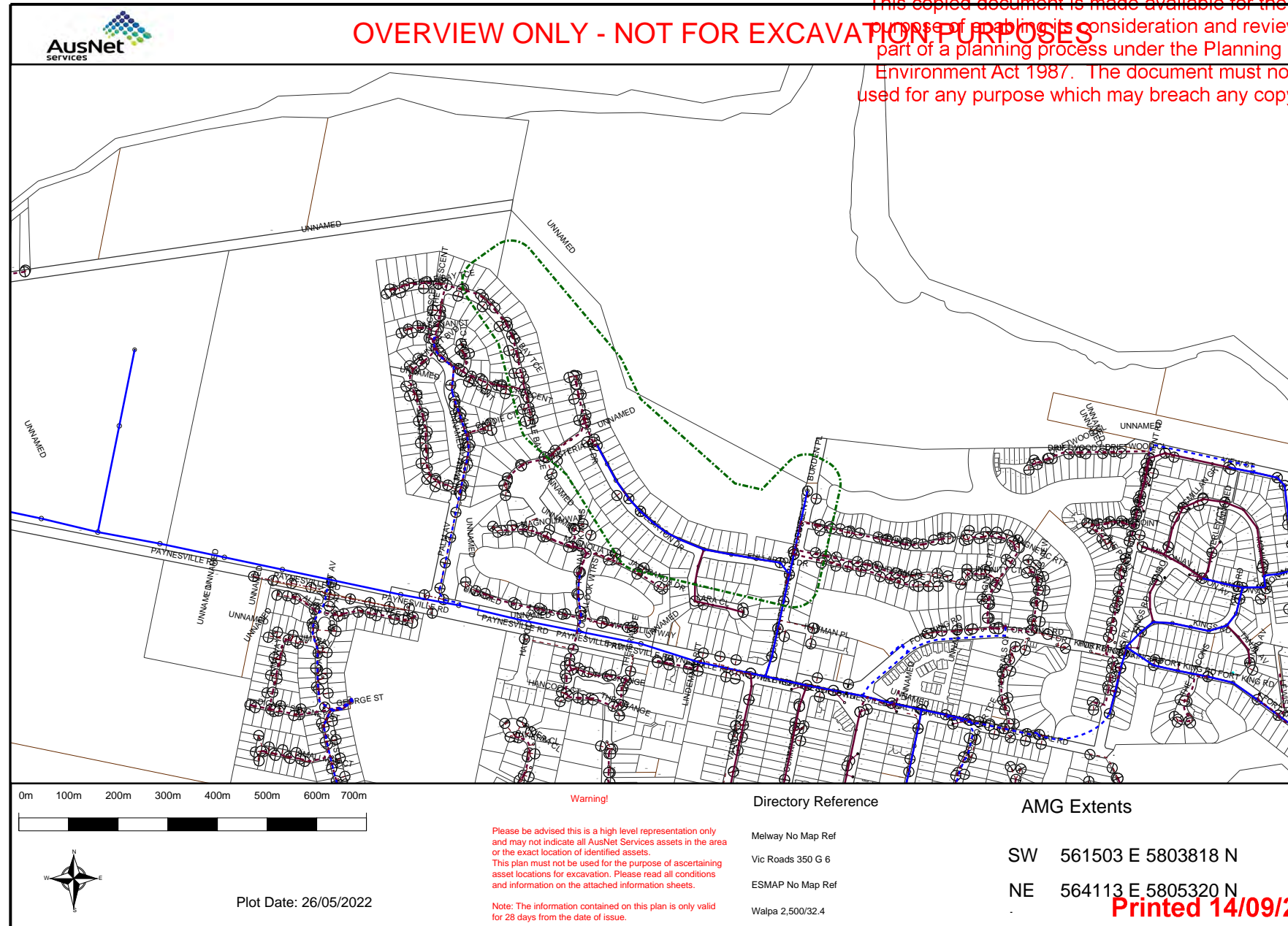
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**Appendix 2 – Dial-Before-You-Dig**

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APA Group  
PO Box 6014 Halifax Street  
South Australia 5000



For your immediate information **THERE IS A CRITICAL GAS PIPELINE AND/OR ASSOCIATED INFRASTRUCTURE** in the area of your works.

27/07/2022

Company: Crossco  
Margaret Supplitt  
154 Macleod Street  
Bairnsdale  
VIC 3875  
margaret@crossco.com.au

Dear Margaret Supplitt

Sequence Number: 214115450  
Worksite Address: 10 Fullarton Drive  
Paynesville  
VIC 3880

Thank you for your Dial Before You Dig enquiry regarding the location of Gas Assets. We can confirm that the APA Group has **Critical Gas Assets** in the vicinity of the above location.

You are hereby notified that **before you commence any works** you are required to complete the attached '**Work In The Vicinity Of Critical Gas Assets**' request form and forward this to APA as soon as practicable.

As laid out in the **Duty of Care** requirements supplied, any activity in the vicinity of Critical Gas Assets operated by APA requires an Authority to Work Permit and potentially attendance on site by an APA representative during any work. Please ensure you read and comply with all the relevant requirements. Should you have any questions with regards to the attached information please contact our DBYD officer - 1800 085 628.

**Caution - Damage to gas assets could result in possible explosion and fire with the risk of personal injury. For Gas Emergencies please call 1800 GAS LEAK (1800 427 532)**

Please find enclosed the following information:-

- APA's Duty of Care, If you are unclear of your obligations under these requirements please contact the APA Representative listed above immediately
- An overview map with your requested area highlighted to assist in locating APA's Gas Assets
- A map(s) showing APA's Gas Assets in the requested area, this information is valid for 30 days from the date of this response, **please check this represents the area you requested**, if it does not, please contact the APA Representative listed above immediately
- A 'Work In The Vicinity Of Critical Gas Assets' request form, please complete and forward to APA as soon as practicable via [DBYDNetworksAPA@apa.com.au](mailto:DBYDNetworksAPA@apa.com.au), or the address above. **A minimum of 2 business days advance notification is required to process Authority To Work Request applications**

The outcome of this request may be that a qualified APA Group Representative will be required on site when you undertake your proposed works, if this is the case, this will need to be arranged dependent on their availability. Whilst we will aim to facilitate this within 2 business days from a decision, **this cannot be guaranteed**.

**Please Note:** For some DBYD enquiries, you might receive 2 responses from the APA Group. Please read both responses carefully as they will relate to different assets. It is your responsibility to action all requirements set out in APA Group responses.



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Please take some time to review the entire response document and check the information supplied and please let us have any feedback by sending an email to [DBYDNetworksAPA@apa.com.au](mailto:DBYDNetworksAPA@apa.com.au) or contacting us direct on 1800 085 628.

## Duty of Care - Working Around Gas Assets

### General Conditions

- This location enquiry is valid for 30 days from the enquiry date
- Expired locations, i.e., over 30 days from the date of this response, require a new Dial Before You Dig request to validate location information
- The location information supplied in this document shall be used as a guide only. APA Group shall not be liable or responsible for the accuracy of any such information supplied pursuant to this request
- It is the responsibility of the excavator to expose all Gas Assets, including Gas Service pipes (see below), Gas Asset depths may vary according to ground conditions
- Gas Services (inlet service) connecting Gas Assets in the street to the gas meter on the property are typically **not** marked on the map
- Some Gas Assets are installed inside of a casing. The locations where a Gas Asset changes from inserted to direct burial are not marked on the map unless otherwise stated
- This information has been generated by an automated system based on the area highlighted in your DBYD request and has not been independently verified. It is your responsibility to ensure that the information supplied in this response matches the dig site you defined when submitting your Dial Before You Dig enquiry. If the information does not match the dig site or you have any question, please contact APA immediately using the details listed on the first page and / or please resubmit your enquiry
- For **Gas Emergencies** please call **1800 GAS LEAK (1800 427 532)**

### Critical Gas Assets - Conditions

It is your responsibility to follow these important conditions when working in the vicinity of Critical Gas Assets

- A 'Work In The Vicinity Of Critical Gas Assets' request form must be submitted to APA Group PRIOR to any work commencing, a minimum of **2 business days** are required to arrange attendance by an APA Group representative
- Whilst we will aim to facilitate this within **2 business days** from a decision, **this cannot be guaranteed**. Charges for APA Group supervision may apply
- Any works in the vicinity of Critical Gas Assets requires approval from APA via **APA's 'Authority to work' permit** and supervision by an APA Group representative unless expressed otherwise on the "Authority to work" permit.
- Penalties apply to excavators commencing work in the vicinity of Critical Gas Assets **prior to receiving an APA Group 'Authority to Work' permit and an APA Group representative is present**



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## Rates applicable to APA on-site representation for supervision or location

Item	Rate
Site Watch - Normal Hours	\$143.42 (hr)
Site Watch - After Hours	\$175.06 (hr)
Electronic Locate – Normal Hours	\$143.42 (hr)
Electronic Locate – After Hours	\$175.06 (hr)
Cancellation	2 hrs (where less than 1 business day notice is provided)
Mains Proving	As quoted by APA

## Notes:

- All prices are exclusive of GST
- All partial hours will be charged at a full hour rate for the first hour, 1hr minimum charge.
- Cancellations must be received 1 business day prior to the booked supervision otherwise a 2hr charge will be incurred.
- Contact us for State specific hours of business.

## APA CHANGE NOTIFICATION

The map below may have different symbols to those you are familiar with.

APA recently upgraded the asset mapping software utilised for Dial Before You Dig requests.

To avoid confusion, please carefully review the legend along with the map.

Please direct any questions to [DBYDNetworksAPA@apa.com.au](mailto:DBYDNetworksAPA@apa.com.au)

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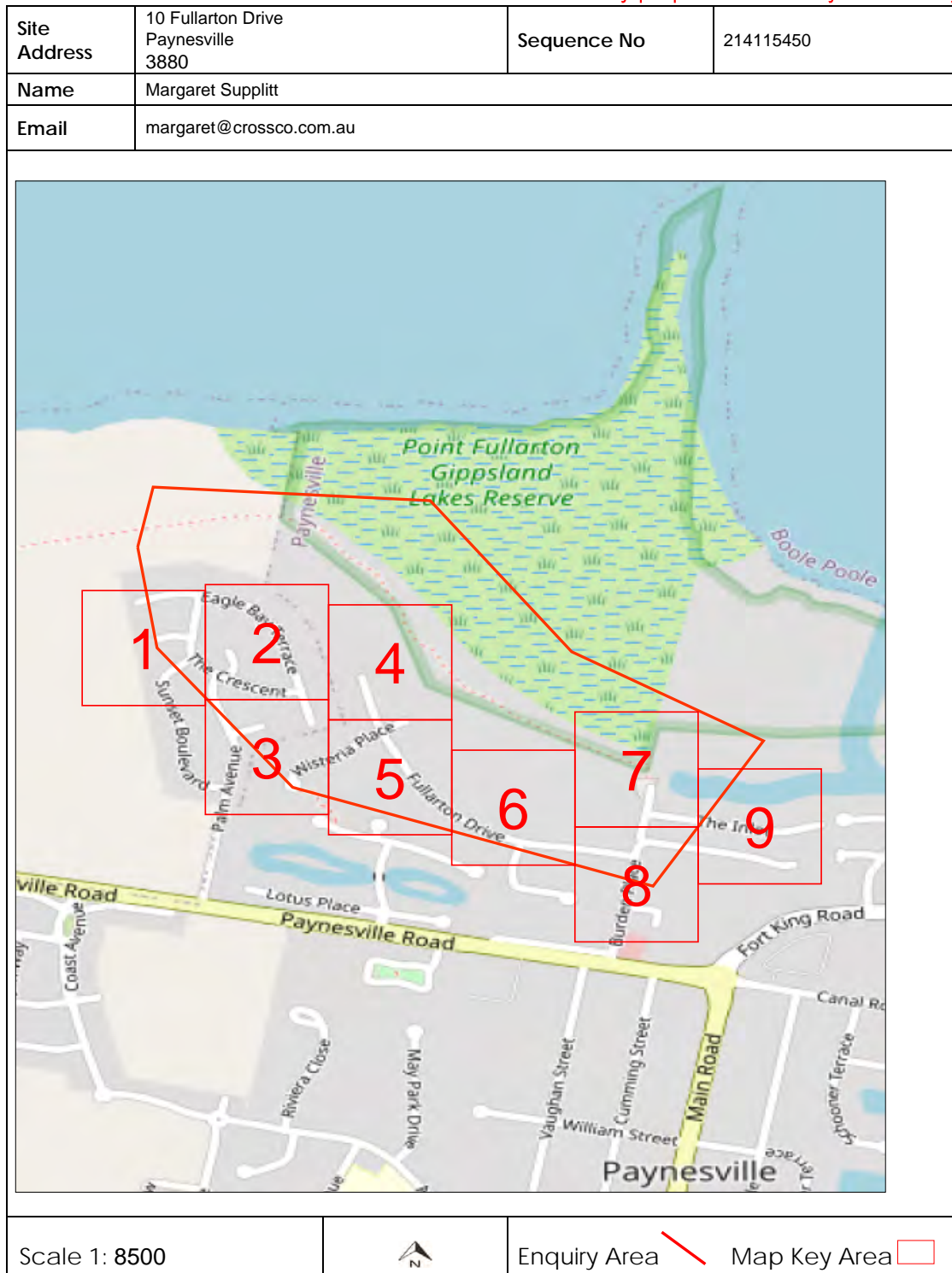




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A horizontal line segment with arrows at both ends. Below the left arrow is the number 0. Below the right arrow is the number 0.008km.

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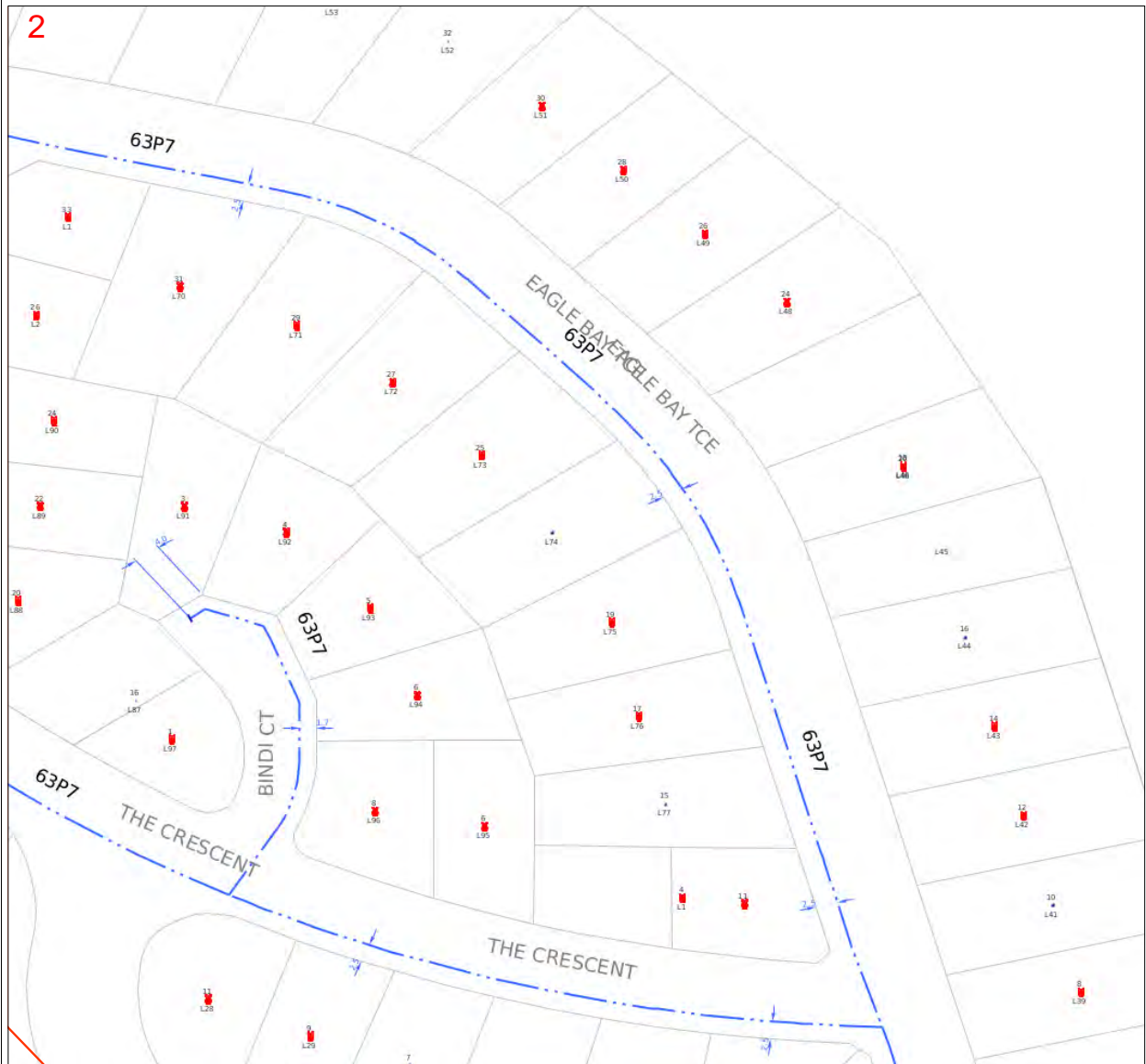


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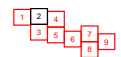


LEGEND		PIPE CODE / MATERIALS		OBJECTS or TERMS	
LOW PRESSURES	—	C# (e.g. C2)	Cast Iron	VALVES	⊕ ⊖ ⊗ ⊙
MEDIUM PRESSURES	—	CU	Copper	BURIED VALVES	⊕ ⊖ ⊗ ⊙
HIGH PRESSURES	—	N2	Nylon	REGULATORS	⊕ ⊖ ⊗ ⊙
TRANSMISSION PRESSURES	—	P# (e.g. P6)	Polyethylene (PE)	GAS SUPPLIED = YES	⊕ ⊖ ⊗ ⊙
PRIORITY MAIN (BEHIND PIPE)	—	P6,P7,P9-P12	Medium Density PE	CP RECTIFIER UNIT	⊕ ⊖ ⊗ ⊙
PROPOSED (COLOUR BY PRESSURE)	—	P2,P4,P8	High Density PE	CP TEST POINT/ ANODE	⊕ ⊖ ⊗ ⊙
LPG (COLOUR BY PRESSURE)	—	S# (e.g. S8)	Steel	SYPHON	⊕ ⊖ ⊗ ⊙
ABANDONED	—	W2	Wrought Galv. Iron	TRACE WIRE POINT	⊕ ⊖ ⊗ ⊙
IDLE	—	W3	Poly Coat Wrought Galv. Iron	PIPELINE MARKER	⊕ ⊖ ⊗ ⊙
SLEEVE	—	Pipe diameter in millimetres is shown before pipe code e.g. 40P6 = 40mm nominal diameter		NOT TIED IN	N.T.I. ⊕ ⊖ ⊗ ⊙
CASING / SPLIT (BEHIND PIPE)	—			DEPTH OF COVER	C
EASEMENT/ JURISDICTION	—			BACK / FRONT OF KERB	Bok Bok
<b>EXAMPLES</b>		40P6 in 80C2			
		40mm High Pressure Medium Density Polyethylene in an 80mm Cast Iron Casing			
		63S8			
		63mm Medium Pressure Steel			

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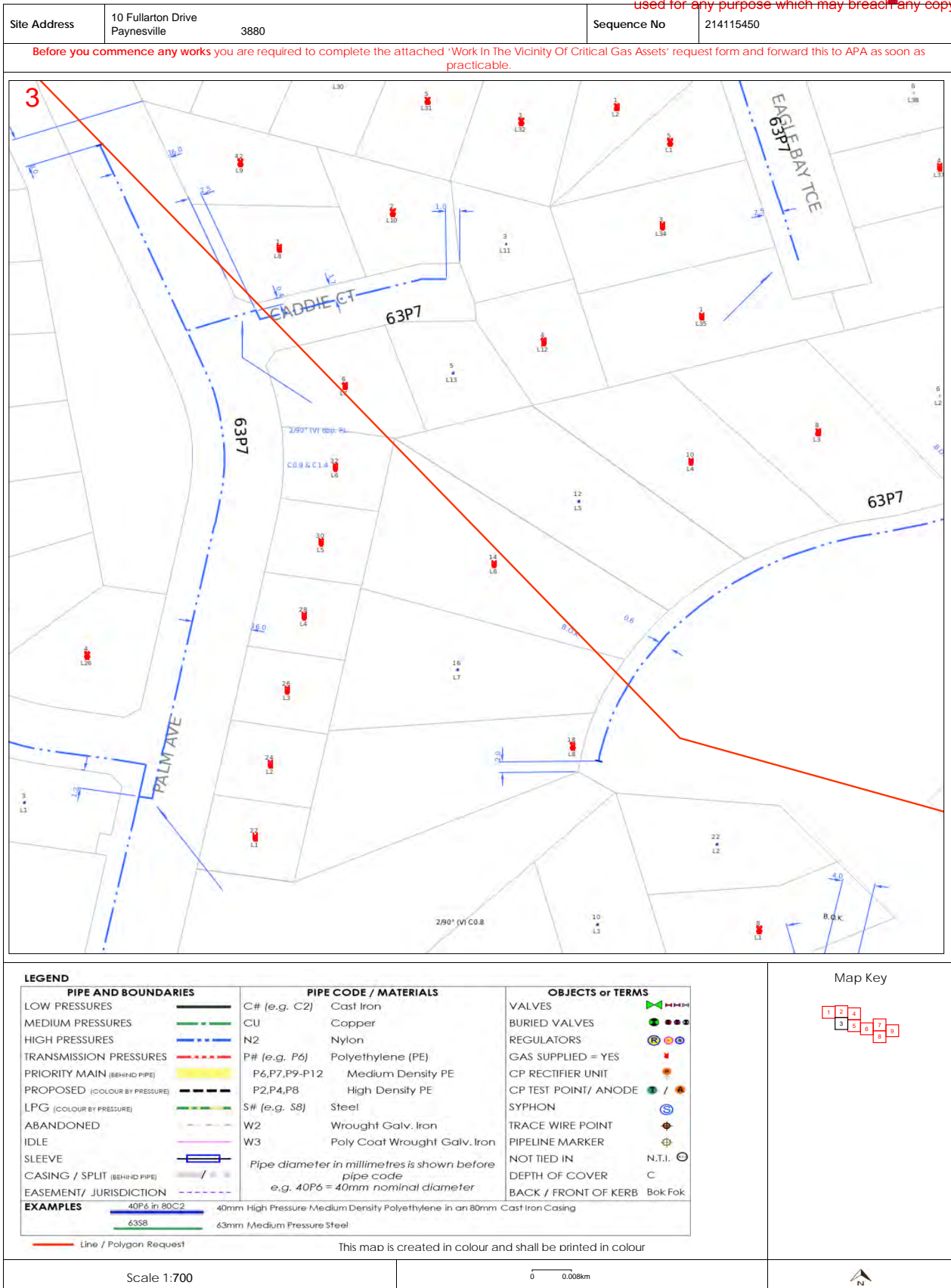
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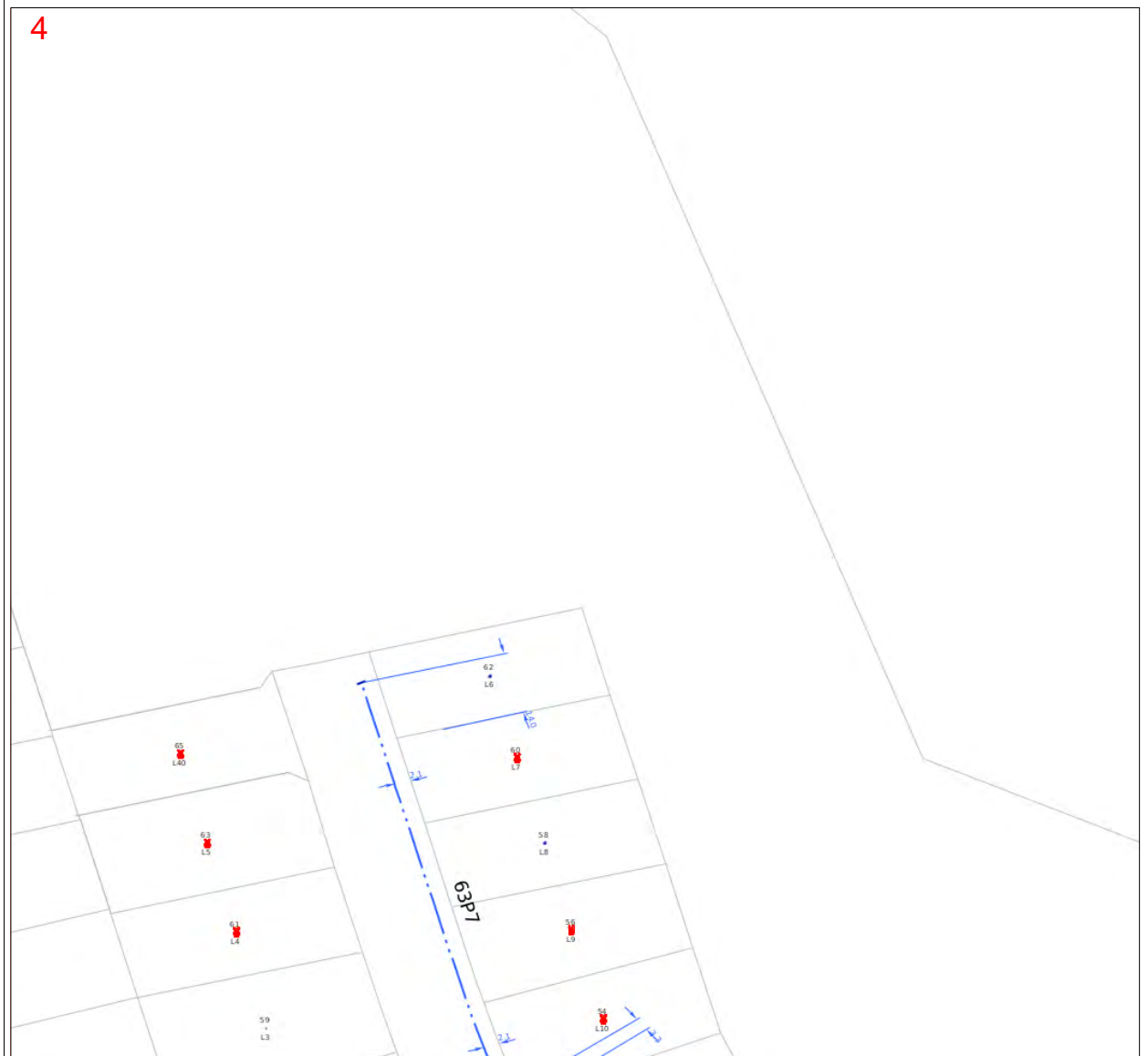


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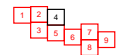
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LOW PRESSURES	—	C# (e.g. C2) Cast Iron	VALVES
MEDIUM PRESSURES	—	CU Copper	BURIED VALVES
HIGH PRESSURES	—	N2 Nylon	REGULATORS
TRANSMISSION PRESSURES	—	P# (e.g. P6) Polyethylene (PE)	GAS SUPPLIED = YES
PRIORITY MAIN (BEHIND PIPE)	—	P6,P7,P9-P12 Medium Density PE	CP RECTIFIER UNIT
PROPOSED (COLOUR BY PRESSURE)	—	P2,P4,P8 High Density PE	CP TEST POINT/ ANODE
LPG (COLOUR BY PRESSURE)	—	S# (e.g. S8) Steel	SYPHON
ABANDONED	—	W2 Wrought Galv. Iron	TRACE WIRE POINT
IDLE	—	W3 Poly Coat Wrought Galv. Iron	PIPELINE MARKER
SLEEVE	—	Pipe diameter in millimetres is shown before pipe code	NOT TIED IN
CASING / SPLIT (BEHIND PIPE)	—	e.g. 40P6 = 40mm nominal diameter	DEPTH OF COVER
EASEMENT/ JURISDICTION	—		BACK / FRONT OF KERB
EXAMPLES	40P6 in 80C2	40mm High Pressure Medium Density Polyethylene in an 80mm Cast Iron Casing	
	63S8	63mm Medium Pressure Steel	

## Map Key



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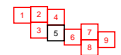


LEGEND	PIPE AND BOUNDARIES	PIPE CODE / MATERIALS	OBJECTS or TERMS
LOW PRESSURES	—	C# (e.g. C2) Cast Iron	VALVES
MEDIUM PRESSURES	—	CU Copper	BURIED VALVES
HIGH PRESSURES	—	N2 Nylon	REGULATORS
TRANSMISSION PRESSURES	—	P# (e.g. P6) Polyethylene (PE)	GAS SUPPLIED = YES
PRIORITY MAIN (BEHIND PIPE)	—	P6,P7,P9-P12 Medium Density PE	CP RECTIFIER UNIT
PROPOSED (COLOUR BY PRESSURE)	—	P2,P4,P8 High Density PE	CP TEST POINT/ ANODE
LPG (COLOUR BY PRESSURE)	—	S# (e.g. S8) Steel	SYPHON
ABANDONED	—	W2 Wrought Galv. Iron	TRACE WIRE POINT
IDLE	—	W3 Poly Coat Wrought Galv. Iron	PIPELINE MARKER
SLEEVE	—	Pipe diameter in millimetres is shown before pipe code	NOT TIED IN
CASING / SPLIT (BEHIND PIPE)	—	e.g. 40P6 = 40mm nominal diameter	DEPTH OF COVER
EASEMENT/ JURISDICTION	—		BACK / FRONT OF KERB Bok Bok
EXAMPLES	40P6 in 80C2 63S8	40mm High Pressure Medium Density Polyethylene in an 80mm Cast Iron Casing 63mm Medium Pressure Steel	

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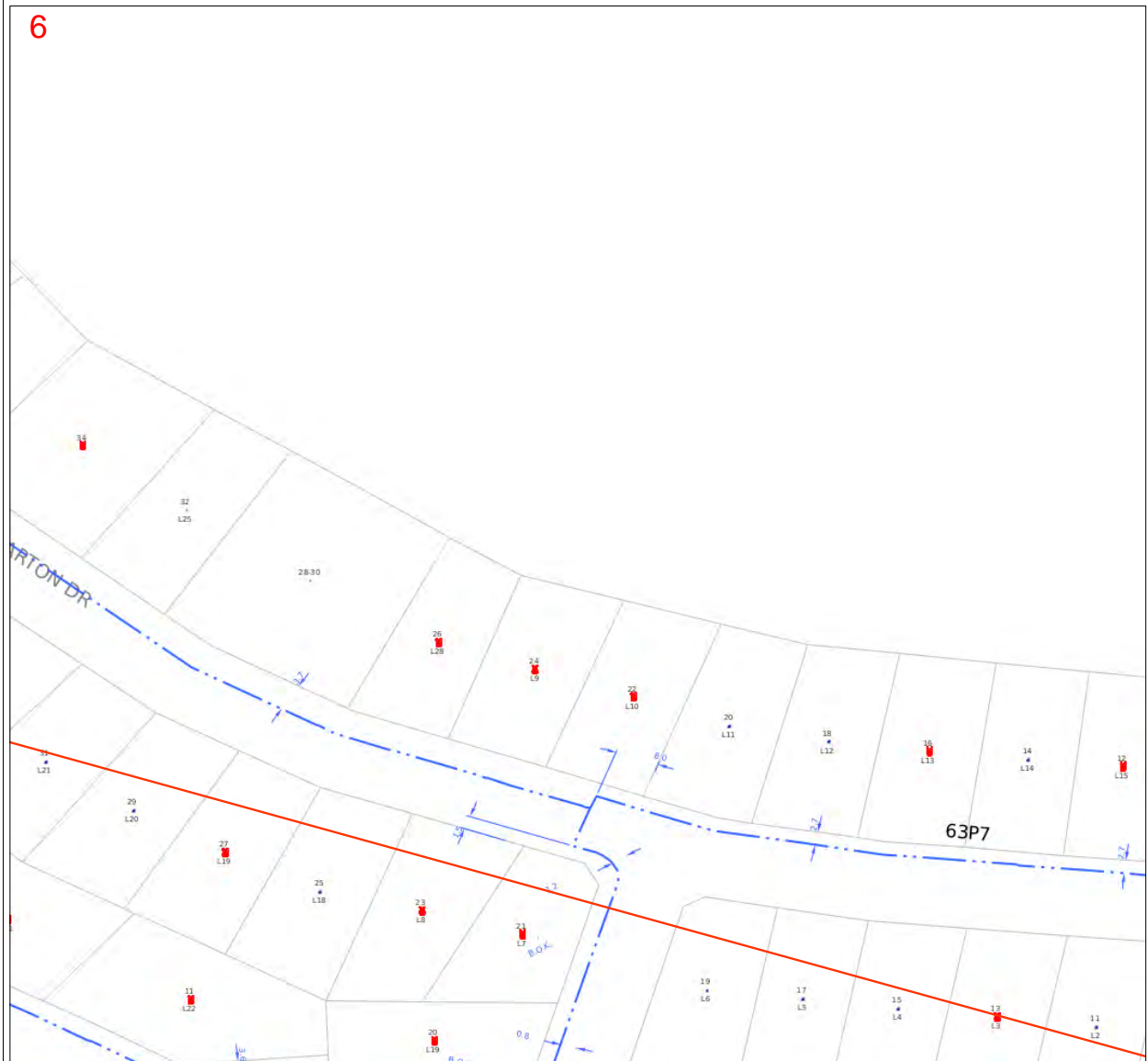


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LEGEND	PIPE AND BOUNDARIES	PIPE CODE / MATERIALS	OBJECTS or TERMS
LOW PRESSURES	—	C# (e.g. C2) Cast Iron	VALVES
MEDIUM PRESSURES	—	CU Copper	BURIED VALVES
HIGH PRESSURES	—	N2 Nylon	REGULATORS
TRANSMISSION PRESSURES	—	P# (e.g. P6) Polyethylene (PE)	GAS SUPPLIED = YES
PRIORITY MAIN (BEHIND PIPE)	—	P6,P7,P9-P12 Medium Density PE	CP RECTIFIER UNIT
PROPOSED (COLOUR BY PRESSURE)	—	P2,P4,P8 High Density PE	CP TEST POINT/ ANODE
LPG (COLOUR BY PRESSURE)	—	S# (e.g. S8) Steel	SYPHON
ABANDONED	—	W2 Wrought Galv. Iron	TRACE WIRE POINT
IDLE	—	W3 Poly Coat Wrought Galv. Iron	PIPELINE MARKER
SLEEVE	—	Pipe diameter in millimetres is shown before pipe code	NOT TIED IN
CASING / SPLIT (BEHIND PIPE)	—	e.g. 40P6 = 40mm nominal diameter	DEPTH OF COVER
EASEMENT/ JURISDICTION	—		BACK / FRONT OF KERB
EXAMPLES	40P6 in 80C2	40mm High Pressure Medium Density Polyethylene in an 80mm Cast Iron Casing	
	63S8	63mm Medium Pressure Steel	

## Map Key



Line / Polygon Request

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Scale 1:700

0 0.008km



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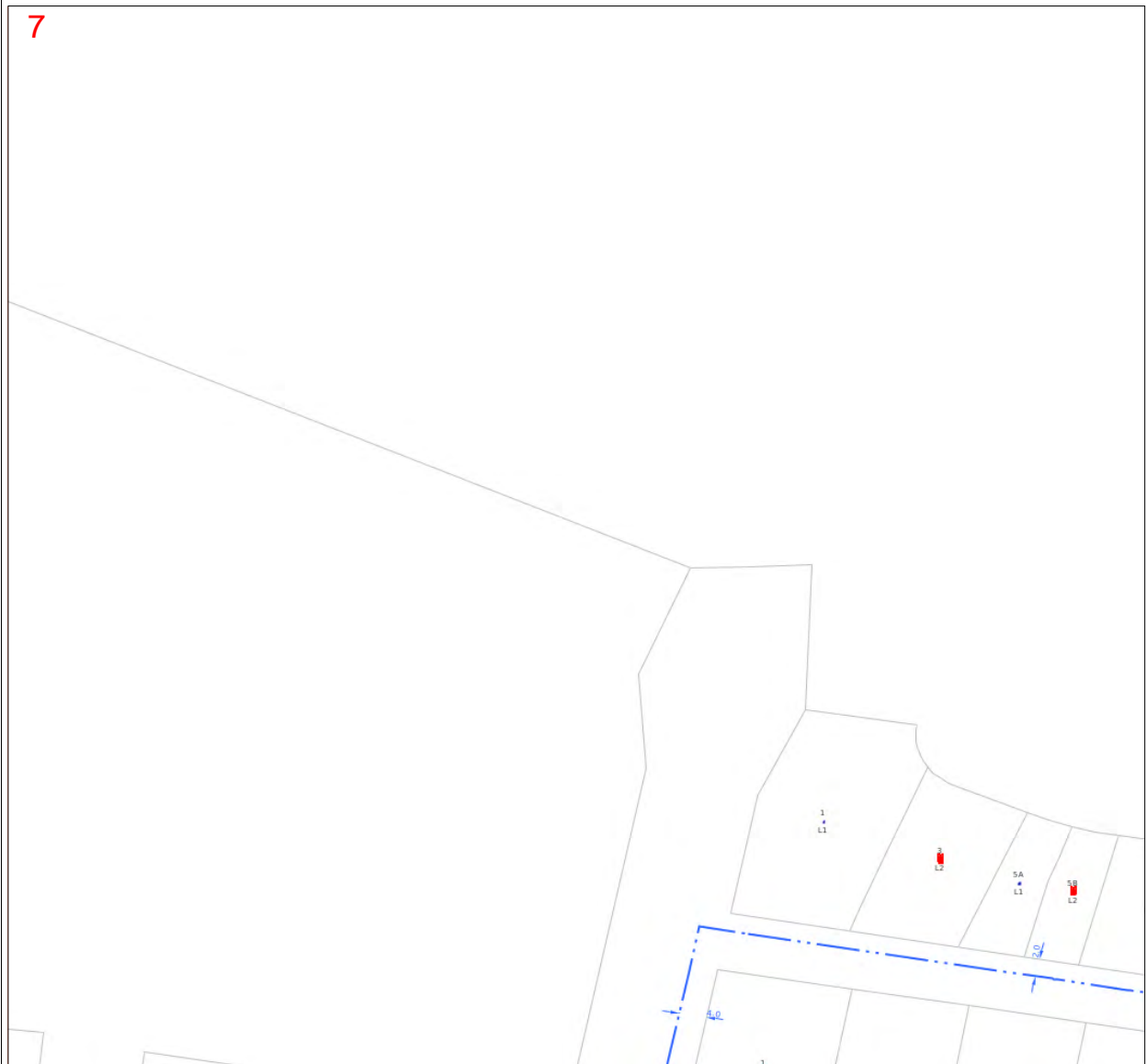


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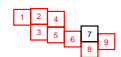


LEGEND		PIPE CODE / MATERIALS		OBJECTS or TERMS	
<b>PIPE AND BOUNDARIES</b>					
LOW PRESSURES	—	C# (e.g. C2)	Cast Iron	VALVES	
MEDIUM PRESSURES	—	CU	Copper	BURIED VALVES	
HIGH PRESSURES	—	N2	Nylon	REGULATORS	
TRANSMISSION PRESSURES	—	P# (e.g. P6)	Polyethylene (PE)	GAS SUPPLIED = YES	
PRIORITY MAIN (BEHIND PIPE)	—	P6,P7,P9-P12	Medium Density PE	CP RECTIFIER UNIT	
PROPOSED (COLOUR BY PRESSURE)	—	P2,P4,P8	High Density PE	CP TEST POINT/ ANODE	
LPG (COLOUR BY PRESSURE)	—	S# (e.g. S8)	Steel	SYPHON	
ABANDONED	—	W2	Wrought Galv. Iron	TRACE WIRE POINT	
IDLE	—	W3	Poly Coat Wrought Galv. Iron	PIPELINE MARKER	
SLEEVE	—	Pipe diameter in millimetres is shown before pipe code		NOT TIED IN	
CASING / SPLIT (BEHIND PIPE)	—	e.g. 40P6 = 40mm nominal diameter		DEPTH OF COVER	
EASEMENT/ JURISDICTION	—			BACK / FRONT OF KERB	
<b>EXAMPLES</b>		40P6 in 80C2			
		40mm High Pressure Medium Density Polyethylene in an 80mm Cast Iron Casing			
		63S8			
		63mm Medium Pressure Steel			

Line / Polygon Request

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## Map Key



Scale 1:700

0 0.008km



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**LEGEND**

PIPE AND BOUNDARIES	PIPE CODE / MATERIALS	OBJECTS or TERMS
LOW PRESSURES	C# (e.g. C2) Cast Iron	VALVES
MEDIUM PRESSURES	CU Copper	BURIED VALVES
HIGH PRESSURES	N2 Nylon	REGULATORS
TRANSMISSION PRESSURES	P# (e.g. P6) Polyethylene (PE)	GAS SUPPLIED = YES
PRIORITY MAIN (BEHIND PIPE)	P6,P7,P9-P12 Medium Density PE	CP RECTIFIER UNIT
PROPOSED (COLOUR BY PRESSURE)	P2,P4,P8 High Density PE	CP TEST POINT/ ANODE
LPG (COLOUR BY PRESSURE)	S# (e.g. S8) Steel	SYPHON
ABANDONED	W2 Wrought Galv. Iron	TRACE WIRE POINT
IDLE	W3 Poly Coat Wrought Galv. Iron	PIPELINE MARKER
SLEEVE	Pipe diameter in millimetres is shown before pipe code	NOT TIED IN
CASING / SPLIT (BEHIND PIPE)	e.g. 40P6 = 40mm nominal diameter	DEPTH OF COVER
EASEMENT/ JURISDICTION		BACK / FRONT OF KERB
<b>EXAMPLES</b>	40P6 in 80C2 40mm High Pressure Medium Density Polyethylene in an 80mm Cast Iron Casing	
	63S8 63mm Medium Pressure Steel	

Line / Polygon Request

Map Key

Scale 1:700

0 0.008km

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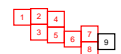


LEGEND	PIPE AND BOUNDARIES	PIPE CODE / MATERIALS	OBJECTS or TERMS
LOW PRESSURES	—	C# (e.g. C2) Cast Iron	VALVES
MEDIUM PRESSURES	—	CU Copper	BURIED VALVES
HIGH PRESSURES	—	N2 Nylon	REGULATORS
TRANSMISSION PRESSURES	—	P# (e.g. P6) Polyethylene (PE)	GAS SUPPLIED = YES
PRIORITY MAIN (BEHIND PIPE)	—	P6,P7,P9-P12 Medium Density PE	CP RECTIFIER UNIT
PROPOSED (COLOUR BY PRESSURE)	—	P2,P4,P8 High Density PE	CP TEST POINT/ ANODE
LPG (COLOUR BY PRESSURE)	—	S# (e.g. S8) Steel	SYPHON
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SLEEVE	—	Pipe diameter in millimetres is shown before pipe code	NOT TIED IN
CASING / SPLIT (BEHIND PIPE)	—	e.g. 40P6 = 40mm nominal diameter	DEPTH OF COVER
EASEMENT/ JURISDICTION	—		BACK / FRONT OF KERB
EXAMPLES	40P6 in 80C2	40mm High Pressure Medium Density Polyethylene in an 80mm Cast Iron Casing	
	63S8	63mm Medium Pressure Steel	

Line / Polygon Request

This map is created in colour and shall be printed in colour

## Map Key



Scale 1:700

0 0.008km



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## WORK IN THE VICINITY OF CRITICAL GAS ASSETS

It is your responsibility to read and complete this request form

1. This request form must be received by the APA Group via the options below at least **2 business days prior to excavation or site location work commencement**
2. Excavation / works must not commence on site until you have received a 'Authority to Work Permit' from the APA Group
3. This request form must be accompanied by a detailed schedule of works
4. Penalties apply to excavators commencing work in the vicinity of Critical Gas Assets **prior to receiving an APA Group 'Authority to Work Permit'**

For further information refer to:-

- NSW Gas Supply Act 1996 – Sec 64 C, Requirements in relation to carrying out of certain excavation work
- Victoria: Pipelines Act 2005 – Section 118, Digging near pipelines and Section 119, Interference with pipeline
- South Australia: Gas Industry Act 1997 – Section 83, Notice of work that may affect gas infrastructure.
- Northern Territory: Energy Pipelines Act as in force at 8 March 2007 – Section 66, Threat to pipeline.

Return to: [DBYDNetworksAPA@apa.com.au](mailto:DBYDNetworksAPA@apa.com.au)

## Enquiries:

Should you have any questions with regards to the attached information please contact our Dial Before You Dig officer - 1800 085 628.

## Work / Excavation Site Details:

Number:	Street:		
Suburb:		State:	
Sequence Number: 214115450			
Requestors Name:			
Company Name:			
Name of Authorised Company Site Representative:			
Email:			





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Phone:	Mobile:
Signature:	

## Description of Work / Excavation:

Activity/Excavation Details:			
Tick Applicable Box			
Excavation		Change to surface level	
Service crossing		Boring	
Proving		Other (provide details)	
Earthworks			
Excavator Size, Tooth Type & Tooth Size (provide details)			

Work / Excavation Drawings Attached (circle): Yes No

## Proposed Dates and Times:

From			To	
Excavation	Date	Time	Date	Time
	/ /	am/pm	/ /	am/pm
Backfill	Date	Time	Date	Time
	/ /	am/pm	/ /	am/pm

Work is assessed as:	Class 1 Works crossing a critical gas asset	Class 2 Works within 3m of a critical gas asset	Class 3 Works involving large excavations, vibrations or blasting beyond 3m of the critical gas asset

## Insurer and Policy Details

Policy Number		Policy Expiry Date	
Insurance Cover – Current Level (\$amount)			





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## Third Party Works Authorisation requested by (mandatory fields required for invoicing):

Company/Biller Name:	
Billing Address:	
Purchase Order:	Billing Email:
Biller Phone:	
Requestors Name:	Requesters Signature:

NOTES

5. This Authority to Work applies only to work in the vicinity of the Gas Mains. It does not authorise work near or on the Gas Mains itself
6. A minimum of 2 business days must be allowed between receipt by APA Group of this Request and a response. However, more time for notification may be necessary
7. For any gas leak related work this application must be accompanied by a detailed sequence of events, outlining all aspects of work involved and work is not permitted until an Authority to Work is issued
8. For class 1 and 2 Dial Before You Dig, APA Group will arrange for an inspector to be on site as necessary during the work. An inspector must be present at all times for works involving excavation within 1m of the Gas Mains. APA Group will advise the requirement for an inspector for other works within 3m of the Gas Mains
9. The applicant is responsible for any damage resulting from the work and all consequential damages and losses arising from such damage and therefore must insure against every liability of the contractor in respect of or arising out of any loss of life, loss of or damage to property of person (both real and personal), arising out of or in any way connected to this permit
10. Rates applicable to APA on-site representation for supervision or location exclude GST.

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To: Julie Clarke  
Phone: Not Supplied  
Fax: Not Supplied  
Email: julie@crossco.com.au








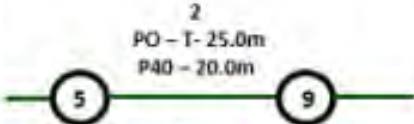
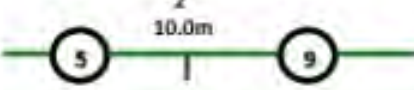




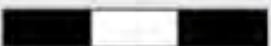
Dial before you dig Job #:	32022281	
Sequence #	211831596	
Issue Date:	26/05/2022	
Location:	10 Fullarton Drive , Paynesville , VIC , 3880	

Indicative Plans

1	5
2	6
3	7
4	8

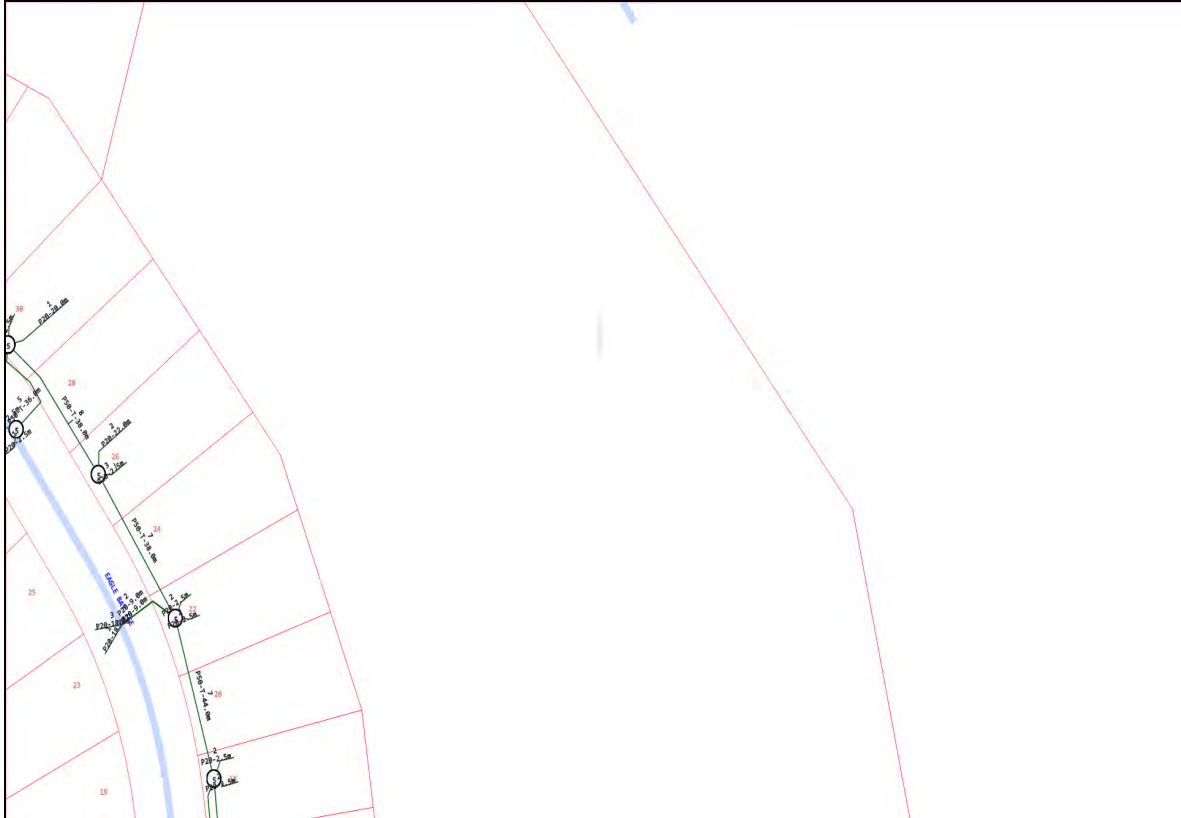
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	<div style="text-align: right;">  </div> <h2 style="text-align: center;">LEGEND</h2>
	Parcel and the location
	Pit with size "5"
	Power Pit with size "2E". Valid PIT Size: e.g. 2E, 5E, 6E, 8E, 9E, E, null.
	Manhole
	Pillar
	Cable count of trench is 2. One "Other size" PVC conduit (PO) owned by Telstra (-T-), between pits of sizes, "5" and "9" are 25.0m apart. One 40mm PVC conduit (P40) owned by NBN, between pits of sizes, "5" and "9" are 20.0m apart.
	2 Direct buried cables between pits of sizes, "5" and "9" are 10.0m apart.
	Trench containing any <b>INSERVICE/CONSTRUCTED</b> (Copper/RF/Fibre) cables.
	Trench containing only <b>DESIGNED/PLANNED</b> (Copper/RF/Fibre/Power) cables.
	Trench containing any <b>INSERVICE/CONSTRUCTED</b> (Power) cables.
	Road and the street name "Broadway ST"
Scale	<div style="text-align: center;">         0    20    40    60    Meters          1:2000           1 cm equals 20 m       </div>

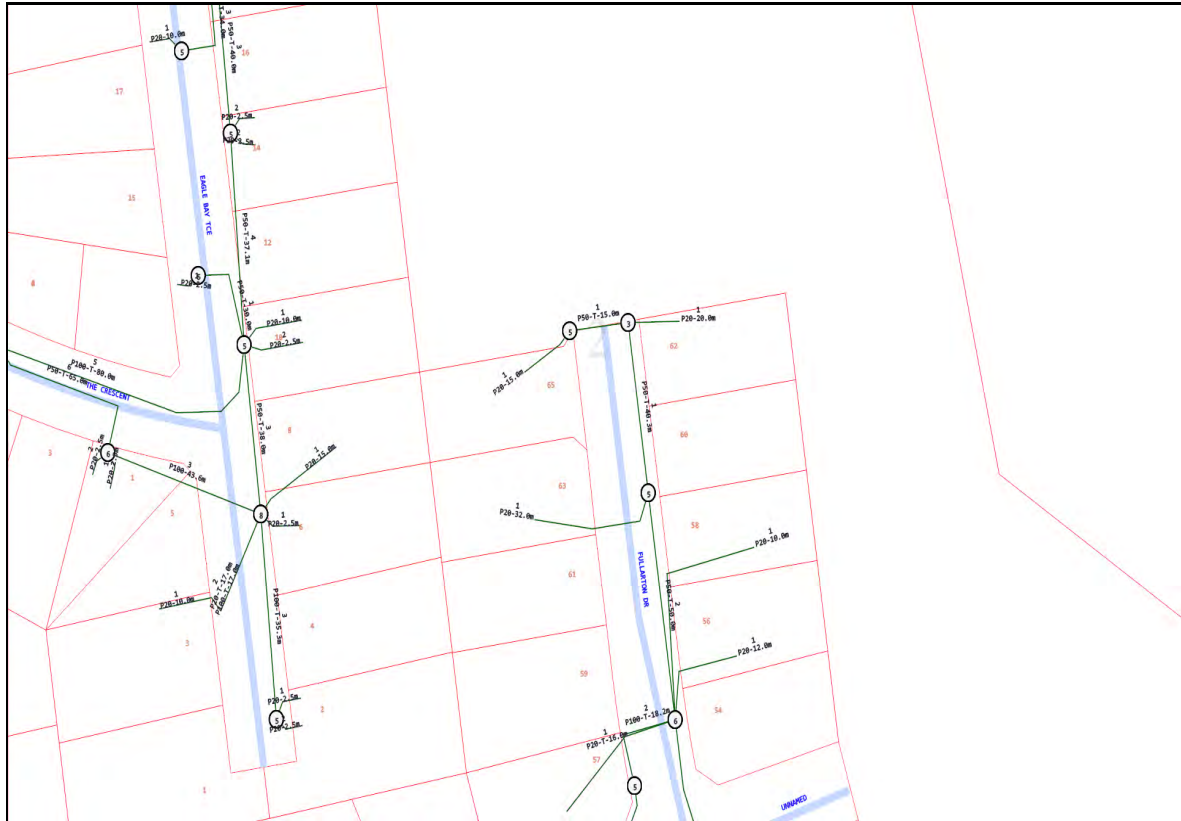
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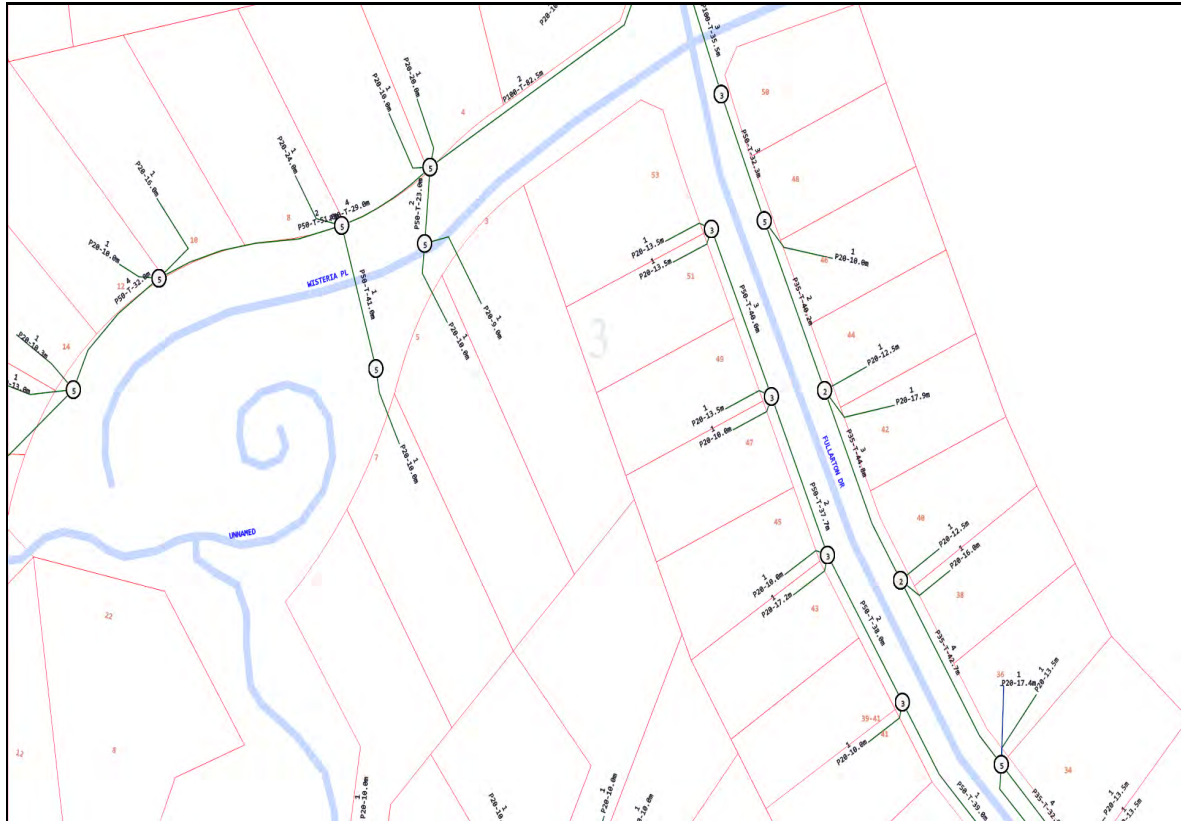
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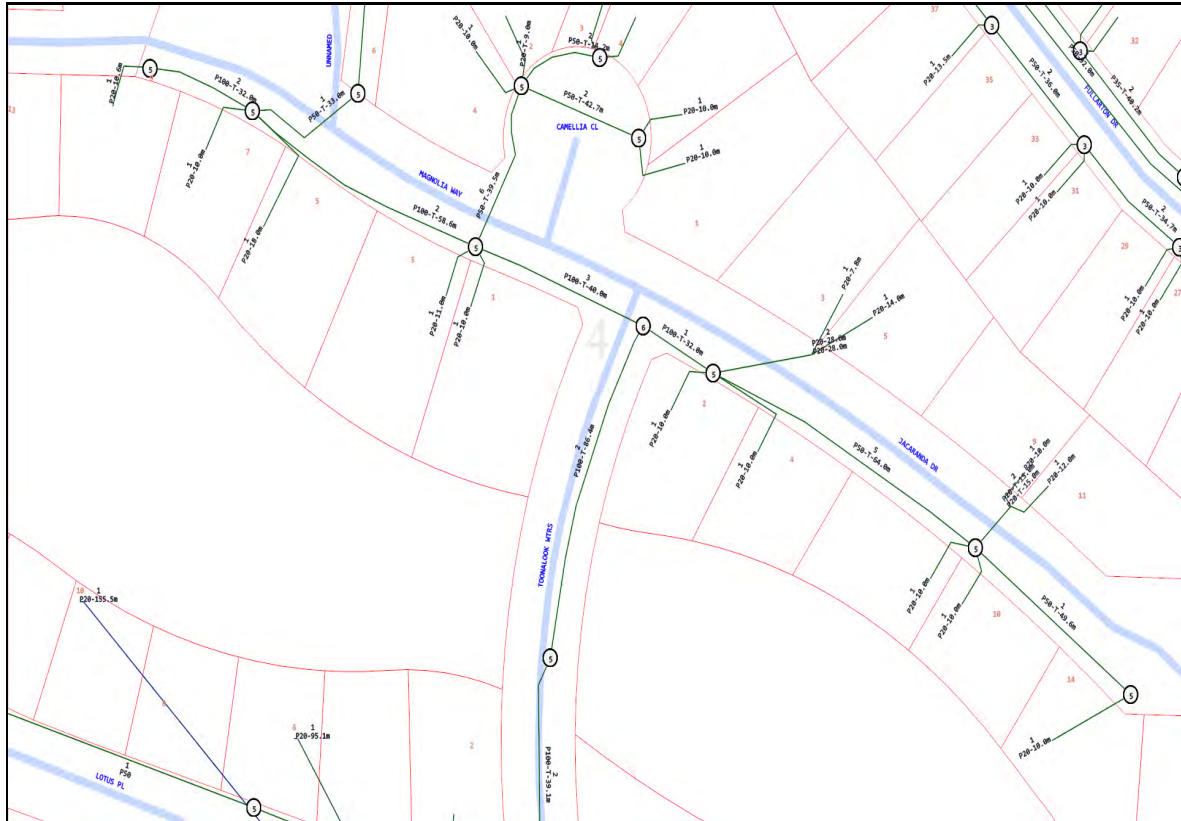
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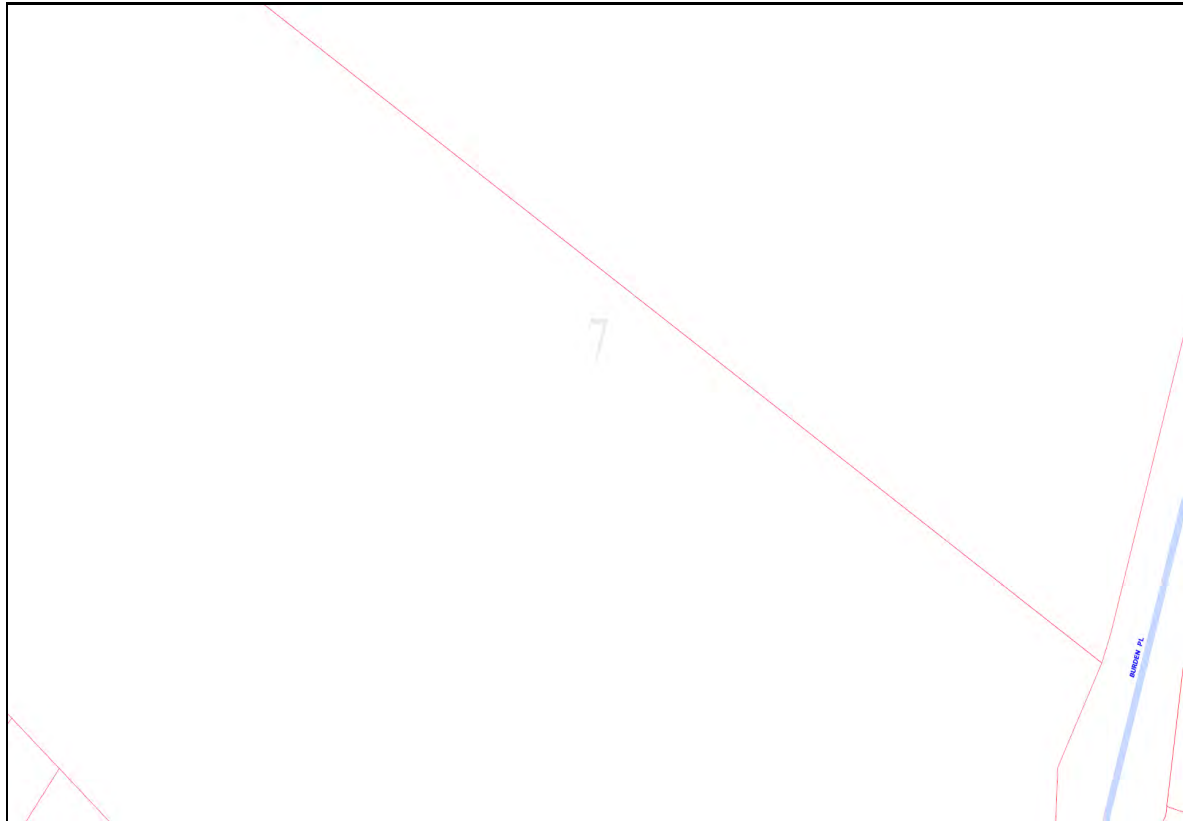
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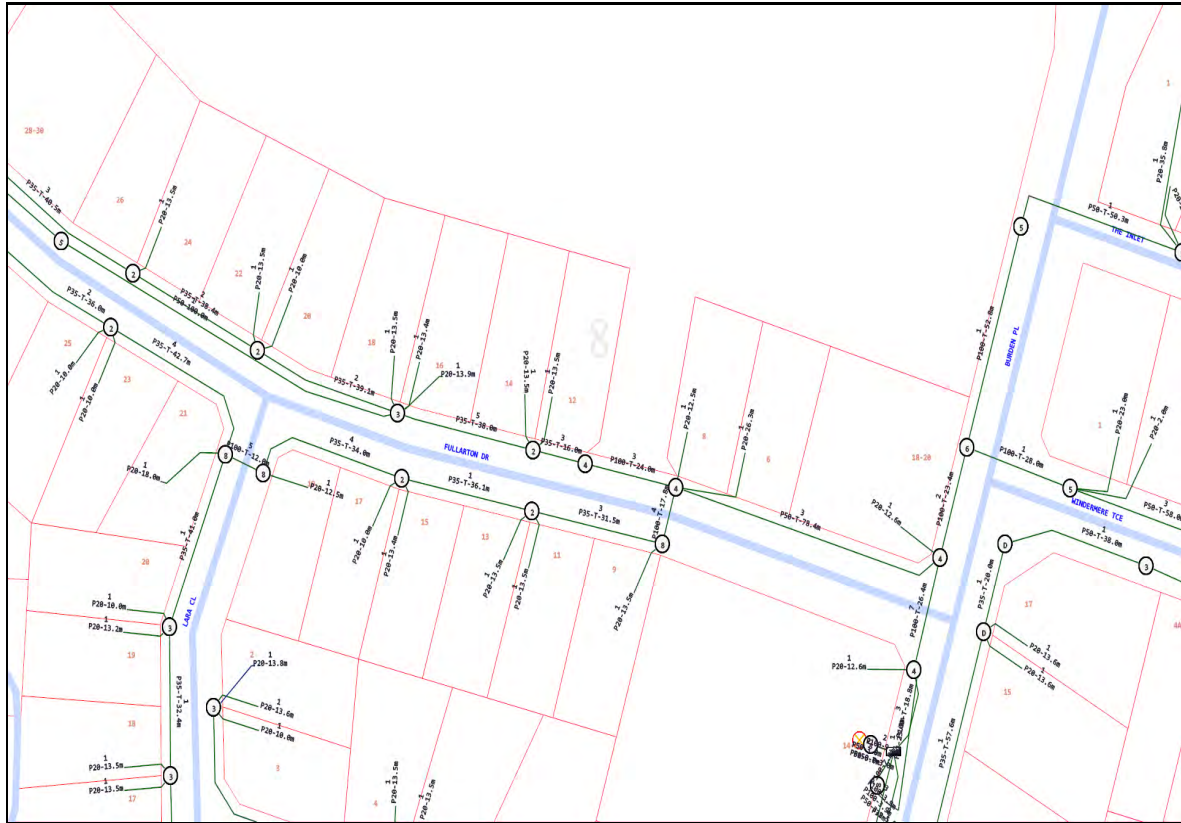
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In an emergency contact East Gippsland Water: 1300 134 202

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# Attachment 5.1.1.3

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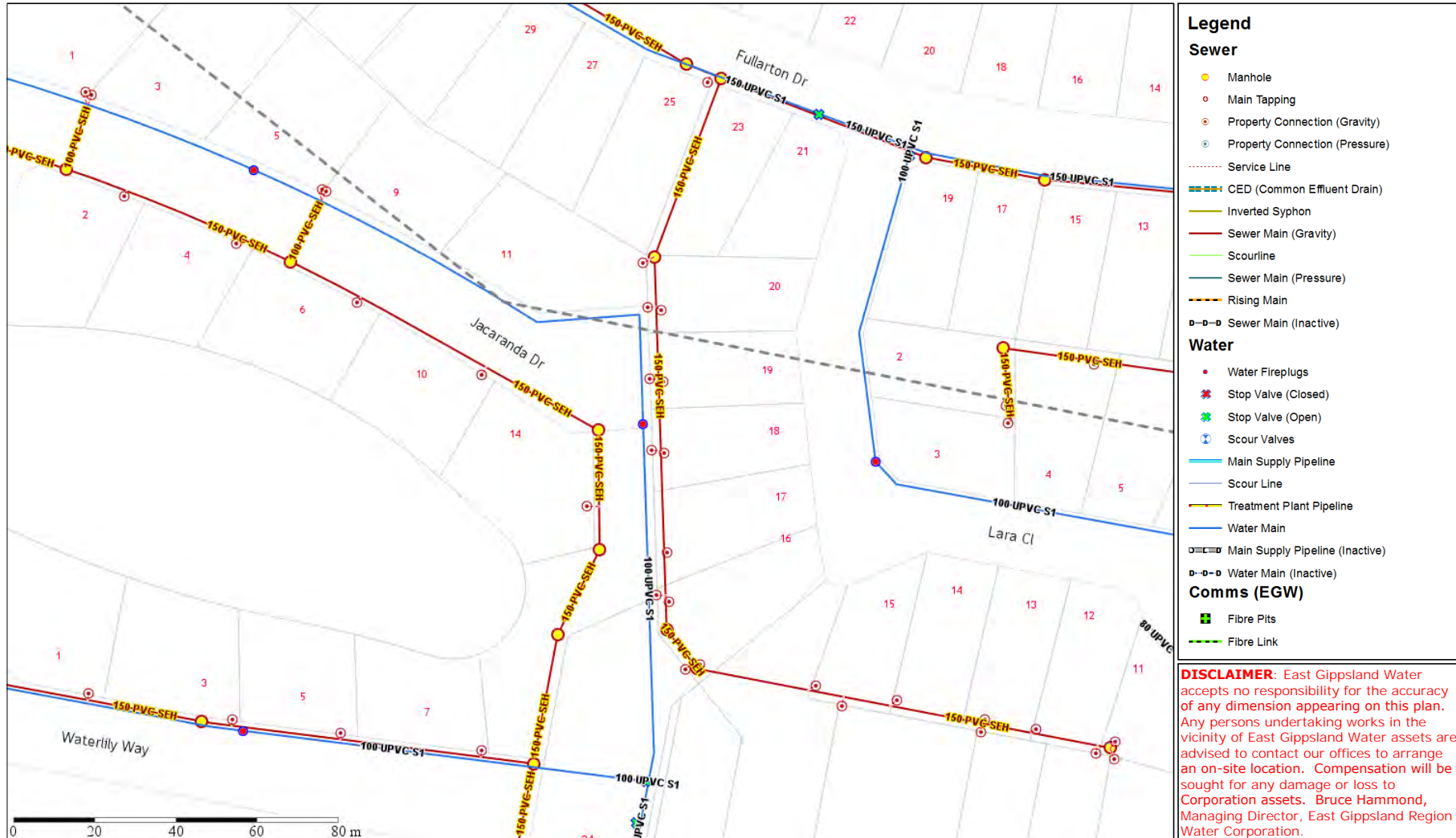
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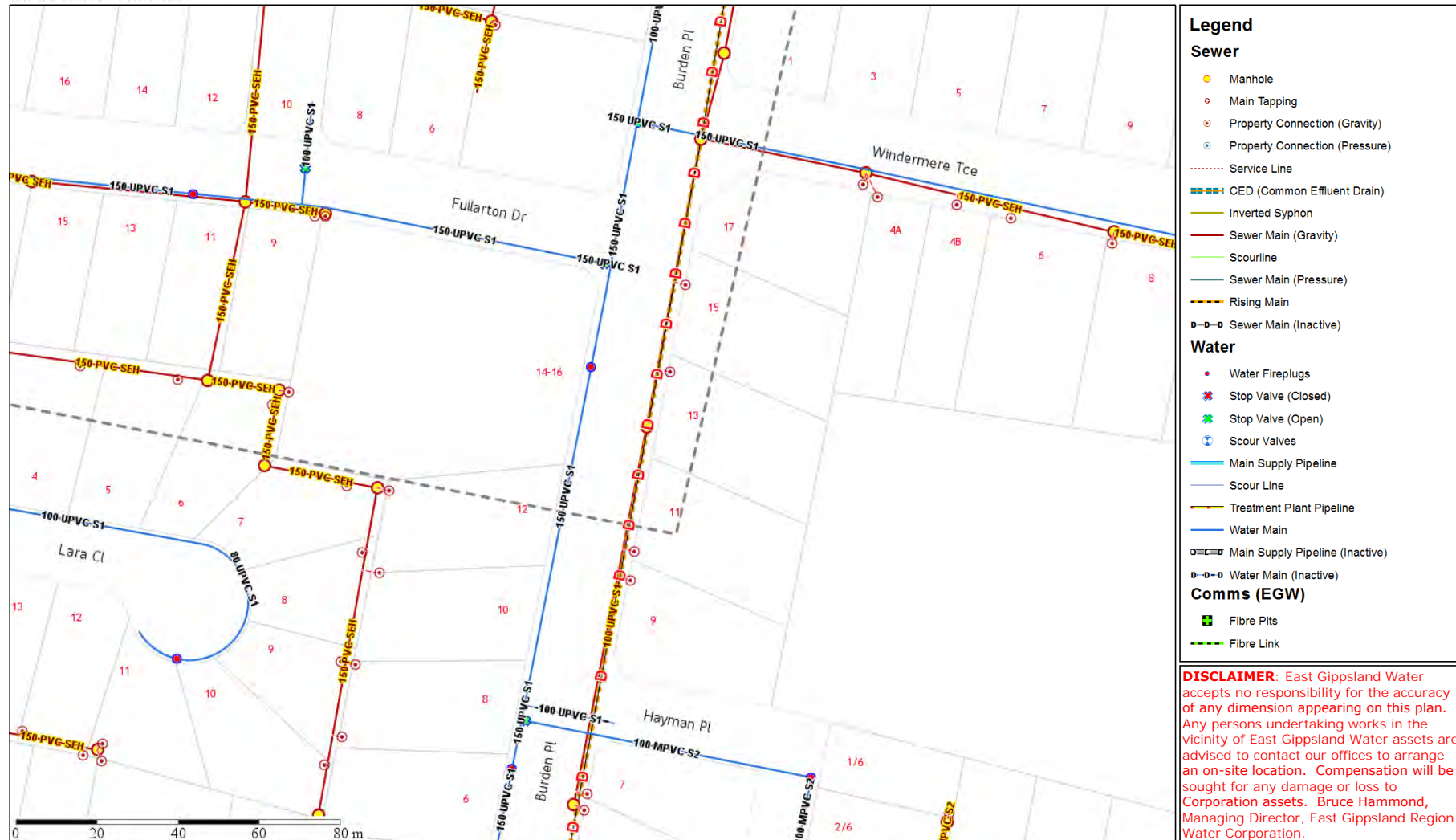
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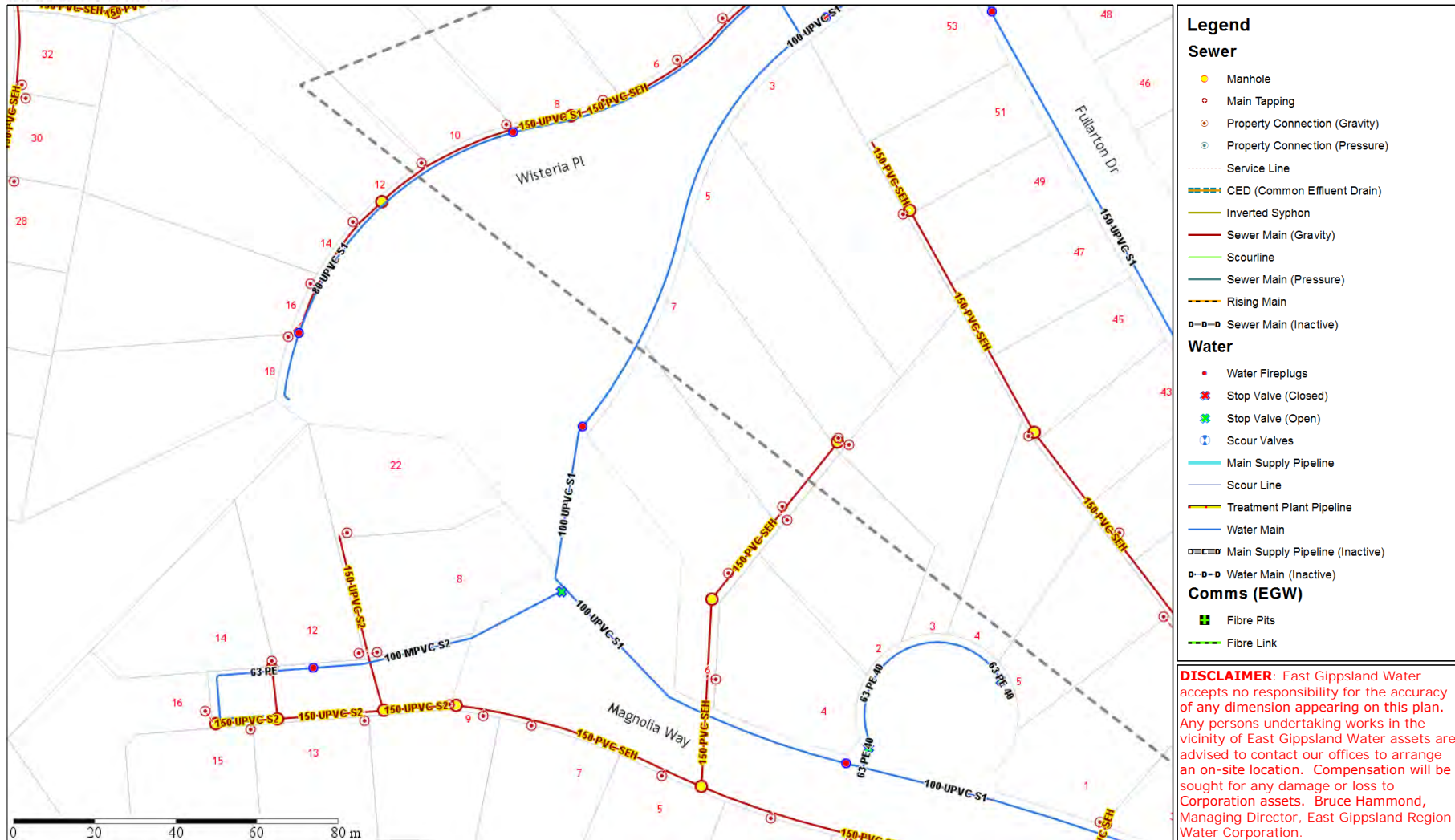
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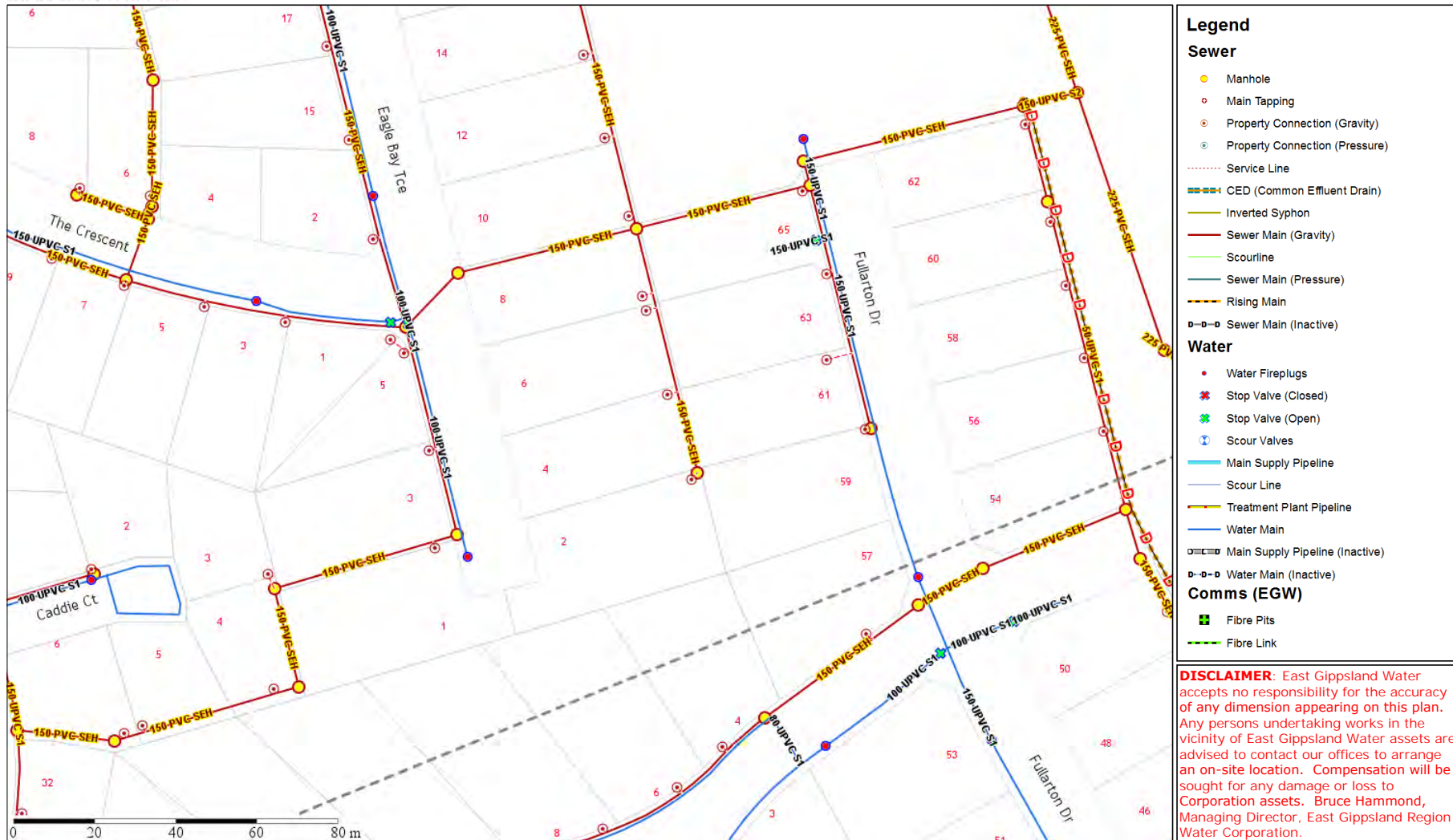


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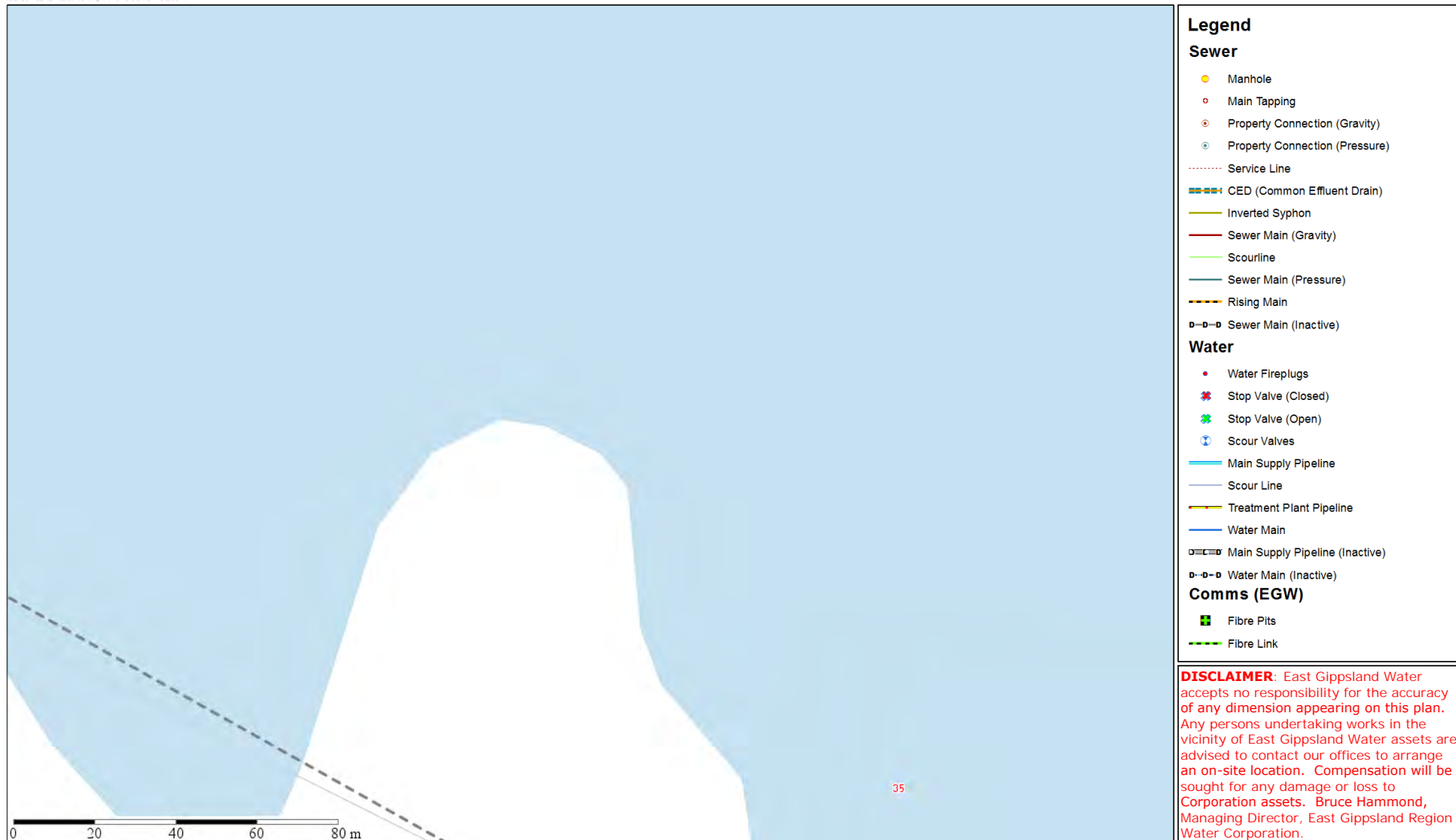
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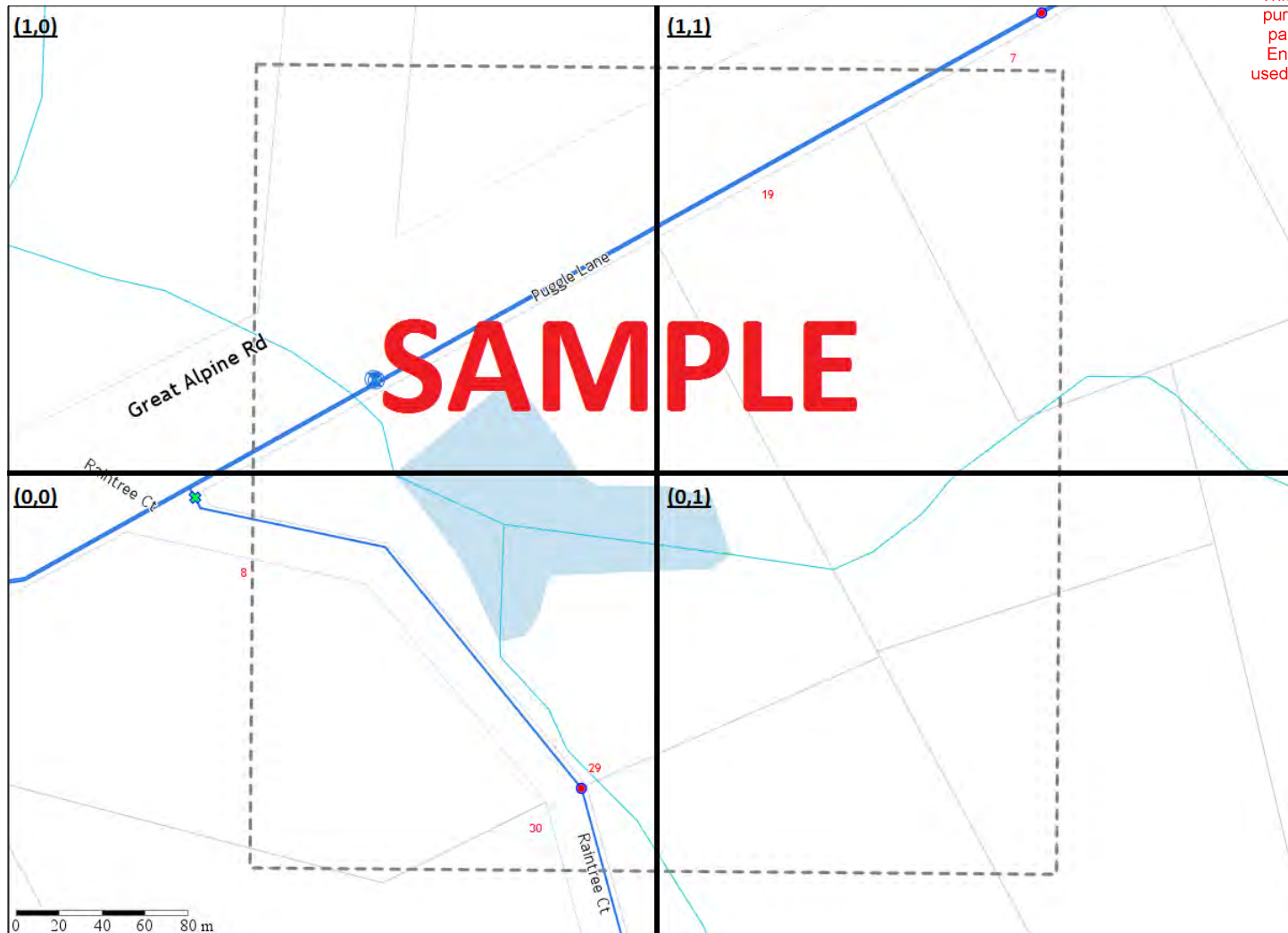
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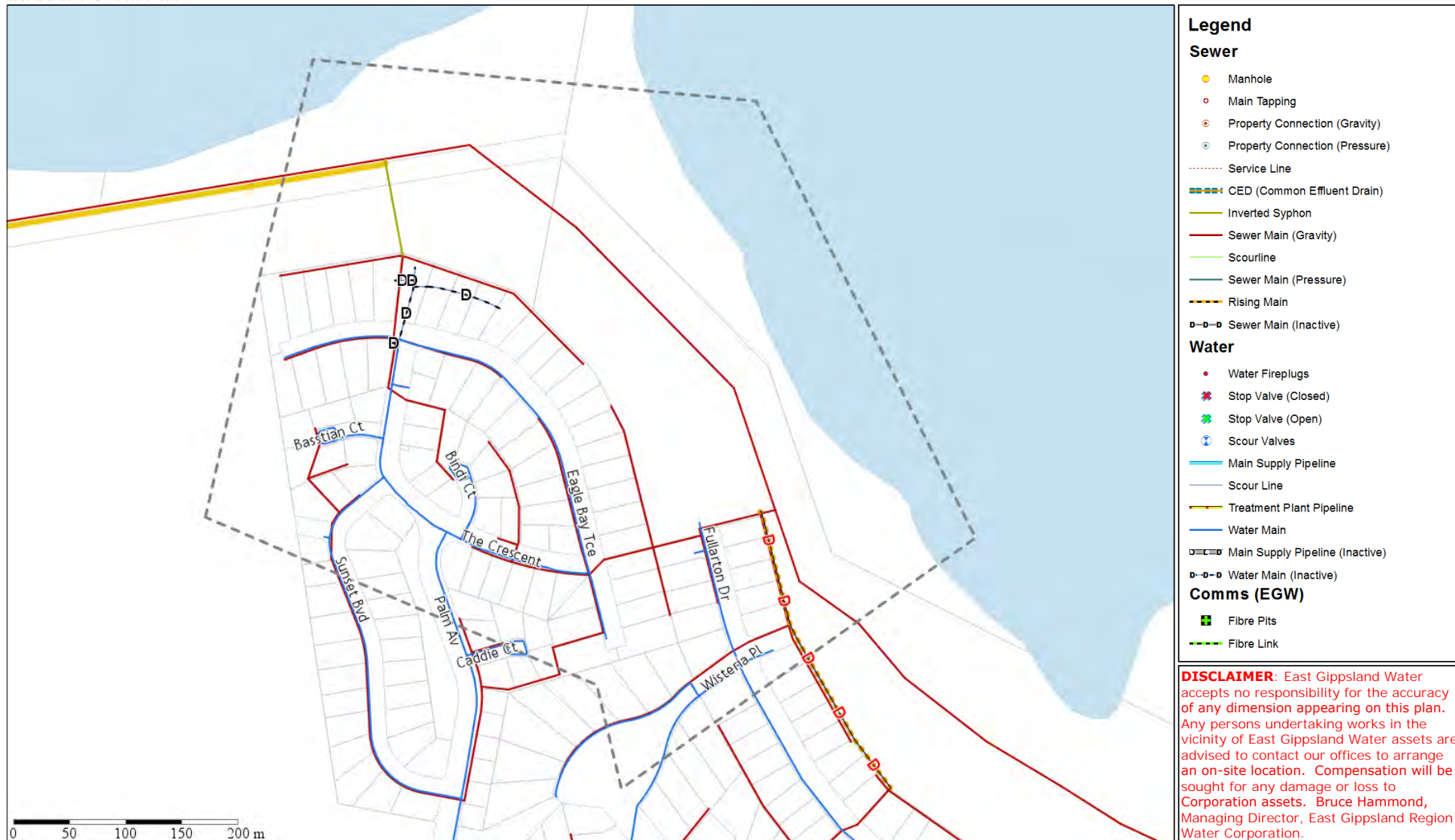


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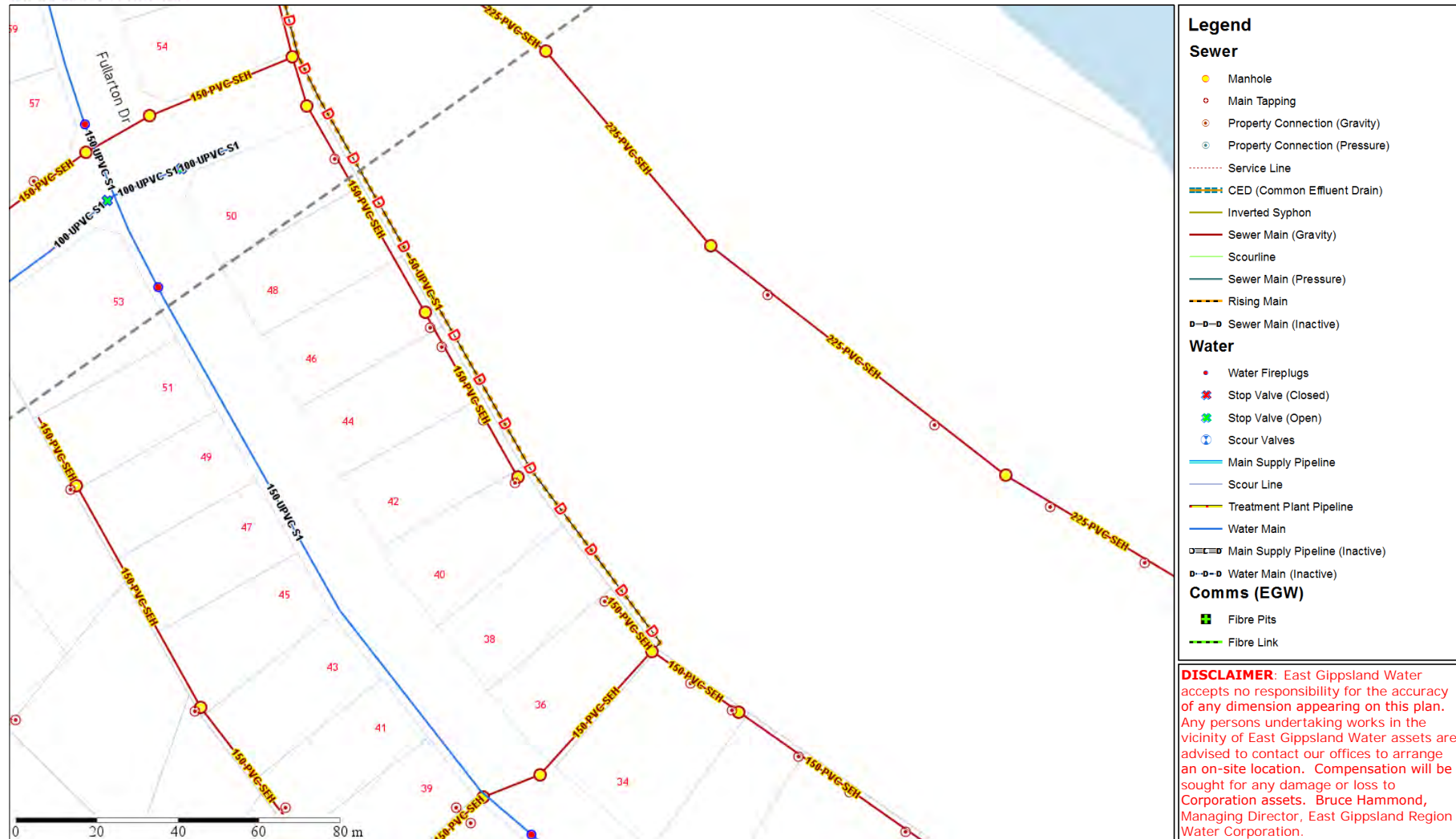
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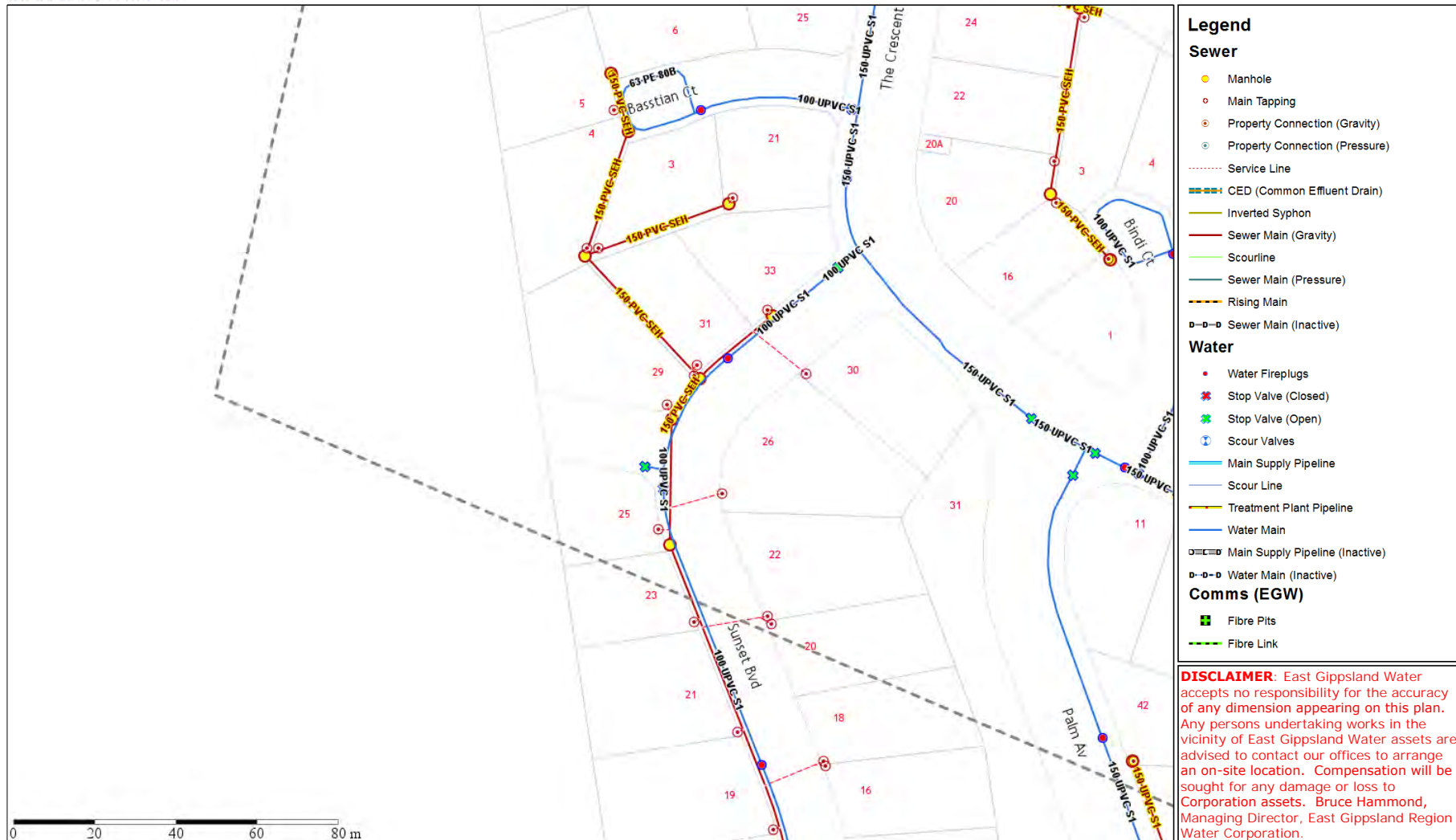
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## Legend

### Sewer

- Manhole
- Main Tapping
- Property Connection (Gravity)
- Property Connection (Pressure)
- Service Line
- CED (Common Effluent Drain)
- Inverted Syphon
- Sewer Main (Gravity)
- Scourline
- Sewer Main (Pressure)
- Rising Main
- Sewer Main (Inactive)

### Water

- Water Fireplugs
- ✱ Stop Valve (Closed)
- ✱ Stop Valve (Open)
- ⊕ Scour Valves
- Main Supply Pipeline
- Scour Line
- Treatment Plant Pipeline
- Water Main
- Main Supply Pipeline (Inactive)
- Water Main (Inactive)

### Comms (EGW)

- Fibre Pits
- Fibre Link

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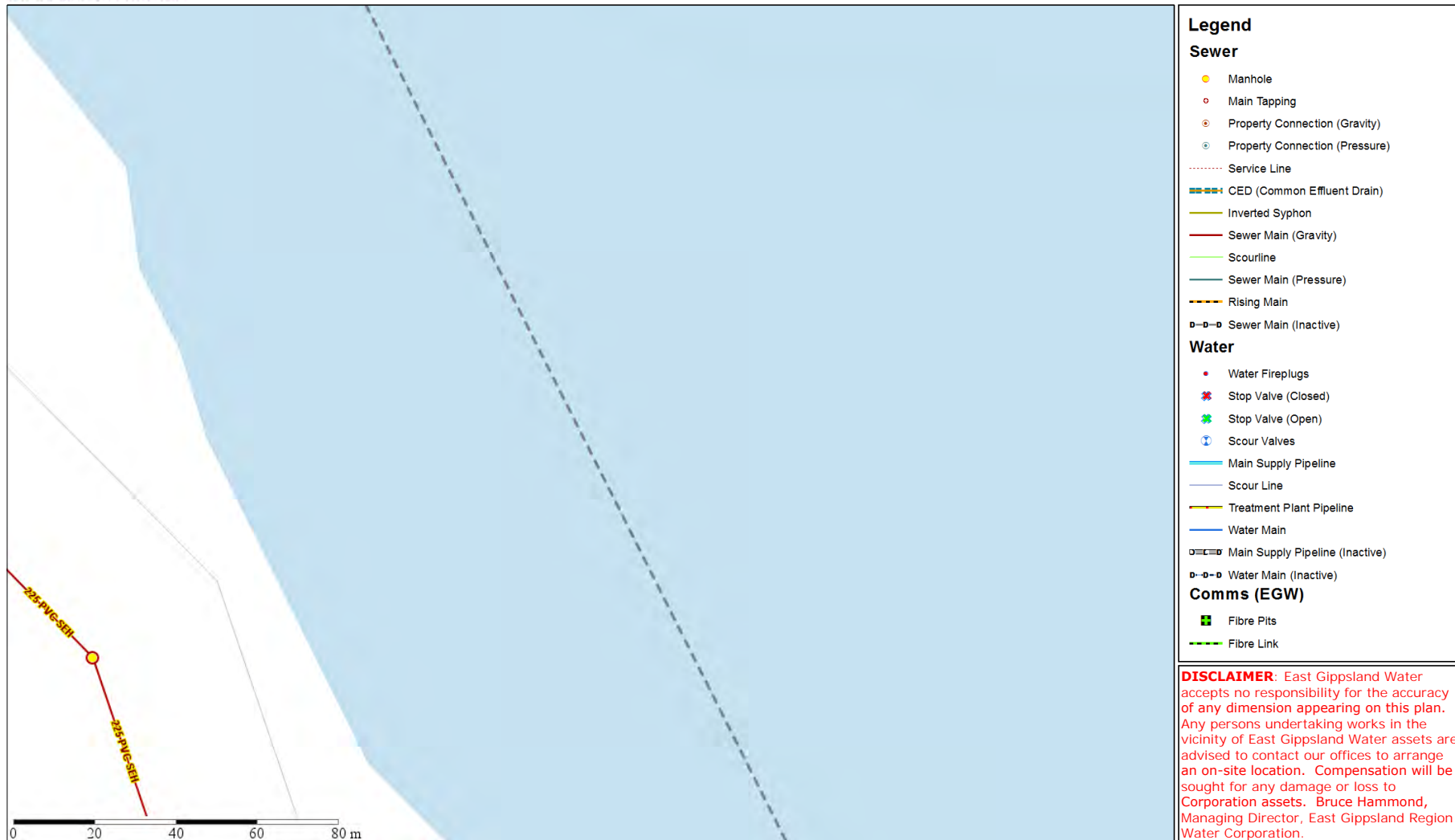
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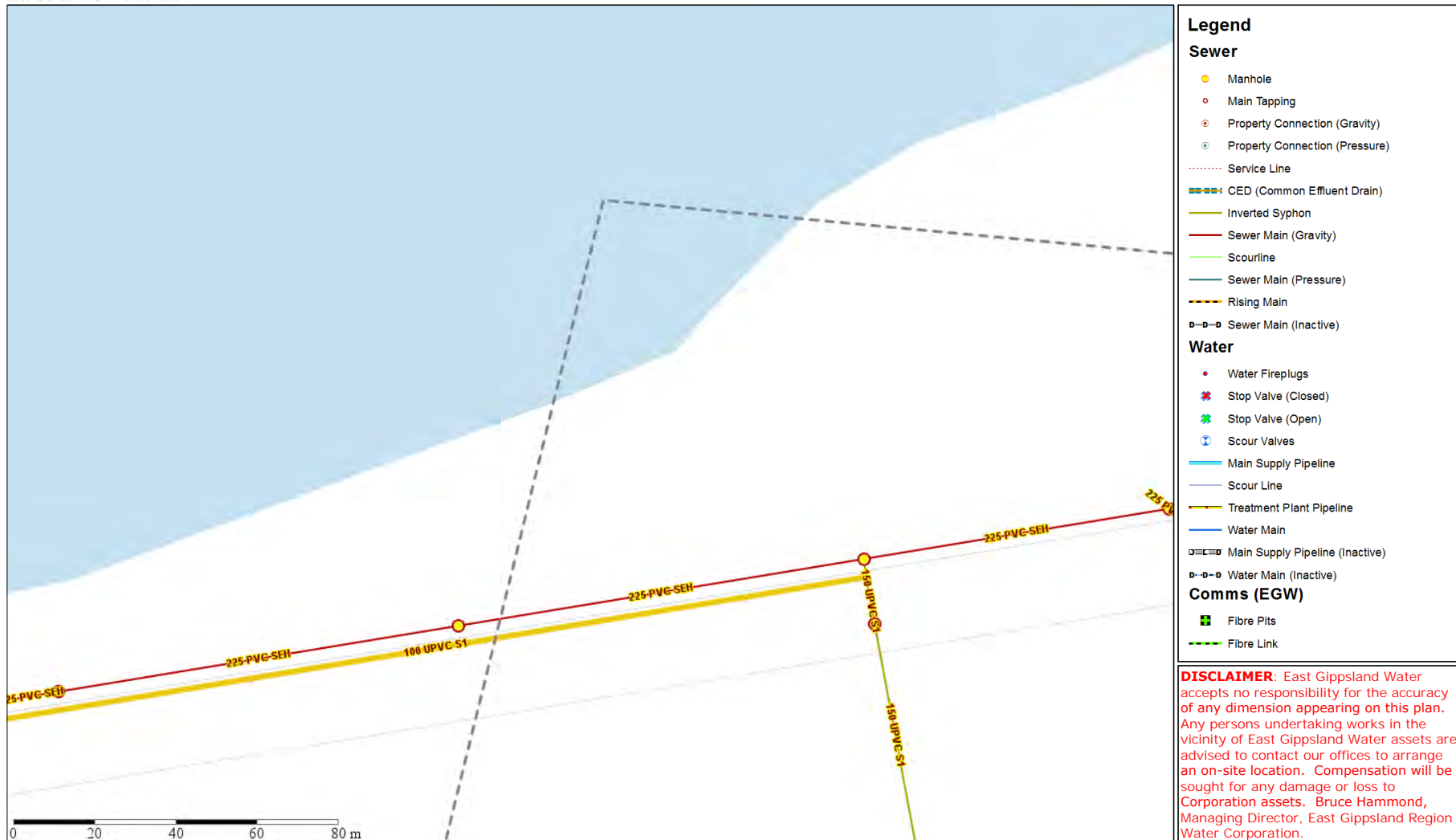
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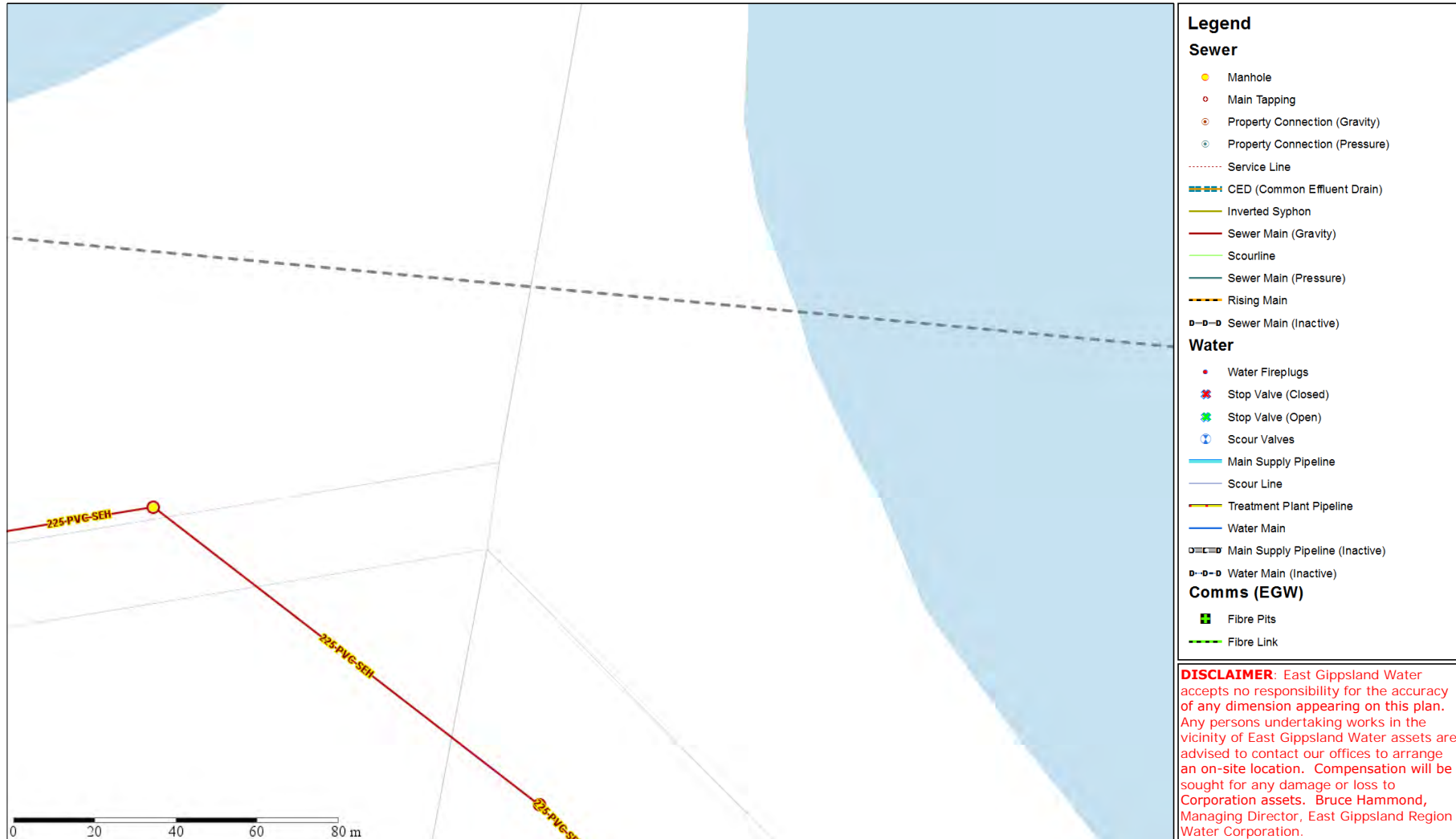
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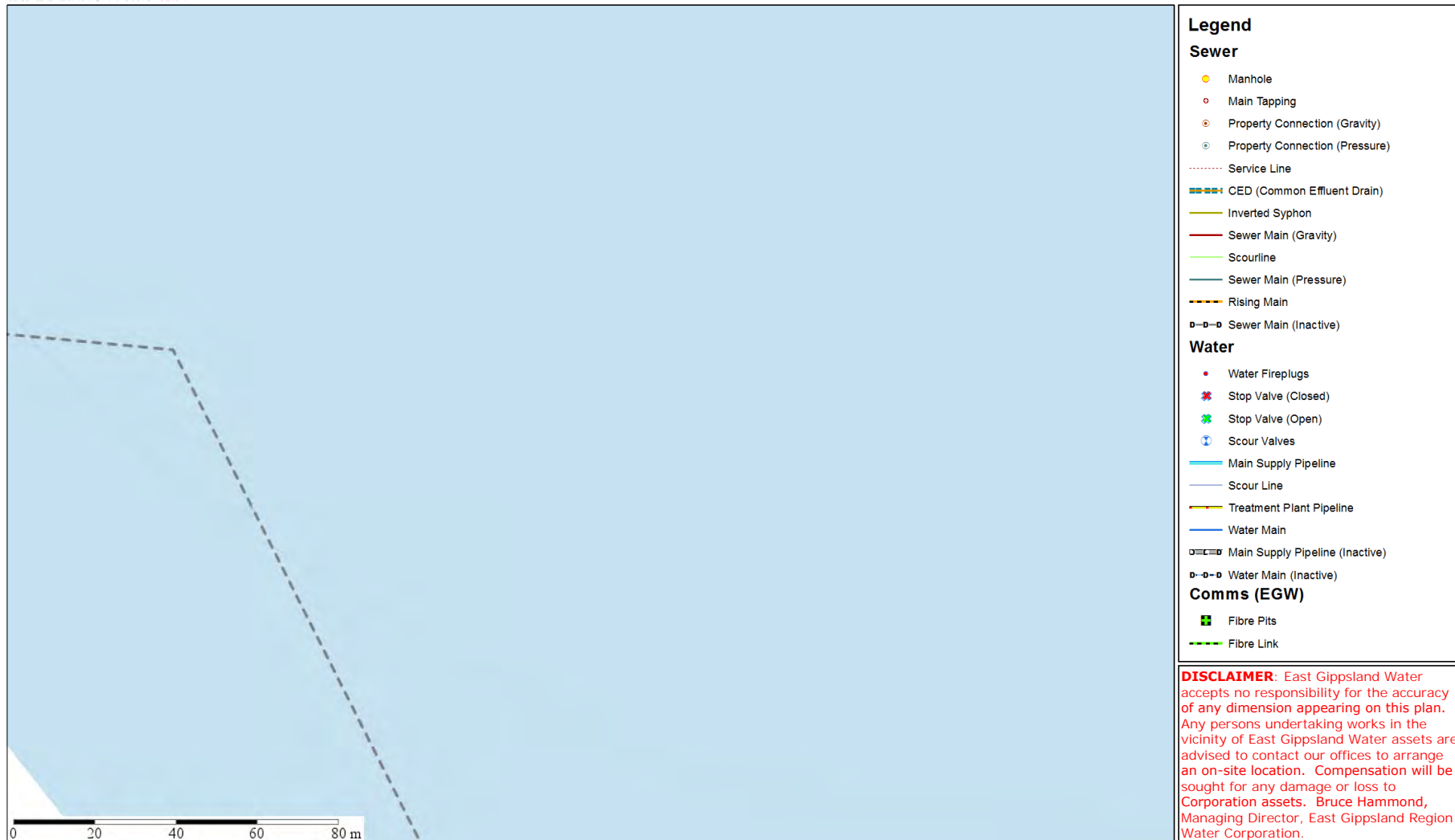
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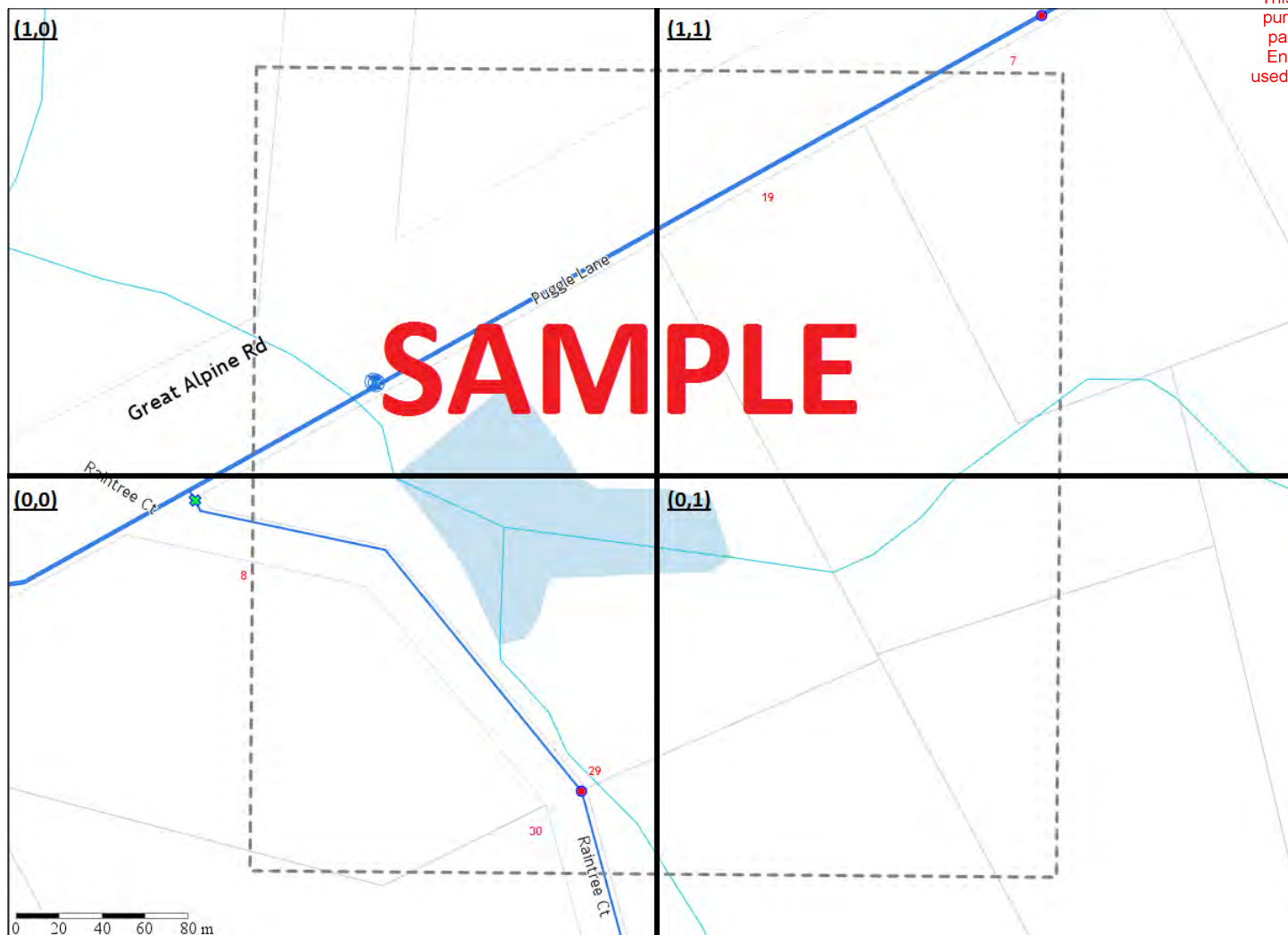
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**Proposed Multi lot residential subdivision  
10 Fullarton Drive, Paynesville**

**Town Planning Report -  
Stormwater Management Strategy**

Prepared for:  
**Resi Ventures Pty Ltd**

Prepared by:  
**Crossco Consulting Pty Ltd**  
**PO Box 858**  
**Bairnsdale Vic 3875**



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## Document revision

Version	Date	Prepared by	Comments
FINAL	05/08/2022	Crossco	Distributed to C&S

**Notice:*****This Stormwater Management Strategy:***

- 1. Has been prepared by Crossco Consulting Pty Ltd for Resi Ventures Pty Ltd.***
- 2. Is for the use of Resi Ventures Pty Ltd in seeking planning approval for the proposed subdivision at 10 Fullarton Drive, Paynesville.***
- 3. Is for the use of East Gippsland Shire in assessing any planning application submitted by Resi Ventures Pty Ltd or on their behalf by Crowther & Sadler Pty Ltd for the proposed development of 10 Fullarton Drive, Paynesville.***

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## 1. Background

*Crossco Consulting Pty Ltd* has been engaged by Resi Ventures Pty Ltd to prepare a stormwater management and drainage strategy to accompany a planning permit application that will be submitted to East Gippsland Shire Council to subdivide land at 10 Fullarton Drive, Paynesville.

The site is subject to the East Gippsland Shire Planning Scheme and is zoned GRZ1 (General Residential Zone – Schedule 1).

To the north of the site are wetlands that fringe the Gippsland Lakes (Lake King) and forms part of the Gippsland Lakes Ramsar site<sup>1</sup>, a wetland of international significance. Part of the north boundary of the subject site abuts the Ramsar boundary.



Figure 1: Ramsar Boundary<sup>2</sup>

The site has been the subject of previous stormwater management and drainage designs. This stormwater management strategy is generally consistent with the stormwater management philosophy adopted previously, recognised as appropriate in the second VCAT review<sup>3</sup>, and revisited to consider the reduced lot numbers and amended layout.

<sup>1</sup> Source: <https://rsis.ramsar.org/ris/269>

<sup>2</sup> Excerpt – Gippsland Lakes Ramsar Site Boundary Description, Technical Report (DEPI Victoria), 2013

<sup>3</sup> VCAT 1449 (21 November 2014)

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2. Site Overview

2.1 Location

The site is located at the north west fringe of Paynesville and overlooks Point Fullarton and Lake King to the north.  
Land to the south is developed for residential purposes with existing dwellings.



Figure 2: Locality Plan

Figure 3 provides an overview of the location of the site in relation to existing development at Paynesville. The waterways and wetlands associated with the town are also shown.

Figure 3 shows the site in the context of the abutting land and infrastructure.



Figure 3: Aerial Overview

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Figure 4: Site Aerial

## 2.2 Site Drainage

The “Plan of Levels” drawing (comprising 4 sheets) by Crowther & Sadler at Appendix 1 shows site contours and illustrates that:

- the land generally grades to the north to Lake King.
- the location of Fullarton Drive and Eagle Bay Terrace is close to the maximum elevation (maximum elevations are highlighted) at approx. 18 m AHD – 20m AHD.

## 2.3 External Catchment

The external catchment has been modelled based on existing drainage infrastructure plans an additional external catchment has been identified with sections of the following roads draining through the subject site. These areas are illustrated on Crossco Drawing 2635/004 at Appendix 1 as follows:

External Catchment A (4.23 ha)

- East section of Fullarton Drive (north and south sides)
- Lara Close

External Catchment B (11.4 ha)

- West section of Fullarton Drive (north and south sides)
- The Palms
- The Crescent
- Eagle Bay Terrace

The stormwater from both external catchments outfalls through the site. Refer to “Existing Stormwater Infrastructure” below.



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### 3. Existing Stormwater Infrastructure

#### 3.1 Municipal Infrastructure

Crossco Drawing 2635/004 at Appendix 1 shows the location of existing municipal stormwater drainage infrastructure in the vicinity of the site.

Of particular relevance to the proposed subdivision is:

- Stormwater pipe at the west boundary of proposed Lot 59 that outfalls to the Stormwater pipe to the north of the existing allotments on the north side of Fullarton Drive which provides a (legal point of discharge) LPOD for existing abutting properties.
- Stormwater pipe to the west boundary of 60 Fullarton Drive which outfalls through the subject site (825mm dia pipe). Refer to Figure 6 to Figure 8.



Figure 5: 60 Fullarton Drive west boundary



Figure 6: 60 Fullarton Drive pit cover

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Figure 7: Pit downstream of 60 Fullarton Drive pipe

There is currently no stormwater detention or treatment in place.

The 825 dia pipe at Figure 8 appears to outfall to a point adjacent to the existing fenceline upstream of a timber pedestrian bridge on the Walking Track. The condition and nature of this outfall cannot be determined as it is overgrown. Conditions at the outfall location are shown in Figure 10 and Figure 11.



Figure 8: Indicative Location of Pit at Figure 7



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Figure 9: 825 dia outfall vegetation



Figure 10: 825 dia outfall upstream of timber bridge



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### 3.2 Walking Track

No works are proposed beyond the northern boundary of the subject site. Discussion of the walking track and associated drainage is included to provide an understanding of downslope drainage.

The track is used as a shared pedestrian / cycle track and generally has a gravel surface, with short sections dirt. Sections of the track have a spoon drain on the south side formed by the track being elevated above the surrounding natural surface, with the balance of the track blended to the surrounding natural surface.

The existing stormwater infrastructure outfalls to the south of the walking track, with stormwater passing under the walking track to the Point Fullarton wetlands through series of pipes and a timber pedestrian bridge.

Five culverts and 1 bridge have been identified along the track. Four culverts and the bridge are in the catchment of the subject proposal and these are all between the timber pedestrian bridge and Burden Place. Surface stormwater passes through these structures or over the track to the wetland.

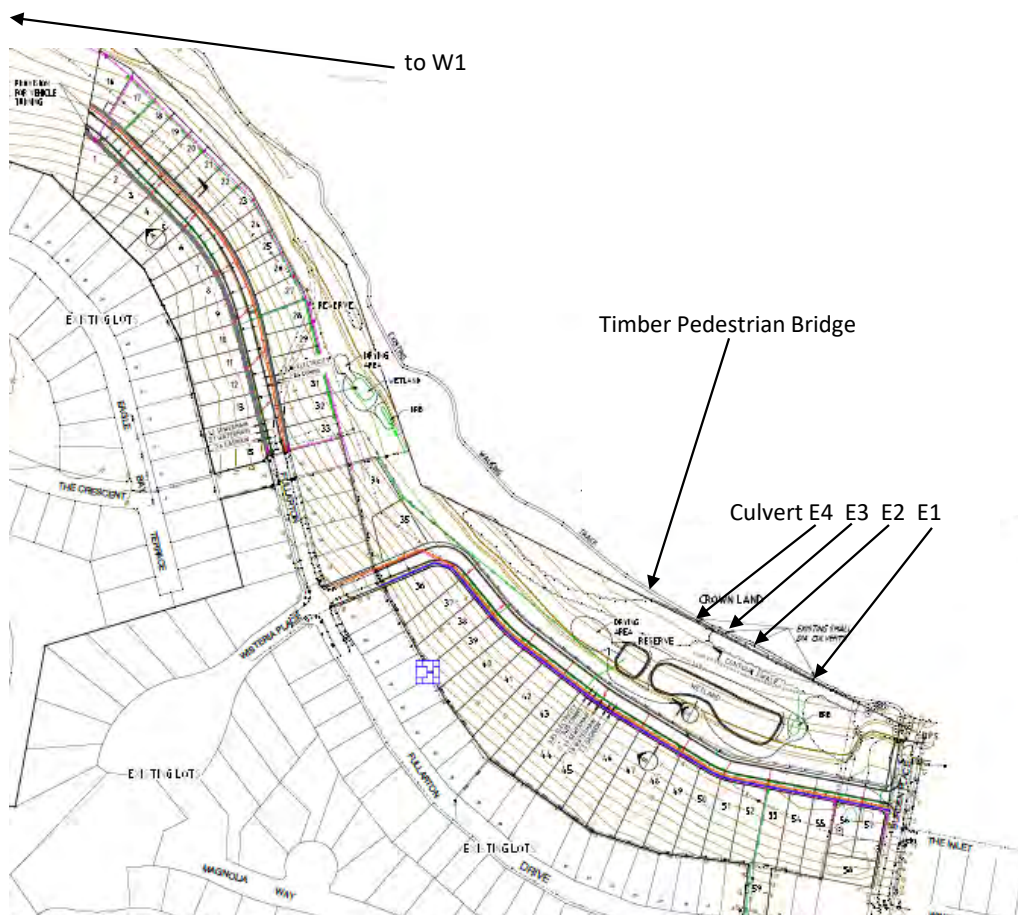


Figure 11: Indicative Walking Track culvert locations

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3.2.1 Timber Pedestrian Bridge

The timber pedestrian bridge is immediately downstream of the 825 dia outfall shown at Figure 9.



Figure 12: Timber Pedestrian bridge

3.2.2 Culverts

Four culverts have been identified and indicate locations are shown at Figure 11. The culverts are all concrete pipes (Class unknown) with no or minimal cover, and diameter varies from approx. 225mm – 300mm.

In all cases the inlet and outlet of the culverts are overgrown, covered or buried.

Culvert E1



Figure 13: Culvert E1 Inlet / Outlet



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Culvert E2



Figure 14: Fullarton Drive properties from Culvert E2



Figure 15: Culvert E2 Inlet / Outlet



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Figure 16: Track at Culvert E2

Culvert E3



Figure 17: Culvert E3 Inlet / Outlet

The inlet of culvert E3 requires excavation and disturbance and/or removal of vegetation to photograph and is located among the vegetation photographed.



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Culvert E4



Figure 18: Culvert E4 Inlet / Outlet



Figure 19: Track at Culvert E4



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Culvert W1

There is an additional culvert further to the west (west of the gate on the walking track) but this culvert is not impacted by stormwater generated in the subject catchment and has therefore not been considered. A photograph of the culvert (W1) is included at Figure 20 to provide clear identification of this culvert.



Figure 20: Culvert W1

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## 4. Flooding

### 4.1 Lake levels

The Gippsland Lakes Flood Modelling Project (GLFMP) (Grayson et al 2004) calculated the 1% AEP flood level at Paynesville as 2.0m AHD<sup>4</sup>, and included the following table which includes historical flood levels. The “impacted properties” columns have been included to ensure the table is not modified in this report and are not relevant to the subject project. Of relevance is the flood levels and the calculated (Grayson et al 2004) 1% level of 2.0m AHD. Historical flood levels have not been recorded to that level to date.

Table 2-2 Historical Flood Magnitudes and Impacts at Paynesville & Raymond Island

AEP (ARI) Flood	Historical Flood (year)	Level (m AHD)	Impacted Properties <sup>1</sup>	
			Flooded	Isolated
1% (100 yr)		2.0	-	-
		1.8	292	264
2% (50 yr)		1.7	263	251
	1893	1.67	-	-
5% (20 yr)		1.5	174	251
	2007	1.5	174	251
	1998	1.35	-	-
10% (10 yr)		1.25	58	122
	2012	1.01	23	5

<sup>1</sup> Property Information sourced from the East Gippsland Shire Flood Emergency Plan (East Gippsland Shire Council, 2012).

Figure 21: Historical Flood levels - Table 2-2 Water Technology 2014

The “Future Coasts” mapping (refer to Figure 23) indicates that:

- 2070 modelled water levels would not encroach to the proposed allotments or associated proposed municipal infrastructure, and
- with the inclusion of sea level rise and storm surge the modelled 2100 water level impacts the proposed reserve and partially impacts the location of the proposed eastern wetland.

<sup>4</sup> Gippsland Lakes / 90 Miles Beach Coastal Hazard Assessment, Water Technology for DEPI, 2014



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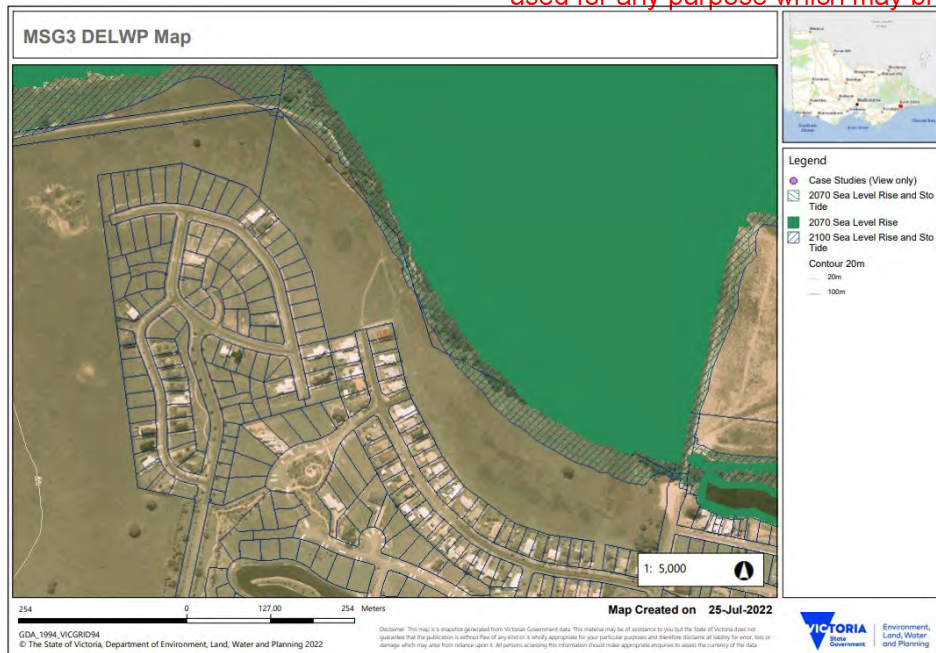


Figure 22: Future Coasts Mapping

The contours on the drawings at Appendix 1 demonstrate that:

- the proposed allotments (and building envelopes) and access roads are all located above the 3m AHD contour and at a higher elevation than the existing and projected flood levels.
- proposed east stormwater infrastructure could be partially impacted by flooding in a 2100 with storm surge scenario.

#### 4.2 Overland flow from catchment

The management of overland flow from infrastructure to the south of the proposed allotments is beyond Scope of this Stormwater Management Strategy, but it is noted that if not managed there is a risk to down slope properties. Management of this risk is considered by Others (including as building designers and surveyors) and requires that:

- overland flow is minimised by ensuring all properties to the south are discharging stormwater generated at their properties to their respective LPOD.
- the development of each proposed allotment considers overland flow from the south, responds to site slope and are designed and maintained in accordance with best practice, Regulations and the National Construction Code (NCC).
- private and municipal drainage infrastructure is maintained and not impaired.

The orientation and layout of the proposed allotments provides ample opportunity for overland flow risks to be managed.

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## 5. Proposed Stormwater Management

### 5.1 General Overview

The proposed Stormwater Management solution meets the requirements of CI 56.07-4 (Stormwater management objectives) and Standard C25 of the East Gippsland Planning Scheme.

- Stormwater is treated to the required standard.
- Post development flow is managed to not exceed pre-development flows.

Crossco Drawings 2635/004 and 2635/005 at Appendix 1 provide an illustration of the proposed stormwater solution. To prepare the proposed stormwater management solution Crossco has:

- had regard for best practice environmental guidelines for urban stormwater (BEPM).
- had regard for previous VCAT decisions relevant to the subject land.
- referenced stormwater management designs proposed and considered at VCAT relevant to the subject land.

### 5.2 Peer Review

Our Client engaged *Waterway Management Solutions* to peer review the proposed design and calculations at Appendix 1. A copy of the peer review statement is included at Appendix 2 and confirms that the proposed stormwater management solution meets all requirements.

### 5.3 Layout

Proposed allotment 59:

- drains to the existing stormwater pipe to the north of the existing allotments at the north side of Fullarton Drive.

Proposed allotments 34-58 inclusive:

- drain to a stormwater pipe in the proposed access road.
- the pipes discharge to the east wetland.
- outfalls to a contour / spreader swale via bio-retarding basin (BRB).

Proposed allotments 1 – 33:

- drain to a stormwater pipe in the proposed extension of Fullarton Drive (allotments 1-15) or a stormwater pipe to the north boundary (allotments 16-33).
- the proposed stormwater pipes discharge to a wetland and BRB.
- outfalls to the existing 825 dia stormwater pipe shown at Figure 8 which will require construction of a new junction pit (JP).

External catchments

- Low flow stormwater (up to 20% AEP flows) currently discharging from External Catchments A & B via the 825 dia pipe is proposed to be diverted to the east to provide treatment of this currently untreated stormwater, prior to discharge to the contour swale. High flow (>20% AEP event) will be discharged via the existing 825 dia stormwater pipe. This is discussed further at Section 5.5.

### 5.4 Retarding and Detention

The planning scheme at CI 56.07-4 (Standard C25) requires that stormwater infrastructure must be:

*Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.*

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As detention calculations are based on pre and post development flows, the external catchments have not been considered.

Detention has been included with protection of downslope infrastructure (Walking Trail), vegetation and wetland in mind and to ensure flows discharging under the walking track and into the adjoining Point Fullarton wetland do not exceed pre-development flows.

Pre and post development flows have been modelled for the required 20% AEP event based on the subject site catchment area (7 ha), with the following determined:

- Pre-development flow is calculated to be 0.280 m<sup>3</sup>/s
- Post-development critical time is 19 minutes and requires a storage of 516 m<sup>3</sup>.

The detention capacity (storage of 516 m<sup>3</sup>) is provided for in the proposed stormwater treatment basins (sediment, bioretention and wetland).

Proposed allotments 1-59 inclusive are proposed to have a tank installed downslope of each allotment with a minimum retention and reuse capacity of 2,000 litres. This retention and reuse capacity is in addition to the detention storage provided and is considered in the stormwater treatment model.

## 5.5 Treatment

The proposed stormwater management solution provides treatment to the required “best practice” (BP) standard. The treatment achieved is summarised in the “Water Quality Treatment Performance Table” (treatment summary table) included on Crossco Drawing 2635/005 at Appendix 1.

The treatment table summarises the modelled treatment performance for five scenarios based on the proposed BRBs, wetland and allotment tanks:

Scenario	Proposed Treatment	Outfall	Treatment BP achieved
Proposed Lots 34-59 with 2,000 litre reuse tanks and external catchment (External Catchment A)	East wetland, sediment basin, BRB	Contour / spreader swale	✓
Proposed Lots 1-33 with 2,000 litre reuse tanks	West sediment basin and BRB	Existing 825 dia pipe	✓
Proposed Lots 1-59 with 2,000 litre reuse tanks and External Catchments A & B	2,000 litre tanks all proposed allotments and; proposed lots 34-59 east wetland including divert low flow from external Catchment A & B pipe to East wetland, sediment basin, BRB and; proposed lots 1-35 west basin and BRB.	Contour / spreader swale (east basin)  Existing 825 dia pipe (west basin)	✓

Two additional treatment scenarios have been modelled (MUSIC):

- a) including the external catchments but excluding 2,000 litre tanks on proposed allotments 1-59. This scenario does not achieve best practice reduction for total nitrogen.
- b) excluding the external catchments and excluding 2,000 litre tanks on proposed allotments 1-59. This scenario does achieve best practice treatment.



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The modelling demonstrates that if stormwater generated in the external catchments is not treated, then allotment tanks are not required to achieve best practice treatment.

On balance a net improvement in stormwater treatment is achieved by including the external catchments as there is currently no treatment of stormwater, acknowledging that the proponent has no obligation to upgrade the existing stormwater system.

Achieving best practice treatment requires low flow (up to 20% AEP) stormwater from External Catchments A & B to be diverted to the east. This stormwater currently outfalls under the timber pedestrian bridge via the 825 dia pipe. Therefore, an additional volume of stormwater will outfall to the east via the proposed contour / spreader swale. The contour / spreader swale is designed to avoid point discharges of stormwater and converts channelled or piped flows (point discharges) to sheet flow thereby ensuring stormwater spreads across a wide area as occurs naturally. These drainage outfall structures are also known as "level spreaders".

- ➔ The proponent proposes to include 2,000 litre tanks at allotments 1-59 and treat stormwater from external catchments.

## 6. Construction Phase

### 6.1 Stormwater Management

The peak potential risk associated with poor stormwater management will coincide with construction periods (civil infrastructure and buildings) when sediment could become mobilised in stormwater runoff, enter the municipal drainage system and discharge to the wetland.

This could increase nutrient loads in the estuary and cause smothering of water plants among other adverse environmental outcomes. The photograph at Figure 24 shows sediment from a dwelling construction site being mobilised into a municipal stormwater system which will be detrimental to the environment and the performance of the drainage system. Compliance with EPA publication 1834 minimises the risk of similar damage during dwelling construction.



Figure 23: Building Phase Sediment Mobilisation

Compliance with EPA publication 1834 through all phases of construction works is strongly recommended.

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## 6.2 Coastal Acid Sulphate Soils

Some works could impact coastal acid sulphate soils (CASS). Excavation of the constructed waterway immediately to the east (The Inlet waterway) is known to have disturbed CASS which was managed by a CASS Management Plan, and CASS mapping<sup>5</sup> confirms the potential for CASS to be present.

EPA Publication 1834 referenced previously includes a statement regarding the management of acid sulfate soils, with a guidance sheet for management of "Hazardous Waste" including acid sulfate soils. Requirements for the management of acid sulfate soils (if present and/or disturbed by construction) will be addressed once the risk is identified and quantified.

As is usual practice where CASS is potentially present, the Geotechnical Investigation of the site prior to detailed design will include a CASS investigation and recommendations for management if found. Further if CASS is found this will assist in informing the detailed design, in particular avoidance where practical and materials selection (such as sulphate resistant materials) for construction through the CASS profile.

CASS Management Plans are commonly implemented by Civil Contractors in East Gippsland and form an important part of OH&S and Environmental management of civil construction projects throughout coastal environments. While not relevant to stormwater assets which are gifted to the municipality, East Gippsland Water has a Standard Operating Procedure (SOP) for Management of Acid Sulphate Soils and will expect compliance with this SOP for construction of assets to be gifted to EGW (water and sewer assets) and it is anticipated that a single CASS Management Plan will be developed for all civil construction works.

If a CASS Management Plan is required, it will meet the requirements of DELWP and any other relevant Authority.

## 7. Conclusion

- Proposed drainage of the site can be managed in two sub-catchments:
  - Lots 1-33 draining to a proposed treatment system and outfalling to the existing 825 dia stormwater pipe.
  - Lots 34-59 draining to a proposed treatment system and outfalling to a contour / spreader swale.
- Compliance with EPA Publication 1834 during all phases of construction will ensure stormwater is managed during construction.
- The stormwater generated from the developed site will be treated, retarded and discharged from the site in accordance with best practice requirements.

M Supplitt  
05/08/2022



<sup>5</sup> VRO Coastal Acid Sulfate Soils Distribution – Map 5 for the Gippsland Lakes of Victoria

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Appendix

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## **Appendix 1 – Crossco Drawings**

**Survey with contours / levels**

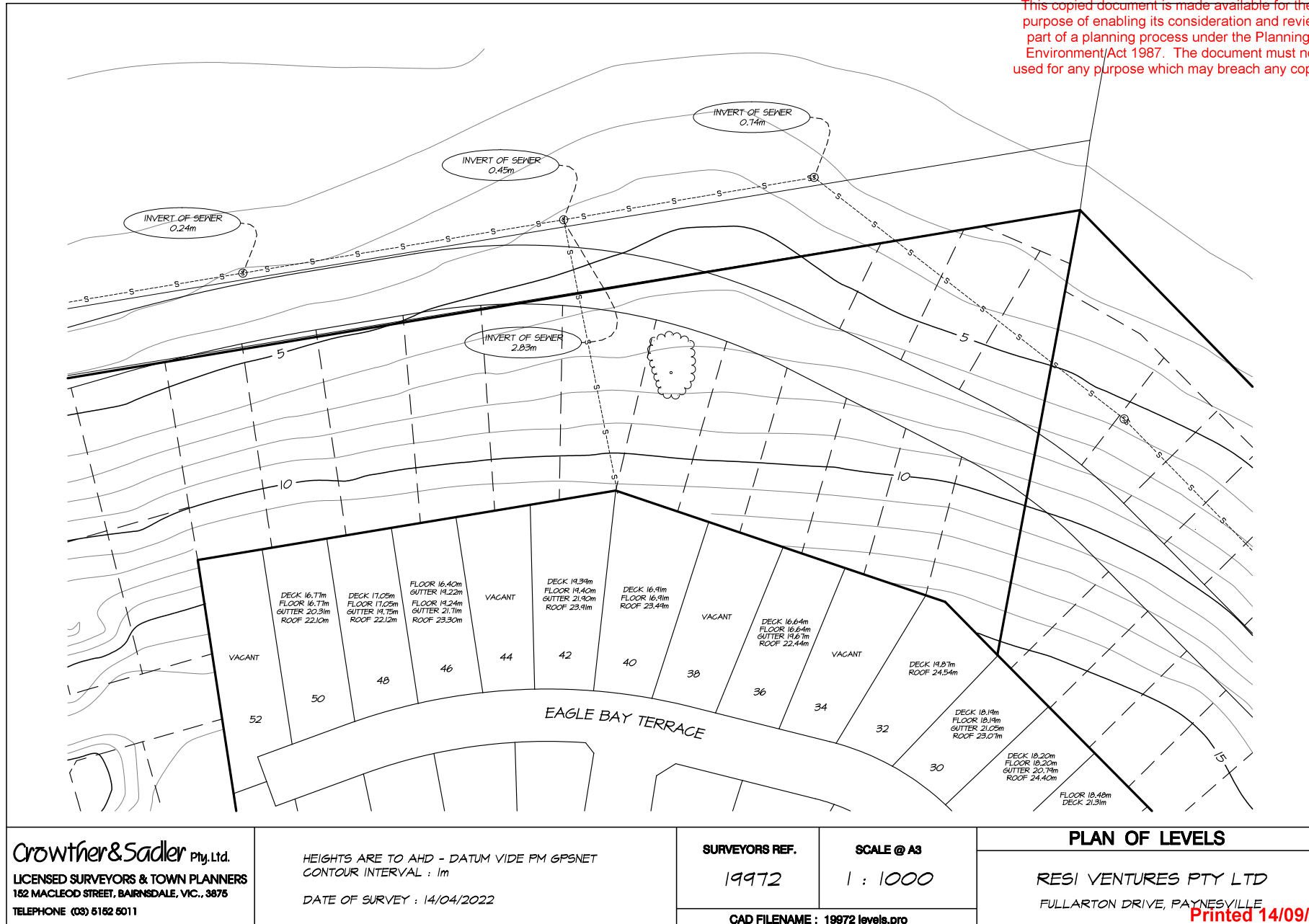
**2635/004 Site Drainage Plan, Site and External Catchment – Sheet 1 of 2**

**2635/004 Site Drainage Plan, Music Output and Results – Sheet 2 of 2**

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**Crowthier & Sadler** Pty. Ltd.  
 LICENSED SURVEYORS & TOWN PLANNERS  
 182 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
 TELEPHONE (03) 5162 6011

HEIGHTS ARE TO AHD - DATUM VIDE PM GPSNET  
 CONTOUR INTERVAL : 1m  
 DATE OF SURVEY : 14/04/2022

SURVEYORS REF.

19972

SCALE @ A3

1 : 1000

CAD FILENAME : 19972 levels.pro

## PLAN OF LEVELS

RESI VENTURES PTY LTD  
 FULLARTON DRIVE, PAYNESVILLE

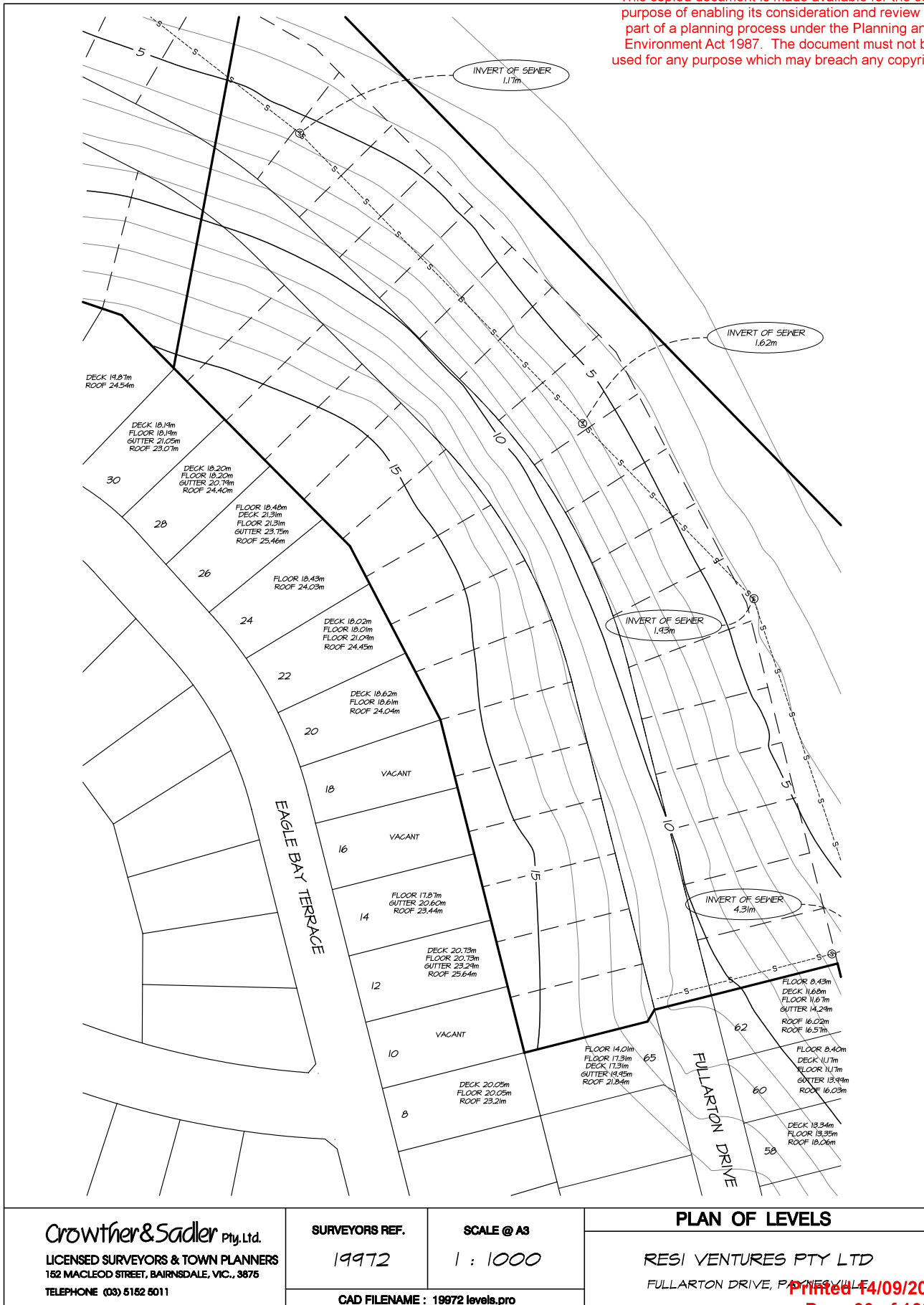
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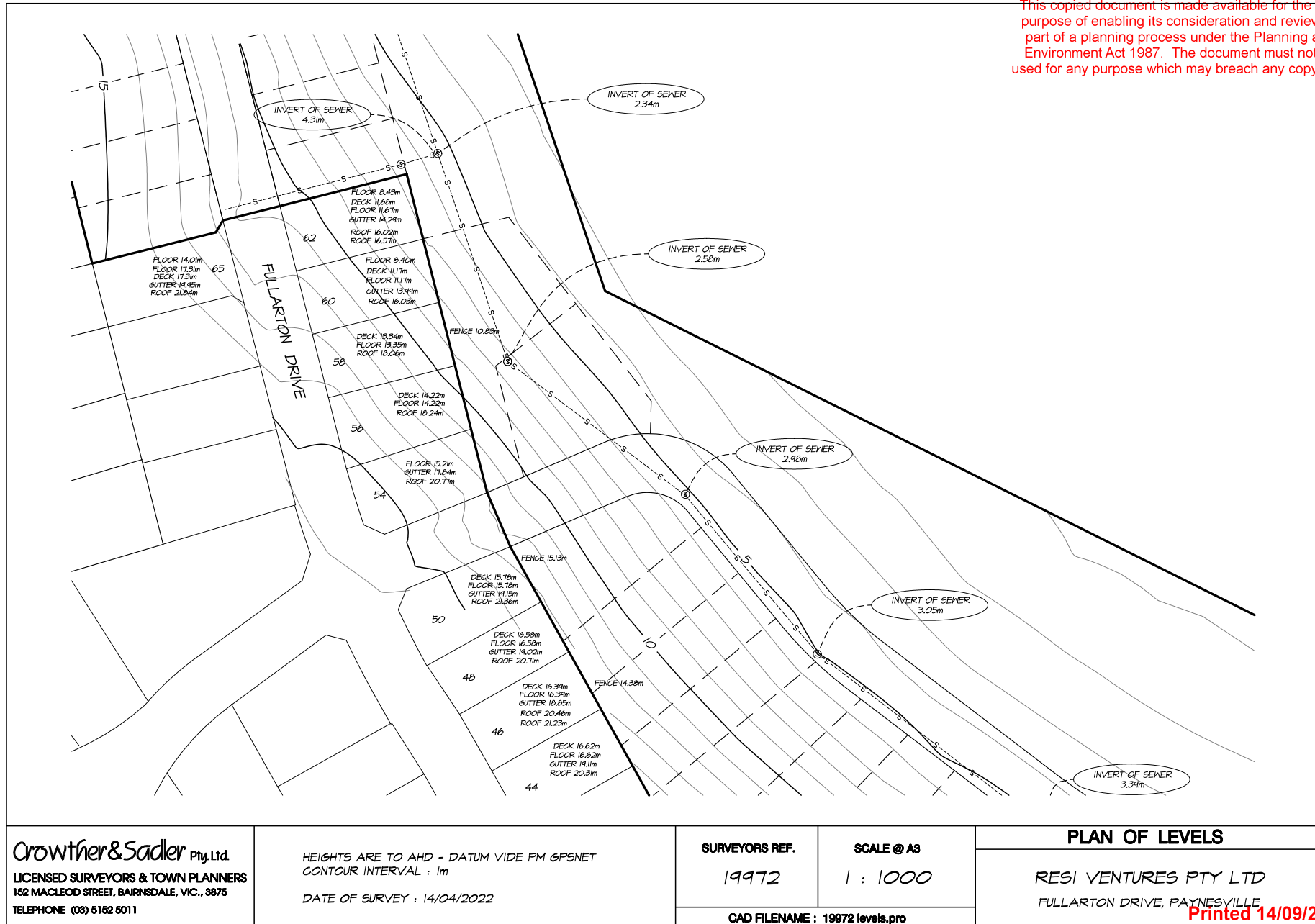
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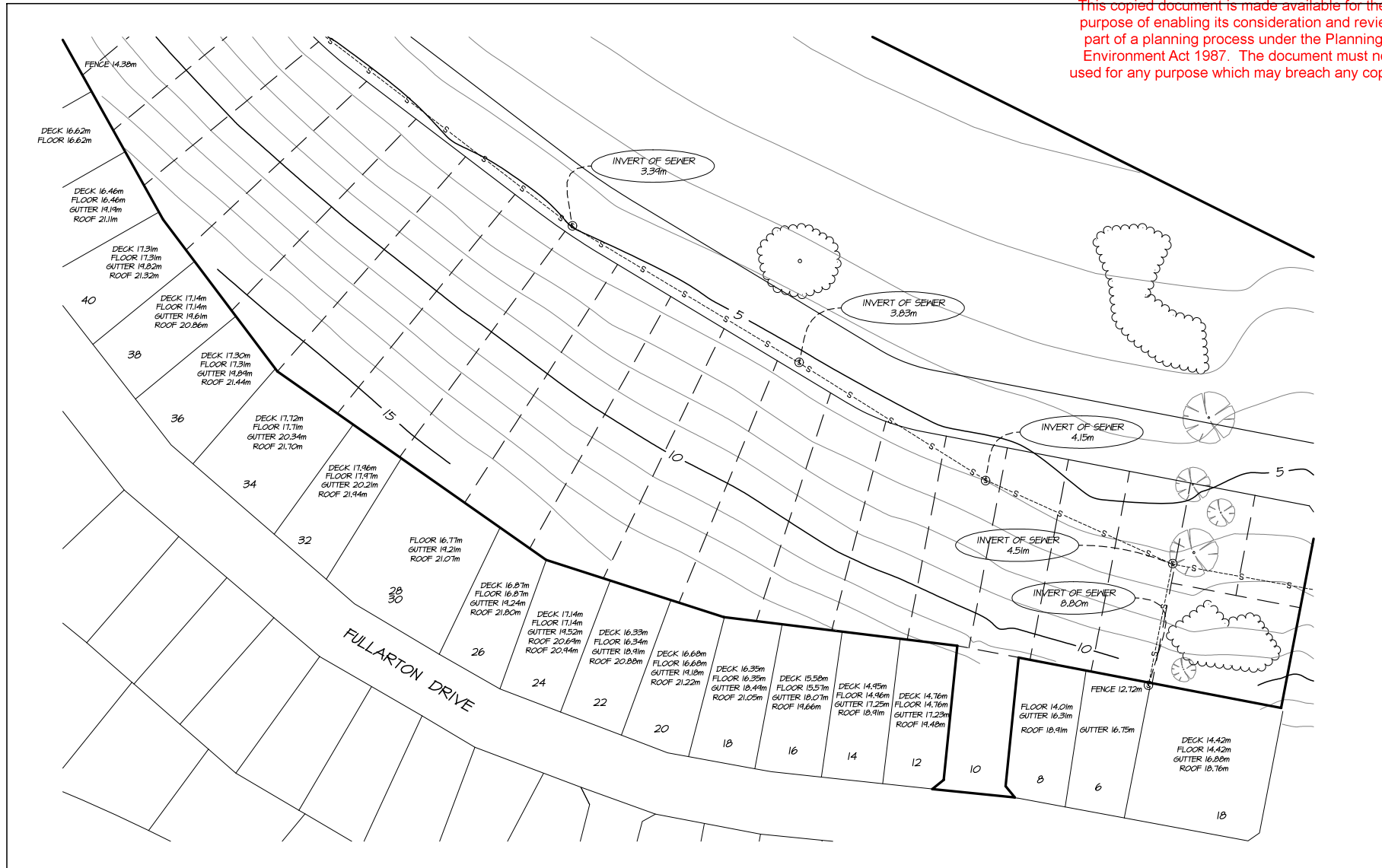
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				RESI VENTURES PTY LTD FULLARTON DRIVE, PAYNESVILLE	
		CAD FILENAME : 19972 levels.pro		Printed 14/09/	

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**Crossco Consulting Pty Ltd**  
ABN: 88 135 548 110

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Box 858 Fax: (03) 51527222  
Dale Vic 3875 Email: [consult@crossco.com.au](mailto:consult@crossco.com.au)

DRAWING No.  
**2635/004-E**

FREEHOLD  
TITLE

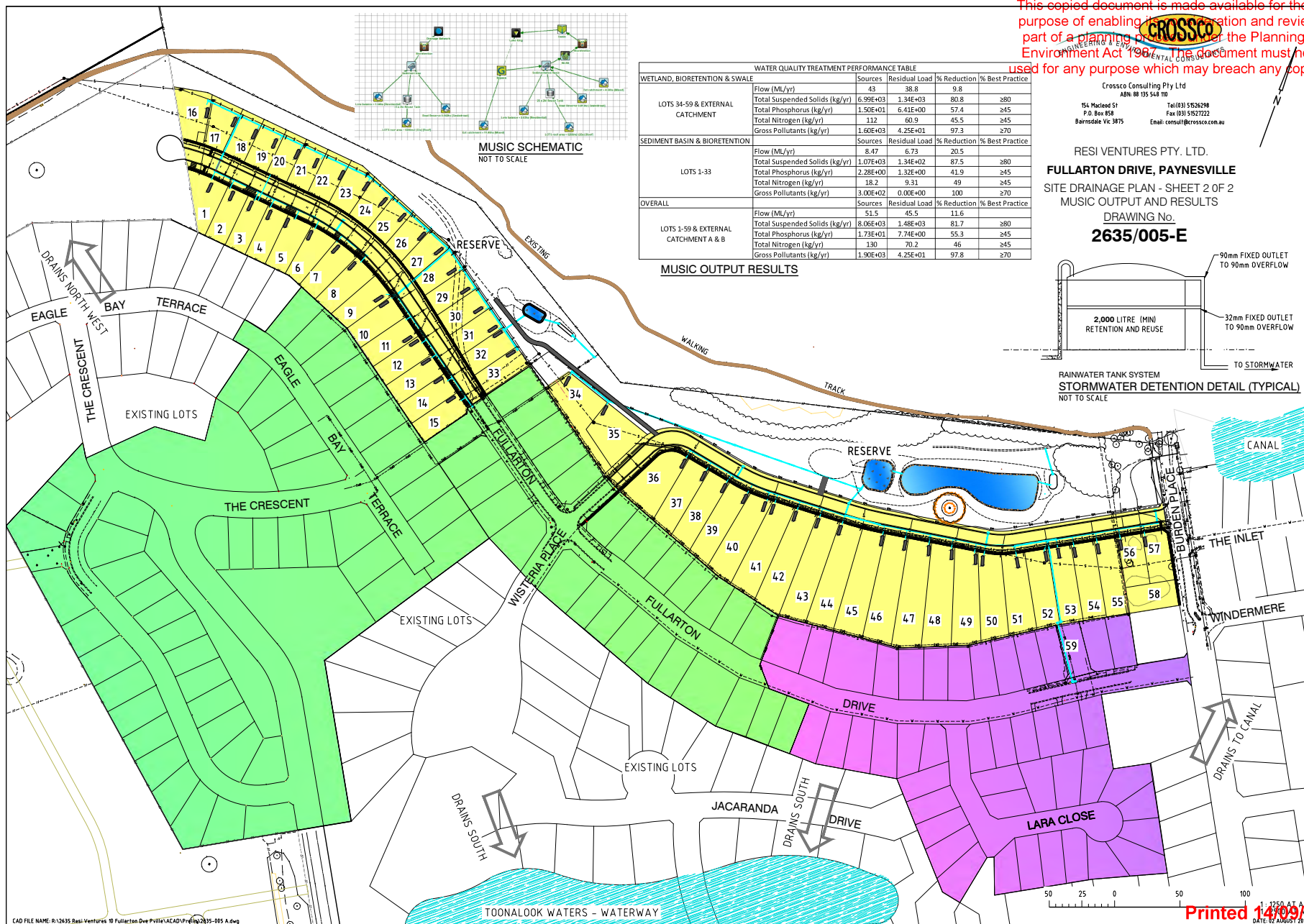
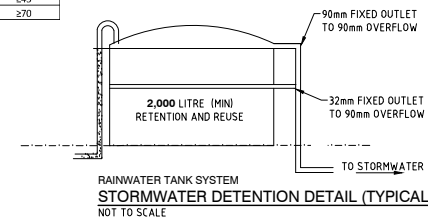




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## Appendix 2 – Design Reviewer correspondence

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**Neil M Craigie Pty Ltd**

ACN 074 582 282 ABN 29 074 582 282

Waterway Management Consultants

---

5 August 2022

Ms Sarah Davis  
Resi Ventures P/L  
(By Email)

Dear Sarah,

**RE: FULLARTON DRIVE, PAYNESVILLE  
STORMWATER MANAGEMENT**

I refer to your request for me to review the stormwater management approach and modelling completed by Crossco for the subject property and provide advice on any modifications that could be made.

I previously advised on development of this land when it was known as Northviews Estate and owned by Lake View Holdings P/L. My statement of expert evidence to VCAT dated 16 June 2011 addressed all the key drainage and flooding issues facing residential development which was then proposed to extend much further downslope towards the Lake King shoreline (to about the 2 m AHD contour line).

I note that the current proposal by Resi Ventures significantly pulls back the development line to about the 4 m AHD contour line, reduces the number of lots from 82 to 59 and reduces developed land area from 8.5 ha to 7.0 ha now, cf. the 2011 proposal.

I acknowledge receipt of:

- Crossco Site drainage Plans including MUSIC results & Catchment Plan;
- MUSIC files and outputs including schematic.

I have reviewed all the information and made suggestions for some amendments and variations to the team at Crossco. These have been fully incorporated into the latest versions of the plans and modelling which are as referenced below:

- Crossco Drawing 2635-001-006 E Site drainage Plans (2 August 2022);
- MUSIC model: 2635 Fullarton Drive.sqz.

---

*Director Neil McKinnon Craigie BE(Civil), MEngSci, MIEAust, CPEng (Ret)*

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*40 Jamieson Court, Cape Schanck, Vic. 3939, Australia*

*Mobile: 0427 510 053*

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*Fullarton Drive, Paynesville, Stormwater Management*

The suggested amendments to the main drainage assets and modelling have included:

#### Eastern Drainage System

- Addition of a separate sediment basin at the west end of the main wetland;
- Amalgamation of all tributary inflow pipes into this sediment basin;
- Addition of a bioretention basin for treatment of extended detention outflows from the wetland at its eastern end;
- Extended detention depths set to 0.35 m in the sediment basin and macrophyte zone and 0.2 m in the bioretention basin.

#### Western Drainage System

- Addition of a larger sediment basin at the inlet to the western bioretention basin;
- Reduction of the western bioretention basin filter surface area;
- Extended detention depth set to 0.35 m in the sediment basin and 0.2 m in the bioretention basin.

The layout of the eastern drainage assets now aligns along a downslope contour level of about 2.0 m AHD which is well above the expected impacts of sea level rise through the year 2100. Normal Water Level can be set at about 1.5 m AHD.

The eastern and western pipe drainage systems will intercept and treat all drainage from existing external developed land in the Fullarton Drive/The Crescent/Eagle Bay Terrace/Wisteria Place and Lara Close areas (15.6 ha in total). Under existing conditions all stormwater drainage from that external land goes direct into Lake King without treatment.

The modelling results confirm that:

- with the 2 KL raintanks included (hard plumbed to toilets) best practice water quality treatment standards will be exceeded for the whole catchment, including existing untreated residential area of 15.6 ha.
- without the tanks the treatment standards significantly exceed best practice for the Resi Ventures development catchment alone.
- Without the tanks for the total catchment the only shortfall is TN which at 42.5% is just short of 45% best practice.

There is no legal requirement for the Resi Ventures development to treat external developed catchment stormwater drainage at all, let alone to best practice standards.

The MUSIC modelling uniformly assumes that zero exfiltration will occur from any of the drainage assets. This properly reflects the important assumption that unless proved otherwise by geotechnical investigation and testing, it will be necessary to fully seal the

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Neil M Craigie Pty Ltd

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*Fullarton Drive, Paynesville, Stormwater Management*

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basal areas and sides of all water containing structures to deal with potential dispersive or PASS soils.

There can be no doubt that significant water quality treatment benefits will flow to the Lake King environment with this development in place as proposed, regardless of whether or not the raintanks are included.

I therefore fully support the current application by Resi Ventures based on the latest plans and modelling by Crossco.

Please do not hesitate to contact me if there are any queries in regard to this advice.

Yours faithfully,



Neil M Craigie

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*Neil M Craigie Pty Ltd*

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# Traffix Group

## Traffic Impact Assessment

Proposed Residential Subdivision  
10 Fullarton Drive, Paynesville

Prepared for  
Resi Ventures

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Melbourne Victoria 3000

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admin@traffixgroup.com.au

Traffix Group Pty Ltd  
ABN: 32 100 481 570

[traffixgroup.com.au](http://traffixgroup.com.au)

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

**Proposed Residential Subdivision****10 Fullarton Drive, Paynesville****Document Control****Our Reference: G31597R-01B**

Issue No.	Type	Date	Prepared By	Approved By
A	Draft	02/08/22	A. Montgomerie	W. de Waard
B	Final	05/08/22	A. Montgomerie	W. de Waard

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

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**Appendix D    SIDRA Intersection Modelling Results**

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

# 1. Introduction

Traffic Group has been engaged by Resi Ventures to undertake a traffic impact assessment for the proposed residential subdivision at 10 Fullarton Drive, Paynesville.

This report provides a detailed traffic engineering assessment of the internal road layout, access arrangements and likely traffic impacts of the proposed development on the surrounding road network.

# 2. Proposal

The proposal is to subdivide the 10.7 hectare parcel of land to create a total of 59 residential lots ranging in size from 560m<sup>2</sup> to 1,660m<sup>2</sup> at 10 Fullarton Drive, Paynesville.

An extract of the proposed subdivision plan is shown below in Figure 1.

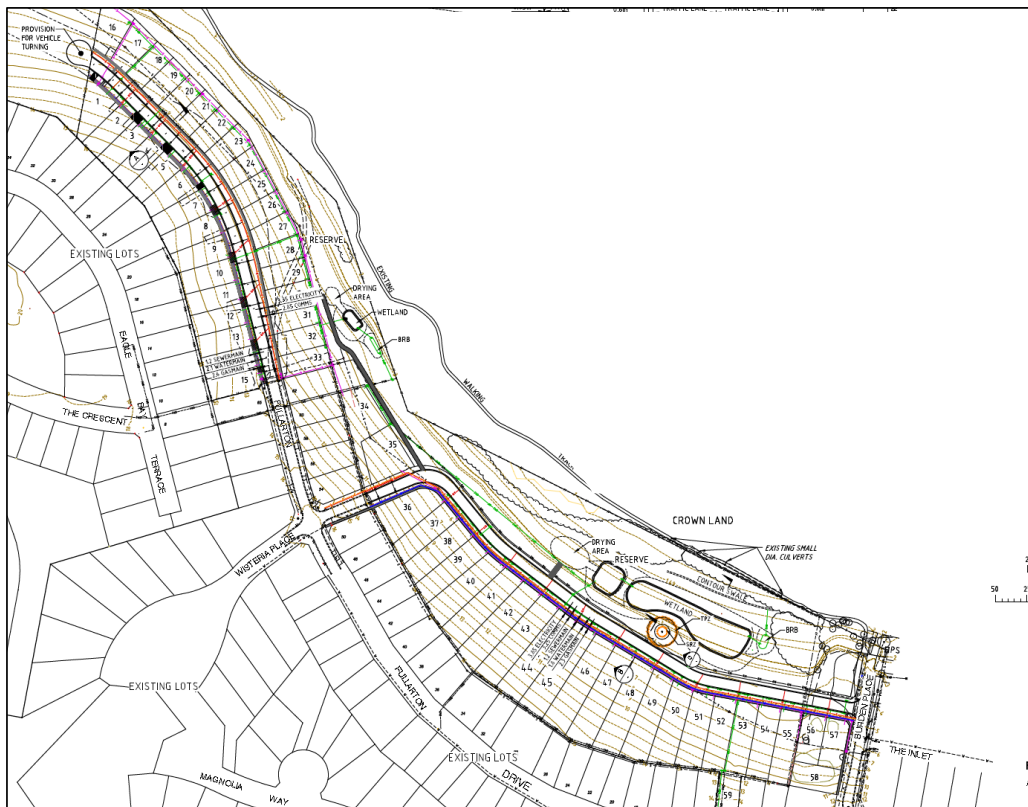


Figure 1: 10 Fullarton Drive, Paynesville – Proposed Residential Subdivision

Vehicle access to the subject site from the existing road network is proposed via three (3) locations, as follows:

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

- The extension of Fullarton Drive through the site to the northwest,
- The extension of Molly Drive, at the intersection of Fullarton Drive / Wisteria Place, and
- Burden Place, just north of The Inlet (connecting through to Molly Drive).

The extension of Fullarton Drive is proposed to terminate with a dead end and a temporary court bowl is to be provided to allow the Council waste vehicle to turnaround.

All lots will be provided with direct access to either the extension of Fullarton Drive or Molly Drive with the exception of Lot 58 with access to Burden Place and Lot 59 that is located at 10 Fullarton Drive that will access the existing road.

A copy of the proposed subdivision development plans prepared by Crossco Consulting is attached at Appendix A.

## 3. Background Information

### 3.1. Paynesville Growth Area Structure Plan

The Paynesville Growth Area Structure Plan includes guidelines and requirements for the future development of the growth area.

The subject site partially abuts the eastern boundary of the Paynesville Growth Area Structure Plan area as shown in Figure 2 below.

The Structure Plan indicates that Fullarton Drive is to be extended through the subject site and continue through to a new Connector Road that will ultimately provide an alternate connection to Paynesville Road.

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

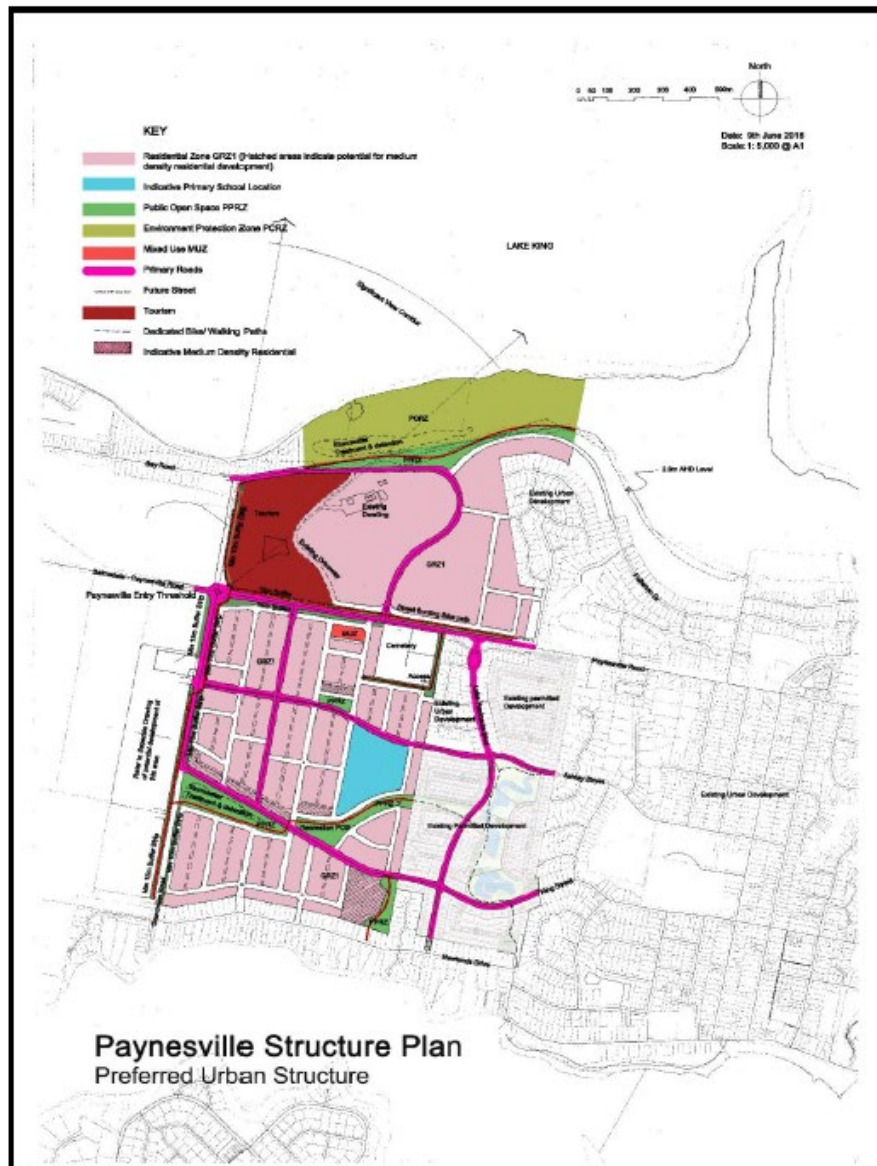


Figure 2: Paynesville Structure Plan

**3.2. Paynesville Precinct Structure Plan – Traffic Assessment Report**

The Paynesville Precinct Structure Plan – Traffic Assessment Report was prepared to support the future development of the Paynesville growth area. The report included an assessment of



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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

the future traffic likely to be generated by development of the growth area providing for an appropriate road network to support additional traffic movements in the area.

The assessment report considers the appropriate traffic generation rate for the area noting that empirical evidence indicates a traffic generation rate of 4-4.5 vehicles per day while the relevant IDM standard is 10 trips per day for residential dwellings.

The assessment report indicates that it conservatively adopted a rate of 7 vehicles per day for the traffic modelling completed, *'well in excess of the measured actual rate.'*

## 4. Existing Conditions

### 4.1. Subject Site

The subject site is located on the northeast side of Fullarton Drive and the west side of Burden Place. The subject site is irregular in shape and covers an area of approximately 10.7 hectares.

Land use surrounding the site is generally residential to the east and south, with largely vacant land to the west, and Eagle Point Bay/the Gippsland Lakes system to the north.

A locality plan and an aerial photograph are provided below at Figure 3 and Figure 4 respectively.

The subject site is currently zoned 'General Residential Zone' under the East Gippsland Planning Scheme, with a land use zoning map is provided at Figure 5.



Source: VicRoads Country Street Directory, Edition 9

Figure 3: Locality Plan

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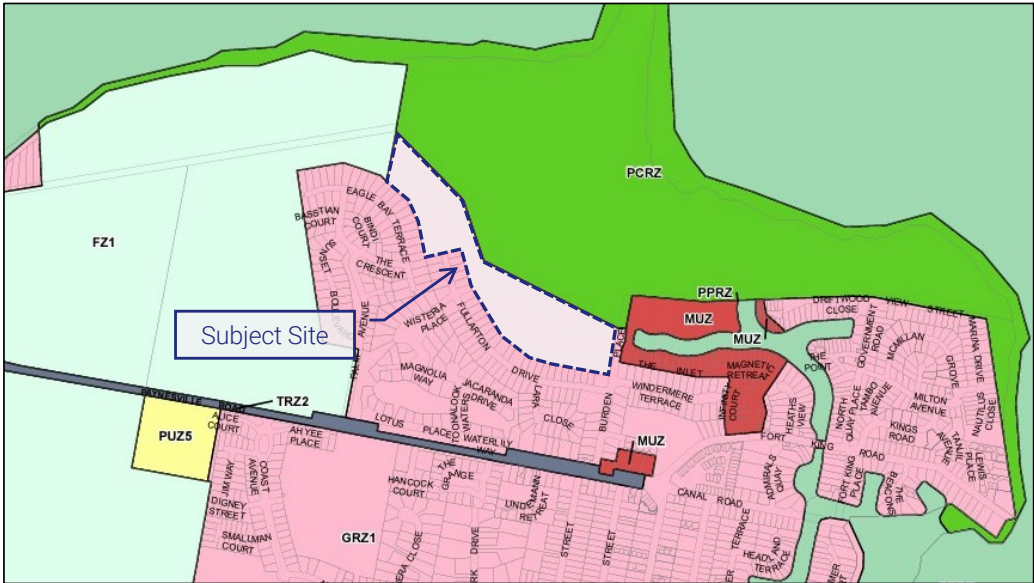
Traffic Impact Assessment

10 Fullarton Drive, Paynesville



Figure 4: Aerial Photograph

Source: Nearmap



Source: www.planning.vic.gov.au

Figure 5: Land Use Zoning – East Gippsland Planning Scheme



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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

## 4.2. Road Network

**Fullarton Drive** is classified as an 'Urban Access' Road under the East Gippsland Public Road Register and extends from Burden Place to 100m northwest of Wisteria Place. In the vicinity of the subject, site Fullarton Drive provides an 8.6m wide carriageway that allows for parking on both sides of the road and one lane traffic flow, or parking on one side with two way traffic flow. The road reserve for Fullarton Drive is approximately 18m wide.

Fullarton Drive is subject to a default urban speed limit of 50km/h.

No parking restrictions apply to Fullarton Drive, and a 1.5m wide pedestrian footpath is currently provided along the north side of the road.

Photographs of Fullarton Drive are provided in Figure 6 to Figure 9.



Figure 6: Fullarton Drive – View North-west



Figure 7: Fullarton Drive – View South-east

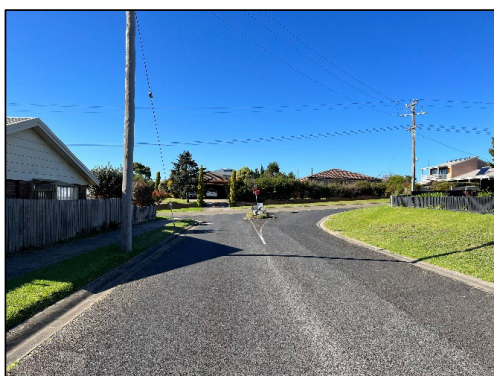


Figure 8: Fullarton Drive – View South-east (approach to Burden Place)



Figure 9: Fullarton Drive – View North-west

**Molly Drive** is classified as an 'Urban Access' Road under the East Gippsland Public Road Register and extends north-east of Fullarton Drive for approximately 40m, opposite Wisteria Place. Molly

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

Drive provides an 8.0m carriageway that allows for two-way traffic flow. The road reserve for Molly Drive is approximately 18m wide.

Molly Drive is subject to a default urban speed limit of 50km/h.

No parking restrictions apply to Molly Drive.

Photographs of Molly Drive are provided in Figure 10 and Figure 11 .



Figure 10: Molly Drive – View South-west (approach to Fullarton Drive/Wisteria Place Intersection)

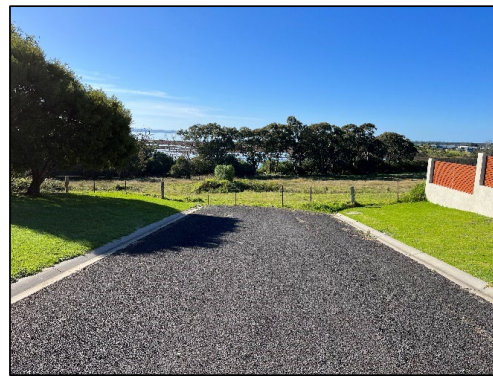


Figure 11: Molly Drive – View North-east

**Burden Place** is classified as an 'Urban Access' Road under the East Gippsland Public Road Register and extends north-south between Paynesville Road and 50m north of The Inlet.

In the vicinity of the subject site, Burden Place provides an 6.9m wide carriageway that allows for parking on both sides of the road and one lane traffic flow, or parking on one side with two way traffic flow. The road reserve for Burden Place is approximately 20m wide.

No parking restrictions apply to Burden Place, and a 1.5m wide pedestrian footpath is currently provided along the east side of the road, south of The Inlet.

Photographs of Burden Place, north of Windermere Terrace are provided in Figure 12 and Figure 13 below.



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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

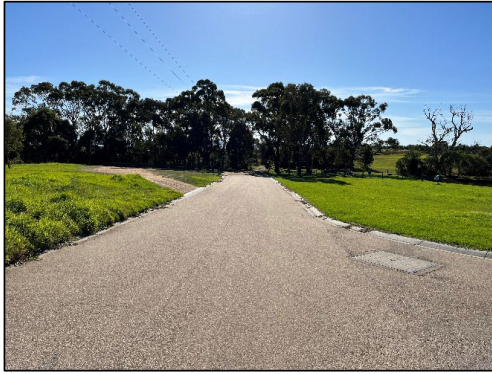


Figure 12: Burden Place – View North

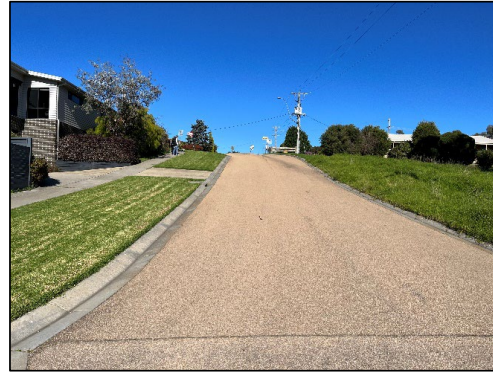


Figure 13: Burden Place – View South

Burden Place in the vicinity of the intersection of Paynesville Road Burden Place provides a 11.4m wide carriageway that allows for two way traffic flow with parking on both sides of the road.

Burden Place is subject to a default urban speed limit of 50km/h.

No parking restrictions apply to Burden Place

Photographs of Burden Place in the vicinity Paynesville Road are provided in Figure 14 and Figure 15



Figure 14: Burden Place – View South



Figure 15: Burden Place – View North

**Paynesville Road** is classified as an 'Arterial Road' under VicRoads control and extends between Princes Highway, Bairnsdale in the northwest and Main Road, Paynesville in the southeast. In the vicinity of Burden Place, Paynesville Road provides an 11.5m carriageway, which provides for a single traffic lane in each direction.

A 5.6m wide two-way sealed service road is located on the north side of Paynesville Road between Burden Place and Lindmann Retreat intersection.



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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

Paynesville Road is subject to a posted speed limit of 60km/h.

Photographs of the Paynesville Road, intersection with Burden Place are provided at Figure 16 to Figure 19.



Figure 16: Burden Place – View South (approach to Paynesville Road)



Figure 17: Paynesville Road – View East (from Burden Place)



Figure 18: Paynesville Road – View West (from Burden Place)



Figure 19: Paynesville Road – View West (towards Burden Place)

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

## 4.3. Traffic Conditions

## 4.3.1. Paynesville Road

Traffic surveys were conducted on Paynesville Road to the west of Burden Place. The survey was undertaken over seven (7) days between the 28<sup>th</sup> of April and 4<sup>th</sup> May 2022. The results are summarised in Table 1.

Table 1: Paynesville Road – Traffic Counts

Period	Daily Volumes			AM Peak			PM Peak		
	W	E	Total	W	E	Total	W	E	Total
Average Weekday	2,499	2,662	5,161	208 (11am)	221 (11am)	429 (11am)	184 (4pm)	265 (4pm)	450 (4pm)
Saturday	2,133	2,221	4,354	248 (11am)	267 (11am)	515 (11am)	162 (12pm)	262 (12pm)	424 (12pm)
Sunday	1,810	1,829	3,639	198 (10am)	186 (10am)	406 (10am)	193 (12pm)	213 (12pm)	406 (12pm)

## 4.3.2. Burden Place

Traffic surveys were conducted on Burden Place to the north of Paynesville Road. The survey was undertaken over seven (7) days between the 28<sup>th</sup> of April and 4<sup>th</sup> May 2022. The results are summarised in Table 2.

Table 2: Burden Place – Traffic Counts

Period	Daily Volumes			AM Peak			PM Peak		
	N	S	Total	N	S	Total	N	S	Total
Average Weekday	329	327	656	29 (11am)	31 (11am)	60 (11am)	36 (3pm)	27 (3pm)	62 (3pm)
Saturday	229	225	454	20 (9am)	29 (9am)	49 (9am)	22 (2pm)	23 (2pm)	45 (2pm)
Sunday	195	200	395	20 (11am)	25 (11am)	45 (11am)	30 (3pm)	20 (3pm)	50 (3pm)

Detailed traffic survey data is provided at Appendix B.

## 4.3.3. Paynesville Road / Burden Place

Intersection turning movement counts were undertaken for the Paynesville Road / Burden Place intersection on Thursday, 28<sup>th</sup> April 2022 between 7-10am and 3-6pm. An analysis of the turning

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

movement data indicated that the AM and PM peak hours at the intersection are 8:30am to 9:30am and 3:45pm to 4:45pm, respectively.

The turning movement volumes for the AM and PM peak hours at the intersection of Paynesville Road / Burden Place are shown below in Figure 20.

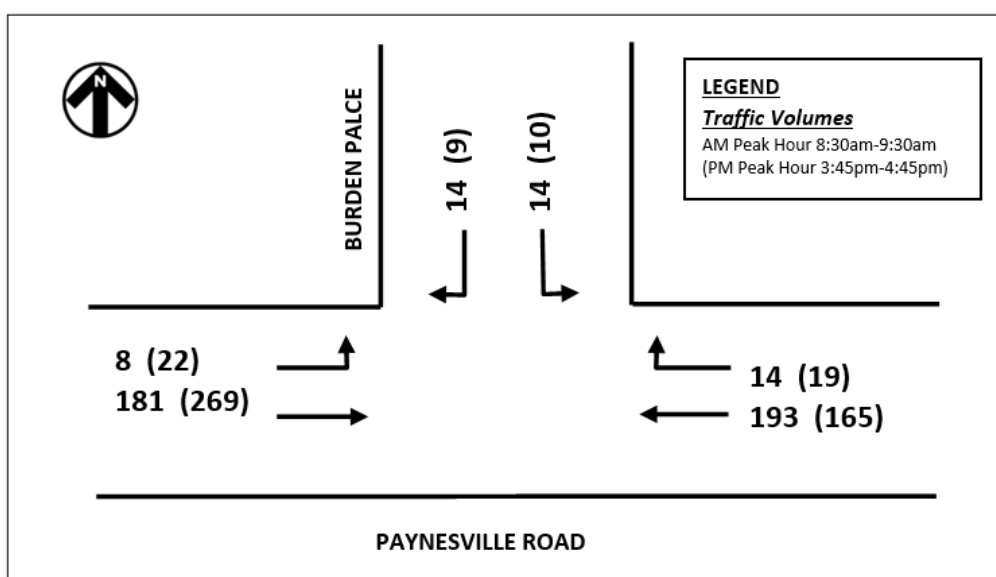


Figure 20: Turning Movement Volumes - Paynesville Road / Burden Place

Detailed turning movement count data is provided at Appendix C.

#### 4.4. Road Safety Review

A review of the most recent CrashStats data provided by VicRoads, for the period between 4<sup>th</sup> January 2006 and April 31<sup>st</sup> 2020, revealed no casualty crashes were recorded on Fullarton Drive, Burden Place or the intersection of Paynesville Road / Burden Place.

#### 4.5. Public Transport

The nearest public transport facility to the subject site is the bus stop for bus route 13 located on Paynesville Road, 100m west of Burden Place.

**Bus Route 13** provides a service between Raymond Island Ferry Terminal and Bairnsdale Railway Station. Bus Route 13 towards Bairnsdale operates five (5) services between 9:15am and 5:15pm Monday to Friday and only one (1) service during the weekend period on a Saturday at 9:30am. There are no services operating on Sunday.

Bus Route 13 towards Paynesville from Bairnsdale operates five (5) services between 10:15am and 5:40pm Monday to Friday and only one (1) service during the weekend period on a Saturday at 11:25am. There are no services operating on Sunday.

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**Traffic Impact Assessment**

10 Fullarton Drive, Paynesville

The route map for Bus Route 13 is provided in Figure 21 below.

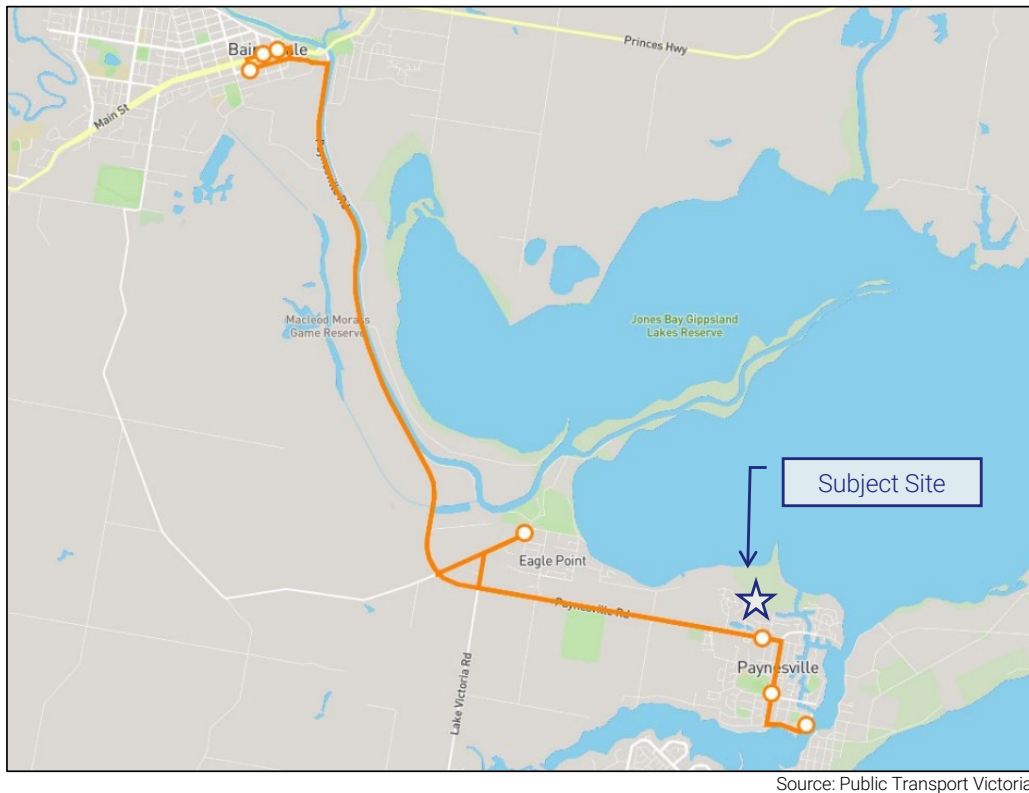


Figure 21: Bus Route 13 Map

#### 4.6. Pedestrian and Cycling Network

The Eagle Point – Paynesville Foreshore walking track extends along the northern boundary of the site and the foreshore between Burden Place, Paynesville to the east and Bay Road, Eagle Point to the west as shown in Figure 22 below. The track is a gravel walking track that is gated to prevent vehicle access.

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

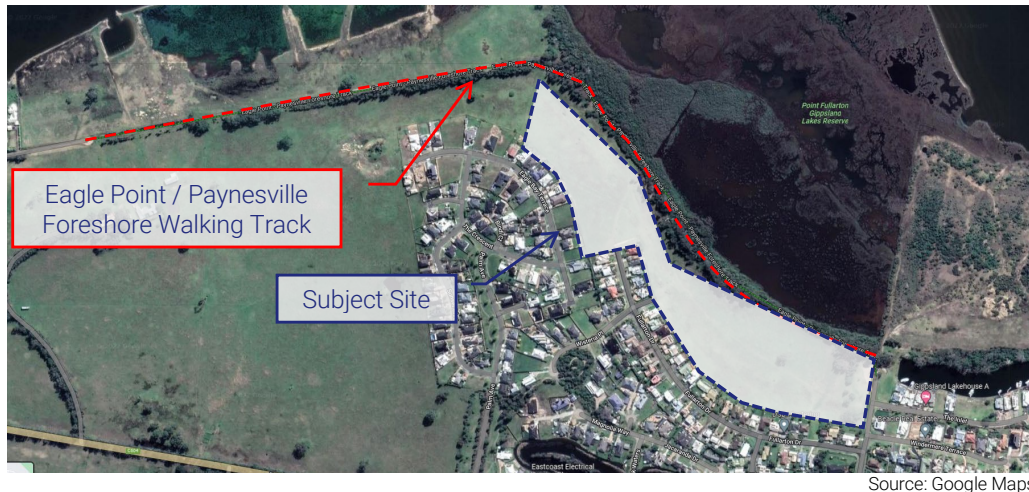


Figure 22: Eagle Point / Paynesville Foreshore Track



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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

## 5. Traffic Engineering Assessment

The following traffic engineering assessment of the subdivision proposal has been undertaken with regard to the Paynesville Precinct Structure Plan, the Infrastructure Design Manual, Schedule 6 to Clause 43.04 of the East Gippsland Planning Scheme and good engineering practice.

### 5.1. Traffic Generation

As outlined in Section 3.2, the Paynesville Precinct Structure Plan – Traffic Assessment Report conservatively adopted a rate of 7 vehicles per day for the traffic modelling completed. The assessment acknowledged that the adopted rate is 'well in excess of the measured actual rate' for the area that is 4-4.5 vehicles per day.

For the purpose of this assessment, we have adopted the conservative rate of 7 vehicle trips per day per lot (0.7 trips in the peak hour).

Based on the recent traffic surveys, outlined in Section 4.3, the following directional splits have been adopted.

- AM Peak Hour Direction of Travel – 'In' Trips = 30%, 'Out' Trips = 70%
- PM Peak Hour Direction of Travel – 'In' Trips = 60%, 'Out' Trips = 40%

As outlined previously, the proposed subdivision includes 59 residential lots with a summary of the likely residential traffic generation for the overall subdivision is presented in Table 3 below.

Table 3: Expected Traffic Generation

No. of Lots	Daily Traffic Generation Rate	Peak Hour Traffic Generation Rate	Daily Trips	Peak Hour Trips
59	7 trips per dwelling	0.7 trips per dwelling	413 trips	41 trips

### 5.2. Traffic Distribution

Following full development of the site, there will be three (3) connections to the road network as follows:

- A local street connection to Burden Place,
- A local street connection to Fullarton Drive via the extension of Molly Drive, and
- A connection to Fullarton Drive via its extension through the site.

It is noted that one (1) property, Lot 58, will also directly access the existing section of Fullarton Drive.

Due to the configuration of the existing road network, all vehicles must ultimately utilise Burden Place to access the external road network (Paynesville Road). It is assumed that all trips generated by the proposed development will be to/from external destinations with no 'internal' trips.

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Traffic Impact Assessment

10 Fullarton Drive, Paynesville

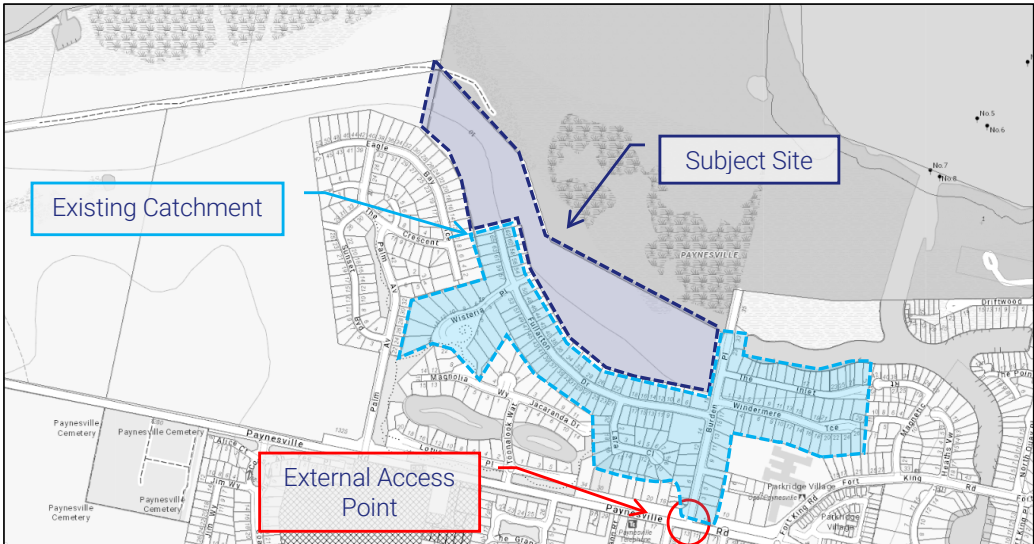


Figure 23: Traffic Distribution

An analysis of the existing turning movements at the intersection of Paynesville Road / Burden Place (see Section 4.3.3) has been undertaken to determine the existing directional split for the existing dwellings as summarised in Table 4 below.

Table 4: Existing Traffic Distribution

Direction	AM Peak (8:30am to 9:30am)	PM Peak (3:45pm to 4:45pm)
Northwest (Bairnsdale / Melbourne)	50%	53%
East (Paynesville)	50%	47%

The traffic distribution for the traffic generated by the proposed development has been applied based on the existing distribution presented above.

The additional turning movements, generated by the proposal, at the intersection of Burden Place / Paynesville Road is presented in Figure 24 below. The 'post development' turning volumes, determined by adding the additional turning movements to the existing turning movements (detailed in Section 4.3.3) is presented in Figure 25 below.

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Traffic Impact Assessment

10 Fullarton Drive, Paynesville

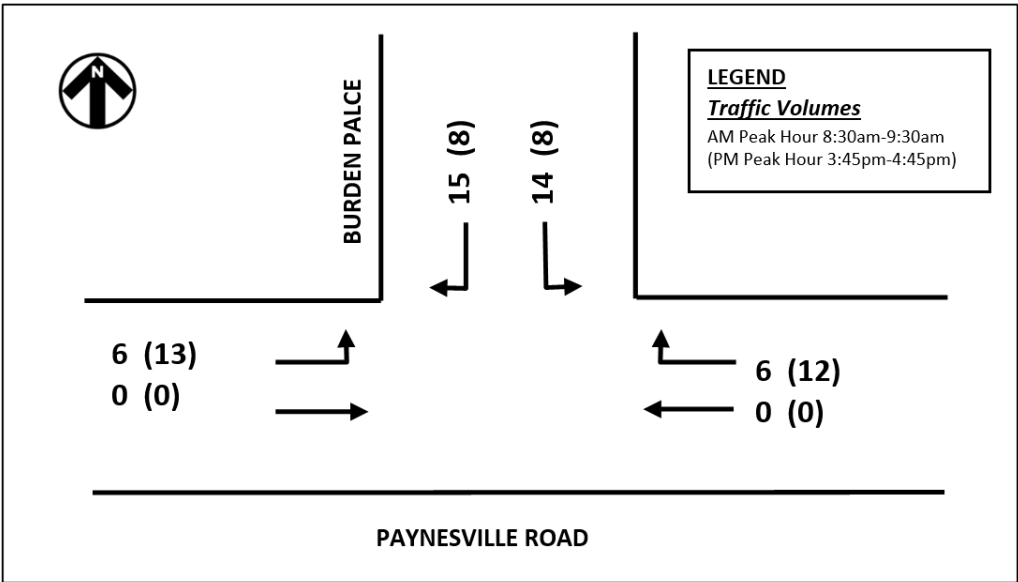


Figure 24: Development Traffic – Turning Movement Volumes at Burden Place / Paynesville Road

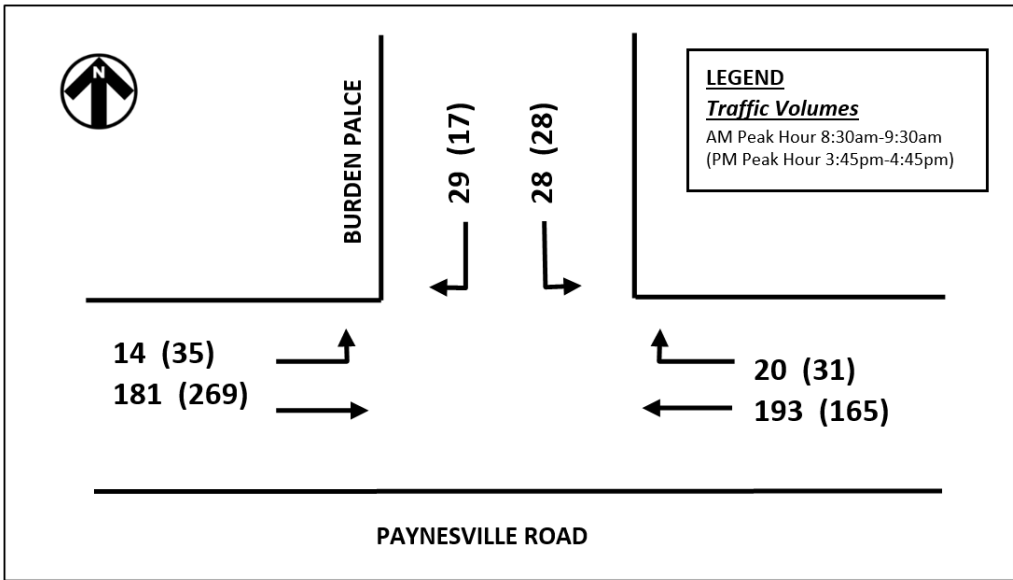


Figure 25: Post Development Traffic – Turning Movement Volumes at Burden Place / Paynesville Road

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

### 5.3. Anticipated Traffic Volumes and Road Hierarchy

All of the roads within the subdivision, will operate as local streets with two (2) different cross-sections. These are broadly defined as 'Access Street' under the Infrastructure Design Manual, and an 'Access Street' is defined in the Clause 56.06 of the Planning Scheme as:

*'A street provided local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.'*

The Infrastructure Design Manual and Clause 56.06 of the Planning Scheme both provide target daily traffic volumes for various road types as shown below in Table 5.

Table 5: Road Hierarchy – Daily Traffic Volumes

Road Type	Infrastructure Design Manual	Planning Scheme (Clause 56.06)
Local Access Street - Level 1	0 – 2,500	1,000 – 2,000
Local Access Street – Level 2		2,000 – 3,000
Connector Street – Level 1	2,500 – 6,000	3,000
Connector Street - Level 2	6,000 – 12,000	3,000 – 7,000

Figure 26 below shows the anticipated daily traffic volumes for the internal road network based on the traffic generation developed previously in Section 5.1.

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**Traffic Impact Assessment**

10 Fullarton Drive, Paynesville

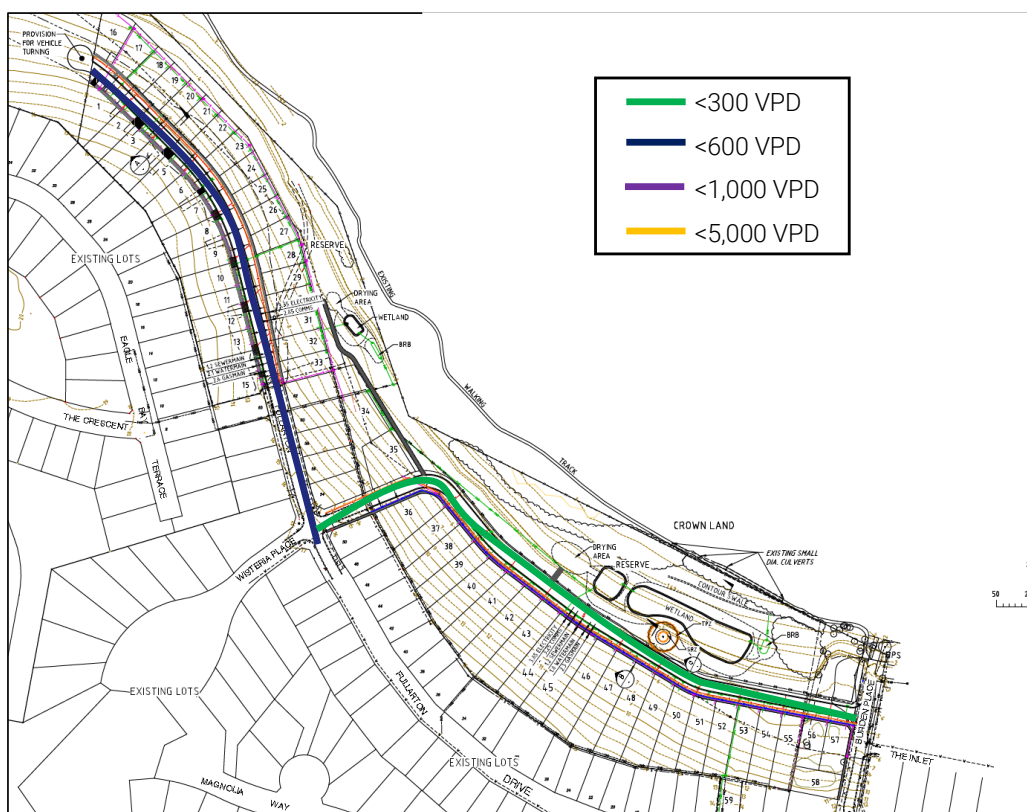


Figure 26: Anticipated Daily Traffic Volumes

In view of the above, all roads within the development can be suitably defined as 'Local Access Streets'.

#### 5.4. Subdivision Cross Sections

Road cross sections have been developed for both internal roads within the residential subdivision in conjunction with the cross-sections found within the Infrastructure Design Manual and Table C1 of Clause 56 of the Planning Scheme.

##### 5.4.1. Local Access Street

Both roads within the subdivision fall into the category of a Local Access Street, with expected traffic volumes less than 1,000 vpd. The typical road reserve width for Local Access Streets is 16m. The subdivision provides for more generous road reserve widths of 18 to 22m. The cross sections adopted are provided in Figure 27 and Figure 28 below.



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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

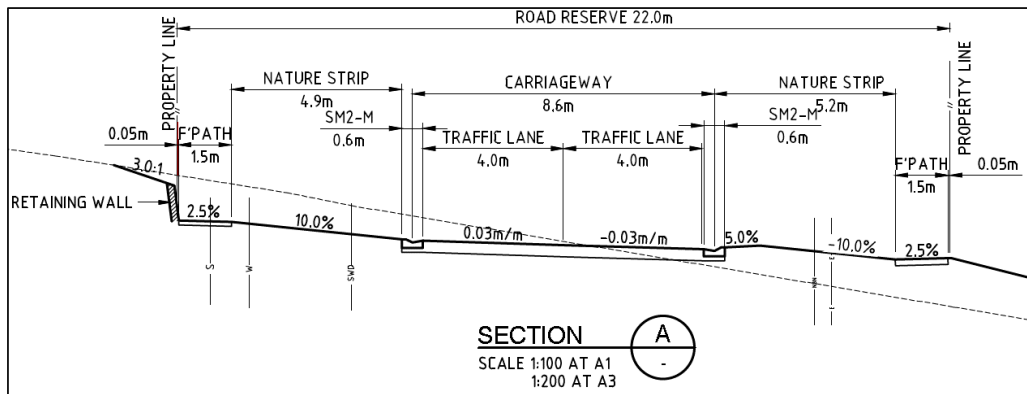


Figure 27: Proposed Cross Section - Extension of Fullarton Drive

The cross section is summarised as follows:

- 8.6m wide trafficable width,
- 1.5m wide footpath (each side),
- 6.4m wide verge (west side), and
- 6.7m wide verge (east side).

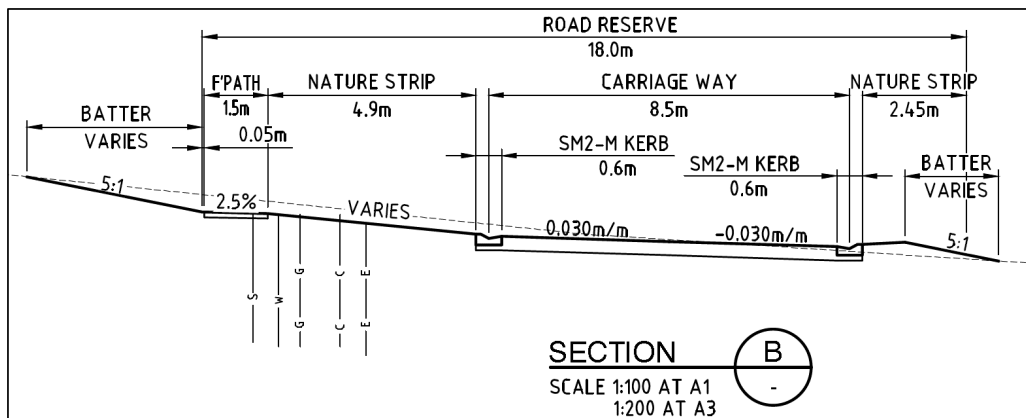


Figure 28: Proposed Cross Section - Extension of Molly Drive

The cross section is summarised as follows:

- 8.5m wide trafficable width,
- 1.5m wide footpath (south side),
- 5.4m wide verge (south side), and
- 2.45m wide verge (north side).

We note that the proposed cross section for Molly Drive includes a reduced verge width on the north side, with no footpath provision (on the north side). Given this road will front a wetland /

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

Reserve, with no residential properties on its northern side, we are comfortable with this arrangement.

We are satisfied that the proposed local access street cross-sections comply with the requirements of the Infrastructure Design Manual and Clause 56.06.

### 5.5. Internal Road Network

The internal road layout is generally provided in accordance with the principles outlined in Clause 56 of the East Gippsland Planning Scheme.

A permeable road network has been provided which allows for multiple vehicle access routes within the local area. This permeability will be further enhanced once land to the west is further developed.

The key features of the internal road layout are detailed below.

#### 5.5.1. Intersection Controls

The subdivision has generally been developed around local street T-intersections which provide for capacity and safety throughout the road network.

On this basis, we are satisfied that the proposed intersections will perform adequately as unsignalised intersections and no additional intersection control is required.

#### 5.5.2. Traffic Management

Under Standard C17 of Clause 56 of the East Gippsland Planning Scheme, the development plan requires an appropriate level of traffic management to provide for the safety and convenience of all road users.

Under Standard C20 the design of streets and roads should provide street blocks that are generally between 120 to 240m in length and generally between 50m to 120m in width to facilitate pedestrian movement and control traffic speed.

We note that the proposed layout provides street block lengths that exceeds these desirable lengths. We are satisfied that there are a range of potential traffic management treatments that could provide an adequate traffic management outcome in the streets.

#### 5.5.3. Access for Service and Waste Collection Vehicles

The 8.5-8.6m wide carriageways adopted for the local access streets will adequately facilitate the relevant service and emergency vehicles and is consistent with the typical CFA requirements.

Council's waste collection vehicles will be able to access all local access streets and appropriately manoeuvre through all intersections. It is noted that a temporary turnaround area will be provided at the northern end of the extension of Fullarton Drive, which will need to include a turning / court bowl arrangement of 10m radius. This is only required until land development to the northwest extends the relevant roads.

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

### 5.5.4. Pedestrian and Cyclist Facilities

Given that the roads within the proposed subdivision are of a local street classification, all bicycle movements internally within the subdivision will occur on the carriageway. The extension of Fullarton Drive will also provide footpaths along both sides of the road, with the extension of Molly Drive providing a footpath along its southern side. These footpaths will connect with the existing footpath on the north side of Fullarton Drive

### 5.6. Access Arrangements and Traffic Impacts

The proposed subdivision will ultimately have three (3) vehicle access points to the local road network, with one (1) access point to the external road network as discussed previously in Section 5.2.

These are summarised in Figure 29 below.

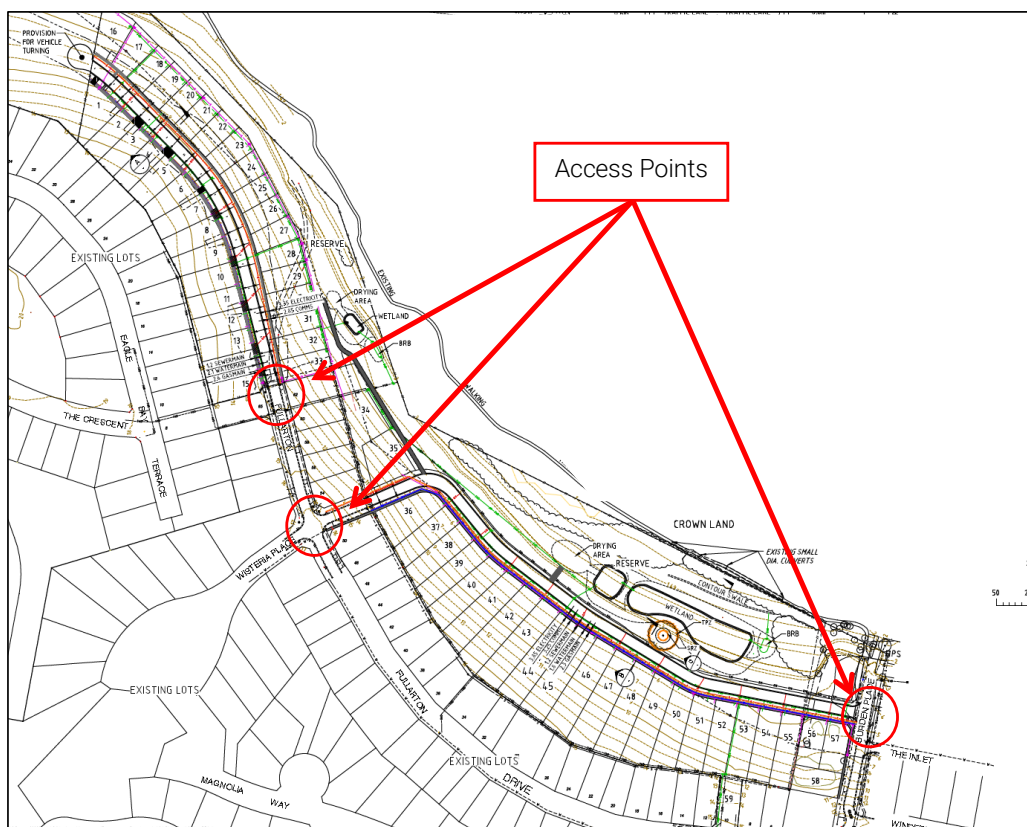


Figure 29: Vehicle Access Points

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

### 5.6.1. Fullarton Drive

Fullarton Drive provides a key route through the proposed subdivision, with the majority of the 59 lots utilising Fullarton Drive to gain access.

As such, Fullarton Drive is expected to carry in the order of an additional 250 vehicles per day. A review of the local catchment indicates that Fullarton Drive could be ultimately expected to carry approximately 600 vehicles per day. Given the classification of Fullarton Drive as an Urban Access road under the East Gippsland Road Management Act and the existing 8.5m carriageway width, the street could be best described as an Access Place – Level 2 in Table C1 of Clause 56.06-8. This indicates that an appropriate traffic volume for this type of road is 2,000 to 3,000 vehicles per day. We are satisfied that this level of additional traffic can be readily accommodated by Fullarton Drive.

### 5.6.2. Burden Place

All 59 lots within the subdivision will be required to utilise Burden Place to access the external road network, i.e. Paynesville Road.

As such, Burden Place is expected to carry in the order of an additional 413 vehicles per day following the proposed development of the subject site. The existing traffic volumes on Burden Place, outlined previously in Section 4.3.2 previous, indicates that Burden Place could be ultimately expected to carry approximately 1,070 vehicles per day. Given the classification of Burden Place as an Urban Access road under the East Gippsland Road Management Act and the existing 12.0m carriageway width, the street could be best described as an Access Place – Level 2 in Table C1 of Clause 56.06-8. This indicates that an appropriate traffic volume for this type of road is 2,000 to 3,000 vehicles per day. We are satisfied that this level of additional traffic can be readily accommodated by Burden Place.

### 5.6.3. Burden Place / Paynesville Road

As previously outlined in Section 4.3.3, the development will result in a number of additional turning movements at this intersection, with the post development turning movement volumes presented in Figure 25.

A review of the intersection's existing and post development performance has been undertaken using SIDRA intersection 9.

The SIDRA Intersection 9.0 software package provides several key indicators to measure intersection performance. These include:

- Degree of Saturation (DOS),
- Average Delay (in seconds),
- Maximum Queue Length (in metres), and
- Level of Service (LOS).

The LOS Criteria for intersections found in the RMS Guide to Traffic Generating Developments is shown in Table 6 below.

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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

Table 6: Level of Service Criteria (RMS)

Level of Service	Average Delay (seconds per vehicle)
A	Less than 14
B	15 to 28
C	29 to 42
D	43 to 56
E	57 to 70
F	Greater than 71

Table 7 provides a summary of the SIDRA intersection analysis results for the intersection, with the full results provided at Appendix D.

Table 7: Burden Place / Paynesville Road - SIDRA Results

Approach	Degree of Saturation	Average Delay (seconds)	95 <sup>th</sup> Percentile Queue (metres)
<b>Existing Conditions</b>			
<b>AM Peak Hour</b>			
Burden Place (N)	0.04	6.8	1
Paynesville Road (E)	0.12	0.5	1
Paynesville Road (W)	0.11	0.3	0
<b>PM Peak Hour</b>			
Burden Place (N)	0.02	7.1	1
Paynesville Road (E)	0.11	0.8	1
Paynesville Road (W)	0.17	0.4	0
<b>Post Development Conditions</b>			
<b>AM Peak Hour</b>			
Burden Place (N)	0.06	6.8	1
Paynesville Road (E)	0.12	0.7	1
Paynesville Road (W)	0.11	0.4	0



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## Traffic Impact Assessment

10 Fullarton Drive, Paynesville

Approach	Degree of Saturation	Average Delay (seconds)	95 <sup>th</sup> Percentile Queue (metres)
<b>PM Peak Hour</b>			
Burden Place (N)	0.05	7.0	1
Paynesville Road (E)	0.12	1.3	2
Paynesville Road (W)	0.17	0.7	0

As shown in Table 7, the intersection currently operates well, with minimal to no delay for turning vehicles during both the AM and PM peaks. The additional traffic volumes generated by the proposed development result in negligible change to the intersection's performance, with ample intersection capacity remaining.

## 6. Conclusions

Having undertaken a detailed traffic engineering assessment of the proposed residential subdivision at 10 Fullarton Drive, Paynesville, we are of the opinion that:

- The full development of the site is likely to generate approximately 413 vehicle trips per day, with 41 to occur in each peak hour,
- The internal road layout, cross sections and intersection arrangements are appropriate and generally in accordance with the Infrastructure Design Manual, Clause 56 of the East Gippsland Planning Scheme and best practice,
- Traffic management treatments can be incorporated within the design to achieve a low speed environment throughout the subject site if required by Council,
- The surrounding road network, including the key access routes of Fullarton Drive and Burden Place can readily accommodate the additional traffic volumes generated by the proposed development,
- The intersection of Paynesville Road and Burden Place will continue to operate well following full development of the subject site, and
- Overall, there are no traffic engineering reasons why a permit for this residential subdivision should not be granted, subject to appropriate conditions.

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# Appendix A

## Development Plans

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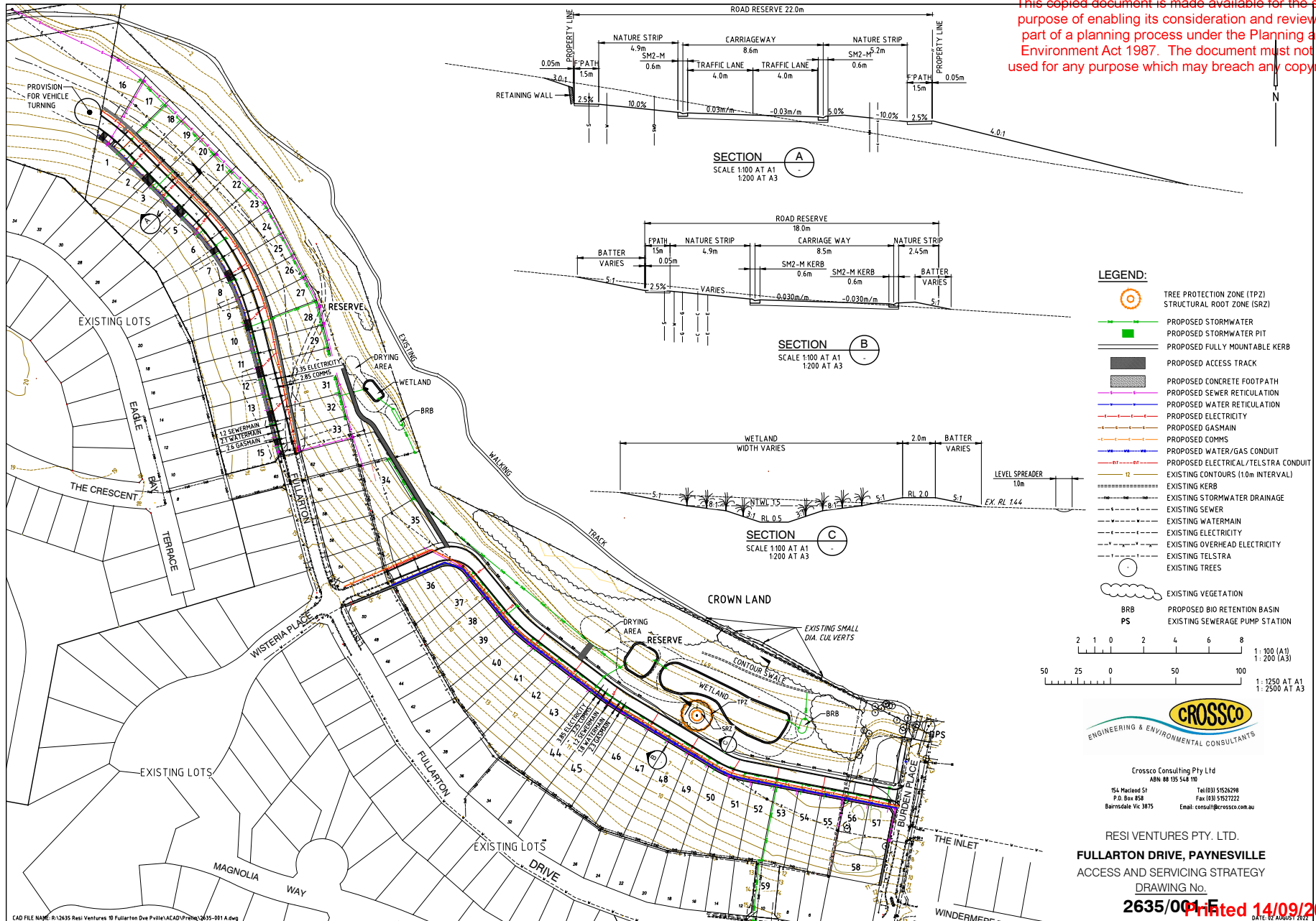
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# Attachment 5.1.1.3

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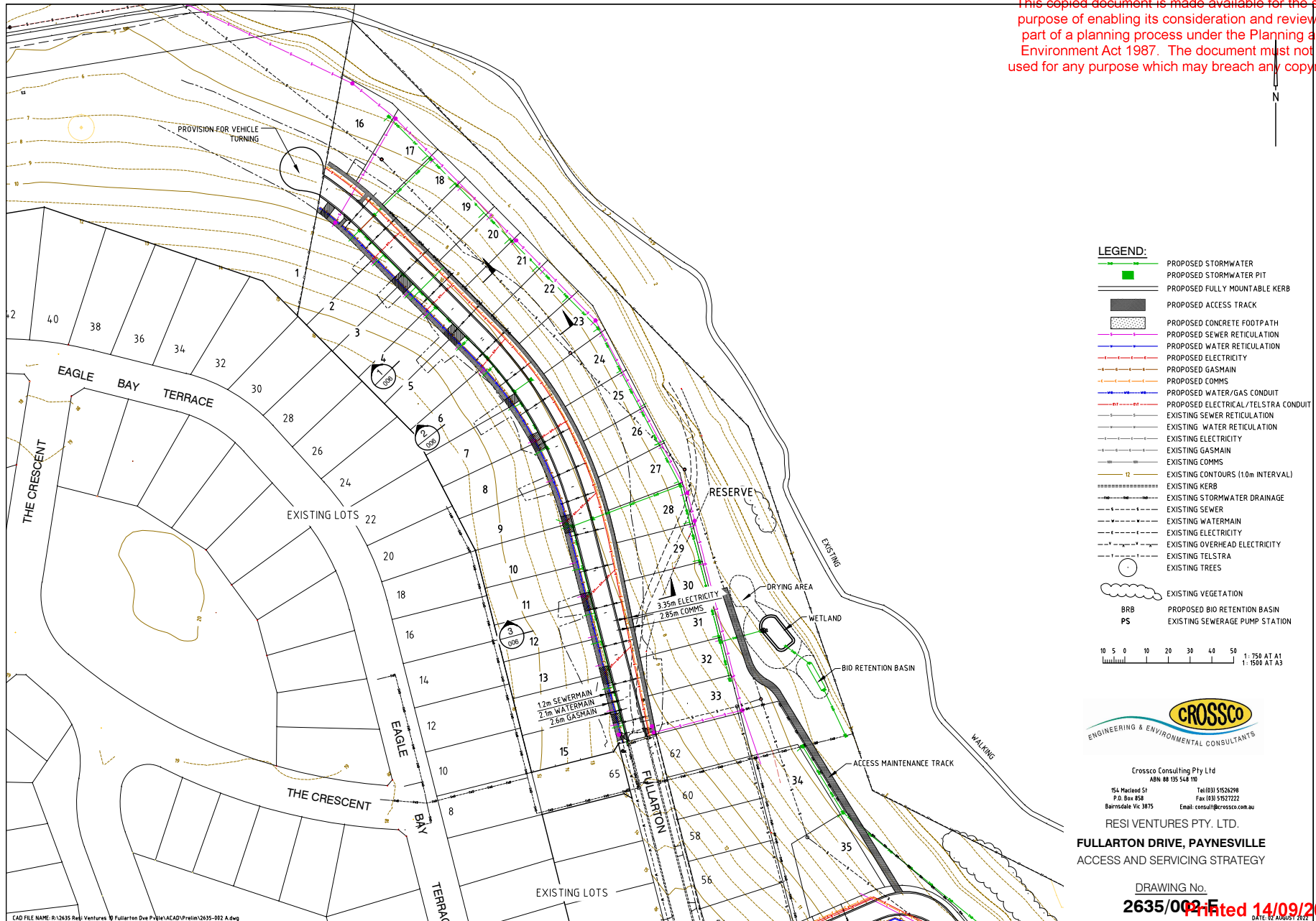
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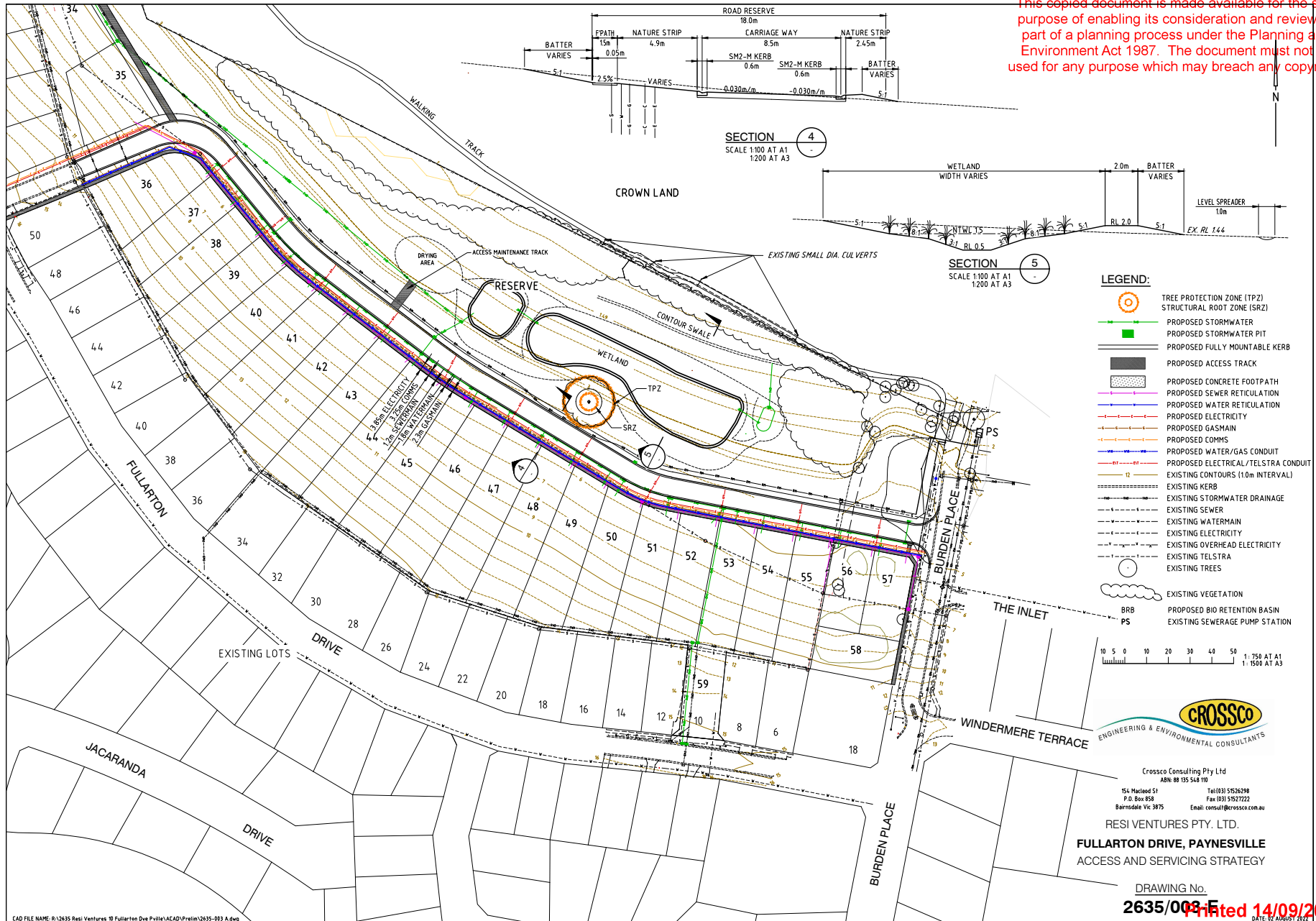
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RESI VENTURES PTY. LTD.

FULLARTON DRIVE, PAYNESVILLE

SITE DRAINAGE PLAN - SHEET 1 OF 2  
SITE & EXTERNAL CATCHMENT PLAN

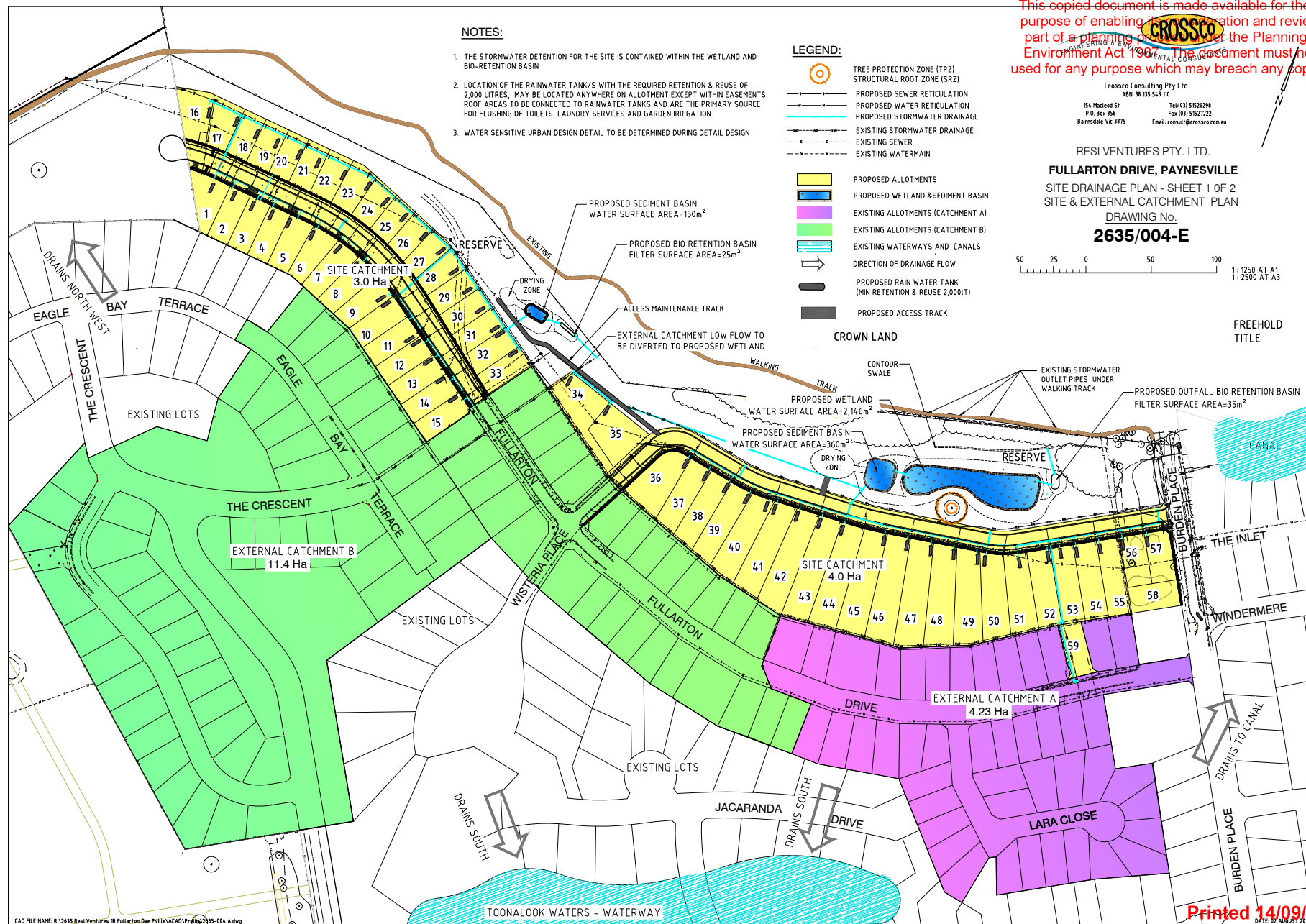
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**2635/004-E**

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TITLE

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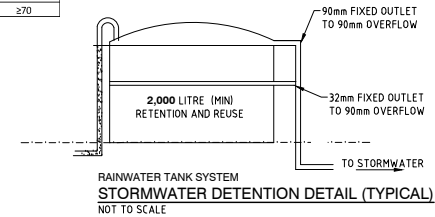
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Email: consult@crossco.com.au

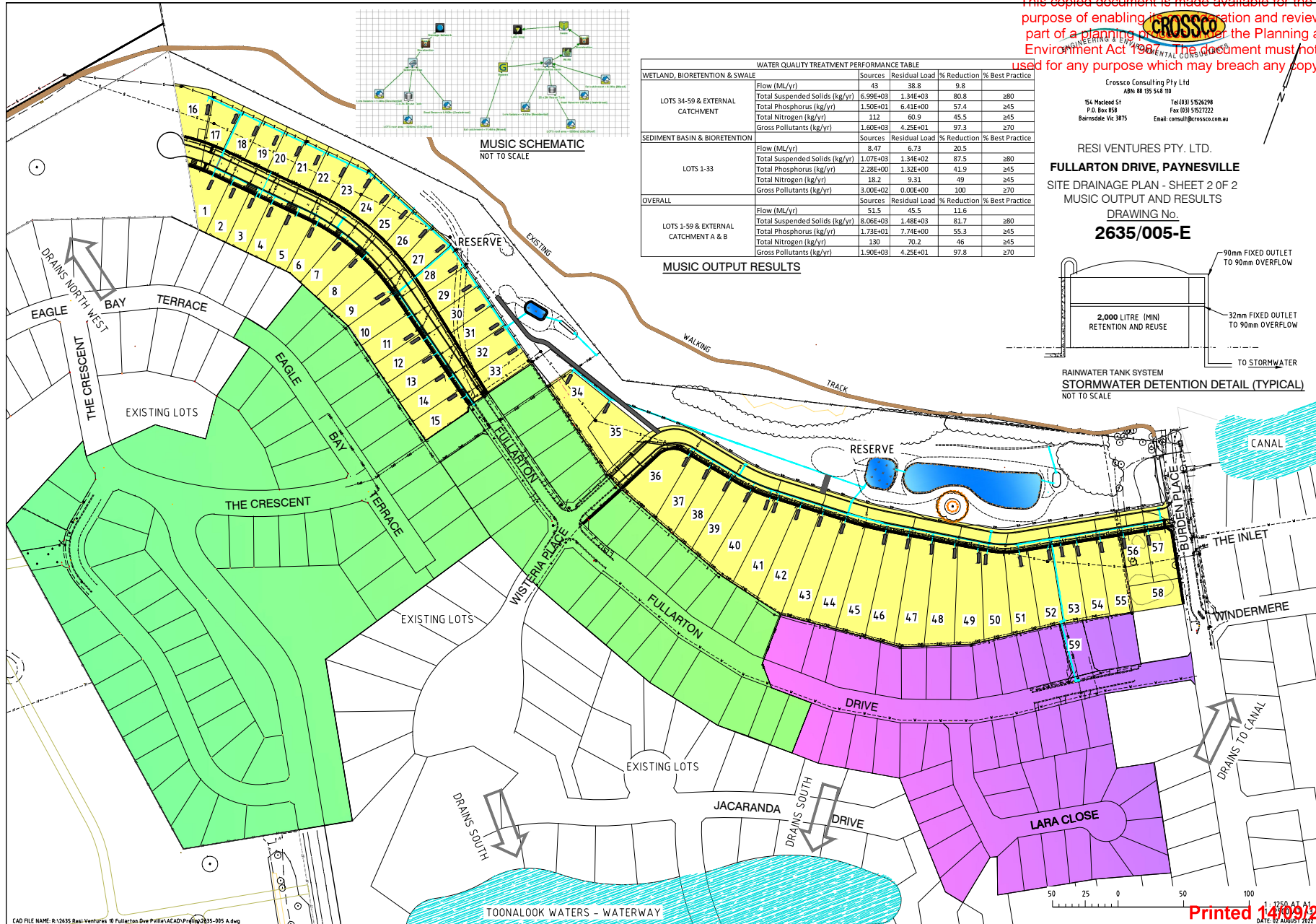
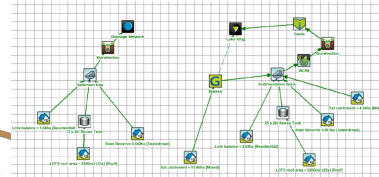
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FULLARTON DRIVE, PAYNESVILLE  
SITE DRAINAGE PLAN - SHEET 2 OF 2  
MUSIC OUTPUT AND RESULTS

DRAWING No.  
2635/005-E



WATER QUALITY TREATMENT PERFORMANCE TABLE					
WETLAND, BIORETENTION & SWALE					
LOTS 34-59 & EXTERNAL CATCHMENT	Flow (ML/yr)	43	38.8	9.8	% Best Practice
	Total Suspended Solids (kg/yr)	6.99E+03	1.34E+03	80.8	≥80
	Total Phosphorus (kg/yr)	1.50E+01	6.41E+00	57.4	≥45
	Total Nitrogen (kg/yr)	112	60.9	45.5	≥45
	Gross Pollutants (kg/yr)	1.60E+03	4.25E+01	97.3	≥70
SEDIMENT BASIN & BIORETENTION					
LOTS 1-33	Flow (ML/yr)	8.47	6.73	20.5	% Best Practice
	Total Suspended Solids (kg/yr)	1.07E+03	1.34E+02	87.5	≥80
	Total Phosphorus (kg/yr)	2.28E+00	1.32E+00	41.9	≥45
	Total Nitrogen (kg/yr)	18.2	9.31	49	≥45
	Gross Pollutants (kg/yr)	3.00E+02	0.00E+00	100	≥70
OVERALL					
LOTS 1-59 & EXTERNAL CATCHMENT A & B	Flow (ML/yr)	51.5	45.5	11.6	% Best Practice
	Total Suspended Solids (kg/yr)	8.06E+03	1.48E+03	81.7	≥80
	Total Phosphorus (kg/yr)	1.73E+01	7.74E+00	55.3	≥45
	Total Nitrogen (kg/yr)	130	70.2	46	≥45
	Gross Pollutants (kg/yr)	1.90E+03	4.25E+01	97.8	≥70

#### MUSIC OUTPUT RESULTS

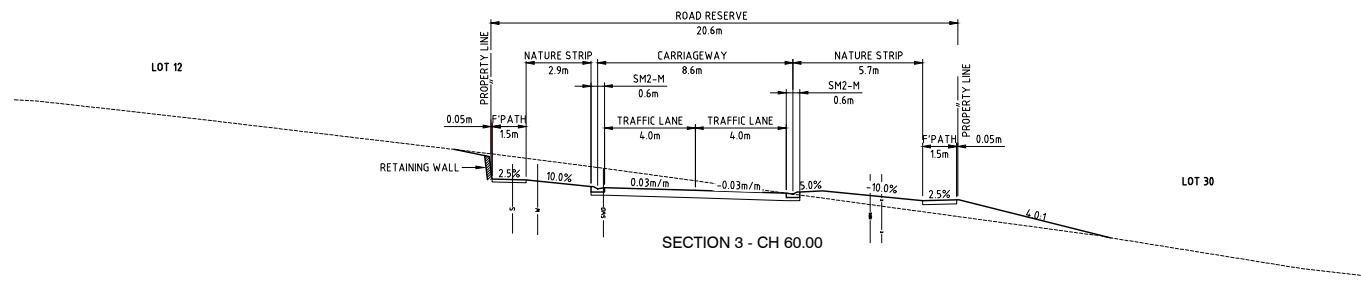
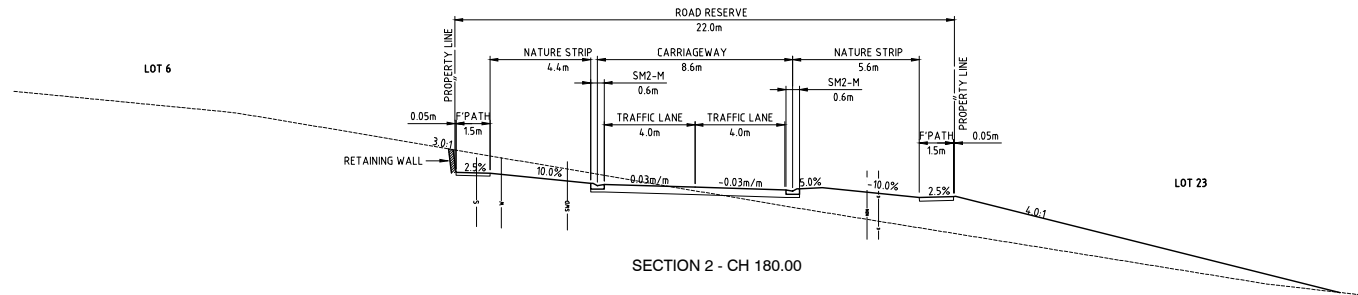
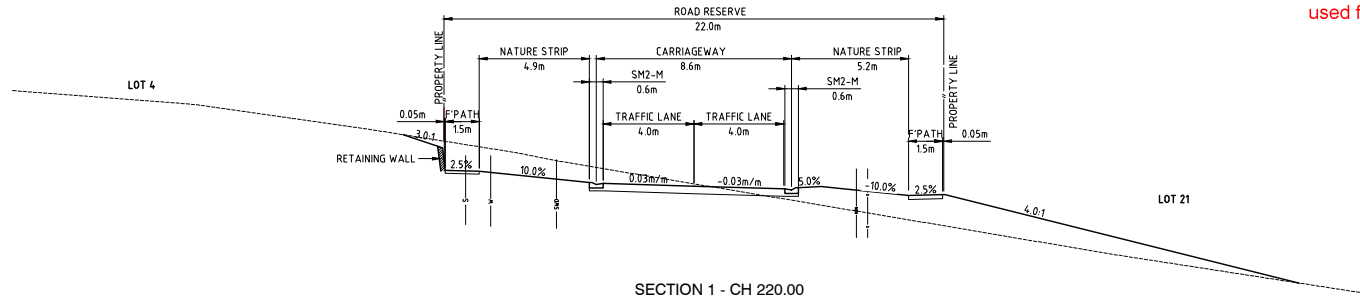


CAD FILE NAME: R:\2635 Resi Ventures\10 Fullarton Drive\Fullarton Drive\2635-005.dwg

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RESI VENTURES PTY. LTD.  
FULLARTON DRIVE, PAYNESVILLE  
TYPICAL SECTIONS

DRAWING No.

2635/006-E

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# Appendix B

## Traffic Count Data

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## AUTOMATIC COUNT SUMMARY

Street Name :	Paynesville Rd	Location :	West of Vaughan St
Suburb :	Paynesville	Start Date :	00:00 Thu 28/April/2022
Machine ID:	K354KXNE	Finish Date :	00:00 Thu 05/May/2022
Site ID:	13331	Speed Zone :	60 km/h
Prepared By :	Vo Son Binh	Email:	<a href="mailto:binh@trafficsurvey.com.au">binh@trafficsurvey.com.au</a>

GPS information Lat 37° 54' 25.58 South		Direction of Travel		
Long 147° 43' 4.23 East		Both directions	Westbound	Eastbound
Traffic Volume : (Vehicles/Day)	Weekdays Average	5,161	2,499	2,662
	7 Day Average	4,832	2,351	2,481
Weekday AM	11:00	429	208	221
Peak hour start PM	16:00	450	184	265
Speeds : (Km/Hr)	85th Percentile	60.1	59.8	60.4
	Average	54.5	53.8	55.1
Classification % :	Light Vehicles up to 5.5m	87.2%	86.9%	87.5%

## Location

GPS Information	<a href="#">Load Google Map (internet required)</a>
(Latitude, Longitude)	-37.907105, 147.717843



Speed Data [Speed Graph](#) [Speed Bin](#)  
Volume Data [Volume Graph](#) [Classification](#)



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OH&S SYSTEM CERTIFIED TO ISO 4801:2001  
ENVIRONMENT MANAGEMENT SYSTEM CERTIFIED TO ISO14001:2015

### Status of movement – Covid 19

"Traffic behaviour is not the same as pre-pandemic (traditional morning/afternoon peak is much less pronounced and school start/finish times are much more pronounced), the current patterns are close enough to what probably is going to be a 'COVID normal' situation for at least the next year or two. Workplaces are currently not all yet open. These results should be used for indicative assessment only."



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Site Paynesville Rd

Direction Both directions ▼

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Day Date	Monday 2/05/2022	Tuesday 3/05/2022	Wednesday 4/05/2022	Thursday 28/04/2022	Friday 29/04/2022	Saturday 30/04/2022	Sunday 1/05/2022	7 days		Weekday		Weekend	
								Total	Average	Total	Average	Total	Average
AM Peak	08:00	11:00	11:00	11:00	10:00	11:00	10:00	N/A	11:00	N/A	11:00	N/A	11:00
PM Peak	15:00	16:00	16:00	15:00	12:00	12:00	12:00	N/A	12:00	N/A	16:00	N/A	12:00
00:00	3	9	6	5	9	10	17	59	8	32	6	27	14
01:00	4	2	5	0	2	17	2	32	5	13	3	19	10
02:00	4	4	0	1	3	7	1	20	3	12	2	8	4
03:00	6	5	3	3	4	5	3	29	4	21	4	8	4
04:00	15	16	17	16	17	7	4	92	13	81	16	11	6
05:00	31	36	37	40	52	21	14	231	33	196	39	35	18
06:00	122	143	125	117	132	47	50	736	105	639	128	97	49
07:00	300	297	275	263	278	97	88	1598	228	1413	283	185	93
08:00	415	418	411	368	395	195	148	2350	336	2007	401	343	172
09:00	377	403	411	399	450	338	243	2621	374	2040	408	581	291
10:00	403	412	384	419	514	419	406	2957	422	2132	426	825	413
11:00	404	419	415	424	485	515	395	3057	437	2147	429	910	455
12:00	387	407	389	411	496	424	406	2920	417	2090	418	830	415
13:00	409	393	367	398	445	422	354	2788	398	2012	402	776	388
14:00	379	433	410	410	445	406	359	2842	406	2077	415	765	383
15:00	414	427	454	476	466	337	339	2913	416	2237	447	676	338
16:00	412	450	465	467	455	346	286	2881	412	2249	450	632	316
17:00	343	403	399	384	392	292	214	2427	347	1921	384	506	253
18:00	162	205	184	266	238	169	116	1340	191	1055	211	285	143
19:00	79	137	94	116	117	93	79	715	102	543	109	172	86
20:00	57	79	70	87	92	64	64	513	73	385	77	128	64
21:00	38	57	78	63	70	66	32	404	58	306	61	98	49
22:00	12	21	25	26	49	37	13	183	26	133	27	50	25
23:00	13	19	14	11	21	20	6	104	15	78	16	26	13
Total	4789	5195	5038	5170	5627	4354	3639	33812	4829	25819	5162	7993	4002
% Heavy	15.24%	13.84%	12.70%	13.25%	12.65%	10.79%	10.25%	12.80%		13.50%		10.55%	

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## AUTOMATIC COUNT SUMMARY


Street Name :	Burden Pl	Location :	North of Paynesville Rd
Suburb :	Paynesville	Start Date :	00:00 Thu 28/April/2022
Machine ID:	L779CFYS	Finish Date :	00:00 Thu 05/May/2022
Site ID:	13333	Speed Zone :	50 km/h
Prepared By :	Vo Son Binh	Email:	<a href="mailto:binh@trafficsurvey.com.au">binh@trafficsurvey.com.au</a>


GPS information	Lat 37° 54' 24.31 South Long 147° 43' 6.99 East	Direction of Travel	
		Both directions	Northbound
Traffic Volume :	Weekdays Average	656	329
(Vehicles/Day)	7 Day Average	588	295
Weekday	AM 11:00	60	29
Peak hour starts	PM 15:00	62	36
Speeds :	85th Percentile	44.3	43.3
(Km/Hr)	Average	39.6	38.7
Classification % :	Light Vehicles up to 5.5m	97.3%	97.6%

## Location


GPS Information [Load Google Map \(internet required\)](#)  
(Latitude, Longitude) -37.906754, 147.718608




[Speed Data](#)   [Speed Graph](#)   [Speed Bin](#)  
[Volume Data](#)   [Volume Graph](#)   [Classification](#)



QUALITY SYSTEM CERTIFICATION  
ISO 9001



SAFETY SYSTEM CERTIFICATION  
AS/NZS 4801



ENVIRONMENTAL SYSTEM CERTIFICATION  
ISO 14001

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**OH&S SYSTEM CERTIFIED TO ISO 4801:2001**  
**ENVIRONMENT MANAGEMENT SYSTEM CERTIFIED TO ISO14001:2015**

**Status of movement – Covid 19**  
*"Traffic behaviour is not the same as pre-pandemic (traditional morning/afternoon peak is much less pronounced and school start/finish times are much more pronounced), the current patterns are close enough to what probably is going to be a 'COVID normal' situation for at least the next year or two. Workplaces are currently not all yet open. These results should be used for indicative assessment only."*

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Site Burden PI

Direction Both directions ▼

[Back to Site Summary Page](#)

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	7 days		Weekday		Weekend	
Date	2/05/2022	3/05/2022	4/05/2022	28/04/2022	29/04/2022	30/04/2022	1/05/2022	Total	Average	Total	Average	Total	Average
AM Peak	09:00	09:00	11:00	08:00	11:00	09:00	11:00	N/A	11:00	N/A	11:00	N/A	11:00
PM Peak	15:00	14:00	13:00	15:00	12:00	14:00	15:00	N/A	15:00	N/A	15:00	N/A	15:00
00:00	0	2	0	0	1	0	0	3	0	3	1	0	0
01:00	0	0	0	0	0	0	0	0	0	0	0	0	0
02:00	0	0	0	0	1	0	0	1	0	1	0	0	0
03:00	0	1	0	0	0	0	0	1	0	1	0	0	0
04:00	0	0	0	0	1	1	0	2	0	1	0	1	1
05:00	2	3	1	3	5	0	1	15	2	14	3	1	1
06:00	4	10	11	10	4	3	4	46	7	39	8	7	4
07:00	38	32	43	32	23	12	11	191	27	168	34	23	12
08:00	46	57	62	62	59	20	19	325	46	286	57	39	20
09:00	60	64	55	50	49	49	34	361	52	278	56	83	42
10:00	48	47	54	58	60	36	25	328	47	267	53	61	31
11:00	49	61	63	57	70	47	45	392	56	300	60	92	46
12:00	62	43	54	51	61	35	46	352	50	271	54	81	41
13:00	39	57	64	47	39	42	37	325	46	246	49	79	40
14:00	45	58	64	51	48	45	31	342	49	266	53	76	38
15:00	79	54	59	63	57	42	50	404	58	312	62	92	46
16:00	61	51	59	57	48	45	41	362	52	276	55	86	43
17:00	44	51	58	48	58	30	26	315	45	259	52	56	28
18:00	20	29	27	34	36	22	19	187	27	146	29	41	21
19:00	13	8	10	19	15	10	2	77	11	65	13	12	6
20:00	7	7	6	9	6	5	3	43	6	35	7	8	4
21:00	3	7	10	4	12	4	0	40	6	36	7	4	2
22:00	0	3	1	4	3	4	0	15	2	11	2	4	2
23:00	0	1	1	0	2	2	1	7	1	4	1	3	2
Total	620	646	702	659	658	454	395	4134	590	3285	656	849	430
% Heavy	3.06%	3.25%	3.56%	3.03%	3.19%	1.10%	2.03%	2.88%		3.23%		1.53%	

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# Appendix C

## Turning Movement Count Data

**Traffix Group**

G31597R-01B

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TRANS TRAFFIC SURVEY

TURNING MOVEMENT SURVEY

Intersection of Paynesville Rd and Burden Pl, Paynesville

GPS

-37.907136, 147.718624

Date:

Thu 28/04/22

Weather:

Fine

Suburban:

Paynesville

Customer:

Traffic

North:

Burden Pl

East:

Paynesville Rd

South:

Vaughan St

West:

Paynesville Rd

Survey

AM: 7:00 AM-10:00 AM

Period

PM: 3:00 PM-6:00 PM

Traffic

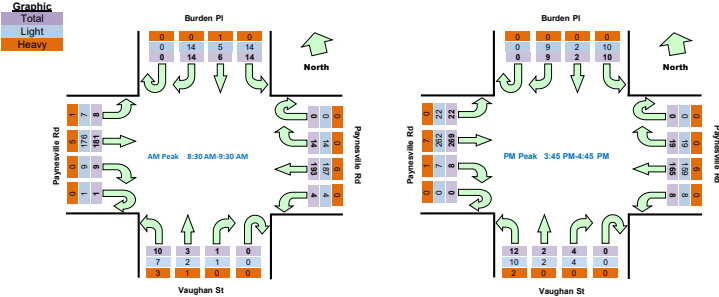
AM: 8:30 AM-9:30 AM

Peak

PM: 3:45 PM-4:45 PM

All Vehicles		North Approach Burden Pl				East Approach Paynesville Rd				South Approach Vaughan St				West Approach Paynesville Rd				Hourly Total	
Time		U	R	SB	L	U	R	WB	L	U	R	NB	L	U	R	EB	L	Hour	Peak
7:00	7:15	0	1	0	1	0	2	20	1	0	3	0	0	0	1	18	2	283	
7:15	7:30	0	2	0	2	0	0	28	0	0	1	2	2	0	2	19	1	323	
7:30	7:45	0	6	1	2	0	2	42	0	0	0	0	3	0	0	27	2	357	
7:45	8:00	0	5	0	0	0	0	53	2	0	1	0	5	0	0	23	1	382	
8:00	8:15	0	6	1	4	0	3	43	1	0	0	0	3	0	1	26	1	405	
8:15	8:30	0	7	0	5	0	1	49	1	0	0	1	3	0	0	24	2	433	
8:30	8:45	0	4	2	2	0	4	50	1	0	0	0	7	0	5	35	0	458	Peak
8:45	9:00	0	8	3	5	0	0	43	2	0	1	1	1	1	3	43	2	445	
9:00	9:15	0	0	1	4	0	6	48	1	0	0	2	0	0	1	51	3	438	
9:15	9:30	0	2	0	3	0	4	52	0	0	0	0	2	0	0	52	3		
9:30	9:45	0	3	0	2	0	0	53	3	0	1	0	1	0	2	31	1		
9:45	10:00	0	5	0	8	0	2	49	2	0	0	0	3	0	0	36	1		
15:00	15:15	0	3	0	4	0	2	52	1	0	0	1	1	0	3	50	5	516	
15:15	15:30	0	2	1	3	0	4	53	0	1	0	0	1	0	3	56	4	512	
15:30	15:45	0	3	1	3	0	2	35	3	0	1	1	3	0	5	54	6	517	
15:45	16:00	0	4	1	3	0	3	40	3	0	0	2	3	0	2	83	5	530	Peak
16:00	16:15	0	0	0	2	0	4	36	1	0	0	0	5	0	0	67	3	509	
16:15	16:30	0	3	1	4	0	5	44	3	0	1	0	2	0	3	61	6	511	
16:30	16:45	0	2	0	1	0	7	45	1	0	3	0	2	0	3	58	8	471	
16:45	17:00	0	1	1	4	0	3	42	1	0	0	0	0	0	2	72	2	447	
17:00	17:15	0	1	0	3	0	3	44	1	0	1	0	2	0	1	59	5	421	
17:15	17:30	0	0	0	6	0	2	30	1	0	1	0	2	0	3	46	2		
17:30	17:45	0	2	0	3	0	1	31	1	0	1	2	2	0	2	56	5		
17:45	18:00	0	1	0	3	0	6	27	2	0	0	0	0	0	2	58	3		
Peak Time		North Approach Burden Pl				East Approach Paynesville Rd				South Approach Vaughan St				West Approach Paynesville Rd				Peak total	
Period Start	Period End	U	R	SB	L	U	R	WB	L	U	R	NB	L	U	R	EB	L		
8:30	9:30	0	14	6	14	0	14	193	4	0	1	3	10	1	9	181	8	458	
15:45	16:45	0	9	2	10	0	19	165	8	0	4	2	12	0	8	269	22	530	

Note: Site sketch is for illustrating traffic flows. Direction is indicative only, drawing is not to scale and not an exact streets configuration.





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## Light Vehicles

Time		North Approach Burden PI				East Approach Paynesville Rd				South Approach Vaughan St				West Approach Paynesville Rd			
Period Start	Period End	U	R	SB	L	U	R	WB	L	U	R	NB	L	U	R	EB	L
7:00	7:15	0	1	0	1	0	2	19	1	0	3	0	0	0	1	17	2
7:15	7:30	0	2	0	2	0	0	27	0	0	1	1	2	0	2	18	1
7:30	7:45	0	6	1	2	0	2	42	0	0	0	0	3	0	0	27	1
7:45	8:00	0	5	0	0	0	0	51	2	0	1	0	5	0	0	20	1
8:00	8:15	0	6	1	4	0	3	40	1	0	0	0	3	0	0	24	1
8:15	8:30	0	6	0	4	0	1	47	0	0	0	1	2	0	0	23	2
8:30	8:45	0	4	1	2	0	4	49	1	0	0	0	4	0	5	35	0
8:45	9:00	0	8	3	5	0	0	43	2	0	1	0	1	1	3	40	2
9:00	9:15	0	0	1	4	0	6	46	1	0	0	2	0	0	1	51	2
9:15	9:30	0	2	0	3	0	4	49	0	0	0	2	0	0	0	50	3
9:30	9:45	0	3	0	2	0	0	52	2	0	1	0	1	0	2	31	1
9:45	10:00	0	4	0	8	0	2	48	2	0	0	0	2	0	0	34	1
10:00	10:15	0	3	0	4	0	2	48	1	0	0	0	1	0	3	50	5
10:15	10:30	0	2	1	3	0	4	52	0	1	0	0	1	0	3	56	4
10:30	10:45	0	2	1	3	0	2	33	3	0	1	1	3	0	5	52	6
10:45	11:00	0	4	1	3	0	3	36	3	0	0	2	2	0	2	79	5
11:00	11:15	0	0	0	2	0	4	35	1	0	0	0	5	0	0	66	3
11:15	11:30	0	3	1	4	0	5	43	3	0	1	0	2	0	3	60	6
11:30	11:45	0	2	0	1	0	7	45	1	0	3	0	1	0	2	57	8
11:45	12:00	0	1	1	4	0	3	40	1	0	0	0	0	0	2	70	2
12:00	12:15	0	1	0	3	0	3	44	1	0	1	0	2	0	1	59	5
12:15	12:30	0	0	0	6	0	2	29	1	0	1	0	2	0	3	46	2
12:30	12:45	0	2	0	3	0	1	31	1	0	1	2	2	0	2	56	5
12:45	13:00	0	1	0	3	0	6	27	2	0	0	0	0	0	2	58	3

Peak Time		North Approach Burden PI				East Approach Paynesville Rd				South Approach Vaughan St				West Approach Paynesville Rd				Peak total
Period Start	Period End	U	R	SB	L	U	R	WB	L	U	R	NB	L	U	R	EB	L	
8:30	9:30	0	14	5	14	0	14	187	4	0	1	2	7	1	9	176	7	441
15:45	16:45	0	9	2	10	0	19	159	8	0	4	2	10	0	7	262	22	514

## Heavy Vehicles

Time		North Approach Burden PI				East Approach Paynesville Rd				South Approach Vaughan St				West Approach Paynesville Rd			
Period Start	Period End	U	R	SB	L	U	R	WB	L	U	R	NB	L	U	R	EB	L
7:00	7:15	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0
7:15	7:30	0	0	0	0	0	0	1	0	0	0	1	0	0	0	1	0
7:30	7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
7:45	8:00	0	0	0	0	0	0	2	0	0	0	0	0	0	0	3	0
8:00	8:15	0	0	0	0	0	0	3	0	0	0	0	0	0	1	2	0
8:15	8:30	0	1	0	1	0	0	2	1	0	0	0	1	0	0	1	0
8:30	8:45	0	0	1	0	0	0	1	0	0	0	0	3	0	0	0	0
8:45	9:00	0	0	0	0	0	0	0	0	0	1	0	0	0	0	3	0
9:00	9:15	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	1
9:15	9:30	0	0	0	0	0	0	3	0	0	0	0	0	0	0	2	0
9:30	9:45	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0
9:45	10:00	0	1	0	0	0	0	1	0	0	0	0	1	0	0	2	0
10:00	10:15	0	0	0	0	0	0	4	0	0	0	1	0	0	0	0	0
10:15	10:30	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
10:30	10:45	0	1	0	0	0	0	2	0	0	0	0	0	0	0	2	0
10:45	11:00	0	0	0	0	0	0	4	0	0	0	0	1	0	0	4	0
11:00	11:15	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0
11:15	11:30	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0
11:30	11:45	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1	0
11:45	12:00	0	0	0	0	0	0	2	0	0	0	0	0	0	0	2	0
12:00	12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15	12:30	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
12:30	12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45	13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Peak Time		North Approach Burden PI				East Approach Paynesville Rd				South Approach Vaughan St				West Approach Paynesville Rd				Peak total
Period Start	Period End	U	R	SB	L	U	R	WB	L	U	R	NB	L	U	R	EB	L	
8:30	9:30	0	0	1	0	0	0	6	0	0	0	1	3	0	0	5	1	17
15:45	16:45	0	0	0	0	0	0	6	0	0	0	0	2	0	1	7	0	16

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# Appendix D

## SIDRA Intersection Modelling Results

**Traffix Group**

G31597R-01B

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USER REPORT FOR SITE

All Movement Classes

 Project: G31597-01

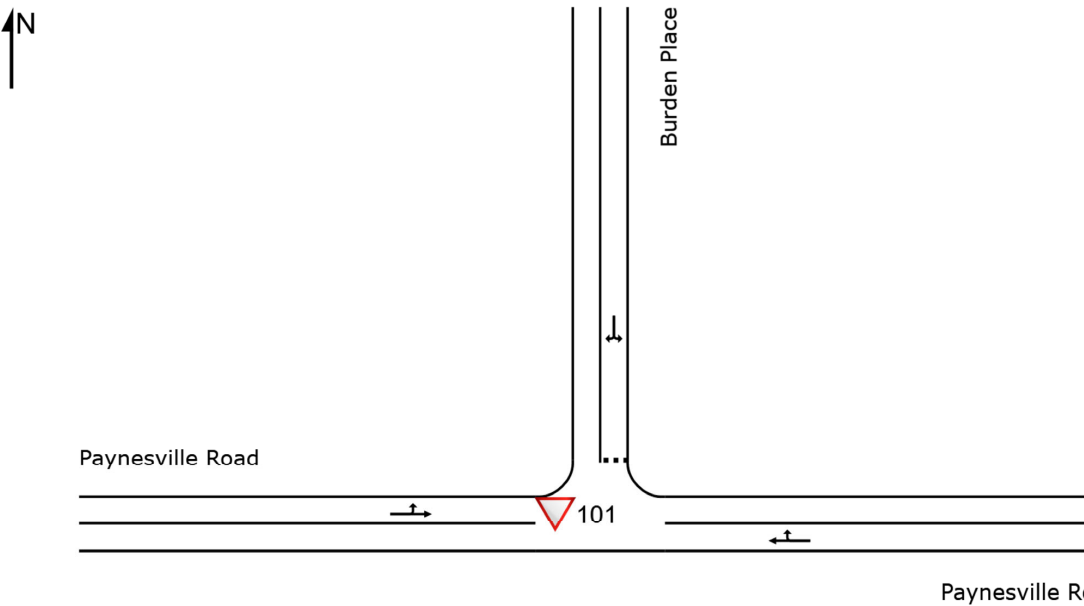
Template: Traffix Group  
Template - VIC Unsignalised (4  
Legs)

 Site: 101 [Burden Pl / Paynesville Rd - Existing Conditions - AM Peak (Site Folder: General)]

New Site  
Site Category: (None)  
Give-Way (Two-Way)

Site Layout

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



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Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV ] veh/h ]	[ Total veh/h ]	[ HV ] %				[ Veh. veh ]	[ Dist ] m				
East: Paynesville Road														
5	T1	197	6	207	3.0	0.119	0.1	LOS A	0.1	0.8	0.05	0.04	0.05	59.2
6	R2	14	0	15	0.0	0.119	6.2	LOS A	0.1	0.8	0.05	0.04	0.05	56.1
Approach		211	6	222	2.8	0.119	0.5	NA	0.1	0.8	0.05	0.04	0.05	58.9
North: Burden Place														
7	L2	14	0	15	0.0	0.036	6.1	LOS A	0.1	0.9	0.33	0.61	0.33	50.0
9	R2	20	1	21	5.0	0.036	7.3	LOS A	0.1	0.9	0.33	0.61	0.33	51.9
Approach		34	1	36	2.9	0.036	6.8	LOS A	0.1	0.9	0.33	0.61	0.33	51.3
West: Paynesville Road														
10	L2	8	1	8	12.5	0.109	5.7	LOS A	0.0	0.0	0.00	0.02	0.00	57.5
11	T1	190	5	200	2.6	0.109	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	59.7
Approach		198	6	208	3.0	0.109	0.3	NA	0.0	0.0	0.00	0.02	0.00	59.5
All Vehicles		443	13	466	2.9	0.119	0.9	NA	0.1	0.9	0.05	0.08	0.05	58.4

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

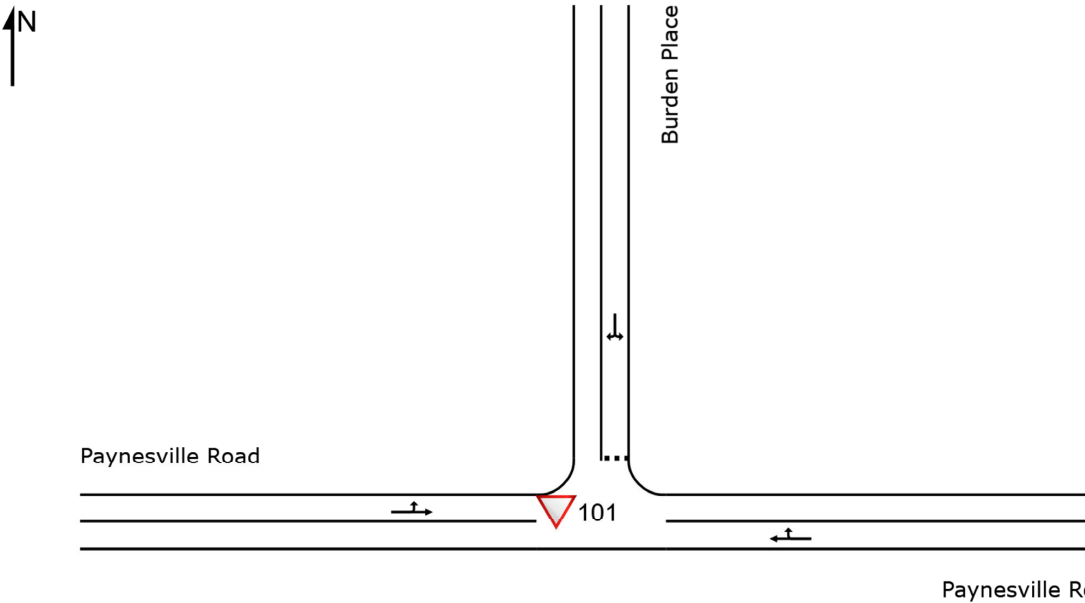
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▽ Site: 101 [Burden Pl / Paynesville Rd - Existing Conditions - PM Peak (Site Folder: General)]  
New Site  
Site Category: (None)  
Give-Way (Two-Way)

Site Layout

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.





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Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV veh/h ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
East: Paynesville Road														
5	T1	173	6	182	3.5	0.111	0.2	LOS A	0.2	1.2	0.10	0.06	0.10	58.6
6	R2	19	0	20	0.0	0.111	6.6	LOS A	0.2	1.2	0.10	0.06	0.10	55.6
Approach		192	6	202	3.1	0.111	0.8	NA	0.2	1.2	0.10	0.06	0.10	58.3
North: Burden Place														
7	L2	10	0	11	0.0	0.023	6.5	LOS A	0.1	0.5	0.38	0.62	0.38	49.8
9	R2	11	0	12	0.0	0.023	7.6	LOS A	0.1	0.5	0.38	0.62	0.38	51.9
Approach		21	0	22	0.0	0.023	7.1	LOS A	0.1	0.5	0.38	0.62	0.38	51.1
West: Paynesville Road														
10	L2	22	0	23	0.0	0.165	5.6	LOS A	0.0	0.0	0.00	0.04	0.00	57.9
11	T1	277	8	292	2.9	0.165	0.0	LOS A	0.0	0.0	0.00	0.04	0.00	59.3
Approach		299	8	315	2.7	0.165	0.4	NA	0.0	0.0	0.00	0.04	0.00	59.2
All Vehicles		512	14	539	2.7	0.165	0.9	NA	0.2	1.2	0.05	0.07	0.05	58.4

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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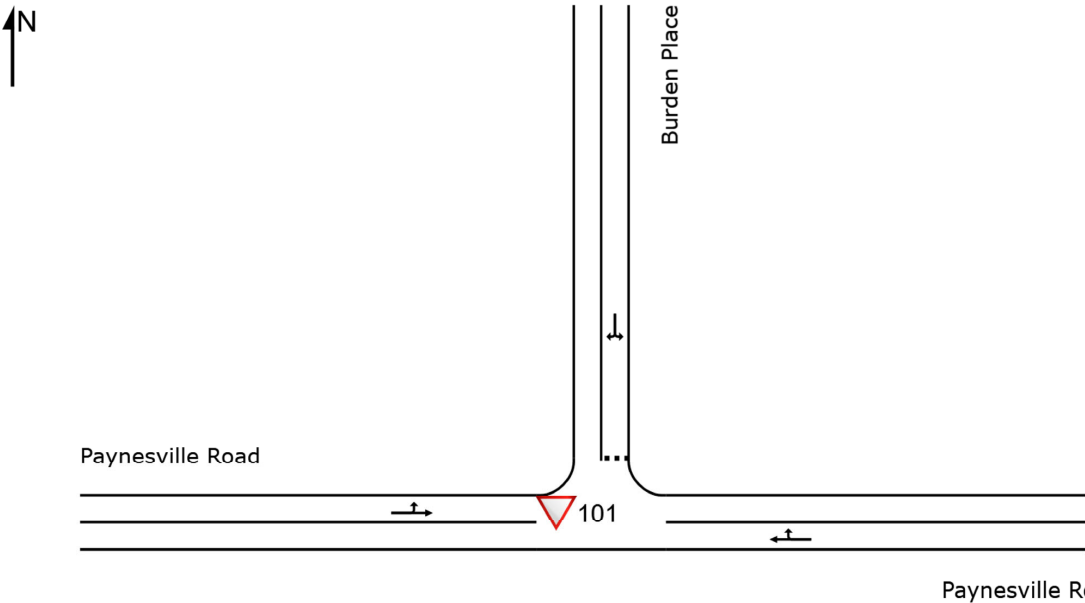
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▽ Site: 101 [Burden Pl / Paynesville Rd - Post Development Conditions - AM Peak (Site Folder: General)]

New Site  
Site Category: (None)  
Give-Way (Two-Way)

Site Layout

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



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Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV veh/h ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
East: Paynesville Road														
5	T1	197	6	207	3.0	0.123	0.1	LOS A	0.2	1.1	0.07	0.06	0.07	58.8
6	R2	20	0	21	0.0	0.123	6.2	LOS A	0.2	1.1	0.07	0.06	0.07	55.8
Approach		217	6	228	2.8	0.123	0.7	NA	0.2	1.1	0.07	0.06	0.07	58.5
North: Burden Place														
7	L2	28	0	29	0.0	0.058	6.2	LOS A	0.2	1.4	0.33	0.61	0.33	50.1
9	R2	29	1	31	3.4	0.058	7.4	LOS A	0.2	1.4	0.33	0.61	0.33	52.0
Approach		57	1	60	1.8	0.058	6.8	LOS A	0.2	1.4	0.33	0.61	0.33	51.2
West: Paynesville Road														
10	L2	14	1	15	7.1	0.113	5.6	LOS A	0.0	0.0	0.00	0.04	0.00	57.6
11	T1	190	5	200	2.6	0.113	0.0	LOS A	0.0	0.0	0.00	0.04	0.00	59.4
Approach		204	6	215	2.9	0.113	0.4	NA	0.0	0.0	0.00	0.04	0.00	59.3
All Vehicles		478	13	503	2.7	0.123	1.3	NA	0.2	1.4	0.07	0.12	0.07	57.7

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

ADVERTISED

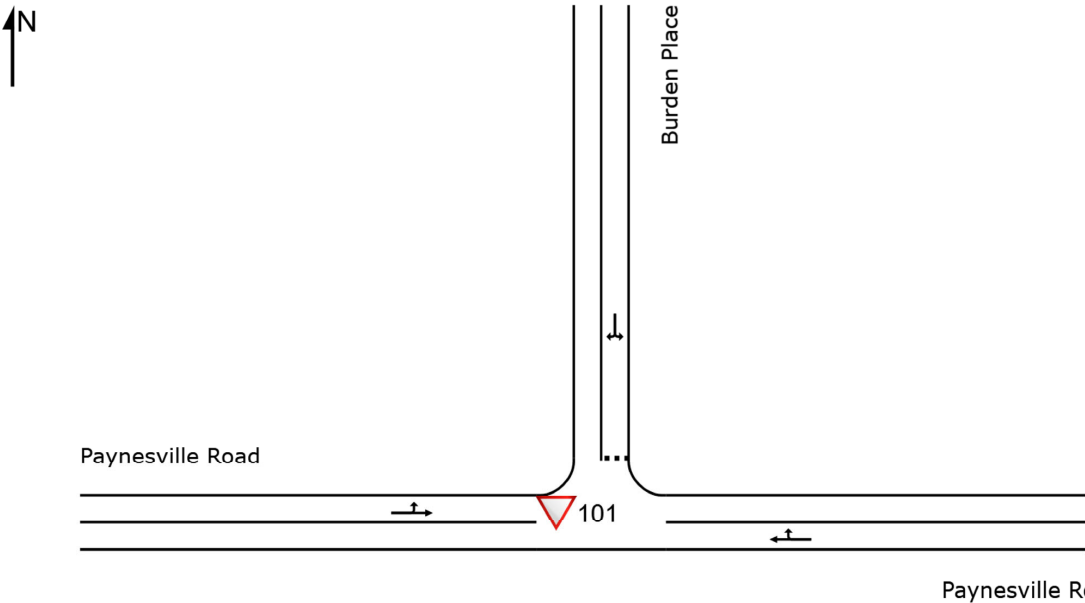
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▽ Site: 101 [Burden Pl / Paynesville Rd - Post Development Conditions - PM Peak (Site Folder: General)]

New Site  
Site Category: (None)  
Give-Way (Two-Way)

Site Layout

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



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Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV ] veh/h ]	[ Total veh/h ]	[ HV ] %				[ Veh. veh ]	[ Dist ] m				
East: Paynesville Road														
5	T1	173	6	182	3.5	0.121	0.3	LOS A	0.3	1.9	0.15	0.10	0.15	57.9
6	R2	31	0	33	0.0	0.121	6.7	LOS A	0.3	1.9	0.15	0.10	0.15	55.0
Approach		204	6	215	2.9	0.121	1.3	NA	0.3	1.9	0.15	0.10	0.15	57.5
North: Burden Place														
7	L2	28	0	29	0.0	0.047	6.5	LOS A	0.2	1.2	0.38	0.63	0.38	49.8
9	R2	17	0	18	0.0	0.047	7.8	LOS A	0.2	1.2	0.38	0.63	0.38	52.0
Approach		45	0	47	0.0	0.047	7.0	LOS A	0.2	1.2	0.38	0.63	0.38	50.8
West: Paynesville Road														
10	L2	35	0	37	0.0	0.172	5.6	LOS A	0.0	0.0	0.00	0.07	0.00	57.7
11	T1	277	8	292	2.9	0.172	0.0	LOS A	0.0	0.0	0.00	0.07	0.00	59.0
Approach		312	8	328	2.6	0.172	0.7	NA	0.0	0.0	0.00	0.07	0.00	58.8
All Vehicles		561	14	591	2.5	0.172	1.4	NA	0.3	1.9	0.09	0.12	0.09	57.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.



Objector	Grounds of Objection	How Objector will be impacted
1	<ul style="list-style-type: none"> <li>The subdivision will create significantly more traffic in Fullarton Drive which will have an adverse effect on existing properties. It is considered that if the subdivision is approved the applicant should be required to provide an alternative route to Paynesville Road.</li> <li>The provision of an additional exit route from the area should also be required to provide in the event of an emergency occurring and prevent mass congestion.</li> <li>The increased traffic will cause danger and congestion at (1) the intersection Fullarton &amp; Burden Place and (2) the intersection of Burden Place and Paynesville Road. At present times the (2) is very congested and dangerous with the service station on the corner and will be exasperated with further traffic flow. On frequent occasions very dangerous driving conditions apply from Burden Place with entry I exits from the service station which requires turns onto the wrong side of the road to get onto the Paynesville Road.</li> <li>If the application is approved in any form it should be assured that trucks and other vehicles are not permitted to transit Fullarton Drive/ Burden Place to exit Paynesville Road and that any traffic associated with the subdivision passes through adjoining property to the west of the existing Fullarton Drive. Appropriate storage of machinery when not in use should also take place so as to minimize any noise/disruption to existing residents.</li> <li>It is considered that allotments 42 - 59 should have a caveat attached to each to ensure that further subdivision of the allotments is not possible. Battle axe shaped allotments have been approved and taken place in other parts of this township and appropriate notation should be made to ensure this is not possible on these allotments . It should be noted on all allotments and specifically allotment 59 being within the proposed subdivision (Planning Application 344/2022/P) by way of a caveat title registration that 'there shall not be any dwelling house or erection or structure whether permanent or temporary on the land hereby transferred or any part thereof which shall be of a greater height than 4.5 metres from the natural surface of the ground at the highest point of the land hereby transferred.' This is taken from the title of our property being 11 (lot 2 on LP 142745 Vol 09432 Folio 316) Fullarton Drive.</li> <li>The environmental aspects of this area including its wetlands, bird and animal life should be conserved and preserved and increased development in this area will have a detrimental affect. This in particular to the areas noted on the plan of the proposed subdivision marked Reserve</li> <li>The large standing gum trees should be retained. In the general area of this proposed subdivision other large gums 'have died' and or have been 'removed' presumably without any real justification except for so called progress being for the financial benefit of the property owner and this should not be permitted If this subdivision is approved.</li> </ul>	
2	First the lack of views from my house would be overlooking. Houses in the front of me. Also the wildlife will go which all of us have had pleasure watching for so long. I am concerned about the amount of increase in traffic around Burden Place and Fullarton Drive	I would not like to see any subdivisions go ahead of any of the blocks that are sold especially in front of my block, also the amount of blocks that will be offered for sale in the area from No. 10 Fullarton Drive. I would not like to see two storeys built in front of me.
3	<ul style="list-style-type: none"> <li>The subdivision will create significantly more traffic in Fullarton Drive which will have an adverse effect on existing properties. It is considered that if the subdivision is approved the applicant should be required to provide an alternative route to Paynesville Road.</li> <li>The provision of an additional exit route from the area should also be required to provide in the event of an emergency occurring and prevent mass congestion.</li> </ul>	

Objector	Grounds of Objection	How Objector will be impacted
	<ul style="list-style-type: none"> <li>• The increased traffic will cause danger and congestion at (1) the intersection Fullarton &amp; Burden Place and (2) the intersection of Burden Place and Paynesville Road. At present times the (2) is very congested and dangerous with the service station on the corner and will be exasperated with further traffic flow. On frequent occasions very dangerous driving conditions apply from Burden Place with entry I exits from the service station which requires turns onto the wrong side of the road to get onto the Paynesville Road.</li> <li>• If the application is approved in any form it should be assured that trucks and other vehicles are not permitted to transit Fullarton Drive/ Burden Place to exit Paynesville Road and that any traffic associated with the subdivision passes through adjoining property to the west of the existing Fullarton Drive. Appropriate storage of machinery when not in use should also take place so as to minimize any noise I disruption to existing residents.</li> <li>• It is considered that allotments 42 - 59 should have a caveat attached to each to ensure that further subdivision of the allotments is not possible. Battle axe shaped allotments have been approved and taken place in other parts of this township and appropriate notation should be made to ensure this is not possible on these allotments . It should be noted on all allotments and specifically allotment 59 being within the proposed subdivision (Planning Application 344/2022/P) by way of a caveat title registration that 'there shall not be any dwelling house or erection or structure whether permanent or temporary on the land hereby transferred or any part thereof which shall be of a greater height that 4.5 metres from the natural surface of the ground at the highest point of the land hereby transferred.' This is taken from the title of our property being 11 (lot 2 on LP 142745 Vol 09432 Folio 316) Fullarton Drive.</li> <li>• The environmental aspects of this area including its wetlands, bird and animal life should be conserved and preserved and increased development in this area will have a detrimental affect. This in particular to the areas noted on the plan of the proposed subdivision marked Reserve</li> <li>• The large standing gum trees should be retained. In the general area of this proposed subdivision other large gums 'have died' and or have been 'removed' presumably without any real justification except for so called progress being for the financial benefit of the property owner and this should not be permitted If this subdivision is approved.</li> </ul>	
4	<p>No written clarification of whether the new blocks can be further subdivided</p> <p>No written clarification of whether multiple units can be built on these new blocks and may be rented out.</p> <p>18 metres rear setback from boundary stipulated by VCAT has not been written into the latest proposal.</p>	<p>Loosing the serenity of the area, Loosing the view of our amenity is a major concern. An oblique rather than horizontal sight line would be of some help. 1.5 metre sight line is of concern because from a sitting position that is not satisfactory.</p> <p>The height of vegetation was questioned at the Paynesville meeting 7/10. Crowther &amp; Sadler Pty Ltd land surveyors dismissed this saying vegetation growth on northern side has not affected views from the southern side. This is completely irrelevant because the existing house blocks do not back onto one another. So there definitely needs to be height vegetation restrictions placed on purchasers of the new blocks.</p>

Objector	Grounds of Objection	How Objector will be impacted
5	<p>Concern regarding the significant increase in traffic along Fullarton Drive and impact of increased number of cars entering Burden Place and onto the Paynesville Road</p> <p>Our view will be significantly impacted. With the 1.5m height view clearance, this will still only enable use a vision of sky, blocking out our current wetlands and lake views.</p> <p>There is no height restriction on vegetation planted by land purchasers which potentially will further intrude on our view.</p>	<p>Our views will be significantly impacted.</p> <p>I have a genuine safety concern regarding turning Right into Burden Place and turning right onto the Paynesville Road due to a significant increase in car traffic if this development goes ahead unamended.</p> <p>I have a concern about the increase in vehicle noise due to additional traffic.</p> <p>I will be affected by the loss of tranquility of the area which we now experience.</p>
6	<p>The application has not satisfactorily addressed reasonable view sharing with adjoining properties to the south.</p> <p>On reading the application I am unable to understand how reasonable view sharing with the existing residents to the south has been achieved. The application discusses both horizontal view lines at a standing eye level of 1.5m and also AHD's of each block. From this information I am unable to work out how much of a view I lose and what parts of my view I will retain.</p> <p>I understand that an oblique viewing line down to the lake is necessary for reasonable view sharing. The applicant must be required to demonstrate to each resident the extent of our panoramic view after homes are built in front of us to the AHD height allowed.</p> <p>There is nothing in the plan to prevent further subdivision of blocks into battle axe style blocks which would increase density to an unacceptable level as well as threaten any view sharing opportunities.</p> <p>Battle axe blocks do not fit with the neighbourhood character of this area as described in the application page 39 - The neighbourhood character of northern Paynesville district area is categorised in general by single lots with detached dwellings. There must be clearly no ability to further subdivide any of these blocks</p> <p>All restrictions must be required to be registered on the titles of the new lots.</p>	<p>Currently I enjoy the wonderful amenity of a magnificent panoramic view of the RAMSAR wetland, lake and hills beyond as well as the native vegetation and including an uninterrupted view of the superb Gippsland red gum which is a significant feature of my view.</p> <p>I also enjoy the constant presence of a variety of wildlife including the endangered JAMBA migratory bird the Latham's Snipe for which the paddock is important habitat.</p> <p>My amenity including my views will be compromised to an unknown extent and I require the applicant to demonstrate how much of my panoramic view I will retain before approving the subdivision.</p> <p>The VCAT panel visited my property in 2014 and made an assessment using 4.5 metre poles which did give me an indication of the amount of view I would lose. The impact was assessed as severe. Since that assessment the subdivision has been redesigned which has significantly changed the lots immediately to the north of my home.</p> <p>Therefore before any approval is given council must require at least a similar assessment.</p>
7	<p>I object to lots 16 - 35 of the proposal.</p> <ul style="list-style-type: none"> <li>My understanding is that the land was zoned for residential purposes in 1992 when there was no or very little consideration given for the effect that the development would have in regards to the native flora and the abundant animal life in the wetlands. With changes in the climate untouched areas of native bush are becoming less and less and I feel that these 20 lots</li> </ul>	

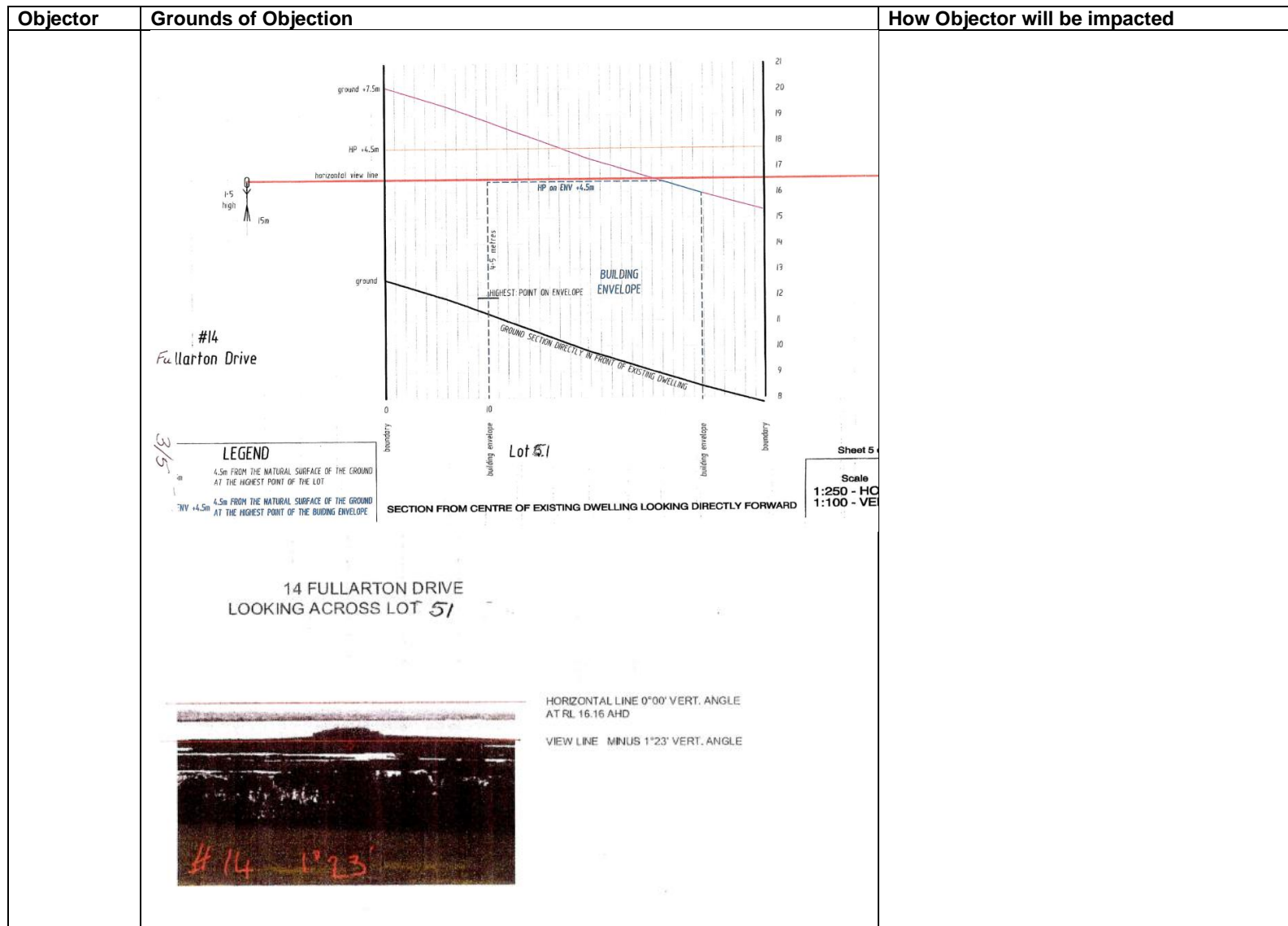
Objector	Grounds of Objection	How Objector will be impacted
	<p>are too close to the wetlands and will have a significant impact on the area. The potential addition of more dogs, cats, cars, children etc in this area will increase the noise levels and security of the wildlife that the wetlands are said to protect. This eco system is a huge reason why we moved to an already established house in this area and if lost or disturbed will damage the wetlands forever.</p> <ul style="list-style-type: none"> <li>An alternative for lots 16-33 would be to turn them so that they become wider but not as deep. At least in this manner it will not decrease the number of lots as dramatically as if they were removed altogether. Lot 34 &amp; 35 should be removed altogether. They are certainly in the zone of being too close to the wetlands. The continuation of the retarding basins across that area would surely be more beneficial to the wellbeing of the wetlands and their flora and fauna.</li> </ul> <p>I object to the inclusion of the elevation drawings on pages 71-76 of the proposal as they are.</p> <ul style="list-style-type: none"> <li>The drawings as shown on pages 71 - 76 for the purpose of illustrating projected height levels, in particular the drawing on page 74 of lot 35 and the effect for 54 Fullarton Drive is incorrect as explained by Michael Sadler and Kate Young at the meeting in Paynesville on 7th October, 2022 and therefore misleading. I own 54 Fullarton Drive and to allow someone to believe they can build to that height, which we would object to under the terms of the proposed section 173, would lead to possible future legal proceedings which would be both expensive and time consuming for both the purchasers and us.</li> </ul> <p>I object to not being offered a 10m setback between 54 Fullarton Drive and lot 35.</p> <ul style="list-style-type: none"> <li>The proposed driveway I understand is to be 8m. I accept that the driveway access for lot 34 will be our buffer to lot 35 but request that the distance between the 2 properties still be 10m as afforded to lots 36-57. We spend a large majority of our summer time on our deck and our lounge and main bedroom are also located facing this driveway. These main living zones are 8m from our rear fence. A further 2m will afford us a greater chance of privacy in this area.</li> </ul> <p>It was also agreed at the meeting on 7th October, 2022 with Michael Sadler, Kate Young and Martin from East Gippsland Shire Town Planning office that they would include a requirement that no lots once sold will be subdivided further. I would like to see this included in writing within the application for the permit.</p> <p>Mark and I would also like to thank Crowther and Sadler Pty Ltd, Kate and Michael, for the opportunities we have had to be involved in the making of this application. A number of concerns have been addressed and an amicable solution found.</p>	
8	<p><b>The proposed Multi-lot Subdivision for address 10 Fullarton Drive, Paynesville [lot C PS 311448] in its entirety</b></p> <p>Due to the landscape biodiversity and environmental vulnerability of the Internationally significant Ramsar wetland ecosystem with natural floodplain. It will be visually obtrusive (Clause 56.03-5) with regard to 'DDO-14' - as not a site responsive design for a rural village. Extra, large houses do not integrate with the wetland and lakeside environment, nor with the adjoining residential properties, as they will unreasonably deprive us of our wonderful amenity of a panoramic viewshed of wetland, lake and mountains.</p> <p><b>lot 51 and row of lots adjoining northern properties of Fullarton Drive</b></p> <p>The high, wide building envelope (16 AHD, or 4.5m) with full width orientation and only 10m rear setback (same as previous VCAT plan) severely impacts, infringes and obliterates the amenity of panoramic views which will be completely</p>	<p>Complete loss of amenity of magnificent constantly changing panoramic view (horizontal, vertical and oblique), encompassing vulnerable Ramsar wetlands, with a central focus on Fullarton Point (which is directly in line with our property), Lake King, Mitchell River silt jetties (longest in world), with landscape and mountain ranges beyond (refer to photo and building envelope for Lot 51, which show horizontal view of only sky).</p> <p>Loss of fully open rural aspect with habitat of native flora and fauna (kangaroos, echidnas,</p>

Objector	Grounds of Objection	How Objector will be impacted
	<p>obstructed by construction of a building at Lot 51 and other houses along the northern corridor. This will result in complete loss of amenity of magnificent north facing panoramic wetland, lake, silt jetties and mountain views including the central focal viewpoint of Fullarton Point in the mid-lake-edge of the Ramsar wetland. This plan has positioned Lot 51 directly behind 14 Fullarton Drive with its side boundaries extending east and west outside our side fenceline by more than the 3m side setback, so no vertical views will be possible after construction of a building on that block; no provision of staggered boundaries to allow for any vertical view. From our verandah and lounge, we will even be deprived of standing (1.5m) horizontal or oblique views, which we currently greatly value and enjoy from a sitting position (refer to photo and building envelope of Lot 51, which show only sky to be seen horizontally).</p> <p><b>VCAT Administrative Division Report P2565/2013:</b>  (81) "No. 14 Fullarton Drive will maintain only sky views". [At horizontal level-Report from VCAT on previous subdivision plans; which equally applies to these latest plans, and are more obstructive, without side setbacks.]  (83) "We have given more weight to the horizontal view proposed to be maintained in light of the current panoramic views available to each Fullarton Drive house. The current view is what we would describe as a whole view in which the interface of the land and water is visible and appreciated a wide often panoramic viewshed. "  (87) "Given this proposal is a large subdivision with limited constraints, particularly on the southern part of the site other than for topography, we are not persuaded the extent of impact on view sharing achieves a reasonable outcome."  This proposed subdivision does not achieve a reasonable outcome of view sharing for Fullarton Drive residents. Site or view lines from each residence on the abutting lots have not been used to determine the height of future residences to guarantee a reasonable view for the existing residents.</p> <p><b>VCAT Further Submission on Behalf of the Responsible Authority P2565/2013:</b>  (18) "Council's submission is a more reasonable 'benchmark' view line of 1.2m [seated] should be adopted for the following reasons:  18.1 - the view shed is an important aspect of view sharing both horizontally and vertically. In conjunction with the view shed is the understanding of what is important to the viewer's experience. It was made clear on the final hearing day by the existing residents at Fullarton Drive that they consider views of the walking path, wetland, lakes system and hills to all be important and enrich their experience.</p>	<p>Latham Snipes and other migratory shorebirds, native waterfowl, reptiles and amphibians behind our property by being hemmed in at the back by a row of houses which will completely block us off from any horizontal or vertical views, except only the sky above. Loss of property value. Since my retirement and during COVID lockdowns, this wonderful view and watching the native wildlife, especially kangaroos with joeys was therapeutic and calming.</p> <p>My wife and I purchased 14 Fullarton Drive, Paynesville, in 2007 for our peaceful retirement because of the amenity of a magnificently panoramic view, especially the central focal viewpoint of Fullarton Point with the wonderful Ramsar wetlands spreading out on both sides and to the front, with Lake King, silt jetties, landscape and mountains beyond, within a fully open rural aspect of a paddock. We greatly value and have enjoyed this serene panoramic view for many years, which has improved our psychological well-being.</p> <p>At the "Information Meeting" held on the 7th October I asked the surveyor draft person to confirm it was feasible that the buyer of block 51 could in fact build from the most northerly third of the 51 block up to 10 meters setback from our boundary fence. This was verified by the drafts person but they continued to state that this would be very unlikely as the potential buyer would not be "cashed up" enough to build such a large house. Several people heard this comment and were shocked. Surely it cannot and should not be assumed that the new buyer will not have the funds to actually build such a large house? Based on the current plan it would be</p>



Objector	Grounds of Objection	How Objector will be impacted
	<p>It is submitted that the provision in some cases of a horizontal view provision allowing views of the lakes and distant hills provides unfair view sharing. It is Council's view that view sharing must consider the view experience in totality. Indeed for a number of properties there is effectively an obliteration of the view amenity. "</p> <p><b>A non-expiry Covenant of 4.5m height restriction is imposed on our property title for 14 Fullarton Drive</b>, which allows for view-sharing with the properties on the southern side of Fullarton Drive; thus we are restricted by this Covenant from gaining any views over future buildings.</p> <p><b>Non-expiry Covenants should be imposed by developer upon Lot Titles</b> to prevent future individual Lot subdivisions and for longer rear setbacks of at least 18m, as per previous developer plan) and reduced reasonable building height restrictions which guarantee reasonably wide realistic view-sharing from a seated position (as many residents are of retirement age), for existing residents in Fullarton Drive. Section 173 is not appropriate, as it seems a weaker imposition which could be easily overturned in future appeals.</p> <p><b>Concern for future individual subdivision of each of these new adjoining lots</b> (as many are large), for impact of further amenity view on Fullarton Drive residents.</p> <p><b>The proposed artificial ponds</b> (to filter the extra storm water drainage from the new subdivision) will pose a dangerous risk of mosquito-borne viruses for the neighbourhood residents.</p> <p><b>Loss of habitat, food supply and disturbance of native flora and fauna</b> by subdivision and construction within the paddock adjoining the lacustrine Ramsar wetland which the local neighbourhood highly value (kangaroos, echidna, waterfowl, migratory shorebirds [Latham Snipes from Japan, which use the stormwater drain within the paddock], reptiles, amphibians) are added tourist attractions to be seen in their natural habitat for this area and enhance the Paynesville/Eagle Point walking track, as an amenity to aid the local community and ecotourism, especially for international visitors. This would complement the 'Koalas of Raymond Island' with the 'Kangaroos and swans of Paynesville' as a natural conservation destination.</p> <p><b>The extra houses and disturbance of phosphorus soils during the subdivision, with addition of artificial ponds</b> on a natural floodplain, impose hazardous risks of environmental degradation and lack of enough buffer zone for</p>	<p>apparent that we (at 14 Fullarton Drive) would be one of the people most effected (if not the worst effected) as the 51 block behind is virtually in line and wider than our block therefore any construction would result in our rear outlook being reduced to a new house and sky.</p> <p>We would be devastated to lose it.</p>

Objector	Grounds of Objection	How Objector will be impacted
	<p>protection and sustainable conservation of the significantly vulnerable and precious Ramsar wetlands (which were greatly reduced by dumped earth from the excavation of the canals - aerial views show a straight line along the eastern edge) and habitat of native nesting waterfowl and migratory shorebirds (Latham Snipes).</p> <p><b>Lack of safety for pedestrians with increased traffic</b>, as Burden Place does not have any footpaths and the grass are uneven. The Road Survey shown by the surveyors was conducted during winter, therefore does not bear the true volume of traffic during peak holiday and summer seasons.</p> <p><b>Dangerous intersection at Paynesville Rd/Burden Place due to Service Station on corner</b>, especially with increased traffic with boats or caravans during holidays and Summer. Entry/exit traffic at Service Station obstruct the view for turning traffic from Burden Place.</p> <p><b>Paynesville/Eagle Point walking track car park to not be bitumen or concrete</b>, but kept unpaved, in a gravel state, as a rural amenity.</p> <p><b>For safe egress during emergency, only one exit onto Paynesville Road is from Burden Place.</b></p>	





Objector	Grounds of Objection	How Objector will be impacted
9	Refer to objection content of <a href="#">Objector 8</a>	<p>Complete loss of amenity of magnificent constantly changing panoramic view (horizontal, vertical and oblique), encompassing vulnerable Ramsar wetlands, with a central focus on Fullarton Point (which is directly in line with our property), Lake King, Mitchell River silt jetties (longest in world), with landscape and mountain ranges beyond (refer to photo and building envelope for Lot 51, which show horizontal view of only sky) .</p> <p>Loss of fully open rural aspect with habitat of native flora and fauna (kangaroos, echidnas, Latham Snipes and other migratory shorebirds, native waterfowl, reptiles and amphibians behind our property by being hemmed in at the back by a row of houses which will completely block us off from any horizontal or vertical views, except only the sky above. Loss of property value.</p> <p>Since my retirement and during COVID lockdowns, this wonderful view and watching the native wildlife, especially kangaroos with joeys was a saviour of my mental health (stress, anxiety and clinical depression) from PTSD experienced at work.</p> <p>My husband and I purchased 14 Fullarton Drive, Paynesville, in 2007 for our peaceful retirement because of the amenity of a magnificently panoramic view, especially the central focal viewpoint of Fullarton Point with the wonderful Ramsar wetlands spreading out on both sides and to the front, with Lake King, silt jetties, landscape and mountains beyond, within a fully open rural aspect of a paddock. We greatly value and have enjoyed this serene panoramic view for many years, which has improved our psychological well-being. We would be devastated to lose it and I fear of relapsing.</p>

Objector	Grounds of Objection	How Objector will be impacted
10	<p><b>This application has not satisfactorily addressed reasonable view sharing with adjoining properties to the south.</b>  The redesign of lots at the eastern end of the subdivision as strongly suggested by VCAT 2014 has improved the density issues but has caused a severe reasonable view sharing issue for numbers 12 and 14 Fullarton Drive.</p> <p>Although lot 51 is directly in front of 14 Fullarton Drive, it would severely affect my panoramic view at number 12 as the viewing line to the wetland is oriented over lot 51. This lot has an AHD of 16 metres which means I do not have an oblique viewing line towards the wetland and lake.</p> <p>This issue could be easily alleviated by following VCAT's subsequent suggestion of locating lot number 51's building envelope further downslope whilst maintaining proposed height restrictions. (paragraph 89 VCAT report 2014) or by lowering the designated AHD height to keep it more in line with the eastern lots.</p> <p><b>Inaccurate information in the application and inaccurate assumptions.</b>  Search of covenants - statement (application P23) "Properties on the higher (south western) side of Fullarton Drive have no limitations with no covenants imposed"</p> <p>This assumption was made after searching one title on the high side of Fullarton Drive.  Houses on the high side in section LP142745 as shown on the plan on application page 25, all have the same restrictive covenant as the houses on the northern side of Fullarton Drive.</p> <p>The MODAN cross sectional drawings for numbers 12 and 28 Fullarton Drive have incorrect heights labelled and show that an 11 metre house could be constructed to the north of number 12 Fullarton drive. (Application Page 75/76)</p> <p>The worst case scenario, a house up to 11 metres as detailed on page 31 of the application is only possible due to the incorrect ffl height of number 12 Fullarton Drive.  These cross section drawings apart from being inaccurate do not demonstrate how views will continue to be shared and enjoyed by adjacent properties and the proposed allotments as stated on application Page 31. There is no outcome to the horizontal viewing line shown.</p> <p><b>The incorrect assumption that a horizontal viewing line gives properties a view sharing opportunity.</b></p>	<p>My amenity of a glorious panoramic view of the RAMSAR wetland, lake and hills beyond as well as the native vegetation and including an uninterrupted view of the superb Gippsland red gum will be obliterated, especially by height of the AHD placed on Lot 51 (16 AHD) which is one whole metre higher than the Lot 52 (15 AHD) directly in front of me.</p> <p>Unfortunately our viewing line towards the RAMSAR wetland and lake is angled towards the west and a roofline to 16 AHD would completely remove any view of the wetland and lake to the west of the tip of Point Fullarton.</p> <p>VCAT outlined the important aspects of the view giving weight to the panoramic view (or horizontal view) Paragraph 83 2014 decision. "The current view is what we would describe as a whole view in which the interface between land and water is visible and appreciated in a wide often panoramic viewshed"</p> <p>This panorama of very high quality needs to be considered in terms of what views will be lost and what views would be retained.</p> <p>In addition my enjoyment of observing the variety of wildlife in the adjoining paddock, including mobs of kangaroos, endangered JAMBA migratory bird the Latham's snipe which forages in the wet grasses and shelters in the low bushes, echidnas and bluetongue lizards will only in future be a memory. As a long time resident I care deeply about this special environment and request that council consider carefully the environmental values of the whole area.</p>



Objector	Grounds of Objection	How Objector will be impacted
	<p>Statement( page 31 application) The maximum height will not exceed the standing eye level of the immediately adjacent building.</p> <p>A horizontal viewing line from a standing eye level of 1.5 metres above floor level gives at best a view of part of the hills beyond the lake and the sky. It does not include the lake or any wetland view. The importance of the viewing line angle is vital. To obtain a view, the viewing line must be angled towards the view required. (see included photos)</p> <p>The photos included were taken by Bruce Bowden of Austec Surveying in Bairnsdale and were used at VCAT 2014 to illustrate the problem of a horizontal viewing line. The theodolite he used had a built in camera. The horizontal view in both photos demonstrate that the views obtained do not include the lake or Ramsar wetland.</p> <p>An oblique viewing line suitable to each individual house is required and the appropriate AHD designated.</p> <p><b>There is nothing in the plan to prevent further subdivision of blocks into battle axe style blocks which would increase density to an unacceptable level as well as threaten any view sharing opportunities.</b></p> <p>Battle axe blocks do not fit with the neighbourhood character of this area as described in the application page 39 - The neighbourhood character of northern Paynesville district area is categorised in general by single lots with detached dwellings. A restriction on the title is required to ensure that further subdivision is not possible.</p> <p><b>All restrictions must be required to be registered on the titles of the new lots.</b></p>	<p>If this application is approved the reserve and wetland area will become the exclusive and unencumbered view and amenity of the dwellings to our north.</p> <p>The applicant should be made to prove to adjacent owners just how much view we will retain in the view sharing situation that the application proposes. The VCAT panel visited my property in 2014 and made an assessment using 4.5 metre poles which did give me an indication of the amount of view I would lose. Since that assessment the subdivision has been redesigned which has significantly changed the lots immediately to the north of my home. Therefore before any approval is given council must require at least a similar assessment.</p> <p>The block next door to me on the eastern side was designated to be the road into the subdivision in the previous design. It is now to be a regular house block (Lot 59) and will be offered for sale after approval of this subdivision. It is interesting to note that the designated AHD for the lot 53 to the north of this block allows for an oblique view towards the lake from a balcony or veranda of a similar height to my veranda. If this block can be afforded with a viewing line that will give a reasonable view share so can all houses on Fullarton Drive.</p>

	<p>12 FULLARTON DRIVE LOOKING ACROSS LOTS 11 AND 29</p>  <p>HORIZONTAL LINE 0°00' VERT. AT RL 15.96 AHD</p> <p>VIEW LINE MINUS 1°45' VERT.</p>	
	<p>14 FULLARTON DRIVE LOOKING ACROSS LOTS 12 AND 30</p>  <p>HORIZONTAL LINE 0°00' VERT. A AT RL 16.16 AHD</p> <p>VIEW LINE MINUS 1°23' VERT. A</p>	

Objector	Grounds of Objection	How Objector will be impacted
11	<p>1. Building envelopes - rear set back provisions The rear setback is proposed to be 10 metres, not 18 metres as applied to our adjoining northern property and some others in the previous permit application.</p> <p>2. Further Subdivision -Section 173 No provision for a Section 173 agreement condition to prevent further subdivision of individual lots.</p> <p>3. 1.5 metre horizontal sight lines - Amenity The cross section drawings do not give an accurate preview of the views that may be achieved for the benefit of existing northern side residents. A 1.5m sight line set at floor level does not give a fair view sharing across the wetland, lake and distance hills and mountains.</p>	<p>1. It is our understanding that revised building envelopes, with both 10m and 18m rear setbacks on the lots adjoining the northern residences, were part of the consideration of the members at the VCAT hearing of July/August 2014. The 10m set back was revised to move the built forms on new lots down the hill.</p> <p>The 10m setback on the new lots abutting our residence will result in the significant reduction of a reasonable view. We strongly urge council to endorse the inclusion of the 18m setback as proposed at VCAT.</p> <p>3d building envelope designs should also be included on a Section 173 agreement.</p> <p>2. Section 173 - Conditions: Due to the length of some of the larger new lots in the proposal there is some possibility that the new landholder may subdivide them.</p> <p>This will mean that there will be an increase in the built form bulk and prevent reasonable view sharing from my residence.</p> <p>For this reason, the EGSC should consider adding 'no further lot subdivision' within a Section 173 agreement or on title as a restrictive covenant.</p> <p>3. 1.5 metre horizontal site lines - Amenity Do we really have to be standing to see the limited view? Applying 1.5m on all lots is contrary to the VCAT reasons about view sharing.</p> <p>1.5m horizontal sight lines from the floor level of adjoining residences does not guarantee a fair or reasonable view for everyone. View</p>

Objector	Grounds of Objection	How Objector will be impacted
		<p>sharing in my case is too limited and unreasonable.</p> <p>Reducing the sight line height to 1.2m at an oblique angle which will include lake views as well as the background hills is more appropriate.</p> <p>Each of the adjoining residences should be surveyed and sight lines adjusted to ensure reasonable view sharing of the amenity for each residence.</p> <p>Council should reject this application and seek to receive an amended planning permit application which reflect these provisions.</p>
12	<p>1. Building envelopes - rear set back provisions The rear setback is proposed to be 10 metres, not 18 metres as applied to our adjoining northern property and some others in the previous permit application.</p> <p>2. Further Subdivision -Section 173 No provision for a Section 173 agreement condition to prevent further subdivision of individual lots.</p> <p>3. 1.5 metre horizontal sight lines - Amenity The cross section drawings do not give an accurate preview of the views that may be achieved for the benefit of existing northern side residents. A 1.5m sight line set at floor level does not give a fair view sharing across the wetland, lake and distance hills and mountains.</p>	<p>1. It is our understanding that revised building envelopes, with both 10m and 18m rear setbacks on the lots adjoining the northern residences, were part of the consideration of the members at the VCAT hearing of July/August 2014. The 10m set back was revised to move the built forms on new lots down the hill.</p> <p>The 10m setback on the new lots abutting our residence will result in the significant reduction of a reasonable view. We strongly urge council to endorse the inclusion of the 18m setback as proposed at VCAT.</p> <p>3d building envelope designs should also be included on a Section 173 agreement.</p> <p>2. Section 173 - Conditions: Due to the length of some of the larger new lots in the proposal there is some possibility that the new landholder may subdivide them.</p>

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		<p>This will mean that there will be an increase in the built form bulk and prevent reasonable view sharing from my residence.</p> <p>For this reason, the EGSC should consider adding 'no further lot subdivision' within a Section 173 agreement or on title as a restrictive covenant.</p> <p>3. 1.5 metre horizontal site lines - Amenity Do we really have to be standing to see the limited view? Applying 1.5m on all lots is contrary to the VCAT reasons about view sharing.</p> <p>1.5m horizontal sight lines from the floor level of adjoining residences does not guarantee a fair or reasonable view for everyone. View sharing in my case is too limited and unreasonable.</p> <p>Reducing the sight line height to 1.2m at an oblique angle which will include lake views as well as the background hills is more appropriate.</p> <p>Each of the adjoining residences should be surveyed and sight lines adjusted to ensure reasonable view sharing of the amenity for each residence.</p> <p>Council should reject this application and seek to receive an amended planning permit application which reflect these provisions.</p>
13	<p>As a resident of Fullarton Drive, I have received correspondence and a notice of planning permit application for subdivision of 10 Fullarton Drive Paynesville. I have reviewed the application proposal and attachments and make the following objections to the granting of a permit.</p> <p>Objection:</p> <p>1. Building Envelopes</p> <p>a. Setbacks</p>	<p>I urge Council:</p> <p>a. to conclude that amendments to the plan to satisfy the points made here in relation to building envelopes, Section 173 and further subdivision should be applied.</p>



Objector	Grounds of Objection	How Objector will be impacted
	<p>Absence of 18 metre setback on the lots abutting northern boundary residences 18-42 is inconsistent with the VCAT decision.</p> <p>b. Horizontal Sight Lines - Appropriateness 1.5 metre horizontal sight lines on all lots are inconsistent with the VCAT decision</p> <p>c. Inaccurate sight/view line drawings - MODAN - Proposed site/view lines</p> <p>2. Potential for new landowners to further subdivide individual lots</p> <p>3. Environmental degradation - Ramsar Wetland &amp;: Lakes</p> <p>Impact:</p> <p>1. Building Envelopes a. 10m setback on lots 50-39 does not concur with the VCAT decision based on a revised plan <b>[Appendix 1]</b> submitted by One Plan for the Applicant Lake Park Holdings at the VCAT hearing of 14 August 2014 and endorsed by EGSC planning officer [NAME REDACTED] as the new plan of subdivision building envelope design.</p> <p>The VCAT order clearly accepted these setbacks in its decision, and I refer you to the Order dated 21 November 2014.</p> <p>Extract: Pg.23 Para, 77 - Additional materials provided during hearing</p> <p><i>The hearing did not finish within the allocated four days.... We provided the applicant with a further opportunity to address us on the issue of view sharing, including the preparation of further material to support its submission and Mr Glossop's evidence that the sharing of view is achieved by the proposed lot boundaries and building envelopes<sup>20</sup>. This material was circulated prior to the resumption of the hearing and the other parties were given the opportunity to respond to this material. This meant at the resumption of the hearing and during our subsequent inspection we had the benefit of:-</i></p> <ul style="list-style-type: none"> <li>• <i>Revised building envelope plans from the applicant that increased the rear setback of the building envelopes on proposed lots 14-24 from 10 to 18 metres to position the future building lower down the land slope.</i></li> <li>• <i>A view line section of each Fullarton Drive property from the applicant based on a survey of floor level at the centre of the north façade of each Fullarton Drive house; and</i></li> <li>• <i>Served view lines of seven Fullarton drive houses from the residents.</i></li> </ul>	<p>b. To consider whether or not this plan meets the VCAT decisions of Orders 4 August 2011 and 21 November 2014; and</p> <p>c. other planning requirements for GRZ1 and other statutory requirements within the planning scheme framework.</p>

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	<p><i>Footnote 20: This was discussed orally in the hearing on 18 July 2014. Our order dated 23 July 2014 gave leave to the applicant to provide any further materials (such as illustrations, facts relied upon and methodology of preparation) that it wishes to rely upon in regard to the issue of view sharing.</i></p> <p>This plan was supported by Section site line drawings showing the 18 metre setback for northern resident lots 18-42. [Appendix 2] For this purpose, I provide drawings for 28 Fullarton Drive.</p> <p>This evidence supports the amendment to the newly proposed building envelopes from 10m to 18m rear setback for the lots 50-39.</p> <p>1. Building envelopes In its finding in VCAT Order dated 4 August 2011, after considering the first application for a planning permit by Lake Park Holdings, the members found in favour of the residents' submission that views of Lake King form part of the resident's amenity</p> <p>This outcome was influenced by the 'in perpetuity covenant of a building height of 4.5m at highest part of the land' on titles for houses on the southern side of the new subdivision. The covenant still limits any improvement in our ability to address the view amenity in a different way.</p> <p>Extract: Page 17 Para 56 <i>The Council explained DDO14 contains no reference to the sharing of views but submitted that this could be achieved through the incorporation of appropriate building envelopes in the subdivision. The Council did acknowledge that the lack of any reference to the sharing of view in the planning scheme limits the amount of weight that can be given to this issue in considering the planning merits of this proposal. Nevertheless, we appreciate the Lake King views from part of the amenity of the residents' properties.</i></p> <p>b. View [sight] lines In response to the revised building envelope plan, approved at the VCAT hearing of 14 August 2014, the residents engaged Austec Surveying, Bruce Bowden, and submitted his methodology report and a copy of the plan of the subdivision showing the surveyed direction across the lots from the residents' homes, to demonstrate a view line into the centre of the wetland. [Appendix 3]</p>	

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	<p>The residents 18submitted to VCAT drawings indicating both horizontal set at 1.2m and oblique view lines which clearly showed the difference a 20 angle makes to view sharing. [Appendix 4] for this purpose I provide drawings for 28 Fullarton Drive.</p> <p>I refer you to the VCAT Order dated 21 November 2014. Pg.23 Para, 78 – Sitting or Standing Views. Pg.24 Para 79/81 – Overall Views Pg 24 Para 82/83 – Vertical View Corridors or Horizontal Views</p> <p>Extract: Pg 25 Para 83 <i>What this means is that we have given more weight to the horizontal view proposed to be maintained in light of the current panoramic views available to each Fullarton Drive house. The current view is what we would describe as a whole view in which the interface between land and water is visible and appreciated in a wide, often panoramic viewshed. The current view is commonly available from rear decks and principal living areas in both sitting and standing views.</i></p> <p>Extract: Pg 27 Para 87 <i>Almost half of the houses.... Given this proposal is a large subdivision with limited constraints, particularly on the southern part of the site other than for topography we are not persuaded the extent of impact on view sharing achieves a reasonable outcome. Whilst it may not be reasonable to expect that the impact on each house is entirely equal, we are of the opinion a review of the detail of the subdivision layout should be able to achieve a more acceptable extent of impact across each property than that contained in this proposal.</i></p> <p>Because the residents on the southern side of Fullarton Drive are beneficiaries to the restrictions constraining residents on the north side, we will be sandwiched with the new subdivision with extremely limited view sharing opportunity.</p> <p>This evidence supports the amendment to oblique sight/view lines on all abutting lots to all northern houses on Fullarton Drive.</p> <p>1. Building envelopes c. View [sight] lines drawings submitted within this permit application Ref: date 6/8/2022 Version 3 – 28-30 Fullarton Drive [Appendix 5] Clearly the data shown on the view line section drawings for houses 12 and 28 are incorrect.</p>	

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	<p>These drawings may not be excused as [refer to note on drawing]</p> <ul style="list-style-type: none"> <li>Plans are indicative only</li> <li>Finished surface levels are subject to engineering design</li> <li>Survey produced by Crowther and Sadler</li> </ul> <p>That this practice may be the 'norm' under planning permit application processes, it does not provide an accurate representation to affected residents nor the EGSC.</p> <p>It is not acceptable that inaccurate information or resources affecting the permit decision process are submitted to EG Shire Council</p> <p>2. Potential for new landowners to further subdivide individual lots Although this new subdivision plan is conceived and designed by the Planners and Developer to meet planning scheme policy and guidelines, I submit that the planned subdivision does not meet all the criteria. The future subdivision by new lot owners on the larger m<sup>2</sup> lots [or any other] should be avoided due to the potential of increased built form bulk, landscaping intrusion and impact on the Ramsar Wetland and adjacent Crown lands.</p> <p>The DDO14 clearly provides guidelines for design objectives and Councils decision Schedule 14 to the Design and Development Overlay – DDO14 Residential Development in Coastal Settlements: Paynesville</p> <p>Significant Landscape Overlay The Paynesville Growth Area Structure Plan was adopted by EGSC on 2 August 2016. On Page 28, under sub heading Statutory Implementation, details of the process for implementation are stated including: <i>3.2 Amend the Municipal Strategic Statements – amongst others</i></p> <p><i>3.2.3 Removal of the Significant Landscape Overlay Remove the SLO affection land within the Structure Plan areas.</i></p> <p><i>3.2.4 Apply a DPO and Schedule for Residential areas</i> <i>a. Apply Development Plan Overlay [DPO] to land affected by the Paynesville Growth Area Structure Plan.</i> <i>b. Unless otherwise directed by the responsible authority the Development Plan must contain all necessary details to demonstrate conformity with the Paynesville Growth Area Structure Plan.</i></p>	

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	<p>3.2.6 Apply a DDO and Schedule</p> <p>a. Apply Design and Development Overlay [DDO] to land affected in the Paynesville Growth Area Structure Plan as 'Residential'. The DDO Schedule should be consistent with DD011, currently applying to Residential land in Paynesville, with specific requirements to implement the objectives of the Structure Plan in relation to lot layout and the development of housing forms that meet the objectives and requirements of the Structure Plan.</p> <p>It seems a bit contrived that the SLO is to be removed without foreknowledge of what it will be replaced!</p> <p>I submit that this land is subject to the conditions and expectations of the EG Shire Planning policy for subdivision design and development purposes and State Planning Policy SLO 42.03 and General Provisions 65 decision guidelines.</p> <p>To comply with these overlays and schedules, and to alleviate the impact of future subdivision of these lots, a condition for no further subdivision of these subdivision lots should be included on a Section 173 on all lots, or a restrictive covenant on each lot title.</p> <p>It is worth noting the references made in the VCAT Order of 4 August 2011 to the first Application by Lake Park Holdings.</p> <p>Extract: Pg 17 Para. 58 – Views of the site  <i>The Council also described the site as visually prominent from a number of locations including the Gippsland Lakes, the foreshore reserve, Burden Place, Eagle Bay Terrace, and Fullarton Drive. Mr Torrington tabled photographs of the site taken from a boat in Lake King to show the current onshore residential development conditions. These images demonstrated to us that, irrespective of height controls that may be applied over this subdivision, impacts from residential development are, and will continue to be, evident from the lake because of the extent of existing development that has and is continuing to occur. There is still to be further development of vacant lots along Eagle Bay Terrace, and we consider they will be dominant. Mr Torrington described this situation as one in which 'the horse has bolted'. We are not persuaded by this. We accept this is currently the situation, however, we consider there is some merit in more carefully reviewing the lot layout of the subdivision in any new future subdivision.</i></p> <p>Extract: Pg18 Para 59 - Any future application  <i>We are of the view that layout of the subdivision should consider lot orientation and size coupled with three dimensional building envelopes. This may provide scope to avoid new buildings dominating the view from the Lake, while</i></p>	



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	<p><i>concurrently providing some opportunities for reasonable view sharing for the existing development behind the south, specifically in Fullarton Drive and Eagle Bay Terrace.</i></p> <p>3. Environmental degradation - Ramsar Wetland and Lake King The Paynesville community quite rightly has concerns about the sustainable 'wellbeing' of the Ramsar Convention protected, Lake King and Lake Wellington, and more broadly the Gippsland Lakes system.</p> <p>Residents of Fullarton Drive, Burden Place and the Inlet are fortunate to reside in the close proximity of the lakes and Point Fullarton Wetland and consider the development by subdivision for housing or other purposes as a threat to local waterways and features.</p> <p>As a resident in the close proximity of Point Fullarton Wetlands and Crown lands, I am concerned that the natural habitat will be diminished by the proposed new subdivision and the future development of parcels of land on the Lake King foreshore up to the Paynesville Road.</p> <p>On the EGSC website states: 'Water Sensitive Urban Design [WSUD] provides a range of benefits such as a clean environment, lush vegetation, improved amenity for recreation and health habitat for native birds and wildlife. WSUD are stormwater strategies to reduce hydrology impacts by slowing, capturing, treating, and using rainwater.'</p> <p>The development of the Urban Waterway Guidelines is a step towards the prevention of the degradation of East Gippsland significant waterways.</p> <p>The Point Fullarton Wetlands have an 'Environmental Significant Overlay' implying that it should be managed and maintained to enhance its natural attributes. As a layperson I am concerned that the proposed new plan of subdivision does not meet best practice standards for waterway design and ultimate protections. Erosion is also a significant factor during any future works adjacent to the wetland and Lake King.</p> <p>The handing over of the proposed reserve to the EGSC as an asset raises issues about habitat management and water quality monitoring for instance. The Applicant states that this plan meets and in some instances exceed best practice, but this remains to be seen, is disconcerting to myself, and other residents.</p>	

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	Therefore, I submit that in its consideration of the proposed reserve features and management that the EGSC can fulfil its responsibility to meet best practice standards.	
14	Refer to Grounds in the submission of <a href="#">Objector 10</a>	<p>Currently I enjoy the wonderful amenity of a magnificent panoramic vista of the RAMSAR wetland, lake and hills beyond as well as the native vegetation and including an uninterrupted view of the superb Gippsland red gum which will be obliterated, especially by height of the AHD placed on Lot 51 (16 AHD) which is one whole metre higher than the Lot 52 (15 AHD) directly in front of me. Unfortunately my viewing line towards the RAMSAR wetland and lake is angled towards the west and a roofline to 16 AHD would completely remove any view of the wetland and lake to the west of the tip of Point Fullarton.</p> <p>VCAT outlined the important aspects of the view giving weight to the panoramic view (horizontal view) Paragraph 83, 2014 decision. "The current view is what we would describe as a whole view in which the interface between land and water is visible and appreciated in a wide often panoramic viewshed"</p> <p>I also enjoy the constant presence of a variety of wildlife including the endangered JAMBA migratory bird the Latham's Snipe for which the paddock is important habitat.</p> <p>The applicant should be made to demonstrate to adjacent owners just how much view we will retain in the view sharing situation that the application proposes. The VCAT panel visited my property in 2014 and made an assessment using 4.5 metre poles which did give me an indication of the amount of view I would lose. Since that assessment</p>

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		the subdivision has been redesigned which has significantly changed the lots immediately to the north of my home. Therefore before any approval is given council must require at least a similar assessment.
15	<p>My objection relates to the following negative impacts to the current precinct</p> <p>A. Traffic Management provisions for the precinct and the new Multi - Lot Subdivision</p> <p>B. Restricted access for disabled people</p> <p>C. On flow of traffic dangers Burden Place and Paynesville Rd.</p> <p>A Traffic Management provisions for the precinct and the new Multi - Lot Subdivision</p> <p>Currently in this precinct there is only <b><u>One way In - One way out.</u></b></p> <ul style="list-style-type: none"> <li>• The Planning Department should be acutely aware of the dangers and liabilities of impacts for not enabling alternatives. There are many case histories of where have caused significant impacts to the detriments of their communities ego Mallacoota, Bemm River, Banksia Peninsula, Wattle Point</li> <li>• Burden Place is the only access point for vehicles for current subdivisions only access</li> <li>• A new subdivision will place a greater strain on Burden Place</li> <li>• No alternative means of access for responding emergency appliances</li> <li>• No alternative means of escape from emergencies <ul style="list-style-type: none"> <li>○ Fires - internal and external</li> <li>○ Emergencies in and abutting Burden Place - fallen powerlines , structure fire hazardous materials incident -</li> <li>○ Service station has inherent dangers - above ground diesel storage, above ground LPG storage - creation of traffic hazards particularly in summer time</li> <li>○ At least 10 people who reside currently are emergency service workers and require constant egress</li> <li>○ Impact of construction vehicles using local street network- direct effect on eastern land parcels.</li> </ul> </li> </ul> <p>Recommendation:- That the Council does not allow this subdivision to proceed until alternative means of access and egress has been provided.</p> <p>B. Restricted access to people with disabilities</p>	<p>. Being a retired local senior officer of an emergency organization one of our key requirements for risk management recommendations was that residents and the public have the right to safely egress an area in case of emergencies. This has been a long held principle.</p> <p>The Building Code requires that people are entitled to make safe egress from buildings.</p> <p>Emergency services should alternative means of access and egress to all areas that is their responsibility.</p> <p>Fire Access Roads are constructed to provide to comply these principles</p> <p>Therefore it should be reasonable to expect subdivisions to comply.</p> <p>. As an emergency service provider (volunteer) for 3 different organizations it is my belief that I should entitled to able to egress my home and residential area to provide this essential community based service.</p> <p>There are at least 10 volunteer emergency service providers currently live in this precinct who should afforded the same rights</p> <p>. Because of no provision of a hard standing footpath in Burden Place, I have felt threatened when assisting a non-ambulant</p>

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	<ul style="list-style-type: none"> <li>Burden Place is only entry (on road Only) for people with disabilities</li> <li>No hard standing pathways provided on Burden Place.</li> <li>Enhanced danger to persons using Burden Place with mobility aides - wheelchairs, mobility scooters, wheeled walkers, walking sticks and crutches</li> </ul> <p>Recommendation:- That the Council does not allow this subdivision to proceed until a properly constructed hard standing footpath has initially been constructed for Burden Place. Alternative access points should be provided with equivalent facilities</p> <p>C. Dangers of Paynesville Rd. / Burden Place intersection</p> <ul style="list-style-type: none"> <li>Limited Visibility in both direction for departing vehicles</li> <li>Enhanced danger and restricted vision with current permissible parking ie outside service station and both sides of Paynesville Rd.</li> </ul> <p>Recommendation :- That the Council does not allow this subdivision to proceed until successful safety issues have been achieved in cooperation with VicRoads and other statutory Authorities</p>	<p>person (wheelchair) in Burden Place. No one in that position, either alone or accompanied should feel vulnerable when traversing this area.</p> <p>CONCLUSION I have attempted to take a more broadened overview of the impact of this subdivision on this community. It is my beliefs that, until the global issues I have outlined have been resolved it would be inappropriate and dangerous to proceed.</p>
16	<p>1. The current permit application does not fulfil some recommended conditions previously identified as important through the VCAT process, in particular that there is at least an 18 metre rear set back from the property boundary at the rear of 26 Fullarton Drive and neighboring lots (18-42 Fullarton Drive). This is important to explicitly embed in the planning permit to ensure any future construction does not unduly impact on the values of the existing properties. 2. The proposal for 1.5 metre horizontal sight lines from the floor level height of existing building at 26 Fullarton Drive does not retain a fair share of the view from our family property. The 1.5 metres should be significantly lower. 3. The proposal does not explicitly exclude future subdivision of the new lots. This should be included as a condition of the permit and recorded on title for the proposed new lots. 4. The removal of native vegetation and subsequent impact on local environmental values including resident flora and fauna populations is proposed to occur directly adjacent to an internationally-recognised and protected Ramsar wetland site. This would result in incremental degradation of the local site and of the overall values of the Ramsar site. It would be a lost opportunity to retain and protect locally-important environmental values for the benefit of the Ramsar wetland and for the local community.</p>	<p>I have a family and financial interest in a residential property at 26 Fullarton Drive. It is owned and resided in by my family (parents). The permit will have numerous impacts on the local values and services currently in place (view, traffic, environment, etc.) and will affect the financial value of the property.</p>
17	<p>1. The current permit application does not fulfil some recommended conditions previously identified as important through the VCAT process, in particular that there is at least an 18 metre rear set back from the property boundary at the rear of 26 Fullarton Drive and neighboring lots (18-42 Fullarton Drive). This is</p>	<p>I have a family and financial interest in a residential property at 26 Fullarton Drive. It is owned and resided in by my family (parents). The permit will have numerous impacts on</p>

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18	Traffic in Fullarton Drive and Burden St likely to double resulting in high increase traffic noise and increase difficulty entering and leaving Burden St at its junction with Paynesville Rd which is further confused by traffic from the west indicating a left-hand turn – it is not clear if they are turning right into Burden or passing Burden and turning into the service station. Also pedestrian traffic in Burden (walking on the road – no footpaths) at increased danger.	Double vehicle traffic would lead to double noise, double pollution
19	<ol style="list-style-type: none"> <li>1. Traffic increase in Fullarton Drive <ol style="list-style-type: none"> <li>a. Narrow Street</li> <li>b. Footpath on only one side</li> <li>c. Traffic noise</li> <li>d. Increased danger for residents entering and exiting driveways</li> <li>e. Holiday time and children on bikes</li> <li>f. Traffic fumes</li> </ol> </li> <li>2. Traffic increase in Burden Place <ol style="list-style-type: none"> <li>a. Access from Fullarton Drive into Burden Place lessened</li> <li>b. Access from Burden Place into Paynesville Road lessened</li> <li>c. Vehicle from Bairnsdale direction have left-hand indicators which could mean either left into Burden Place or left into Service Station (ie, possible collision or holdup)</li> </ol> </li> <li>3. Vegetation Loss <ol style="list-style-type: none"> <li>a. Mandy birds and animals in danger of habitat loss</li> <li>b. Bees, water birds, bats, insects, many Native birds</li> <li>c. Hopefully sea level rise is on the agenda!</li> </ol> </li> <li>4. Concerns for friends and neighbours who overlook the area and obviously purchased their property for the lovely view, nature and peace</li> </ol> <p>With all the developments proposed and in progress (or completed) for the whole area of Paynesville and any space left what about the main road to Bairnsdale?</p>	

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20 (Gippsland Environment al Group)	<p>The proposed multi-lot subdivision abuts the Point Fullarton wetlands, which are generally brackish in character but sometimes freshwater and sometimes hyper saline, and are populated with a diverse range of vascular and non-vascular plants, and rare and threatened wildlife. Point Fullarton forms part of the internationally significant Gippsland Lakes RAMSAR site. The Gippsland Lakes Ramsar site is one of 64 wetland areas in Australia that is listed as a Wetland of International Importance under the Convention on Wetlands of International Importance especially as Waterfowl Habitat or, as it is more commonly referred to, the Ramsar Convention (the Convention). Gippsland Lakes was listed as a Ramsar site under the Convention in 1982 in recognition of its outstanding coastal wetland values and features. The site is now seen as meeting six out of the nine Nomination Criteria recognising its representative wetland habitats at a bio regional level, vulnerable wetland species, support for key ecological life-cycle functions such as waterbird breeding, its importance for supporting waterbird abundance and diversity and its fish nursery and spawning habitats.</p> <p><sup>1</sup> <a href="https://www.dcceew.gov.au/sites/default/files/env/resources/OcO%20185c8-8eOb-4194-a6ca-d0f795bef41%20files/21-ecd-prelims.pdf">https://www.dcceew.gov.au/sites/default/files/env/resources/OcO 185c8-8eOb-4194-a6ca-d0f795bef41 O/files/21-ecd-prelims.pdf</a></p> <p>Key threats to Point Fullarton's wetlands include; altered water regimes, salinity, pollution, pest plants and animals, natural resource utilisation, dredging, activation of acid sulfate soils, recreation and tourism usage, fire and erosion. Contemporary threats include the prevalence and severity of recent algal blooms and the implications of climate change - particularly sea level rise - on the Gippsland Lakes.</p> <p>The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) prohibits actions that are likely to have a significant impact on the ecological character of a Ramsar wetland unless the Commonwealth Environment Minister has approved the taking of the action, or some other provision in the EPBC Act allows the action to be taken.</p> <p>The proposed multi-lot subdivision poses several potential threats to the adjoining Ramsar wetlands, namely;</p> <ul style="list-style-type: none"> <li>a) water and light pollution,</li> <li>b) heightened recreation and tourism pressures</li> <li>c) pest plants and animals,</li> <li>d) activation of acid sulfate soils during construction,</li> </ul> <p>The above threatening process inform our objections to the proposed subdivision.</p>	<p>Gippsland environment group have been lobbying to improve the health of the Gippsland Lakes for decades. We are concerned about the RAMSAR wetlands at Fullerton point. We are concerned about Gippsland Water's ability to manage further sewerage load given the recent multiple local releases into multiple waterways. GEG are also concerned about water run-off loss for the wetlands and run-off contamination. Latham snipe are counted there every year by birdlife Australia. It is one of their snipe count sites. Latham's Snipe is a migratory shorebird listed under the EPBC act. Further encroachment by development will have poor outcome for these migratory birds. A major threat to Latham Snipe is habitat loss caused by wetland drainage, modification, and clearing for agriculture and development. GEG are concerned that this development does not fit with councils 10 year plan to protect the environment. The council has state seven goals in the first being conservation of the natural environment and biodiversity. This development will be in direct conflict with that goal. The development is not a sustainable management of natural resources in that the RAMSAR wetlands will be impacted. Whilst wetlands are important for tourism, biodiversity and climate change mitigation they are not necessarily conducive to building homes next to them. In no way does this development assist community in participating in climate change response. Developing around wetlands shows no respect for traditional custodians of the land.</p>



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	<p><b>1. WATER POLLUTION</b></p> <p>The proposal to treat storm water runoff from internal and external catchments via wetland, bio- retention, sediment basins and swales in accordance with water sensitive urban design principles is to be commended. However, as noted by the Water Quality Treatment Performance Table (Site Drainage Plan, p.103) the % reduction in Total Nitrogen and Total Suspended Solids projected by CROSSCO barely meets best practice. Given the internationally significant RAMSAR values at stake, we implore council and the developer to exceed the best practice minimums.</p> <p>Significantly, the proposed road reserve does not appear to incorporate any water sensitive urban design features; such as porous paving, vegetated bio-retention swales, roadside rain gardens and filter strips etc. Given the highly sensitive location of the proposed development abutting an internationally significant wetland and previous VCAT decisions recognising this, we would expect nothing less than best practice in water-sensitive urban road design. The current road reserve plans do not minimise water pollution, and fail to align with water sensitive road design principles. We are concerned that the proposed road design may have a significant impact on the ecological character of the Ramsar wetland, and thereby potentially be in breach of the EPBC Act. We encourage council and local residents to participate in our baseline and periodic water quality monitoring program, to give relevant authorities access to important water quality data.</p> <p>It's important to note that the subdivision plans appear to offer some water treatment scenarios that do not incorporate water conservation measures for all future houses on the proposed lots. In accordance with water-sensitive urban design principles, the proposed development ought to reduce the demand for potable water by using alternative sources of water such as rainwater, storm water and treated wastewater and encouraging water efficient appliances, and low water use gardens and landscaping. The subdivision should incorporate plumbed 2000L water tanks as per the CROSSCO report for all allotments, and this should be secured in a Section 173 Agreement.</p> <p>Finally, we hold grave concerns that East Gippsland Water cannot cope with additional sewerage inflows, given they are already pumping partly treated sewerage into the Mississippi Creek just below North Arm at the moment. Similarly, the water authority released partly treated sewerage into a chain of ponds at Forge Creek, which is a unique ecosystem currently receiving millions in funding towards its restoration. Until sewerage treatment capacity is increased</p>	

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	<p>considerably, we feel that further development will only increase the pollution pressures which the Great Lakes are facing.</p> <p><b>2. LIGHT POLLUTION</b>  Scientists, Government departments, along with the Australian Institute of Landscape Architects among others, have all recognised how light pollution negatively affects humans and the natural environment.<sup>2</sup> Scientific evidence suggests that artificial light at night has negative and deadly effects on many creatures including amphibians, birds, mammals, insects and plants.<sup>3</sup> Glare from artificial lights can also impact wetland habitats that are home to amphibians such as frogs and toads, whose nighttime croaking is part of the breeding cycle. Artificial lights disrupt this nocturnal activity, interfering with reproduction and reducing populations. Unfortunately, no consideration appears to have been given in the proposed development for minimising light pollution, particularly to the adjoining Ramsar-listed, internationally significant wetlands. The U.N. Convention on the Conservation of Migratory Species of Wild Animals of which Australia is a signatory, highlights how migratory birds are at particular risk of light pollution-related disturbances to breeding and migratory cycles.<sup>4</sup>  <sup>2</sup> <a href="https://www.dcceew.gov.au/Jenvironment/biodiversity/conservation/light-pollution">https://www.dcceew.gov.au/Jenvironment/biodiversity/conservation/light-pollution</a>;  <a href="https://www.foreground.com.au/Jagriculture-environment/the-perils-of-light-pollution/">https://www.foreground.com.au/Jagriculture-environment/the-perils-of-light-pollution/</a>  <sup>3</sup> <a href="https://www.nature.com/articles/d41586-018-00665-7">https://www.nature.com/articles/d41586-018-00665-7</a>  <sup>4</sup> <a href="https://www.cms.int/en">https://www.cms.int/en</a></p> <p>The subdivision's proposed street lighting plan should incorporate the Australian Government's recently released National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds.<sup>5</sup> How will light spill from street lighting be controlled to a) preserve neighbourhood amenity and character; and b) protect wildlife and other environmental values? We'd like to see best practice street lighting, incorporating the latest, environmentally-friendly LED technology and state-of-the-art directional light spill control to minimise impacts on visual amenity and wildlife; whilst still meeting statutory public safety standards.  <sup>5</sup> <a href="https://www.dcceew.gov.au/Jenvironment/biodiversity/publications/national-light-pollution-guidelines-wildlife">https://www.dcceew.gov.au/Jenvironment/biodiversity/publications/national-light-pollution-guidelines-wildlife</a></p> <p><b>3. HEIGHTENED RECREATION &amp; TOURISM PRESSURES</b>  The proposal does not appear to explain what role the proposed new reserve will play from an environmental or community point of view. The landscape design proposal for the reserve has been omitted from subdivision plans, prohibiting any meaningful public scrutiny and feedback. The community would benefit from a</p>	

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	<p>low-key, natural play space/seating area for families and a level, hard surface, attractive path (not concrete or gravel). Again, this should be secured in a Section 173 Agreement to avoid the permit obfuscating. by amending permit conditions containing negotiated requirements.</p> <p>Attention also needs to be given to discourage activities that generate excessive noise and disturbance to nearby wildlife (like sporting fields). More educative signage and informative displays similar to those at the Burden Drv parking area would be helpful, especially at raising awareness of the various breeding seasons. Education is a powerful tool that can be employed to reduce human recreational impacts on the wetlands.</p> <p><b>4. PEST PLANTS &amp; ANIMALS</b>  Given the close proximity of the proposed allotments to the Ramsar wetlands, some attention needs to be given by planners on mitigating risks of predatory animals and invasive plants. Responsible pet ownership should be enforced by council, particularly for domestic cats and dogs that pose a direct threat to neighbouring wildlife, such as frogs, birds and smaller mammals. Consideration needs to be given for effective cat curfews at night and early mornings, when wildlife is most vulnerable to predation. Educating future residents of the dangers posed by domestic pets and noxious plants to the Ramsar wetlands would be helpful in reducing these risks to the wetlands. Ways of enforcing responsible pet and plant ownership need to be genuinely explored and actioned upon. Cats roaming freely at night or gardens full of highly invasive noxious weeds for instance; would constitute a clear threat to the wetlands and potentially be subject to an EPBC control order.</p> <p><b>5. ACTIVATION COASTAL ACID SULFATE SOILS (CASS)</b>  GEG is concerned by the potential disturbance of CASS during the construction phase. We will pay close attention to the geo-technical Investigation of the site and recommendations for management if found, noting that CASS mapping confirms its likely presence.<sup>6</sup> Given the history of poor management of CASS by the applicant for the permit in a previous adjoining development (the Canals), we are most concerned by the permit applicant's involvement in this environmentally sensitive project.</p> <p><b>CONCLUSION</b>  Due to the 5 key threats elucidated above, the Gippsland Environment Group believes this is an inappropriate development for Point Fullarton. The General Residential Zoning is an historical misstep, reflecting the lack of concern and/or appreciation for the fragility of internationally important inland waterway habitats to</p>	

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	<p>residential development. Our first preference is to see the land compulsorily acquired by the state or federal government and protected from future development. Ideally the entire site can be rehabilitated as an open area for all to enjoy, and also act as a long term buffer to the increasing challenges of climate change induced disturbance. We fear that once residents realise that the proximity to wetlands can bring swarms of mosquitoes and unpleasant odours, pressure may well build to have the wetlands treated with toxic insecticides that can harm food webs and unbalance the entire local ecosystem that ultimately place the areas Ramsar values at risk.</p> <p>Accepting that rezoning the land in question is outside the current remit of council, we strongly feel that if the subdivision was to go ahead, then it ought to align with the principles of water sensitive urban design, and that applicant be made to exceed best practice minimums by much more than current plans envisage. Anything less than this could jeopardise the long-term viability of the Ramsar wetlands and potentially be in breach of the EPBC Act.</p> <p><sup>6</sup> VRO Coastal Acid Sulfate Soils Distribution - Map 5 for the Gippsland Lakes of Victoria</p> <p><b>NOTE – a further submission from GEG was received 5 May 2023, attached.</b></p>	
21	<p>The Modan drawings for the Fullarton Drive residences, 12 &amp; 28 (there maybe others as well) are incorrect and therefor do not give an accurate impression of the sight line and horizontal view for view sharing opportunity. The 1.5 metre horizontal sight lines from our floor level height does not provide a reasonable view share situation and in some cases, none. An oblique sight line would provide a better view. Further subdivision of any new lot has not been a part of the consideration for inclusion on a Section 173 or covenants on new lot titles. The 18 metre rear set back proposed for some adjoining properties has been omitted. These were numbers 18-42 Fullarton Drive. Concerns for the negative impact on existing and potential wild life in the area particularly kangaroos and local bird life. Increase in local traffic on roads that are often under repair indicating inability to cope with existing traffic conditions let alone an increase. Concerns over negative impact on environment including land, air and unique East Gippsland water ways. Climate change and global warming potential for water level rises and increase risk of further environmental crisis'. Including potential increase risk of flooding.</p>	<p>Reduced quality of life, impact on mental health, considerable financial hardship resulting in possible moving away from the area.</p>
22	<p>1 The size of the allotments from lot 16 to 33 are too small. High density developments so close to a recognised wetlands which provides a breeding ground for many native birds and animals could be inappropriate. The wetlands are also the home and hunting grounds for several pairs of Sea Eagles a protected native bird. 2 The walking track is a much valued feature of the Paynesville Eagle</p>	<p>The size of the proposed allotments will make huge difference to the unique environment that attracted us to Eagle Point Village. It is a quiet traffic free place to live. 32 small allotments at such close proximity will take</p>

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	<p>Point community. It 's abundance of bird life and vegetation provides a unique environment for not only local residents but also the many holiday makers who frequent this area to enjoy. This quiet and peaceful environment will be spoiled by the proximity of high density housing. 18 households so close to this valued walkway will contribute both visual and noise pollution. 3 Climate change can no longer be denied. Recent rain events have created extremely waterlogged soil throughout the Eagle Bay Village with a great deal of seepage running from almost all the blocks . The sewerage inspection pits on several blocks have been completely submerged and houses on Sunset Boulevard have made flood calls over the past 18 months. Our own block has had water seeping through it now for 3 months. 4 Climate change is happening faster than was predicted thirty years ago and the current flood markers in the land affected by this planning permit will no longer be accurate, The blocks 16 to 33 could ,in the near future be much closer to a revised flood level. 5 The rapid increase in new housing subdivisions is not being met by the current infrastructure it the Paynesville Eagle Point area. Roads already badly damaged by the recent rain events cannot keep up with the current population, let alone the influx of tourists especially at peak seasons. We have limited medical staff at the local doctors surgery. High density developments are putting a strain on the already stretched infrastructure in this area.</p>	<p>away the very thing we came to live here for. If the land has to be developed surely a more sensitive approach such as fewer but larger allotments would create less disturbance to the environment, the vegetation and the unique native wildlife we currently enjoy. I left Melbourne 49 years ago to come and live in a beautiful quiet and safe place to live. We are not a suburb of Melbourne where land is scarce and high density housing is common place. Reasonable sized allotments create less strain on our environment and leave enough room for both people and the animals to enjoy this wonderful place we live in.</p>
23	<p>-The drawings are incorrect particularly residences 12,28 and do not give an accurate sight line &amp; horizontal view - Potential subdivision of new lots. No guarantee from council that this cant happen. Possibility of government / council changes, that impact "view sharing" arrangement's that are in fact a possibility- - Increased traffic. We have a corner block on Fullarton &amp; the so called Molly . We have a west facing garage that is access into our house which currently has no traffic. With a traffic flow increased from zero to anything puts our egress and ingress at increased risk. - In your recent presentation there was comment made around improving the storm water run off and the improvement that this sub-division will make. Swans nest in that area and it is my concern that the addition of the division will actually adversely affect the lake system not improve it. - View sharing. Current North side Fullarton resident's share the view with the Kangaroos. Future builds don't have to share any of their views as they are deemed frontage. Would request a review of the terminology "view sharing" - Existing walk from Fullarton to Eagle Point. Placing a road way in-between the current walking track has the potential to impact the current tree line that exists. That tree line that is planned to be maintained exists on the current land fall. Changing that landfall will adversely affect that frontage – I cannot find a power infrastructure feasibility study performed on, not only this sub-division, but all the other sub-divisions in this region. AusNet do not have a current Network Support Agreement in place. This area installed an SVC in 1999 and 2 gas fired units in 2000 / 2001 to provide network stability. The area has and</p>	<p>Negative impact on the following Environmental impact on EG water ways Area adversity And all of the above</p> <p>Loss of continuous power supply</p>

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	is growing significantly with power demands increasing. Adding additional load to the area will result in network instability We have quite a few elderly homes in this region that rely on continuous supply of power	
24	Rear setback provisions to proposed building envelope of the 10 metre setback. Clause 89 states that any future subdivision layout should lessen the impact on the properties deemed to have "Moderate to Severe " impacts. As the impact on 24 Fullerton Drive was deemed by VCAT to be Severe, this indicates that for in building in the future development the setback of 18 metre, mentioned in Clause 77 would need to be further down the slope and /or the highest part of the house would need to be less than 4.5 metre high through excavation. The inference from this VCAT decision for 24 Fullerton Drive is that any future development would have to protect the view amenity from the top third of the wetland outwards to the existing lake and mountain vista . Clause 67 identifies that the amenity impact from properties on the north side of Fullerton Drive would be potential loss of views of Lake King and the wetland area. Clause 83 shows that VCAT gave weight to maintaining a reasonable share of the horizontal (panoramic) view enjoyed from the living and deck areas of the houses on the north side of Fullerton Drive.	If the permit is granted in the proposed state it would have a severe impact of our view amenity of the wetlands and part of Lake King and the loss of our bird life watching. The peace of serenity of our area will be understandable lost during any construction, especially to all the wildlife down on the wetlands. Will be more residents and traffic noise. Also with out major alterations to Exit Burden Place onto Paynesville Rd will render it vitally impossible to Exit. It's already hard with the Service station there with people pulling in and out of it and cars ,trucks and boats parking on Paynesville Rd .
25	<p>While this application for development has been tweaked around the edges since the previous applications in 2010 and 2014, it remains an essentially inappropriate outer-Melbourne urban style development which has been detrimental to Paynesville's character and image. The double row of lots above Fullarton Point are crammed into the available space, being only 600-700 sq m in size and are strongly reminiscent of the Coast development, which does nothing to improve the image of Paynesville as a coastal town.</p> <p>The Council and VCAT criticisms of the previous applications are largely still applicable today, particularly with respect to the recognition that the existing open farmland is linked visually to the foreshore reserve and Point Fullarton. The proposed housing development literally crowds the walking track and Fullarton Point and would irrevocably degrade the sense of space which gives the Foreshore reserve and walking/cycling track its special character.</p> <p>While this development application is not substantially different from that of 2014, in the last 8 years the world has changed in ways that make this development totally unacceptable.</p> <ul style="list-style-type: none"> <li>The World Economic Forum's <i>Global risks report</i> identifies critical global risks, of which 4 of the top 5 risks are related to the environment: extreme weather, climate action failure, human environmental damage, and biodiversity loss and ecosystem collapse. (<a href="#">World Economic Forum 2021</a>).</li> </ul>	As a resident of Paynesville, I would experience the further destruction of what was once a healthy, unspoiled ecosystem. As an impacted landowner, I would experience a significant loss of enjoyment of my property, as well as a depreciation in value.






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	<ul style="list-style-type: none"> <li>The Australia State of Environment Report 2021 (SoE Report 2021) states that , habitat loss and degradation remain the main threats to land-based species in Australia, impacting nearly 70% of threatened species. Ecosystems and species seldom respond to pressures in isolation, and the most abrupt changes in ecological systems frequently arise from interactions among multiple pressures rather than changes to a single pressure... Extreme events can also provide a tipping point that overwhelms systems under multiple pressures. (SoE Report 2021)</li> <li>This development application largely ignores the fact that it is in close proximity to Point Fullarton, a significant Ramsar-designated wetlands area. “The act of designating a wetland as a Ramsar site carries with it certain obligations, including managing the site to maintain its ‘ecological character’ and to have procedures in place to detect if any threatening processes are likely to, or have altered the ‘ecological character’”. (Gippsland Lakes Ramsar Site Management Plan, East Gippsland Catchment Management Authority, Bairnsdale. 2015)</li> <li>The location is an environmentally sensitive area which is threatened due to rising sea levels, shoreline retreat and increased frequency and severity of flood events. The compounding pressures caused by building 59 houses on the fringe of the threatened wetlands will place a number of additional stresses on the sensitive area. Past development has resulted in fragmentation of the wetland areas in the Lakes, and the adverse effects on a small remnant wetlands such as Fullarton Point is magnified.</li> <li>The proposed development would cause “hemming in” or “coastal squeeze” where the ecosystem is eroded by rising sea levels but is unable to migrate inland because of the built environment.</li> <li>Pressures on Australian biodiversity have not improved since the 2016 state of the environment report, and outcomes for species and ecosystems are generally poor. Our inability to adequately manage pressures will continue to result in species extinctions and deteriorating ecosystem conditions unless current management approaches and investments are substantially improved. Australia State of Environment Report 2021 (SoE Report 2021)</li> </ul> <p><b>Impacts on human health and wellbeing</b></p> <p>The links between biodiversity and human health and wellbeing are becoming increasingly obvious. For example, contact with nature is associated with positive</p>	

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	<p>mental health benefits, and can promote physical activity and contribute to overall wellbeing. A major challenge today and into the future is to maintain or enhance beneficial contributions of nature to quality of life and wellbeing for all people. The ecosystem services framework, which recognises the social, ecological and economic benefits that people derive from nature, has become a cornerstone of conservation</p> <p>Environmental decline and destruction is harming our well-being (SoE Report 2021)</p> <p><b>Comments on aspects of proposal:</b></p> <ul style="list-style-type: none"> <li>• There has been insufficient community consultation for a development that is of major importance for all our local areas, in particular Paynesville, Eagle Point and Raymond Island.</li> <li>• The importance of wetlands is increasingly recognised in the community, both in the protection of existing wetlands "Environment concerns over wetland." (Bairnsdale Advertiser Oct 5, 2022) and in efforts to create new wetlands "Wetlands project a winner for the environment." (Bairnsdale Advertiser Oct 12, 2022.)</li> <li>• The proposed residential development will alter the ability of the soil to absorb water. At present, rainwater soaks into the soil. If the area is developed, it will consist of hectares of hard non-porous surfaces – roadways, footpaths, gutters, driveways, roofs, decking, paved and pebbled gardens – which cannot absorb water. This will result in a significant increase in contaminated stormwater and run-off. In a storm event, the pollutants and biological contaminants will end up in the wetlands and the lake, promoting further deterioration and algal blooms. The proposed stormwater disposal basins will be inadequate to deal with the kinds of torrential downpours and flood events that are happening with increasing frequency with climate change.</li> <li>• During construction, the ground will become compacted and rainstorm events will carry large sediment loads and pollutants down the slopes to the wetlands below.</li> <li>• The likely presence of Coastal Acid Sulfate soils is a potential hazard. "Soil containing metal sulfides is usually not a concern when it remains undisturbed or covered by water, but if it is exposed to air it can pose a risk to water quality." (<a href="https://www.waterquality.gov.au/issues/acid-sulfate-soils">https://www.waterquality.gov.au/issues/acid-sulfate-soils</a>) Acid sulfate soil can lead to reduced pH, decreased oxygen concentration in water and the release of heavy metals such as cadmium and lead, and metalloids such as arsenic. Acid and other contaminants can enter waterways and wetlands when soils are rewetted. Decline in water and soil quality poses a risk to aquatic ecosystems, human health, infrastructure, primary industries, and social amenity of waterways.</li> </ul>	

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	<p><a href="https://www.waterquality.gov.au/issues/acid-sulfate-soils">https://www.waterquality.gov.au/issues/acid-sulfate-soils</a>)</p> <p>Best practice in 2010 was to avoid disturbance of the soil. In 2022, in an environmentally sensitive area it should be a required response.</p> <ul style="list-style-type: none"> <li>• The proposed recreation area is unlikely to be used as such (like the one at Coast). Flood-prone, mosquito-ridden, presence of snakes – not safe or attractive as a playground or community meeting area</li> <li>• The emphasis on retaining one significant Gippsland Red Gum ignores the fact that the area is an ecosystem, and each apparently minor feature plays a part in the whole. All the trees, all the vegetation, the soil, the water, the wildlife, all play a part to protect the whole. Trees do not thrive when they are solitary.</li> <li>• The open farming land is part of the ecosystem – it provides a hunting ground for raptors and grazing for kangaroos. A token narrow strip of land will not provide the scale needed for an ecosystem to thrive.</li> <li>• There is a crisis of available housing in East Gippsland, however this development is not the appropriate response. Firstly, the land that was sold to these developers comprised 320 allotments, therefore there are 261 allotments available in less sensitive sites from this developer alone, along the main Paynesville Rd, for instance. Secondly, the housing shortage is primarily in areas of social housing, affordable housing and rentals, none of which would be served by this particular subdivision.</li> <li>• The proposed proximity of a residential development to the ecosystem below increases multiple risks - disturbing wildlife habitat, introducing invasive species from garden escapes, and predation of domestic animals, particularly cats. Not everyone keeps their animals confined as they should. Pet waste, grass clippings and fertilizers are brought closer to the wetlands, causing eutrophication or algal blooms when they are swept downhill in a rainstorm.</li> <li>• Ecosystems and species seldom respond to pressures in isolation, and the most abrupt changes in ecological systems frequently arise from interactions among multiple pressures rather than changes to a single pressure. Compounding effects erode ecosystem resilience, leaving a system more susceptible to future change. The cumulative effect of multiple pressures over many decades across whole regions and landscapes and seascapes, especially within and around intensive land-use and marine-use zones, exacerbates fragmentation and further degrades the quality of remnant native habitats, which support many threatened plants and animals. Extreme events can also provide a tipping point that overwhelms systems under multiple pressures. (SoE Report 2021)</li> </ul> <p><i>It is all our children and grandchildren who will suffer or thrive as a result of the decisions we make now about our precious marine and coastal environments. We need to work together to change and adapt to the current environmental, social</i></p>	

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	<p>and political climate. (<a href="https://www.marineandcoasts.vic.gov.au/coastal-management/marine-and-coastal-strategy">https://www.marineandcoasts.vic.gov.au/coastal-management/marine-and-coastal-strategy</a>)</p> <p><i>I propose that a better use of the land in question would be to establish an extensive open green recreation space with plantings of native flora, playground and barbeque area on the hillside, well above the wetlands, with walkways connecting the walking/cycling track below with the established communities above.</i></p>	
26	<p>1. Increased traffic along Fullarton Drive with negative impacts on neighbourhood safety, amenity and quiet enjoyment of what is currently a no through road. The traffic management plan should consider the impacts of the fully completed development, including planned future developments westward to Bay Road Eagle Point. The number of likely vehicle movements and the potential for Fullarton Drive to be used as an alternative through-route from Eagle Bay to Paynesville should be addressed now, at this stage in the development. Traffic "taming" measures such as chicanes, lowering the speed limit to 40 kmh and other measures to slow or deter through traffic should be set out, to reassure current residents that their rights to road safety and quiet enjoyment of the neighbourhood will not be sacrificed or over-ridden in the planning process. 2. Density of development. The large lot sizes identified in the proposal could potentially see future proposals to further subdivide these lots. Expectations for further subdivision should be prevented as part of the planning determination. The arguments for not allowing closer settlement in this zone, being adjacent to the Ramsar wetland and within an existing neighbourhood settlement pattern, are already well-established. 3. Sight lines to the north over Fullarton Point Wetlands for existing residences should be maintained through establishing meaningful and effective sight lines that minimise the impacts of new structures and garden plantings and allow existing residences to maintain their current views. The sloping nature of the land lends itself to terracing to allow this to happen. Oblique, rather than horizontal sight lines should be established to allow the continuation of this important amenity. 4. The impacts of stormwater runoff and closer settlement on Point Fullarton Wetlands. Being listed under the Ramsar Treaty these wetlands have international significance and deserve the highest standards of protection and enhancement as part of our national obligations under the Treaty. The proposed development should be consistent with the approved plan for management for Ramsar listing of this wetland. The artificial wetland created for stormwater retention and treatment should be designed and operated so that it works to maintain and enhance the biodiversity values of this important locality. As well as managing stormwater nutrient pollution, the plan for this wetland should address aquatic habitat establishment to enhance the function of the adjacent</p>	<p>As it currently stands, I fear that the multi-lot development would lead to greatly increased traffic movement along our peaceful street, with the potential for increased vehicle speeds as future developments to the west cumulatively add to the traffic load and would inevitably lead to its use as a through road. I greatly enjoy the special values of the Point Fullarton Wetland and fear that insensitive design or operation of a stormwater detention basin from this development could unintentionally harm those values, perhaps permanently. I highly value local neighbourhood cooperation and the sense of this being a strong, connected community, with considerable social capital. If existing sight-lines are lost, then this will signal lack of respect for existing residents and their own values; which would likely breed resentment and foster division and antagonism between residents. This would indeed be a significant and unnecessary loss of the most important community amenity.</p>

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	<p>Ramsar wetland; plus establishment of fringing native bushland to extend and enhance the existing strip of foreshore vegetation and provide connectivity. Management of aquatic weeds, pest animal species and garden-escape weeds from house lots should also be addressed. Given the serious nature of our international obligations and the need for performance-reporting on our Ramsar wetlands, these matters should be addressed up-front in the development proposal and not left as an incidental afterthought for the developer after development approval. The Ramsar wetland has already been significantly affected in the past with its area reduced from land-filling from previous development; and the highest exemplary standards should now apply to prevent further impacts on the values that are supposed to be protected under the Treaty. 5. There is an opportunity for this proposed development to work as an example of how community amenity, road safety and environmental amenity can actually be enhanced. Why not?? - If not here now, then where and when could such outcomes be achieved?</p>	
27	<p>I was part of the Friends of Fullarton objector group to the two previous applications and subsequent VCAT hearings. I am now a resident of Violet Town Victoria but have an ongoing interest in the current application.</p> <p>1. The proposed development does not rectify the inadequate view-sharing deemed by VCAT as unacceptable in the 2014 proposal. This was one of the three reasons VCAT upheld the Council's decision to refuse the application.</p> <p>2. The 2022 application will still result in 'severe' or 'moderate' impacts on the existing residential visual amenity of many of the houses on the north side of Fullarton Drive burdened by the restrictive covenant of 4.5m maximum height. There will be an unacceptable interruption to the panoramic view of the mountains, Lake King and the northern section of the wetland as detailed by VCAT in the 2014 decision (Clause 67).</p> <p>3. The proposal does not achieve a 'reasonable' sharing of the view and fails to adequately assess the negative impact of the proposed building envelopes for each individual lot in Fullarton Drive that is constrained in perpetuity by the 4.5m building height covenant.</p> <p>Part A of my submission focuses on the points 1 and 2, and Part B on point 3.</p> <p>A. The main issue is one of discrimination The boxed information below summarises information from the 2014 VCAT Order that relates to view-sharing. In my opinion there are several basic shortcomings with the 2014 VCAT decision relevant to this:</p> <p>4. At the site meeting, the VCAT members took photos from standing and sitting positions. They explain in Clause 84 why they chose the 1.5m standing position as their basis of assessment while acknowledging in the next Clause 85 that this</p>	<p>I have examined the current application in the light of the 2014 VCAT decision VCAT REFERENCE NO. P2565/2013, PERMIT APPLICATION NO. 1/2012/P. I want to ensure that the principles around view-sharing are implemented by any future development. The attached document provides full details of my objection, which I have supported by references to the 2014 VCAT Order as well as several relevant VCAT cases.</p> 

Objector	Grounds of Objection	How Objector will be impacted
	<p>finding would have a severe impact upon the views of many properties from a 1.2m sitting position. Although VCAT provides four reasons for choosing the 1.5m height, Clause 85 confirms to me that the 1.5m view height is discriminatory and favours the developer over the request of the residents to have a reasonable part of their residential amenity preserved from a sitting position.</p> <p>5. Yes, the entire Fullarton subdivision was rezoned residential in the early 1980s and there was no covenant imposed on the whole site to maintain the views of the properties burdened by the 4.5m height covenant. This was a developer decision so that double-storey houses could be built on the southern side of Fullarton Drive and maximise the price of blocks that would benefit from protected panoramic views. In 2022, there is now the opportunity to ensure that past decisions can be rectified so that there is no discrimination to residents relative to developer interests.</p> <p>6. From the site visit data, VCAT assessed that the impact on 9 of the 19 houses would be either 'severe' or 'moderate' (Clause 86), which they deemed was unacceptable and would need addressing in any future application. But this was based on the 1.5m viewing height. If the usual everyday sitting height had been applied, most of the 19 houses would have fallen into one of these two categories. This would also apply to houses in Fullarton burdened by the 4.5m restrictive covenant that were not visited by VCAT.</p> <p>7. I have attached one of the photos taken by VCAT on 5 September 2014 from a standing position in the lounge room of No 26 Fullarton Drive. This illustrates VCAT's technique of using the surveyor's 4.5m pole to extrapolate the horizontal viewline across the panoramic view. It is clear that the top of the pole 'touches' the bottom of the hills on the northern shore of Lake King. A new house at this height would block all of the view of Lake King and the entire wetlands. This also illustrates that for a resident sitting on the lounge in their everyday viewing position the view towards the sky would be blocked even further upwards.</p> <p>8. The 1.5m viewing height parameter that the 2014 decision has imposed is a form of discrimination on the existing residents whose house height is constrained by the 4.5m covenant. It fails the test of 'reasonableness' to their current panoramic east-west view. It discriminates against residents who do not reach a standing eye-level of 1.5m and are at least 1.62m tall. The average height of Australian females is around 1.62m. Approximately 50% of females alone are not this tall and would have their view blocked. It also discriminates against older people who get shorter as part of the ageing process.</p> <p>9. It is not 'reasonable' to use 1.5m as the measure for view-sharing because it denies the everyday fact that households spend far more time eating at tables,</p>	 



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	<p>sitting on outdoor furniture, and sitting inside and looking out compared to standing and looking at a view. This is not just true of Fullarton Drive residents, but of the population in general. It is unfair to expect that an existing residential amenity should be enjoyed from the standing position only. Given the demographic composition of Paynesville, many residents are in their older years and spend a lot of time at home. They do not want to and/or are unable to stand for long periods. The requirement of standing to achieve view-sharing adds a layer of discrimination for residents of all ages. Not to mention residents who are currently confined to wheelchairs or may be so in the future. Their existing view sharing amenity will be obliterated if the 1.5m height is adopted over the 1.2m sitting height.</p> <p>10. Ergonomic studies in the UK for seating in theatres use an average eye-level of 44 inches above floor level, which equates to just over 1.1 metres viewing height. This is even less than the 1.2m level that was proposed by the Fullarton Drive residents in 2014 as acceptable for their everyday amenity.</p> <p>11. VCAT acknowledged in Clauses 79, 80 and 82 that the current view amenity is panoramic. However, the horizontal or 180-degree east-west viewline of each property visited was not fully assessed. The VCAT members mostly focused on a view with the pole at the highest point of the block directly in front of an existing house. There was not a full assessment of view impairment of the entire panorama that would result from new houses to the right and left of the one containing the pole.</p> <p>12. The current application does not address this either. In fact, it does not mention 'panoramic' or 'horizontal' views at all. The analysis of view-sharing completely avoids this terminology and form of assessment, despite the VCAT Order clearly describing what constitutes the panoramic view in Clause 80.</p> <p>VCAT REFERENCE NO. P2565/2013 PERMIT APPLICATION NO. 1/2012/P made on 24/11/2014</p> <ul style="list-style-type: none"> <li>• The permit for a multi-lot subdivision was not granted.</li> <li>• Clause 3 states one of the three the aspects of the proposal that were not acceptable to VCAT as: the amenity impact of view sharing.</li> <li>• Clause 5 is about the issue of view sharing. VCAT did a detailed analysis from the inspection of individual houses and found that a reasonable sharing of views had not been achieved by the revised plans presented on the final day of the hearing.</li> <li>• Clause 60 states that any future 2-storey homes should address the potential amenity impact of view-sharing on existing residences.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Clause 67 identifies that the amenity impact from the properties on the north side of Fullarton Drive would be 'the potential loss of views of Lake King and the wetland areas'. (In other words, the amenity included views of the lake and part of the wetland, not just the mountains and the horizon.)</li> <li>• Clause 79 states that VCAT considered the overall viewshed or panorama.</li> <li>• Clause 80 describes the overall view as 'the vegetation along the foreshore walking track, the wetlands, the lake, the mountains in the distance and the sky above'. (In other words, these are the elements that make up the panoramic view.)</li> <li>• Clause 82 relates to the applicant's proposed building envelopes which they claimed provided adequate view corridors. However, VCAT were 'not persuaded that the vertical view corridors achieve a reasonable sharing of views... given the existing panoramic views currently enjoyed.</li> <li>• Clause 83 shows that VCAT gave weight to maintaining a reasonable share of the horizontal (panoramic) view enjoyed from the living and deck areas of the houses on the north side of Fullarton Drive.</li> <li>• Clause 84 states the reasons the VCAT members deemed the sitting position to be an unreasonable height for assessment of view-sharing.</li> <li>• Clause 85 acknowledges that using the 1.5m viewing height will affect the amenity of many of the properties, and that 'the impact upon their sitting positions will be severe'.</li> <li>• Clause 86 provides the guidelines for assessment the level of impact of the proposed building envelopes. Where the view of the wetland and lake were mostly or totally lost, the assessment was deemed 'severe' (Nos 8, 26, 28, and 42). Where the view of part of the lake is maintained, the assessment was 'moderate' (Nos 12, 18, 22, 24, and 34).</li> <li>• Clause 87 states that 'the subdivision layout should be able to achieve a more acceptable extent of impact across each property than that contained in this proposal.' The VCAT members were not 'persuaded the extent of the impact on view-sharing achieves a reasonable outcome.'</li> <li>• Clause 89 states that any future subdivision layout should lessen the impact on the properties deemed to have 'moderate to severe' impacts at a 1.5m standing view height.</li> </ul> <p>B. Simplistic presentation of view-sharing in the application</p> <p>13. The application presents on pages 71-76 section plans for 6 proposed new houses juxtaposed with an existing neighbour in Fullarton Drive or Eagle Bay Terrace. Only 3 of these are on the northern side of Fullarton Drive burdened by</p>	

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	<p>the 4.5m covenant - Nos 12, 28 and 54. These were also 3 of the 19 houses visited by VCAT in 2014.</p> <p>14. The sectional diagrams are difficult to interpret and contain inaccuracies. Measurements have only been provided for 2 out of the 6 new houses and the data for Nos 12 and 28 Fullarton have been transposed and do not correlate with the map data on page 70. The application should be refused just on this point alone. It contains inaccuracies and should be corrected.</p> <p>15. There are also no similar diagrams for at least the other 16 houses that VCAT visited in 2014. To be fair to all affected properties burdened by the 4.5m covenant - not just the 16 who joined the VCAT action - the same analysis should be made.</p> <p>16. The 6 sectional diagrams are simplistic - they show a viewline extending in a straight-line into infinity. They do not indicate what proportion of the panoramic view of the mountains, Lake King and the wetlands is achieved (or is blocked). They are not an appropriate tool for assessing the full impact on existing views. They are also a completely different technique to the accepted technique that VCAT used.</p> <p>17. It is also disturbing to see that the first and second points of the NOTES section say that the diagrams are 'indicative only' and 'finished surface levels are subject to engineering design'. How trustworthy can they then be, especially where the view just skims the roofs of most of the proposed new houses?</p> <p>18. Sectional diagrams do not take the standing/sitting perspective used by VCAT. Photos using a surveying measurement pole provide a more acceptable way to judge the impact. If a horizontal line is drawn across the 180-degree perspective taken by VCAT in 2014, this gives a clearer and more easily interpreted assessment tool.</p> <p>19. The application does not adequately address the issue of reasonable view-sharing. The 2014 VCAT Order says that 'severe' or 'moderate' impacts are not acceptable. The application does not mention these terms at all. The sectional diagrams do not prove that just because a straight line can be drawn skimming the top of the roof of a new house that views will be acceptable on the VCAT scale.</p> <p>20. The categories 'minor', 'moderate' and 'severe' are subjective. Clause 86 of the VCAT Order provides the clues to how VCAT arrived at these, but these</p>	

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	<p>categories are not used by the applicant. It is obvious that this type of assessment cannot be made from the sections presented.</p> <p>21. The Council should refuse to consider the application further based on the inadequacies of sectional diagrams and the fact that this is a different assessment technique from that used by VCAT. It is not acceptable that VCAT's technique has not been matched.</p> <p>22. The proposed roofing design in the applicant's building envelopes will also impair views. Hip roofs are better for view sharing, giving more space either side of the triangular shape compared to a flat or skillion aligned parallel to the horizon. (See photos.)</p> <p>23. The application does not use any 3D simulation for each house that is restricted by the 4.5m covenant. In fact, for a development of this size and expense, a more sophisticated 3D model providing greater accuracy should be requested.</p> <p>24. 'View sharing has become a significant environmental impact issue for urban development assessment and requires special knowledge of 3D simulation of effects on views and the preparation and use of photomontages as a tool for analysing view loss.' (From the website of Richard Lamb &amp; Associates, providers of expert testimony on the impact of development proposals on view loss and view sharing. Richardlamb.com.au).</p> <p>25. On the final day of the 2014 hearing the applicant provided 18m and 10m setbacks, yet the VCAT site visit proved that there were still 'moderate' and 'severe' impacts on at least 9 houses. The current application has reduced these setbacks to 10m and 5m so the likelihood of this number increasing is strong. The application fails the 'reasonableness' test because the section diagrams are not able to test point (d) in the Victorian benchmark case (in paragraph 27 below) often used in cases where view-sharing is at issue.</p> <p>26. The applicant makes the following statement on page 21 about lessons learnt from the two previous VCAT hearings: 'The proposed subdivision design was considered by VCAT not to achieve appropriate view sharing. VCAT observed that two storey form is acceptable provided reasonable view sharing is incorporated.' However, the simplistic and minimalistic approach taken to assess this is evidence to me that the applicant has not learnt the full lesson about view-sharing, especially as the viewline on the sectionals is not angled to an end point in the landscape instead of leading in a straight line to infinity.</p>	

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	<p>c. Relevant VCAT cases</p> <p>27. The fact that views form an integral part of residential amenity and therefore a relevant consideration in planning assessments was derived from Tashounidis V Flinders SC (1987). The principles are:</p> <ul style="list-style-type: none"> <li>a. There is no legal right to a view.</li> <li>b. Views form part of the existing amenity of a property and their loss is a relevant question to take into account.</li> <li>c. The availability of views must be considered in the light of what constitutes a reasonable sharing of these views.</li> </ul> <p>In addressing the concept of 'reasonableness' it is relevant to consider:</p> <ul style="list-style-type: none"> <li>d. the importance of the view to be lost within the overall panorama available</li> <li>e. whether those objecting haven taken all appropriate steps to optimize development of their own properties.</li> <li>f. Added emphasis will be placed on principles (b) and (c) above if the issue of views is specifically addressed in the planning scheme.</li> </ul> <p>28. In Healy and Others V Surf Coast (2005), VCAT determined that the portion of the panoramic view to be lost contained a significant natural feature, and that the loss of view was unreasonable even though the planning scheme allowed a double-storey extension to be erected. VCAT found that the extension must be designed to have less impact on neighbouring views than what was proposed. From the site visit in September 2014, VCAT deemed that the views of the mountains, Lake King and part of the wetlands were significant features whose loss if 'severe' or 'moderate' was unacceptable.</p> <p>29. In Centrum Architects Pty Ltd V Surf Coast SC, Morling and Others an application for review was lodged against the Council decision to refuse a planning permit on the grounds that it would result in an unreasonable impact on the amenity of adjoining dwellings by way of interruption to the ocean and coastal views, so did not achieve a reasonable sharing of the view. VCAT found that the neighbouring properties' views would be substantially affected by the proposal. It also found that many of the objectors' houses were only single storey and had not been developed to their full potential as is required in (e) above. Therefore VCAT overturned the Council decision.</p> <p>This is not the situation for the houses along Fullarton Drive that are burdened by the 4.5m restrictive height covenant and are unable to be built up to rectify any impact of new houses on view-sharing.</p>	

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	<p>Conclusion</p> <p>30. EGSC should refuse to grant a permit for Application 344/2022/P at 10 Fullarton Drive Paynesville based on the lack of evidence that the proposed development will provide a reasonable sharing of the existing panoramic view amenity of residents.</p> <p>31. In refusing the application the Council has the opportunity of creating a precedent by requiring that any modification to the plans should be based on the less discriminatory 1.2m sitting level viewline.</p> <p>32. In refusing the application the Council should require that any revised application must use at least the same technique as VCAT for assessing the impacts on views, if not a more sophisticated 3D modelling technique.</p>	
28	<p>I object to this application (344/2022/P 10 Fullarton Drive, Paynesville) as it does not provide reasonable view sharing to all adjoining residents as determined by VCAT in their decision in the previous development proposal for this land (VCAT Reference P2565/20132 Planning Application 1/2012/P ). The new application states..."To review the appropriateness of the proposed maximum heights, a series of sectional drawings have been prepared by Modan which demonstrate how views will continue to be shared and enjoyed by adjacent properties and the proposed allotments". The sectional drawings demonstrate nothing of the sort. Rather than demonstrating how views will continue to be shared and enjoyed, they show in some cases how the view will be blocked. Unfortunately the Modan drawings use a horizontal line from the viewer's eye line over the new house and off into some unclear ending point. Mathematically the ending point of the horizontal line has to be the AHD ( Australian Height Datum) of the viewers eye line. Where does the horizontal line end? On some land over the other side of the lake. Clause 86 of the last VCAT decision considered a view line that angled down from the viewer (not straight ahead) to a point on the wetland that was deemed as reasonable view-sharing. The decision categorised the impact of the previous proposal on each of the objector's reasonable view-sharing as either severe, moderate or minor. If views did not contain a good panorama of Lake King and part of the wetland they were deemed severe or moderate. VCAT decided that severe or moderate impacts were unacceptable. In this proposal following the process used by VCAT in the last decision (or even the developer's own application on page 70 of 112), lots 48,47,46,45,43,42,41 and 40 will all have severe impacts on view sharing by their southern neighbours. (That is is not to say there may also be others that will cause severe or moderate impact which should be determined by a more thorough analysis. But these ones are blatantly obvious.) The reasons for this are quite simple. The AHD limits for each of these blocks has been calculated by adding 1.5 metres from the floor level of one of the</p>	<p>I am a previous resident of Fullarton Drive who fought fiercely and successfully against the previous inappropriate development of this land over many years. I continue to care for its appropriate development and I want to ensure a good ( or even better, a great) outcome for this land for the environment, ex-neighbours, friends and new residents. I would be shattered if the application in its current form went ahead after all my hard work in the past. The development application has many excellent features but still needs some serious fine-tuning to be satisfactory. I need to be able to bring my great grand-children down to Paynesville and to be able to say that I was among those who ensured a great development outcome was achieved.</p>





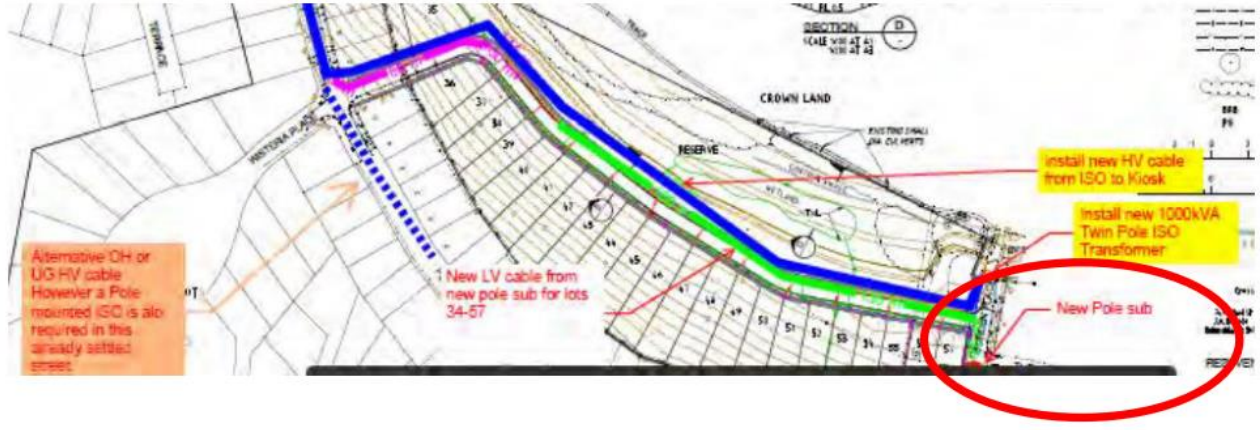
Objector	Grounds of Objection	How Objector will be impacted
	<p>adjoining blocks to the south. Or to quote the application “ the maximum height will not exceed the standing eye level of the immediately adjacent dwelling”. This means that a person standing in a current house with the new house built to its maximum possible height will only be able to see surrounding scenery over the roof line higher than the designated AHD of the new house. In other words, the land over the other side of the lake that is above the viewer's AHD. No shoreline over the other side of the lake, no lake, no wetland. Just some land and the sky. That is nowhere near the reasonable view sharing that the last VCAT decision was proposing. VCAT considered a view that contained part of the wetland and a substantial part of Lake King as reasonable view-sharing. So, the view line must be angled downwards. To adhere to the lessons of the VCAT decision that is the approach that must be taken. This proposal is a much better proposal than the last one and the developer has learnt many things from the previous VCAT decisions. But on this crucial point of not providing reasonable view-sharing to all current residents it is a big fail. Council must reject this application.</p>	
29	<p>1. Rear setback provisions to proposed building envelope. There is an omission of an 18 metre setback on some lots on the proposed plan. VCAT recommended an 18 metre setback for 18-42 Fullarton dve, for good reason. But now it is proposed 10 metres. 2. Section 173. Provision of a condition to prevent further subdivision of individual lots.if this condition is not in place, there is a high risk of further subdivision of the large lots by the new owners. 3. Horizontal sight lines-amenity. The 1.5 metre sight line set at floor level of each northern Fullarton dve residence adjoining the subdivision is inappropriate and doesn't provide a fair view sharing across the wetland, lake and hills. Our viewing of the listed views are, for us,in the seated position. Whether it be in the sunroom, from the dining room table, or on the outdoor furniture on our decking. The average eye level for us in these areas is 1.1 metres. So the proposed 1.5 metre sight line would,for us, be devastating. 4. Potential risk to Point Fullarton wetland. My concern is that there is a potential for the spoiling of the natural features and habitat of the many species of birds and wildlife on the wetland and the shores of Lake King and waters if the best standards of practice are not being met. 5. Exiting Burden place onto Paynesville road. To turn right into Paynesville road now from Burden place can be extremely difficult and dangerous at times. In holiday periods, it is virtually impossible, and to compound the problem, if a car or truck is parked on the road in front of the service station, we cannot see any coming traffic from our left. Very dangerous. With the extra number of vehicles from the proposed estate, a roundabout would have to be installed to allow safe passage onto Paynesville road.</p>	<p>If the permit is granted in the proposed state, we would lose our view of the wetland and part of Lake King and the loss of our birdlife watching. The peace of serenity of our area will be understandably lost during any construction, but may be altered afterwards with more residents and more traffic noise. Also, without major alterations to exist Burden place onto Paynesville road will render it virtually impossible to exit.</p>
30	<p>As a result of the narrowness of the subject land between existing Fullarton Rd premises and the protected Point Fullarton Wetlands, Lots 34 and 35 in the proposed subdivision have been designed to be squeezed in, and because of their subsequent shape the setback has been reduced to 5m. The parcels of land</p>	<p>1. Detrimentially effect our view, comfort and enjoyment due to the reduced setback and low gradient of fall of proposed Lots 34 and 35 2. Detrimentially effect enjoyment of the</p>

Objector	Grounds of Objection	How Objector will be impacted
	are also close to previous Flood water levels - photos taken a day or so after the June 2007 flood peak show the waters nearing proposed Lots 34 and 35. The area of land proposed to be occupied by Lots 34 and 35 does not appear to be suitable and these two lots should be removed from the proposal.	Point Fullarton Wetlands due to the proposed proximity of Lots 34 and 35
30 (first submission)	Lack of clear certainty in the way the limitation of building heights is defined - the use of AHD seems to be an unnecessary complication. The use of 4.5m above a defined point on each lot's building envelope is more easily established and understood and consistent with existing adjacent properties covenants.	Potential loss of view lines - not just directly in front of existing properties but forward to the left and right. Don't want to be relegated to the equivalent of sitting in the backseat rather than being in a front seat!
31	I object to the construction on three grounds: Firstly I believe they have not taken into consideration the current fencing arrangements of Eagle Bay Terrace neighbours. We currently have a 2 metre open mesh fence. Should development occur this will be damaged requiring a replacement fence at our cost. The proposal has three titles adjoining my property and I will be financially and cosmetically disadvantaged. The current traffic along Paynesville Road with construction and residents has resulted in constant damage to the roads surface causing numerous traffic delays and risk of serious injury. Whilst I appreciate the road condition is the responsibility of Vic Roads surely the safety of residents should be a priority for council. In the event of bushfire this may have dire consequences. Lastly no provision has been made for safety of residents as a result of the development with regard to the existing kangaroo population. The development will force far more of them towards the road, surely some plan should be made towards their relocation for their safety and ours.	I believe I would be impacted financially and I also feel my safety will be compromised.
32	<p>We OBJECT to several of the proposed plans for the subdivision and development on several grounds.</p> <p>1. We Object to Burden place being the only access road to this development, one road in and one road out. This will create a living nightmare for all residents of Burden Place, Fullerton Dr, Windermere Tr &amp; The Inlet.</p> <p>The amount of traffic from the onset with various sizes of construction vehicles to get this project off the ground will be an enormous strain for householders in the area.</p> <p>Burden Place Road surface has already been impacted by the recent development to The Inlet and to Windermere</p> <p>2. We OBJECT VERY STRONGLY that another source of access to such a large project has not considered.</p> <p>We object to the findings of the recent traffic assessment and its relativity to time and date of report.</p> <p>EVERY 2nd house has at least 2 cars, a boat or caravan and we all are at risk at the intersection of Burden Place and the Main Road.</p> <p>VERY brave driver who does not look left and right then right again only to have view blocked by a vehicle pulling in to the poorly situated SERVICE Station on the corner. This also is an issue when an oncoming vehicle indicates he / she is turning Left into Burden Pl, so OK to go NO!! they are turning into SERVICE station and your car boat/ trailer or caravan is stuck midway.</p>	

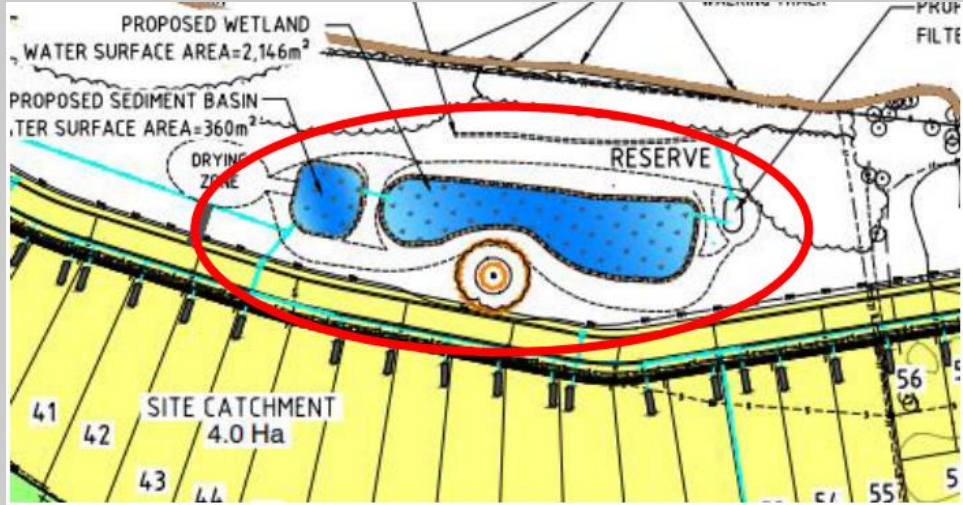
Objector	Grounds of Objection	How Objector will be impacted
	<p data-bbox="499 256 797 280">An ACCIDENT will happen!</p>  <p data-bbox="499 604 1211 684">Road surface in Burden Place since recent new housing projects in The Inlet &amp; Windermere Dr. caused by extremely heavy cartage trucks in the last 3 years</p>  <p data-bbox="499 1286 1883 1339">3.We OBJECT to the Alternative" as shown on the "mark up" to install a pole mounted ISO in the proximity of 51 Fullerton Dr and in direct line of sight to our property 14-16 Burden Place.</p>	

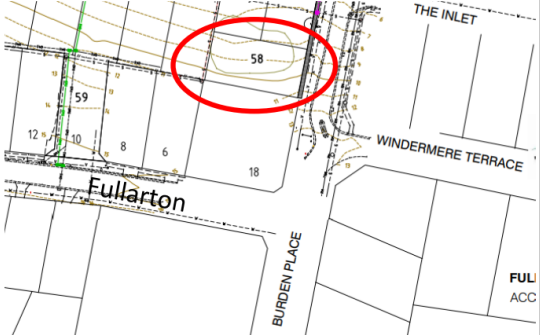

Objector	Grounds of Objection	How Objector will be impacted
	<p>Another object for concrete trucks, steel bearing lorries, road making equipment to negotiate</p> <p>4. We OBJECT to the suggestion of a permanent/semi-permanent wetland area as discussed at our meeting because IT WILL increase mosquito propagation and the increased chance of disease to the immediate population. We have experience with this while living in Qld.</p>	
33	<p>1. The current permit application does not fulfil some recommended conditions previously identified as important through the VCAT process, in particular that there is at least an 18 metre rear set back from the property boundary at the rear of 26 Fullarton Drive and neighboring lots (18-42 Fullarton Drive). This is important to explicitly embed in the planning permit to ensure any future construction does not unduly impact on the values of the existing properties. 2. The proposal for 1.5 metre horizontal sight lines from the floor level height of existing building at 26 Fullarton Drive does not retain a fair share of the view from our family property. The 1.5 metres should be significantly lower. 3. The proposal does not explicitly exclude future subdivision of the new lots. This should be included as a condition of the permit and recorded on title for the proposed new lots. 4. The removal of native vegetation and subsequent impact on local environmental values including resident flora and fauna populations is proposed to occur directly adjacent to an internationally-recognised and protected Ramsar wetland site. This would result in incremental degradation of the local site and of the overall values of the Ramsar site. It would be a lost opportunity to retain and protect locally-important environmental values for the benefit of the Ramsar wetland and for the local community.</p>	<p>I have a family and financial interest in a residential property at 26 Fullarton Drive. It is owned and resided in by my family (parents). The permit will have numerous impacts on the local values and services currently in place (view, traffic, environment, etc.) and will affect the financial value of the property.</p>
34	<p>Blocks 56, 57, 58</p> <p>We object to the placement of lot 58 on several grounds.</p> <p>1. We object to the proposed orientation for lot 58 on the grounds that lot 58 is not in keeping with the block orientation of the proposed development, nor is it in keeping with orientation with houses in The Inlet and Windermere Terrace.</p> <p>2. We object to the orientation of lot 58 (see Diagram below) on the grounds of pedestrian and traffic safety. The drive way to this proposed property will be on Burden Place, (the only property in the proposal to do so). The frontage of lot 58 is very close to the road junction of Burden Place and Windermere Terrace. This junction consists of a sharp bend entering Windermere terrace and a steep drop off in the continuation of Burden Place. The ingress &amp; egress of any drive way position to this lot is significantly visually impaired, increasing the danger to pedestrian, bike riders and vehicle traffic.</p>	

Objector	Grounds of Objection	How Objector will be impacted
	 <p>We suggest that the proposal for lot 58 is eliminated and that instead lots 56 &amp; 57 are extended in length in a similar way to lot 55.</p> <p>3. We object to the Burden Place/Windermere Terrace intersection junction (see below diagram) entrance to this development site being used for construction traffic at any time and at any stage of the construction of the site infrastructure and proceeding house/property builds. This junction has been designed for traffic calming and safety, the passageways are narrow and are not meant for heavy construction traffic.</p> <p>We will be directly affected if construction traffic is allowed to access the site using this access route, in the form of possible damage to the nature strip and road way, noise, dirt and air pollution.</p> <p>We suggest that the developer and the council propose a plan to ensure that this road junction is not used by heavy vehicles or equipment for the duration of the site development and that plan should include the provision of warning signage at the mentioned junction and a process of compliance monitoring.</p>	



Objector	Grounds of Objection	How Objector will be impacted
	 <p data-bbox="499 762 1888 869">4. We object to the "Alternative" shown on the "mark up" to install a pole mounted ISO in proximity to 51 Fullarton Drive, as the required pole mounted infrastructure would be visually obtrusive to the properties in direct line to this new pole. We note that this is not the preferred method of supplying electric power to the development, but we would like it firm written in the approval that this will not happen.</p> 	



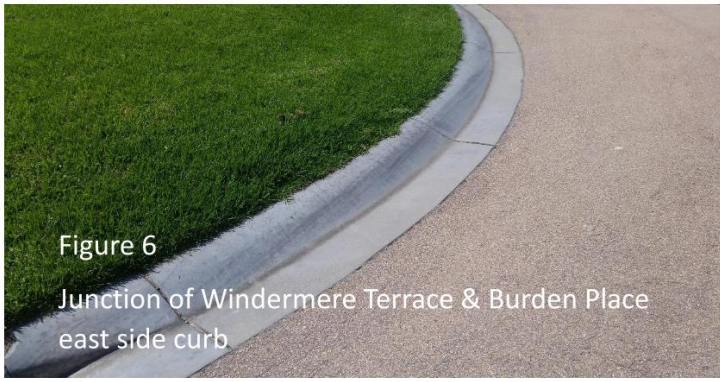
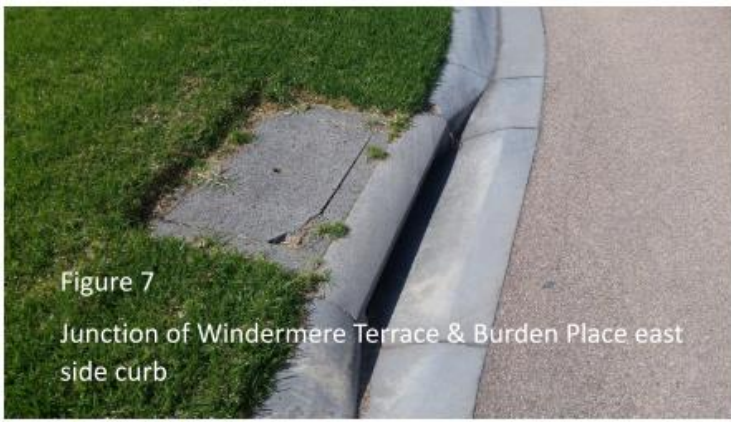
Objector	Grounds of Objection	How Objector will be impacted
	<p>5. We object to the creation of a permanent/semi-permanent wetland area as shown in the diagram below on the grounds of increased mosquito propagation and the subsequent increased chances of incidents of disease transmission to the immediate population of illnesses such as Ross River Fever. This could directly affect ourselves. We suggest that the council/developer includes a study and mitigation plan for council/public consideration.</p>  <p>6. We object to the full validity of the Traffic Impact Assessment report of 10 Fullarton Drive on the grounds of the following:</p> <p>a) The access to lot 58 has been incorrectly assessed. In the report G31597R-01B on page 19 it states "It is noted that one (i) property, Lot 58, will also directly access the existing section of Fullarton Drive". As it can be seen in the diagram below Lot 58 does not have any access directly to Fullarton Drive. This affects us directly as the road access has been incorrectly reviewed and we can not comment on the correct findings of the report.</p> <p>We suggest that the author of the plan re-assesses this detail in their report and the report is re-issued for public scrutiny.</p>	

Objector	Grounds of Objection	How Objector will be impacted
	 <p>b) We object to the assessment made to the North End of Burden Place (the section to the north side of Windermere Terrace), on the grounds that the report does not show or highlight the specific details of the intersection between Windermere Terrace and Burden Place on the north corner. In the report G31597R-01B on page 13 the picture figures 12 &amp; 13 show north &amp; south facing views and omits the view or review of the intersection at Windermere Terrace.</p> <p>Please see our included pictures below.</p> <p>This affects us directly as the road access has been incorrectly reviewed and we cannot comment on the correct findings of the report.</p> <p>We suggest that the author of the plan re-assesses this detail in their report and the report is re-issued for public scrutiny.</p> <p>Figure 1 shows the approach to Burden Place at the corner of Windermere Drive, note the traffic control features at this junction of signage &amp; island structure.</p>  <p>Figure 1 Junction of Windermere Terrace &amp; Burden Place North eastly facing</p>	

Objector	Grounds of Objection	How Objector will be impacted
	<p data-bbox="499 233 1720 256">Figure 2 the view travelling west on Windermere Terrace, highlighting the road fall off and impeded traffic visibility.</p>  <p data-bbox="521 475 1093 595">Figure 2 Junction of Windermere Terrace &amp; Burden Place North westerly Facing</p> <p data-bbox="499 647 1787 671">Figure 3 the view travelling south on Burden place towards the Windermere junction, note the narrowing lane conditions.</p>  <p data-bbox="521 874 1104 994">Figure 3 Junction of Windermere Terrace &amp; Burden Place South Facing</p> <p data-bbox="499 1054 1738 1078">Figure 4 the view travelling north into Burden place off the Windermere junction, note the narrowing lane conditions.</p>	

Objector	Grounds of Objection	How Objector will be impacted
	 <p>Figure 4 Junction of Windermere Terrace &amp; Burden Place North Facing</p> <p>Figure 5 the view of the proposed lot 58, the report makes no mention of this access point to Burden Place and the impacts of traffic and safety.</p>  <p>Figure 5 Junction of Windermere Terrace &amp; Burden Place proposed Lot 58 area</p> <p>Figure 6 Junction of Windermere Terrace &amp; Burden Place east side curb, please note the tyre marks on the curb caused by traffic such as the Waste collection vehicles and similar size vehicles that find the junction tight on width. This damage can extend to the nature strip, which does have the ability to mend itself over time when the traffic frequency is low.</p>	



Objector	Grounds of Objection	How Objector will be impacted
	 <p>Figure 6 Junction of Windermere Terrace &amp; Burden Place east side curb</p> <p>Figure 7 showing damage to existing water drain assets, caused by gradual erosion when vehicles fail to negotiate the junction correctly running over the asset. The erosion shows that this can occur frequently enough now to create damage, increased traffic at this junction can only increase the speed of this asset damage.</p>  <p>Figure 7 Junction of Windermere Terrace &amp; Burden Place east side curb</p> <p>All the above points are overlooked in the report, including the bike and pedestrian traffic accessing the nature trail via this junction.</p> <p>C) We object to the validity of the traffic assessment on the grounds of the period that the measured data was taken. The calendar period used does not represent the peak traffic period, during the summer months December through to February the occupancy of properties and traffic volumes significantly increase. The typical types of vehicles changes, with more vehicles towing boats and trailers. The petrol station at the junction of Paynesville Road and Burden place sees a significant increase in activity. We could be affected significantly at the peak seasonal traffic increase times, by significant increased queuing times at the Burden Place/Paynesville Road junction and increased times for emergency vehicle response.</p>	

Objector	Grounds of Objection	How Objector will be impacted
	We suggest that the Traffic Impact Assessment study should be re-opened and the points above assessed by experts and the Traffic Assessment Report should be re-issued for public scrutiny.	
35	<p>1/ Building Envelope:</p> <p>(a) 1.5 Metre Sight Line</p> <p>I firmly object to the 1.5 metre horizontal sight line from my floor level height proposed by the developer as this does not provide me with a viewed shared situation at all. At present, I see the Wetlands, lake King and Metung in the distance including Raymond Island. The developer should consider an oblique sight line option as this would be a much better proposal to myself and other concerned residents. I feel the developers have completely ignored any suggestion of the 1.2 metre submitted to VCAT.</p> <p>(b) Section 173</p> <p>I believe a section 173 should be applied as a covenant on all lot titles and no further individual lot subdivision be allowed. If council agrees for this subdivision to be approved without amendment, it will completely ignore my concerns and greatly disadvantage myself being a resident and rate payer in East Gippsland for the past 30 years. We are on a covenant for height restrictions. I feel we should be given the same consideration. One size does not fit all.</p> <p>(c) 10 metre building envelope rear setback</p> <p>The 10 metre set back proposed by the developer completely ignores the 18 metre rear set back that was recommended by VCAT in the previous submission. Due to the proposed block sizes the 10 metres could easily be extended to allow for less overcrowding. My main bedroom and living room looks out onto the proposed subdivision. I will have no privacy and will have no viewed share amenities. I also believe a section 173 be included. There should also be no allowance for the proposed blocks to be subdivided. What assurance do I have that this won't happen?</p> <p>2/ Water Storage Pond:</p> <p>I am concerned about the management and the location of the proposed water storage ponds. The extra volume the stormwater will produce from this development in close proximity to the Internationally important Ramsar Wetlands site at Point Fullarton is extremely concerning to me. Council have an obligation to make sure this sensitive area is kept free from disturbances. The number of migrating bird species that rest and breed around this area for example: The endangered Latham's Snipe that can be found in the Wetlands and foraging for food in the paddocks at the rear of my residential property need to be protected at all costs. Why aren't there signs explaining the importance of the Ramsar Wetlands? With the construction, street lighting and traffic, this development will cause major disruption to this highly sensitive area. I believe this whole paddocked area adjoining the Point Fullarton Wetlands shouldn't be disturbed and construction should only take place from the western end of the Wetlands onwards.</p> <p>3/ Traffic Concerns/Safety:</p> <p>I am concerned that there is only one entry and exit point to this proposed subdivision from Burden Place/Paynesville Road. In the event of an emergency occurring, myself and other residents would be in a situation where we wouldn't be able to leave our homes. I believe Council have a duty of care for the safety of residents. This infrastructure needs to be a priority and should be finalised before this development begins.</p>	
36	As detailed below I am objecting to this planning application on several grounds. These objections are underpinned by the view that this application, despite the rhetoric, does not adhere to the two decisions previously made by the Victorian Civil and Administrative Tribunal (the Tribunal) concerning this very special piece of land either in spirit or in law.	<p>Conclusion.</p> <p>I strongly object to this proposal for all the reasons set out above. It fails the test of sensitive view sharing as demanded by the Tribunal in two decisions. It sets out to maximise the amenity and I would say value</p>



Objector	Grounds of Objection	How Objector will be impacted
	<p>The developer maintains it has carefully considered the decisions of the tribunal and yet it has not adhered to them in its proposal. The effect on current property owners in my street, Fullarton Drive, has not been sensitively treated. The proposal seeks to create far more amenity in the new blocks of land it is proposing to market at the expense of our already acknowledged amenity and panoramic views as recognised by the Tribunal in its decisions. Both Tribunal decisions criticised the failure to achieve appropriate view sharing in the two previous applications to develop this land and this new proposal also fails that test.</p> <p>Apart from the issue of view sharing, the proposal fails to protect the new development from more intensive future development by creating very large blocks with unreasonably large building envelopes that will undoubtedly lead to applications to further sub-divide the land and create a more intensive development. This is exactly what the two decisions at the Tribunal decided against as being inappropriate for this piece of land which borders a RAMSAR protected wetland of great significance to the State of Victoria and Australia and internationally. (See attached footnote) Achieving the same result through an alternate process would clearly not be in line with the decisions of the Tribunal.</p> <p>The proposal also fails to adequately provide enforceable height restrictions given the particular circumstances of the restrictions that already apply to properties that border the proposed development site. There is virtually no landscaping control on the blocks.</p> <p>Furthermore, the drawings provided are inaccurate and misleading regarding sight lines and imagined dwellings.</p> <p><u>Context in which this decision is being made.</u> It is my understanding that existing properties in Fullarton Drive were built from the early 1980's onwards. I am, I believe, only the second owner of my home. The street is an extremely attractive one and well loved by its residents many of whom have lived in the street for decades. In order to properly protect view sharing the street was set out with a wide road between the two rows of homes, a footpath, and deep setbacks on both sides.</p> <p>This has resulted in considerable distance between properties on the two sides of the street allowing a feeling of openness and space. In order to ensure the properties on the high side of Fullarton Drive had good views of the lake the properties on the lower side, those that directly abut the proposed development, were subject to a Covenant to restrict their dwellings, including my own, to single storey with set height limits. This has resulted in, in so far as is possible, the ability of our neighbours on the higher side of the street to see over the top of our single</p>	<p>of the new blocks at the expense of those of us who have happily resided in Fullarton Drive for years and even decades. It does so in the face of two Tribunal decisions that have already refused planning applications for just these reasons.</p> <p>I would remind Council that it took both these cases to the Tribunal to protect this sensitive piece of land from inappropriate over ambitions and insensitive development. It did so with the full support of and considerable assistance from the Friends of Fullarton group that was set up to help protect this land. Many residents devoted considerable time, effort and expense to oppose the earlier applications. The Council and the Friends of Fullarton were successful both times and for very good reasons. It is now up to Council to ensure that it too fulfils its obligations as decided by the Tribunal and ensures that those hard fought battles are not wasted or ignored and that the findings of the Tribunal in favour of the residents and the Council are fully upheld in its current decision making process.</p> <p>It has in my view both a moral and legal obligation and duty to do so.</p> <p>FOOTNOTE: The international Ramsar Convention on Wetlands was ratified in 1971 and came into force in 1975. Australia was one of the first countries to become a contracting party and is subject to agreed obligations as a result. Australia designated the first Wetland of international Significance in 1974. The Gippsland Lakes were listed as a protected wetland in 1982. It is the largest estuarine lagoon system in Australia.</p>

Objector	Grounds of Objection	How Objector will be impacted
	<p>storey houses to the wetlands and the lake. My neighbour across the road has very good views over the top of our house. This was good planning at work.</p> <p>Of course it may be that some residents on the lower side of Fullarton Drive would wish to be able to build larger two storey homes on their blocks but there was a compromise to be made to ensure what the Tribunal described as sensitive and appropriate view sharing. My property is subject to a Covenant. This has major implications for my property, as well as others, in terms of impact of the proposed new development and my ability, as the situation currently stands, to respond if Council allows inappropriate development of the blocks below my home. It also has impacts on the value of my property if I cannot respond.</p> <p><b>GROUND OF OBJECTION</b>  <u>Failure to appropriately address view sharing as required by the Tribunal.</u>  The impact of this proposal on my amenity and those of my neighbours in Fullarton Drive is going to be far greater than is necessary, reasonable or balanced and not in line with the two previous Tribunal decisions.</p> <p>This is in part because the proposal fails to include at least an 18 metre set back at the rear of my property and has reduced that setback to 10 metres. This will no doubt increase the building envelope for the new blocks but it will significantly impact our view. It is completely unnecessary because the proposed blocks will be very large and will have unimpeded views to their rear and thus building slightly further down the slope is more than feasible and reasonable. It is also not appropriate view sharing because it will take away far more of our view than is necessary. It does not present a balanced approach to view sharing in the same way as the two previous failed applications did not. Reducing the very large building envelope for the new blocks will have little impact on those blocks but failing to do so will have a major impact on my property and result the in loss of an important and recognised amenity and panoramic views and property value.</p> <p>The second decision of the Tribunal was based on a revised proposal whereby the developer amended their previously submitted proposal for a 10 metre setback to 18 metres. 10 metres was not felt to be sufficient to protect the amenity of the existing residents. My property was included in this revised setback requirement.</p> <p>The current developers have been made aware of this from the very beginning of the consultation period. Yet, they have chosen to ignore it and revert back to 10 metre setbacks which are manifestly unreasonable in light of the size of the blocks which are much bigger now than previously proposed. In other words they have</p>	<p>The protected wetlands are also subject to National and State Legislation and also specific Management Plans.  For example see inter alia:  Federally: Environment Protection and Biodiversity Conservation Act (1999)  State: Environment Protection Act (1970) and SEPPs  Fisheries Act (1995)  Flora and Fauna Conservation Act (1988)  National Parks Act (1975)  Water Act (1985)  Wildlife Act (1975)  See also: Gippsland Lakes Ramsar Management Plan  Victorian Waterways Management Strategy.</p>

Objector	Grounds of Objection	How Objector will be impacted
	<p>reduced the depth of the setbacks even though they intend to create much larger blocks. This is both illogical and poor planning. It displays a lack of sensitivity to homeowners in Fullarton Drive that is frankly without merit given the previous decisions of the Tribunal and early discussions with the developer.</p> <p>Council should not allow this proposal to go ahead unless this matter is appropriately addressed. Rear setbacks should be at the very minimum 18 metres in line with the findings of the Tribunal. With such large blocks the setbacks could easily be greater than that in relative terms to the original blocks proposed in earlier developments. This would continue the sense of space and openness that is currently the hallmark of our neighbourhood. With so much bigger blocks setbacks even greater than 18 metres would be perfectly reasonable.</p> <p><u>There is no protection afforded against more intensive development of these blocks of land resulting in potential overdevelopment of the site.</u></p> <p>This proposal not only provides insufficient rear setbacks to the properties in Fullarton Drive. It also proposes only a 4 metre setback at the front of the blocks which on blocks of 1600m2 metres is minimal at best. Especially given the houses will front a public reserve and are so close to important facilities like the cycling/walking track and the internationally significant and protected RAMSAR wetlands they will abut.</p> <p>It would seem the proposal is creating the very largest building envelope possible on these blocks. This is despite the fact that a single dwelling does not require it. This begs the question; are these proposed building envelopes being maximized to facilitate further subdivision once planning permission is granted? Whether or not this is the intention it will almost certainly be the effect of this proposal as it stands. The effect on current residents of this occurring would be devastating and it is certainly not in the spirit of previous Tribunal decisions and not within the boundaries of the decisions as they were handed down.</p> <p>The Tribunal made it clear it considered two rows of houses was inappropriate on this land and that the proposed number of dwellings (75) had to be reduced considerably. Sub-divided blocks could subvert that finding and the number of houses actually built could, in fact, be more not less than in previous proposals. This would effectively be in contradiction to the Tribunal ruling that good planning required fewer homes be built on this land not more.</p> <p>If Council is prepared to approve this proposal it should only do so by requiring a Covenant in the S173 Agreement that there will be no further subdivision of this</p>	

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	<p>land and that each block will sustain only a single dwelling. A developer who says they don't want further sub-division should have no difficulty agreeing to such a Covenant and the Council must act to protect against over-development by requiring it in line with the Tribunal's decisions.</p> <p><u>Incorrect and misleading information and illustrations regarding sight lines.</u> Further to this very important issue of setbacks and potentially later sub-division of these blocks, this proposal is anything but clear or in my view accurate in the illustrations it has put forward regarding the very few properties it has considered regarding sight lines. My property is not one of them.</p> <p>According to this proposal the setbacks at the rear that they are trying to foist on us are 10 metres. Yet the drawings on pages 71-76 have very considerable variations in the setbacks that are illustrated. For example the drawing for 28-30 Fullarton drive shows a building on the new block in front of them with a setback of approximately 50 metres. Yet, if a house was to be built on that block at the proposed 10 metre setback line it would only be able to be 3.2 metres high at that point, or it would rise significantly higher than the sight line. An occupant would have to stand on their roof to see the lake not at the sightline. So far as I can see, it requires a minimum setback of 18 metres on this plan to build at 4.5 metres and remain within the sight lines.</p> <p>If the developer is going to provide "drawings" they should be accurate and that certainly would not be hard to do. Likewise No 12 Fullarton where the so called illustration has a setback of approximately 32 metres not the proposed 10 metres.</p> <p>My own property has not been included in these "illustrations" despite the Tribunal visiting my site. What does seem completely clear from these imaginings is that building a house at the 10 metre setback line is either not feasible or would require the house to be considerably higher than the sight line. Thus effectively ignoring the Tribunal findings and obliterating the views of our existing homes. This does not even come close to view sharing as demanded by the Tribunal.</p> <p>Why this would be even considered necessary or acceptable on blocks that are so big goes back to the point I made earlier. This would serve the purpose of sub-division. It not only provides the biggest building envelope possible at mine and my neighbours expense but it also pushes the building envelope as high up the slope as possible. In my view it is difficult to explain this squeezing out of every inch of building envelope other than to facilitate the possibility of views for two rows of sub-divided homes on each block. In other words this proposal has the</p>	

Objector	Grounds of Objection	How Objector will be impacted
	<p>potential to take away my view to give it to intensively developed blocks below me.</p> <p>With such large blocks there is absolutely no need to have manifestly inadequate setbacks and over the top building envelopes if the intention is to build a single dwelling.</p> <p><u>There is no protection afforded against multistorey building.</u></p> <p>As discussed above, properties on the lower side of Fullarton Drive abutting this proposed development are subject to Covenants limiting buildings to single storey with set maximum heights in order to facilitate the views of those residents on the other side of the street. In such circumstances it would be manifestly unfair and unreasonable to allow multistorey development on the land below our homes. We would be doubly penalized by such a situation. We would be expected to live in single storey homes even if our views are severely impacted whilst those both above and below us would not be so restricted. This could not only seriously diminish our amenity but also the value of our properties. We were part of a compromise to ensure sensitive view sharing for both sides of Fullarton Drive. We should not now be left high and dry as those on the land below us are able to build multistorey homes that take out our views. This would be even more likely if the blocks are sub-divided. We could be faced with a double storey home 10 metres from our own whilst we are restricted to single storey. This is completely contrary to the decisions handed down by the Tribunal regarding sensitive and appropriate view sharing.</p> <p>There needs to be a <b>Covenant in the S173 Agreement</b> in the same terms as applies to our properties on the lower side of Fullarton Drive. This is to ensure only one single storey house with set height limits are built on these blocks and that they are within acceptable and reasonable sight lines. This will also protect the views of the homeowners on the higher side of Fullarton Drive. This is sensitive appropriate view sharing for new residents and existing homeowners.</p> <p>It must be remembered, the blocks being proposed here are more than twice the size of current blocks, including my own which has a reasonable sized single storey dwelling on it.</p> <p>So there is more than ample room to build a large single storey home should that be desirable to whomever purchases the blocks. They can orientate them to maximize their view of the reserve and lake without obliterating our views in the process.</p>	

Objector	Grounds of Objection	How Objector will be impacted
	<p><u>Too little landscaping control.</u></p> <p>As described above, the current homes on the two sides of Fullarton Drive have considerable distance between them provided by a road, footpath and deep setbacks. This dissipates the effects to a considerable degree of landscaping on each property. As the two rows of houses face each other they are almost all open at the front thus there are not large barriers of vegetation to block the shared views.</p> <p>This will not be the case if this proposed development goes ahead. All that will separate us from potential new neighbours is a fence and a manifestly inadequate setback. The proposal contains a few non-enforceable "guidelines" as to planting on the properties. It is thus perfectly feasible within these guidelines that a 5 metre or 16+ foot hedge could be planted on the other side of my back fence thus effectively growing a green barrier that obliterates my views. Indeed, as they are only guidelines it is perfectly feasible that a much higher barrier could be created.</p> <p>The Tribunal considered some of this in relation to the siting of the road for the proposed new development. It considered putting a road between the properties in the same way as Fullarton Drive was developed was good planning. Thus, mitigating many of the problems discussed above without taking away the ability for new home owners to enjoy views from the rear of their properties as is the modern norm. It would also result in a greater protection of Council infrastructure against future rises in water levels due to climate change which will no doubt affect the lower reaches of the land subject to the proposal.</p> <p>Enforceable controls should be included to ensure current residents of single storey dwellings do not have all their lake views taken away by inappropriate landscaping. If building cannot occur higher than the sight lines then neither should it be possible to block views using greenery instead.</p> <p>In so many ways this proposal fails to achieve good planning outcomes and protections for current residents of our street who, in my opinion, deserve much more consideration and sensitivity.</p>	
37	<p>A) Setbacks I object that 10 metres setbacks have been applied to all lots. During the last VCAT hearing setbacks of 18 metres were provided for the houses no 18 - 42. This includes our blocks no 28 and no 30. I submit that the new plans must include the 18 metres setback.</p> <p>B) View Sharing / Amenity</p>	



Objector	Grounds of Objection	How Objector will be impacted
	<p>The 1.5 metres horizontal sight line does not give us (no 28, no 30) any view. During the VCAT hearing the EGSC submitted that either 1.2 metres or 1.5 metres limits should be considered as one size does not fit all blocks. For blocks 28 and 30, as well as others, 1.2 metres must be applied. A horizontal sightline is unsatisfactory. Instead, an oblique sight-line should be adopted.</p> <p>C) Density To avoid increased density further sub-divisions must not be allowed to prevent over-use (density). A section 173 should be established on the titles of the new blocks. A too great a density was also queried by VCAT.</p> <p>All these points impact on our view-sharing considered an amenity by VCAT, the present plans do not give us, no 28 and 30, that amenity. It is important to raise the fact that all houses on the north side of Fullarton Drive have a height limit of 4.5 metres in perpetuity.</p>	
38	<p>1/ Building Envelope: (a) 10 metre building envelope rear setback The proposed 10 metre rear setback adjoining our property is going against the 18 metres considered by VCAT. We do not live in inner city Melbourne. The blocks to the rear of our property are large enough for the building envelope to be moved closer to the proposed street. If the 10 metres is approved there will be lack of privacy. This will also impact the value of our property. I believe a section 173 should be included. There should also be no allowance for the proposed blocks to be subdivided. Can we be assured this won't happen? Tree heights and sheds are also a concern as these will severely impact our view shared amenity.</p> <p>(b) 1.5 Metre Sight Line I strongly object to the 1.5 metre horizontal sight line for the following reasons: It does not provide me with a reasonable view shared situation at all. At present I see the Wetlands, Lake King and Metung in the distance including Raymond Island. If the 1.5 metre horizontal sight line proposed is approved, I will have no viewed share amenities whatsoever. I feel the developers have completely ignored any suggestion of the 1.2 metre submitted to VCAT.</p> <p>(c) Section 173 I believe a section 173 should be applied as a covenant on all lot titles and no further individual lot subdivision be allowed. If council agrees for this subdivision to be approved without amendment, it will completely ignore my concerns and greatly disadvantage myself being a resident and rate payer in East Gippsland for the past 30 years. We are on a covenant for height restrictions. I feel we should be given the same consideration. One size does not fit all.</p> <p>2/ Water Storage Pond: I have grave concerns with the volume of stormwater that will be produced from the new homes combined with current storm water from Fullarton Drive flowing into the proposed storage ponds, the implications this may have on the existing water table and the close proximity to the Ramsar Wetland. Who will be responsible for monitoring the discharge into the Ramsar Wetland? Will this information such as testing of the water clarity be transparent to local residents? Council is well aware we are having continuous algal blooms in our lakes system. This has impacted our tourism on many occasions. Paynesville is known for being the boating capital of Victoria. I hope our precious lakes system doesn't become the algal bloom capital of Victoria.</p> <p>3/ Traffic Concerns/Safety:</p>	

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	<p>I do not believe that the traffic report submitted by the traffic group assessing the number of vehicles over a one week period be an accurate summary of what really occurs on a day to day basis. With only one entry and exit point to this proposed subdivision from Burden Place/Paynesville Road, safety is already a concern amongst local residents.. We also need to take into consideration vehicles entering Paynesville Road from Vaughan and Cumming Streets. This intersection is already congested on a day to day basis not taking into account the long weekends and holiday period. I have witnessed on many occasions caravans and boats parked on the side of Paynesville Road and on Burden Place waiting to access the service station. Cars and trucks parked in front of the service station also create blind spots for residents wanting to access Paynesville Road. I have witnessed many accidents waiting to happen.</p> <p>Before the development is approved, I believe council have a duty of care to our residents in appointing Vic Roads to undertake a full assessment over a longer period. This will provide a more accurate summary of the traffic and safety concerns we have. I strongly recommend Council work with the developer to implement another exit/entry point to this development immediately in the case of an emergency. The infrastructure needs to be put in place now, not at a later date.</p>	
39	<ul style="list-style-type: none"> <li>• Overdevelopment and increased density and bulk in an area of the Fullarton Point wetlands and RAMSAR Site which will have a significant impact on the ecological character of the wetland.</li> <li>• Increased traffic generation in Fullarton Drive with only one exit point onto Burden Place and Paynesville Road. <ul style="list-style-type: none"> <li>• Likely the majority of the 59 proposed dwellings will have at least two cars adding considerable increase in daily traffic on Fullarton Drive and Burden Place.</li> <li>• All proposed dwellings to travel onto Burden Place to turn left or right onto Paynesville Road. For 59 extra households that will have a least two cars per household.</li> </ul> </li> <li>• There are covenants on existing properties on the lower (north-eastern) side of Fullarton drive (between Burden Place and Molly Drive), and Eagle Bay Village, covenants should also apply to any proposed development in the north-eastern area of Fullarton Drive and north-eastern area of Eagle Bay.</li> <li>• Increased traffic generation in Fullarton Drive with only one exit point onto Burden Place and Paynesville Road</li> </ul>	<ul style="list-style-type: none"> <li>• Loss and reduction of wildlife corridor for native animals and birds in an area that is listed REAMSAR site</li> <li>• Loss of amenity due to overdevelopment and increased density of area and reduction in open space.</li> <li>• Loss of amenity due to removal of native vegetation and no requirement to replace lost native vegetation.</li> <li>• Detrimental impact of increase traffic with only one exit point of the proposed additional 59 dwellings exiting from Burden Place onto Paynesville Road.</li> <li>• Traffic hazard on the corner of Burden Place and Paynesville Road (increased during summer and holiday periods with boats and caravans refueling at the only service station in Paynesville)</li> </ul>
40	<ol style="list-style-type: none"> <li>1. Building envelopes - rear set back provisions There is an omission of an 18 metre rear setback on some lots on the proposed plan for some of the adjoining northern lots. The rear setback is proposed to be 10 metres.</li> <li>2. Section 173 - provision of a condition to prevent further subdivision of individual lots. If this condition is not in place there is a high risk that the individual lots may be further subdivided by new owner due to the large m<sup>2</sup> lots.</li> <li>3. 1.5 metre horizontal sight lines – Amenity The 1.5m sight line set at floor level in each northern Fullarton Drive residence adjoining the subdivision is inappropriate and does not provide a fair view sharing across the wetland, lake and distance hills and mountains.</li> </ol>	<ol style="list-style-type: none"> <li>1. At the final VCAT hearing a revised subdivision plan was accepted by the EGSC as part of the hearing procedures. This plan showed building envelopes with both 10m and 18m rear setbacks on the lots adjoining the northern residences. The 10m set back was revised in consideration of the size of the new lot and the potential to block view sharing on a number of abutting northern Fullarton Drive residences. The 10m setback on the new lots abutting my residence will</li> </ol>

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	<p>4. Potential risk to Ramsay wetland My concerns, in layperson terms, are that there is potential for the spoiling of the natural features and habitat of the wetland and Lake King shores and waters due to best practice standard not being observed, managed, and monitored.</p>	<p>result in the significant reduction of a reasonable view. I strongly urge council to endorse the inclusion of the 18m setback as proposed at VCAT. 3d building envelope designs should also be included on a Section 173 agreement.</p> <p>2. Section 173 - provision of a condition to prevent further subdivision of individual lots. Due to the length of some of the larger new lots in the proposal there is some potential for them to be subdivided by the new landholder, this will increase the built form bulk and prevent reasonable view sharing. For this reason, the EGSC should consider adding 'no further lot subdivision' within a Section 173 agreement or on title as a restrictive covenant.</p> <p>3. 1.5m horizontal sight lines from the floor level of adjoining residences does not guarantee a fair or reasonable view for everyone. View sharing in my case is too limited and unreasonable. Further consideration should be given to either reducing the sight line height to 1.2m or 1.5 applied at an oblique angle which will include lake views as well as the background hills is more appropriate. VCAT intended that sight lines were surveyed for each of the residences and adjusted to ensure reasonable view sharing of the amenity for each residence.</p> <p>4. Potential risk to Ramsay wetland / Fullarton Point We are fortunate to live in the vicinity of this spectacular Ramsar wetland and large lake district. This proposed subdivision has the potential to reduce the quality of local habitat and environs. It is important that all measures are taken to ensure this through best practice design and development of all stormwater and run off treatment. Careful monitoring of</p>

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		contamination is vital to the continued health of the proposed reserve and adjoining crown lands. As a major tourist attraction for water activities etc. it is important to ensure our waterways, Ramsar wetlands and lake environs are protected.
41 (for Birdlife East Gippsland)	<p>The proposed development site is a recognised feeding and roosting area of the migratory Latham's snipe (<i>Gallinago hardwickii</i>), the only migratory snipe species in Victoria. This species breeds in northern Japan and adjacent areas and migrates to S.E. Australia for the northern winter, arriving in Aug/Sept and departing Feb/March. Australia has federal obligations under both the Bonn Convention on the Conservation of Migratory Species of Wild Birds and particularly the Japan- Australia Agreement on Migratory Birds (1981) (JAMBA), under which planning decisions should 'promote the survival and/or enhance the conservation status of each species to which the declaration relates'. Latham's snipe is listed under the Environmental Protection and Biodiversity and Conservation Act 1999-Matters of National Scientific Significance-Migratory Species, which gives effect to these international agreements (amongst others). Proposals for changes to sites holding more than 18 individuals of species on this list, trigger a requirement for 'referral and assessment' under the EPBC Act. The proposed development site has regularly held numbers of Latham's snipe exceeding the trigger number, as recorded for this site (amongst others in the wider East Gippsland area) in the three formal surveys per year carried out by the national Latham's Snipe Project Group and recorded on the database Birddata, from which records are absorbed into the Victorian Biodiversity Atlas used in environmental planning processes. The most recent exceedance of this trigger number was in Jan 2022. The proposed development would reduce the area of this significant site by approximately 50%. The proposal for the management of drainage and runoff from the site (including the amendments proposed by Neil M Cragie Pty Ltd and agreed by the developer) has the capacity to significantly degrade the remaining area of the site down to the footpath and Ramsar boundary. Latham's snipe require damp, rough grassy ground to roost in by day and for some foraging, while providing access to crepuscular and night feeding on the adjacent Ramsar site marshes. It is important that the development of the proposed 'reserve' pond and associated development does not have the effect of drying out and sanitizing the area with manicured grass and concrete pathways as has occurred on the adjacent canal development open land. Birdlife East Gippsland therefore requests that, as required under the EPBC Act, the proposed development be referred for assessment by the Australian Government Department of Climate Change, Energy, the Environment and Water, and the result considered, before any planning approval be given. <i>(A supporting letter from</i></p>	<p>Birdlife East Gippsland (covering the shires of Wellington and East Gippsland) is a branch of Birdlife Australia, which is in turn part of Birdlife International. We have a responsibility to ensure that matters of environmental significance affecting all birdlife is properly considered by planning processes in the region. Inappropriate development has the potential to adversely impact on the non-breeding habitat of this listed migratory species and beneficiary of the adjacent Ramsar site.</p>

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	<i>the leader of the National Latham's Snipe Project Group, Dr Birgita Hansen is attached.)</i>	
42	<p><b>1. VISUAL AMENITY &amp; VIEW SHARING</b></p> <p>The proposed multi-lot subdivision will negatively impact on our views overlooking the wetlands and Lake King. Our property currently has limited views across the lake, with limited vertical corridor views of the wetlands <i>only</i> occurring between 46 and 48 Fullarton Drive. We fear our vertical corridor views of the wetlands will be completely obliterated if this development goes ahead. The views of the wetlands, lake and mountains that we currently enjoy from our front porch, main bedroom and lounge are a very significant reason for us choosing to live here. We paid a premium for our home over others in Paynesville because of these precious wetland, lake and mountain views.</p> <p>We are greatly concerned that Lot 37's proposed building envelope's height controls and setbacks won't prevent our vertical corridor views of the wetlands from being completely obliterated. It's important to note that residents on the northern side of Fullarton Drive face a catastrophic impact on their unlimited panoramic views compared to residents to their south. However, the limited views of on the southern side of Fullarton Drive only adds to the visual amenity value for these residents. Greater consideration needs to be given to retaining and preserving the existing views of residents on the southern side of Fullarton Drive as they are at greater risk of having their limited views either completely obliterated or significantly reduced even further.</p> <p>The draft Design Guidelines for proposed lots, currently offer relatively weak protection of views, often using nebulous terms like "should", "are encouraged" and "preferred" rather than "required" or "must" and "will" and so forth. The Landscape Guidelines for lots in particular, appear to offer little protection or consideration to view sharing for properties with already limited vistas on the southern side of Fullarton Drive. For instance, The 5m height control on tree and shrub vegetation, can still result in the complete obliteration of wetland and lake views for homes with limited vertical corridor views on the southern side of Fullarton Drive. In sum, the proposed building envelopes and design guidelines are not equally sympathetic to existing development. In fact, the proposed development appears grossly detrimental to vertical corridor view sharing for properties on the southern side of Fullarton Drive.</p> <p>Another consideration is the loss of the 18m rear setback proposed for adjoining properties (nos. 18-42) to a rear setback of just 10m on the current proposed plans. Any reduction in setback distances is a retrograde step that is highly likely to lead to a greater loss of visual amenity for all residents. Though properties abutting the new lots will no doubt be most severely affected by the reduction in rear setbacks, properties on the southern side of Fullarton Drive will also suffer an additional loss of vertical corridor views, and potentially further degradation of views across the lake.</p> <p>Finally, future subdivisions of the proposed lots could also impact negatively on view sharing and neighbourhood character. Consideration should be given to no further subdivision of individual lots and this should be included in the Section 173 or as a restrictive covenant on all lot titles.</p> <p><b>2. LIGHT POLLUTION</b></p> <p>Scientists, Government departments, along with the Australian Institute of Landscape Architects among others, have all</p>	

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	<p>recognised how <u>light pollution</u> negatively affects humans and the natural environment. <sup>1</sup> Scientific evidence suggests that artificial light at night has negative and deadly effects on many creatures including amphibians, birds, mammals, insects and plants.<sup>2</sup> Glare from artificial lights can also impact wetland habitats that are home to amphibians such as frogs and toads, whose nighttime croaking is part of the breeding ritual. Artificial lights disrupt this nocturnal activity, interfering with reproduction and reducing populations. Unfortunately, no consideration appears to have been given in the proposed development for minimising light pollution, particularly in the adjoining Ramsar-listed, internationally significant wetlands. The U.N. Convention on the Conservation of Migratory Species of Wild Animals of which Australia is a signatory, highlights how migratory birds are at particular risk of light pollution-related disturbances to breeding and migratory cycles.<sup>3</sup></p> <p>The subdivision's proposed street lighting plan should incorporate the Australian Government's recently released National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds.<sup>4</sup> How will light spill from street lighting be controlled to a) preserve neighbourhood amenity and character; and b) protect wildlife and other environmental values? We'd like to see best practice street lighting, incorporating the latest, environmentally-friendly LED technology and state-of-the-art directional light spill control to minimise impacts on visual amenity and wildlife; whilst still meeting statutory public safety standards.</p> <p><b>3. NEW ROAD DESIGN</b></p> <p>The road construction design does not appear to incorporate any water sensitive urban design features; such as porous paving, vegetated bio-retention swales and roadside rain gardens and filter strips etc. Given the highly sensitive location of the proposed development abutting an internationally significant wetland and previous VCAT decisions recognising this, we would expect nothing less than best practice in water-sensitive urban road design. The current road reserve plans are clearly substandard, and fail to align with best practice water sensitive road design principles.</p> <p><b>4. WATER CONSERVATION</b></p> <p>The proposal to treat storm water runoff from internal and external catchments via wetland, bio-retention, sediment basins and swales in accordance with water sensitive urban design principles is to be commended. However, as noted by the Water Quality Treatment Performance Table (Site Drainage Plan, p.103) the % reduction in Total Nitrogen and Total Suspended Solids projected by CROSSCO barely meets best practice. Given the internationally significant RAMSAR values at stake, the developer can and must do better to exceed the best practice minimums.</p> <p>The application offers some water treatment scenarios that do not incorporate water conservation measures for <i>all</i> future houses on the proposed lots. In accordance with water-sensitive urban design principles, the proposed development ought to reduce the demand for potable (fit for drinking) water by using alternative sources of water such as rainwater, storm water and treated wastewater and encouraging water efficient appliances, and low water use gardens and landscaping. The subdivision should incorporate plumbed 2000lt water tanks as per the CROSSCO report for <i>all</i> allotments, and this should be secured in a Section</p>	

1 <https://www.dcceew.gov.au/environment/biodiversity/conservation/light-pollution>; <https://www.foreground.com.au/agriculture-environment/the-perils-of-light-pollution/>

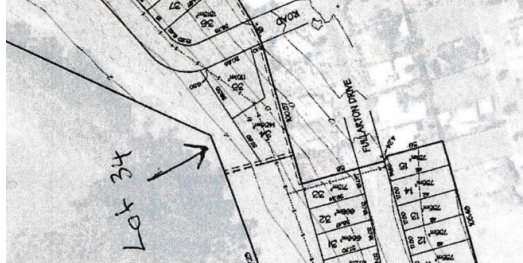
2 <https://www.nature.com/articles/d41586-018-00665-7>

3 <https://www.cms.int/en>

4 <https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife>



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	<p>173 Agreement to avoid the permit obfuscating by amending permit conditions containing negotiated requirements.</p> <p>5. PROPOSED RESERVE The proposal does not appear to explain what role the proposed reserve will play from an environmental or community aspect. The landscape design proposal for the reserve has been omitted from subdivision plans, prohibiting any meaningful public scrutiny and feedback. The community would benefit from a low-key, natural play space/seating area for families and a level, hard surface, attractive path (not concrete or gravel). Again, this should be secured in a Section 173 Agreement to avoid the permit obfuscating by amending permit conditions containing negotiated requirements.</p> <p>6. ELECTRICITY INFRASTRUCTURE The proposed electrical plans don't acknowledge the existing Ausnet network is already congested and unable to handle solar exports from residential roof top solar systems. As things stand, any new properties will not be able to export excess solar power to the grid, discouraging solar uptake in the community. Without an upgrade of the existing Ausnet sub-station, future lot owners will be in a <u>solar export dead-zone</u>, and face far higher pay-back times on their roof top solar investments. We implore Council and the developer to champion this issue with Ausnet; so that future Paynesville residents can participate more fully in the switch to clean renewable energy. It is clearly in-congruent to build and promote a development encompassing best practice environmental urban design, yet attempt to sell lots in a solar export dead-zone.</p>	
42 – How impacted	Loss of visual amenity and view sharing across the wetlands, lakes and mountains, Light pollution harming existing views of the night sky and vistas across the lake, Loss of enjoyment of nature walks to Point Fullarton, I strongly feel any environmental harm to our beloved wetlands and wildlife as a violent act requiring strong legal action	
43	Refer to reasons outlined in <a href="#">Objector 42</a> submission above.	<p>1. Loss of visual amenity and view sharing across Point Fullarton wetlands, Lake King and distant mountains. 2. Extra noise and traffic 3. Anxiety from light and noise pollution 4. Stress if environmental best practice principles are not followed</p>
44	They have proposed developing of Lot 34 which is in front of 60 Fullarton Drive, Paynesville. There is a huge storm water drain running through this property and I have witnessed a 2 meter wall of water at the boundary near the wetlands. How could anyone buy this block of land and put a house on it or shed. I believe they should adjust there proposal and remove Lot 34 from their plan. This lot 34 is useless to everyone and should be scrapped as you cannot build on it.	If the council wants access to this drain, they wont be able to if it is built on. And why is their only one road back to Paynesville Road, with all the additional houses, how can you rely on Burden Place to cope with this traffic problem. This plan needs another access to Paynesville Road from the Eagle Point location.

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45	<p><b>1. AMENITY - HORIZONTAL VIEW LINES</b> 1.5m horizontal view lines at a standing height from inside our home applied to the residences on the north side of Fullarton Drive.</p> <p><b>2. BUILDING ENVELOPES - REAR SETBACK</b> The setback of 10m on the northern boundary of adjoining properties on the proposed subdivision.</p> <p><b>3. FURTHER SUBDIVISION</b> Absence of provision for no further subdivision of individual lots by new landowners.</p>	<p><b>1. AMENITY - HORIZONTAL VIEW LINES</b> My husband and I would be disadvantaged by the proposed plans 1.5m site line from a standing position in our home. My husband is disabled and is mostly seated in our living area during daylight hours and the outlook is comforting to him and his sense of wellbeing.</p> <p>I understand the subject land is zoned residential and can be built on, but with the covenants on our property we are not able to remedy this situation by adding height to our home. The 'shared view' of the amenity is significantly reduced and this is unreasonable and is unacceptable.</p> <p>Properties on the 'south' side of Fullarton Drive retain their unrestricted view of the amenity, and prospective owners of the new lots will eventually enjoy uninterrupted views.</p> <p>This approach to all homes on the south of the subdivision is, in my view, discriminatory and does not provide suitable views to most elderly residents and anyone under 5ft tall, including children.</p> <p>Council should consider seeking amendments to this plan for lower site lines set on an oblique angle that affords us a reasonable view sharing position.</p>

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		<p><b>2. BUILDING ENVELOPES - REAR SETBACKS</b>  My understanding is that on the last Armstrong application, an 18 m setback was planned for some lots adjoining the new subdivision. Our property is one of these and we are disadvantaged by a reduction to 10m. 18m will provide some relief from the reduction of our present view. I also have concerns about privacy [from both new residence upwards and ours downwards] as my main living and dining rooms have full height and width glass windows overlooking the proposed subdivision.</p> <p>The 18m rear setback should be reinstated on this proposed subdivision.</p> <p><b>3. FURTHER SUBDIVISION</b>  Further subdivision of the new lots will have an impact on Paynesville future infrastructure and potential risk to the wetlands and habitat. Increased housing density on this site does not meet planning scheme provision for this area and should be avoided.</p> <p>We ask Council to ensure that this subdivisions' building envelope designs are amended to comply with the VCAT orders and that 'no further subdivision of any lot' is included on a Section 173 agreement registered on each new lot or as a restrictive covenant of all lot titles.</p>
46	1. Lots 1 to 33 are not in keeping with the block sizes as per the Paynesville Growth Area Plan Understanding that the development in question was not actually part of the PGA it is my opinion that the block sizes should at least be adopted thus going somewhat towards maintaining the special character of Paynesville	<p>The direct effects to us are through the loss of our view to the East due to housing and the reduction of the wild life transition.</p> <p>Through the construction phase we anticipate that there would be considerable disruption to our peace and tranquility should the</p>

Objector	Grounds of Objection	How Objector will be impacted
	<p>2. The boundaries of Lots 1 to 33 should be aligned to the existing blocks in Eagle Bay Terrace. By doing this it would erase the need for some residences to have multiple rear fence neighbours. The current plan has up to 3 in one instance.</p> <p>3. Some blocks are shown to have only an 18 meter frontage. Given the fact that there is a proposed set back on one side and a standard 1 metre setback on the other side this significantly reduces the building envelope especially on the long blocks 36 to 55.</p> <p>4. Section 173 not documented. At the recent meeting in Paynesville there was a considerable amount of statements made in relation to what would "potentially" be contained in the section 173 documents in relation to set backs from the rear boundary. There is no evidence of this in any documentation.</p> <p>5. There is no provision for public useable space. The reserve/wetlands are simply not suitable for children to play in especially considering the statement made at the meeting that the area would be left to regenerate. In keeping with the Paynesville Development Plan there is call for public useable space to be within 400 meters of each home.</p> <p>6. Access Road for construction. At the information meeting we were advised that the access for construction would be through the property to the west running along under properties 52 to 34 on Eagle Bay Terrace. This is not acceptable. Having heavy trucks running along an unmade road creating considerable noise and raising dust for the duration of the construction places considerable burden on the residences.</p> <p>7. View retention for existing residences Consideration has been given to the shared views of the existing residence stating that the new building height of 4.5 meters and a set back of 5 meters for blocks 1 to 33. This is only a verbal statement making reference to the section 173. Taking a level from standing height at floor level will not accommodate a view of the water over the roof height of the new builds. The set back from the back boundary needs of be greater than 5 meters. The datum should be taken from floor level of existing building. Increasing the setback would address this issue.</p> <p>8. Understanding that growth and development is healthy for the township and in some ways inevitable it is vitally important that we do not lose the character that has made this town what it is. Therefore it is important that new subdivisions of this magnitude do consider wild life corridors and retain significant areas for both</p>	<p>proposed access through the paddocks be adopted.</p> <p>Tip trucks and cement trucks are not quiet pieces of equipment</p> <p>There is also potential for significant dust storms generated while the heavy equipment is traversing through the paddocks.</p>

Objector	Grounds of Objection	How Objector will be impacted																
	<p>wildlife habitat and recreation. I don't believe this is the case as the subdivision move further west.</p> <p>9. Storm water management strategy. Although not directly part of the proposal I note that there are proposed blocks running to the south of the continuation of Fullarton and north of Eaglebay Terrace blocks 32 to 52 into what is currently Rural Zoned land. To address the shortage of useable park land and play grounds I suggest consideration be given to allocating this space to such activities</p>																	
47	<p>1) We consider the development as proposed will materially affect the RAMSAR Lakes &amp; fringing wetlands.</p> <p>2) The development as proposed will significantly impact the amenity we enjoy.</p> <p>The proposed development has the potential to significantly impact the ecological character of a RAMSAR wetland. While this development is outside the boundaries of the declared Gippsland Lakes RAMSAR area, such actions are still regulated by the Environment Protection and Biodiversity Conservation Act (EPBC Act).</p> <p>There is no evidence that this development have been assessed by the proposer under the EPBC Act Administrative Guidelines.</p> <p>Parks Victoria has a well documented Management Plan which includes Risk Assessments for the deep lakes mega-habitat which includes Lake King and the variably saline fringing wetlands both of which are in the proximity of the proposed development. Threats identified by Parks include:</p> <table><tr><th>Threat</th><th>Likelihood</th><th>Consequence</th><th>Risk</th></tr><tr><td>Residential Development impacting visual amenity from Lake King.</td><td>Almost certain</td><td>Moderate</td><td>High</td></tr><tr><td>Invasive species (foxes and cats) attacking nesting, feeding and roosting waterbirds.</td><td>Almost certain</td><td>Moderate</td><td>High</td></tr><tr><td>Exposure of Acidic Sulphate Soils (ASS Toxicants)</td><td>Likely</td><td>Major</td><td>Extreme</td></tr></table>	Threat	Likelihood	Consequence	Risk	Residential Development impacting visual amenity from Lake King.	Almost certain	Moderate	High	Invasive species (foxes and cats) attacking nesting, feeding and roosting waterbirds.	Almost certain	Moderate	High	Exposure of Acidic Sulphate Soils (ASS Toxicants)	Likely	Major	Extreme	<p>The RAMSAR sites Lakes and Wetlands provides well documented benefits to people as a whole and to us that live in close proximity. Any actions that endangers the wetlands ecological character will significantly affect our amenity.</p> <p>We enjoy expansive views of the wetlands and lakes. This amenity will be significantly compromised if the development proceeds in its current form.</p>
Threat	Likelihood	Consequence	Risk															
Residential Development impacting visual amenity from Lake King.	Almost certain	Moderate	High															
Invasive species (foxes and cats) attacking nesting, feeding and roosting waterbirds.	Almost certain	Moderate	High															
Exposure of Acidic Sulphate Soils (ASS Toxicants)	Likely	Major	Extreme															


Objector	Grounds of Objection	How Objector will be impacted
	<p>Since the earlier VCAT submissions in 2010 and 2013 greater community awareness exists for the protection of the natural environment and these elements may not have been adequately considered.</p> <p>While some states, notably OLD and WA have very prescriptive guidelines to determine the size of buffer or protection zones for RAMSAR wetlands, Victoria does not. There are several areas where this proposed development appears to be deficient.</p> <p>We object to the visual bulk of the proposal as seen from Lake King and recommend a reduction in the number of Lots and/or a limitation of the building heights as seen from the Lake and/or an increase in side setback of each dwelling. Many regions of Australia and Victoria have single story, roof and wall colour limitations and achieve much improved outcomes.</p> <p>We object to the proposed subdivisions in close proximity to Crown land and recommend a larger buffer zone between the development and the potential extent of the future wetlands. This will also provide a migratory route for terrestrial flora and fauna. The lakes wetlands are known habitats of several endangered species of birds and frogs and should be adequately protected. Furthermore we enjoy the amenity of regular visits from non threatened fauna including Raptors which feed from the current paddocks. A larger buffer zone would ensure the biodiversity of this wetland is protected.</p> <p>A larger reserve to the North would also provide the potential to relocate the existing Eagle Point walking track - something that will be highly desirable as lake levels increase in the future.</p> <p>We object to the proposed development in close primitive to the wetlands as the intensified use will have a negative impact through increased noise, light, siltation, nutrient runoff and weed invasion. A larger reserve is again recommended.</p> <p>We object to the potential exposure of ASS as this is an EXTREME risk. Adequate surveys should be conducted and the treatment ponds should preferably be located outside of the future floodplain in areas free of ASS.</p> <p>We object to the "sharing" of views as proposed in the development. Many properties in Fullarton Drive and Eagle Bay Terrace enjoy expansive views of Lake King and the wetlands. Typically this encompasses a horizontal scope of 120 degrees or more and a vertical scope extending from the mountains on the horizon to the lake and fringing wetlands. The previous VCAT submissions</p>	



Objector	Grounds of Objection	How Objector will be impacted
	<p>introduced the concept of view sharing but this does not appear to have occurred in an equitable manner. We consider the views to be major amenity to the area and the one of the prime reasons we live here. Specifically; We object to the adoption of a 1.5m view line. This height is above the standing eye height of many females and is well above the eye height of a disabled person in a wheel chair. It also fails to recognise that Paynesville has an average of 63 years and many residents enjoy a view when seated.</p> <p>We object to the adoption of a horizontal view line. Most of the view we consider important encompasses the lake and wetlands. A view line declining by 3 to 5 degrees would not materially impact the permitted building heights and would significantly improve the outcome to many residents.</p> <p>We object to the adoption of view sharing where any height limitation imposed by the view line is restricted to only the Lot directly below each property, as this could result in the existing 120 degree views being reduced to a narrow slot. This does not seem to be equitable sharing. Rather we recommend the height limitation be applied to a number of Lots below each existing property, or to achieve a minimum view of say 45 degrees over the proposed lots.</p> <p>We object to a garage setback of 5m. Many large utility vehicles exceed this. 6.5m would be preferred.</p> <p>We object the location of the side setbacks being at the purchasers choice on Lots 15 and 33. Lot 15 is adjoining our property and if built to the boundary would result in significant overlooking of our balcony and living room, overshadowing and loss of amenity. A set back on the South of Lot 33 would retain some views.</p>	
48	<p>View sharing: Elevation We are the owners of 42 Fullarton Drive, Paynesville VIC 3880 Our lot is severely affected by the proposed maximum building heights as it was built at a lower elevation to the houses on either side. As set out in the Building Envelope Plan on Page 70. Our floor height is 16.46m AHD while 44 Fullarton Drive with a floor height of 16.62m AHD and 40 Fullarton Drive with a floor height of 17.31m AHD. View sharing to the East, Lot 40 obstructs the view severely as it is set at the maximum height for the building envelope, at 1.5m (standing height) above our floor level, this will give us a sliver of lake view, while standing. The Lot to the west has a height restriction of 1mt above our floor level. This will allow for a full view of the lake and view of the Point Fullarton wetlands. We would like to propose that the building envelope maximum building heights be changed for Lot 40 from 17.96m AHD to 17.5m AHD This will give a uniform 1m height above floor level and a level view across our rear boundary. Side setback</p>	<p>Side setback In the previous submission to VCAT, it was discussed that having offset allotments would allow for a viewing corridor. The Planning Report, Multi-Lot Subdivision and Removal of Native Vegetation 10 Fullarton Drive, Paynesville Our Reference – 19972 9 August 2022, Page 31 states, A 3m side setback on one side is proposed for each allotment. This will maintain corridors of views between dwellings, whilst also retaining the efficiencies that can be achieved in construction when an element such as a garage wall is constructed on the side</p>

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	In the previous submission to VCAT, it was discussed that having offset allotments would allow for a viewing corridor. The Planning Report, Multi-Lot Subdivision and Removal of Native Vegetation 10 Fullarton Drive, Paynesville Our Reference – 19972 9 August 2022, Page 31 states, A 3m side setback on one side is proposed for each allotment. This will maintain corridors of views between dwellings, whilst also retaining the efficiencies that can be achieved in construction when an element such as a garage wall is constructed on the side boundary, as is typical for many contemporary homes. P31 We have two allotments off set on our read boundary at approximately the halfway mark. The new proposal states that owners can decided to have a 3-meter side setback on one side of and lot and none on the other. If the buildings are placed side by side, we will have no view corridor. We propose that the side setback is set on the plan, so that in the least we will have a 3m view corridor. If this is achievable, we would like it to be the Eastern side, Lot 40 as this has the highest building envelope height and this lot will severely obstruct our view.	boundary, as is typical for many contemporary homes. P31 We have two allotments off set on our read boundary at approximately the halfway mark. The new proposal states that owners can decided to have a 3-meter side setback on one side of and lot and none on the other. If the buildings are placed side by side, we will have no view corridor. We propose that the side setback is set on the plan, so that in the least we will have a 3m view corridor. If this is achievable, we would like it to be the Eastern side, Lot 40 as this has the highest building envelope height and this lot will severely obstruct our view.
49	<p>1 The impact on the wetlands, ecosystem, and native wildlife living in and around the wetlands from noise and destruction from trucks, dust, building, etc. that will continue for years.</p> <p>2 Displacement of large troop of kangaroos who will lose their home. Where do they go? They are supposed to be protected.</p> <p>3. The infrastructure that cannot support the increased population from several existing housing developments already in progress. We have 1 road in and out of Paynesville, 1 small IGA supermarket, 1 doctor and 1 dental surgery, insufficient parking in township especially during tourist seasons.</p> <p>4. 33 of the proposed 59 blocks are crammed in front of the existing eleven properties in Eagle Bay Terrace.</p>	I retired to Paynesville for a peaceful lifestyle. This will destroy my outlook onto the lake, wetlands and native wildlife. These blocks will take advantage of the northerly views over Lake King and distant mountains, existing residents, some who have lived here for many years, will lose their views. We will have no view from our gardens and only a glimpse of the lake from inside our homes, but only if we are <u>standing</u> up.
50	<p>Consideration; Lack of consideration of the people living in Fullarton Drive and Eagle bay Terrace the most of these people are in there senior years have lived there for twenty years or more and have enjoyed the piece and quiet the views and the abundance of wild life and is all about to be taken away with this development. This a very poor out come for elderly rate payers and the wildlife.</p> <p>Wildlife: No consideration ,there can just move on? Most likely on to the roads and then to heaven.</p> <p>Typical Development ,no care for the wildlife. Also that should be noted the recent bushfires killed hundreds and million of animals.</p> <p>Kangaroo Attacks; With this development you are putting people and their animals in very close proximity of wild resident kangaroos ???</p> <p>Sewage; The sewage systems threw out East Gippsland with all these new developments are not coping. No more Development should be approved till they are up graded to cope with the larger population.</p>	

Objector	Grounds of Objection	How Objector will be impacted
	<p>Water; Permanent Water restrictions in place.? Where is the water coming from. How is this going to impact us with all these new developments.</p> <p>Power; Almost every day on the news we are told there is a power short fall. How is this going to impact us with all these new developments.</p> <p>Gas; Almost everyday on the news we are told there is a gas short fall. How is this going to impact us with all these new developments.</p> <p>Pollution. More people more pollution, the lakes had BLUE GREEN TOXIC ALGAE for the better half of this year. How is this going to impact us with all these new developments.</p> <p>Roads; The Bairnsdale Paynesville RD , has been a DANGEROUS MESS FOR YEARS. How is this going to cope with all these new developments. Trucks and more Trucks and cars.</p> <p>Fire: one road in one road out.?</p> <p>Hospitals: Are total over loaded, and a mess.</p> <p>Doctors; If you can get one. Three to four week wait.</p> <p>Schools; In Eagle point and Paynesville are overfull.</p> <p>Burden Place; More cars, Exit into Paynesville road can be quite and more dangerous at times ,there are power poles on your left and right blocking your view of traffic ,And when there trucks, cars, cars and caravans, cars and boats parked in front of the service station the visibility of cars coming from Main St roundabout can be total blocked out. Should possible have lights installed.</p> <p>Fullarton Drive; The elderly residents Could be save the pain of the ongoing building of houses for years if Fullarton drive was blocked of at Number 65 and would only let walking traffic through ,and the new road continues past lots 35 and 34 and re-joins Fullarton drive about lot 32 (refer attached plan). I feel this would be a very favourable outcome for the concerned elderly residents of Fullarton dv for the years to come. And with no loss of any blocks Wisteria Place road entry could replace lot 32 block.</p> <p>Infrastructure; Lack of infrastructure in Paynesville and East Gippsland. It is irresponsible to keep building subdivisions without proper infrastructure.</p>	

Objector	Grounds of Objection	How Objector will be impacted
		
51	<p>1. The severe impact of proposed subdivision and building envelopes on our existing panoramic view scape and particularly the loss of the foreground view over the Point Fullarton Ramsar Wetland.</p> <p>2. The proposed subdivision and building envelopes would result in a very significant loss of enjoyment and amenity we currently enjoy at our dwelling at 20 Fullarton Drive. Particularly in terms of views and wildlife appreciation of kangaroos at close quarters and birds including Latham's Snipe for which the proposed subdivision is their habitat. The main reason for buying the existing property at 20 Fullarton Drive was the magnificent views to the north over the proposed subdivision property. Our property was marketed on this basis and these values would be significantly impacted by the proposed subdivision and building envelopes.</p> <p>3. The severe impacts of the proposed subdivision and building envelopes on the wildlife that currently inhabits the property including large mobs of Eastern Grey</p>	<p>1. My wife and I would be greatly affected by the loss of amenity, serenity and enjoyment of our property particularly from the very significant loss of our magnificent views over the proposed subdivision property to the Ramsar wetlands looking north. This particularly affects us given that the main reason for purchasing and retiring to 20 Fullarton Drive was for the magnificent views afforded.</p> <p>2. If the proposed rear setback to the building envelope remains at 10 metres it would certainly affect our immediate amenity, serenity and view scape. If the permit is</p>

Objector	Grounds of Objection	How Objector will be impacted
	kangaroos and birdlife, particularly Latham's Snipe. These wildlife populations would be completely displaced by the subdivision and building envelopes. 4. I object to the proposed minimum rear setback of 10 metres for proposed allotments in the Eastern section of the subdivision (Lots 36 - 58). The minimum rear setback for these allotments should be reinstated to 18 metres as previously recommended by VCAT, particularly given that the proposed allotments are 70-80 metres in depth. Hence, there would be plenty of building envelope available to build on with an 18 metre rear setback.	granted it should only be with the rear setback reinstated to 18 metres for lots 36 - 58, as previously recommended by VCAT. 3. We would be greatly affected by the loss of enjoyment in being able to observe abundant wildlife at close quarters, particularly the large mobs of Eastern Grey Kangaroos and birds such as Latham's Snipe who inhabit the property proposed for subdivision.
52	See attachment	As a local East Gippsland resident and Gippsland Environment Group member, I am concerned about the impact of the development on biodiversity, See attached.

***The Privacy Act requires identifiable information contained within objections to be redacted where the information is to be published online. As such the names, addresses and communication details of the objectors has been redacted/presented in a separate table document. Unredacted objections are viewable at Council's Customer Service Offices by request.***

DRAFT OBJECTION TO 10 FULLARTON DRV – MULTI LOT SUBDIVISION ( REF# 344/2022/P

The proposed multi-lot subdivision abuts the Point Fullarton wetlands, which are generally brackish in character but sometimes freshwater and sometimes hyper saline, and are populated with a diverse range of vascular and non-vascular plants, and rare and threatened wildlife. Point Fullarton forms part of the internationally significant Gippsland Lakes RAMSAR site. The Gippsland Lakes Ramsar site is one of 64 wetland areas in Australia that is listed as a Wetland of International Importance under the Convention on Wetlands of International Importance especially as Waterfowl Habitat or, as it is more commonly referred to, the Ramsar Convention (the Convention). Gippsland Lakes was listed as a Ramsar site under the Convention in 1982 in recognition of its outstanding coastal wetland values and features. The site is now seen as meeting six out of the nine Nomination Criteria recognising its representative wetland habitats at a bio regional level, vulnerable wetland species, support for key ecological life-cycle functions such as waterbird breeding, its importance for supporting waterbird abundance and diversity and its fish nursery and spawning habitats.<sup>1</sup>

Key threats to Point Fullarton's wetlands include; altered water regimes, salinity, pollution, pest plants and animals, natural resource utilisation, dredging, activation of acid sulfate soils, recreation and tourism usage, fire and erosion. Contemporary threats include the prevalence and severity of recent algal blooms and the implications of climate change – particularly sea level rise – on the Gippsland Lakes.

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) prohibits actions that are likely to have a significant impact on the ecological character of a Ramsar wetland unless the Commonwealth Environment Minister has approved the taking of the action, or some other provision in the EPBC Act allows the action to be taken.

The proposed multi-lot subdivision poses several potential threats to the adjoining Ramsar wetlands, namely;

- a) water and light pollution,
- b) heightened recreation and tourism pressures
- c) pest plants and animals,
- d) activation of acid sulfate soils during construction,

The above threatening process inform our objections to the proposed subdivision.

## 1. WATER POLLUTION

The proposal to treat storm water runoff from internal and external catchments via wetland, bio-retention, sediment basins and swales in accordance with water sensitive urban design principles is to be commended. However, as noted by the Water Quality Treatment Performance Table (Site Drainage Plan, p.103) the % reduction in Total Nitrogen and Total Suspended Solids projected by CROSSCO barely meets best practice. Given the internationally significant RAMSAR values at stake, we implore council and the developer to exceed the best practice minimums.

Significantly, the proposed road reserve does not appear to incorporate any water sensitive urban design features; such as porous paving, vegetated bio-retention swales, roadside rain gardens and

<sup>1</sup> <https://www.dcceew.gov.au/sites/default/files/env/resources/0c0185c8-8e0b-4194-a6ca-d0f795bef410/files/21-ecd-prelims.pdf>



filter strips etc. Given the highly sensitive location of the proposed development abutting an internationally significant wetland and previous VCAT decisions recognising this, we would expect nothing less than best practice in water-sensitive urban road design. The current road reserve plans do not minimise water pollution, and fail to align with water sensitive road design principles. We are concerned that the proposed road design may have a significant impact on the ecological character of the Ramsar wetland, and thereby potentially be in breach of the EPBC Act. We encourage council and local residents to participate in our baseline and periodic water quality monitoring program, to give relevant authorities access to important water quality data.

It's important to note that the subdivision plans appear to offer some water treatment scenarios that do not incorporate water conservation measures for *all* future houses on the proposed lots. In accordance with water-sensitive urban design principles, the proposed development ought to reduce the demand for potable water by using alternative sources of water such as rainwater, storm water and treated wastewater and encouraging water efficient appliances, and low water use gardens and landscaping. The subdivision should incorporate plumbed 2000lt water tanks as per the CROSSCO report for *all* allotments, and this should be secured in a Section 173 Agreement.

Finally, we hold grave concerns that East Gippsland Water cannot cope with additional sewerage inflows, given they are already pumping partly treated sewerage into the Mississippi Creek just below North Arm at the moment. Similarly, the water authority released partly treated sewerage into a chain of ponds at Forge Creek, which is a unique ecosystem currently receiving millions in funding towards its restoration. Until sewerage treatment capacity is increased considerably, we feel that further development will only increase the pollution pressures which the Great Lakes are facing.

## 2. LIGHT POLLUTION

Scientists, Government departments, along with the Australian Institute of Landscape Architects among others, have all recognised how light pollution negatively affects humans and the natural environment.<sup>2</sup> Scientific evidence suggests that artificial light at night has negative and deadly effects on many creatures including amphibians, birds, mammals, insects and plants.<sup>3</sup> Glare from artificial lights can also impact wetland habitats that are home to amphibians such as frogs and toads, whose nighttime croaking is part of the breeding cycle. Artificial lights disrupt this nocturnal activity, interfering with reproduction and reducing populations. Unfortunately, no consideration appears to have been given in the proposed development for minimising light pollution, particularly to the adjoining Ramsar-listed, internationally significant wetlands. The U.N. Convention on the Conservation of Migratory Species of Wild Animals of which Australia is a signatory, highlights how migratory birds are at particular risk of light pollution-related disturbances to breeding and migratory cycles.<sup>4</sup>

The subdivision's proposed street lighting plan should incorporate the Australian Government's recently released National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds.<sup>5</sup> How will light spill from street lighting be controlled to a) preserve neighbourhood amenity and character; and b) protect wildlife and other environmental values? We'd like to see best practice street lighting, incorporating the latest, environmentally-friendly LED technology and state-of-the-art directional light spill control to minimise impacts on visual amenity and wildlife; whilst still meeting statutory public safety standards.

<sup>2</sup> <https://www.dceew.gov.au/environment/biodiversity/conservation/light-pollution>;  
<https://www.foreground.com.au/agriculture-environment/the-perils-of-light-pollution/>

<sup>3</sup> <https://www.nature.com/articles/d41586-018-00665-7>

<sup>4</sup> <https://www.cms.int/en>

<sup>5</sup> <https://www.dceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife>

### 3. HEIGHTENED RECREATION & TOURISM PRESSURES

The proposal does not appear to explain what role the proposed new reserve will play from an environmental or community point of view. The landscape design proposal for the reserve has been omitted from subdivision plans, prohibiting any meaningful public scrutiny and feedback. The community would benefit from a *low-key, natural* play space/seating area for families and a level, hard surface, attractive path (not concrete or gravel). Again, this should be secured in a Section 173 Agreement to avoid the permit obfuscating. by amending permit conditions containing negotiated requirements.

Attention also needs to be given to discourage activities that generate excessive noise and disturbance to nearby wildlife (like sporting fields). More educative signage and informative displays similar to those at the Burden Drv parking area would be helpful, especially at raising awareness of the various breeding seasons. Education is a powerful tool that can be employed to reduce human recreational impacts on the wetlands.

### 4. PEST PLANTS & ANIMALS

Given the close proximity of the proposed allotments to the Ramsar wetlands, some attention needs to be given by planners on mitigating risks of predatory animals and invasive plants. Responsible pet ownership should be enforced by council, particularly for domestic cats and dogs that pose a direct threat to neighbouring wildlife, such as frogs, birds and smaller mammals. Consideration needs to be given for effective cat curfews at night and early mornings, when wildlife is most vulnerable to predation. Educating future residents of the dangers posed by domestic pets and noxious plants to the Ramsar wetlands would be helpful in reducing these risks to the wetlands. Ways of enforcing responsible pet and plant ownership need to be genuinely explored and actioned upon. Cats roaming freely at night or gardens full of highly invasive noxious weeds for instance; would constitute a clear threat to the wetlands and potentially be subject to an EPBC control order.

### 5. ACTIVATION COASTAL ACID SULFATE SOILS (CASS)

GEG is concerned by the potential disturbance of CASS during the construction phase. We will pay close attention to the geo-technical Investigation of the site and recommendations for management if found, noting that CASS mapping confirms its likely presence.<sup>6</sup> Given the history of poor management of CASS by the applicant for the permit in a previous adjoining development (the Canals), we are most concerned by the permit applicant's involvement in this environmentally sensitive project.

### CONCLUSION

Due to the 5 key threats elucidated above, the Gippsland Environment Group believes this is an inappropriate development for Point Fullarton. The General Residential Zoning is an historical misstep, reflecting the lack of concern and/or appreciation for the fragility of internationally important inland waterway habitats to residential development. Our first preference is to see the land compulsorily acquired by the state or federal government and protected from future development. Ideally the entire site can be rehabilitated as an open area for all to enjoy, and also act as a long term buffer to the increasing challenges of climate change induced disturbance. We fear

<sup>6</sup> VRO Coastal Acid Sulfate Soils Distribution – Map 5 for the Gippsland Lakes of Victoria

that once residents realise that the proximity to wetlands can bring swarms of mosquitoes and unpleasant odours, pressure may well build to have the wetlands treated with toxic insecticides that can harm food webs and unbalance the entire local ecosystem that ultimately place the areas Ramsar values at risk.

Accepting that rezoning the land in question is outside the current remit of council, we strongly feel that if the subdivision was to go ahead, then it ought to align with the principles of water sensitive urban design, and that applicant be made to exceed best practice minimums by much more than current plans envisage. Anything less than this could jeopardise the long-term viability of the Ramsar wetlands and potentially be in breach of the EPBC Act.

Objection details:

Address: 10 Fullarton Drive PAYNESVILLE Lot C PS 311448

The application is for a permit to: Multi-lot Subdivision and Native Vegetation Removal

The applicant for the permit is: Crowther & Sadler Pty Ltd

The application reference number is: 344/2022/P



## Point Fullarton subdivision - Supplementary submission to Council

Gippsland Environment Group, May 5, 2023

The shire states that “individuals, businesses and government must work together to meet the challenges of climate change. The best place to start is in your own street, in your own community.”<sup>1</sup>

Gippsland Environment Group seeks to work collaboratively and in good faith with local residents, land owners and managers, and the shire; to meet the challenges of climate change and biodiversity loss associated with the proposed Fullarton subdivision. We applaud the council's policy (in accordance with the purposes of the planning scheme)<sup>2</sup> to support responses to climate change:

*“The Council Plan recognises that East Gippsland Shire is vulnerable to coastal hazards, inundation, fire and extreme natural events and climate change has potential to increase our vulnerability. Council is committed to assisting communities to adapt to future conditions in a planned way. [Council] have undertaken Victorian Adaptation and Sustainability Partnership projects by partnering with the state government to increase resilience and reduce risk from climate change.”<sup>3</sup>*

The Gippsland Environment Group presents this supplementary submission to council as an acknowledgement that the highly contentious 10 Fullarton Drive Paynesville (3442022P) subdivision proposal doesn't meet the criteria of the East Gippsland Planning Scheme on certain points.<sup>4</sup>

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<sup>1</sup> <https://www.eastgippsland.vic.gov.au/environment-and-waste/climate-change>

<sup>2</sup> *East Gippsland Planning Scheme*, S01 10/06/2022 Purposes of this planning scheme; p.3

<sup>3</sup> <https://www.eastgippsland.vic.gov.au/environment-and-waste/climate-change>

<sup>4</sup> *East Gippsland Planning Scheme*, S71.02-3 03/02/2022 VC199 Integrated decision making; p.1076

### ***Zoning History***

In 1982 (the year the land of the proposed development was zoned General Residential) climate science was still in its infancy and climate change had barely entered into public discourse. The Shire could not have anticipated its significance at the time and it's highly unlikely it was considered in planning decisions. The planning framework, including new and revised legislation, VCAT rulings, planning scheme updates and scientific knowledge has advanced considerably since the early eighties. Today the planning scheme and relevant policy and legislative documents instruct planners to plan for sustainable coastal development, respond to climate change and protect significant landscapes and environmental values. Most recently, the Marine & Coastal Act, Policy and Strategies, directs planners to take a long-term view in assessing development proposals in coastal settlements and sensitive environmental landscapes, such as Point Fullarton. This applies equally to the low-lying farming zoned foreshore land located within the Eagle Point Settlement Boundary, which is likely to be lost to sea level rise by 2100, making the farmland inside the Paynesville Settlement Boundary the new foreshore area.<sup>5</sup>

We discuss three important factors that affect the development that are new:

1. The Latham's Snipe
2. Buffer size
3. Marine & Coastal (MAC) Act, Policy and Strategy

### **1. The Latham's Snipe**

In 1982, it was not known that Latham's Snipe, a migratory bird flying between Australia and Japan, had made the development area their home.

Latham's Snipe is listed as ***Vulnerable in Victoria and Near-Threatened Nationally***, and ***afforded legal protection under the EPBC Act in Australia***.

We will present evidence that shows there is a significant number of these birds living and roosting in the proposed development area, and thus the development would remove the majority of the area they now occupy.

For all these reasons, the proposed subdivision plan cannot purport to guarantee beyond

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<sup>5</sup> East Gippsland Planning Scheme, *Paynesville Framework Plan*, p.29

reasonable doubt that it will prevent irreversible or severe harm to the site's biodiversity, the Latham's Snipe, the neighbouring Ramsar wetlands due to coastal squeeze from climate change, and therefore, in turn the local community itself.

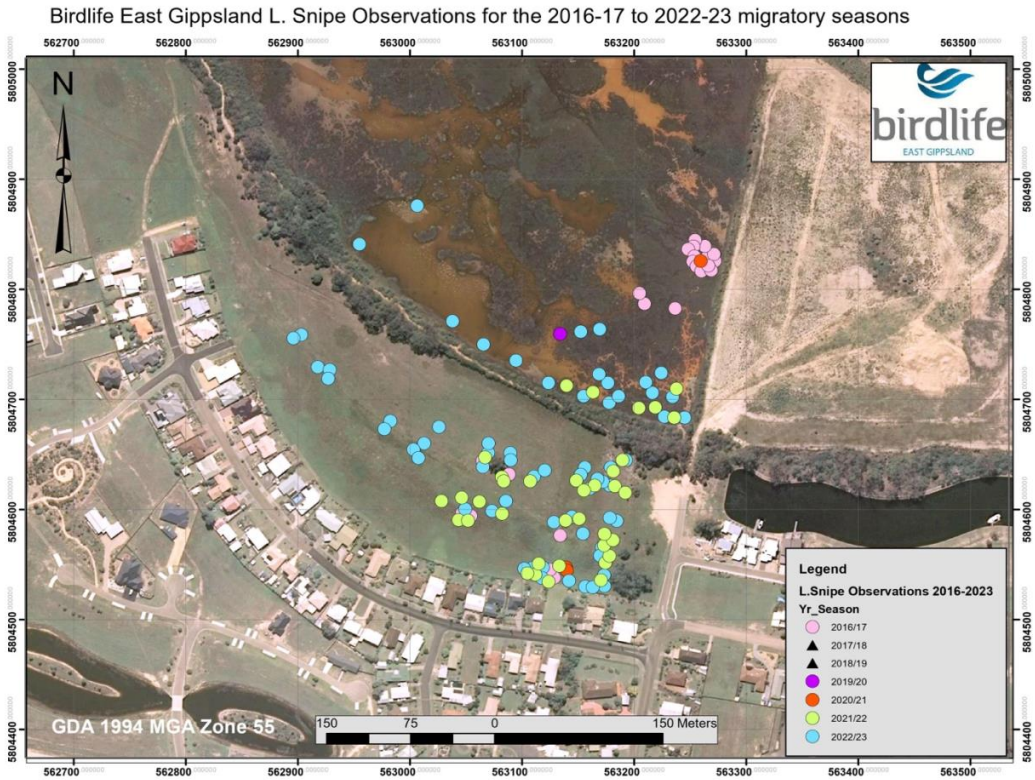
We believe three areas require action before any development could proceed: The Latham's Snipe, adequate buffers and compliance with the new Marine & Coastal Act's policies and strategies in relation to climate change adaptation.

East Gippsland Planning Scheme - Relevant clauses	
12.01-1S 14/07/2022 VC213	<ul style="list-style-type: none"><li>fails to identify and protect an important area of biodiversity, including key habitat for the vulnerable Latham's Snipe</li></ul>

Figure 1 below shows the surveys of Latham's Snipe populations from 2016 to the current day. As stated above, the existence and monitoring of Latham's Snipe was not taken into account in 1982 when the land was first zoned residential.

Note the seasons with no Snipe were drought years.

Figure 1: Birdlife East Gippsland Snipe Observations 2016-17 to 2022-23 seasons.





As shown in the BirdLife East Gippsland Snipe Survey map above, much of the eastern part of the proposed subdivision site has supported a nationally important population of Latham's Snipe for a number of years, and a considerable portion of this will be modified or lost to new development infrastructure. Anthropogenic disturbance (light, noise and physical encroachment) will likely further degrade any remaining snipe habitat.

We endorse the expert opinions of Dr Birgita Hansen (Leader of the National Latham's Snipe Project Group) attached to the Birdlife East Gippsland submission to Council; who has publicly stated that the proposed Fullarton development is likely to impact on the snipe population through loss of suitable habitat, compromising the site's suitability for Latham's Snipe and other shorebirds, and advised both council and the proponent that **an EPBC assessment is warranted.**

Dr Hansen in her supporting letter to council (p.85), noted:

- a) Latham's Snipe use the Point Fullarton wetlands and adjacent fields throughout their nonbreeding season in Australia (mid-spring to early autumn)
- b) Point Fullarton wetlands and adjacent fields is one of only eight snipe sites in the region to support nationally significant numbers of Latham's Snipe (i.e., more than 18 birds)
- c) Development of residential housing on and adjacent to this area is likely to impact on the snipe population through loss of suitable wetland habitat for daytime roosting birds, and disturbance to roosting and feeding birds from human activities

According to the ***EPBC Act Policy Statement 3.21—Industry guidelines for avoiding, assessing and mitigating impacts on EPBC Act listed migratory shorebird species***, **residential development can be a significant threat to migratory shorebirds, primarily from the loss and degradation of foraging and roosting habitat, and through interference during important lifecycle stages of migratory birds.** Because migratory shorebirds mostly feed on intertidal mudflats, they require safe roosting areas to rest during high tide periods or when weather conditions prohibit occupancy of more commonly used habitats.

The high energy demands on migratory shorebirds resulting from their migratory lifecycle means that resting is critical when not breeding. Generally, migratory shorebirds prefer roosting areas in open habitat on slightly elevated ground so they can

watch for potential predators. The proposed development site's sloping grasslands provide ideal roosting areas for Latham's Snipe during the day, prior to foraging in the adjacent Ramsar wetlands at night. In addition to the loss of snipe habitat, the lower portions of the housing estate, particularly the design and location of the housing lots, the proposed new road from Burden Place and sediment basin will effectively inhibit the migration of the Ramsar wetlands to higher ground as sea levels rise, resulting in loss of both migratory bird roosting habitat and foraging Ramsar wetlands.

The Latham's Snipe is an incredibly shy and wary bird, that according to experts, is highly susceptible to disturbance.

***Disturbance is greatest where increasing human population and development pressure may have an impact on important habitat. Migratory shorebirds are most susceptible to disturbance during daytime roosting and foraging periods.***

Not protecting and conserving an environmentally sensitive area is damaging particularly for species such as Latham's Snipe; changing the ecological character of a shorebird area can lead to deterioration of the quantity and quality of food and other resources available to support migratory shorebirds (Sutherland et al. 2012 and references therein).

Research suggests that disturbance has a high energetic cost to shorebirds and may compromise their capacity to build sufficient energy reserves to undertake migration (GossCustard et al. 2006; Weston et al. 2012).

***The notion that migratory shorebirds can continue indefinitely to move to other habitats as their normal feeding, staging or roosting areas become unusable is erroneous. As areas become unsuitable to support migratory shorebirds, remaining habitat will attract more birds, in turn creating overcrowding, competition for food and depletion of food resources, and increased risk of disease transmission.***

The Department of Climate Change, Energy the Environment and Water state on their website provide a Species Profile for Latham's Snipe and state that:

***“The current major threat to Latham's Snipe outside of Australia appears to be the modification and loss of habitat. This has been caused by the drainage, clearance and modification of wetlands for residential, agricultural and industrial development*** (Frith et al. 1977; Naarding 1981, 1983, 1985; Weston 1998). The species is also potentially threatened by predators such as foxes and mink (Naarding 1985; Weston 1998), and is said to be sensitive to disturbance caused by humans and grazing cattle

(Naarding 1983).

Latham's Snipe is listed as:

**Near Threatened - Global Status:** IUCN Red list of Threatened Species 2022.

The IUCN Red List of Threatened Species™ is *the world's most comprehensive information source on the global extinction risk status of animal, fungus and plant species.*

**Vulnerable** in Victoria (The Action Plan for Australian Birds 2020).

The Latham's Snipe is listed as Vulnerable in Victoria and Near-Threatened Nationally, and afforded legal protection under the EPBC Act. We also note how habitat destruction and disturbance from coastal development and infrastructure is the most significant threat currently affecting protected migratory shorebirds of the area, like Latham's Snipe, Common Greenshank, and the Grey Plover. According to the plan's risk prioritisation matrix, *coastal development poses a very high risk to migratory shorebirds, and immediate mitigation action is required.*

In addition, we note the developer's proposal (page 39) states that:

"The proposed design response involves a multi-lot subdivision that creates a new road to front the proposed reserve and extends an existing road to create a bank of residential lots to the west that front the reserve. The development of a road that fronts the reserve will provide for security and casual surveillance of the reserve and allows for public participation of the reserve. (Italics & bold added)

To have both a road cutting across the Latham's Snipe habitat with road noise and moving objects and a proposed reserve that allows for **public participation** definitely constitutes major disturbance to this species, as well as of course, major building works that could last years.

## 2. Buffers

When considering appropriate **buffer widths** for the Latham's Snipe habitat and wetlands we refer to a Biosis report of 1993 cited in the (VCAT Decision 2170 - White Ash v Frankston City Council 2004) on the role of buffers in the south-east wetlands considered the nature of wetland buffers, using a criterion relying on distance from the edge of the wetland to human or disturbing activities. The report contains these

implications for buffer design:

- Buffer widths less than 60 meters in areas subject to disturbance will reduce the effective available area of wetland habitat for most species.
- Buffer widths less than 90-100 metres in areas subject to disturbance will reduce the effective available wetland habitat for ducks.
- ***Buffer widths up to 150 meters may be required to buffer against more extreme disturbances or as buffers for more sensitive species not observed by their study.***
- An effective buffer also acts as a wildlife corridor through the area. It provides habitat for breeding and shelter. It facilitates the movement of fauna as well as reducing disturbance to wildlife on and near the wetland.

In further support to the buffer widths above is in the comprehensive report, 'The Coast Is Unclear' by Chris Smyth for the Victorian National Parks Association 2014 in which was called for:

**"100 metre buffers .....applied to private land to provide greater protection for coastal and hinterland ecological vegetation classes and their restoration along waterways, surrounding estuaries and abutting coastal crown land or the high-water mark."**

#### **Latham's Snipe Buffer**

The identification of the endangered and sensitive species Latham's Snipe triggers the Biosis recommendation of a buffer from their location of up to **150 metres**. According to the 1993 Biosis report, we believe this should therefore trigger the requirement of up to 150 metres buffer from the Latham Snipe's habitat location.

Referring again to Figure 1, we note that many of the snipe are in the wetlands and also on the upper grassed area. To understand this spread we note from the State-wide

Integrated Flora and Fauna Teams (SWIFFT), a network for knowledge, sharing and information exchange that supports conservation and management of threatened species, biodiversity and the natural environment across Victoria that:

*"... during the day snipe prefer to roost in grass and weeds in close proximity to water and at night they disperse to feed in nearby wet paddocks, ditches and other open flooded areas. The distance they move nightly to feed is unknown; however, shorebirds*

*tend to roost in close proximity to their feeding habitats in order to reduce the amount of energy used in nightly transit. The distance between snipe roosting and optimal feeding habitats is likely to be minimal in order to reduce flight times and so, conserve energy.” Latham's Snipe (swift.net.au)*

Thus, on the map in Figure 1, birds would roost in the grass and weeds close to the water, then move to higher land above at night and for their nightly feed. Thus, the numbers on the dry land would be increased significantly at night.

We therefore suggest the proponent make an EPBC referral to ensure absolute safety and best practise is followed for the Latham's Snipe.

### **3. Marine & Coastal (MAC) Act, Policy and Strategy - Tackling Climate-change and Coastal Squeeze on Wetlands**

The most relevant objectives for the MAC Act in relation to planning and management of the marine and coastal environment at Point Fullarton are<sup>6</sup>;

1. to protect and enhance the marine and coastal environment, especially Ramsar-listed wetlands.
2. to promote the resilience of marine and coastal ecosystems, communities and assets to climate change
3. to respect natural processes in planning for and managing current and future risks to people and assets from coastal hazards and climate change
4. to acknowledge traditional owner groups' knowledge, rights and aspirations for land and sea country.

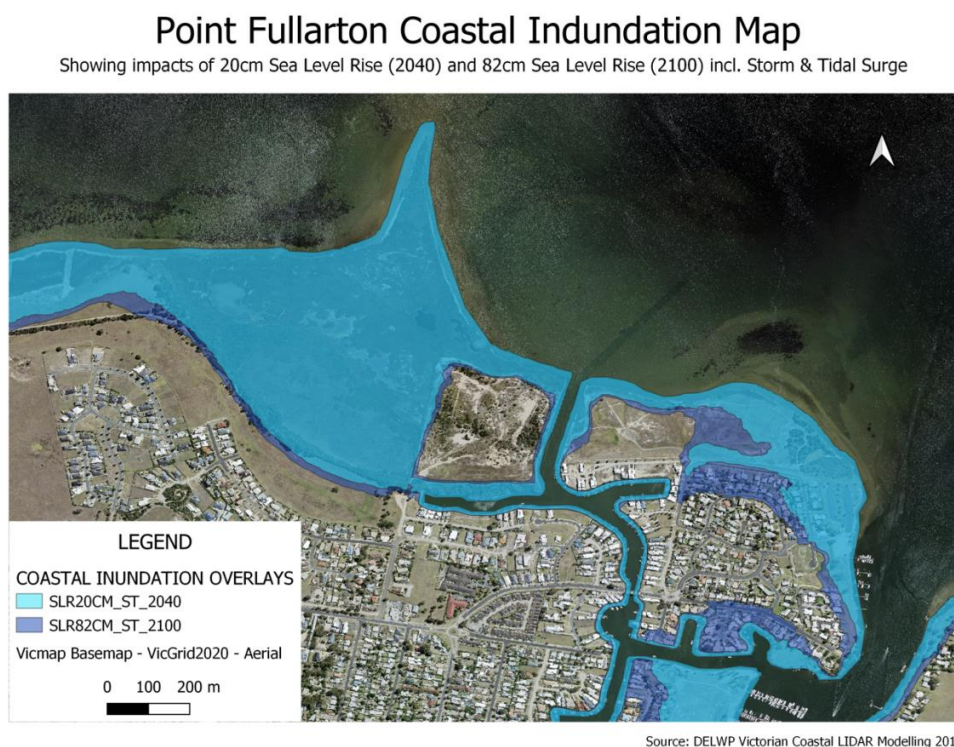
A strong case can be made the current Fullarton subdivision proposal doesn't adequately achieve the first three objectives of the MAC Act (Sec. 7) listed above. We explain this further below:

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<sup>6</sup> <https://www.marineandcoastalcouncil.vic.gov.au/current-projects/marine-and-coast-policy-and-strategy/objectives-of-the-marine-and-coastal-act-section-7>

### 3.1 Inadequate protection of the Fullarton coastal environment, particularly its Ramsar wetlands and Migratory Bird Habitat.

According to a Gippsland Coastal Board study, Point Fullarton's geology is comprised of low-lying, highly erodible coastal dune sediments that are particularly vulnerable to sea level rise, coastal inundation and erosion.<sup>7</sup> Almost the entire extent of Point Fullarton's highly erodible mud flats will be inundated by the 20cm sea level rise projected by 2040, as evidenced in the map below.



This relatively modest sea level rise, will amplify the threat of coastal inundation and erosion of the foreshore environment. The combination the wetland's highly erodible soils with more frequent and intense extreme weather events, is likely to result in the rapid erosion or *foreshore recession* of the existing coastal and foreshore environment. By 2040, the future foreshore area will have crossed the Eagle Point - Paynesville walking track, replacing the Fullarton peninsula with a new concave bay shoreline.

<sup>7</sup> Gippsland Coastal Board (2008) *Climate Change, Sea Level Rise and Coastal Subsidence along the Gippsland Coast: Final Report, Phase 2 of the Gippsland Climate Change Study*



As sea level rise accelerates the loss of public foreshore areas, tidal wetlands like Fullarton's will become increasingly threatened by coastal squeeze. Barriers such as swales and retention dams that reduce tidal flows, and impermeable surfaces such as roads and housing, prevent wetland migration to adjacent uplands. As vegetation succumbs to submergence by rising sea levels on the seaward edge of a wetland, those wetlands prevented from inland migration will decrease in area, if not disappear completely. Coastal areas are unstable landforms, meaning, for example, the position of a wetland may change dramatically due to vegetation loss in a storm or drought or a rise in sea level. Coastal squeeze is often due to direct loss through the building of hard built structures that effectively 'fix' the coastline. Such structures may be unintentionally 'fixing' the shoreline, like coastal roads and housing developments, others are built to protect land and/or infrastructure from erosion and/or flooding.

The Ramsar wetlands will be squeezed in between rising sea levels and the lower parts of the housing estate, reducing the extent of wetlands to a fraction of their existing area. To enable coastal wetlands to survive these changes the coastline needs to be able to 'move' so species and habitats can also move inland during severe erosion events.<sup>8</sup> Maintaining wetland networks and corridors will help wetland-dependent plants and animals to adapt by moving to new areas in response to changing climatic conditions, and avoid being impacted by coastal squeeze. In line with the M&C Act, policy and strategies, it is imperative that planners protect and enhance the overall extent and condition of wetland habitats and species diversity distributions across public and private land in the marine and coastal environment as part of their strategic response to climate change and coastal squeeze.

Similarly, one of the guiding principles of the M&C Act is *Integrated Coastal Zone Management* (Sec. 8).<sup>9</sup> Planning and management for the marine and coastal environment should be co-ordinated and integrated, across the marine and coastal environment and associated catchments. This principle seeks the integration of the water cycle (including as it relates to estuaries, coastal waters, and waterways), with industry sectors and users of the marine and coastal environment, across all land tenures where this affects the marine and coastal environment. The current storm water

<sup>8</sup> Draft East Gippsland Regional Catchment Strategy 2021-2027, Climate Change; p.93

<sup>9</sup> <https://www.marineandcoastalcouncil.vic.gov.au/current-projects/marine-and-coast-policy-and-strategy/guiding-principles-of-the-marine-and-coastal-act>

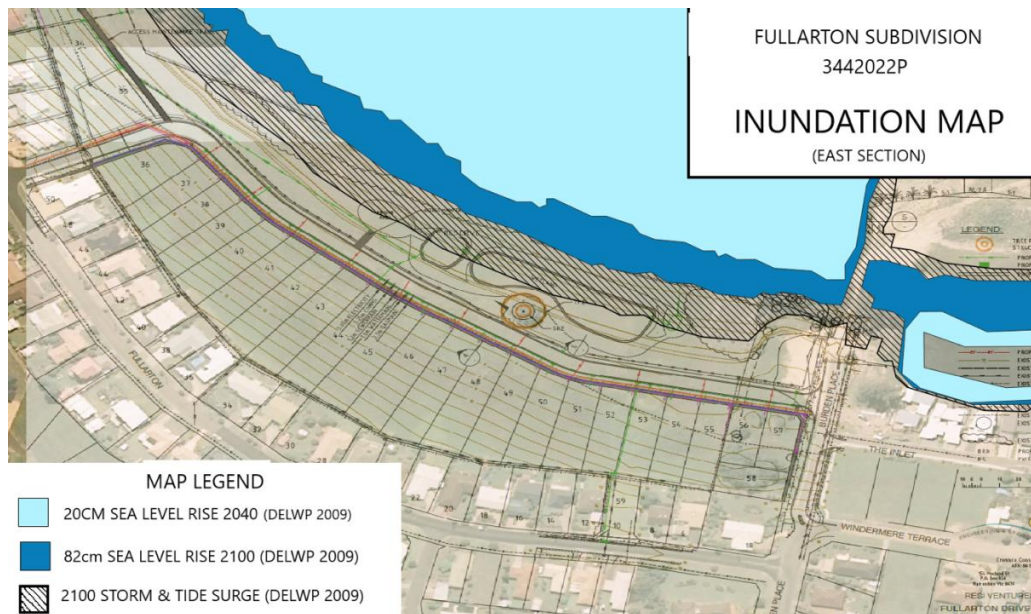
treatment proposal fails to adequately integrate planning and management of Fullarton's wetlands and vulnerable migratory species like Latham's Snipe across land tenures. The proposed subdivision's stormwater infrastructure for instance, will be partially submerged by projected sea level rise and storm surges by 2100, greatly impacting its capacity to treat runoff. Moreover, attempting to treat untreated runoff by building a constructed wetland and associated infrastructure in low lying areas that are a) vital to wetland migration and b) compromises nationally significant Latham Snipe habitat, is clearly NOT an example of Integrated Coastal Zone Planning and Management.

Another significant guiding principle of the M&C Act is adopting "*Ecosystem-based Management* (Sec. 9). The maintenance and, where appropriate, restoration of marine and coastal ecosystem structure and function is fundamental to the current and future use and enjoyment of Fullarton's coastal environment, its resources, and the ecosystem services provided. An ecosystem-based approach should underpin Victoria's marine and coastal planning and management system, incorporating a) avoiding detrimental cumulative or incremental ecosystem impacts and b) working with natural processes to build ecosystem resilience to climate change impacts. As it stands, the current subdivision proposal will create detrimental cumulative ecosystem impacts and does not support natural processes that build ecosystem resilience to climate change impacts.

### **3.2 Failure to promote the resilience of marine and coastal ecosystems, communities and assets to climate change**

Regrettably, in this instance, the location of the proposed subdivision stormwater infrastructure will act as a physical barrier to the retreat or migration of the wetlands to higher ground, effectively squeezing the Ramsar wetlands into an ever-narrower strip of low-lying land, prone to erosion and regular and more intense flooding.

**Figure 2: DELWP predicted sea level rise impacts on Fullarton sub-division**



Moreover, the proposed constructed “wetlands” serve to treat stormwater that is not saline or brackish, thereby will by necessity, utilise freshwater-dependent wetland species to effectively treat the polluted stormwater runoff. Freshwater wetland plants are highly sensitive to saline and brackish water spray and flooding. As shown by the DELWP climate change mapping above, the constructed treatment ponds are likely to be subject to coastal inundation of saline to brackish waters during extreme weather and tidal events. Intermittent saline inundation is highly likely to kill freshwater adapted wetland species, rendering the stormwater infrastructure ineffective at treating runoff. Without a viable wetland ecosystem, the bio remediation of polluted runoff will fail, resulting in elevated levels of polluted stormwater entering the Ramsar wetlands over time.

If planners were to apply the *precautionary principle*, as has been applied in numerous VCAT cases and is a guiding principle of the Marine & Coastal Act 2018, they may consider that increases in the severity and frequency of storm events coupled with rising sea levels and tidal extremes, create a reasonably foreseeable risk of inundation of the proposed stormwater infrastructure which is unacceptable. Though the second VCAT review recognised the appropriateness of similar stormwater management and drainage designs, the tribunal did not fully consider the impact of saline ingress on the constructed wetland habitat, only the “impacts from the scouring of water and

sediment” on the Ramsar wetlands themselves.<sup>10</sup> It is therefore likely that the initial water quality improvements associated with the proposed storm water treatment infrastructure will not be sustainable in response to climate-change.

The coastal squeeze of the wetlands will also squeeze the public foreshore into an increasingly narrow strip of unflooded land, that by 2100, will reach within meters of the proposed road and housing lots themselves. This will lead to the effective loss and privatisation of the much-loved public foreshore area, and place future residents at the mercy of ever greater natural hazard risks.

### **3.3 Failure to respect natural processes in planning for and managing current and future risks to people and assets from coastal hazards and climate change**

In accordance with Victorian Marine and Coastal Act (2018), the Marine & Coastal Policy (2020) sets out best practice guidelines for managing coastal hazard risk and tackling coastal squeeze, known as the Adaptation Pathway Approach. It primarily stipulates non-intervention and avoiding development within or in close proximity to coastal habitats, followed by nature-based methods of interventions that aim to create or restore coastal habitats.

Nature-based methods, also referred to as ‘nature-based coastal defence’ or a ‘living shoreline’, is the creation or restoration of coastal habitats for hazard risk reduction. This includes the rehabilitation of existing degraded habitats, restoration of those historically present, or the creation of new habitats in ecologically suitable areas.

The creation of new wetlands at Point Fullarton will be critical, as its’ coastal wetland habitat of highly erodible mud flats will be lost as sea levels rise, and the foreshore recedes inland. Much of the proposed development site would be ideally suited for ensuring the Ramsar wetlands have a chance to adapt to climate change and continue to provide valuable habitats for hazard risk reduction and enhancing biodiversity values well into the next century.

Coastal wetlands like Point Fullarton reserve and low-lying parts of the proposed development site are particularly at risk from climate change and coastal squeeze.

Coastal wetlands, such as mangroves, saltmarshes, and seagrass beds act like shock

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<sup>10</sup> Lake Park Holdings Pty Ltd v East Gippsland SC [2014] VCAT 1449 (21 November 2014); p.31

absorbers. They reduce the intensity of waves and storm surges, shielding the coastline from flooding, property damage and loss of life. Waves and storm surges lose energy as they enter these areas, resulting in reduced damage to coastal settlements. The roots of wetland plants also stabilise shorelines and reduce erosion. Losing these natural defences to coastal inundation and sea level rises can be risky and costly, especially for future generations.

The lower portions of the housing estate, particularly the design and location of the roading and stormwater management infrastructure will inhibit the effective migration of the Ramsar wetlands to higher ground as sea levels rise, resulting in coastal squeeze and the permanent loss of protective wetland habitat. Without an unimpaired wetland migration pathway, Fullarton's wetlands will be lost to sea level rise, erosion and inundation, resulting in the loss of these natural defences, at great environmental cost to the ecological character of the Ramsar wetlands site and heighten the cost and risks to coastal settlements from ongoing climate change events. Existing DELWP data shows the proposed subdivision will be at risk of losing most if not all of the protective wetlands by 2100, making the proposed settlement highly vulnerable to climate change impacts by the end of the current century and well into the next.

Given the Marine & Coastal Act 2018, the East Gippsland planning scheme and related policy documents instruct planners to plan for sustainable coastal development, taking such a long-term view is necessary if we expect coastal settlements to continue to exist beyond 2100. Importantly, the M&C Act directs planners to make '*evidence-based decisions*'; whereby marine and coastal planning and management decisions are based on best available and relevant environmental, social and economic understanding, recognising that information will often be limited.

BirdLife East Gippsland's survey data represents the best available evidence on the vulnerable Latham's Snipe. Though now out-dated (and they actually under-estimate climate-change impacts), the DWELP sea level rise, storm/ tidal, and coastal erosion hazard mapping clearly outlines the significant risks involved and need for a proportionate and risk-based planning response. Until the Shire has developed a detailed regional **Coastal Hazard Adaptation and Resilience Plan (CHARP)** in accordance with the M&C Act, Policies and Strategies, it's imperative the council reject the current subdivision proposal, or at the very least, request significant modifications to the submitted plans.

## Proposal

We now provide a proposal for the development along this area using data from the Birdlife Latham's Snipe survey data, suggestions for buffer widths from a report by Biosis and using data from the Marine & Coastal (MAC) Act, Policy and Strategy.

Alternatively, using the Birdlife Lathan Snipe survey data, and the topographic contour lines as our guide for wetland migration pathways, we have proposed a new area for the development site providing a wider reserve along the length of the Ramsar site; removal of all the house lots where the snipe roost (plus a buffer), and relocation of the constructed wetlands to higher ground as a minimum.

### Proposal

1. The proponent makes an EPBC referral to ensure absolute safety and best practise is followed for the Latham's Snipe.
2. We use the Biosis report (1993) mentioned above as the standard which stated:

***"Buffer widths up to 150 metres may be required to buffer against more extreme disturbances or as buffers for more sensitive species not observed by their study."***

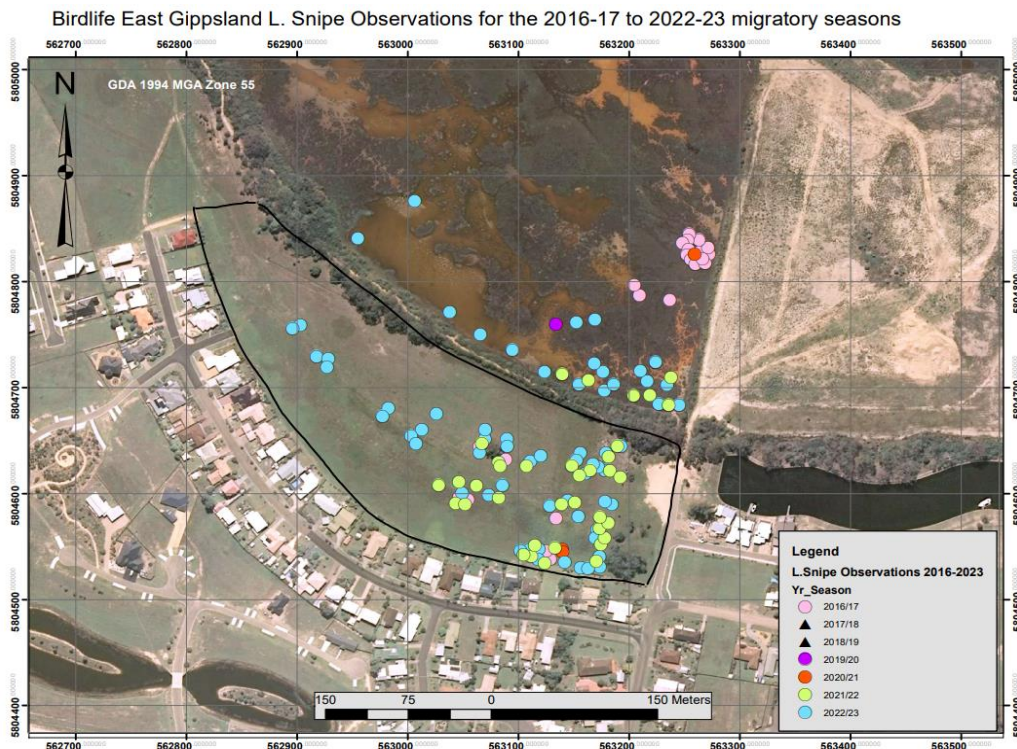
Clearly the Latham's Snipe is a sensitive species as already described and thus requires the **150-metre buffer**.

Using the **Marine & Coastal (MAC) Act, Policy and Strategy** DELWP climate change mapping shows by 2100 the area will be significantly changed, the coast will need to move up the slope. (Figure 2).

Referring to Figure 3 below, the area within the black line, would be unsuitable for development as it is required to protect their habitat and protect the wetland. This includes the standard of the 150 metres buffer from housing development and the predicted level of 2100 storm and tide surge from the DELWP climate change mapping data.



Figure 3. Protection of the Latham's Snipe Habitat with 150 metre Buffer



3. The proposed new road from Burden Place would clearly be inappropriate as it would proceed straight through the Latham's Snipe current habitat, and also cuts right through the area where they move between the water to roost and the land where they feed at night. It is also inappropriate in terms of coastal squeeze and the climate change data presented.
4. The proposed sediment basin or constructed wetland would need to be relocated as this is also in the immediate area of the Latham's Snipe habitat and again prevents wetland migration as sea levels rise.
5. Molly Rd development would not be required as the buffer between the wetlands and the houses there is currently in some places as small as 15 metres. As suggested at least 90 to 100 metres is best practice according to the Biosis report.
6. With regards to the wetland buffer the Biosis report states:

*"Buffer widths less than 60 metres in areas subject to disturbance will reduce the effective available area of wetland habitat for most species."*

*Buffer widths less than 90-100 metres in areas subject to disturbance will reduce the effective available wetland habitat for ducks.”*

Therefore, we suggest a minimum of 90 - 100 metres from the wetland.

7. The proposed new development would proceed by extending Fullarton Rd, and be built starting behind the houses on Eagle Bay Terrace. The houses would again not be built lower than 90-100 metres from the existing wetland.

## Conclusion

Council can play a vital role in determining the survival of the Latham's Snipe; and climate change effects on the wetlands and future residents through forward looking, climate change adaption strategies that ensure the wetlands have room to migrate to higher ground as sea levels rise.

The M&C Act's principle of '*adaptive management*' (Sec. 14) encourages decision-makers to learn from the outcomes of operational programs and, in light of that, change policies and practices.

The incredibly outdated Paynesville Structure Plan needs to reflect climate science and biodiversity survey results.

A pro-active response to protect Fullarton's highly vulnerable and valuable coastal and foreshore environment would be to provide setback distances (or buffer zones) further away from the land subject to coastal inundation, which is currently encumbered by roading and stormwater infrastructure.

We encourage shire planners to apply the precautionary principle, given that sea level rise and more extreme weather conditions resulting from climate change, along with the highly erodible geology of the site, present reasonably foreseeable risk of inundation the foreshore wetlands and modifications to the development plans are required.

## APPENDIX A:

*Relevant clauses of the East Gippsland Planning Scheme*

<b><i>East Gippsland Planning Scheme - Relevant clauses</i></b>	
12.05-1L 25/11/2022 C162egip	<ul style="list-style-type: none"> <li>fails to adequately protect and enhance sites of significance (Gippsland Lakes Ramsar site) for their ecological, biophysical, geomorphological values</li> </ul>
12.05-2S 31/07/2018 VC148	<ul style="list-style-type: none"> <li>fails to ensure significant landscape areas such as the bays and coastlines are protected</li> </ul>
12.05-2S 31/07/2018 VC148	<ul style="list-style-type: none"> <li>inadequately recognises the natural landscape for its aesthetic value and as a fully functioning system</li> </ul>
12.05-2S 31/07/2018 VC148	<ul style="list-style-type: none"> <li>fails to improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas</li> </ul>
12.05-2S 31/07/2018 VC148	<ul style="list-style-type: none"> <li>inadequately recognises the natural landscape for its aesthetic value and as a fully functioning system</li> </ul>
15.01-5S 09/10/2020 VC169	<ul style="list-style-type: none"> <li>the proposed development does not respond to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the underlying natural landscape character and significant vegetation.</li> </ul>
12.02-1S 06/09/2021 VC171).	<ul style="list-style-type: none"> <li>does not maintain the natural drainage patterns, water quality and biodiversity in and adjacent to coastal estuaries, wetlands and waterways.</li> </ul>
12.02-1S 06/09/2021 VC171	<ul style="list-style-type: none"> <li>does not avoid disturbance of coastal acid sulfate soils</li> </ul>
12.03-1R 31/07/2018 VC148	<ul style="list-style-type: none"> <li>does not minimise the impact of urban growth on high value water body assets such as the Gippsland Lakes</li> </ul>
12.01-1S 14/07/2022 VC213	<ul style="list-style-type: none"> <li>fails to identify and protect an important area of biodiversity, including key habitat for the endangered</li> </ul>

	Latham's Snipe
12.02-15 06/09/2021 VC171	<ul style="list-style-type: none"> <li>• fails to protect coastal and foreshore environments</li> <li>• According to a Gippsland Coastal Board study, Point Fullarton's geology is comprised of low-lying, highly erodible coastal dune sediments that are particularly vulnerable to sea level rise, coastal inundation and erosion.<sup>11</sup> Almost the entire extent of Point Fullarton's foreshore wetlands will be inundated by the 20cm sea level rise projected by 2040.</li> </ul>
(13 01/07/2021 VC20	<ul style="list-style-type: none"> <li>• increases our vulnerability to the effects of climate-change The proposed development increases vulnerability of future generations to climate change impacts, most notably; coastal hazards, inundation and erosion, extreme natural events, and sea level rise, by providing an inadequate adaptation buffer zone for the Ramsar wetlands. The Ramsar buffer zone is necessary for the coastal wetlands to adapt to future conditions in a planned way. Without room to move upland away from rising sea levels, coastal habitats will be eventually lost to climate change, greatly impacting biodiversity and their hazard risk reduction values for generations to come.</li> </ul>
13 01/07/2021 VC20	<ul style="list-style-type: none"> <li>• lack of effective controls to prevent or mitigate significant climate change and biodiversity impacts</li> </ul>
12.03-15 16/12/2022 VC201	<ul style="list-style-type: none"> <li>• does not adequately address the impacts of use and development on drought and flooding events at a catchment and site scale to protect the health and natural function of waterway systems and their surrounding landscape and environment (Ramsar wetlands).</li> </ul>

<sup>11</sup> Gippsland Coastal Board (2008) *Climate Change, Sea Level Rise and Coastal Subsidence along the Gippsland Coast*: Final Report, Phase 2 of the Gippsland Climate Change Study

12.03-1S 16/12/2022 VC201	<ul style="list-style-type: none"> <li>• does not conserve waterway systems and the landscapes and environmental values surrounding them by protecting ecological values, indigenous vegetation, terrestrial and aquatic habitats and encouraging biodiversity</li> </ul>
11.03-4S 06/09/2021 VC171	<ul style="list-style-type: none"> <li>• does not adequately limit development in identified coastal hazard areas, shorelines of estuaries, wetlands and low-lying coastal areas, or where coastal processes may be detrimentally impacted</li> </ul>
12.03-1S 16/12/2022 VC201	<ul style="list-style-type: none"> <li>• fails to sensitively design and site development to maintain and enhance the waterway system and the surrounding landscape setting, environmental assets, and ecological and hydrological systems, particularly in response to climate change.</li> </ul>
13 01/07/2021 VC20	<ul style="list-style-type: none"> <li>• fails to protect geomorphology, bank stability and flood management capacity to strengthen the environmental value and health of waterway systems by:</li> <li>• fails to ensure development and risk mitigation does not detrimentally interfere with important natural processes)</li> <li>• inadequately protects and enhances coastal wetlands identified under the Ramsar Convention, particularly in response to climate change. (12.02-1L 25/11/2022 C162egip)</li> </ul>
12.02-1S 06/09/2021 VC171	<ul style="list-style-type: none"> <li>• diminishes the future ecological values of the ecosystems in the marine and coastal environment</li> </ul>
12.05-1L 25/11/2022 C162egip	<ul style="list-style-type: none"> <li>• fails to design development in significant landscape areas like the Gippsland Lakes, that is sympathetic to the character of the area and preserves its aesthetic values, especially in response to climate change</li> </ul>
<b>SCHEDULE 14 TO CLAUSE 43.02 DESIGN</b>	<ul style="list-style-type: none"> <li>• <b>the proposed layout does not provide for the protection of wetland areas (. The lower portions of</b></li> </ul>

AND DEVELOPMENT OVERLAY, DDO14)	the housing estate, particularly the design and location of the housing lots, roading and stormwater management infrastructure, will effectively inhibit the migration of the Ramsar wetlands to higher ground as sea levels rise, resulting in coastal squeeze and loss of wetland habitat.
13 01/07/2021 VC20	<ul style="list-style-type: none"> <li>• Fails to adequately prepare for and respond to the impacts of climate change</li> <li>• The proposed subdivision's stormwater infrastructure for instance will be partially submerged by projected sea level rise and storm surges by 2100, greatly impacting its capacity to treat runoff.</li> </ul>
12.05-1S 31/07/2018 VC148	<ul style="list-style-type: none"> <li>• does not protect and conserve environmentally sensitive areas</li> </ul>
12.02-1S 06/09/2021 VC171	<ul style="list-style-type: none"> <li>• fails to protect and enhance the overall extent and condition of native habitats and species diversity distributions across public and private land in the marine and coastal environment</li> </ul>
12.03-1L 25/11/2022 C162egip	<ul style="list-style-type: none"> <li>• fails to direct development away from major wetlands</li> </ul>
15.01-3S 10/06/2022 VC216)	<ul style="list-style-type: none"> <li>• doesn't protect and enhance habitat for native flora and fauna</li> </ul>
12.01-1S 14/07/2022 VC213	<ul style="list-style-type: none"> <li>• does not strategically plan for the protection and conservation of an important area of Victoria's biodiversity</li> </ul>
12.01-1S 14/07/2022 VC213	<ul style="list-style-type: none"> <li>• does not take into account the impacts of land use and development on Victoria's biodiversity, including consideration of: cumulative impacts, fragmentation of habitat, the spread of pest plants, animals and pathogens into natural ecosystems</li> </ul>
12.01-1S 14/07/2022 VC213	<ul style="list-style-type: none"> <li>• does not support land use and development that contributes to protecting and enhancing habitat for</li> </ul>



	indigenous plants and animals in urban areas
15.01-3S 10/06/2022 VC216	<ul style="list-style-type: none"> <li>design fails to achieve the objective of being an attractive, safe, accessible, diverse and sustainable neighbourhood</li> <li>The proposed subdivision will not be a sustainable neighbourhood nor be safe from coastal hazards, inundation, erosion and sea level rises expected in the coming century. The anticipated loss of the protective wetlands due to coastal squeeze, will only serve to heighten the coastal hazard risks and costs to the neighbourhood.</li> </ul>
(5.01-3S 10/06/2022 VC216	<ul style="list-style-type: none"> <li>will create an urban structure that does not adequately respond to climate related hazards</li> </ul>
13 01/07/2021 VC20	<ul style="list-style-type: none"> <li>doesn't strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach</li> <li>fails to identify, prevent and minimise the risk of harm to the environment, human health, and amenity through land use and development incompatibility.</li> </ul>
15.01-3S 10/06/2022 VC216	<ul style="list-style-type: none"> <li>fails to protect and enhance habitat for native flora and fauna, and providing opportunities for people to experience nature in urban areas</li> <li>The proposed subdivision will endanger nationally important Latham's snipe habitat, and fails to protect wetland habitat from coastal squeeze and other deleterious effects of climate change.</li> </ul>
11.03-4L-01 25/11/2022 C162egip	<ul style="list-style-type: none"> <li>adversely affects landscape and environmental values and fails to incorporate sufficient measures to protect those values</li> </ul>
12.05-1L 25/11/2022 C162egip	<ul style="list-style-type: none"> <li><i>does not protect and enhance landscapes, important vistas and visual and environmental qualities of coastal, lake foreshore and river-frontage areas, townships, recreation</i></li> </ul>

	<i>activity centres through responsive siting and design</i>
12.05-1L 25/11/2022 C162egip	<ul style="list-style-type: none"> <li>• fails to design development in significant landscape areas like the Gippsland Lakes, that is sympathetic to the character of the area and preserves its aesthetic values, especially in response to climate change</li> </ul>
12.05-2S 31/07/2018 VC148	<ul style="list-style-type: none"> <li>• <i>doesn't ensure development does not detract from the natural qualities of significant landscape areas</i></li> </ul>

5/2/23, 8:08 PM

dwa670C.htm

**From:** David Brann  
**Sent:** Wednesday, 14 September 2022 8:50:51 AM  
**To:** Planning Unit Administration  
**Subject:** RE: 344/2022/P - 10 Fullarton Drive PAYNESVILLE - Multi-lot Subdivision and Native Vegetation Removal

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5/2/23, 8:08 PM

dwa670C.htm

Hi Kerry,

AusNet standard permit conditions below:

The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.

The applicant must –

- Enter in an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot under 16Ha on the endorsed plan.
- Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
- Enter into an agreement with AusNet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AusNet Electricity Services Pty Ltd.
- Provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of "AusNet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.
- Adjust the position of any existing AusNet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.
- Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for any electric substations or Isolating Transformers.
- Provide survey plans for any electric substations or Isolating Transformers required by AusNet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AusNet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- Provide to AusNet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- Ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

file:///C:/DAT To progress this project please request the developer complete an online new estate application & pay the fees.

5/2/23, 8:08 PM

dwa670C.htm

Energy Project Coordinator Complex  
AusNet Leongatha  
Ph  
Email

Asset ID: 2600781430

David Brann  
Energy Project Coordinator Complex  
AusNet Leongatha

file:///C

5/2/23, 8:11 PM

dwaF3FA.htm

**From:** Subdivisions [Subdivisions@apa.com.au]

**Sent:** Thursday, 1 September 2022 4:02:44 PM

**To:** Planning Unit Administration

**CC:** Subdivisions

**Subject:** RE: 344/2022/P - 10 Fullarton Drive PAYNESVILLE - Multi-lot Subdivision and Native Vegetation Removal

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5/2/23, 8:11 PM

dwaF3FA.htm

**APA GROUP**

APT O&M Services Pty Ltd (APT) is a company under the APA Group.

Our Reference: ps 01092022 -08

Enquires: Paula Soluncevski  
Telephone 9463 8323

Dear Sir/Madam,

Re: **APPLICATION FOR PLANNING PERMIT**  
10 Fullarton Drive PAYNESVILLE  
Plan No. :

Reference is made to the above correspondence dated 31.08.2022 and accompanying plan.

APT pursuant to Section 56 (1) (b) of the Planning and Environment Act 1987 has no objection to the granting of a permit.

APT does not require the plan to be forwarded under Section 8 of the Subdivision Act 1988, and consents to the issue of a statement of compliance at the appropriate time.

Yours faithfully,

*Per*  
**Rebecca May**  
Team Lead I&C Projects  
Engineering & Planning



EAST GIPPSLAND  
CATCHMENT  
MANAGEMENT  
AUTHORITY

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574 Main Street  
(PO Box 1012)  
Bairnsdale Vic 3875  
PHONE: (03) 5152 0600  
FAX: (03) 5150 3555  
ABN 72 411 984 201

EGCMA Ref: EGCMA-F-2022-00221  
Document No: 1  
Date: 26 September 2022

Robert Pringle  
Statutory Planning Coordinator  
East Gippsland Shire Council

Dear Robert,

**Planning Permit Application No.:** 334/2022/P

**Property**      **Street:**                      10 Fullarton Drive, Paynesville Vic 3880  
**Cadastral:**                      Lot C PS311448, Parish of Bairnsdale

**Applicant(s):**                      RESI Ventures C/- Crowther & Sadler Pty Ltd

I refer to your correspondence received at the East Gippsland Catchment Management Authority ('the Authority') on 31 August 2022 in accordance with the provisions of Section 55 of the *Planning and Environment Act 1987*. The Authority notes that the application is for a multi lot subdivision with native vegetation removal.

#### **Flood Risk**

The 1% Annual Exceedance Probability (AEP<sup>3</sup>) flood level (commonly known as the 1 in 100 year flood) under current climatic conditions is 2.0 metres AHD<sup>4</sup>. Under future climatic conditions this level increases to 2.8 metres AHD. **The applicable 1% AEP flood level for this property is 2.0 metres AHD.**

The flood mapping available to the Authority shows that under current and future (year 2100) climatic conditions the proposed lots are unlikely to be subject to inundation during a 1% AEP flood event.

The Authority therefore requires no conditions regarding flood risk.

#### **Stormwater Management**

The Authority notes that the "10 Fullarton Drive, Paynesville Town Planning Report – Stormwater Management Strategy 5/08/2022" (SMP) states that the chosen stormwater treatment scenario ("*The proponent proposes to include 2,000 litre tanks at allotments 1-59 and treat stormwater from external catchments.*") meets best practice targets for stormwater treatment, however no MUSIC model schematic and treatment results have been provided to demonstrate this.

The Authority will require that the applicant updates its SMP to demonstrate that the proposed stormwater treatment meets best practice through the use of a MUSIC model.

Additionally, the Authority notes that the applicant intends to treat stormwater partly through the use of rainwater re-use tanks. The Authority will require that a Section 173 agreement is placed on Lots 1 to 59 (Lots stated in SMP) requiring any future dwelling to be connected to at least a 2000 litre rainwater tank.

ABN 88 062 514 481

Correspondence PO Box 1374, Traralgon VIC 3844

Telephone 1300 094 262 | Facsimile (03) 5175 7899 | Email [westgippy@wgcm.vic.gov.au](mailto:westgippy@wgcm.vic.gov.au) | Website [www.wgcm.vic.gov.au](http://www.wgcm.vic.gov.au)

Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953

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The Authority is a recommending referral authority for this application. Pursuant to Section 56(1) of the *Planning and Environment Act 1987*, the Authority **does not object** to the issue of a Planning Permit, subject to the following conditions being included in the permit:

1. Prior to the consent to the issue of certification for the subdivision an updated Stormwater Management Plan (SMP) must be developed to the satisfaction of East Gippsland Catchment Management Authority. The Stormwater Management Plan must demonstrate through the use of a MUSIC model that all stormwater discharge from the subdivision will meet the *Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999)*.
2. Prior to the issue of a Statement of Compliance for the subdivision, the owner(s) shall enter into an Agreement with the responsible authority pursuant to Section 173 of the *Planning and Environment Act 1987* ('the Act') and make application to the Registrar of Titles to have the Agreement registered on the title to the land under Section 181 of the Act. The owner(s) must pay all reasonable costs of the preparation, execution and registration of the Agreement. The Agreement will stipulate that:
  - a. Any future dwelling on Lots 1 – 59 of Plan of Subdivision facilitated under Planning Permit 334/2022/P must be connected to a rainwater tank with a capacity of at least 2000 litres. The rainwater tank must be plumbed to all toilets and laundries in the dwelling/s. All stormwater treatment assets must be maintained in good working order.
3. Prior to the issue of a Statement of Compliance for Stage 1 of the subdivision, the water quality treatment works outlined in the Stormwater Management Plan must be undertaken to the satisfaction of East Gippsland Catchment Management Authority.

Pursuant to Sections 64 to 66 of the *Planning and Environment Act 1987*, please ensure that you provide the Authority a copy of your decision in a timely manner to allow for an application for review to VCAT if required.

The Authority **objects** to the issue of the Planning Permit if these conditions are not included.

The attached **explanatory report** provides further detail regarding the Authority's assessment.

Should you have any queries, please do not hesitate to contact Rhain Bateman on 1300 094 262 or email [planning@wgcm.vic.gov.au](mailto:planning@wgcm.vic.gov.au). To assist the Authority in handling any enquiries please quote **EGCMA-F-2022-00221** in your correspondence with us.

Yours sincerely,



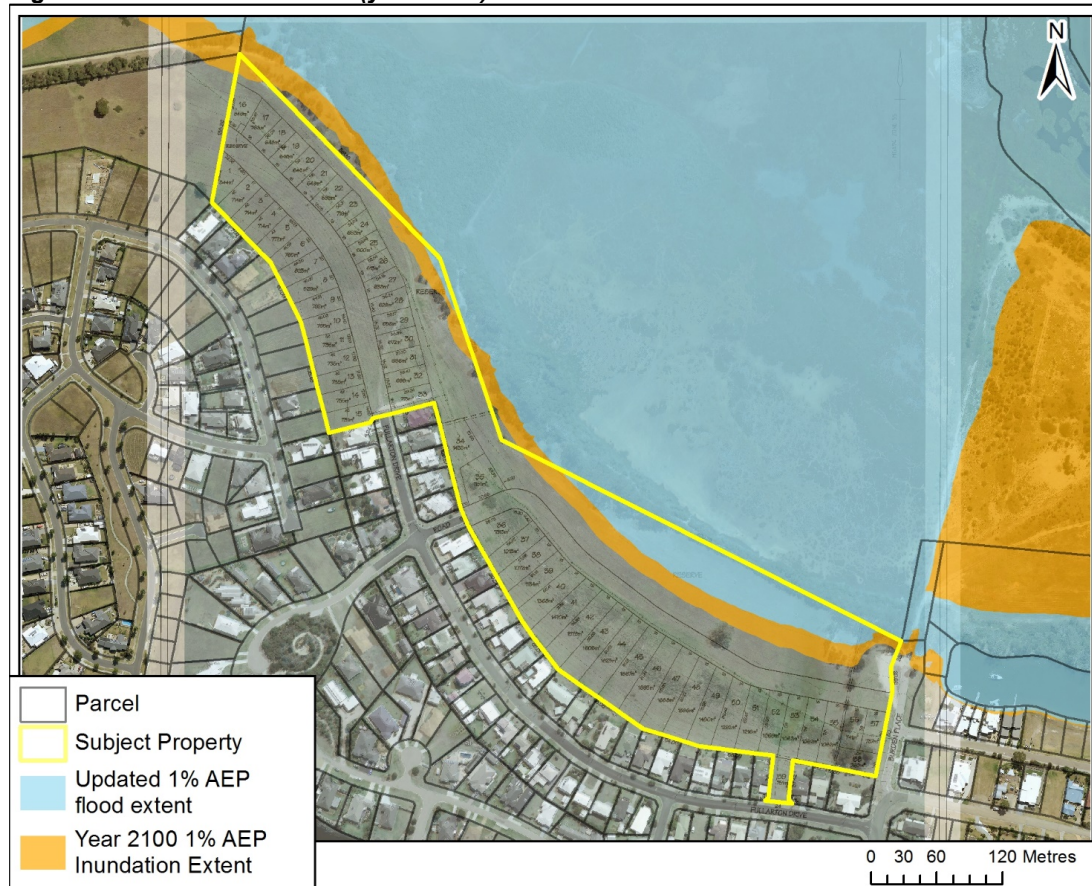
**Adam Dunn**  
**Gippsland Floodplain Officer**

Cc: RESI Ventures C/- Crowther & Sadler Pty Ltd

The information contained in this correspondence is subject to the disclaimers and definitions attached.

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## EXPLANATORY REPORT

**Figure 1 – Current and future (year 2100) 1% AEP flood extents****Decision Guidelines**

The East Gippsland Catchment Management Authority assesses all applications against the following National, State and Local Policies, Guidelines and Practice Notes:

1. [‘Technical Flood Risk Management Guideline: Flood Hazard’](#) (Australian Emergency Management Institute, 2014)
2. [‘Victorian Floodplain Management Strategy’](#) (Victoria State Government, 2016)
3. Council Planning Schemes ([Planning Schemes Online](#)), including the:
  - i. Planning Policy Framework
  - ii. Local Planning Policy Framework
  - iii. Relevant Zones and Overlays
4. [‘Guidelines for Coastal Catchment Management Authorities: Assessing development in relation to sea level rise’](#) (DSE, 2012)
5. [‘Applying for a Planning Permit under the Flood Provisions – A Guide for Councils, Referral Authorities and Applicants’](#) (DELWP, 2015)
6. [‘East Gippsland Waterway Strategy’](#) (2014-2022)
7. [‘East Gippsland Regional Catchment Strategy’](#) (2013-2019)
8. [‘East Gippsland Floodplain Management Strategy’](#) (2018-2027)

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**1% AEP<sup>3</sup> Flood Level Determination**

Floods are classified by the frequency at which they are likely to occur. In Victoria, all proposals for development on floodplains are assessed against a flood that, on average, will occur once every 100 years. A flood of this size has a 1% chance of occurring in any given year, and is known as either the 100 year Average Recurrence Interval (ARI<sup>5</sup>) flood or the 1% Annual Exceedance Probability (AEP) flood.

Please note that the 1% AEP flood is the minimum standard for planning in Victoria, and is not the largest flood that could occur. There is always a possibility that a flood larger in height and extent than the 1% AEP flood may occur in the future.

Flood levels for the 1% AEP flood event have been declared for this area under the *Water Act 1989*. The declared 1% AEP flood level for this location is 2.0 metres AHD which was obtained from the *Gippsland Lakes Flood Level Modelling Project (2004)*.

Current Victorian Government policy recommends that coastal communities should also be aware of and plan for mean sea level rise of not less than 0.8 metres by the year 2100. The 1% AEP flood level for Paynesville is likely to increase by 0.8 metres to 2.8 metres AHD by 2100.

The *Guidelines for Coastal Catchment Management Authorities: Assessing development in relation to sea level rise* (DSE, 2012) outlines the Victorian Government response to the likely impacts of possible sea level rise. The Guidelines include policy direction allowing agreement between Councils and Catchment Management Authorities on appropriate flood level for anticipated sea level rise.

In April 2017 the East Gippsland Shire Council adopted Version 4 of the *Coastal Inundation and Erosion Planning Policy*. The Policy adopts the existing 1% AEP flood level as the benchmark flood level to be used to assess infill development against.

**The applicable 1% AEP flood level for this property is 2.0 metres AHD.**

The Authority holds no information in relation to the arrangement and capacity of stormwater drainage infrastructure in the area.

**Stormwater Management**

In order for the East Gippsland Catchment Management Authority to support a subdivision proposal, the developer must demonstrate that the subdivision will comply with the '*Urban Stormwater Best Practice Environmental Management Guidelines*' (CSIRO, 1999) to reduce pollutant loads (suspended solids, nitrogen and phosphorus) and flow quantity at each stage of the subdivision.

To meet this requirement, the treatment works designed to meet best practice for the entire development must be constructed at the beginning of the subdivision. If this is not feasible then interim works will need to be constructed at each stage to ensure that the development meets best practice stage by stage.

The Authority will require the relevant works outlined in this/these plan(s) to be satisfactorily completed prior to the East Gippsland Catchment Management Authority consenting to the issue of Statement of Compliance for each stage of the Subdivision.

In regards to Water Sensitive Urban Design (WSUD) the following water quality objectives will need to be demonstrated to the satisfaction of the Authority:

- Integrate Water Sensitive Urban Design features to provide a high level of landscape amenity.

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- Ensure both the quantity and quality of discharge arising from development meets best practice standards.
- Consider the long-term maintenance and operation costs in the design and location of WSUD features.
- Integrate WSUD components to provide environmental and recreational benefits wherever practical.
- The applicant must demonstrate (e.g. concept design using Model for Urban Stormwater Improvement Conceptualisation, MUSIC) that the stormwater discharge is treated to meet the objectives set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines' (CSIRO, 1999). These objectives are as follows:
  - 80 per cent retention of the typical urban annual load for Suspended solids (SS).
  - 45 per cent retention of the typical urban annual load for Total phosphorus (TP),
  - 45 per cent retention of the typical urban annual load for Total nitrogen (TN).
  - 70 per cent retention of typical urban annual load for Litter.
  - Maintain flow discharges for the 1.5 year ARI at pre-development levels



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**Definitions and Disclaimers**

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.
5. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100 year ARI flood will occur on average once every 100 years.
6. Nominal Flood Protection Level – is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.
7. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
8. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
9. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.
10. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.



EAST GIPPSLAND  
CATCHMENT  
MANAGEMENT  
AUTHORITY

OFFICIAL

574 Main Street  
(PO Box 1012)  
Bairnsdale Vic 3875  
PHONE: (03) 5152 0600  
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ABN 72 411 984 201

EGCMA Ref: EGCMA-F-2022-00221  
Document No: 2  
Date: 30 September 2022

OFFICIAL

Robert Pringle  
Statutory Planning Coordinator  
East Gippsland Shire Council

Dear Robert,

**Planning Permit Application No.:** 334/2022/P

**Property Street:** 10 Fullarton Drive Paynesville Vic 3880  
**Cadastral:** Lot C PS311448, Parish of Bairnsdale

**Applicant(s):** RESI Ventures C/- Crowther & Sadler Pty Ltd

I refer to your correspondence received at the East Gippsland Catchment Management Authority ('the Authority') on 28 September 2022 in accordance with the provisions of Section 55 of the *Planning and Environment Act 1987*. The Authority wishes to provide an amended response to the proposed subdivision removing condition 1 provided which requested an updated Stormwater Management Plan to provide MUSIC modelling.

The Authority had missed that the MUSIC modelling demonstrating that stormwater treatment for the subdivision meets best practice was included in the drainage plan in the appendix of the report. As such, the Authority is satisfied with the Stormwater Management Plan.

The Authority requests that its **previous supplied conditions** are replaced with the ones below.

The Authority is a recommending referral authority for this application. Pursuant to Section 56(1) of the *Planning and Environment Act 1987*, the Authority **does not object** to the issue of a Planning Permit, subject to the following conditions being included in the permit:

1. Prior to the issue of a Statement of Compliance for the subdivision, the owner(s) shall enter into an Agreement with the responsible authority pursuant to Section 173 of the Planning and Environment Act 1987 ('the Act') and make application to the Registrar of Titles to have the Agreement registered on the title to the land under Section 181 of the Act. The owner(s) must pay all reasonable costs of the preparation, execution and registration of the Agreement. The Agreement will stipulate that:
  - a. Any future dwelling on Lots 1 – 59 of Plan of Subdivision facilitated under Planning Permit 334/2022/P must be connected to a rainwater tank with a capacity of at least 2000 litres. The rainwater tank must be plumbed to all toilets and laundries in the dwelling/s. All stormwater treatment assets must be maintained in good working order.
2. Prior to the issue of a Statement of Compliance for Stage 1 of the subdivision, the water quality treatment works outlined in the Stormwater Management Plan must be undertaken to the satisfaction of East Gippsland Catchment Management Authority.

ABN 88 062 514 481

Correspondence PO Box 1374, Traralgon VIC 3844

Telephone 1300 094 262 | Facsimile (03) 5175 7899 | Email [westgippy@wgcm.vic.gov.au](mailto:westgippy@wgcm.vic.gov.au) | Website [www.wgcm.vic.gov.au](http://www.wgcm.vic.gov.au)

Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953

Pursuant to Sections 64 to 66 of the *Planning and Environment Act 1987*, please ensure that you provide the Authority a copy of your decision in a timely manner to allow for an application for review to VCAT if required.

The Authority **objects** to the issue of the Planning Permit if these conditions are not included.

Should you have any queries, please do not hesitate to contact Rhain Bateman on 1300 094 262 or email [planning@wgcma.vic.gov.au](mailto:planning@wgcma.vic.gov.au). To assist the Authority in handling any enquiries please quote **EGCMA-F-2022-00221** in your correspondence with us.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Adam Dunn', enclosed within a thin yellow rectangular border.

**Adam Dunn**  
**Gippsland Floodplain Officer**

Cc: RESI Ventures C/- Crowther & Sadler Pty Ltd ([contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au))

The information contained in this correspondence is subject to the disclaimers and definitions attached.

#### **Definitions and Disclaimers**

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Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

4. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.

5. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100 year ARI flood will occur on average once every 100 years.

6. Nominal Flood Protection Level – is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.

7. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.

8. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.

9. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.

10. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.



## Department of Environment, Land, Water & Planning

Your Ref: 344/2022/P  
Our Ref: SP481663

71 Hotham Street  
Traralgon Victoria 3844  
Telephone: +61 3 5172 2111  
[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)

4 October 2022

Robert Pringle  
East Gippsland Shire Council  
P O Box 1618  
BAIRNSDALE VIC 3875  
Email: [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

Dear Robert

**PROPOSAL:** Multi lot subdivision and native vegetation removal  
**APPLICANT:** Crowther & Sadler Pty Ltd on behalf of L, E, C& O Armstrong  
**ADDRESS:** 10 Fullarton Drive, Paynesville  
**LEGAL DESCRIPTION:** Lot C PS311448U

Thank you for your correspondence received 31 August 2022 pursuant to Section 52 of the *Planning and Environment Act 1987* (the Act).

The application is for a multi lot subdivision and native vegetation removal.

Under Delegation from the Secretary, the Department of Environment, Land, Water and Planning (DELWP) has considered the above application in accordance with Section 52 of the Act, with the specific referral trigger being Clause 42.02-2 of the East Gippsland Planning Scheme.

I wish to advise DELWP **does not object** to the granting of a planning permit subject to the following conditions:

- All works must not increase erosion, sediment, impacts to flora and fauna or the health and viability of the Point Fullarton GLR and the Lake King wetlands Ramsar site to the satisfaction of the Responsible Authority.

Note that any works for the ongoing operation and maintenance of drainage infrastructure within the Crown land will require the applicant to seek and obtain relevant approvals, including an occupation licence from Parks Victoria under the Crown Land (Reserves) Act.

The accompanying supporting information provides further detail regarding DELWP's assessment of this application and advice to inform the responsible authority's decision.

In accordance with section 66 of the *Planning and Environment Act 1987*, please provide a copy of the permit, if one is granted, or any notice to grant or refusal to grant a permit to the above address.

### Privacy Statement


Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to [foi.unit@delwp.vic.gov.au](mailto:foi.unit@delwp.vic.gov.au) or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



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If you have any further queries, or require clarification please contact  
[gippsland.planning@delwp.vic.gov.au](mailto:gippsland.planning@delwp.vic.gov.au)

Yours sincerely



**Jayne Cluning**

Planning and Approvals Program Officer  
Gippsland Region | Central East Hub



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Supporting Information:

General Comments

The subject site is immediately adjacent to Point Fullarton Gippsland Lakes Reserve, managed by Parks Victoria for conservation of natural ecosystems, conservation of aquatic and terrestrial flora and fauna and opportunities for recreation associated with the enjoyment of natural environments.

Point Fullarton GLR is part of the Gippsland Lakes Ramsar Site, designated to be of international importance. Drainage from the new development drains into the Point Fullarton GLR and the Lake King wetlands. There is potential for stormwater discharge to negatively impact on this highly sensitive environment and the broader system, including through erosion, sediment, impacts to flora and fauna or the health and viability of the Ramsar site.

No specific assessment has been made on what impacts this project will have on the environmental values of the reserve or broader Ramsar site. It is not clear how the proposal meets the strategies in Clause 12.01 Biodiversity and Clause 12.02 Marine and Coastal Environment specifically the strategy of: "Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA)."

In addition, existing culverts are proposed to be used, some of which appear to be within, or discharge into, the Point Fullarton GLR. The application does not propose works outside the subject land, however the Stormwater Management Plan reports that in all cases the inlet and outlet of the culverts are overgrown, covered or buried. There is no evidence that the existing culverts will meet requirements. Any works for the ongoing operation and maintenance of drainage infrastructure within the Crown land will require the applicant to seek and obtain relevant approvals, including an occupation licence from Parks Victoria under the Crown Land (Reserves) Act.

Note that DELWP are exempt from fencing requirements so any fencing along a Crown land boundary will need to be undertaken and paid for by the developer or future landowner.



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

Our Ref: DOC/22/50532

29 September 2022

**Reference Number(s):** 344/2022/P  
**Referral Authority:** East Gippsland Shire Council  
**For:** 59 Lot Subdivision  
**Location:** 10 Fullarton Drive Paynesville  
**Applicant:** Crowther & Sadler Pty Ltd

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

**Conditions:**

1. Extend water supply infrastructure to the satisfaction of East Gippsland Water.
2. Extend sewerage infrastructure to the satisfaction of East Gippsland Water.
3. Relocate sewerage infrastructure where it significantly traverses proposed lots.
4. Submit design, construction, commissioning and as constructed documentation on all proposed infrastructure, or alterations to existing infrastructure, for written approval by East Gippsland Water.
5. Pay applicable development planning charges.
6. Existing water meter (No. R04010186), is to be disconnected and returned to East Gippsland Water.
7. Place easement(s) on the plan of subdivision over existing/proposed infrastructure, to the satisfaction of East Gippsland Water.
8. Should East Gippsland Water determine that a gravity sewerage system is not feasible, then a pressure sewer system may be approved. In this instance, pressure sewer pumps for relevant lots are to be purchased (prepaid) from East Gippsland Water before the relevant statement of compliance can be issued.
9. Enter into a Developer Works Agreement with East Gippsland Water Prior to the approval of any design plans by East Gippsland Water. This agreement will set out the basis upon which the water and sewerage works (as applicable), must be provided by the Developer, to serve the proposed Development.
10. Any infrastructure outside of the development that is required to provide sewerage and/or water supply services to the development is to be funded by the applicant as agreed in the Developer Works Agreement. The type and extent of additional infrastructure will be subject to detailed engineering design, as approved by East Gippsland Water.

**Notes:**

- (A) In accordance with Section 136 of the Water Act 1989, easements are required over existing/proposed infrastructure. This requirement applies even if the



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infrastructure is in common property or there is a Section 12(2) easement over the land.

- (B) For easement(s) created, the Land Benefited/In Favour Of is to be in the name of "East Gippsland Region Water Corporation".
- (C) For any lot area that cannot be fully serviced by a gravity sewer connection, building envelopes or minimum floor levels are to be listed as restrictions on title, to the satisfaction of East Gippsland Water.
- (D) Each lot is to be separately serviced by the water and/or sewerage reticulation system. Subject to East Gippsland Water's requirements being met, relevant infrastructure will then become East Gippsland Water's to own, operate and maintain in perpetuity.
- (E) If water services are required, each lot must be separately connected to the water reticulation system and separately metered, to the satisfaction of East Gippsland Water.
- (F) Design documentation to be submitted after certification application has been made.
- (G) Development planning charges apply where East Gippsland Water approve design, construction, commissioning and as constructed documentation (actual charge is based on the final cost of the works).
- (H) Any specific requirements for sewerage and/or water supply infrastructure relating to coastal inundation or flooding is to be funded by the applicant.

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

Yours faithfully,

A handwritten signature in black ink, appearing to read "Mathew Scott", is positioned above the printed name.

**MATHEW SCOTT**  
**ACTING EXECUTIVE MANAGER STRATEGY & ASSETS**  
**East Gippsland Water**

cc: Crowther & Sadler Pty Ltd



**EAST GIPPSLAND SHIRE COUNCIL  
PLANNING CONSULTATION MEETING  
344/2022/P – 10 Fullarton Drive, Paynesville**

**Multi-lot subdivision and native vegetation removal**

**Record of Meeting  
(Minutes)**

**MONDAY, 21 November 2022**

**VIA MICROSOFT TEAMS AND IN-PERSON IN COUNCIL CHAMBERS,  
273 MAIN STREET, BAIRNSDALE**

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

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**1. PROCEDURAL**

**1.1 APOLOGIES**

Councillors: Cr. Kirsten Van Diggele, Cr. John White, Cr. Mendy Urie, Cr. Sonia Buckley, Cr. Trevor Stow

Objectors:

**1.2 IN ATTENDANCE**

Councillors: Cr. Mark Reeves (Mayor), Cr. Arthur Allen (Deputy Mayor), Cr. Tom Crook, Cr. Jane Greacen

Applicant: Kate Young (Crowther & Sadler, advocate for the applicant),

Objectors: 25 community members including those specifically mentioned as speakers in the notes below.

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 344/2022/P – 21 November 2022*

Officers: Stuart McConnell, General Manager Place & Community; Martin Richardson, Manager Planning; Robert Pringle, Statutory Planning Coordinator

### 1.3 DECLARATIONS OF CONFLICT OF INTERESTS

NIL

### 1.4 ACKNOWLEDGEMENT OF COUNTRY

## 2. REPORTS/PRESENTATIONS

### 2.1 PLANNERS REPORT

Robert Pringle, Statutory Planning Coordinator

Provided background of the site location, planning controls, proposal details and summary of the number and content of objections and submissions.

Q: Cr Reeves:

Question relating to the design development overlay in the notes that I've read. I'm not sure if it's important. There's two DDOs referred to in parts of the report, 11 and 14.

A: Robert Pringle:

DDO14 applies to the land. The trigger in that design development overlay relates to height above natural ground level. A permit is required if buildings and works are proposed above 7.5 metres from natural ground level.

Q: Cr Greacen:

The VCAT had hearings from 2011 and 2014. Do they need to be taken into consideration by the developer by the proponent fully, and if so, do you believe they have been?

A: Robert Pringle:

I won't say whether they have been fully implemented, I think that's probably for our assessment down the track and in terms of the responsibility of an applicant in making an application when VCAT has made a specific determination. VCAT may provide for guidelines for how a future application could be made and they may include mandatory requirements as well, and I think in relation to the 2011 decision, there were some mandatory statements in that original determination that would have been followed up in the 2014 application. And I believe that the case with the 2014 ruling and advice for a future potential application is that there is more general guidelines to be considered. But not a lot of hard and fast, so I think Kate could probably better outline how her application responds to those considerations.

### 2.2 OBJECTOR PRESENTATIONS (summarised)

#### Rhonda Albrecht, speaking on behalf of several other objectors:

- representative and chair of Friends of Fullarton objectors throughout the prior applications, now represent multiple objectors
- land is within the incredibly significant and unique landscape of the Gippsland Lakes, adjacent to Lake King and Point Fullarton Wetland, which since 1982 were protected under the International Ramsar Convention.
- concerns and objections are raised by neighbourhood residents, environmental and wildlife groups.
- some references are made in this application that are open to conjecture/debate regarding the prior VCAT hearings or at the least not in the best interest of all parties.
- building envelope parameters, Section 173 on further subdivision, etc.

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 344/2022/P – 21 November 2022*

- VCAT outcome: views of Lake King form part of the residence amenity.
  - The outcome was influenced by the in perpetuity covenant of a building height of 4.5 metres at the highest point of the land on titles for the houses on the southern side of the north of the new subdivision. This covenant will also always limit our ability to address the view
  - With view lines are horizontal or vertical corridors. There was a significant amount of discussion at the last VCAT hearing about the nature of the view lines should take whether they be horizontal or vertical corridors.
  - Applicant had adopted 1.5 m view line, and residents submitted 1.2 (seated) oblique view is preferable.
  - Friends of Fullarton interprets VCAT decision in short, that a 1.2 metre (seated) oblique view be adopted, and as this was not the proposal, it ultimately failed.
  - Residents submitted their own survey evidence and requested a particular outcome. This specifically is a view line section drawing for each residence.
- This application is considered deficient in not providing these diagrams for each lot and having adopted a 1.5 metre horizontal assessment rather than a 1.2 metre oblique assessment. Failure to acknowledge physical ability of the neighbouring residents.
- Failure to adopt 18m recommended setback.
- Concerns about potential for future subdivision and request for Section 173 agreement to prevent further subdivision.
- Further suggestion for covenant for a single dwelling on each lot.
- Impact from residential development area and will continue to be evident from the lake because of the extent of existing development that has and is continuing to occur.
- Consider there is some merit in more carefully reviewing the lot layout of the subdivision in any new future subdivision on any future applications.
- Lot orientation and size coupled with three-dimensional building envelopes would avoid new buildings dominating the view from the lake.
- Site conditions remain unchanged and the principal observations of the VCAT Members should be observed.
- Increased traffic, environmental and habitat degradation is a concern.

**Peter Sutton:**

- Proposal is a threat to the Ramsar wetlands.
- Reference to EGCMA Ramsar management plan - assessment of 106 risk pathways and inputs
  - The threat of residential development impacting the visual amenity from Lake King was considered as almost certain with a moderate consequence, but a high risk.
  - Invasive species, cats and dogs attacking, nesting, feeding and roosting water birds was also identified as high risk.
  - Exposure of adverse acid sulfate soils was considered to be likely, but with a major consequence and posed an extreme risk.
- Council is to ensure that these threats are adequately managed to both minimize the likelihood of damage and also moderate the consequence.
- Significant controls should be instigated on the building form and prohibit building to the side boundaries to ensure the visual bulk of new homes is compatible with the coastal neighbourhood.
- Such controls on building bulk could also reduce the severity of the numerous objections relating to view sharing.
- The proposed development will result in domestic animals being in close proximity to the wetlands, creating the high risk identified.
- Creation of buffer zones may reduce the invasion of exotic plants, reduce and noise and light pollution to the detriment of fauna.
- Provide a corridor for wildlife movement and provide a transition between habitats, support the biotic diversity by providing a non wetland habitat for species such as roosting birds and frogs.



- Suitable buffer would require the re-orientation and reduction in the number of blocks numbered 16 to 33.
- The proposal all but ignores as acid sulfate soils simply stating there will be managed if and when found. This does not appear to address what has been identified as an extreme risk.
- Conduct a full geotechnical risk assessment and soil surveys and design the site to avoid construction impacts.
- I object to the proposed storm water treatment systems. The Western system does not meet best practice.
- The Eastern treatment zone will be subject to flooding as sea levels rise. It seems totally illogical that such an asset is located within a known floodplain.

Q: Cr Crook:

Peter, you mentioned that the wetland doesn't meet best practice. Would you like to just expand on that a little for me and outline how you believe it doesn't meet best practice?

A: Peter Sutton:

Yes, certainly. There are essentially 2 treatment systems, the eastern treatment plant, the one that is subject to flooding, does appear to have sufficient retention times and does meet the water guidelines for suspended solids, phosphate etcetera, however the Western treatment plant does not.

**Gerry Ciavarella:**

- Most of the neighbourhood would not agree with the traffic assessment that the intersection of Paynesville road and Burden Place will continue to operate well following full development of the subject site.
- Paynesville is a peak tourist town. This is not reflected in the traffic report. The extension to Fullerton will create a no through Rd of nearly one kilometre with only one single access point to Paynesville Rd.
- This creates unsafe conditions, particularly in the case of an emergency, such as a grass fire from adjoining the farmland to the West, which is a designated Bush Fire prone area.
- The study was conducted over 7 days from late April, which is not a busy time.
- The vehicle count did not factor in how many cars were towing a trailer, boat or caravan, which can associate the unsafe conditions that occur when vehicles are queuing to get into the petrol station.
- Residents are year round users. They know that the road is much busier during holiday periods, with cars, trailers, caravans, boats, often blocking the access.
- Section 3.1 of the Traffic report says that the Painesville structure plan indicates Fullarton Drive will be extended through the subject site to a new connector Rd that will ultimately provide an alternative connection to Painesville Rd. The key word here is ultimately, this means at some time in the future, not as part of the current application.
- This is a significant issue. It requires a more thorough investigation during a peak holiday period that also identifies and counts vehicle attachments.

**Glen Luxford:**

- Proposal is very poor outcome for elderly ratepayers and wildlife and the environment.
- Wetlands are among the most important life support system on the Earth.
- Concerns about discharge of contaminants and sediment to the wetlands.
- Not enough consideration of the impact to fauna.
- Insufficient Infrastructure, (social services, sewerage and water)
- Roads insufficient, specically, the Bairnsdale-Paynesville Rd and intersection with Burden Place (difficult to navigate, often impeded by other vehicles)
- Health care shortages
- Suggests a safer layout to alter alignment of road around the existing development.
- Concerns about increased population and more pollution.
- Broad catchment - discharging treated sewage into our wetlands, creeks, rivers that finally end up in Gippsland Lakes.

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 344/2022/P – 21 November 2022*

- Toxic green mess - this year has had a toxic green mess for the from the lakes all the way from Seaspray to Mallacoota for about six months or more, with signs saying toxic algae, the following seafoods should not be eaten. Mussels, prawns, crabs.
- E Gippsland is special. That's where tourists and families come to play. Fish, sail, surf swim, snow ski, see the wildlife, farm animals, go for walks along the beaches, hills, mountains. It's a beautiful special part of the world. E Gippsland should be a place to visit, not to be overdeveloped - people live in Paynesville because it's a quiet coastal village with a population of 3600, not a planned population of over 8000 people. People are leaving Mornington to live in here. Why? Because it's overpopulated - no more developments for East Gippsland until we sort out the mess.

**Lynette Wilkinson:**

- Speaking for self and the owners of #12 and #14 Fullerton Drive.
- Feels the application has not sufficiently responded to the prior VCAT determinations and expressed concerns with the current method of height limits, with potential significant impact to certain properties unless the methodology is revised.
- Concern with environmental threat to migratory birds, application requires referral under EPBC Act.
- Concern about further subdivision.

**Mark and Jennifer Holter:**

- Object to lots 16 to 35 proximity to wetlands, with potential impact to native fauna (animal control, noise pollution).
- Concern not enough public open space provided adjacent wetlands.
- Lot design will negatively impact on the views from the public realm, including the lake.
- Request a 10 metre set back between 54 Fullerton Drive and Lot 35 with the understanding that this would include the driveway to lot 34.

**Cheryl:**

- The issues around setbacks, sightlines, and view sharing have been inadequately addressed. "A horizontal viewing line would only give a view of the horizon."
- Rear set back of five metres would result in the brick wall of neighbouring house dominating the view.
- Allotments 1 to 33 not respectful of the lakeside character and destroys the environmental and landscape value of the area.
- The conditions or restrictions on the use and or development of the land should be specified in agreed to before any development is approved.
- Steep slopes are difficult to build on and would require significant amounts of bulk earthworks. This disturbance is an unacceptable risk to the adjoining wetlands.
- Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity.
- The wetlands are under increasing stress from climate change.
- Concerns for site management, stormwater, overall development impacting on the wetlands.

**Birgita Hanson & Derek Russell (Birdlife East Gippsland)**

- Significance of the site to Latham snipe, which is the only migratory snipe species in Victoria. Species is under threat at both ends of its migratory pathway, and it's listed as near threatened under the IUCN Red List for Birds.
- The subject land is one of only 8 surveyed sites in East Gippsland that record nationally significant numbers of Latham Snipes, so meeting that EPBC criteria for national importance.
- Proposal will remove approximately 50% of the site.
- The two reserve ponds proposed with a total area of just over half an acre, will not supply replacement, roosting and feeding habitat for this species, which requires wet rank grassy margins to the main feeding area in the adjacent point Fullerton Ramsar marshes.
- Recommends referral of the project under EPBC Act

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 344/2022/P – 21 November 2022*

**Sue Watson and David Morrison:**

- The application does not realistically address what the 2014 VCAT order determined in relation to view sharing?
- Residents have the right to have their situation assessed independently rather than having a one-size-fits-all approach imposed on them.
- Create an angled line from each residence eye height down to their point.
- The angle required won't be the same for each existing property, but will be about 2 degrees below the horizontal.
- The applicant should correct new individual building envelopes required for Lots 36 to 58 and for any other what's we're view sharing is being denied.
- Much better protection would have been ensured if the view on height had been at the least discriminatory 1.2 meters.

**Chris and Fleur Streets:**

- Both previous applications to the tribunal were refused because of unreasonable impact on amenity in a form of existing views enjoyed by the residents of Fulton Drive.
- The prior applicant submitted to VCAT that 4 metre wide view corridors between each of the new houses, plus a 4.5 metre height limit on buildings, were sufficient to amount to reasonable view sharing. The tribunal rejected these claims and found they did not provide the outcome of reasonable view sharing for existing residents.
- The proposed blocks in this application are very much bigger and could facilitate larger setbacks to protect views.

**David Nicastro:**

- Property will be affected by loss of visual amenity, also a member of Gippsland Environmental Group.
- Latham snipe is slightly susceptible to anthropogenic disturbance – noise, light, and contamination, introduced species, etc. all detrimental.
- The development and residential housing on and adjacent to this area is likely to impact on the snipe population through loss of suitable wetland habitat .

**Ross McGregor:**

- Problem of one way in and one way out for emergency response.
- Burden Place is the only access point for the whole of the precinct at the present time, and is problematic, including at the intersection of Paynesville Road.
- Lack of footpath in Burden Place

**Steve Hardy:**

- View to the east not taken into account.
- No provision in the design of the subdivision for public usable space, playgrounds or parklands for children.
- Access of construction equipment impacting Eagle Bay Terrace.
- Retain the character of what makes Paynesville what it is

**Gary Mackay:**

- Concern for development putting additional pressure on the electricity network and resulting in issues with care when there is a power outage.

**2.3 APPLICANT PRESENTATION**

Kate Young – Crowther & Sadler (advocate for the Applicant)

Kate sought to provide clarification to questions and concerns raised by objectors, including a response to say that the proposal needs to respond to the environmental considerations relevant to the site, but also needs to provide a response to the demand for housing in suitably zoned land.

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 344/2022/P – 21 November 2022*

Suggests that the application has met the objectives of prior VCAT discussions.

Environment:

- Acknowledges significance of Point Fullarton Reserve.
- EPBC Act referral is not part of the Planning Permit process, and a flora and fauna study will be prepared.

Stormwater Management:

- Currently there is no treatment.
- The proposal will address both the existing and proposed development within the catchment. Best practice stormwater management will only require an increase of 20 square metres area to fully treat stormwater from the catchment.
- EGCMA has not objected to the proposal.

Building Envelopes:

- Proposal provides for vertical and horizontal sharing of views, via 3D building envelopes.
- Not 'one-size-fits-all'.
- Following the response from the 2013 VCAT determination, sitting eye level not reasonable.
- Invitation to objectors to meet directly.
- MODAN cross sections will be provided for each of the lots.

Covenant/Agreement/Restriction – outlined in the application documentation.

Further subdivision restrictions to be called for by Council.

Landscaping issues to be restricted, or not? Will respond to Council's determination.

Commits to shared use path, but mostly a passive recreation area.

Q: Cr Greacen:

To clarify, it was said Council planning department cannot refer the issue about the snipe to the Commonwealth for review under the EPBC Act. One of the objectors stated that council officers could be fined if they fail to do so. Can you clarify that, please?

A: Kate Young:

Council can have a bit of insurance, by placing a note on permit to inform of the need of referral, like when Council grants a planning permit for a dwelling, it comes with a note on permit to say don't forget you have to go and get a building permit.

A: Martin Richardson:

It's worth a look actually at the EPBC Act process. The EPBC Act process is a process of referral by a proponent. It is illegal under the EPBC Act for a person to take an action which is contrary to the Act. The Council is not proposing to take any action.

It's the proponent that is, so for any referral under the EPBC act, it is the legal obligation of a person or a company proposing to take an action to make that referral themselves. And there's a process laid out there for a self-assessment. The applicant or the proponent, having done that self-assessment may then refer it to the federal minister who has 20 days to decide whether or not it requires formal assessment.

There's no liability on behalf of these Council for not making referral, and in fact there is no process for a Council to make a referral under the Act.

Q: Cr Greacen:

Kate, please clarify what you meant when you were talking about adding an extra 20 something in order to comply 100% with requirements. Is it the same issue is one of the objectors stating that there's a potential to lose 50% of the breeding site for the Latham snipe.

A: Kate Young:

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*East Gippsland Shire Council Minutes Planning Consultation Meeting 344/2022/P – 21 November 2022*

The requirement for best practice for total reduction of phosphorus requires a 20 square metre increase in the western wetland. I would expect that Council would perhaps impose a condition requiring stormwater management to best practice as a separate issue.

The question about the habitat for the snipe, that's something that we're going to learn about as part of the work being done by Biosis. And you could rest assured that if it's determined that then EPBC Act referral is required and the minister steps in and says, well, you can't do that well, my clients hands will be tied so I see there's no risk for council in in that process that that's certainly my client's intention to comply.

#### **2.4 CLOSING COMMENTS**

Robert Pringle advised that Council will take into consideration all of the content of the evening's proceedings and go back to the Applicant due to the questions raised in the meeting. A determination was advised not likely before March.

### **3. MEETING CLOSE**

The meeting closed at 8:12 PM

Our ref: 19972

29 March 2023

Statutory Planning Coordinator  
East Gippsland Shire Council  
Via email: [Planning@egipps.vic.gov.au](mailto:Planning@egipps.vic.gov.au)

**Attention: Mr. Robert Pringle**

Dear Robert,

**Re: Planning Application 344/2022/P  
Mutli-lot subdivision and Native Vegetation Removal  
10 Fullarton Drive, Paynesville**

I refer to correspondence dated 3 November 2022 from Martin Richardson, Manager Planning, requesting a native vegetation management plan in response to community concerns to native mammals that either occupy or move through the subject land.

In response to Council's request please find enclosed a copy of the Mammal Management Plan prepared by *Biosis*. We trust the plan satisfies Council's request.

I also advise a functional layout for stormwater management and drainage has been progressed by *Crossco Consulting* at the request of our client. The more detailed drainage assessment has identified some necessary changes to the proposed drainage infrastructure for both the eastern and western drainage system. The changes to the drainage layout also included the amendments recommended by *Neil M Craigie Pty Ltd*. The following plans and documents are provided for Council to review:

- Site Drainage Plan Set (Crossco Consulting, Dwg No. 2635 Rev B)
- Review by *Neil M Craigie Pty Ltd* (21 February 2023)
- Revised Water Treatment Calculations (Email; Crossco Consulting 20/02/2023)

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

Regards,

  
RICHARD HOXLEY  
Principal Planner



FS 520900







**10 Fullarton Drive Paynesville**

## Mammal Management Plan

Prepared for Resi Ventures Pty Ltd

24 March 2023



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## Acknowledgements

Biosis acknowledges the contribution of the following people and organisations in undertaking this study:

- Resi Ventures Pty Ltd: Sarah Davis, Ingrid Davoli
- Crowther and Sadler: Kate Young

Biosis staff involved in this project were:

- Joshua Orchard (reporting)
- Clare Emery (project management and quality assurance)
- Dr Jonathan Botha (reporting and quality assurance)

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## Mammal Management Plan

This Mammal Management Plan (MMP) has been prepared on behalf of Resi Ventures Pty Ltd by Biosis Pty Ltd. It provides details of the planned management of Eastern Grey Kangaroos *Macropus giganteus* at 10 Fullarton Drive, Paynesville.

Site Details	
Site name	10 Fullarton Drive Subdivision
Site address	10 Fullarton Drive, Paynesville
Local government area	Shire of East Gippsland

Planning permit applicant	
Company name	
Contact name	
Contact number	
Email	

Ecologist	
Company name	Biosis Pty Ltd
Contact name	Jonathan Botha
Contact number	0427 458 051
Email	jbotha@biosis.com.au
Ecologists involved in preparing the MMP	Jonathan Botha, Joshua Orchard

Site induction	
Does the site induction for construction workers cover this KMP, and what to do if they find evidence of kangaroos in the construction area?	Yes / No
Approved by	
Date	
Name of Council officer	



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## 1. Introduction

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Biosis was engaged by Resi Ventures Pty Ltd (Resi Ventures) to prepare a Mammal Management Plan (MMP), upon the request of East Gippsland Shire Council (Council) and in response to concerns over Eastern Grey Kangaroo *Macropus giganteus* (EGK) that were raised during consultation for the development of 10 Fullarton Drive, Paynesville (permit application 344/2022/P) (study area).

Resi Ventures plans to develop the study area as a residential subdivision, containing 59 residential lots and a substantial waterfront reserve. The intended reserve section of the site interfaces with the Point Fullarton Gippsland Lakes Reserve and the Gippsland Lakes Ramsar Site along the north-eastern boundary.

Biosis has recently conducted a Flora and Fauna Assessment (FFA) of the site (Biosis, 2023). During the on-site assessment, a mob of approximately 12 EGK were observed resting and feeding across the study area on two consecutive days and were also observed moving between the study area and the adjacent Point Fullarton Gippsland Lakes Reserve. Large numbers of EGK were also observed across the Point Fullarton Gippsland Lakes Reserve. It is therefore clear that the site is used by EGK and on the request of Council, a MMP should be prepared.

If poorly managed, development in and around the habitat of kangaroos can landlock them or force them to leave their home range, which can endanger the safety and welfare of people and of kangaroos, and harm the environment. This MMP has been prepared to minimise risk to people, kangaroos and the environment that may result from development on the home range of kangaroos. It is a long-term, adaptable plan to minimise risks over the life of development at the study area.



## 2. Kangaroo management rational

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A MMP is important in considering and managing potential issues relating to human safety, animal welfare and environmental protection. The Department of Environment Land Water and Planning (DELWP (now DEECA)) developed guidelines for the management of EGK within the Melbourne Strategic Assessment Area in 2015 in order to address the consequences of increasing urbanisation on Kangaroo habitat loss. Although the study area is located outside of the MSA, the principles of this methodology are relevant and have been adopted in the following plan.

As kangaroos move through the local area, there is potential for the animals to become landlocked between roads and surrounding residential and commercial developments. For the study area these include the:

- Established residential developments to the south and west of the study area
- Point Fullarton Gippsland Lakes Reserve north of the study area
- Paynesville Road south of the study area

With increasing activity and development within the local area, there is the potential for the movement of kangaroos to be influenced, which can result in an increased risk of stress for the animals, increased human-animal interactions, and an increase in the risk of collisions with vehicles.

This MMP sets out management actions to reduce the risk of kangaroos becoming land-locked, stressed or injured by:

- Staging future development to passively disperse EGKs from the study area and away from busy roads.
- Installing appropriate fencing to exclude EGKs from construction zones and roads.
- Removing or restricting access to attractants such as food, water and shelter resources.

This MMP also includes management actions that take human safety into consideration. Management measures outlined will reduce risk to humans by:

- Using exclusion fencing to maintain a barrier between humans and EGKs during future development.
- Installing appropriate warning and information signage around study area.

### 3. Site description

---

#### 3.1. Location of the study area

The study area is located in the coastal town of Paynesville within the Shire of East Gippsland, approximately 10 kilometres south-east of Bairnsdale and adjacent to the Gippsland Lakes. The study area encompasses 10.7 hectares of private land and is zoned as General Residential Zone – Schedule 1 (GRZ1). Part of the site is covered by a Land Subject to Inundation Overlay (LSIO). The land is intended for development as a residential subdivision, the proposed subdivision contains 59 residential lots and a substantial waterfront reserve.

#### 3.2. Landscape features

The study area and surrounding landscape consists of modified Gippsland Plain bioregion vegetation, exotic grassy slope vegetation, and is surrounded by the Gippsland Lakes (Lake King and Lake Victoria). The Gippsland Lakes are a Ramsar site, and Point Fullarton Gippsland Lakes Reserve which is adjacent and to the north of the study area is part of the Ramsar site. Existing residential development surrounds the majority of the south-east border of the study area. Scattered trees, shrubs, and patches of Plains Grassy Woodland Ecological Vegetation Class (EVC) 55 along the eastern extent of the study area, and Estuarine Scrub EVC 953 along the northern boundary of the study area provide shelter for kangaroos. Water bodies in the local area, include dams and wetlands, these water bodies are likely to be utilised by local kangaroo populations over the summer when they are unable to sustain themselves on the water from the vegetation they consume. Adjacent undeveloped land to the west and reserves to the north are important for dispersal of kangaroos into the surrounding landscape.

#### 3.3. Vegetation cover

The study area contains predominantly introduced vegetation as majority of the site has been previously disturbed (Photo 1, Appendix B). The study area is dominated by exotic perennial grass species (Kikuyu *Cenchrus clandestinus*, Couch *Cynodon dactylon*, Paspalum *Paspalum dilatatum*, Rat-tail Grass *Sporobolus africanus*, African Love-grass *Eragrostis curvula*, Cocksfoot *Dactylis glomerata*). Other scattered exotic species such as Blackberry *Rubus anglocandicans* and African Box-thorn *Lycium ferocissimum* are present throughout most of the study area. Native scattered trees and shrubs are present in the northern and eastern boundaries of the study area and include Black Wattle *Acacia mearnsii*, Common Boobialla *Myoporum insulare*, Seaberry Saltbush *Rhagodia candolleana*, Gippsland Red Gum *Eucalyptus tereticornis*, Swamp Paperbark *Melaleuca ericifolia*. The native and exotic species can provide shelter for resting kangaroos. Native graminoid species such as Spear Grasses *Austrostipa* spp., Common Wheatgrass *Anthosachne scabra*, Common Bog-sedge *Schoenus apogon* and Rushes *Juncus* spp. would provide vegetation that kangaroos would likely feed on. Despite being largely exotic, the vegetation mix provides suitable grazing habitat for the kangaroo population observed. The surrounding undeveloped landscape to the west would likely be of similar vegetation composition.



### 3.4. Parks, reserves and recreation areas

The majority of the surrounding landscape is comprised of existing residential developments and privately owned farmland.

The closest parks, reserves and conservation areas to the study area include:

- Point Fullarton Gippsland Lakes Reserve - adjacent and to the north of the study area
- AJ Freeman Reserve – approximately 1 kilometre south of the study area
- Eagle Point Gippsland Lakes Reserve – approximately 3 kilometres west of the study area
- Macleod Morass Wildlife Reserve – approximately 5 kilometres west of the study area

### 3.5. Estimated EGK home range in the local area

Twelve EGKs were observed grazing and resting within the study area and immediately adjacent properties and reserves. Twenty EGK were observed in Point Fullarton Gippsland Lakes Reserve adjacent to the study area at the time of initial site inspection. Observation indicates that many of the EGK's using the study area may move north to disperse. Records of EGK from online biodiversity databases indicate that the species is widespread in grassland habitat throughout the local area.

Observations of EGK movements suggest that the current home range of the majority of the EGKs observed is likely to be limited due to main roads, adjacent residential areas, and large water bodies in the local area. Access to water is abundant in the local area to the west of the study site, with dams and wetlands providing frequent water points year-round. Shade and shelter is available in the north and east of the study area as there is grassy woodland and estuarine shrub habitat in the local area. The local area north and west of the study area remain largely unobstructed apart from a fence along the northern and western boundaries which may present a barrier to young EGK.

### 3.6. Major hazards

The major hazards and obstacles to dispersal for EGKs in the local area include roads, fencing and the surrounding residential developments. Paynesville Road runs south of the study area toward the Princes Highway. Heavy and light vehicles use Paynesville Road frequently. A kangaroo attempting to cross the road is at risk of being struck by a vehicle. The residential developments south and east of the study area also present a barrier to EGK's dispersing from the site into the local area

## 4. Survey methodology and results

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### 4.1. Site inspection - FFA

An initial inspection of the study area was undertaken by a qualified zoologist (Jonathan Botha) on 2-3 February 2023, during the on-site component of the FFA, to assess the ecological values as they relate to the potential presence of an EGK population. The inspection within the study area was carried out on foot and focused on identifying the presence of shelter habitat, food and water resources, hazards and any kangaroos or evidence of their presence (tracks, fur, faecal matter, bones and carcasses). A general inspection of publicly accessible surrounding land within one kilometre of the study area was also undertaken with the use of a vehicle to further assess the presence of kangaroos in the local area and possible dispersal routes available to the species.

A total of 12 EGKs were observed during the initial site inspection (Photo 2, Appendix B), resting and foraging within the study area. The EGKs were observed to be in good health, and the mob contained a range of large adult males, adult females and joeys.



## 5. Plan goals

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The goals of this MMP are to minimise risks to animal welfare, public safety and the environment through a staged development plan and other initial and responsive management actions.

This MMP is based on a consideration of the lifetime, and end-point, of the development. This MMP acknowledges that kangaroo management should be responsive to the changing needs and behaviours of the kangaroo population.

## 6. Staged development plan

---

Staging of the development is the first consideration to manage any EGKs that may occur within the study area. Given the surrounding landscape, there is an opportunity to stage the future construction of the development to ensure EGKs are kept out of the study area during construction and are passively moved into nearby suitable and available habitat. Staging of the development is required to ensure EGKs remain safely separated from construction zones and the risk of EGK being hit by vehicles or land-locking is minimised.

A suitable staging plan will be developed following approval of this MMP and prior to construction commencing within the study area.

### 6.1. Action required

Staging of the development is required to ensure:

- EGKs remain safely separated from construction zones.
- The risk of EGKs becoming land-locked is minimised.

The presence of suitable contiguous grassland habitat allows for passive removal and relocation of the EGKs within the study area through gradual deployment of temporary fencing and development from the easternmost extent of the study area to the west. Dispersal barriers (i.e. fencing along the northern and western boundaries) will be required to be removed to facilitate movement of the EGKs out of the study area.

A staging development plan for the study area will be developed in collaboration with Resi Ventures Pty Ltd. This plan will outline the sequence of development of the study area to passively remove kangaroos from the study area, into adjacent grassland. Without appropriate management, the construction staging process poses a risk of land-locking kangaroos during construction.

To prevent resident EGKs from becoming land-locked, the MMP staging will be implemented prior to the onset of construction from east to west. Temporary exclusion fencing will be installed around each MMP stage, with each staging proposed to be fenced off to kangaroos in line with the construction staging plan. This fencing should remain in place until the completion of each associated construction stage to ensure EGKs remain excluded from the construction sites and residential roads.

Once it is ensured that all EGKs have left the staging area, temporary exclusion fencing will be placed around each stage and along adjacent roads and residential properties during construction. EGKs must not be chased, herded or scared to encourage them out of the staging zones. Removal of food, water and shelter resources may encourage the EGKs to leave the study area and move into suitable grassland habitat to the west.

### 6.2. Timeframe

The staging plan will be finalised following approval of this KMP and prior to construction commencing on site.

### 6.3. Responsibility

The implementation of the final staging plan will be the responsibility of Resi Ventures Pty Ltd.



## 7. Assessment of management options

The following section includes an assessment of the use of management options (as outlined by DEECA Kangaroo Management Guidelines) to be considered in conjunction with the staged development plan to prevent kangaroos from utilising or moving through the study area. The options assessment is summarised in Table 1.

### 7.1. Construction exclusion fencing

In conjunction with staging of the development, exclusion fencing can be a temporary but important preventative action for the study area. Each stage of the development should be appropriately fenced to ensure EGKs cannot enter an area while it is under construction to prevent injury/death to kangaroos within construction zones and prevent injuries to construction personnel.

During installation, it must be ensured that no EGKs have entered the construction stage and that none remain once the fence is complete. The fence must be secured following installation to ensure EGKs cannot enter the study area. Fencing around the construction areas should be temporary to allow for them to be moved as the construction stages progress. All fencing should be monitored on a regular basis to check for damage or breaches to ensure repairs can be carried out in a timely manner. Signage can be attached to the exclusion fencing provided it does not impact on the integrity of the fence, and that it is fixed to the side where kangaroos are excluded to ensure it does not pose an entanglement risk.

Prior to construction works, it is recommended that kangaroo exclusion fencing be added to the eastern and southern boundaries of the study area, adjacent to Fullarton Drive in order to prohibit any EGKs exiting the study area onto the road and impacting with vehicles or entering construction and residential areas.

Each stage should be bounded by temporary kangaroo exclusion fencing to prevent hazards associated with EGKs from entering into the construction area. As construction of each stage is completed temporary fencing should be removed or relocated to the next stage construction area.

It would also be beneficial to remove any unnecessary internal fencing present within the study area to reduce the risk of EGK entanglement.

#### 7.1.1. Kangaroo-proof fencing requirements

Exclusion fencing used must be appropriately designed with kangaroo-proof features to discourage EGKs from attempting to jump over, go under or push through the fence, to reduce the risk of injury. Specifications for suitable fencing for kangaroo management, as outlined in the 2015 DELWP Guide to preparing a kangaroo management plan for Melbourne's growth corridors, are as follows:

- Chain-link (cyclone) fencing or deer mesh (also known as 'K' Wire).
- No 'ring lock' style fencing due to entanglement hazard.
- High tensile, heavy galvanised wire.
- At least 1.9 metres high.
- No barbs.
- No loose or open wires.



- Completely free of holes/gaps within and under the fence to prevent attempted escape or injury.
- Gaps at the base can be prevented by a secured mesh apron, by embedding the fences, grading the fence line to eliminate dips, and using crushed rock or concrete footing underneath.

Additional fence design features that can increase the effectiveness of discouraging EGKs from attempting to jump the fence may include:

- Enhancing the visibility of the fencing by marking the top of the fence with coloured tape, piping or tags.
- Sloping fencing outwards (so that the top of the fencing is leaning towards the direction of approach) at a 45 degree angle.

## 7.2. Removing attractants

Removal of food, water and shelter resources can be an effective method of discouraging kangaroos from inhabiting an area.

In areas where vegetation removal is approved, mechanical removal of foraging habitat by slashing or topsoil scraping can be conducted up to three days before installation of exclusion fencing. The removal of vegetation should be undertaken in conjunction with the staging plan to ensure that areas aren't cleared and then allowed to regrow, as the new growth may attract kangaroos to the study area. The use of exclusion fencing must be used to prevent kangaroos accessing these areas.

Open water can be a significant resource for kangaroos when vegetation dries out. Removal of water resources by draining, filling or exclusion fencing can inhibit EGKs from inhabiting a site and encourage them to move to areas with available resources. Currently, there does not appear to be any permanent water resources within the study area. During construction, it is important to ensure that additional resources are not created that may attract kangaroos to the study area. In particular, any areas that retain water, such as depressions or drains, should be filled or temporary exclusion fencing installed around them to ensure kangaroos do not move into the study area during construction.

## 7.3. In situ management of EGK

The study area will be developed for residential housing, with an associated waterfront reserve, whilst some areas will be retained as green spaces, in-situ management of a sustainable EGK population has not been considered for this MMP as the population will not be confined to the development area.

## 7.4. Culling and fertility control

With responsive management plan in place, culling and fertility control are considered unsuitable and not recommended for this site. Grassland paddocks adjacent to the study area will continue to provide adequate refuge for the recorded number of EGKs in the local area.

## 7.5. Summary of management options

Table 1 includes a summary of each kangaroo management option as it applies to 10 Fullarton Drive, Paynesville

**Table 1      Assessment of kangaroo management options**

Management option	Fit-for-purpose?	Management actions required
<b>Staging development</b>	Yes	Staging plan to be finalised prior to development commencing. Development to be constructed in stages from east to west away from existing development to ensure kangaroos do not become landlocked.
<b>Exclusion fencing</b>	Yes	Temporary exclusion fencing to be installed for each stage of construction to prevent any EGKs from entering construction zones. Fencing to be installed along Fullarton Drive, developments at each stage, and residential areas.
<b>Removing food and water resource</b>	Yes	Removal of vegetation, trees, and water resources (dams and waterpoints such as troughs) is recommended where practical and necessary. Should it be observed that EGKs are not moving into adjacent land to the north or west, of the study area during staged development, the following actions may be taken: <ul style="list-style-type: none"> <li>• Mechanically remove scattered trees box thorn that are approved for removal. Any trees to be retained should be temporarily fenced off.</li> <li>• Mechanically remove vegetation by slashing or topsoil removal (scraping) up to 3 days prior to installing exclusion fencing.</li> </ul>
<b>In-situ population management</b>	No	No management action recommended.
<b>Culling of EGKs</b>	No	No management action recommended.
<b>Fertility control</b>	No	No management action recommended.



## 8. Management actions

Table 2 and Table 3 outline the initial and responsive management actions and responsibilities that form this KMP. The purpose of these tables is to document the management actions as they are completed and provide comments about the success of the plan and any follow-on actions that may be required.

**Table 2 Initial management actions**

Management action	Steps	Deadline	Performance indicator	Responsible person	Date completed	Did the action work?	Comments / follow-on action
<b>Staging development</b>	Development to be completed in stages to passively move kangaroos away from construction and potential hazards.	Pre-construction	No EGKs within construction sites.	Resi Ventures Pty Ltd  Construction personnel			
<b>Removing attractants (vegetation for feeding)</b>	Mechanical removal of vegetation (slash or scrape). Removal of vegetation from vantage points which may attract kangaroos.	Prior to construction, and at least 3 days before installation of exclusion fencing.	No EGKs within construction area prior to installing temporary exclusion fencing.	Resi Ventures Pty Ltd  Construction personnel			
<b>Removing attractants (resting spots)</b>	Mechanical removal of trees, shrubs, and any other bushes not being retained. Ensure any trees or vegetation to be retained that may attract kangaroos to	Pre-construction within each stage.	No EGKs within construction area prior to installing temporary exclusion fencing.	Resi Ventures Pty Ltd  Construction personnel			



10 Fullarton Drive, Paynesville | Mammal Management Plan | 24 March 2023

Management action	Steps	Deadline	Performance indicator	Responsible person	Date completed	Did the action work?	Comments / follow-on action
	the study area is protected and isolated by erecting temporary fencing.						
<b>Removing attractants (water)</b>	Remove or fence water sources within the study area, if required. Ensure no water sources are generated during construction that may attract kangaroos to the study area.	Pre-construction within each stage.	No EGKs within construction area prior to installing temporary exclusion fencing.	Resi Ventures Pty Ltd  Construction personnel			
<b>Exclusion fencing</b>	Install exclusion fencing around study area and along the eastern boundary adjacent to Fullarton Drive.	Prior to construction.	No EGKs within construction zones following installation of fencing. EGKs unable to move through or over fencing. No injuries to EGKs noted.	Resi Ventures Pty Ltd  Construction personnel			
<b>Monitoring of fencing</b>	Daily checks of all exclusion fences to ensure no defects or breaches.	Daily during construction.	EGKs unable to move through or over fencing. No injuries to EGKs noted.	Resi Ventures Pty Ltd  Construction personnel			



10 Fullarton Drive, Paynesville | Mammal Management Plan | 24 March 2023

Management action	Steps	Deadline	Performance indicator	Responsible person	Date completed	Did the action work?	Comments / follow-on action
<b>Removal of dispersal barriers within landscape</b>	Take down temporary fencing and farm fencing where possible to allow easier dispersal to grasslands outside of the study area.	Pre-construction.	No injuries to EGKs from fencing.	Resi Ventures Pty Ltd  Construction personnel			

Table 3 Responsive management actions

Management action	Steps	Deadline	Performance indicator	Responsible person	Date completed	Did the action work?	Comments / follow-on action
<b>Removal of dispersal barriers within landscape</b>	Take down temporary fencing and farm fencing where possible to allow easier dispersal to grasslands outside of the study area.	Pre-construction.	No injuries to EGKs from fencing.	Resi Ventures Pty Ltd  Construction personnel			



## 9. Monitoring and contingency plan

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If a kangaroo is seen in a fenced construction site, or if an injured or dead kangaroo is seen in the study area or adjacent roads, construction and site personnel should follow the instructions outlined in Appendix A. The requirement for a contingency plan and appropriate management actions, including continued monitoring, will then be determined by the ecologist.

### 9.1. Staged development monitoring

A suitably qualified ecologist must conduct a formal site visit every six months during the entire duration of the development of the study area, and for six months after the works are completed. If kangaroos are still present within the study area, the ecologist should use the appropriate methods, and record:

- The number of EGK observed and their behaviour and distribution within the study area and adjacent properties.
- Any evidence that any kangaroos are injured or diseased.
- Whether the staged development is still avoiding land-locking kangaroos (and, if relevant, any change in the degree of landlocking since the last assessment).
- If the position of kangaroo-proof exclusion fencing needs to be adjusted or more added.
- Any other notable information.

The ecologist will report this information to Resi Ventures and council every six months. Council will then advise on how to proceed.



## 10. Reporting

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### 10.1. Staged development reporting

On completion of each six-monthly survey conducted, a brief report will be completed by the engaged ecologist detailing the success or failure of any management methods. The report will be submitted to Resi Ventures and Council.

The report will include:

- The total number of kangaroos, their behaviour and use of the study area.
- If there is any sign of disease or injury.
- Whether the staged development is still avoiding land-locking.
- If the position of kangaroo-proof exclusion fencing needs to be adjusted or more added.
- Any other notable information.

The final report will be submitted six months after the completion of the works.



## References

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DELWP 2015. *Draft guide to preparing a kangaroo management plan for Melbourne's growth corridors*. Victorian Government Department of Environment, Land, Water and Planning, Melbourne.

Biosis 2023. 10 Fullarton Drive, Paynesville: Flora and Fauna Assessment. Report for Resi Ventures. Zacks, G., Botha, J., Chapman, J. Biosis Pty Ltd., Melbourne, Vic. Project no. 38536



# APPENDICES

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## Appendix A. If you see a kangaroo in the construction area

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If a kangaroo is observed within the construction site, all site or construction personnel must adhere to the following instructions:

- Report it immediately to the site manager. The site manager must address the situation as advised in the site induction and report the presence of the EGKs to Resi Ventures. An ecologist may need to reassess the Kangaroo Management Plan, consult with council, and increase monitoring.
- Let the kangaroo leave of its own accord.
- Do not herd the kangaroo: it is an offence under the Wildlife Act 1975. Herding can stress and confuse a kangaroo, and make it behave erratically. This can result in injury of kangaroos or people.
- Try to identify where the kangaroo entered the construction area. Temporarily widening the entry point might encourage the kangaroo to leave through it. If the kangaroo leaves, securely close off the entry point as soon as possible.
- Immediately remove any attractants (such as food, shade, water and habitat) in the construction area, as outlined in Section 7.2.
- All people must obey standard construction area speed limits.
- Translocation of kangaroos from the study area is not permitted.

If the kangaroo is injured, including kangaroos that are diseased or lame, entangled in a fence, attacked by a dog or have collided with a vehicle, Council must be notified as soon as possible. You can also contact one of these agencies for advice:

- Help for Wildlife (0417 380 687)
- Wildlife Victoria (1300 094 535)
- BADGAR emergency 24-hour wildlife rescue centre (1300 223 427).



Appendix B. Study area photos



Photo 1 Typical vegetation cover within the study site



Photo 2 An EGK observed during the FFA within study area





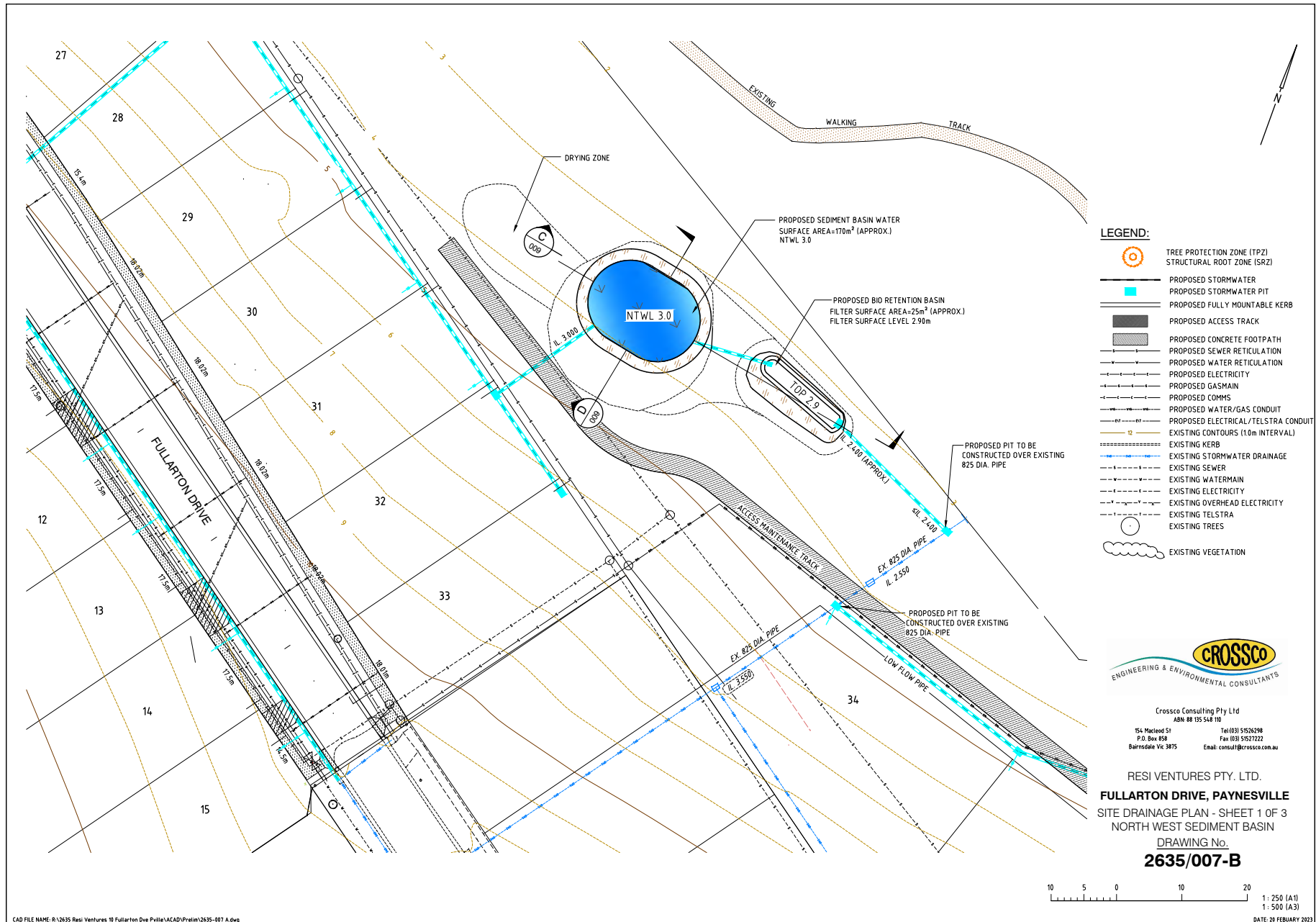
## Contact

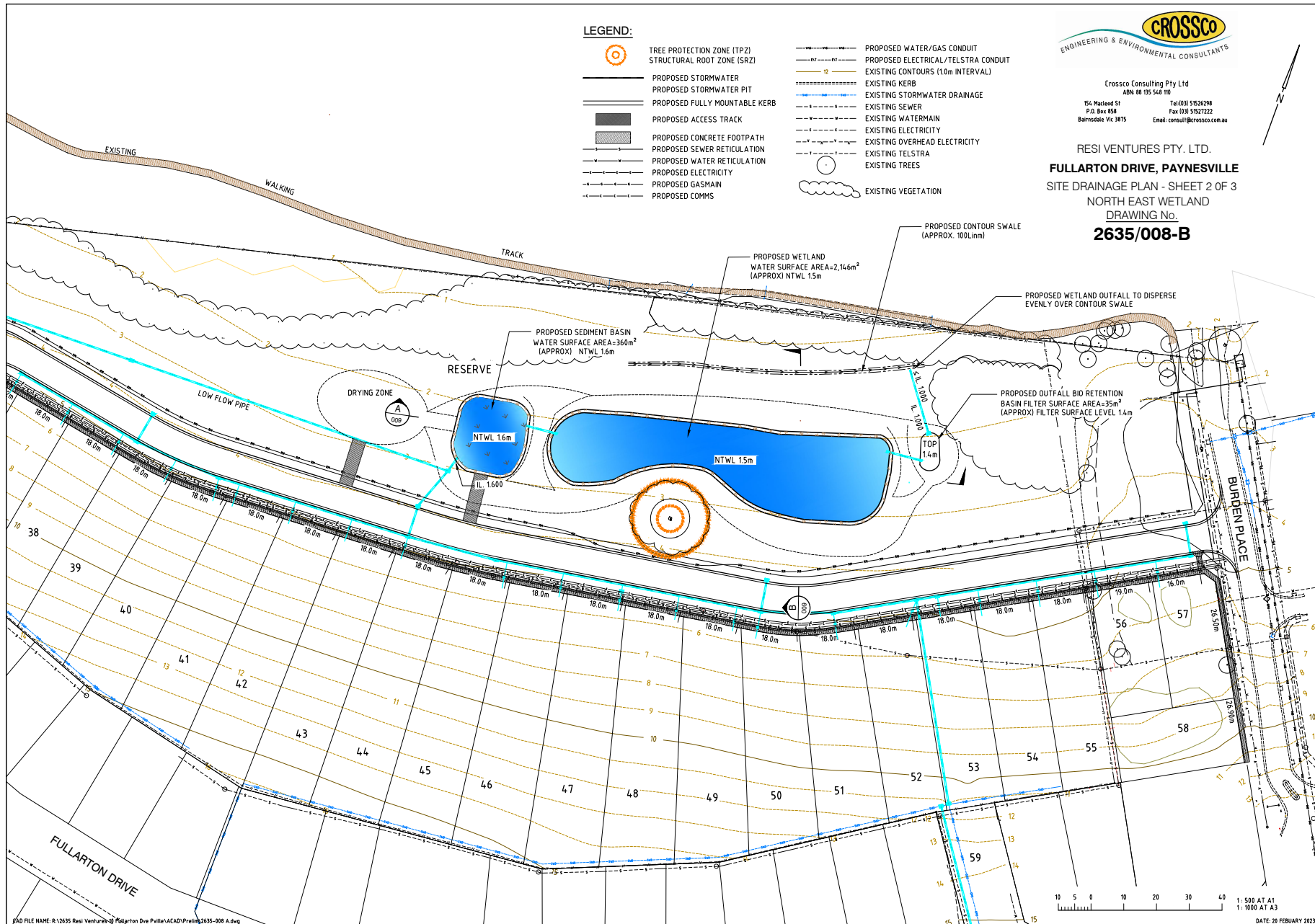
Dr Jonathan Botha

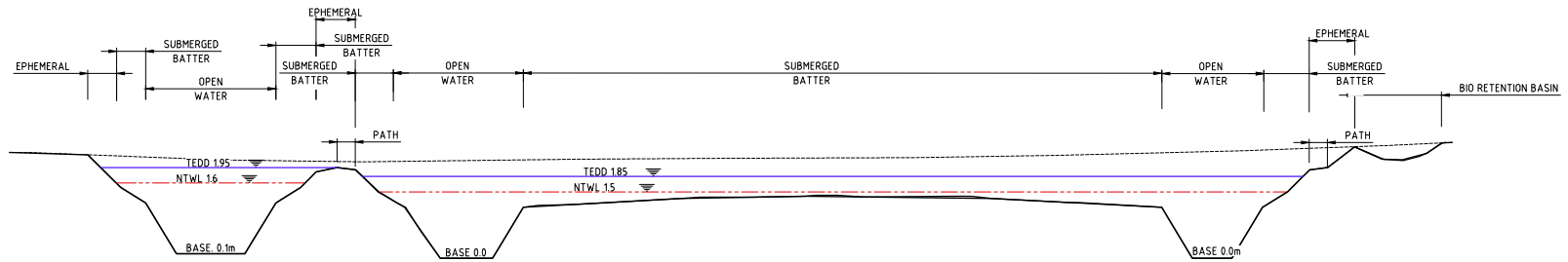
Senior Zoologist

[jbotha@biosis.com.au](mailto:jbotha@biosis.com.au)

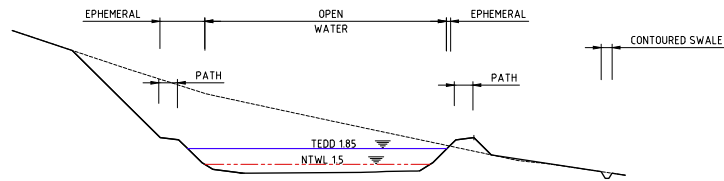
+61 427 458 051



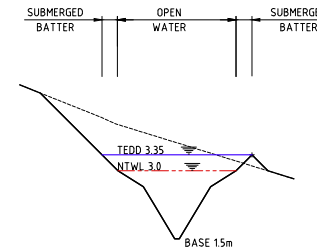




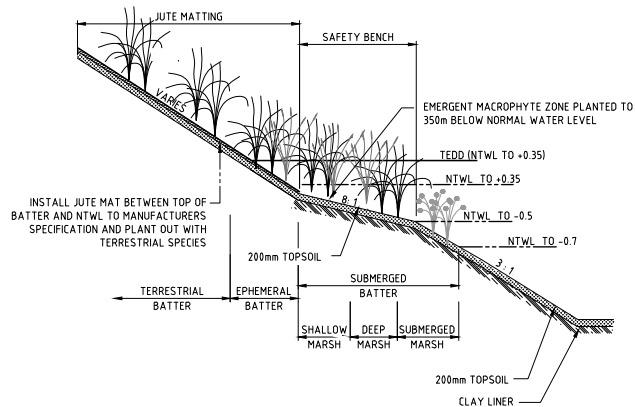
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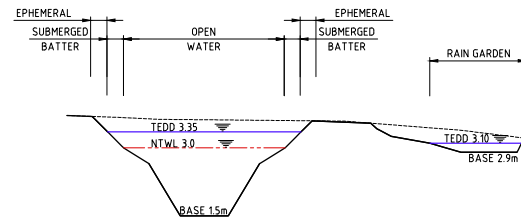
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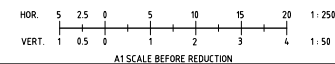
SECTION D - D  
H - 1:250 V - 150



TYPICAL VEGETATED EDGE WITH SAFETY BENCH DETAIL  
NOT TO SCALE



SECTION C - C  
H - 1:250 V - 150



Crossco Consulting Pty Ltd  
ABN: 88 155 548 110  
154 Macleod St  
P.O. Box 858  
Bairnsdale Vic 3875  
Tel: (03) 51526298  
Fax: (03) 51527222  
Email: [consult@crossco.com.au](mailto:consult@crossco.com.au)

RESI VENTURES PTY. LTD.  
FULLARTON DRIVE, PAYNESVILLE  
SITE DRAINAGE PLAN - SHEET 3 OF 3  
TYPICAL SECTIONS  
DRAWING No.  
**2635/009-B**

DATE: 20 FEBRUARY 2023

***Neil M Craigie Pty Ltd***

ACN 074 582 282 ABN 29 074 582 282

*Waterway Management Consultants*

---

21 February 2023

Ms Sarah Davis  
Resi Ventures P/L  
(By Email)

Dear Sarah,

**RE: FULLARTON DRIVE, PAYNESVILLE  
STORMWATER MANAGEMENT**

I refer to your request for me to review the stormwater management approach and modelling completed by Crossco for the subject property and provide advice on any modifications that could be made.

I previously advised on development of this land when it was known as Northviews Estate and owned by Lake View Holdings P/L. My statement of expert evidence to VCAT dated 16 June 2011 addressed all the key drainage and flooding issues facing residential development which was then proposed to extend much further downslope towards the Lake King shoreline (to about the 2 m AHD contour line).

I note that the current proposal by Resi Ventures significantly pulls back the development line to about the 4 m AHD contour line, reduces the number of lots from 82 to 59 and reduces developed land area from 8.5 ha to 7.0 ha now, cf. the 2011 proposal.

I acknowledge receipt of:

- Crossco Site drainage Plans including MUSIC results & Catchment Plan;
- MUSIC files and outputs including schematic.

I have reviewed all the information and made suggestions for some amendments and variations to the team at Crossco. These have been fully incorporated into the latest versions of the plans and modelling which are as referenced below:

- Crossco Drawing 2635-007-009 B Site drainage Plans (20 February 2023);
- MUSIC model: 2635 Fullarton Drive Phosphorus Check.sqz.

---

*Director Neil McKinnon Craigie BE(Civil), MEngSci, MIEAust, CPEng (Ret)*

*Email: nmccraigie@bigpond.com*

*40 Jamieson Court, Cape Schanck, Vic. 3939, Australia*

*Mobile: 0427 510 053*

---

*Fullarton Drive, Paynesville, Stormwater Management*

---

The suggested amendments to the main drainage assets and modelling have included:

Eastern Drainage System

- Addition of a separate sediment basin at the west end of the main wetland;
- Amalgamation of all tributary inflow pipes into this sediment basin;
- Addition of a bioretention basin for treatment of extended detention outflows from the wetland at its eastern end;
- Extended detention depths set to 0.35 m in the sediment basin and macrophyte zone and 0.2 m in the bioretention basin.

Western Drainage System

- Addition of a larger sediment basin at the inlet to the western bioretention basin;
- Reduction of the western bioretention basin filter surface area;
- Extended detention depth set to 0.35 m in the sediment basin and 0.2 m in the bioretention basin.

The layout of the eastern drainage assets now aligns along a downslope contour level of about 2.0 m AHD which is well above the expected impacts of sea level rise through the year 2100. Normal Water Level can be set at about 1.5 m AHD.

The eastern and western pipe drainage systems will intercept and treat all drainage from existing external developed land in the Fullarton Drive/The Crescent/Eagle Bay Terrace/Wisteria Place and Lara Close areas (15.6 ha in total). Under existing conditions all stormwater drainage from that external land goes direct into Lake King without treatment.

The modelling results confirm that:

- with the 2 KL raintanks included (hard plumbed to toilets) best practice water quality treatment standards will be exceeded for the whole catchment, including existing untreated residential area of 15.6 ha.
- without the tanks the treatment standards significantly exceed best practice for the Resi Ventures development catchment alone.
- Without the tanks for the total catchment the only shortfall is TN which at 43% is just short of 45% best practice.

There is no legal requirement for the Resi Ventures development to treat external developed catchment stormwater drainage at all, let alone to best practice standards.

The MUSIC modelling uniformly assumes that zero exfiltration will occur from any of the drainage assets. This properly reflects the important assumption that unless proved otherwise by geotechnical investigation and testing, it will be necessary to fully seal the



*Fullarton Drive, Paynesville, Stormwater Management*

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basal areas and sides of all water containing structures to deal with potential dispersive or PASS soils.

There can be no doubt that significant water quality treatment benefits will flow to the Lake King environment with this development in place as proposed, regardless of whether or not the raintanks are included.

I therefore fully support the current application by Resi Ventures based on the latest plans and modelling by Crossco.

Please do not hesitate to contact me if there are any queries in regard to this advice.

Yours faithfully,

A handwritten signature in dark ink, reading "N Craigie". The signature is written in a cursive, slightly slanted style.

Neil M Craigie

---

*Neil M Craigie Pty Ltd*

3

**From:** Anthony Desio ·  
**Sent:** Monday, February 20, 2023 2:14 PM  
**To:** Ingrid Davoli · ; Sarah Davis ·  
**Cc:** Andrew Gibbons · Margaret Supplitt · ; Kate Young -  
 Crowther & Sadler ·  
**Subject:** RE: Fullerton- Advancing Design

Hi Ingrid,

There was a small deficit in phosphorus removal for lots 1-33.

The following amendments were made to meet best practice and site constraints:

- The Western Sediment basin was increased slightly to minimum water surface area of 172m<sup>2</sup>.
- Details (Filter Depth and Submerged zone depths) of both bioretention basins have been adjusted.

**Apologies the drawings have been updated slightly to accommodate this phosphorus deficit. Please use Revision B.**

Results for the above amendments are shown below. Also attached is a screenshot of the previous results.

**Updated Results (20/02/2023)**

Lots 34-59 & External Catchment	
	% Reduction
Total Suspended Solids (kg/yr)	80.5
Total Phosphorus (kg/yr)	57.1
Total Nitrogen (kg/yr)	45.6

Lots 1-33	
	% Reduction
Total Suspended Solids (kg/yr)	88.1
Total Phosphorus (kg/yr)	45.4
Total Nitrogen (kg/yr)	50.0

Overall	
	% Reduction
Total Suspended Solids (kg/yr)	81.5
Total Phosphorus (kg/yr)	55.5
Total Nitrogen (kg/yr)	46.3

**Previous Result (02/08/2022)**

WATER QUALITY TREATMENT PERFORMANCE TABLE					
WETLAND, BIORETENTION & SWALE		Sources	Residual Load	% Reduction	% Best Practice
LOTS 34-59 & EXTERNAL CATCHMENT	Flow (ML/yr)	43	38.8	9.8	
	Total Suspended Solids (kg/yr)	6.99E+03	1.34E+03	80.8	≥80
	Total Phosphorus (kg/yr)	1.50E+01	6.41E+00	57.4	≥45
	Total Nitrogen (kg/yr)	112	60.9	45.5	≥45
	Gross Pollutants (kg/yr)	1.60E+03	4.25E+01	97.3	≥70
SEDIMENT BASIN & BIORETENTION		Sources	Residual Load	% Reduction	% Best Practice
LOTS 1-33	Flow (ML/yr)	8.47	6.73	20.5	
	Total Suspended Solids (kg/yr)	1.07E+03	1.34E+02	87.5	≥80
	Total Phosphorus (kg/yr)	2.28E+00	1.32E+00	41.9	≥45
	Total Nitrogen (kg/yr)	18.2	9.31	49	≥45
	Gross Pollutants (kg/yr)	3.00E+02	0.00E+00	100	≥70
OVERALL		Sources	Residual Load	% Reduction	% Best Practice
LOTS 1-59 & EXTERNAL CATCHMENT A & B	Flow (ML/yr)	51.5	45.5	11.6	
	Total Suspended Solids (kg/yr)	8.06E+03	1.48E+03	81.7	≥80
	Total Phosphorus (kg/yr)	1.73E+01	7.74E+00	55.3	≥45
	Total Nitrogen (kg/yr)	130	70.2	46	≥45
	Gross Pollutants (kg/yr)	1.90E+03	4.25E+01	97.8	≥70

### MUSIC OUTPUT RESULTS

I will forward these updated drawings to Neil for review.

If you have any further queries, please feel free to contact me.

Kind Regards,

**Anthony Desio**  
Design Engineer



**Crossco Consulting Pty. Ltd.**  
154 Macleod Street  
P.O. Box 858  
Bairnsdale Vic 3875

**From:** Ingrid Davol

**Sent:** Monday, February 20, 2023 9:14 AM

**To:** Anthony Desio

; Sarah Davis <

>

**Cc:** Andrew Gibbons

Margaret Supplitt <

Kate Young -

Crowther & Sadler <

**Subject:** RE: Fullerton- Advancing Design

Hi Anthony,

Please advise whether the assets now meet Best Practice EMG for nutrient removal (by memory we were modifying design to meet a small deficit in phosphorus removal)

Ta

Kind regards,

**Robert Pringle**

**From:** Kate Young - Crowther & Sadler <[kate.young@csa.com.au](mailto:kate.young@csa.com.au)>  
**Sent:** Tuesday, 4 July 2023 9:08 PM  
**To:** Robert Pringle  
**Cc:** Planning Unit Administration; Martin Richardson; Crowther & Sadler  
**Subject:** 144/2022/P - 10 Fullarton Drive, Paynesville  
**Attachments:** 19972 Cross-Section Diagrams V1.pdf; 19972 Cross-Section Key Sheet V1.pdf; 19972 Bld Envel V7.pdf

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

Good evening Robert,

**Re: Planning Application 344/2022/P  
 Multi-lot Subdivision and Native Vegetation Removal  
 10 Fullarton Drive, Paynesville**

I am pleased to confirm that on Monday 3 July 2023 our Client lodged a referral with the Commonwealth Government under the EPBC Act for the proposed development. The referral has been issued with Application Number 01908. Our Client remains committed to ensuring the development will not result in any adverse impacts for the Latham's Snipe, and look forward to working through this issue in the appropriate jurisdiction.

We trust this will provide Council with sufficient comfort to enable the Application to progress.

During this period of further investigation we taken on board concerns raised by Objectors and have undertaken a review of view sharing for adjoining properties based on an oblique view line of -2 degrees below the horizontal plane, taken from 1.5m above the floor level of the adjacent dwelling. This differs from the analysis which accompanied our Planning Application which considered only the horizontal view, of which many objectors were critical.

This was a beneficial exercise which demonstrated that whilst many of the proposed building envelopes would not intrude within the oblique view line, that there was a need to make some adjustments. The following documents are enclosed which illustrate the process undertaken:

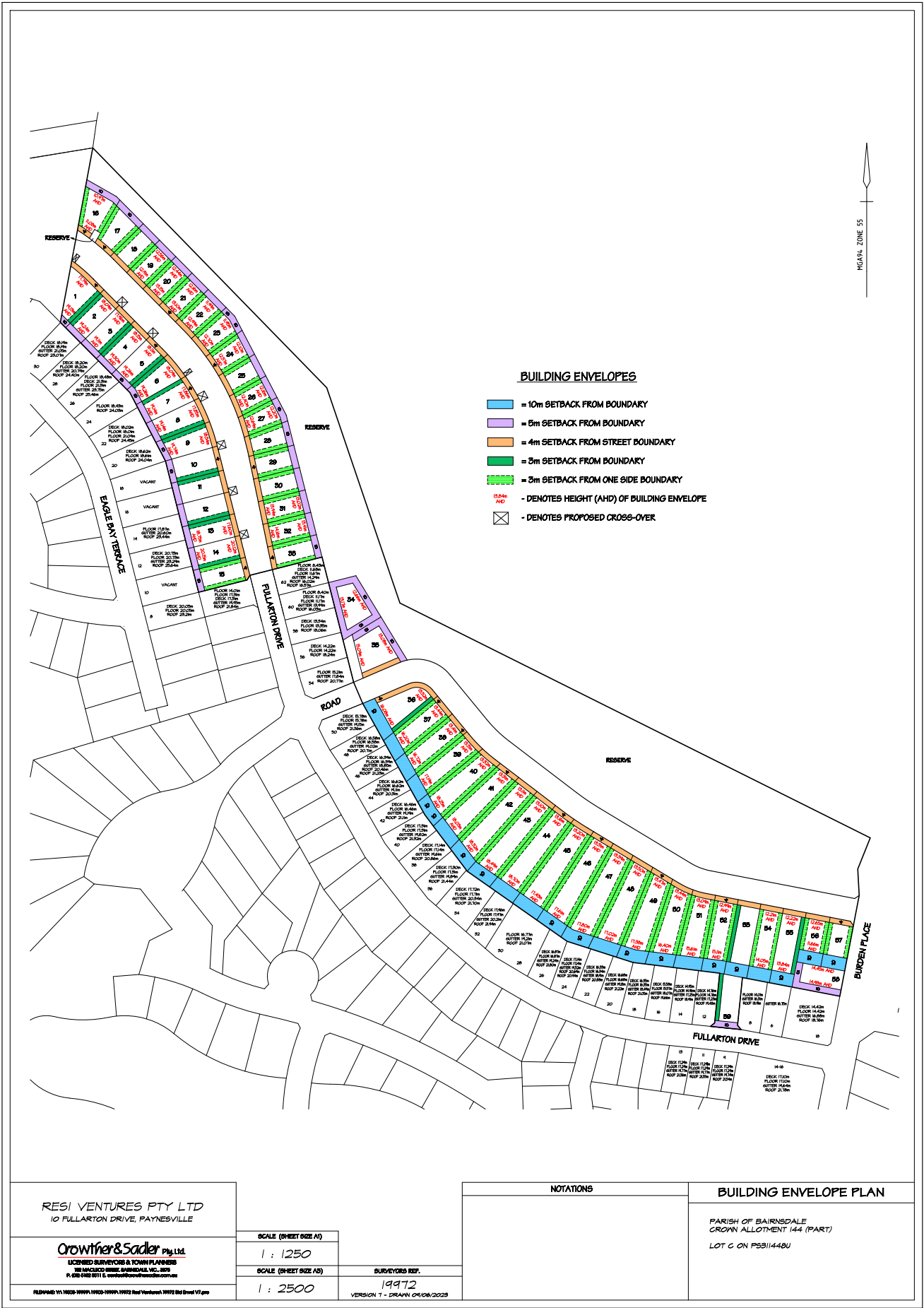
- Cross Section Diagrams – this shows the oblique view line of existing development in the context of the proposed building envelopes.
- Cross Section Key Sheet – this shows a planometric view of the proposed view lines, and should be referenced when reviewing the Cross Section Diagrams.
- Building Envelope Plan (Version 7) – this has been amended from that previously submitted to amend the maximum building heights, informed by the oblique view line analysis.

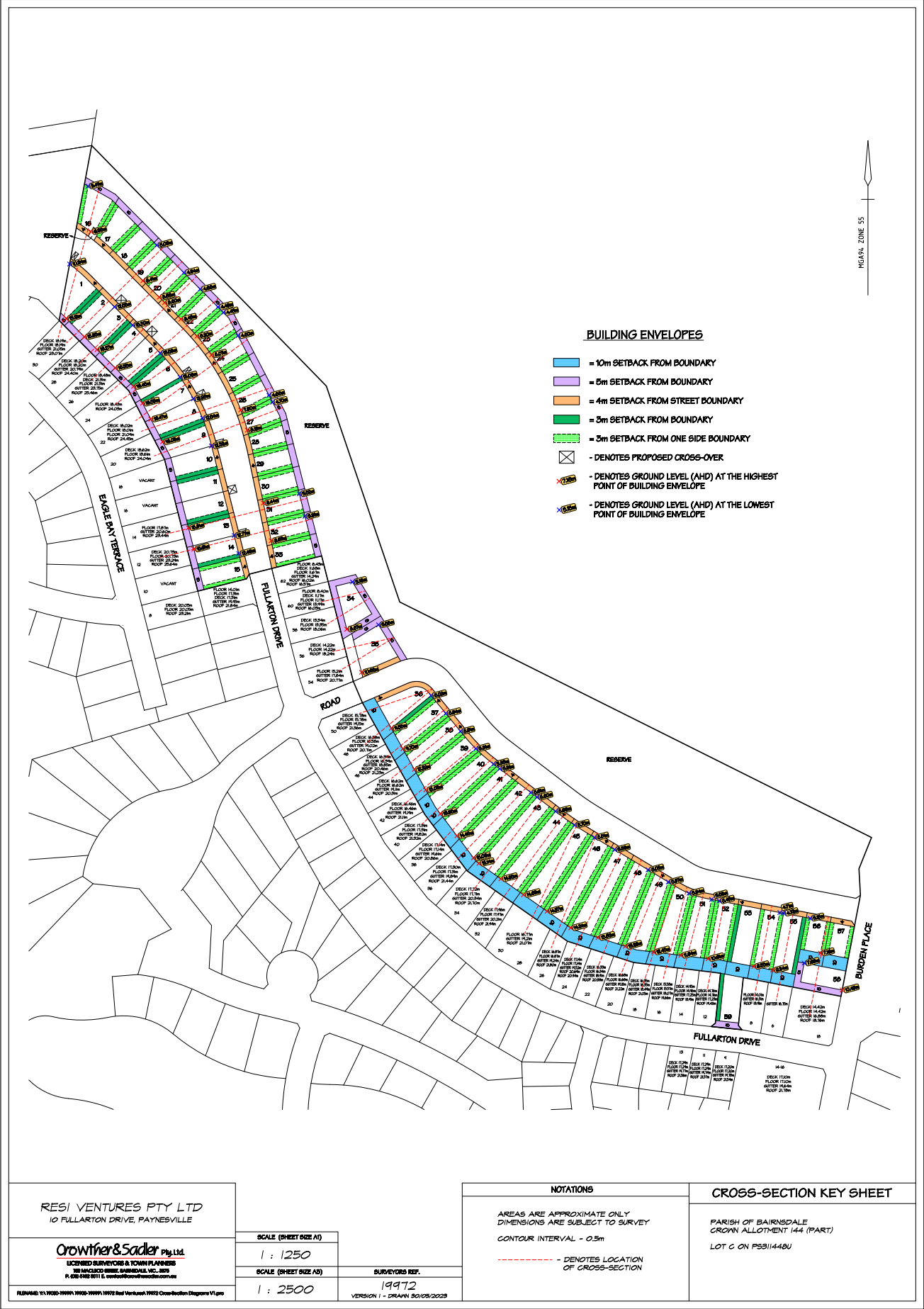
We believe these adjustments provide further demonstration that our proposal achieves a sound planning outcome that provides for the reasonable sharing of views.

We look forward to Council's determination of the Application as soon as possible, and would be pleased to assist should you require any further information.

Regards,

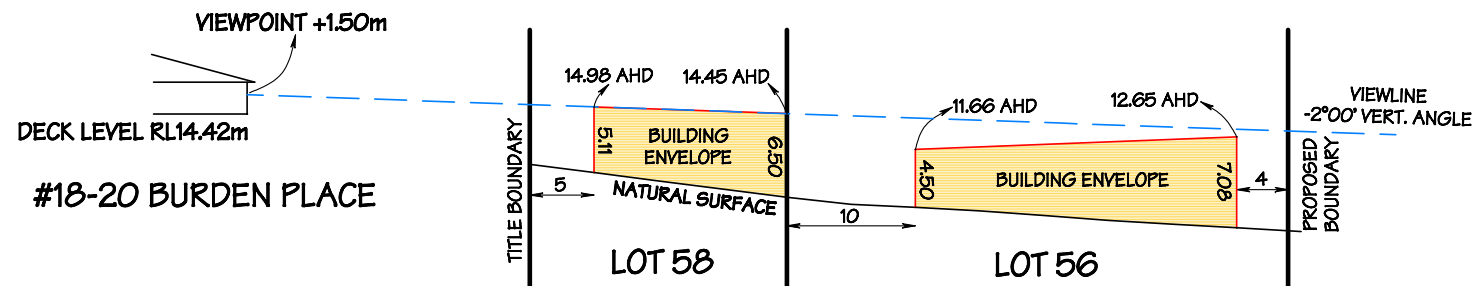
**KATE YOUNG**  
**Town Planner**







# CROSS-SECTION DIAGRAM #18-20 BURDEN PLACE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 5182 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

FILENAME: 19972 Cross-Section Diagrams V1.pro

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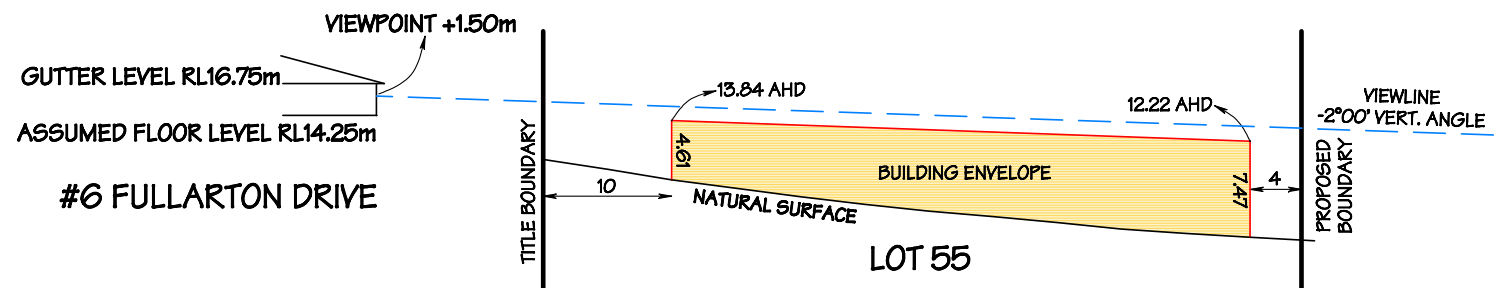
SURVEYORS REF.

19972

VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #6 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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P. (03) 5152 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

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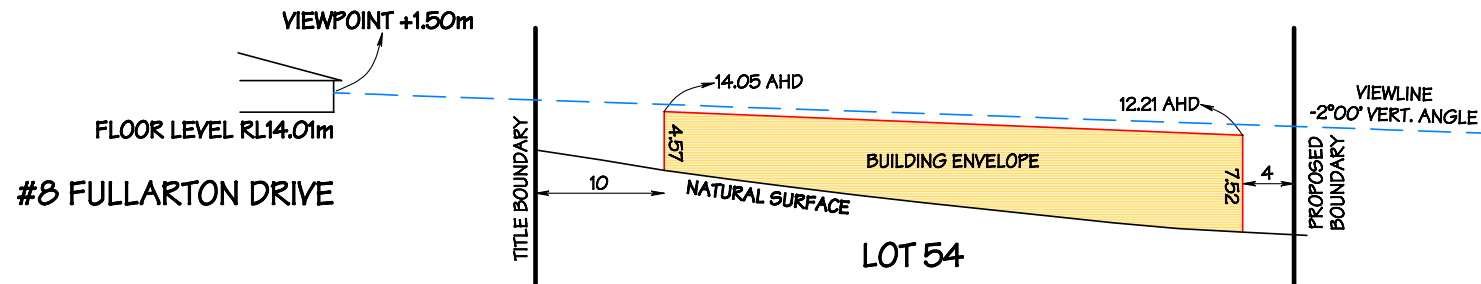
SURVEYORS REF.

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VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #8 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 5152 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

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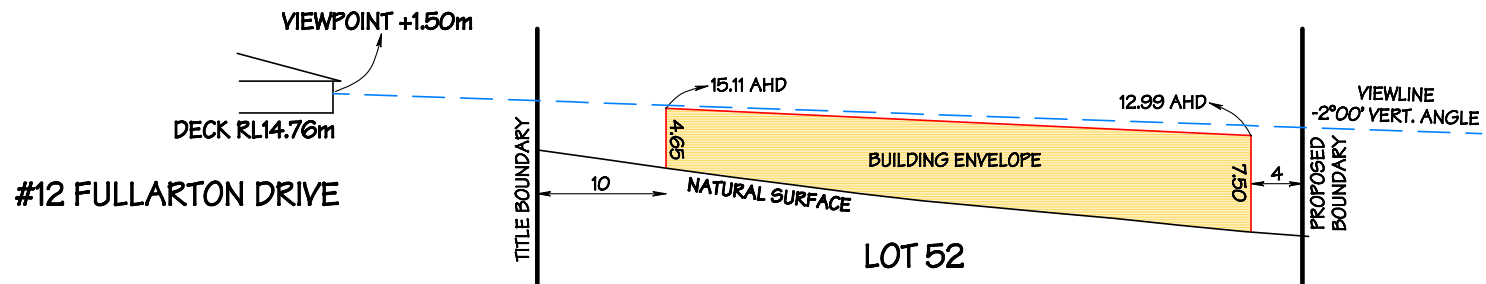
SURVEYORS REF.

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VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #12 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
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P. (03) 5152 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

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SCALE (SHEET SIZE A4)

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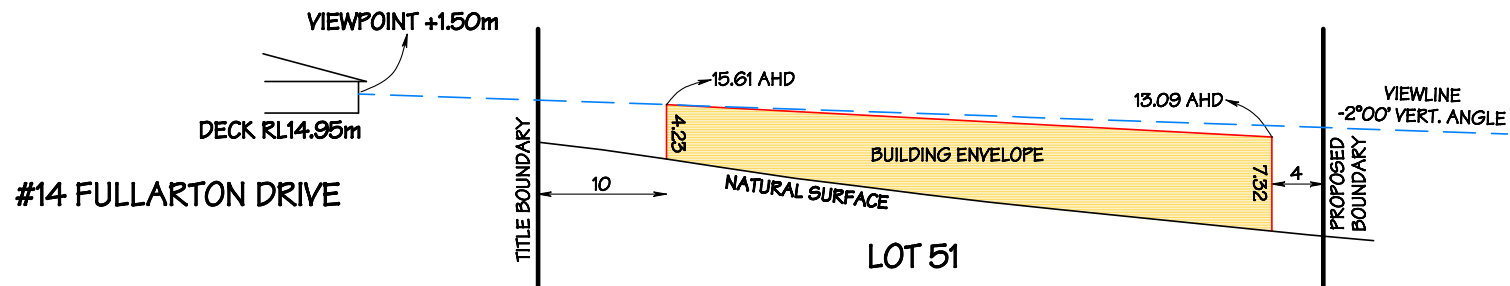
SURVEYORS REF.

19972

VERSION 1 - DRAWN 30/05/2023

RESI VENTURES PTY LTD  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #14 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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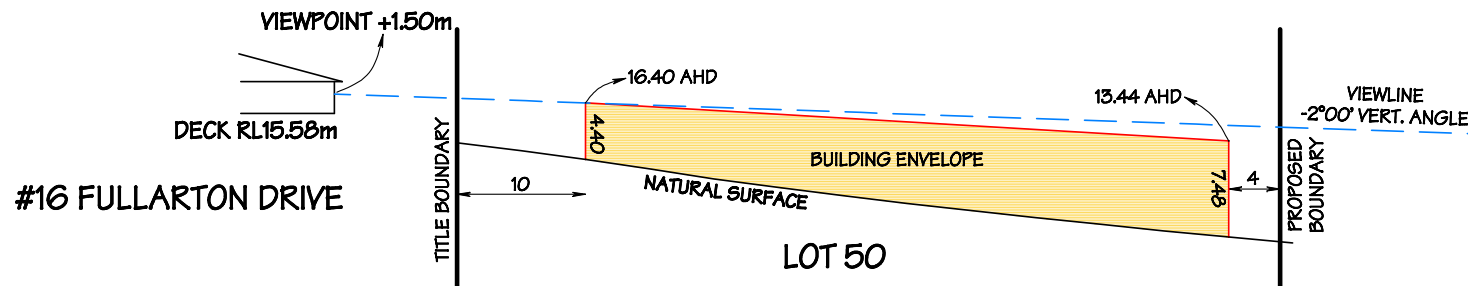
SURVEYORS REF.

19972

VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #16 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
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P. (03) 5152 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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SURVEYORS REF.

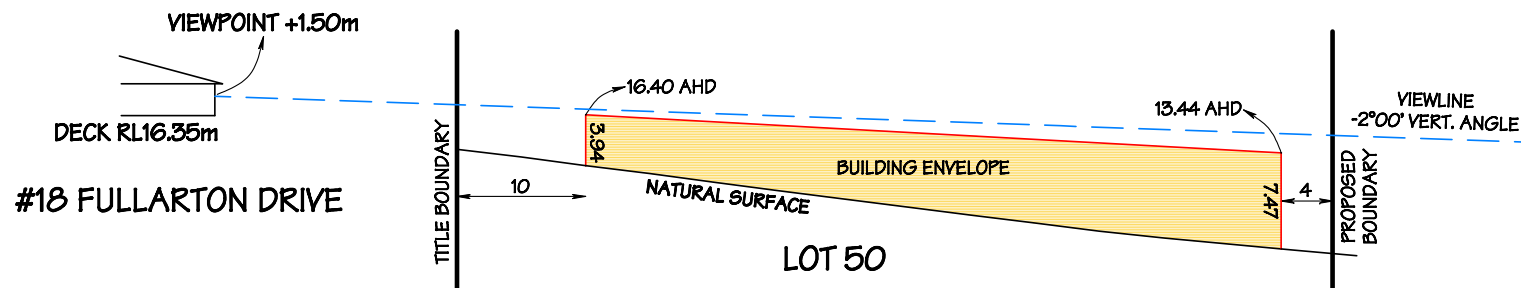
19972

VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE



# CROSS-SECTION DIAGRAM #18 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 5152 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

FILENAME: 19972 Cross-Section Diagrams V1.pro

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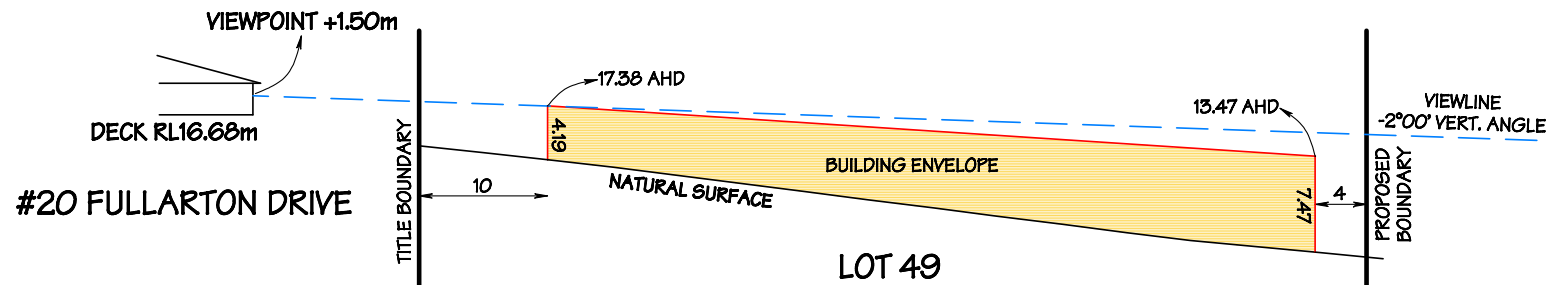
SURVEYORS REF.

19972

VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #20 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 5182 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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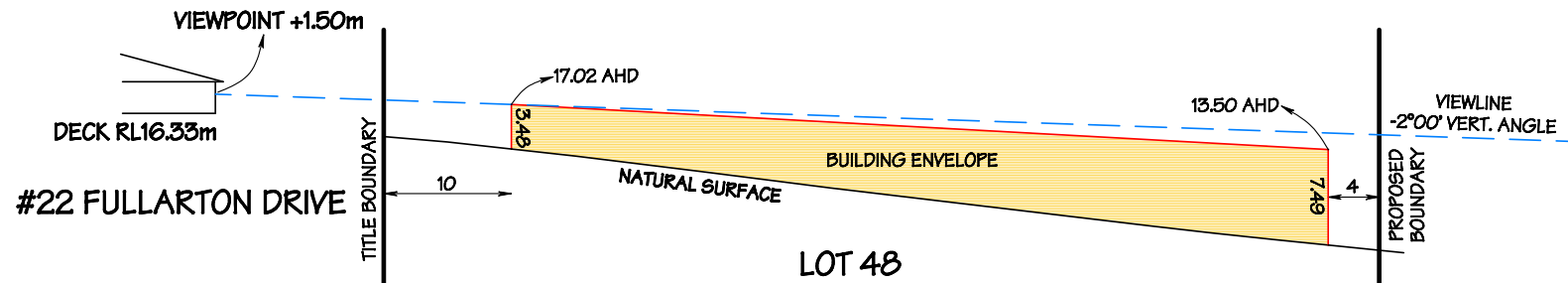
SURVEYORS REF.

19972

VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #22 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

**Crowther & Sadler** Pty. Ltd.

LICENSED SURVEYORS & TOWN PLANNERS  
162 MACLEOD STREET, BAIRNSDALE, VIC., 3875  
P. (03) 5182 5011 E. [contact@crowthersadler.com.au](mailto:contact@crowthersadler.com.au)

FILENAME: 19972 Cross-Section Diagrams V1.pro

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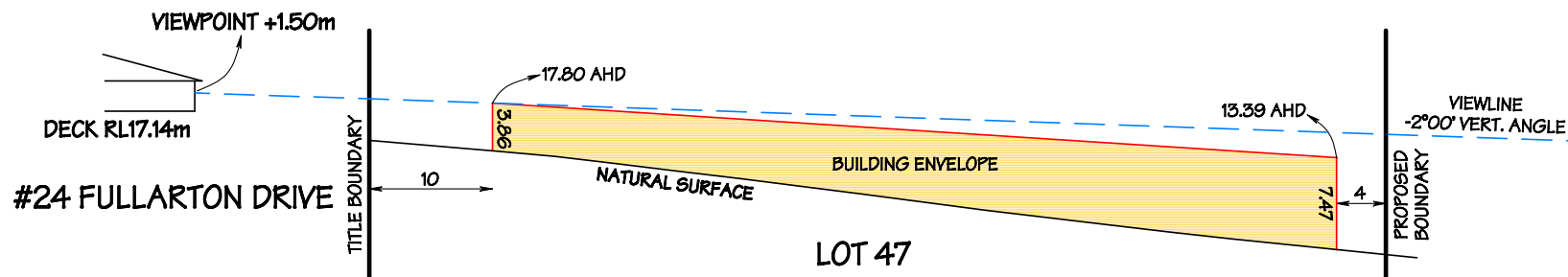
SURVEYORS REF.

19972

VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #24 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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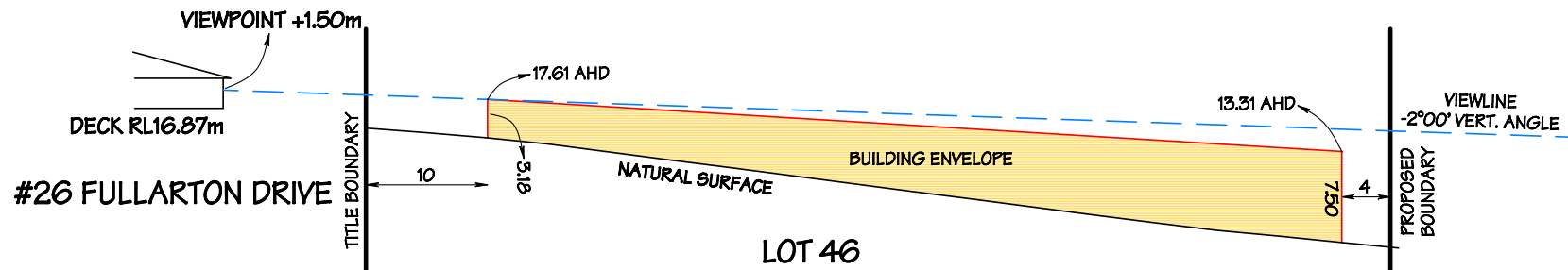
SURVEYORS REF.

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**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #26 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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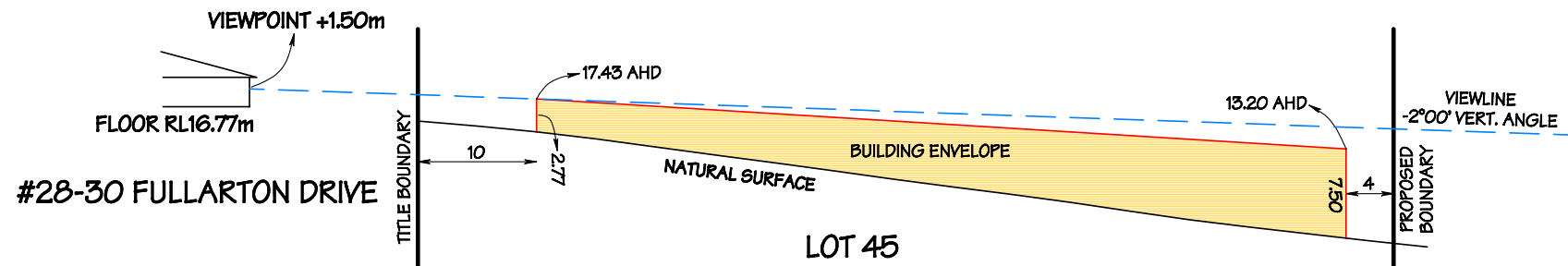
SURVEYORS REF.

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# CROSS-SECTION DIAGRAM #28-30 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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SURVEYORS REF.

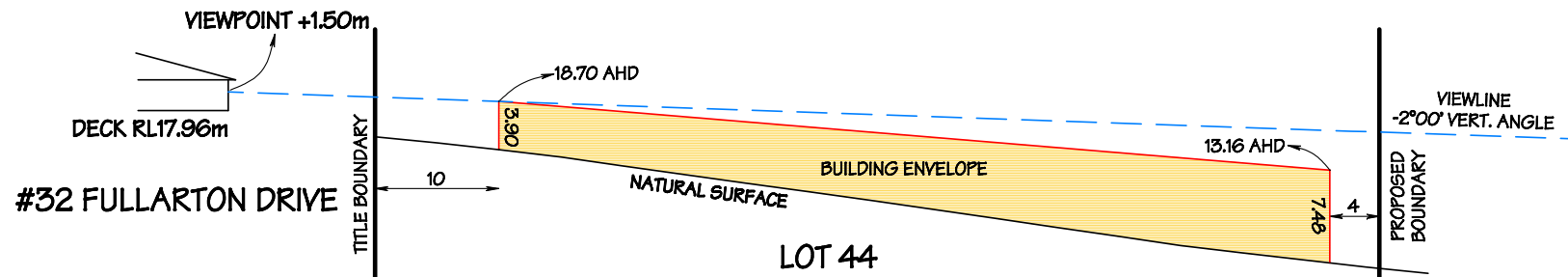
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10 FULLARTON DRIVE, PAYNESVILLE



# CROSS-SECTION DIAGRAM #32 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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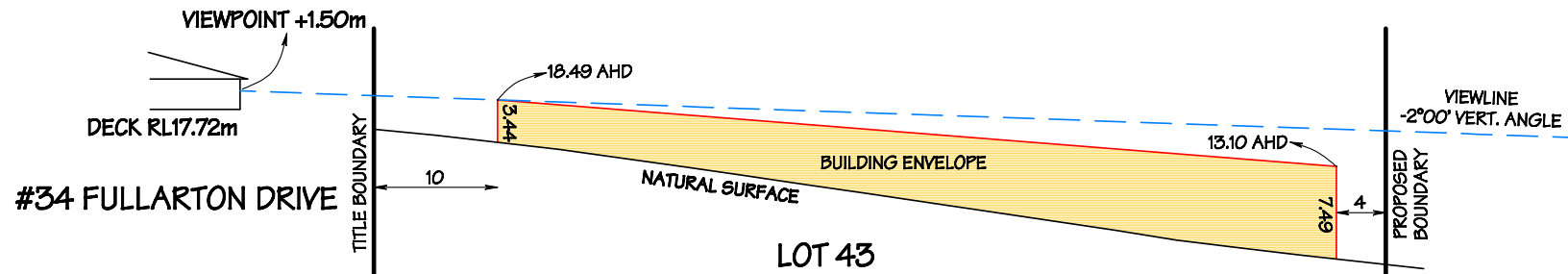
SURVEYORS REF.

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# CROSS-SECTION DIAGRAM #34 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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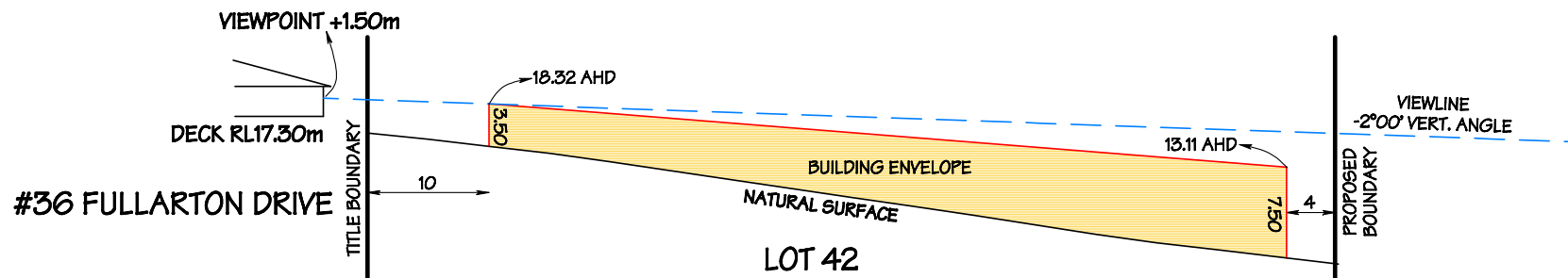
SURVEYORS REF.

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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #36 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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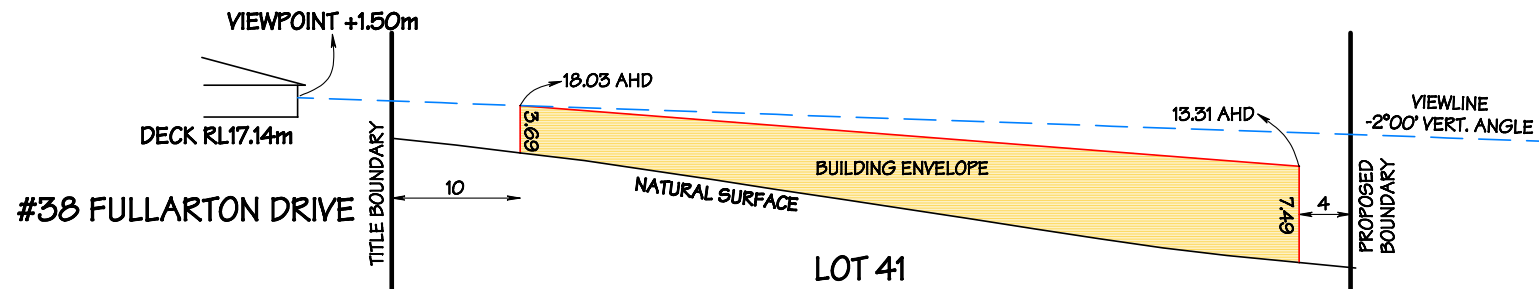
SURVEYORS REF.

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**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #38 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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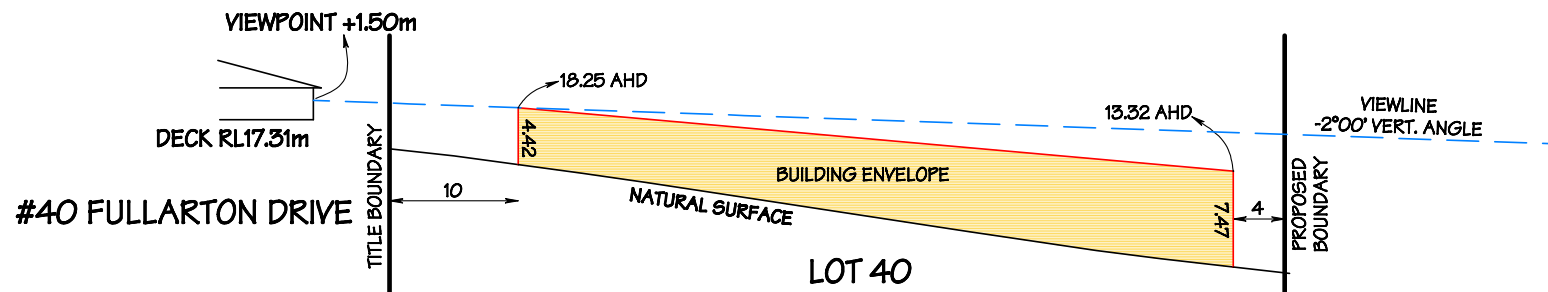
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# CROSS-SECTION DIAGRAM #40 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
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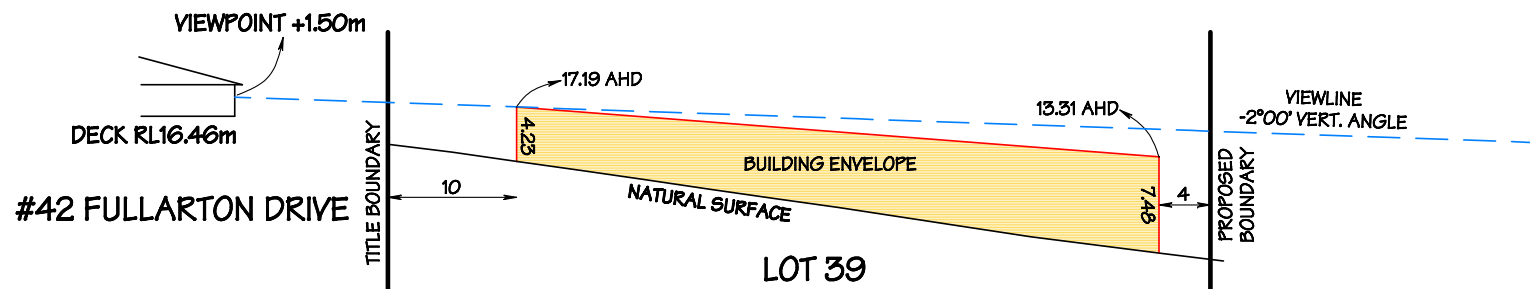
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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #42 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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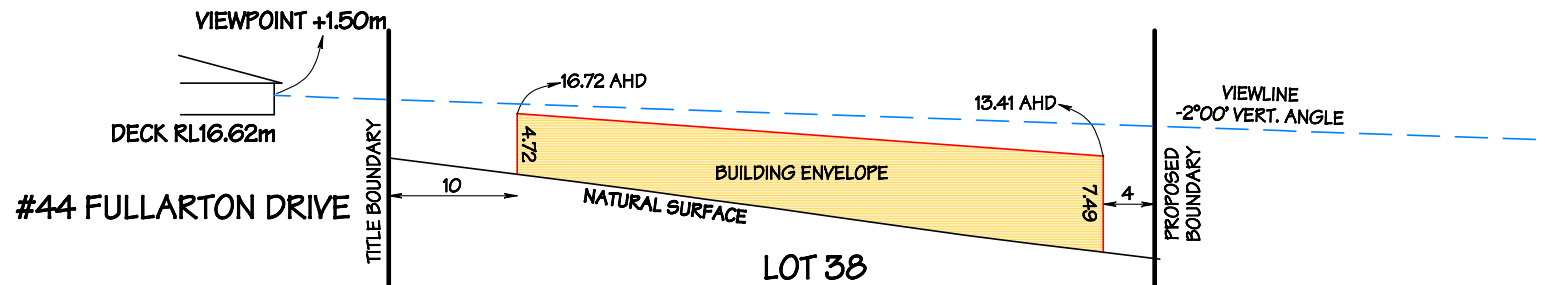
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10 FULLARTON DRIVE, PAYNESVILLE



# CROSS-SECTION DIAGRAM #44 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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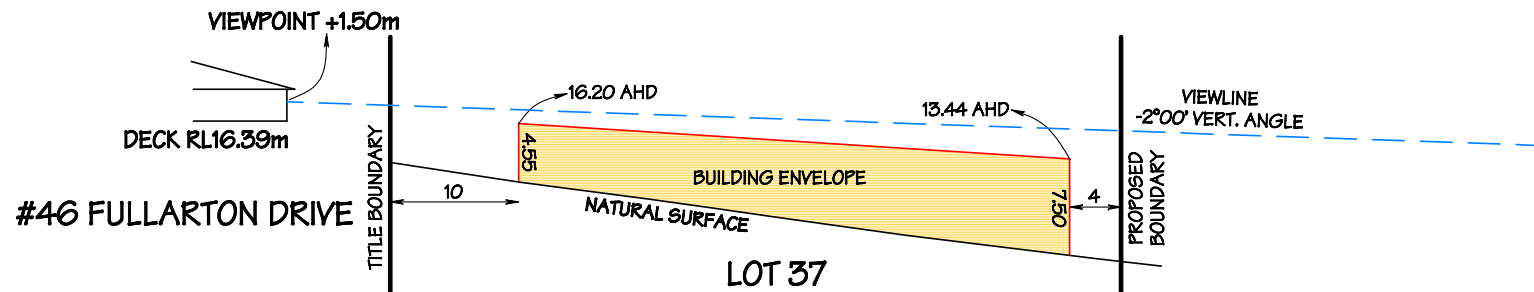
SURVEYORS REF.

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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #46 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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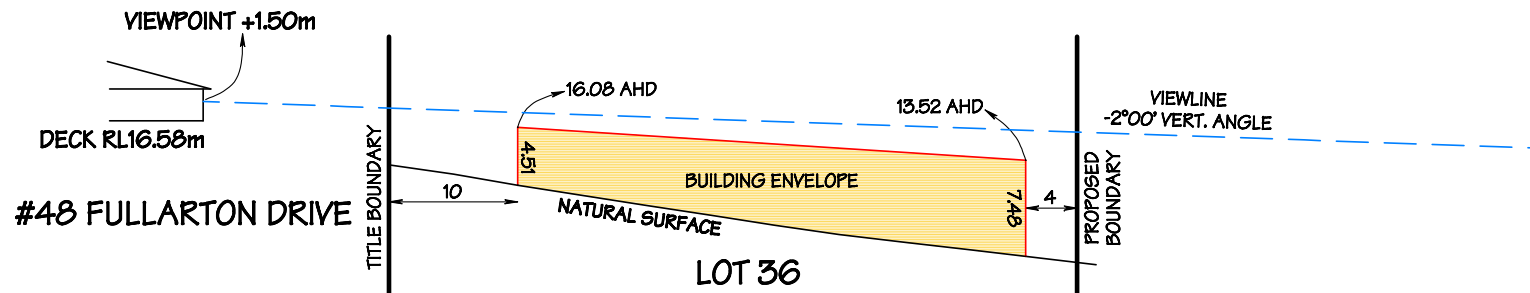
SURVEYORS REF.

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# CROSS-SECTION DIAGRAM #48 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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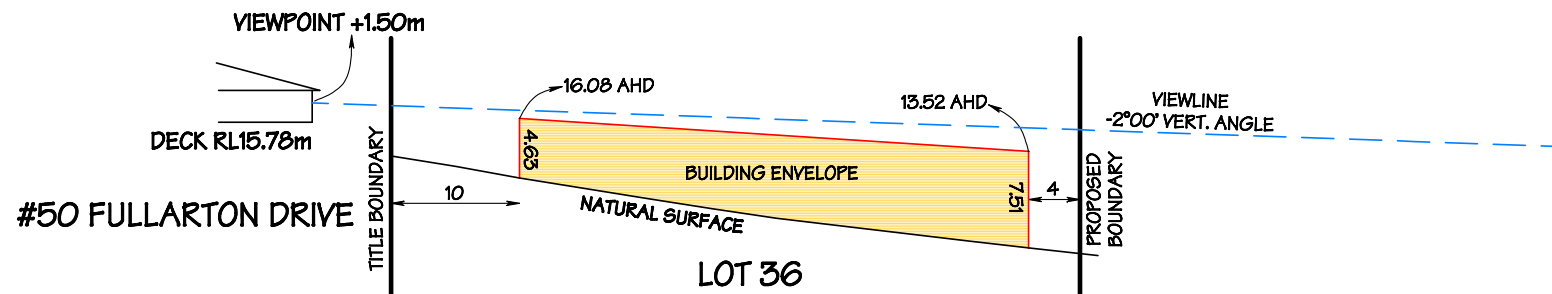
SURVEYORS REF.

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# CROSS-SECTION DIAGRAM #50 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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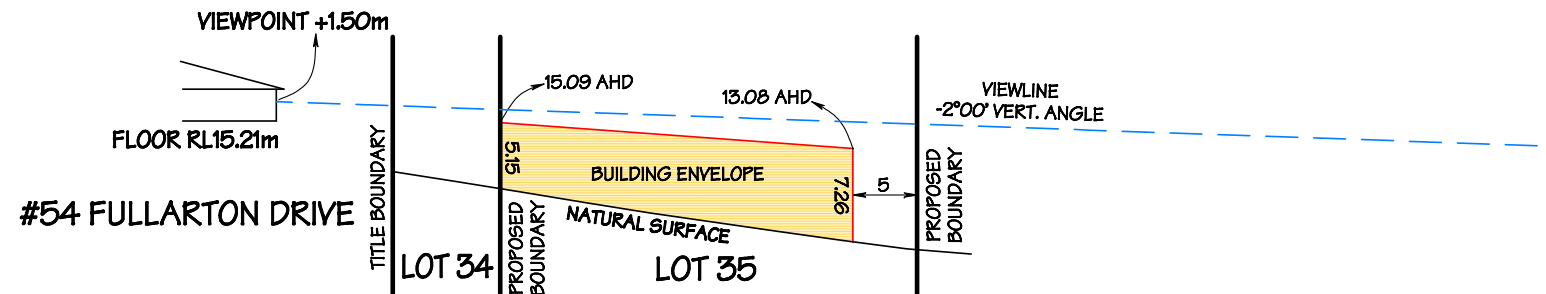
SURVEYORS REF.

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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #54 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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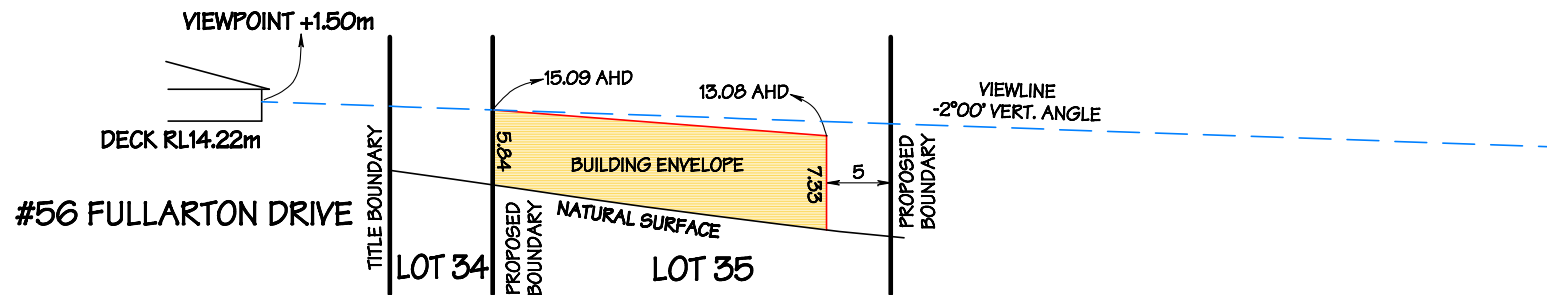
SURVEYORS REF.

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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #56 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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SURVEYORS REF.

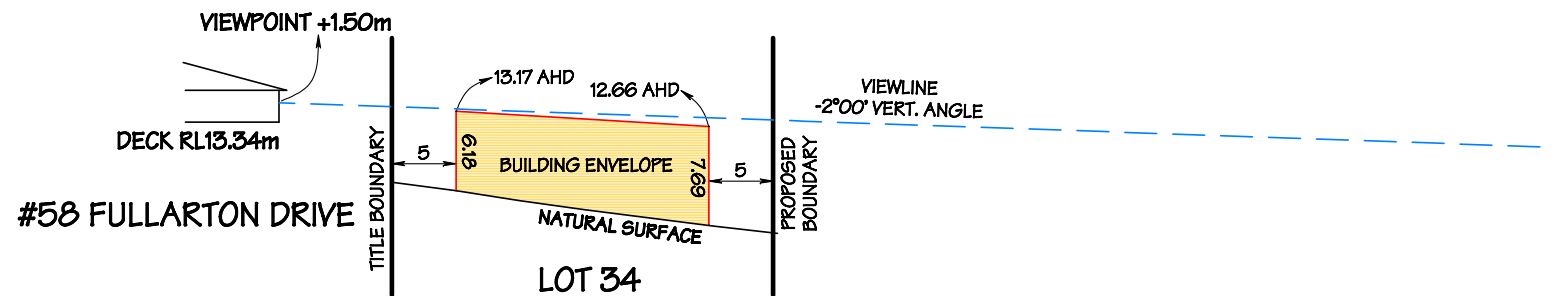
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10 FULLARTON DRIVE, PAYNESVILLE



# CROSS-SECTION DIAGRAM #58 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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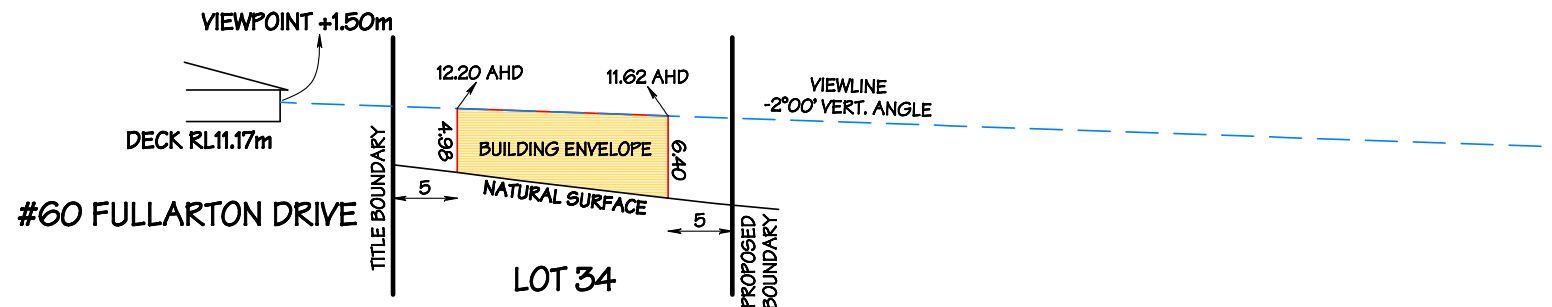
SURVEYORS REF.

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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #60 FULLARTON DRIVE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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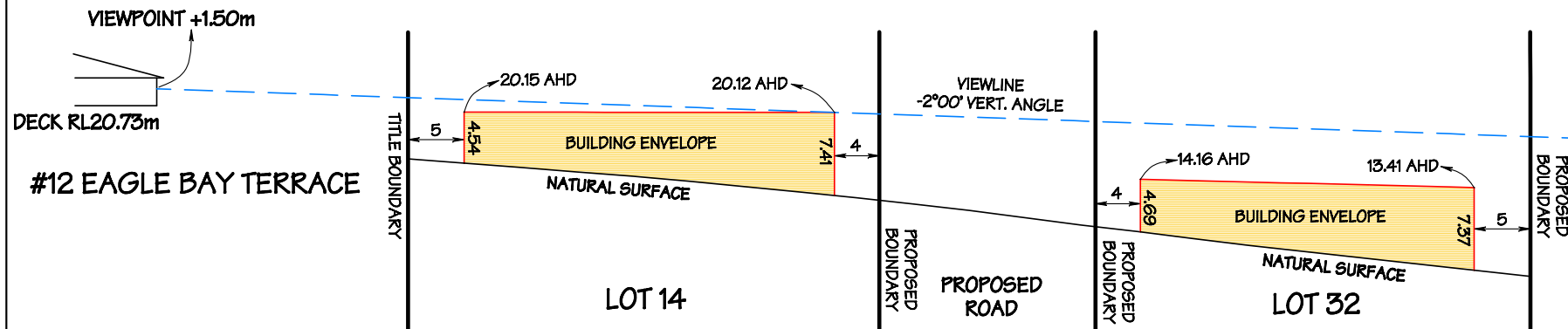
SURVEYORS REF.

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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #12 EAGLE BAY TERRACE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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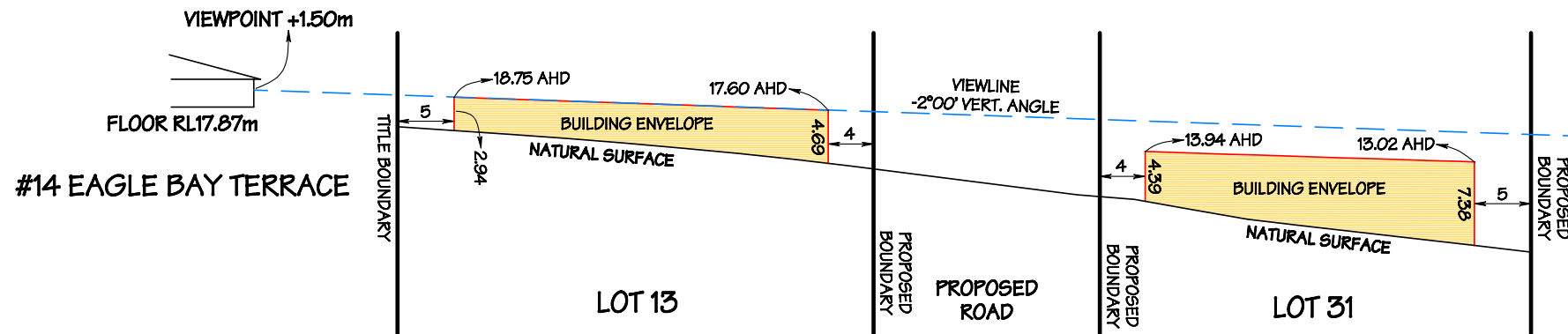
SURVEYORS REF.

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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #14 EAGLE BAY TERRACE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

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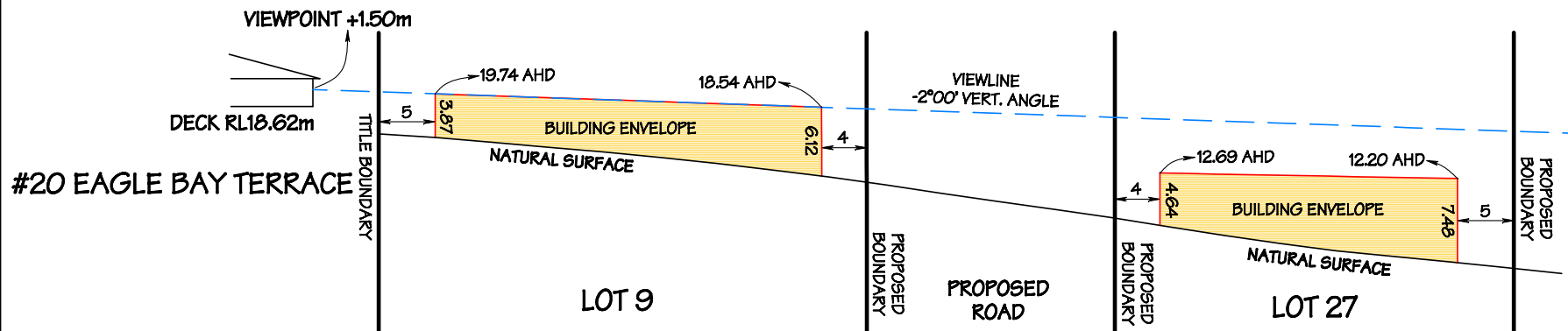
SURVEYORS REF.

19972

VERSION 1 - DRAWN 30/05/2023

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# CROSS-SECTION DIAGRAM #20 EAGLE BAY TERRACE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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FILENAME: 19972 Cross-Section Diagrams V1.pro

SCALE (SHEET SIZE A4)

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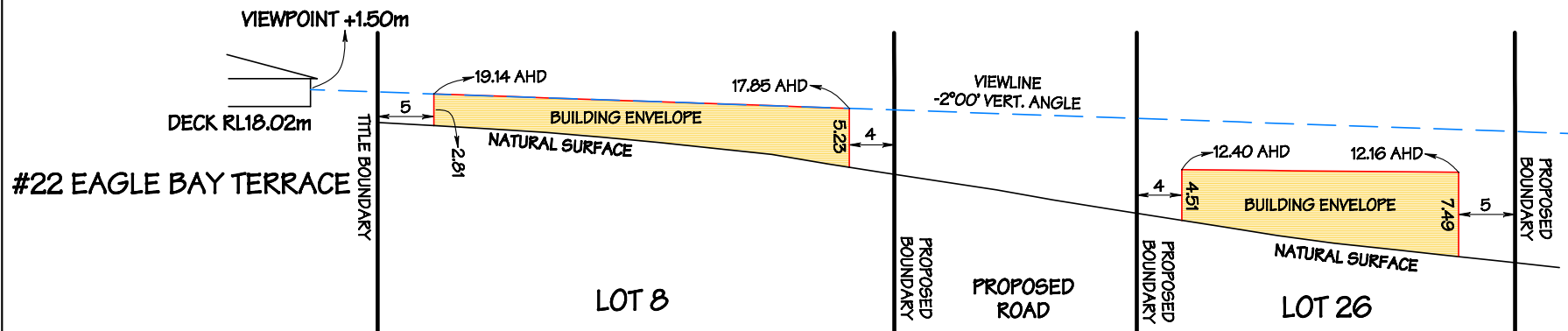
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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #22 EAGLE BAY TERRACE

DIAGRAM 1 OF 2



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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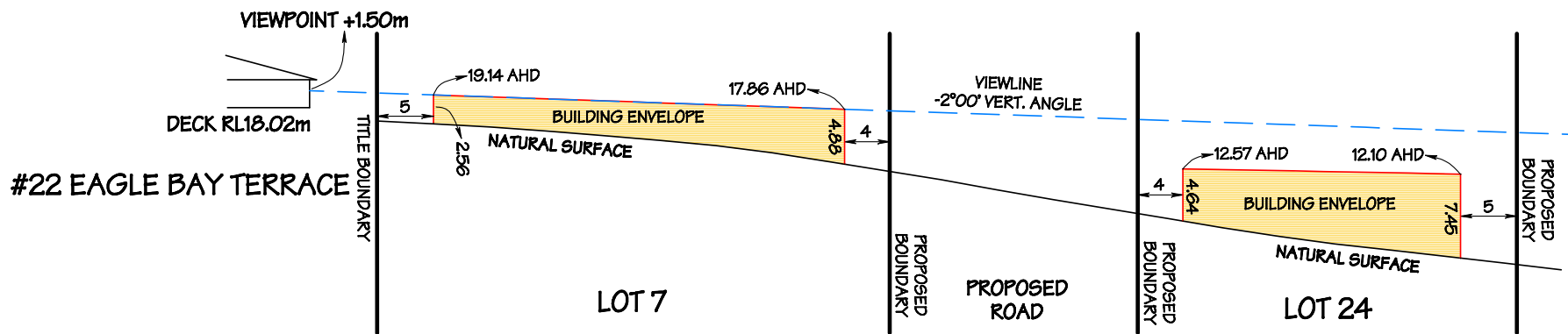
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10 FULLARTON DRIVE, PAYNESVILLE



# CROSS-SECTION DIAGRAM #22 EAGLE BAY TERRACE

DIAGRAM 2 OF 2



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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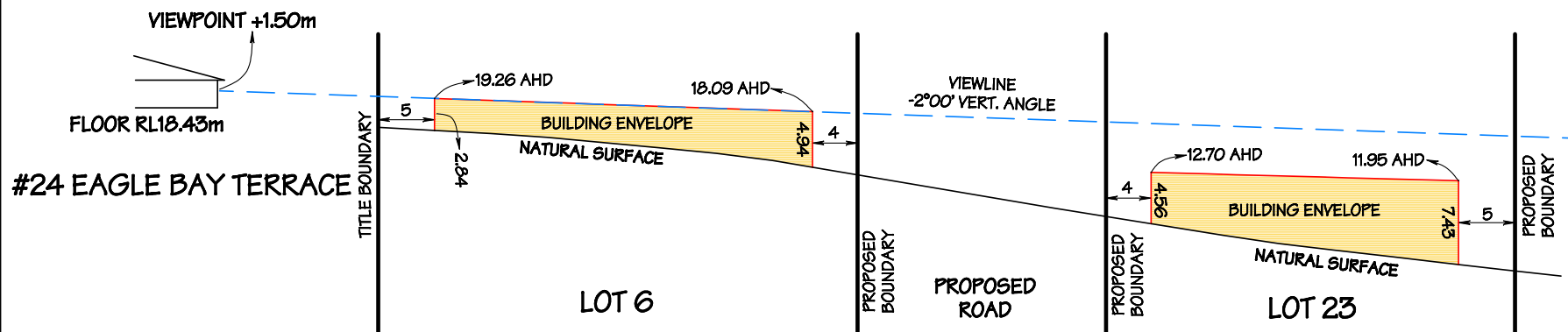
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# CROSS-SECTION DIAGRAM #24 EAGLE BAY TERRACE

DIAGRAM 1 OF 2



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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SCALE (SHEET SIZE A4)

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SURVEYORS REF.

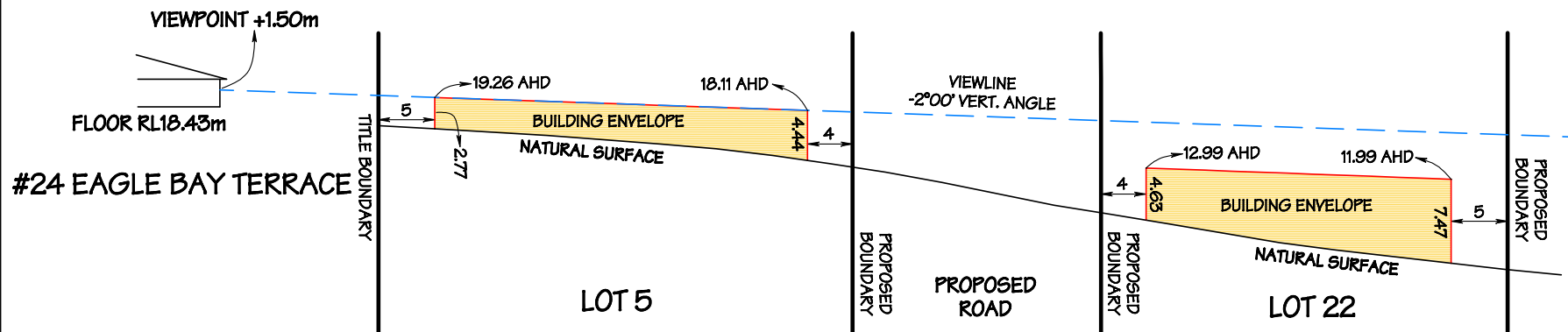
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10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #24 EAGLE BAY TERRACE

DIAGRAM 2 OF 2



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
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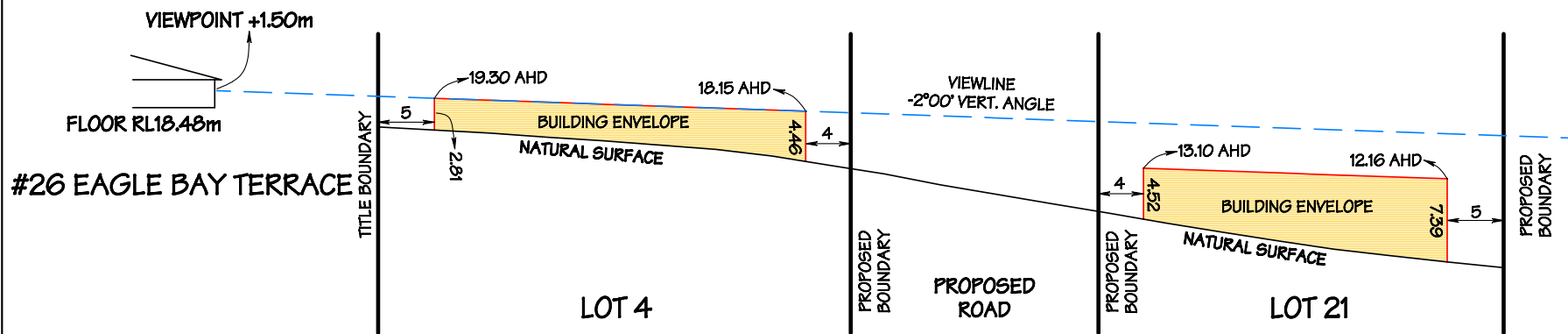
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VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #26 EAGLE BAY TERRACE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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SCALE (SHEET SIZE A4)

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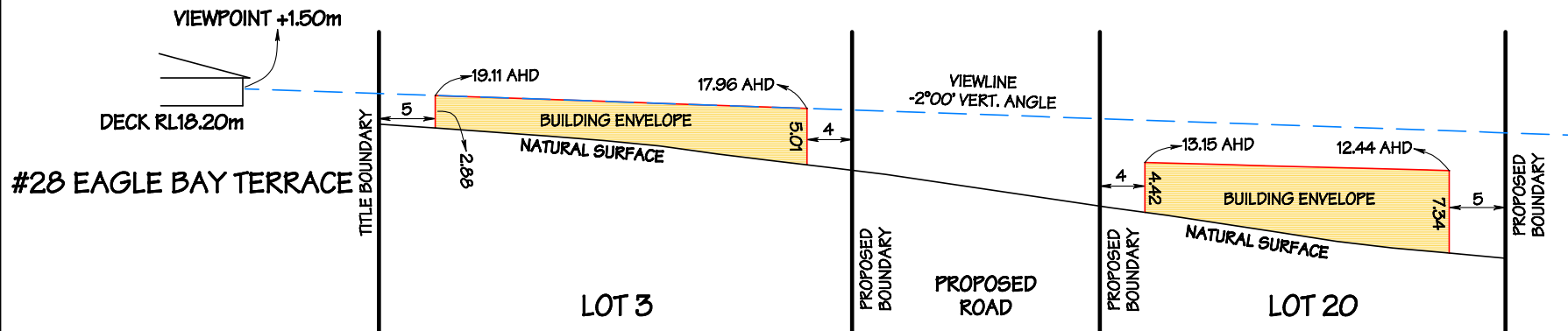
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VERSION 1 - DRAWN 30/05/2023

**RESI VENTURES PTY LTD**  
10 FULLARTON DRIVE, PAYNESVILLE

# CROSS-SECTION DIAGRAM #28 EAGLE BAY TERRACE



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
UNLESS OTHERWISE DICTATED BY OBLIQUE VIEWLINE

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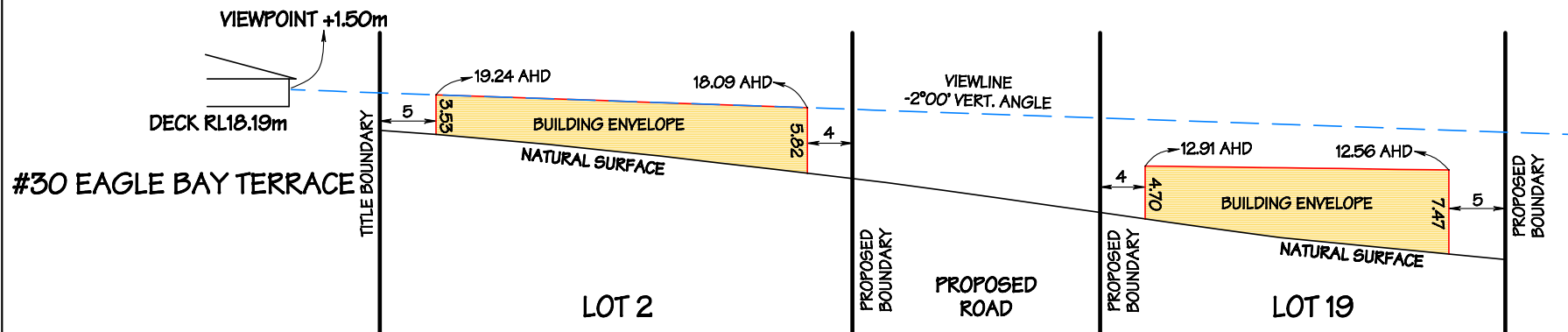
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# CROSS-SECTION DIAGRAM #30 EAGLE BAY TERRACE

DIAGRAM 1 OF 2



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
- 4.5m ABOVE THE HIGHEST POINT OF BUILDING ENVELOPE  
- 7.5m ABOVE THE LOWEST POINT OF BUILDING ENVELOPE  
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SURVEYORS REF.

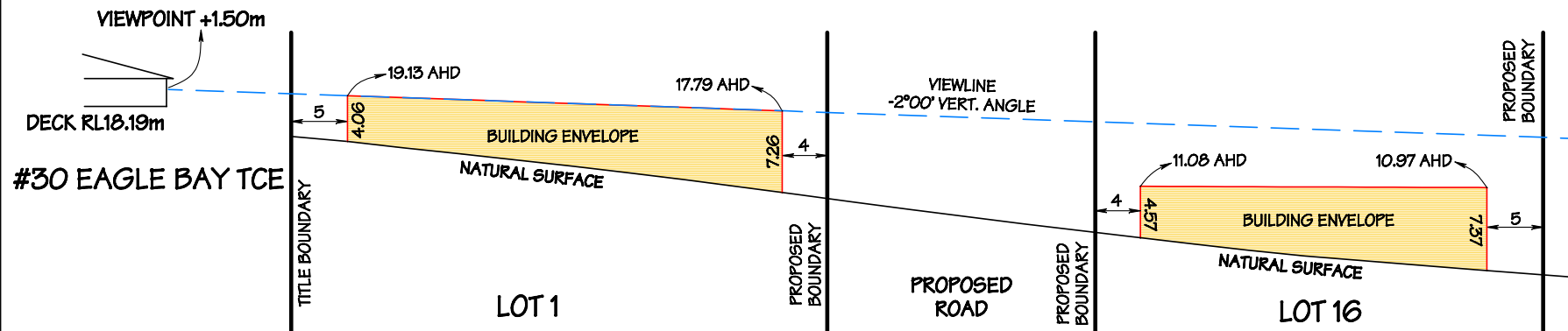
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# CROSS-SECTION DIAGRAM #30 EAGLE BAY TERRACE

DIAGRAM 2 OF 2



HEIGHTS SHOWN ARE TO A.H.D.  
SEE KEY SHEET FOR CROSS-SECTION LOCATIONS

BUILDING ENVELOPE HEIGHTS DERIVED FROM;  
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10 FULLARTON DRIVE, PAYNESVILLE



## Relevant planning scheme considerations

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### The Planning Policy and Local Planning Policy Frameworks

The key objectives for consideration are summarised as follows:

Clause 11

- Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing.

Clause 12

- 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.

Clause 12.01-1S

- To protect and enhance Victoria's biodiversity.

Clause 12.02-1S

- To protect and enhance the marine and coastal environment.

Clause 12.03-1S

- To protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.

Clause 12.05-1S

- To protect and conserve environmentally sensitive areas.

Clause 13

- Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Clause 13.01-1S

- To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Clause 13.03-1S

- To assist the protection of:

- o Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.
- o The natural flood carrying capacity of rivers, streams and floodways.
- o The flood storage function of floodplains and waterways.
- o Floodplain areas of environmental significance or of importance to river, wetland or coastal health.

Clause 15

- Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.
- Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.
- Planning should protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.
- Planning should incorporate measures to protect culturally significant heritage places in locations exposed to climate related hazards.
- Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Clause 16

- Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.
- Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.
- Planning for housing should include the provision of land for affordable housing.

Clause 16.01-1S

- To facilitate well-located, integrated and diverse housing that meets community needs.

[Assessment of current Policy Framework](#)

The existing policy framework provides that the land is suitable for development. There are a range of considerations in state and local policy which support the proposal on existing zoned land with connectivity to services and integration within the established settlement area. These policy considerations are appropriately addressed by the application documentation, and permit conditions are imposed consistent with other multi-lot subdivision approvals.

Other relevant policy considerations include environmental and climate change considerations. Risks to property and safety associated with inundation and sea level rise are addressed by ensuring that housing development is located above the nominated flood levels, allowing for

predicted sea level rise, as advised by the floodplain manager, the East Gippsland Catchment Management Authority.

The proposed creation of a reserve between the housing development and existing Crown Land foreshore reserves assists in providing a buffer to protect development from the impacts of inundation and in providing drainage and sediment control to prevent adverse impacts on environmental values.

The potential for foreshore retreat and associated environmental and biodiversity impacts is accommodated in the most practical way by providing a large reserve to be transferred to public ownership. Without certainty as to those potential future impacts, this reserve provides the opportunity for future management and mitigation measures to be put in place as conditions change.

The protection of migratory bird habitat is subject to a referral under the Environment Protection (Biodiversity Conservation) Act 1999.

With a proposal for native vegetation removal included, broader consideration must be given to the appropriateness of that removal. It is put that the vegetation removal is limited to the minimum extent necessary to provide appropriately serviced land and infrastructure to the site. An alteration to the proposal, say by reducing the number of allotments, making allotments larger, would not yield significant environmental benefit. The large tree is protected through permit conditions. Waterway health is considered in conditions of approval, such as stormwater and waterway management plans to be prepared and implemented.

Key to the assessment is in relation to growth and housing. The land is recognised as serviced, infill, and will require minimal works to establish. Drainage will be the key aspect of the proposal to be mitigated through design to prevent further issues downstream.

On balance of the existing policy considerations, the application is supported.

### Paynesville Growth Area Structure Plan

The Paynesville Growth Area Structure Plan (PGASP) has been adopted (2 August 2016) and is due to be integrated within the East Gippsland Planning Scheme, and will direct new local policy for settlement growth. It is noted that the PGASP does not cover the land subject to this application, but the design of the structure plan gives indication of connectivity at the western edge of this property (*Figure 1*).

#### Vision

*The Paynesville Growth Area will provide an attractive, spacious and accessible residential environment for approximately 2,750 additional residents by 2055.*

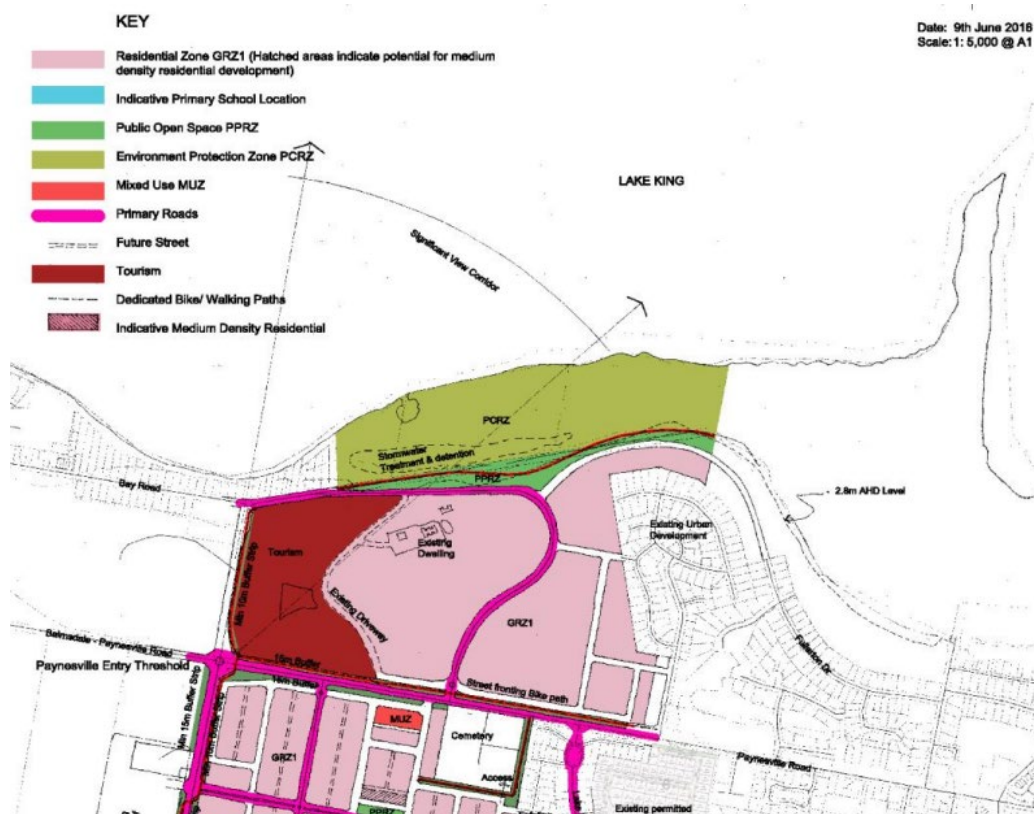
*It will provide for a range of family types and lifestyles, with good access to employment, services and facilities, while maintaining the function of the Paynesville town centre and*

maritime precinct as the preferred locations for retail and commercial services and maritime activities respectively.

Entry to Paynesville at the Grandview Road intersection will strongly reinforce a transition from rural and lake vistas and arrival in a spacious lakeside urban parkland environment.

A well-connected road network will allow for convenient and efficient traffic movement and distribution of traffic.

Residential neighbourhoods with dwellings and lots suitable for a range of lifestyles will be well connected to the existing township via existing roads and new extensions to Ashley Street and King Street; connections of Fullarton Drive and Bay Road with Paynesville Road and to the foreshore and cycling paths on Newlands Arm and Lake King.



**Figure 1 – Extract of Figure 2: Paynesville Growth Area – Preferred Urban Structure (PGASP August 2016)**

### Assessment – Relation to Paynesville Growth Area Structure Plan

As shown in Figure 1 and in the extract of the Vision above, Fullarton Drive is logically to be extended around the existing development of Eagle Bay Terrace. This proposal includes residential development on both sides of the Fullarton extension. The further extension anticipates single-sided development – responsive to the constraints of the existing parcel layout and topography.

The proposed connectivity does not make the Fullarton Drive > Burden Place > Paynesville Road particularly attractive as a route for the new development traffic, in fact it is more than likely to alleviate the present objector concerns, as the majority of these lots and even some of the existing dwellings on Fullarton Drive may elect to drive west rather than East to exit the estate, especially for Bairnsdale-bound trips.

The PGASP is not any further relevant to the current proposal.

## Zone Controls

### General Residential Zone 1 (GRZ1)

#### Permit requirement

Under this zone a permit is required to subdivide land.

Under this Zone a permit is required to use and develop the land for a proposed dwelling as Lot 1 will be less than one hectare, for which use approval is required.

#### 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 non-residential uses to serve local community needs in appropriate locations

#### Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

#### Decision Guidelines:

##### 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
- Overlay Controls

[GRZ1 Assessment](#)

The proposal is entirely consistent with the objectives of the GRZ1. A variety of lot sizes are proposed. No use and development is proposed at this stage other than the roadworks and native vegetation removal, assessed separate to the zone provisions.

The zone provides certainty in future development in that the height and density of dwellings is restricted. Generally speaking there are limited opportunities for other uses of land to be considered under the zone. It is expected that single dwellings will dominate the resulting lots.

An assessment is made against Clause 56 Residential Subdivision in the relevant particular provisions.

[Overlay Controls](#)

[Design and Development Overlay – Schedule 14 \(DDO14\)](#)

**Permit requirement**

Under this Overlay a permit is required to subdivide land.

Future single dwellings will be subject to permits for buildings and works where the proposed building height is greater than 7.5 metres above natural ground level measured within the building footprint.

**Purpose**

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

**Landscape Character and Objectives**

**Design objectives**

The following design objectives apply to all areas shown on Map 1 forming part of this clause, including the character areas.

All areas

To protect and manage the township character of coastal settlements.

To ensure that the height and visual bulk of new development is compatible with the coastal neighbourhood setting.

To ensure that new development is designed to minimise visual impacts on the natural landscape.



To ensure that new development is visually and physically integrated with the site and surrounding landscape.

To ensure that new development is sited and designed to be visually unobtrusive through and above the surrounding tree canopy when viewed from nearby streets, lakes, coastal areas, or other distant viewpoints.

To protect the vegetated character of the landscape, particularly where it is a dominant visual and environmental feature.

*Town expansion (area 7)*

*To achieve a high quality residential subdivision.*

*To limit new development to a maximum height of 7.5 metres above natural ground level measured within the building footprint.*

*To encourage pitched roofs.*

*To retain established trees.*

### **Decision Guidelines**

*All areas*

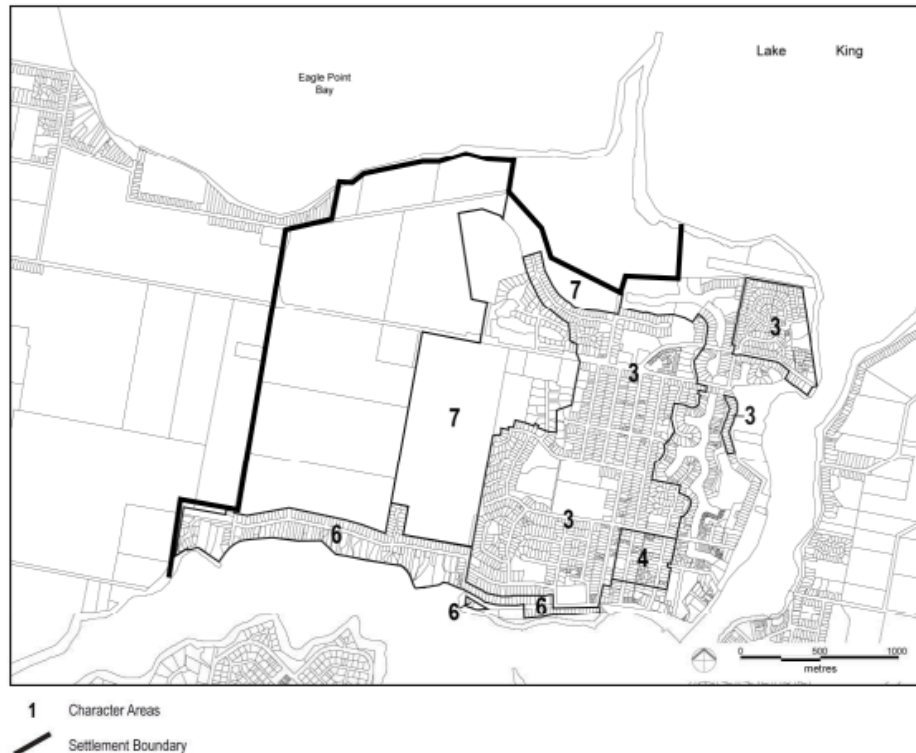
- The design objectives of this schedule.
- The vision statements, objectives and strategies at Clause 21.06-2, Strategies for Sub-regions, Towns and Localities (Lakes & Coastal).
- Any relevant siting and design guidelines prepared by the Victorian Coastal Council or the Gippsland Coastal Board.
- Any design guidelines established for the site through covenants, Section 173 Agreements or similar statutory mechanisms.
- The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.
- The need for and purpose of proposed vegetation removal.
- Whether the buildings and works are sited and designed to avoid impacts from retained vegetation.
- Whether the proposal is well integrated with the landscape through the planting of new and replacement indigenous or native trees and understorey.
- Whether the form, design and details of the building are compatible with the landscape setting, and the character of nearby or adjacent buildings.
- Whether the building materials and colours are low-reflective and reduce contrast with the landscape and distant visibility.
- The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.
- Whether the roof form of the building sits generally below the prevailing tree canopy.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.
- Whether, in locations adjacent to the coast or the coastal reserve, the building demonstrates a high standard of 'light weight' contemporary design (i.e. avoiding predominantly heavy masonry construction, utilising a mix of visually lighter building materials, and using elements such as timber decks and balconies etc.), and is well screened from the water and beach areas.
- The impact of any new development on adjoining public land.

In relation to a proposed subdivision:

- The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.
- The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.
- Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.
- Whether the potential for wildlife corridors through the area has been retained or created by limiting fencing and maintaining indigenous and native vegetation.
- The provision for water sensitive urban design.
- Provision in the design for the impact of coastal processes (the impacts from wind, waves, floods, storms, tides, erosion) on foreshore areas.
- Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.
- Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

Town expansion (area 7)

- Whether the proposed development assists in achieving a high quality residential subdivision.
- Whether any proposed buildings incorporate pitched roofs.
- Whether the proposal retains established trees.

**Map 1 to Schedule 14: Paynesville Residential Character Areas**

#### [DDO14 Assessment](#)

The relevant considerations under the DDO14 are in relation to the proposed subdivision. Future building heights are proposed to be restricted in a way that will prevent any applications under the DDO14 in its current format (noting, however, that a proposed review of the DDO control could alter permit triggers in the overlay area). It is noted that the DDO14 controls were established through the Coastal Settlement Urban Design Framework process, and that both documents were considered in the establishment of the PGSAP.

In relation to general considerations, the effect of the proposed vegetation removal is minimal in consideration of the benefit of planting and public amenity for the reserve. Protection of the limited vegetation would remove three potential building sites, and require vesting and or cumbersome conditions on development of a lower lot yield. The vegetation is not inconsequential, but has limited value. The offset and effective replacement by reserve planting will have a larger cumulative impact.

Building standards are proposed to be implemented through design guidelines proposed in the application. These guidelines reinforce the decision guidelines of the DDO.

The proposed subdivision alignment responds to the topography and sensitivity of the adjacent natural landscape and the existing subdivision pattern. This iteration makes great attempt to respond to the site constraints and matters of view sharing as previously debated in the Lake Park Holdings applications of 2010 and 2014. Some examples of this response include the single sided nature and depth of allotments between the existing Fullarton Drive lots and the proposed Molly Drive lots.

It is considered that the proposed subdivision alignment is consistent with the design objectives of the DDO14.

#### Land Subject to Inundation Overlay (LSIO)

##### **Permit requirement**

Under this Overlay a permit is required to subdivide land.

##### **Purpose**

*To implement the Municipal Planning Strategy and the Planning Policy Framework.*

*To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*

*To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*

*To minimise the potential flood risk to life, health and safety associated with development.*

*To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*

*To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*

*To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

##### **44.04-8 Decision guidelines**

*Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any local floodplain development plan.*
- *Any comments from the relevant floodplain management authority.*
- *The existing use and development of the land.*
- *Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.*
- *Alternative design or flood proofing responses.*
- *The susceptibility of the development to flooding and flood damage.*
- *The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:*
  - *The frequency, duration, extent, depth and velocity of flooding of the site and accessway.*

- *The flood warning time available.*
- *Tidal patterns.*
- *Coastal inundation and erosion.*
- *The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.*
- *The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.*
- *The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.*
- *Any other matters specified in a schedule to this overlay.*

#### LSIO Assessment:

The area affected by the overlay at present is to the north east of the site, within the area designated for drainage purposes. Mapping available indicates there is a likely increase in the affected area with current modelling, and the previous VCAT cases gave consideration to future climate scenarios, which forms the basis of the proposal. No residential development is proposed in areas of inundation. Road infrastructure similarly avoids the currently mapped areas.

The application was referred to East Gippsland Catchment Management Authority (EGCMA). The CMA provided consent, subject to conditions. These conditions have been assessed and are recommended for inclusion in a planning permit.

Under current mapping, no new development resulting from the subdivision will be within an area subject to inundation, so future dwelling development on the subdivided lots will not require additional inundation consideration. This is a key point of difference to recent Officer recommendations where land to be subdivided would in fact be subject to further assessment for future dwelling(s), and also to previous applications where more individual lots would have been impacted by either the LSIO or a revised LSIO with climate impact considered.

## Particular Provisions

### 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

#### Public Open Space Contribution requirement

A review of the plans shows that approximately 3.6 hectares of the site, or approximately 30% of the overall site, will be dedicated to reserve areas. An assessment of reasonable amount of public open space contribution is made, and no additional financial contribution is considered to be appropriate. Though the substantial reserve area will be dedicated to drainage, the function

will include passive recreation, as conditioned, such as shared use paths which will link towards Eagle Point.

#### Clause 52.17 - Native Vegetation

##### **Purpose**

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.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation

##### **Permit requirement**

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

##### **Decision guidelines**

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.

##### **Offset requirements**

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.

#### Native Vegetation Assessment

Native vegetation proposed to be removed from the site falls includes patches of native vegetation. The position of the vegetation to be removed would result in 3-5 lots being removed from the plan. In consideration of the 'avoid' principle, to avoid the removal would result in less lot yield, and the applicant may seek to place this in a reserve to be managed by Council. The additional area is not desirable from a land management perspective.

Minimising the loss of vegetation is also considered, however any attempts to retain vegetation in the patches slated for removal would lead to their eventual decline and removal. Utilising an agreement to protect vegetation is cumbersome for the landowners and Council.

Considering ‘offset’, the application is supported by documentation which assesses the significance of the vegetation and the proposed conditions set out the necessary third-party offset required to be achieved.

That the one large tree on the property is to be retained and protected is significant. Permit conditions are also proposed, and reinforced in several parts, to protect this tree. This includes the requirement to consider construction methods to avoid the root protection areas, erecting fencing prior to construction activities commencing, and including key details of the tree in plans and specifications.

The proposed vegetation removal has been assessed and is considered appropriate in the context of the development and environmental values to be protected.

[Clause 56 – Residential Subdivision](#)

The following table summarises the Provisions, Applicant response, and responsible authority assessment of the Clause 56 objectives and standards.



Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
56.01 Site Context Description and Design Response  56.01-1 Site and Context Description	An application must be accompanied by a site and context description. This requirement must be provided unless the responsible authority is of the opinion that this requirement is not relevant.	<p>In relation to the site the plan, photographs or other techniques must accurately describe: site shape, dimensions, size, orientation, levels and contours, trees, other significant vegetation, drainage lines, water courses, ridgelines, hill tops, siting and use of existing buildings and structures, street frontage features such as poles, street trees and kerb crossovers, access points, drainage and infrastructure connections, easements, identified natural or cultural features, significant views, noise and odour sources or other external influences, soil conditions and notable features, adjacent uses and inundation.</p> <p>For subdivision of three or more lots the plan, photographs or other techniques must accurately describe: the pattern of subdivision, existing land uses, the siting and use of buildings on adjacent properties, abutting street</p>	<p>Earlier sections of [the consultant's] Report provide a detailed description of the subject land and surrounds, supported by an Existing Conditions Plan that forms part of this submission.</p> <p>The site sits within an existing residential precinct and has the ability to be connected to a full range of reticulated services.</p> <p>The site is located a short walk to Fullarton Reserve Walking Track and is within close proximity to community facilities, commercial services, educational facilities and active and passive recreation.</p>	<p><b>Complies</b></p> <p>The information provided in written, graphic, and plan form complies with the requirements for a site and context assessment.</p> <p>Careful assessment has been made regarding the existing built form on neighbouring property as a result of prior VCAT determinations.</p> <p>The proposed 59 lot subdivision does not require the most detailed level of assessment under this Clause. The officer notes this was not a deliberate attempt to reduce application requirements, but instead was a response to prior VCAT determinations which called for reduced number of lots.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>and path widths, materials and detailing and location and type of significant vegetation.</p> <p>For subdivision of 60 or more lots the plan, photographs or other techniques must accurately describe: location and distance from nearby public open space and recreational facilities, direction and distances to public transport routes, local shops and community facilities, directions and walking distances to public transport routes and stops, direction and walking distances to existing neighbourhood, major and principal activity centres and major employment area, existing transport routes, local street network – potential connection to adjacent subdivisions, traffic volumes and movements, paths – primary role neighbourhood or regional access, cultural significance, natural features, proximity of any fire threats and pattern of ownership of adjoining lots.</p>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
56.01-2 Design Response	<p>The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> <li>Derives from and responds to the site and context description.</li> <li>Meets the objectives of Clause 56.</li> <li>Responds to any site and context features for the area identified in the local planning policy or Neighbourhood Character Overlay.</li> <li>Responds to any relevant objective, policy, strategy or plan set out for the area.</li> </ul>	<p>The plan and other techniques should show and explain:</p> <ul style="list-style-type: none"> <li>Proposed uses of each part of the site.</li> <li>Natural features of the site and identify any features proposed to be altered.</li> <li>Proposed integrated water management system.</li> <li>Proposed staging of the subdivision.</li> </ul>	<p>Allotments have been designed to complement the surrounding pattern of subdivision, will incorporate building envelopes to ensure view sharing and appropriate future built form development. Access is provided via a new road that leads from Burden Place to Molly Drive, and the western extension of Fullarton Drive. An expansive public open space reserve adjoining the foreshore reserve is proposed for passive recreational enjoyment and landscape/ environmental amenity.</p>	<p><b>Complies</b></p> <p>The proposal is assessed as fully integrating within the existing pattern of development around Burden Place/Fullarton Drive. The constructed section of Molly Drive is indicative of desired development outcomes. Infill of the previous road connection to Fullarton Drive is logical given the presence nearby of Burden Place – two dwelling lots makes more sense from a development perspective and reduces traffic impact on Fullarton Drive/Burden Place intersection.</p> <p>The site contains a gentle slope up from the north side of the site, which is the edge of the Point Fullarton wetland reserve, forming part of the Ramsar listed Gippsland Lakes Reserve. Development is concentrated above the 2.5 m AHD contour, providing appropriate response to potential future climate scenarios and more regular inundation.</p> <p>The northern reserve will contain stormwater management systems to provide for both detention and treatment of stormwater</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
				generated from the subdivision and subsequent development of dwellings expected, plus service the existing unmanaged stormwater runoff from the existing development to the south.
Clause 56.02 Policy Implementation  56.02-1 Strategic implementation objective	To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.	Subdivision should be consistent with and implements any: <ul style="list-style-type: none"> <li>• Relevant growth area</li> <li>• Activity centre</li> <li>• Housing</li> <li>• Access and mobility</li> <li>• Community facilities</li> <li>• Open space and recreation</li> <li>• Landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.</li> </ul>	Please refer to Section 7 of [the application material – attachment 2] for commentary on compliance with State and Local Policy, including the Paynesville Growth Area Structure Plan.	<b>Complies</b>  The proposed subdivision is adjacent to, but not a part of the Paynesville Growth Area structure plan area. There are links to the structure plan, specifically the extension of Fullarton Drive, which are anticipated as a part of the expanded residential area.  A more detailed response to the policy framework is outlined in the first section of this attachment.
56.03 Livable and sustainable communities  56.03-2 Activity Centre Objective	To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location	Subdivision should be supported by activity centres that are: <ul style="list-style-type: none"> <li>• Accessible by neighbourhood and regional walking and cycling networks</li> <li>• Served by public transport that is</li> </ul>		<b>Deemed to comply</b>  The proposal is not an activity centre. Paynesville's preferred activity centre is the Esplanade precinct, and it would be inappropriate to provide such services in this location.

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>connected to the regional public transport network.</p> <ul style="list-style-type: none"> <li>• Located at public transport interchange points</li> <li>• Located on arterial roads or connector streets</li> <li>• Of appropriate size to accommodate a mix of uses that meet local community needs.</li> <li>• Orientated to support active street frontages, support street-based community interaction and pedestrian safety.</li> </ul>		
56.03-4 Built Environment	To create urban places with identity and character	<p>The built environment should:</p> <ul style="list-style-type: none"> <li>• Implement any relevant urban design strategy, plan or policy for the area</li> <li>• Provide living and working environments that are functional, safe and attractive</li> <li>• Provide and integrated layout, built form and urban landscape</li> <li>• Contribute to a sense of place and cultural identity</li> </ul>	<p>The subdivision has been designed to facilitate future vehicle and pedestrian connectivity with the western adjoining property consistent with the PGASP.</p> <p>The proposed subdivision layout and incorporation of building envelopes integrates lots with the existing built form (housing) of the area.</p> <p>The provision of a large area of public open space will provide a community</p>	<p><b>Complies</b></p> <p>The proposal is designed to integrate with the existing subdivision/development and act as a transition between the development and natural environment. Large lots are proposed. Only one side of Molly Drive is to be developed. Along the Fullarton Drive extension, smaller lots are proposed with frontages to both sides of the road, but reserve areas continue to act as a buffer to the Gippsland Lakes Reserve.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
			asset for occupiers of the proposed subdivision and the wider precinct.	
56.04 Lot Design  56.04-1 Lot diversity and distribution objectives	<p>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</p> <p>To provide higher housing densities within walking distance of activity centres.</p> <p>To achieve increased housing densities in designated growth areas.</p> <p>To provide a range of lot sizes to suit a variety of dwelling and household types.</p>	<p>A subdivision should implement any relevant housing strategy, plan or policy for the area.</p> <p>Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out.</p> <p>A range and mix of lot sized should be provided including lots suitable for the development of single dwellings, two dwellings or more, higher density housing, residential buildings and retirement villages</p> <p>Unless the site is constrained by topography or other site conditions lot distribution should provide for 95% of dwellings to be located no more than 400 metres walking distance from the nearest existing/proposed bus stop, 600 metres walking</p>	<p>The proposed allotments range from 600m<sup>2</sup> in area to 1,693m<sup>2</sup> in area, providing for diversity in size whilst being respectful of the existing allotment pattern and surrounding development.</p> <p>No average net residential density is specified for the subject land within the East Gippsland Planning Scheme.</p>	<p><b>Complies</b></p> <p>As previously stated, the proposal is linked to, but not affected by, the growth area structure plan. The proposal is generally consistent with the implied linkages.</p> <p>The proposed lot sizes represent diversity and provide for a range of potential dwelling densities.</p> <p>Transport services are limited in the region. Bus connections to Bairnsdale are not a part of the state managed transportation network, but there is a bus stop near the Burden Place/Paynesville Road intersection. This is external to either Council or the developer's control or realm of influence.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>distance from the nearest/proposed tram stop and 800 metres walking distance from nearest existing/proposed railway station.</p> <p>Lots of 300sqm or less in area, lots suitable for the development of two dwellings or more, higher density housing and residential buildings and retirement villages should be located in and within 400 metres walking distance of an activity centre.</p>		
56.04-2 Lot area and building envelopes	To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant	<p>Lots greater than 500sqm should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.</p> <p>A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> <li>The objectives of the relevant standards are met; and</li> </ul>	<p>With each proposed allotment in excess of 500m<sup>2</sup> in area, there is no requirement to nominate Building Envelopes as part of the proposal.</p> <p>Having regard for previous VCAT decisions, it was considered imperative to provide building envelopes to ensure appropriate future built form outcomes are achieved and view sharing is provided for neighbouring properties.</p>	<p><b>Complies</b></p> <p>Building envelopes are proposed as a design response to previous permit applications and view sharing. All lots demonstrate appropriate building areas as specified, and most contain far more area than suggested.</p> <p>No variation is or will be required to any Clause 54 requirement.</p>



Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	vegetation and site features.	<ul style="list-style-type: none"> <li>The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.</li> </ul> <p>Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</p> <ul style="list-style-type: none"> <li>The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and</li> <li>The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.</li> </ul>	Each of the proposed lots can easily accommodate a rectangle measuring 10m x 15m. The lot dimensions are appropriate to accommodate private open space, vehicle movements and infrastructure whilst maintaining good solar access.	

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> <li>Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.</li> <li>Existing or proposed easements on lots.</li> <li>Significant vegetation and site features.</li> </ul>		
56.04-3 Solar Orientation of lots	To provide good solar orientation of lots and solar access for future dwellings	<p>Unless the site is constrained by topography or other site conditions, at least 70% of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> <li>The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</li> <li>Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</li> </ul>	The proposed layout and orientation provides appropriate solar exposure to each allotment. All proposed lots are generous in size ensuring strong solar access. having regard for future built form outcomes.	<b>Complies</b>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
56.04-4 Street Orientation	To provide a lot layout that contributes to community social interaction, personal safety and property security	Subdivision should increase visibility and surveillance by: <ul style="list-style-type: none"> <li>Ensuring lots fronting all roads and streets and avoid the side or rear of lots being orientated to connector streets and arterial roads.</li> <li>Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.</li> <li>Providing roads and streets along public open space boundaries.</li> </ul>	All lots, with the exception of Lot 34, have the ability to front the new road, Burden Place or Fullarton Drive.  The proposed new internal road will provide an active interface with the proposed public open space, and lots have been orientated to face the public open space and provide opportunities for casual surveillance.	<b>Complies</b>  Molly Drive will predominantly be single sided, with connectivity to the public open space reserve to the north of the road. Lots along Fullarton Drive north/east side will have rear boundaries to the public open space. This does not comply with the standards, but meets the objective.
56.04-5 Common Area	To identify common areas and the purpose for which the area is commonly held.  To ensure the provision of common area is appropriate and that necessary management arrangements are in place  To maintain direct public access	To subdivide land that creates common land must be accompanied by a plan and report identifying: <ul style="list-style-type: none"> <li>The common area to be owned by the body corporate, including any streets and open space.</li> <li>The reasons why the area should be commonly held.</li> <li>Lots participating in the body corporate.</li> <li>The proposed management arrangements including maintenance standards</li> </ul>	There are no areas of Common Property nominated.	<b>Not applicable</b>  No common property is proposed

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	throughout the neighbourhood street network.	for streets and open spaces to be commonly held.		
56.05 Urban Landscape  56.05-1 Integrated Urban Landscape	<p>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</p> <p>To incorporate natural and cultural features in the design of streets and public open space where appropriate</p> <p>To protect and enhance native habitat and discourage the planting and</p>	<p>Landscape design should :</p> <ul style="list-style-type: none"> <li>• Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.</li> <li>• Create attractive landscapes that visually emphasise streets and public open spaces.</li> <li>• Respond to the site and context description for the site and surrounding area.</li> <li>• Maintain significant vegetation where possible within an urban context.</li> <li>• Take account of the physical features of the land including landform, soil and climate.</li> <li>• Protect and enhance any significant natural and cultural features.</li> <li>• Protect and link areas of significant local habitat where appropriate.</li> </ul>	<p>It is anticipated that a condition on permit will trigger requirement for a Landscape Plan to be endorsed which will include the nomination of street trees to achieve the expected streetscape presentation for each of the road types, in addition to enhancing landscaping along Burden Place and Molly Drive.</p> <p>A Reserve Landscape Plan will also be required, informed by detailed drainage design of the proposed basins. It is considered important that landscaping in the public open space reserve has incorporates vegetation of a lower height to respect views of the Lakes enjoyed by current and future landowners, but ensuring a softening of future built form when viewed from the Lake and adjacent Crown land.</p>	<p><b>Complies</b></p> <p>As indicated by the applicant, landscaping conditions are proposed for reserves and roadsides.</p> <p>A shared use path is a negotiated requirement, aligned to the north/east of the lots and alongside Molly Drive. This will be further extended to be an alternative to the existing walking track – providing.</p> <p>Landscaping that is appropriate for functional design of a detention/wetland system, streetscape, and reserve management will feature as permit conditions. The standards have been discussed with the permit applicant in setting the proposed conditions.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	<p>spread of noxious weeds</p> <p>To provide for integrated water management systems and contribute to drinking water conservation.</p>	<ul style="list-style-type: none"> <li>• Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.</li> <li>• Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.</li> <li>• Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.</li> <li>• Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.</li> <li>• Provide for walking and cycling networks that link with community facilities.</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<ul style="list-style-type: none"> <li>Provide appropriate pathways, signage, fencing, public lighting and street furniture.</li> <li>Create low maintenance, durable landscapes that are capable of a long life</li> </ul> <p>The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</p>		
56.05-2 Public Open Space Provision	<p>To provide a variety of open spaces with links to other open spaces and regional parks where possible.</p> <p>To ensure that public open space of appropriate quality and quantity is provided in convenient locations to meet the recreational and social needs of a community.</p>	<p>The provision of public open space should:</p> <ul style="list-style-type: none"> <li>Implement any relevant open space plan, strategy or policy for the area set out in this scheme.</li> <li>Provide a network of well-distributed regional and local open space that includes: <ul style="list-style-type: none"> <li>Regional public open space where appropriate, including along foreshores, streams and permanent water bodies.</li> <li>Regional parks of at least 3 hectares, combining passive and</li> </ul> </li> </ul>	<p>The proposed large area of public open space will perform a passive recreation, environmental and drainage function, incorporating water sensitive urban design techniques and enhance the nature based character of the area.</p> <p>Each of the proposed lots is within 1 km of the proposed open space, consistent with the requirements of Standard C13.</p>	<p><b>Complies</b></p> <p>The Gippsland Lakes Reserve is immediately adjacent, and the additional area of public open space is directly connected. Future linkages are required to other public open space areas via new footpaths, projects for Council to consider and plan for in future capital works programs.</p> <p>There are existing vehicle connections to recreation reserves and other public open spaces (foreshore, walking tracks, playgrounds, etc) within the Paynesville and further to Bairnsdale.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	To support active and health communities.	<p>active use, within 2 kilometres of all dwellings.</p> <ul style="list-style-type: none"> <li>• Large local parks of at least 1 hectare for active and passive use, within 500 metres safe walking distance from all dwellings</li> <li>• Small local parks within 150 metres to 300 metres safe walking distance of all dwellings, where appropriate.</li> <li>• Include land use for drainage control or stream and floodway purposes if generally available for recreational use.</li> <li>• Be integrated with urban water management systems including watercourses and water bodies.</li> <li>• Incorporate natural and cultural features where appropriate.</li> <li>• Encourage shared use of active open space.</li> </ul>		



Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<ul style="list-style-type: none"> <li>• Adjoin schools and other community facilities where practical.</li> <li>• Meet the social, cultural recreational and sporting needs of the community including different age groups and abilities.</li> <li>• Be linked to existing or proposed future public open spaces where appropriate.</li> <li>• Include publicly owned plazas or parks in activity centres where appropriate.</li> </ul> <p>Land provided for public open space should be:</p> <ul style="list-style-type: none"> <li>• Of a quality, quantity and character that makes it fit for its potential functions.</li> <li>• Located so that every lot in the subdivision is within 500 metres walking distance of existing/proposed public open space.</li> <li>• Related to the street and lot layout in a manner that promotes personal safety and surveillance of users of the public open space from streets</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>along public open space boundaries.</p> <ul style="list-style-type: none"> <li>Of an area and dimensions to allow easy adaptation to different uses in response to changing community sport and recreational preferences.</li> </ul>		
<p>56.06 Access and Mobility Management</p> <p>56.06-2 Walking and cycling network</p>	<p>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p> <p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p>	<p>The walking and cycling network should be designed to:</p> <ul style="list-style-type: none"> <li>Implement any relevant regional and local walking and cycling strategy, plan or policy for the area.</li> <li>Link to any existing pedestrian and cycling networks.</li> <li>Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.</li> <li>Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the</li> </ul>	<p>A footpath will be developed along the southern side of the new road that will link to Fullarton Drive via Molly Drive.</p> <p>New footpaths will be provided on each side of the Fullarton Drive extension. The width of each road is sufficient for the joint use of vehicles and cyclists.</p>	<b>Complies</b>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>network of arterial roads, neighbourhood streets and regional public open spaces.</p> <ul style="list-style-type: none"> <li>• Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.</li> <li>• Ensure safe street and road crossings including the provision of traffic controls where required.</li> <li>• Provide an appropriate level of priority for pedestrians and cyclists.</li> <li>• Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.</li> <li>• Be accessible to people with disabilities.</li> </ul>		
56.06-4 Neighbourhood Street Network	To provide for direct, safe and easy movement through and between neighbourhoods	<p>The neighbourhood street network must:</p> <ul style="list-style-type: none"> <li>• Take account of the existing mobility network of arterial roads, neighbourhood streets,</li> </ul>	As advised by the Traffic Impact Assessment the proposed roads are of suitable widths to accommodate additional traffic volumes, with the	<p><b>Complies</b></p> <p>The proposed street network links to existing roads and is consistent with structure planning for the Paynesville Growth Area to the</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.	<p>cycle paths, footpaths and public transport routes.</p> <ul style="list-style-type: none"> <li>• Provide clear physical distinctions between arterial roads and neighbourhood street types.</li> <li>• Comply with the Roads Corporation's arterial road access management policies.</li> <li>• Provide and appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.</li> <li>• Provide safe and efficient access to activity centres for commercial and freight vehicles.</li> <li>• Provide safe and efficient access to all lots for service and emergency vehicles.</li> <li>• Provide safe movement for all vehicles.</li> <li>• Incorporate any necessary traffic control measures and traffic</li> </ul>	<p>surrounding road network able to readily accommodate any additional traffic. Proposed road designs were determined to be consistent with the 10M, the Planning Scheme and best practice.</p> <p>No modifications to the existing road network are considered necessary, and all lots can be easily accessed by service and emergency vehicles.</p>	West. No additional traffic interventions are required at this time.

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>management infrastructure.</p> <p>The neighbourhood street network should be designed to:</p> <ul style="list-style-type: none"> <li>• Implement any relevant strategy, plan or policy for the area.</li> <li>• Include arterial roads at intervals of approx 1.6km that have adequate reservation widths to accommodate long-term movement demand.</li> <li>• Include connector streets approx half way between arterial roads and provide adequate reservation widths to accommodate long term movement demand.</li> <li>• Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other vehicles.</li> <li>• Provide an appropriate level of local traffic dispersal.</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<ul style="list-style-type: none"> <li>• Indicate the appropriate street type.</li> <li>• Provide a speed environment that is appropriate to the street type.</li> <li>• Provide a street environment that appropriately manages movement demand (volume, type &amp; mix of pedestrians, cyclists, public transport and other motor vehicles).</li> <li>• Encourage appropriate and safe pedestrian, cyclist and driver behaviour.</li> <li>• Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.</li> <li>• Minimise the provision of culs-de-sac.</li> <li>• Provide for service and emergency vehicles to safely turn at the end of a dead-end street.</li> <li>• Facilitate solar orientation of lots.</li> <li>• Facilitate the provision of the walking and cycling network, integrated water management</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>systems, utilities and planting of trees.</p> <ul style="list-style-type: none"> <li>Contribute to the area's character and identity.</li> <li>Take account of any identified significant features.</li> </ul>		
56.06-5 Walking and Cycling Network Detail	<p>To design and construct footpaths, shared path and cycle networks that are safe, comfortable, well constructed and accessible for people with disabilities.</p> <p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	<p>Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</p> <ul style="list-style-type: none"> <li>Be part of a comprehensive design of the road or street reservation.</li> <li>Be continuous and connect.</li> <li>Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.</li> <li>Accommodate projected user volumes and mix.</li> <li>Meet the requirements of Table C1.</li> <li>Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required</li> </ul>	<p>Footpaths have been logically located to provide appropriate pedestrian access. Pavement edge, kerb and channel are integrated to ensure safe travel for cyclists. Footpaths are of a sufficient width to accommodate wheelchairs, prams and other footpath bound vehicles.</p>	<p><b>Complies</b></p> <p>The proposal will be required to provide footpath and shared use path connections that will need future investment to link to Eagle Point and the Paynesville CBD area.</p>



Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>drainage functions and are structurally sound.</p> <ul style="list-style-type: none"> <li>• Provide appropriate signage.</li> <li>• Be constructed to allow access to lots without damage to the footpath or share path surfaces.</li> <li>• Be constructed with durable, non-skid surface.</li> <li>• Be of a quality and durability to ensure: <ul style="list-style-type: none"> <li>• Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.</li> <li>• Discharge of urban run-off.</li> <li>• Preservation of all-weather access.</li> <li>• Maintenance of a reasonable, comfortable riding quality.</li> <li>• A minimum 20-year life span.</li> </ul> </li> <li>• Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		movement of people with disabilities.		
56.06-6 Public Transport Network Detail	<p>To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.</p> <p>To provide public transport stops that are accessible to people with disabilities</p>	<p>Bus priority measures must be provided along arterial roads forming part of the existing or proposed regional public transport network system outside Metropolitan Melbourne to the requirements of the relevant roads authority.</p> <p>Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.</p> <p>The design of public transport stops should not impede the movement of pedestrians.</p> <p>Bus and tram stops should have:</p> <ul style="list-style-type: none"> <li>• Surveillance from streets and adjacent lots.</li> <li>• Safe street crossing conditions for pedestrians and cyclists.</li> <li>• Safe pedestrian crossings on arterial</li> </ul>	<p>Unfortunately, public transport within Paynesville is limited. The PGASP Traffic Assessment Report does not suggest any future bus routes north of Paynesville Road, suggesting that "the street forms as proposed will be adequate to accommodate alterations to accommodate bus stops as required" (p.46). As the land to the west of the subject land is further developed with an access onto Paynesville Road there may be the need to provide for bus stops further to the west, however at this time based on the strategic vision it is unlikely considered unlikely.</p>	<p><b>Deemed to comply</b></p> <p>As stated by the applicant, public transport is limited and connections are not proposed in the area north of Paynesville Road. Fullarton Drive is potentially a future route, and modification to the road would be required to facilitate provision of any bus stops.</p> <p>Council's focus should be on capital works to improve connectivity to the development to existing bus routes. It is not reasonable for such works to be tied to the proposal.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>roads and at schools including the provision of traffic controls as required by the roads authority.</p> <ul style="list-style-type: none"> <li>• Continuous hard pavement from the footpath to the kerb.</li> <li>• Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.</li> <li>• Appropriate signage.</li> </ul> <p>Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.</p>		
56.06-7 Neighbourhood Street Network Detail	To design and construct street carriageways and verges so that the street geometry and	<p>The design of streets and roads should:</p> <ul style="list-style-type: none"> <li>• Meet the requirements of Table C1. Where the widths of access lanes, access places, and access</li> </ul>	The proposed road network will be constructed to the specifications of Infrastructure Design Manual (refer to Access	<p><b>Complies</b></p> <p>The applicant will be required to construct the roads in accordance with the IDM standards applicable.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	traffic speeds provide an accessible and safe neighbourhood street system for all users.	<p>streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.</p> <ul style="list-style-type: none"> <li>• Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.</li> <li>• Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.</li> <li>• Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.</li> <li>• Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.</li> </ul>	and Servicing Strategy Plans). We understand these specifications are prioritised over those contained within the Planning Scheme.	

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<ul style="list-style-type: none"> <li>• Provide a safe environment for all street users applying speed control measures where appropriate.</li> <li>• Ensure intersection layouts clearly indicate the travel path and priority of movement for edestrians, cyclists and vehicles.</li> <li>• Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.</li> <li>• Ensure streets are of sufficient strength to:               <ul style="list-style-type: none"> <li>• Enable the carriage of vehicles.</li> <li>• Avoid damage by construction vehicles and equipment.</li> </ul> </li> <li>• Ensure street pavements are of sufficient quality and durability for the:               <ul style="list-style-type: none"> <li>• Safe passage of pedestrians, cyclists and vehicles.</li> </ul> </li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<ul style="list-style-type: none"> <li>• Discharge of urban run-off.</li> <li>• Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.</li> <li>• Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.</li> <li>• Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.</li> <li>• Provide pavement edges, kerbs, channel and crossover details designed to: <ul style="list-style-type: none"> <li>• Perform the required integrated water management functions.</li> <li>• Delineate the edge of the carriageway for all street users.</li> </ul> </li> <li>• Provide efficient and comfortable access to abutting lots at appropriate locations.</li> <li>• Contribute to streetscape design.</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<ul style="list-style-type: none"> <li>• Provide for the safe and efficient collection of waste and recycling materials from lots.</li> <li>• Be accessible to people with disabilities.</li> <li>• Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.</li> <li>• A street detail plan should be prepared that shows, as appropriate: <ul style="list-style-type: none"> <li>• The street hierarchy and typical cross-sections for all street types.</li> <li>• Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths,</li> <li>• tactile surface indicators, cycle paths and speed</li> </ul> </li> </ul>		



Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		control and traffic management devices. <ul style="list-style-type: none"> <li>• Water sensitive urban design features.</li> <li>• Location and species of proposed street trees and other vegetation.</li> <li>• Location of existing vegetation to be retained and proposed treatment to ensure its health.</li> <li>• Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.</li> </ul>		
56.06-8 Lot Access	To provide for safe vehicle access between roads and lots.	Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.  Vehicle access to lots of 300sqm or less in area and lots with a frontage of 7.5 metres or less should be	The proposed subdivision has been designed to ensure safe and convenient vehicle access and egress for all allotments. None of the proposed allotments will be provided access from an arterial road and each of the Lots are greater than 300m2 in area.	<b>Complies</b>  Alignment of lots will suit right angle crossovers to the road.

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>provided via rear or side access lanes, places or streets.</p> <p>The design and construction of a crossover should meet the requirements of the relevant road authority.</p> <p>Refer to tables of this clause – Table C1.</p>		
<p>56.07 Integrated Water Management</p> <p>56.07-1 Drinking Water Supply</p>	<p>To reduce the use of drinking water.</p> <p>To provide an adequate, cost effective supply of drinking water.</p>	<p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> <li>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</li> <li>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.</li> </ul>	<p>Reticulated drinking water is available to the land. It is expected that a condition of permit will require the owner of the land to enter into an agreement with East Gippsland Water for the supply of reticulated water to each lot</p>	<p><b>Complies</b></p> <p>The application is supported by the water service authority.</p>
<p>Clause 56.07-2 Reused and Recycled Water</p>	<p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p>	<p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> <li>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority,</li> </ul>	<p>East Gippsland Water, the relevant local authority does not have any requirements for the installation of reused and recycled water supply in this precinct at this time.</p>	<p><b>Not applicable</b></p> <p>A system is not available in the region.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>Environment Protection Authority and Department of Human Services</p> <ul style="list-style-type: none"> <li>• Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</li> </ul>	The use of rainwater tanks with a minimum retention & reuse of 2000 litres will allow for garden irrigation and use in sanitary facilities, reducing demand for reticulated water.	
56.07-3 Waste Water Management	To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.	<p>Waste water systems must be:</p> <ul style="list-style-type: none"> <li>• Designed, constructed and managed in accordance with the requirements and to the satisfaction go the relevant water authority and the Environment Protection Authority.</li> <li>• Consistent with any relevant approved domestic waste water management plan.</li> </ul> <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	It is expected that a Condition of permit will require the owner of the land to enter into an agreement with East Gippsland Water for the connection of each lot to the reticulated sewer network.	<p><b>Complies</b></p> <p>Reticulated sewer will be required.</p>
56.07-4 Stormwater Management Objectives	To minimise damage to properties and inconvenience to	<p>The stormwater management system must be:</p> <ul style="list-style-type: none"> <li>• Designed and managed in accordance with the requirements and to the</li> </ul>	The accompanying Site Drainage Plans demonstrates how the site can be drained to best practice requirements.	<p><b>Complies</b></p> <p>Further to the commentary provided, further information has been requested to demonstrate</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	<p>residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To encourage stormwater</p>	<p>satisfaction of the relevant drainage authority.</p> <ul style="list-style-type: none"> <li>Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.</li> <li>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999).</li> <li>Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.</li> <li>Designed to contribute to cooling, improving local habitat and providing</li> </ul>	<p>It is proposed to utilise rainwater tanks with a minimum retention &amp; reuse of 2000 litres, overflow for tanks will be drained via pipes to sediment basins (where in times of peak flows stormwater overfill will be diverted to drying areas and allowed to evaporate), then transferred to the wetland and/or bio-retention basin for release into a contour swale.</p> <p>It is expected that a condition of permit will require the preparation of a Detailed Drainage Design to the satisfaction of Council.</p>	<p>compliance with the standard, particularly in relation to potential system design and management/maintenance thereof.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.	<p>attractive and enjoyable spaces.</p> <p>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.</p> <p>For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</p> <ul style="list-style-type: none"> <li>Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</li> <li>Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</li> </ul> <p>For storm events greater than 20% AEP and up to and including 1% AEP standard:</p> <ul style="list-style-type: none"> <li>Provision must be made for the safe and effective passage of stormwater flows.</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<ul style="list-style-type: none"> <li>All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</li> <li>Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria (average depth in metres and average velocity in metres per second <math>&lt;0.35\text{m}^2/\text{s}</math>).</li> </ul> <p>The design of the local drainage network should:</p> <ul style="list-style-type: none"> <li>Ensure stormwater is retarded to a standard required by the responsible drainage authority.</li> <li>Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system</li> </ul>		

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>or legal point of discharge.</p> <ul style="list-style-type: none"> <li>• Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.</li> <li>• Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</li> </ul> <p>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.</p>		
56.08 Site Management	To protect drainage infrastructure and receiving waters from	A subdivision application must describe how the site will be managed prior to and during the construction	The site will be managed to the satisfaction of the Responsible Authority. Site management techniques and	<p><b>Complies</b></p> <p>A construction management plan is required by condition.</p>



Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
56.08-1 Site Management Objectives	<p>sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>	<p>period and may set out requirements for managing:</p> <ul style="list-style-type: none"> <li>• Erosion and sediment.</li> <li>• Dust</li> <li>• Run-off</li> <li>• Litter, concrete and other construction wastes.</li> <li>• Chemical contamination.</li> <li>• Vegetation and natural features planned for retention.</li> </ul> <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	<p>information will be included within the project's Construction Management Plan, expected to be required as a Condition of Permit. It is expected that the Construction Management Plan must have regard for the amenity of existing neighbouring properties during construction activities.</p>	<p>Specifically, the condition suggests access arrangements which mitigate concerns from objectors regarding use of Burden Place/Fullarton Drive for construction traffic. The preference for access via Paynesville Road must consider a range of factors, including cultural heritage, native vegetation, and soil stability.</p> <p>Ultimately, construction vehicle access using the existing road network will be required. The CMP will set guidelines and measures to reduce impact to residents of Fullarton Drive and Burden Place during the construction of the subdivision. Conditions cannot be imposed in relation to future dwelling development which would not normally include construction management conditions where a permit is required.</p>
56.09 Utilities  56.09-1 Shared trenching	<p>To maximize the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping</p>	<p>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	<p>Shared trenching for reticulated services will be undertaken where possible in accordance with the standards of the relevant supply agency.</p>	<p><b>Complies</b></p> <p>As stated, a permit condition is imposed requiring shared trenching.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
	within street reserves.		Shared trenching is a common construction method that also provides cost benefits to the developer. The need for shared trenching can be stipulated within permit conditions if necessary.	
56.09-2 Electricity, telecommunications and gas	<p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>	<p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications</p>	Electricity, telecommunications and gas are available within the precinct. Each of the proposed lots are able to be connected in accordance with the requirements of the respective service provider.	<p><b>Complies</b></p> <p>Conditions are imposed by the various service authorities.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		<p>infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p> <p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</p>		
56.09-3 Fire hydrants	To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.	<p>Fire hydrants should be provided:</p> <ul style="list-style-type: none"> <li>• A maximum distance of 120 metres from the rear of the each lot.</li> <li>• No more than 200 metres apart.</li> </ul> <p>Hydrants and fire plugs must be compatible with the relevant fire service equipment.</p> <p>Where the provision of fire hydrants and fire plugs does</p>	<p>Details as to the location of fire hydrants will be provided as part of detailed construction documentation in accordance with permit conditions.</p> <p>Hydrants will be located to ensure appropriate coverage to rear of future dwellings by being within 120 metres of rear boundaries.</p>	<p><b>Complies</b></p> <p>Conditions address this as reviewed by Country Fire Authority.</p>

Clause	Objective	Standard	Applicant Declaration	Responsible Authority Assessment
		not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority		
56.09-4 Public lighting	<p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p>	<p>Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.</p> <p>Public lighting should be designed in accordance with the relevant Australian Standards.</p> <p>Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.</p>	Street lighting will be provided in accordance with Council's standard, with detail regarding location and standard to be provided as part of detailed construction documentation.	<p><b>Complies</b></p> <p>Conditions of approval address the need for street lighting with LED technology, suitable for low cost maintenance for Council. Decorative lighting features are now discouraged in new estates.</p>

#### Clause 56 Assessment Overview

As indicated in the table above, the proposal has demonstrated a high degree of compliance with the objectives and standards of Clause 56 in relation to multi-lot subdivision.

As such, it is recommended that the application is approved.

### General Decision Guidelines

#### Approval of an Application or Plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

#### Approval of an Application to Subdivide Land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.

- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewerage and no provision has been made for the land to be sewerage, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

#### [General Decision Guidelines Assessment](#)

Having considered the general decision guidelines, including Section 60 of the Act, the officer recommendation is that the proposal is supported, subject to the recommended amendments to allay concerns regarding biodiversity. The responses to other aspects of objection are considered within the body of the main report.

The proposal has demonstrated a high degree of compliance with policy, ordinance, and structure planning for the broader precinct. It is strongly recommended that a notice of decision to grant a planning permit be made.

## 5.1.2 Economic Development Advisory Committee Minutes of Meeting held 17 July 2023

Authorised by General Manager Place and Community

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### Conflict of Interest

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

### Executive Summary

This report provides minutes for the Economic Development Advisory Committee (EDAC) meeting held 17 July 2023, 3.00pm to 5.00pm, Council Office, 55 Palmers Rd Lakes Entrance, Council Chambers and Microsoft Teams.

A copy of the minutes is presented at **ATTACHMENT 1**.

### Officer Recommendation

***That Council receives and notes this report and the draft minutes of the Economic Development Advisory Committee Meeting of 17 July 2023 as at attachment 1.***

### Background

The Economic Development Advisory Committee (Committee) provides advice, guidance and recommendations to East Gippsland Shire Council (Council) on matters that affect Economic Development in East Gippsland and its communities.

The roles and responsibilities of the Committee are set out in the Economic Development Advisory Committee Charter (2023).

### 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.



## **Council Plan**

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

Strategic Objective 4: 4.3 Council's work with stakeholders fosters entrepreneurship and new business opportunities, particularly with communities facing change.

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

## **Council Policy**

This report is consistent with the Economic Development Advisory Committee Charter (2023).

## **Options**

There are no alternate approaches for Council on this reporting requirement.

## **Resourcing**

### *Financial*

There are no financial implications associated with this report.

### *Plant and equipment*

There are no plant and equipment requirements with this report.

### *Human Resources*

There are no resource issues with this report.

### *Risk*

The risks of minutes have been considered and have been assessed as low.

## **Economic**

There are no economic implications stemming from this report.

## **Social**

This report is assessed as having no direct social impact.

### *Gender Impact Statement*

This report is compliant with the obligations and objectives of the Victorian *Gender Equality Act 2020* and has been assessed as not requiring a Gender Impact Assessment (GIA).

**Environmental**

There are no environmental implications stemming from this report.

*Climate change*

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

**Engagement**

Not applicable

**Attachments**

1. EDAC DRAFT UNCONFIRMED MINUTES 17 July 23 (2) [5.1.2.1 - 6 pages]

## UNCONFIRMED MINUTES

### Economic Development Advisory Committee



<b>Meeting Date:</b>	Monday, 17 July 2023
<b>Time:</b>	3pm to 5pm
<b>Venue:</b>	Council Office, 55 Palmers Rd Lakes Entrance, Council Chambers and Microsoft Teams
<b>Chairperson:</b>	Cr. Mark Reeves, Mayor
<b>Secretariat:</b>	Marlene Rickhuss, Andie McCullagh

#### 1. Procedural

<b>1.1</b>	<b>Welcome</b>	<p>Chair, Cr. Mark Reeves</p> <p>Acknowledging country and welcoming members to the meeting Cr. Reeves advised that the meeting is being recorded for the purpose of confirming accurate minutes and advised that the transcription will be deleted after minutes have been confirmed.</p> <p>Members were invited to re-introduce themselves around the table.</p>
<b>1.2</b>	<b>In Attendance</b>	
	Councillors	Cr. Mark Reeves, Mayor (Chair), Cr. Jane Greacen, Cr. Trevor Stowe.
	Members	Nicholas Kavadis, Adam Guillot, Richard Brownlow, Andrea Lane, Angela Hutson (online), Tanya Taylor (online), Chris Savage (on-line, left the meeting approx. 3.45pm), Stephen Angus (entered the meeting 3.24pm).
	Staff	Anthony Basford (online), Stuart McConnell, Sharon Raguse, Marlene Rickhuss (Secretariat) Andie McCullagh (Admin Support)
	Guest	Chris Buckingham, CEO Latrobe Valley Authority joined the meeting at 13.01pm
	Apologies	Liz Mitchell; Michelle Brooker, Gabriel Moore, Stephen Holmes.
<b>1.3</b>	<b>Member Status</b>	<p>Resignation of Elena Kelareva, Gipps Tech</p> <p>Cr. Reeves noted the resignation of Committee member Elena Kelavera. Staff informed members that due to Government budget cuts, it has been necessary for GippsTech to reconsider work capacity and scale back to core business only.</p>

		Members noted Elena's contribution to the Committee.
1.4	<b>Confirmation of Minutes</b>	<p>Confirmation of Minutes of meeting held on 20 April 2023.</p> <p>A query was raised regarding Council policy on the identification of individual names recorded in minutes.</p> <p>Staff confirmed that Council does not have a specific policy regarding how minutes are recorded and advised that the Committees preference should determine how minutes are recorded.</p> <p>After discussion members agreed that minutes should be kept general in nature unless the speaker requests to be identified.</p> <p>The minutes of meeting held at the 20 April 2023 meeting were accepted without modification.</p> <p style="text-align: right;"><b>Moved:</b> Angela Hutson <b>Seconded:</b> Richard Brownlow <b>Carried</b></p>
1.5	<b>Declaration of Conflict of interest:</b>	Nil

## 2. Presentations/Discussion

No	Item
2.1	<p><b>Latrobe Valley and Gippsland Transition Plan</b> Chris Buckingham, CEO Latrobe Valley Authority</p> <p>Members were given an overview of the Latrobe Valley and Gippsland Transition Plan, what this means in a broader regional context, and acknowledged the challenges that communities are facing due to the closure of timber harvesting facilities.</p> <p>The Committee were advised that Gippsland has had many successes in industries such as native timber harvesting, dairy, and gas extraction for over fifty years, however the region is now dealing with a fundamental paradigm shift for people working in the timber or dairy industry as community comes to grips with either the disruption of price or access to resources.</p> <p>To progress the way forward, there is a need to collectively set strategies for the long-term using fundamental elements such as;</p> <ul style="list-style-type: none"> <li>• Providing the right education and training;</li> <li>• Creating opportunities for employment;</li> <li>• Diversifying the economy;</li> <li>• Consideration of the environment and livability aspects of our region;</li> <li>• Tracking and retaining the talent required;</li> <li>• Promotion of Government, Community and business working together; and</li> <li>• Identifying the regions comparative advantages, e.g. Visitor Economy.</li> </ul> <p>A general discussion ensued between members about the challenges facing the region, issues out of our control such as ownership of energy companies, continuity of base load power, global markets, and climate change.</p> <p>Off-shore renewable wind energy opportunities, and what this might mean for East Gippsland was also discussed, Chris commented that scoping out what the potential</p>

No	Item
	<p>impact, both positive and negative means for the region is still being discussed at State Government level.</p> <p>Members were advised that the State Government has some extremely ambitious targets regarding energy transition and that there is a lot of pressure on the Federal Government to issue feasibility licenses. It was reiterated that transition in the context of renewable energy will affect various parts of the region in diverse ways, which should be considered.</p> <p>Latrobe Valley for instance will have different concerns and perceptions than those in Wellington and East Gippsland residents regarding the effects of change.</p> <p>It was suggested that the way forward is to educate ourselves about what the implications may mean for the region. Identify where the opportunities are, and how we derive maximum benefit from these developments knowing that they will occur.</p> <p>Population changes in the region because of COVID-19, and issues facing the region such as internet access and the infrastructure required to support this, and the decommissioning of rigs in Bass Strait was also discussed.</p> <p>Considering the Transition Plan, and East Gippsland recently achieving Eco Destination status, members questioned how the wider Gippsland community, Government and business can support East Gippsland in this initiative.</p> <p>The question of how individuals transitioning to new jobs might plan for significant change was also raised, Chris responded that most would find employment quickly, using the closure of a Morwell based business as an example, where 125 jobs were lost, 95% were re-employed within six months.</p> <p>Closure of the timber industry is not just about the directly affected jobs, it is also about the decline of the fabric of communities rather than the individual not being able to get work, it is more about the way communities will change quite dramatically over the course of the next six, to eighteen months if we are not able to replace those employment opportunities with other.</p> <p>Members thanked Chris for his informative update on the Latrobe Valley and Gippsland Transition Plan.</p>
2.2	<p><b>Industry Transition – Discussion</b></p> <p>Stuart McConnell, GM Place &amp; Community</p> <p>Following on from the Latrobe Valley and Gippsland Transition Plan presentation, members were asked to share their insights regarding impacts/opportunities they might have identified in community, and to share what they believe Council should be considering or focusing on through transition.</p> <p>Stuart informed members about the current work the Council is involved with in communities such as Swifts Creek and Orbost through the Local Development Strategies initiative.</p> <p>Several points of discussion were raised including;</p> <p><a href="#">Opportunities for the use of Lakes Entrance Deep Sea Port</a></p> <ul style="list-style-type: none"> <li>• Leveraging a maritime training centre e.g. Seamec;</li> </ul>

No	Item
	<p data-bbox="352 360 576 392"><a href="#">Renewable Energy</a></p> <p data-bbox="352 412 1313 501">Members discussed the importance of Council representation in the renewable energy space, staff acknowledged the Committees concern that East Gippsland has been under-represented in this space.</p> <p data-bbox="352 517 1313 667">Several points were raised regarding the perception that East Gippsland has not been included in various forums across Gippsland, this could be attributed to several factors including, the focus on transmission lines in the Wellington area, dis-jointed and un-coordinated approach at a regional level, and the Transition Plan being focused on Latrobe Valley.</p> <p data-bbox="352 683 1313 804">Staff advised the Committee that Council is represented on several renewable energy forums throughout the region including One Gippsland and have been recently being invited to participate on the Gippsland New Energy forum that convenes monthly, staff have also suggested that the forum invite representation by Gippsland Ports Authority.</p> <p data-bbox="352 819 1326 1032">The Committee also discussed how the Council might advocate for practical aspects to support individual workers when retrenched. The point that “it’s not just about workers maintaining a positive attitude and being flexible” but it’s also about practical solutions such as knowing “where the jobs are”, and access to services, suggesting that the relationship between TAFE and Council needs to be collaborative and cooperative to ensure that the evidence around where the jobs are, and what skills might be needed in the short, medium, and longer term be identified.</p> <p data-bbox="352 1043 643 1075"><a href="#">Community Perceptions</a></p> <p data-bbox="352 1090 1329 1240">The issue of negative community perceptions in relation to transition was raised, Orbost area was highlighted as an example commenting that while still navigating through the timber industry transition, there remains negative connotation in accepting change. It was suggested that Council may be able to play a role to alleviate some of the uncertainty in community.</p> <p data-bbox="352 1256 1275 1317">East Gippsland’s recent acceptance as an Eco-Tourism destination is also seen by some community members as “are we ready for Eco-Tourism ”,</p> <p data-bbox="352 1332 1246 1393">The council recognises that the Eco-Tourism accreditation is a starting point and reiterates that this will be built upon to move forward.</p> <p data-bbox="352 1404 635 1435"><a href="#">Other discussion points</a></p> <p data-bbox="352 1451 1337 1541">Creative tourism was raised as an opportunity to support communities across the region, East Gippsland’s recent Winter Festival, attracting hundreds of tourists across the month of June, was highlighted as an example of bringing community together.</p> <p data-bbox="352 1556 1308 1646">The Committee was advised that the State Government has committed \$870M across Gippsland and Central Highlands areas with \$120M targeted for plantation timber, negotiations are underway with Hancock to buy land.</p> <p data-bbox="352 1662 1300 1751">Staff advised the Committee that there are also a range of other business investment programs and that the \$870M includes the \$220M committed for timber transition through Latrobe Valley Authority.</p> <p data-bbox="352 1767 1303 1856">A question was raised about whether the Council has any plans to expand electric vehicle tourism given that East Gippsland has good infrastructure in place, however it was felt that people living outside the area may not be aware of this.</p>

No	Item
	<p>The council was encouraged to continue to facilitate positive messages about change, support entrepreneurial business operators to grow by alleviating unnecessary constraints and advocate proactively.</p> <p>Cr. Reeves thanked the Committee for their vibrant contributions to the discussion and informed members of his role as Chair of One Gippsland, which includes him on the Project Reference Group for the Latrobe Valley and Gippsland Transition Plan.</p> <p style="text-align: right;"><b>Actions:</b></p> <p style="text-align: right;">No actions arising from the discussion</p>

### 3. General Business

<b>3.1</b>	<p><b>Opportunity for members to raise other matters</b></p> <p>Chair, Mayor Cr. Mark Reeves</p> <ul style="list-style-type: none"> <li>Sharon Raguse has accepted a position with Tourism Noosa and has resigned from the Council.</li> </ul> <p style="text-align: right;"><b>Noted:</b></p>
<b>3.2</b>	<p><b>Economic Development Strategy - Priority Implementation Discussion</b></p> <p>Sharon Raguse, Manager Economic Development and Tourism</p> <p>Sharon provided members with an overview of Councils Economic Development Strategy Action Plan advising that there are fifty-three actions within the plan and that 80% of these are underway.</p> <p>Sharon also advised the Committee that although the plan has fifty-three actions, they fall at various levels of action required, some may be for advocacy, implementation, or facilitation.</p> <p>An update on the status of planning applications and permits issued was provided to the Committee.</p> <p>A question was asked about whether Council is developing any other advisory committees or focus groups that work with Council on specific issues, staff advised that Council has not set about to facilitate any new advisory groups perse' however Council does have an Agriculture Advisory Committee that works with the food and fibre industry, other engagements may from time to time be implemented as required.</p> <p>The Committee was advised that the Council has an established relationship with the tourism industry.</p> <p style="text-align: right;"><b>Noted:</b></p>
<b>3.3</b>	<p><b>Economic Development and Tourism Department update</b></p> <p>Sharon Raguse, Manager Economic Development and Tourism</p> <p>A report on the Economic Development and Tourism department's current activities was provided for members' information.</p> <p style="text-align: right;"><b>Noted:</b></p>



3.4	<p><b>Actions from Previous Meeting</b> Sharon Raguse, Manager Economic Development and Tourism</p> <p>A report on actions arising from the previous meeting was provided at <b>ATTACHMENT 2</b>. Marlene provided members with an overview of the Committees Skills Matrix explaining its purpose and how to edit, the Matrix will be uploaded to the Committee's Portal for members to populate.</p> <p style="text-align: right;"><b>Noted:</b></p> <p style="text-align: right;"><b>Action:</b></p> <p style="text-align: right;">Upload Skills Matrix to the Committee Portal</p>
3.5	<p><b>Out of the Wind Energy</b> Stuart McConnell, GM Place &amp; Community</p> <p>Building on the earlier discussion regarding the Lakes Entrance sea port, staff advised members that Council is intending to commission a project to identify and document opportunities associated with the renewable energy sector.</p> <p style="text-align: right;"><b>Noted:</b></p>

#### 4. Meeting Close

	<p><b>Meeting Closed 5pm</b> Chair, Cr Mark Reeves</p> <p>Next meeting: 16 October 2023</p>
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## 5.2 Business Excellence

### 5.2.1 Council Plan Progress Report 2022-23 Quarter Four

Authorised by Acting General Manager Business Excellence

#### Conflict of Interest

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

#### Executive Summary

The draft Council Plan Progress Report – Quarter Four 2022-23 period ending 30 June 2023 (draft report) is presented at **Attachment 1**, and provides a summary of major initiatives, actions and strategic indicators listed in the Annual Action Plan 2022-23.

The Annual Action Plan identifies nine major initiatives that represent significant, high priority activities that will require substantial time and resources to deliver. They are important to enable Council to achieve the strategic objectives in the Council Plan. For Quarter Four, four of the nine major initiatives have been completed, and five are behind schedule.

A status update of each major initiative is set out in the table below, which also identifies the action from the 2023-24 Annual Action Plan where the work will continue and be reported.

Major initiative	Status	Comment	2023 – 24 Action
1. Develop a Culture and Creativity Strategy	Completed	The Culture and Creativity Strategy has been completed and was adopted by Council during quarter four. A draft Action Plan has been developed and is ready for consultation in the 2023-24 year.	Completed
2. Develop a new Reconciliation Action Plan	Behind schedule	Development of a new Reconciliation Action Plan is underway, with community consultations completed during the period, which included one-on-one engagement with key stakeholders.	Incomplete – Linked to 2023/24 Plan as Major initiative 1 – Develop and commence implementation of organisation-wide strategies that embed Aboriginal engagement in the organisation through increased mutual understanding and effective partnerships.
3. Prepare a Housing and Settlement Strategy to guide future housing development and to support increased housing diversity and affordability	On schedule	Following community consultation in relation to the draft Strategy, further review of the draft Strategy to be undertaken prior to presentation to Council for adoption.	Incomplete – Linked to 2023/24 Plan as Major initiative 2 – Present the Housing and Settlement Strategy to Council and if adopted commence implementation of recommendations.

Major initiative	Status	Comment	2023 – 24 Action
4. Develop key public open space planning initiatives, which includes the East Gippsland Sporting Facilities Plan and Public Open Space Strategy	<b>Behind schedule</b>	Development of the Marine and Coastal Management Plan continues with the engagement of consultants, multiple site visits, pop up engagement sessions, and establishment of the Project Control Group.  The East Gippsland Sporting Facilities Plan is in the final stages of community consultation with the broader East Gippsland Community	<b>Incomplete – Carried forward for completion as 2.1.2</b> Undertake key public open space planning initiatives, including the first stage of the Marine and Coastal Management Plan and finalisation of the East Gippsland Sporting Facilities Plan
5. Implement a climate risk analysis to identify the likely impact of extreme weather and climate events on Council's infrastructure assets, and ability to provide community services	<b>Behind Schedule</b>	Council's \$1,200,000.00 grant funding proposal to the Federal Disaster Ready Fund was successful, allowing this project to proceed. The project will commence in 2023-24 financial year and will see the completion of detailed climate modelling completed to support understanding of climate risk and inform future actions to improve the resilience and adaptability of our community.	<b>Incomplete - Linked to 2023/24 Plan as Major initiative 4</b> – Prepare a climate risk assessment to identify and respond to the likely impact of extreme weather and climate events on Shire infrastructure and services
6. Support the circular economy through initiatives that reduce waste going to landfill, including: <ul style="list-style-type: none"> <li>• Value adding green and organic waste; and</li> <li>• Introducing appropriate glass collection services at locations throughout the Shire.</li> </ul>	<b>Completed</b>	A detailed business case for the management of organic waste has been completed and externally peer reviewed. The tender for the detailed design of a composting facility has been awarded with this work now underway.  Glass collection services are now available at eight of Council's Waste Transfer Stations. Officers are also working closely with the contractors that have received the contract for Container Deposit Schemes for eastern Victoria to support this service provider plan for an appropriate service for East Gippsland.	<b>Completed</b>
7. Implement the Tourism Events Action Plan 2022-26	<b>Completed</b>	The final Pathways to Growth Event Mentoring program recipient for the year had their inception meeting with the resource team (mentors) from which the event growth objectives and action plan were agreed.  Two Events masterclasses were delivered focusing on how to deliver Accessible Events and East Gippsland's new	<b>Completed</b>

Major initiative	Status	Comment	2023 – 24 Action
		Accessible Events Guide was publicly launched.	
8. Implement the Customer Experience Strategy. Key projects include: <ul style="list-style-type: none"> <li>• Enhance systems and processes to increase resolution of customer enquiries and requests at first point; and</li> <li>• Streamlining customer response systems and processes.</li> </ul>	<b>Completed</b>	Phase 2 of the Civica the implementation and the onboarding of all business units with the Customer Response Project has been completed.	<b>Completed</b>
9. Review and redevelop the organisation's Occupational Health (OHS) and Safety Management System.	<b>Behind Schedule</b>	Development of the new Safety Management System is well advanced, following approval of the new Policy in the previous quarter and extensive internal consultation on the draft suite of over 40 documents that underpin the Policy and form the Safety Management System. Implementation is scheduled to commence in early in the 2023/24 year.	<b>Incomplete - Linked to 2023/24 Plan</b> for the next stage once the 2022/23 initiative is completed: <b>Major initiative 8</b> – Adopt and implement the organisation's Occupational Health and Safety Management System.

### Officer Recommendation

***That Council receives and notes this report and the Council Plan Progress Report 2022-23 Quarter Four at attachment 1.***

## Background

The draft report, provided at **Attachment 1**, covers the reporting period 1 April to 30 June (Quarter Four) and provides a high-level summary of major initiatives and actions listed in the Annual Action Plan 2022-23. The actions and strategic indicators are listed under the Council Plan Strategies to which they contribute.

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

## Legislation

This report has been prepared in accordance with section 18(1)(d) of the *Local Government Act 2020*. The role of the mayor is to report to the municipality community, at least once each year, on the implementation of the Council Plan.

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

The information provided in this report is not considered confidential within the grounds of section 3(1) of the *Local Government Act 2020*.

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

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.

## Collaborative procurement

Pursuant of section 109(2) of the *Local Government Act 2020*, this report has not been prepared in collaboration with an external party.

## Council Plan

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

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

## Council Policy

Not applicable for this report

## Options

No options available

## **Resourcing**

### *Financial*

There are no financial resourcing impacts relating to this report, however the delivery of the Council Plan as stated in this report is directly linked to the Annual Budget and 10-year Financial Plan.

### *Plant and equipment*

Not applicable for this report

### *Human Resources*

There are no human resources impacts relating to this report, however the delivery of the Council Plan as stated in this report requires human resources to action the listed initiatives.

### *Risk*

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

## **Economic**

This report itself has no direct economic impacts. However, through the Council Plan, this report identifies the delivery 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, through the Council Plan, this report identifies the delivery of key social actions and projects that have a positive influence on the community.

### *Gender Impact Statement*

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

## **Environmental**

This report itself has no direct environmental impacts. However, through the Council Plan, this report identifies the delivery 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. It will be made available on Council's website and promoted through social media channels.

## **Attachments**

1. Council Plan Progress Report 2022-23 Quarter Four [**5.2.1.1** - 59 pages]





## **Council Plan Progress Report – Quarter Four 2022-23**

**Period ending 30 June 2023**

## Contents

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### Front cover image

Performers from the deadly Cultural Connect dancers, at the announcement of the Eco Destination Accreditation event held at in Metung.

### Acknowledgement of Country

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

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

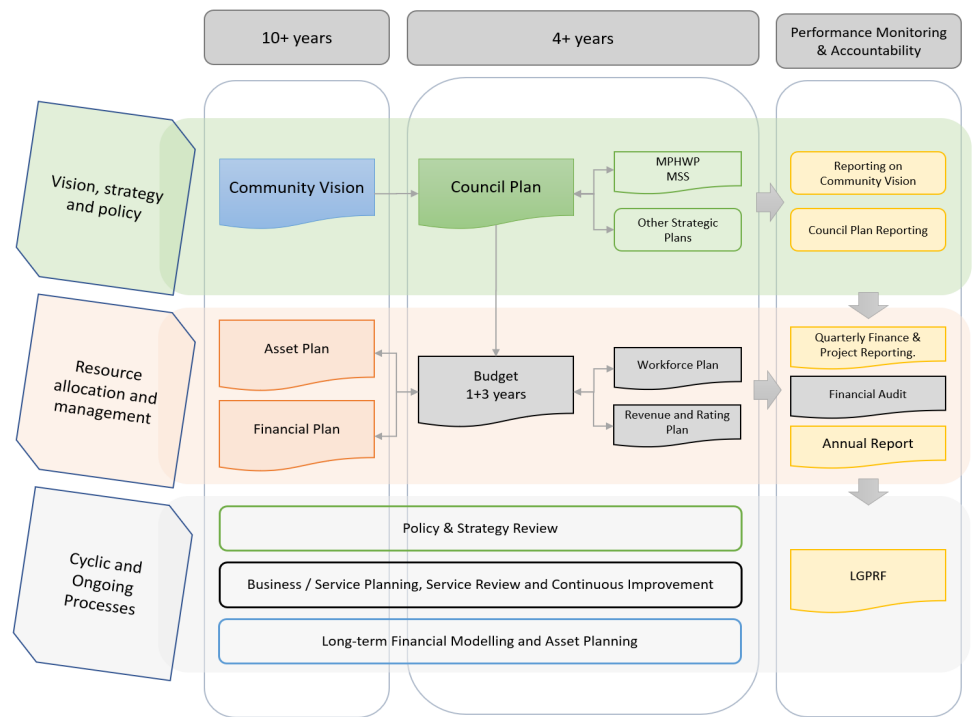
## Our Vision

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 Planning Framework

Our Strategic planning framework shows how Our Community Vision 2040 will be delivered through the Council Plan, the Budget and other Council Plans and Strategies.

The Quarterly Council Plan Progress Report is a critical element of the framework below, as it provides a transparent account of how we are performing to the community on a regular basis.



Terminology:

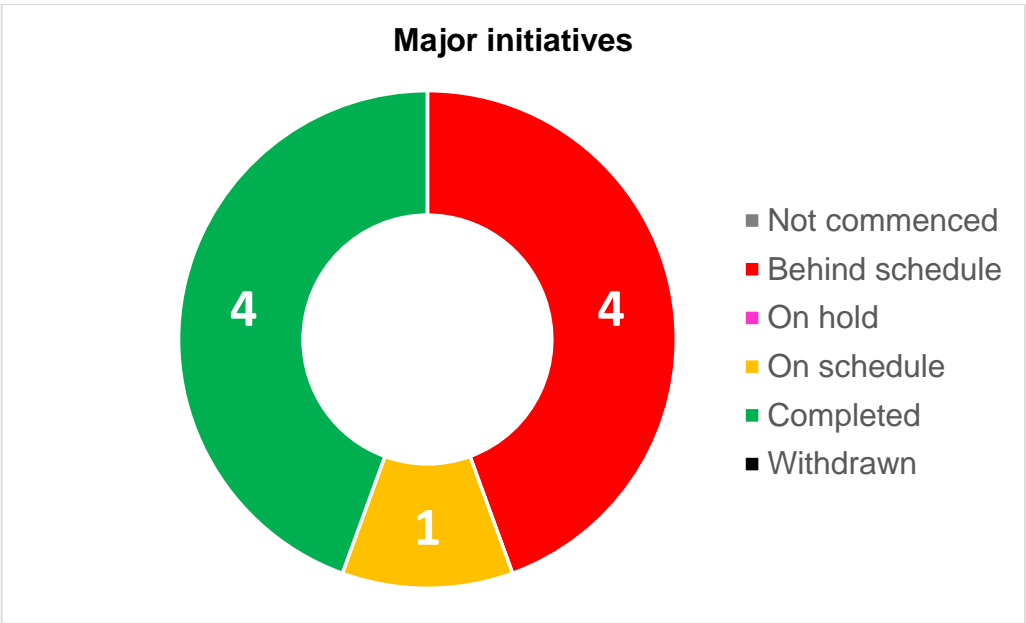
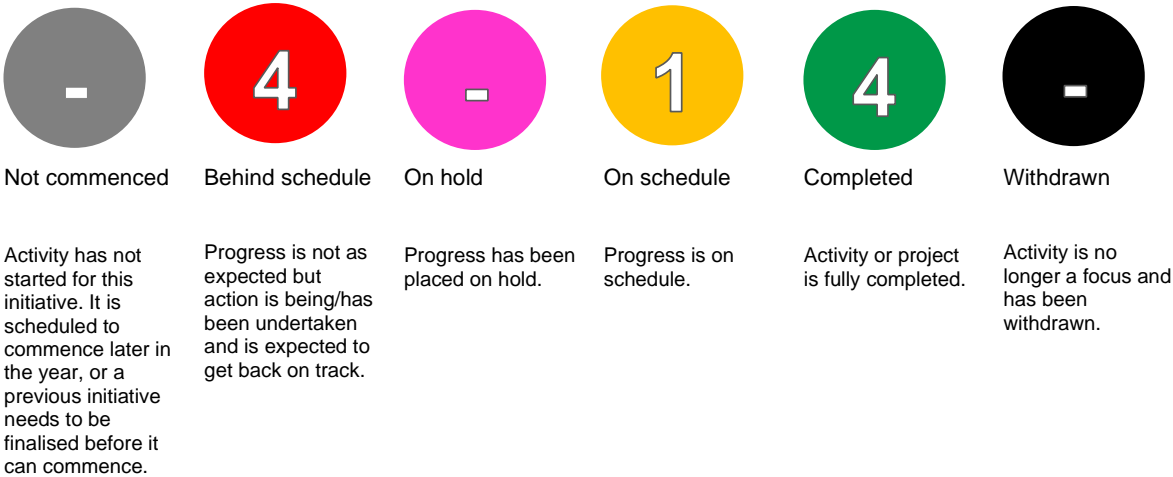
- MPHWP = Municipal Public Health and Wellbeing Plan
- MSS = Municipal Strategic Statement
- LGPRF = Local Government Performance Reporting Framework

## Major Initiatives

### Status of major initiatives

Council identified 10 major initiatives for 2022-23. Major initiatives are high priority activities from the Council Plan that will require substantial time and resources to deliver.

Overall progress against these initiatives is summarised below.



# **1**

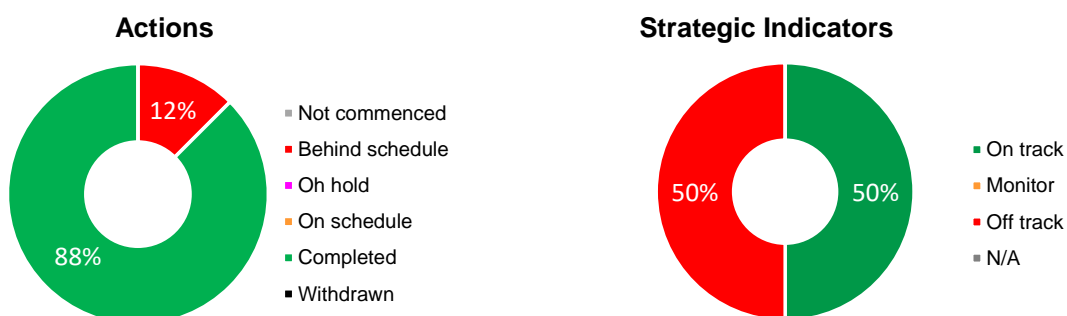
## **An inclusive and caring community that respects and celebrates diversity**



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

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

### Summary of performance






### Council services provided

Arts and Culture  
 Community and Place- based Planning  
 Community Engagement  
 Community Laws  
 Community Programs

Community Support and Development  
 Environmental Health  
 Library  
 Performing Arts  
 Recreation Centres







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

Code	Action Name	Comments	Progress	Status
1.1.1	Universal access principles are applied to infrastructure construction and upgrades	Officers review all proposed new infrastructure and infrastructure upgrade designs to ensure the Disability Discrimination Act 1992 (DDA) is met in all designs. Similarly, Officers used the National Construction Code AS1428. to ensure all building designs for new building work enabled access for people with disabilities. All structural & civil designs trigger both standards and officers followed both regulations to ensure access is available for all to Municipal buildings, playgrounds and open spaces.	100%	
1.1.2	Develop internal capacity to deliver access audits across council service and facilities	Council's Rural Access Project Officer has undertaken Access Auditing Diploma accreditation. Audits and reports on Council and other facilities during the year have been undertaken at the following facilities: BARC (Changing Places accreditation audit), Clifton Creek Recreation precinct, community hall and grounds, Swifts Creek community hall and grounds, and Bairnsdale Community hub and grounds (report pending).	100%	
1.1.3	Consider access to services in service reviews undertaken	Consideration was given to accessibility when conducting Service Reviews during the period.	100%	

#### Strategic Indicators

Name	Comments	Year to date result	Target
Community satisfaction with accessibility to Council facilities	<p>A specific Community Accessibility Survey was not undertaken during the year.</p> <p>Council has conducted accessibility audits on the BARC, Clifton Creek Recreation precinct, Swifts Creek Community Hall and grounds and the Bairnsdale Community Hub and grounds.</p> <p>All new or upgraded facilities meet accessibility compliance requirements. This includes the Lucknow Gymnastics Centre, WORLD Sporting Precinct and Bairnsdale City Oval Female Friendly changerooms.</p>	Data not available	Baseline to be confirmed 2022-23
Number of visits to aquatic facilities per head of municipal population	There were 2.24 visits per head of the population this quarter, below the quarterly target of 2.25 visits. Overall, the yearly results are slightly under target, but	9.23 visits	≥ 10 visits (annually)




#### Progress Indicator Legend

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









Name	Comments	Year to date result	Target
	results continued to trend upwards throughout the year.		
Number of community facilities and infrastructure upgraded to improve accessibility	Nine projects that have been in the capital works program in 22/23 have improved accessibility to either specific infrastructure or community facilities.	9	≥ 10 projects

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

Code	Action Name	Comments	Progress	Status
<b>Major initiative 1</b>	Develop a Culture and Creativity Strategy	The Culture and Creativity Strategy has been completed and was adopted by Council during quarter four. A draft Action Plan has been developed and is ready for consultation in the 2023-24 year.	100%	
1.2.1	Provide arts and cultural services and experiences that encourages connection and creativity, while supporting businesses, community groups and individuals	Council's cultural services are currently focused on the operation of the Forge Theatre and a range of funded programs. During the quarter the Forge Theatre has had a full program of events including theatre, music and children's events.	100%	
1.2.2	Support projects and events that foster creativity through the funding for visitor events and the community grants program	<p>A review of Council's Grants and annual allocations has commenced and as a result no grants were provided in Q4.</p> <p>Council's Pathways to Growth program is supporting the growth of visitor events with two events entering this multi-year development program.</p> <p>Key community and visitor events, such as the East Gippsland Winter Festival, were supported through the final year of the RADES program. The Winter Festival in particular incorporated significant creativity elements.</p> <p>A large number of community events were supported in bushfire impacted communities utilising funding provided by the Victorian Government.</p>	100%	







Progress Indicator Legend

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



## Strategic Indicators

Name	Comments	Year to date result	Target
Number of community organisations / individuals funded through Council's arts and heritage grants program	<p>The Arts and Heritage grant funding program has been paused pending review. Officers are reviewing new funding programs to align budget with the recently adopted. Culture and Creativity strategy.</p> <p>Eight Arts and Heritage projects were funded prior to pausing the grant program. Two quick response grants have also been assigned to community groups outside of this grant program to the value of \$500 each.</p>	10	≥ Nine annually
Number of community organisations / individuals funded through Council's community grants program	<p>There were twelve applications proposed to be funded in the first round of 2022/23 Community Grants Program. These applications were approved for funding.</p> <p>The program was paused, so that a review of Council's grant streams and processes can take place.</p>	12	≥ 25 Annually
Develop baseline measures for cultural outcomes for Council programs	Measures are being considered as part of a review of Council's grants program	Not available	Baseline Developed in 2022-23

## Progress Indicator Legend

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





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

Code	Action Name	Comments	Progress	Status
1.3.1	Implement improvements to Council's processes and online systems to improve access to information regarding community programs and services, and promote volunteer events and opportunities across the shire	Established connections across the Future Proof Project, Victorian Local Government partnership project and the objectives of the Gippsland Public Health Unit to increase engagement opportunities, volunteer capacity and activity promotion.  Commenced an assistive communication technology communication project with Gippsland Lakes Complete Health, the Bairnsdale Library and Council's Community Programs team to increase access to technology that supports people with complex communication needs to communicate and access information.	100%	
1.3.2	Support volunteer Committees of Management for recreation reserves and halls with funding and capacity building	Documentation has been developed to assist Committees of Management to claim their annual allocation has been sent out for Committees to claim a total of approximately \$270,000 to over 75 Committees. of the refilling of a Project Officer position has also enabled commencement of more proactive approach with the Officer systematically contacting Committees of Management to work through issues and initiatives and a range of site visits and meetings held during the quarter	100%	




#### Strategic Indicators

Name	Comments	Year to date result	Target
Community group satisfaction with Council support	This has not proceeded due to several factors including but not limited to community feedback around surveying experience, consultation fatigue, staffing capacity.	Data not available	Baseline to be developed in 2022-23
Number of events held that recognise and support volunteers	The number of annual events has been achieved, including events across Youth Ambassadors, Disability Advisory Committee, Friends of the Library, Community Recovery Committees and the CFA.	6	≥ 5 Events

#### Progress Indicator Legend

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

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

Code	Action Name	Comments	Progress	Status
1.4.1	Establish governance arrangements for the implementation, ongoing monitoring and delivery of the Municipal Public Health and Wellbeing Plan 2021-25	<p>The Municipal Public Health and Wellbeing Plan (MPHWP) 2021-25 was endorsed by Council on 6 June 2023 and so the governance arrangements for implementation have been delayed beyond the end of Q4.</p> <p>Work however has been commenced and an Officer has been recruited, commencing on 14 August 2023, to lead the governance and monitoring arrangements of the MPHWP.</p> <p>The governance arrangements will build on those in place for the development of the MPHWP and as a result arrangements are expected to be progressed quickly.</p>	75%	
1.4.2	Advocate for and identify opportunities to support social and affordable housing	Council Officers continued with regular involvement with Inter-Council Affordable Housing Forum and continued effort to support housing diversity through planning approvals. Council has a limited role in the delivery of social and affordable housing.	100%	
1.4.3	Align recreation centre service delivery with regional health and wellbeing programming and allied health services	<p>The Recreation Centres currently have a draft MOU with Bairnsdale Regional Health Service for their transition gym program. Other opportunities to use the Recreation Centres for rehabilitation activities are also under investigation</p> <p>The Aquadome have a draft MOU with Gippsland Lakes Complete Health. Physiotherapists use of the wellness room is also under investigation.</p>	100%	




#### Strategic Indicators

Name	Comments	Year to date result	Target
People attending Council's recreation centres through an allied health service program delivery	Data is currently not available; system is being implemented to capture this information in the future.	Data not available	≥ 800
Develop a Housing Strategy	The Housing and Settlement Strategy final draft preparation is underway following completion of community engagement.	80% completed	Adopted in 2022-23







#### Progress Indicator Legend

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

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

Code	Action Name	Comments	Progress	Status
<b>Major initiative 2</b>	Develop a new Reconciliation Action Plan	Development of a new Reconciliation Action Plan is underway, with community consultations completed during the period, which included one-on-one engagement with key stakeholders.	50%	
1.5.1	Increase and embed understanding of Aboriginal and Torres Strait Islander culture, knowledge and history within the planning and development of Council services, infrastructure and projects	Regular meetings continue to be held with GLaWAC and other First Nation groups during the design phase of a range of Council's capital projects. Aboriginal community members are also increasingly engaged in Council projects, such as the development of the Reconciliation Action Plan, as well as the scoping of projects under bushfire recovery funding for Aboriginal recovery and emergency management.  Council's Aboriginal Engagement Officer continues to support the understanding of Aboriginal culture within Council and Council's relationship with the Aboriginal community.	100%	
1.5.2	Enhance engagement with traditional owners in the development of key Council Capital projects	Engagement continues to be progressed as part of the key project management and community engagement considerations with regular meetings continuing to be held with GLaWAC and other Traditional Custodian groups during the design phase of a range of Council's capital projects. GLaWAC has also been engaged in the delivery of projects including the design of artwork and cultural interpretation for the Krautungalung Walk (Stage 1 and 2), Jemmy's Point Stage 2 and the delivery of aspects of the Crooke Street Wetlands as well as with the Lakes Entrance Foreshore Project.	100%	


#### Progress Indicator Legend

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







**Strategic Indicators**


Name	Comments	Year to date result	Target
Number of projects and service reviews that have included formal engagement with traditional owners	As at the end of Quarter 4 there are 37 that have included engagement with Traditional Owners. Regular meetings continue to be held with GLaWAC and other Traditional Custodian groups during the design phase of a range of Council's capital projects.	37 projects	≥ 10 Projects
Percentage of Council directorate representation on Reconciliation Action Plan working group	Formal Reconciliation Action Plan Working groups is yet to be established.  All directorates have been part of the initial consultation. Including the Aboriginal Engagement Officers, Community Programs Coordinator, Library Programs Team Leader, General Manager Place and Community.	100%	100%
Percentage of total staff who have participated in cultural awareness training in the past 24-months	The ongoing training for new starters is provided as part of the Corporate Orientation. One Corporate Orientation session was conducted during the quarter (planned number) with 20 staff attending. Not all staff (casuals, part time) are able to attend due to other commitments .  Cultural Awareness specific training is being planned for delivery in early 2023-2024	33.89%	100%

**1.6: Council is culturally and linguistically inclusive and celebrates diversity**

Code	Action Name	Comments	Progress	Status
1.6.1	Develop a process to document and verify inclusive and accessible features of Council programs and facilities	Council Officers continue to conduct council facility audits to access accessibility standards and inform priority recommendations. The Disability Advisory Committee have committed to undertake further audits on two major capital works projects being Marine Parade and Sarsfield Recreation Reserve redevelopment.	100%	

## Progress Indicator Legend







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

1.6.2	Develop, implement and promote an annual calendar that recognises events that celebrate diversity and inclusion in East Gippsland	An internal community events calendar has been developed to increase opportunities to recognise and celebrate diversity. Aboriginal significant events are included in the events calendar. First annual Reconciliation week Elders Lunch successfully delivered with positive engagement and feedback from community. Supported Community NAIDOC week events across East Gippsland.	100%	
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### Strategic Indicators

Name	Comments	Year to date result	Target
The number of initiatives that celebrate diversity and inclusion supported by Council	Council has hosted and supported several events celebrating diversity and inclusivity. Including NAIDOC Week, National Reconciliation Week Elders Lunch and International Day Against Homophobia, Biphobia and Transphobia.	12	≥ 10 initiatives

### Progress Indicator Legend

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





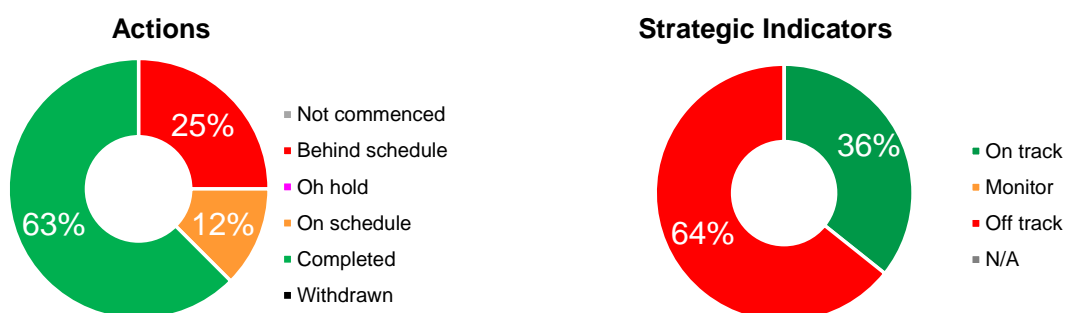
The first 10kms of the Omeo Mountain Bike Trail was open to the public on 6 April 2023. Locals have been enjoying using the track.

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

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

Strategies	Council's role
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	Facilitator / Provider
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	Advocate / Provider / Facilitator
2.3 Planning with local communities for natural disasters and emergencies strengthens capacity, infrastructure, resilience, preparedness, and recovery	Facilitator / Provider

### Summary of performance



### Council services provided

Asset Maintenance	Land use Planning
Asset Management	Open Space Management
Building Controls	Recreation and Sporting Reserve Management
Capital Works	Statutory Planning and Development Services
Emergency Management	Strategic Planning
Emergency Response	

## Major Capital Works Projects update

### Gymnastics Pavilion Lucknow



Works on the new purpose-built gymnasium were completed in June 2023. The building has been handed over to the Gymnastics Club.

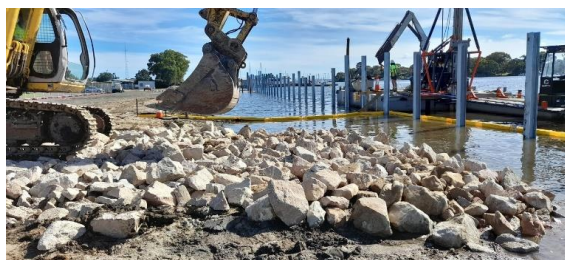
### Bullock Island Master Plan Implementation



Works on the Bullock Island Masterplan Implementation commenced in May 2023, and are progressing well.

- The southern car park civil component is complete.
- Sandblasting jetty car park is underway.
- Street furniture and solar lighting will be installed once delivered.
- Top soiling and seeding of transition areas is underway.

### Slip Road Maritime Precinct



Onsite works are still delayed due to additional design work being undertaken. Additional geotechnical investigations were recently completed at Slip Road to inform the additional design. These additional design works are expected to be completed by the end of July, at which time Carter Marine will be invited to remobilise to construct the seawalls, services, jetty, and ramp.

### Omeo Mountain Bike Trails



Stage 1 and 2 are slightly behind schedule, however, feedback from the public has been very positive after approximately 10 kms of trails were opened to the public on 6 April 2023.

Council's Communications Unit and Economic Development Units have been heavily promoting the project. The Council Enterprises Unit are leading the operational management of the trails and will be managing and operating the trails once completed. Consultants are being engaged to develop a four-year Business Operational Plan for the facility.



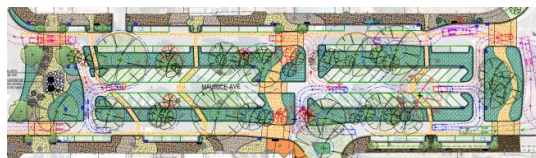
**Krauatungalong Walk****Stage 1: Foreshore Park and Surf Club Precinct**

Planning approval has been received. The project will continue once the tender evaluation process is complete and the contract awarded.

**Stage 2: Design of Stages 2, 3 and 4**

Design assessment of Stages 2, 3, and 4 is currently in progress with site surveys and geotechnical investigations completed. Environmental assessments are now being completed to further inform the design documentation. The draft design layout will form the basis of further community consultation with regard to the proposed walkway layout through Stages 2,3, and 4.

Further design is being undertaken at the request of the Project Reference Group.

**Mallacoota Streetscape**

Detailed Design layout plans have been available to the public on Council's Your Say website since May 2023. Hard copies of the plans are available for viewing at the Mallacoota Service Centre - 70 Maurice Avenue, Mallacoota.

Council has been meeting regularly with the Project Reference Group and the appointed design consultant to finalise the detailed design layout and assist with design details such as paving types and colours, mosaic tile management, safety concerns, landscaping, and other elements identified in the concept masterplan.

Tender for construction is to be released following completion of the detailed plans. We anticipate construction to commence early in 2024.

**Eagle Point Foreshore Hub**

The contractor commenced on site in September 2022 and civil works are now well underway. This project is due to be completed in December 2023.

- The building frame and rafters are nearing completion.
- A new dividing fence has been installed between the caravan park and the project.
- Rock work around the new playground is nearing completion.
- Traffic safety improvement works are continuing on the School Road connection.
- New kerb and channel and new driveways have been completed.

**Jemmy's Point Stage 2**

This project has been divided into several components, one component of the project is the Kalimna Jetty trail and rock beaching. The rock beaching work was completed in May 2023. Walking trail pavement work commenced in late May 2023.

**WORLD Sporting Precinct**

Works on this huge project are progressing well.

**Hockey:**

- The synthetic field is almost complete and is currently being used by the public during daylight hours. Lighting is to be installed in mid-July.
- The grass field is complete, however works on the irrigation system are still to be finalised.

**Netball:**

Works on the netball area are ongoing.

- The car park is complete.
- The Marshall's building is almost complete.

**WORLD Building:**

- Works are in progress. The steel frame is almost complete.

**Swifts Creek Recreation Reserve****Netball/Tennis Court Upgrade**

The playing surface asphalt and temporary line marking, fencing and gate installation has now been completed. The first home game was scheduled on the new playing surface on 13 May 2023 and netball has been active onsite for the remainder of the home games and training.

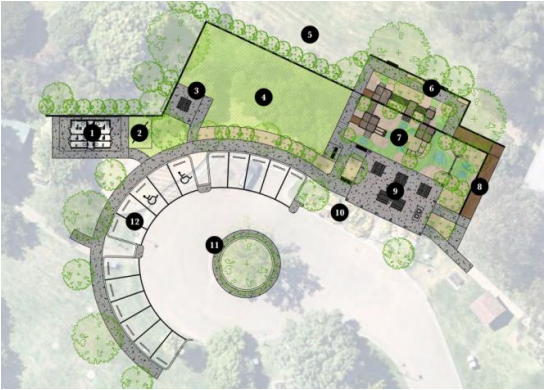
The contractor has advised the lighting poles will be delayed and are expected to be completed within the next 1-2 weeks. The footings have been installed and the poles are onsite ready for installations. Temporary lighting has been supplied to provide court lighting for training purposes.

The acrylic playing surface overlay will be delayed until after the netball season to avoid further disruptions.

**Pavilion Upgrade**

The tender for construction will be released early August 2023.

**Orbost Forest Park Upgrade**



The detailed design will be finalised within a month, with procurement to follow. The Orbost Chamber of Commerce has requested that Council avoid closure of the park over the summer period (December 2023/ January 2024). Council is discussing how to programme the works to accommodate this while adhering to the milestone requirements of the funding agreement.

**Buchan - Main Street and Linkages Project**








This project is complete with the newly constructed footpath link between the township and Buchan Caves Reserve now open for public use.






Walkers are enjoying the morning or evening stroll, with dry feet. The installation of the solar lighting looks great and compliments the pleasant location for locals and visitors to the area.



**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**

Action Code	Action Name	Comments	Progress	Status
<b>Major initiative 3</b>	Prepare a Housing and Settlement Strategy to guide future housing development and to support increased housing diversity and affordability	Following community consultation in relation to the draft Strategy, further review of the draft Strategy to be undertaken prior to presentation to Council for adoption.	80%	
<b>Major initiative 4</b>	Develop key public open space planning initiatives, which includes the East Gippsland Sporting Facilities Plan and Public Open Space Strategy	Development of the Marine and Coastal Management Plan continues with the engagement of consultants, multiple site visits, pop up engagement sessions, and establishment of the Project Control Group. The East Gippsland Sporting Facilities Plan is in the final stages of community consultation with the broader East Gippsland Community.	75%	
2.1.1	Deliver rebuilding support for landholders that lost a house and/or sheds in the 2019-20 Black Summer Bushfire	Rebuild Support Service continues to support owners with preparation and processing or planning permit applications.	100%	
2.1.2	Finalise the Rural Land Use Strategy and prepare a Planning Scheme Amendment	The Rural Land Use Strategy was referred to Council for adoption on 6 June 2023. Item deferred until 25 July 2023 (and was approved at this meeting). Preparation of the planning scheme amendment will occur in 2023/24.	90%	
2.1.3	Prepare Strategic Land Use Plans and Planning Scheme Amendments to address priority growth areas at Eagle Point, Paynesville and Lakes Entrance	Eagle Point Planning Scheme Amendment prepared, awaiting inclusion of new Municipal Planning Strategy into the Planning to achieve consistency.  Lakes Entrance Northern Growth Area Planning Scheme Amendment awaiting further design and costings on stormwater infrastructure.  Work is progressing on background reports for Paynesville Growth Area scheme amendment but has been delayed due to ongoing negotiations with landowners.	75%	

Progress Indicator Legend







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







### Strategic Indicators

Name	Comments	Year to date result	Target
Community satisfaction with building and planning	Results are in line with the target. However, the low result indicates that there is room for improvement in regard to building and planning permit process.	41	≥ 42 (Large Rural Council average)
Planning applications decided within required time frames	Timeframe for decisions has increased slightly and is still well below target due to application backlog and volume of applications that were received during the year.	37.12%	> 80%
Average time taken to decide planning applications	Target was not achieved this year. The continuing workload and backlog of applications has meant an increase in average time taken to determine applications.	96 days	< 61 Days
Council planning decisions upheld at VCAT	10 of Council's planning decisions were appealed to VCAT over the year with 3 being set aside.	70.00%	> 60%
Completion of milestones of key strategic plans:	Rural Land Use Strategy has been completed and is awaiting Council adoption (as at 30 June 2023).	67%	> 90%
<ul style="list-style-type: none"> <li>Rural Land Use Strategy</li> <li>Housing and Settlement Strategy</li> <li>Eagle Point Structure Plan</li> <li>Paynesville Structure Plans</li> <li>East Gippsland Sporting Facilities Plan</li> <li>Public Open Space Strategy</li> </ul>	<p>House and Settlement Strategy is on track following consultation on the draft Strategy.</p> <p>Eagle Point Structure Plan is on track, with the Planning Scheme Documentation drafted.</p> <p>Paynesville Structure Plan has been delayed due to negotiations with new landowners.</p> <p>Sporting Facilities Plan delayed but progressing.</p> <p>Open Space Strategy is delayed due to competing priorities.</p>		




#### Progress Indicator Legend

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

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

Action Code	Action Name	Comments	Progress	Status
2.2.1	Implement the asset management framework to drive Council's capital and maintenance infrastructure investment in a transparent and financially sustainable way	During the period Open Space and Drainage data was updated within the asset management system. Asset Valuations were also undertaken to inform end of year financial functions and the Capital budget was adopted, which is informed by Asset Management Plans and asset condition data.	100%	
2.2.2	Develop and commence the implementation of service standards for the maintenance of asset classes	Asset Management standards have been set for horticulture and turf management services. Roads and associated infrastructure continue to be maintained to adopted Road Management Plan standards. Electrical Line Clearances have been reviewed, updated and approved, and Specifications altered for some road maintenance contracts to encourage more use of recycled materials.	100%	
2.2.3	Work with community and stakeholders to plan, design, implement and maintain infrastructure to meet community needs in an affordable way	During this period the Council Officers have engaged or informed community members and stakeholders on over 67 projects. YourSay continues to be the main portal for providing information and the opportunity for community feedback. Council have successfully recruited a Community Engagement Officer and this has enhanced our engagement. During the year visits to the YourSay site increased to over 26,000 visits.	100%	
2.2.4	Deliver a capital works program and asset management program that is aligned to community need and is able to be delivered within Council resources	As of 30 June 2023 \$43.4 million, had been expended on Capital Projects with a further \$31.3 million committed via awarded contracts. This provides a combined total of \$75.8 million of the \$112.5 million adopted Capital program. It is acknowledged that the Capital budget for this year is extensive, however much of the budget comes from external sources, with only approximately \$25 million being Council cash, which is on par with 'normal' years.  The Total Program had 272 individual projects. Of these 45 are completed; 5 projects remain on-hold whilst external funding sources are confirmed; 26 projects have been withdrawn or transferred from the 22/23 program. All other projects in the program are progressing.	70%	

Progress Indicator Legend

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

Action Code	Action Name	Comments	Progress	Status
2.2.5	Build the capacity of volunteer groups and provide support for volunteer managed community facilities	General support for Committees of Management has continued on a day-to-day level. Significant support was provided to reinstate a Committee of Management for the Orbost Indoor Sport Stadium. Officers have progressed discussions with Committees of Management regarding the development of Strategic Plans.	100%	





### Strategic Indicators

Name	Comments	Result	Target
Asset renewal and upgrade expenses as a percentage of depreciation	This indicator is only calculated at year end when the financial data has been reconciled and audited.	Data not available	> 100%
Percentage of adopted capital projects completed at the conclusion of the financial year (based on the most recent amended budget)	The 2022-23 Capital Works Program finished the year with 246 projects. 45 of which are completed and 196 are progressing. Based on the most recent amended budget of \$112.5 million, \$43.3million has been spent with an additional \$31.3million has been committed to contracts. Resulting in 66.4% of the budget spent during this financial year.	66.4%	> 80%
Percentage of sealed roads that meet Council's target condition rating	As at 30 June 2023 Council has met its target of sealed roads meeting target condition.	97.36%	> 97%
Community satisfaction with appearance of public areas in East Gippsland	The difference between the result and target indicates that there is room for improvement in regard to the appearance of public areas. The result however is an improvement on last year's result.	60	≥ 65 (Large Rural Council average)
Committees of Management and volunteer groups for Council managed land with a guiding plan	12 of 59 respondents have a strategic Plan. Plans to provide support for Committees have commenced with multiple Committees approached. While several have responded positively, many of those contacted have advised they do not wish to develop a guiding document.	12	≥ 10
Percentage of community recreation reserves and halls asset condition above target condition rating	All Recreation Reserve asset inspections have been completed however a formal target condition rating has not been established.	Target Rating not established	Target to be confirmed in 2022-23

### Progress Indicator Legend



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

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







Action Code	Action Name	Comments	Progress	Status
<b>Major initiative 5</b>	Implement a climate risk analysis to identify the likely impact of extreme weather and climate events on Council's infrastructure assets, and ability to provide community services	Council's \$1,200,000.00 grant funding proposal to the Federal Disaster Ready Fund was successful, allowing this project to proceed. The project will commence in 2023-24 financial year and will see the completion of detailed climate modelling completed to support understanding of climate risk and inform future actions to improve the resilience and adaptability of our community.	50%	
2.3.1	Develop and implement plans that enhance the organisation's preparedness and ability to manage and mitigate the impact of natural disasters	Draft Policies have been completed along with a range of supporting documents and processes to support the Council in being prepared, including an Action Plan.  The Policy for Emergency Management has been drafted will be presented for endorsement.	100%	
2.3.2	Develop new approaches to road renewal and maintenance that improves resilience to changing climatic conditions	Council was invited to present to the parliamentary committee its submission on the impact of severe weather on roads. Council officers were able to present and discuss some of the key points of our Council-endorsed written submission.  Officers continue to assess damage and repairs from recent weather events to better plan long term road maintenance to ensure more sustainable options are considered during design. The Works unit is also undertaking a review of our last Fire Slashing program in an attempt to ensure efficiency and value for money..  Supply contracts have been varied to allow for a broader range of materials to be used in road renewal programs.	100%	
2.3.3	Design new infrastructure to meet changing climatic conditions and is resilient to the impact of natural disasters	During this quarter, a project to collect critical data on road condition to enable review of design and materials considerations through the Forward Design Program has commenced. To support this, a review of Road Maintenance data is also underway. For non-road infrastructure related projects assessments such as hydrological and geotechnical investigations are undertaken to inform best practice design. These works consider future climate resilience.	100%	

#### Progress Indicator Legend

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

Action Code	Action Name	Comments	Progress	Status
2.3.4	Support and strengthen municipal emergency planning arrangements to meet community expectations for resilience and preparedness	<p>The Municipal Emergency Management Planning Committee held during the period was well attended by agencies.</p> <p>All hazards have been reviewed, with initial review of hazards across the LGA as part of the annual Community Emergency Risk Assessment cycle being successfully undertaken with agencies. A workshop for Relief and Recovery, Social and Community and Health and Medical occurred to review the last 3 years and set actions for the coming year.</p> <p>Council continues contribute to State Emergency Management Plan Municipal Roles and Responsibilities working group.</p> <p>Council continues to be actively involved in Gippsland Municipal Emergency Management Enhancement Group and supporting collaboration across municipalities for emergency management outcomes.</p>	100%	
2.3.5	Support communities to enhance resilience and strategically respond to recovery challenges and opportunities, including through support to Community Recovery Committees	<p>During Q4 supporting communities to enhance resilience and respond to recovery challenges and opportunities remained a key focus. State level funding was provided to Community Recovery Committees (CRCs) and administered through Council. CRCs were able to organise and deliver many community events across impacted communities helping foster a sense of community and supporting residents. CRCs have further been supported with training and skill development as they deliver on recovery priorities.</p>	100%	







## Progress Indicator Legend

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

### Strategic Indicators

Name	Comments	Year to date result	Target
Community satisfaction with emergency and disaster management	<p>The result is a little lower than other large rural councils, recognising the very high and understandable expectations of emergency management in East Gippsland.</p> <p>Council continues to invest significantly in improved emergency management including supporting strengthened community preparedness and resilience.</p>	60	≥ 64 (Large Rural Council average)
Percentage of communities that need a Local Incident Management Plan have one in place and reviewed as needed	Of the communities that require a Local Incident Management Plan (LIMP) have one in place at the end of the period. Of the 55 communities that have a LIMP, 8 of those are currently in draft.	100%	100%
Milestones achieved for climate risk analysis	Funding has been recently secured, but project postponed to 2023/24 therefore target was not achieved	0%	100%

#### Progress Indicator Legend

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





Councillors and senior Officers met with residents of Metung and District over an informal meet and great, they enjoyed a tour of the recently opened Metung Hot Springs

### 3

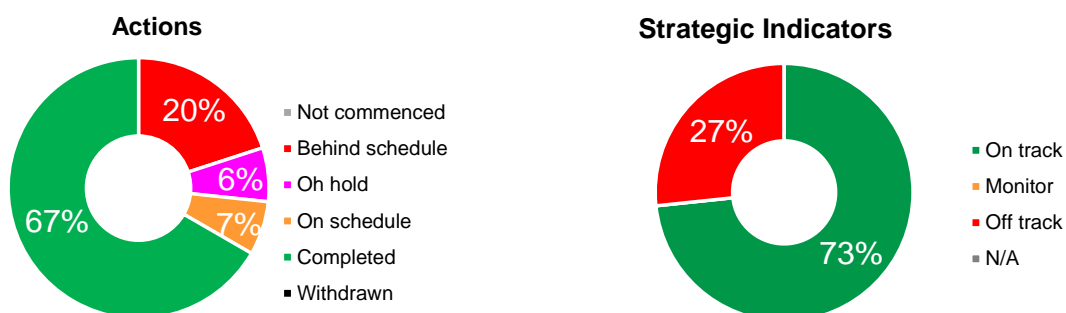
## A natural environment that is managed and enhanced



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

Strategies	Council's role
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	Facilitator / Provider
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	Facilitator / Provider / Advocate
3.3 Natural values on key Council managed land are managed and enhanced	Advocate / Provider / Facilitator
3.4 Environmentally and financially sustainable practices reduce waste going to landfill	Facilitator / Provider

#### Summary of performance





#### Council services provided







Building Maintenance  
 Delivery of new assets  
 Environment Projects Management


Environmental Sustainability  
 Waste Services

### 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

Action Code	Action Name	Comments	Progress	Status
3.1.1	<p>Council's greenhouse gas emissions from energy use are reduced through key projects that include:</p> <ul style="list-style-type: none"> <li>• Install and commission permanent landfill gas flare at Bairnsdale Landfill; and</li> <li>• Purchase additional alternate fuel vehicles for Council's passenger fleet</li> </ul>	<p>The finalisation of the LED streetlight project represents a key achievement for Council in reducing emissions and generating new revenue. The installation of 4 Council EV charging stations in Omeo, Bairnsdale, Orbost and Cann River. Additional chargers are being planned by EVIE for Paynesville, Bruthen and Lakes Entrance. Council is working on installing additional chargers at Mallacoota, Buchan and Lakes Entrance.</p> <p>Work has commenced on investigating the viability of using geothermal power for a Bairnsdale precinct, with an MOU signed with Melbourne University who will partner with Council on this project.</p> <p>Through the Gippsland Alliance for Climate Action, a business case/transition plan to convert the council fleet has commenced with some preliminary inquiries. No purchase of a fully electric vehicle has yet commenced.</p>	100%	
3.1.2	Develop processes and tools that support whole of community (local business, community organisations, and individuals) to take action and participate in a climate response	<p>The Gippsland Alliance for Climate Action (GACA) Strategic action plan was formerly adopted by the executive and projects are now being developed with partner councils.</p> <p>Council is part of this Alliance and will be a recipient of the benefits of the projects funded and implemented by GACA.</p> <p>Late in quarter four Council were also advised that they had been successful in receiving funding to develop a Climate Change risk modeling program and tools to support appropriate climate response.</p>	100%	

#### Progress Indicator Legend







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

Action Code	Action Name	Comments	Progress	Status
3.1.3	Implement infrastructure enhancement and improvements to respond and assist in managing impacts of climate change	Road Condition Assessment commenced late in quarter four and will provide critical data on road condition to enable review of design and materials considerations through the Forward Design Program. To support this, a review of Road Maintenance data is also underway. A range of drainage improvement projects have also commenced. Council secured an in-house drainage engineer to assist manage inundation and manage the risk of flooding to our road assets.	50%	

### Strategic Indicators







Name	Comments	Year to date result	Target
New public electric vehicle charging stations installed	The remaining 3 Council chargers are still scheduled for Mallacoota, Buchan and Lakes Entrance. There have been some local delays involving alignment of design and construct of works with the scheduled streetscape upgrades. Project has been effectively managed, with community consultation and liaison with funding body (DVAC) being kept informed and involved in the project. These remaining chargers will be installed over the next 6 months of the 23/24 financial year.	4	> 7
Proportion of Council passenger vehicle fleet is electric, hybrid or uses alternate fuel sources	Council increased the vehicles that use sustainable energy by one for the period. Of the 128 vehicles in Council's fleet; <ul style="list-style-type: none"> <li>• 17 are hybrid;</li> <li>• one is an alternate fuel source; and</li> <li>• one is a full electric</li> </ul> Additional vehicles are still on back order.	13.28%	> 10.00%

### Progress Indicator Legend





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

Percentage of Council's electricity use from renewable sources	The majority of Council's electricity accounts are on the VECO agreement and using 100% renewable energy. A minority of accounts remain with other suppliers, with most moving over to VECO during the year.	99.85%	> 95.00%
Reduce Carbon emissions from Council's operations	The main factors behind the significant decline in emissions as this is the first full year reporting since Council's switched electricity accounts to 100% renewable as part of the Victorian Energy Collaboration Organisation (VECO) agreement. Council also finalising the replacing residential streetlights with LED lighting.	2,234	< 3,639
Total kilowatt hours output from renewable energy systems at Council owned facilities	The solar panels on Council's buildings generated 378,470 kWh for the year, which was up from 345,600 kWh the year before. This increase is due to the 99kW system added to the BARC was installed during 2021-22 and only generated energy for part of the year, while 2022-23 received the full year benefit. Total solar production increased by 9.5% from the year before.	9.23%	> 10.00%

## Progress Indicator Legend


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

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

Action Code	Action Name	Comments	Progress	Status
3.2.1	Undertake community education to promote the need to protect the natural environment and actions community members can undertake to support this	<p>The environment connect publication represents a key action delivered to inform our community and promote the protection of the natural environment. During the quarter other highlights included the delivery of the EV Expo delivered in partnership with Rotary.</p> <p>Planning was also undertaken for agricultural events scheduled for July and a group of stakeholders were taken to Latrobe Valley to review soil improvements projects using recycled green waste.</p>	100%	
3.2.2	Further develop sustainable practices and implement projects around water and land use, which includes the construction of Crooke Street, Bairnsdale wetland	Crooke Street Wetland Project tender was awarded at the Council meeting held 27 June 2023. The project will be delivered in the 2024 year. Further constructed wetlands for Lakes Entrance have also commenced detailed design.	100%	
3.2.3	Advocate for appropriate State Government support for Council's management of public land for natural and biodiversity purposes	<p>Council's advocacy strategy contains several priorities linked to public land management, biodiversity preservation and funding.</p> <p>During the quarter this included meeting with relevant Federal MPs whilst in Canberra and putting forward an Australian Local Government Association motion on the appropriateness of the Environmental Protection and Biodiversity Conservation Act application.</p>	100%	
3.2.4	Continue to manage fire effected Council land to protect biodiversity and ensure public safety, including completing the War on Weeds projects	<p>Council received a grant under Federal Government the Bushfire Recovery for Wildlife and Habitat Community Grants program to undertake weed surveillance and treatment along Betka Beach to Pebbly Beach at Mallacoota.</p> <p>Works have been undertaken over 70 hectares to target emerging and known weed species in this area to protect regenerating vegetation communities and associated fauna, this grant is almost completed.</p> <p>A second grant under this program received for bushfire impacted roadsides has allowed an additional 1000km of roadsides to be assessed and treated for emerging and regenerated weeds.</p>	100%	

#### Progress Indicator Legend



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

Action Code	Action Name	Comments	Progress	Status
3.2.5	Develop and implement suitable plans for managing storm water and water within new urban development	A Stormwater Strategy for Lakes Entrance Northern Growth Area was undertaken as a priority for urban stormwater management. A range of other smaller storm water improvements were also undertaken during the quarter.	100%	







### Strategic Indicators


Name	Comments	Year to date result	Target
Community satisfaction with slashing and weed control	Result has met the target. It is worth noting that this is a significant increase to results received in the 21/22. A large amount of work has been completed to improve this result in the course of a year.	43	> 43 (Large Rural Council average)
Kilometres of regionally controlled and prohibited weeds treated	398 kilometers of regionally controlled and prohibited weeds were treated during the year. This performed well above the target and can be attributed to the War on Weeds program.	398km	> 200 kilometers annually
A baseline for the quality and quantity of land being managed for 'at risk' habitat, biodiversity purposes, and community safety on Council and private land	Baseline data exists for some areas, but full baseline is yet to be developed.	Not available	Baseline to be developed

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

Action Code	Action Name	Comments	Progress	Status
3.3.1	Establish which values are to be managed and develop management plans to guide management of key Council land	A full scope of work has yet to be finalised to meet this action. However in the period a wildlife impact study for Toonalook Waters wetland has been developed and Council briefed on future works.  Assessment of several erosion matters is still ongoing with the persistent wet weather leading to several issues across the region. Work toward a management plan for an area of foreshore at Raymond Island has commenced.	75%	
3.3.2	Implement a framework to support partners and volunteers to work on key	Community Facilities and Open Space actions relating to volunteer management for environmental purposes are on hold.	10%	

#### Progress Indicator Legend



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

Action Code	Action Name	Comments	Progress	Status
	priority projects for Council land			
3.3.3	Complete the Bairnsdale Alternative Water Project with the development of water management (including effluent) plan for Bairnsdale Saleyards	Funding is confirmed for the development of water and effluent management plan for the saleyards following agreement with external agencies. Detailed planning is to now progress. Timeframes are subject to external partner project management.	90%	






### Strategic Indicators

Name	Comments	Year to date result	Target
Total investment in Council managed land to support natural areas	During the year Council has made significant investment to support natural areas. Activities included general maintenance, the War on Weeds project and roadside fire slashing.	\$2,159,679	≥ \$1,710 million annually



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

Action Code	Action Name	Comments	Progress	Status
<b>Major initiative 6</b>	Support the circular economy through initiatives that reduce waste going to landfill, including: <ul style="list-style-type: none"> <li>Value adding green and organic waste; and</li> <li>Introducing appropriate glass collection services at locations throughout the Shire.</li> </ul>	A detailed business case for the management of organic waste has been completed and externally peer reviewed. The tender for the detailed design of a composting facility has been awarded with this work now underway.  Glass collection services are now available at eight of council's Waste Transfer Stations. Officers are also working closely with the contractors that has received the contract for Container Deposit Schemes for eastern Victoria to support this service provider plan an appropriate service for East Gippsland.	100%	
3.4.1	Develop and implement waste education programs to focus on key areas of waste reduction	During the period a range of ongoing education programs continued to be rolled out including regular print and social media campaigns. Continued to roll-out waste information through local newspaper advertisements and through the rate notice process.	100%	







#### Progress Indicator Legend

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



Action Code	Action Name	Comments	Progress	Status
3.4.2	Implement the Waste Minimisation Action Plan, including delivering key actions: <ul style="list-style-type: none"> <li>Conduct a comprehensive waste service review.</li> <li>Transition Cann River's waste service to a Transfer Station Service and remediate the existing landfill; and</li> <li>Develop a framework for reporting and tracking of illegal dumping</li> </ul>	<p>A range of workshops have been held with Cann Valley community representatives to restart the waste transfer station project in this locality. Whilst the project is still behind schedule, it has restarted.</p> <p>The completion of the Orbost Landfill rehabilitation project was a key highlight, with site audits being completed and submitted to EPA.</p> <p>Several key infrastructure projects are being progressed including the completion of Cell 4 at the Bairnsdale Regional Landfill, design and scoping of the Organics processing facility, design of a new recycling shed and education centre.</p> <p>A partnership with Regional Road Victoria commenced in June to improve the servicing of highway bins, reducing the extent of rubbish contamination in the environment, and improving the appearance of the Shire.</p>	50%	
3.4.3	Support the inclusion of more recycled materials in council's infrastructure and maintenance program, with particular focus on roads and footpaths	<p>Our contractor's new Recycled Asphalt plant will shortly become operational, and Works have been in negotiations to begin using this product immediately in its routine maintenance works once its available. Works have been proactively using recycled crumbed rubber bitumen as part of its asphaltting works, as well as recycled crush rock where applicable.</p> <p>Works maintenance crew continue to also use recycled glass concrete within our footpath maintenance where the application is suitable. Overall, the move to focus on sustainable product in our infrastructure program continues to progress as we attempt to explore more products that meet Austroads standards.</p>	100%	







## Progress Indicator Legend

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

**Strategic Indicators**

Name	Comments	Year to date result	Target
All Council offices have four streams of recycling (co-mingled, organics, soft plastics, paper/cardboard)	Three streams introduced via the Green Team – co-mingled, organics, paper/cardboard. Soft plastics are not an option at this stage.	75%	100%
Number of community waste education programs delivered	Officers attended a range of events and offered education programs to targeted stakeholders. This included a Waste display and composting workshops at the East Gippsland Field Days where the reusable product rebate was promoted to the public.	10	≥ 5 programs annually
Proportion of recycled content in construction projects on Council assets	60 of the 272 projects report the use of recycled materials as at the end of the period. Process improvements to enable more accurate reporting on both quantitative and qualitative data for the percentage of use of recycled material in construction projects is underway.	22%	> 10%
Community satisfaction with waste management	Result achieved this year was higher than the target. Result indicates that Council performs at a higher level than the large Rural Council's average.	68	≥ 65 (Large Rural Council average)
Number of new waste streams collected through waste facilities	Have started collecting source separated glass at 8 sites. Planning also undertaken in Quarter 4 for the introduction of nappies and fabric recycling in 2023/24.	1	≥ 2
Kerbside collection waste diverted from landfill	Target was achieved for the period. Data provided by Tambo Waste.	53.06%	> 52%

## Progress Indicator Legend

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



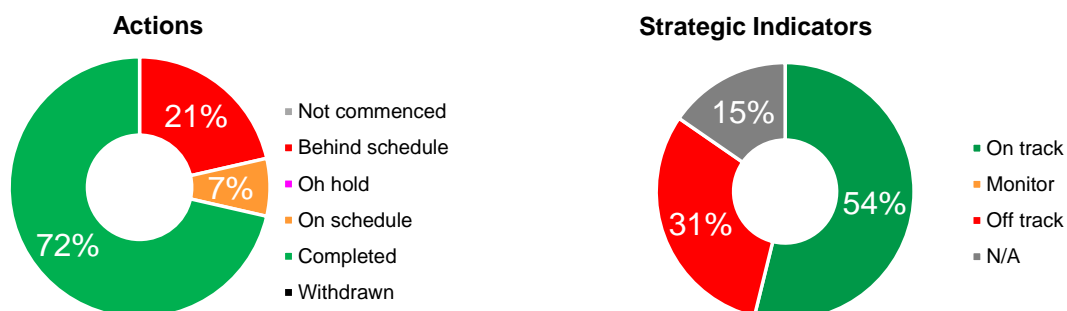
Deputy Mayor Cr Arthur Allen at the Sunrise Rotary's Electric Vehicle Expo, launching the electric vehicle charging stations network in Bairnsdale.

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

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

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

### Summary of performance





### Council services provided







Business Support  
Economic Development

Events  
Tourism and Visitor Information

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

Action Code	Action Name	Comments	Progress	Status
4.1.1	Support businesses to leverage digital technologies to access new markets and create new products and services	<p>Cyber Security Workshops held were fully subscribed this quarter, reflecting the increasing concern and need for business owners to improve their online protection.</p> <p>The Youth Agri-Tech Expo delivered over 2 days in May attracted over 180 participants from schools across the district and access to digital technology upgrade grants was promoted through the Business e-connect newsletter.</p> <p>Australian Tourism Data Warehouse listing and Bookeasy (online reservation) training was delivered for tourism operators and members of the Visitor Information Centre.</p> <p>Several Business Boost Program clients have received tailored mentoring.</p>	100%	
4.1.2	Support business transition toward greater resilience and adoption of environmentally sustainable initiatives or practices and fostering of the circular economy	<p>In May East Gippsland was declared Victoria's first region to be awarded Eco Destination Status by Ecotourism Australia (a global benchmark of best practice in environmental sustainability). Following this the Sustainability Scorecard initiative has been launched to enable business operators to begin their own sustainability journey and determine a baseline audit of their business' performance against various criteria.</p> <p>Council launched its electric vehicle charging stations network in Bairnsdale during Sunrise Rotary's Electric Vehicle Expo in Bairnsdale.</p> <p>Council formally announced the first Environmental Upgrade Agreement with Patties Foods, which will save money and resources.</p>	100%	

#### Progress Indicator Legend

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

**Strategic Indicators**

Name	Comments	Year to date result	Target
Percentage of actions implemented from the Economic Development Strategy Action Plan 2022-26	60% of year 1 actions and 16% of year 2 actions have been completed or are in progress. The Economic Development Strategy has now been fully loaded into the Corporate Reporting Platform (Pulse) simplifying the monitoring of progress and embedding the allocation of tasks across Council business units for more seamless delivery and reporting.	72.00%	≥ 80% of year 1 actions







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

Action Code	Action Name	Comments	Progress	Status
4.2.1	Facilitate engagement with young people, youth organisations and social enterprises to understand barriers to training and employment and their vision for the future.	Council coordinated the inaugural Youth Agri-Tech Expo which attracted 180 students from across the region over days. The event will be replicated in 2023-24. Preparations currently underway for the East Gippsland Jobs Expo to be held in Bairnsdale on 24 August.	70%	


**Strategic Indicators**

Name	Comments	Year to date result	Target
Exiting secondary school students undertaking an apprenticeship / traineeship or TAFE training	Data unavailable due to changes in reporting due to new government privacy rules (2022-23)	Data not available	> 24%
Year 12 students continuing to university education	Data unavailable due to changes in reporting due to new government privacy rules (2022-23)	Data not available	> 20%

**Progress Indicator Legend**

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


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

Action Code	Action Name	Comments	Progress	Status
4.3.1	Develop a program to identify, foster and promote emerging business leaders, entrepreneurs and new investors	<p>Business Boost program now has 14 clients and has been extended for Bruthen to September 2023 and for Buchan until December 2023.</p> <p>A series of Social Enterprise information sessions was delivered in Omeo, Orbost and Bairnsdale by ACRE during June. ACRE returned in July to deliver a program to support the development of enterprises using Community Owned Assets.</p>	100%	







#### Strategic Indicators

Name	Comments	Year to date result	Target
Participation in Council run programs delivered to support business growth	There were 181 participants across 7 Council run programs to support business growth this quarter.	981	≥ 300 participants annually
Number of new businesses registered	A total of 1,337 new businesses were registered according to Remplan in the 2022-23 financial year.	1,337	> 394 businesses


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

Action Code	Action Name	Comments	Progress	Status
4.4.1	Review and enhance the coordination of Business Concierge Services	<p>The Business Concierge continues to assist new and expanding businesses (total of 87 businesses during the period) in the Shire to navigate Council approvals processes and facilitate connections with new business support services.</p> <p>The Business Concierge service continues to be enhanced through continuous improvement and strengthening engagement internally and with the East Gippsland business community.</p> <p>Formal review of the Business Concierge Service is pending securing funds to continue provision of the service.</p>	60%	

#### Progress Indicator Legend

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









Action Code	Action Name	Comments	Progress	Status
4.4.2	Implement the outcomes of the Better Planning Approvals Project	Allocation of staff resources to implement the new Civica platform has delayed completion of this project.  Work has commenced on reviewing on-line planning information for customers.	60%	




### Strategic Indicators

Name	Comments	Year to date result	Target
Average processing time for goods on footpath permits	There were 22 new Goods on Footpath permits issued for the period 01/07/2022 - 31/12/2022 with an average of 12 days to action	12	≤ 8 days
Average processing time trading permits	There were 8 new trading permits for the period 01/06/2022 - 31/12/2022 with an average of 12 days to action	12	≤ 6 days
Average processing time for domestic animal business registrations	There were no new Domestic Animal Businesses permit issued for the period 01/07/2022 - 31/12/2022.	-	≤ 6 days

### Progress Indicator Legend



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

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

Action Code	Action Name	Comments	Progress	Status
<b>Major initiative 7</b>	Implement the Tourism Events Action Plan 2022-26	<p>The final Pathways to Growth Event Mentoring program recipient for the year had their inception meeting with the resource team (mentors) from which the event growth objectives and action plan were agreed.</p> <p>Two Events masterclasses were delivered focusing on how to deliver Accessible Events and East Gippsland's new Accessible Events Guide was publicly launched.</p>	100%	
4.5.1	Partner with relevant stakeholders to implement key actions of the Destination Management Plan	<p>The inaugural Inspire East Gippsland Tourism Summit was delivered in May. A line up of industry speakers including executives Tourism Australia, Eco Tourism Australia, Victorian Tourism Industry Council, Destination Gippsland, Parks Victoria and National Tourism Award champions from Lady Elliot Island Resort and Pennicott Wilderness Journeys attracted a full house.</p> <p>East Gippsland was awarded Eco Destination Status, becoming the first region in Victoria to achieve this global recognition.</p> <p>Delivery of the Omeo Mountain Bike Track continues as a priority in accordance with the Gippsland Destination Management Plan.</p>	100%	
4.5.2	<p>Undertake major projects that enhance the look and feel of our towns, improving the tourist experience and facilitating business investment including:</p> <ul style="list-style-type: none"> <li>• Buchan Streetscape and Activation Project.</li> <li>• Bruthen Streetscape and Activation Project; and</li> <li>• Mallacoota Streetscape Project.</li> </ul>	<p>The Bruthen Streetscape is in the final stages of construction, with some minor elements being finalised. Construction for the shared path at Buchan is also complete and open to the community.</p> <p>The Mallacoota Streetscape detailed design is now complete and construction tender will be advertised early 23/24.</p> <p>A range of other town improvement projects were also advanced during the quarter including design of the Jemmy's Point lookout and trails which began construction.</p> <p>Improvements to on-street parking in Cann River and the design of a skate park in Cann River have been awarded to contractors and work is progressing.</p> <p>Civil work improvements to Bullock Island in Lakes Entrance are well underway and are on track for completion on schedule.</p>	100%	

Progress Indicator Legend







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

Action Code	Action Name	Comments	Progress	Status
4.5.3	Upgrade the Bairnsdale Airport and work towards attracting a commercial air service to the region	<p>The overall airport continues its progression with World Fuel Services becoming the successful tenderer to manage and supply aviation fuel to all council run airports.</p> <p>The upgrade of the airport runway is a multi-year runway with native vegetation approvals still pending. Preliminary design works are also underway to progress the successful grant application of \$1.5 million for the construction of Air Ambulance Patient Transfer Station at the Airport.</p>	80%	
4.5.4	Review Council's approach to the provision and management of caravan and camping facilities on Council managed land	Council has reviewed the approach to Caravan Park Management. A Council Managed Caravan Park Policy was adopted by Council and current parks are now assessed and managed based on the strategic direction approved for each facility.	100%	

### Strategic Indicators


Name	Comments	Year to date result	Target
Number of tourism events held during the low and shoulder season periods	<p>Note that the East Gippsland Winter Festival was the umbrella event that represented a total 161 of events held in the region (from 9 June to 9 July 2023).</p> <p>Tourism events sponsored or permitted during the year include:</p> <ul style="list-style-type: none"> <li>• East Gippsland Winter Festival</li> <li>• Deep in the Weeds (part of Winter Festival)</li> <li>• Twin Rivers Bream Classic</li> <li>• Tennis Seniors Victoria National Ranking Tournament</li> <li>• RDN 4 Vic Bream Classics Marlo</li> <li>• Squash Victoria Country Individuals Championship</li> <li>• Friends of the Mitta Give Back to the Mitta</li> <li>• Great East Rail Trail Ride</li> </ul>	>50	> 50 events
Total visitation to East Gippsland (international, domestic and daytrip combined)	Domestic visitation to East Gippsland, year ending March 2023 increased on last year by 14.4% for a total of 4,424,000. Visitor overnight stays increased by 6.3% to a record level of 2,606,000 and represents more than a quarter of all of Gippsland's overnight stays for the year.	1,424,000	> 1,300,000

### Progress Indicator Legend

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



Name	Comments	Year to date result	Target
Tourism expenditure in East Gippsland	Domestic tourism expenditure for East Gippsland totaled \$596 million year ending March 2023. Overnight expenditure was down 7.1% to \$441 million however the decline was made up by a 120% increase in daytrip expenditure to provide an overall increase of 9.3% on last year. The shift from overnight to more daytrip expenditure suggests a tightening economy off the back of rising interest rates, cost of living and potential substitution for overseas holidays now that international travel has resumed.	\$596 million	> \$360 million

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







Action Code	Action Name	Comments	Progress	Status
4.6.1	Explore export potential with local businesses who have globally competitive products	<p>East Gippsland achieved Global Eco Destination Status providing a new platform for our tourism industry to leverage the region's nature-based experiences.</p> <p>Nine tourism businesses are now undertaking Eco-Accreditation certification providing them greater recognition among key international tourism markets and support their product readiness ahead of next year's Australian Tourism Exchange trade show in Melbourne.</p> <p>Officers continue to work with Food and Fibre Gippsland to identify export-ready products eligible to carry the Gippsland Trusted Provenance Logo for both domestic and international markets.</p> <p>Engagement with local manufacturers is growing as the renewable energy sector ramps up their supply chain networks ahead of on and offshore construction.</p>	100%	

Progress Indicator Legend

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

Action Code	Action Name	Comments	Progress	Status
4.6.2	Promote the shire as emerging leaders in sustainability and climate change adaptation	<p>In May, East Gippsland became the first region in Victoria (7th in Australia) to be awarded Eco Destination Status, a global benchmark of environmental sustainability attracting a significant level of domestic and modest level of international media attention.</p> <p>Council launched our electric vehicle charging stations network in Bairnsdale during Sunrise Rotary's Electric Vehicle Expo in Bairnsdale and formally announced the first Environmental Upgrade Agreement with Patties Foods, which will save money and resources.</p> <p>Additionally, Council successfully applied for a Disaster Ready Fund grant to develop a climate risk assessment tool for planning and preparedness of East Gippsland to the impacts of climate change.</p>	100%	
4.6.3	Provide a voice for agriculture in Council's activities through the Agriculture Sector Advisory Committee	<p>The Agriculture Sector Advisory Committee (ASAC) quarterly meeting delivered with presentations focusing on an Agriculture Water Project for Orbst and outcomes of the Farmer Succession Planning program delivered the quarter.</p> <p>Members of ASAC joined Council and industry representatives on a site visit to the Latrobe Valley to learn more about soil creation from organic landfill.</p> <p>The Rates Working group met with Council finance staff to advocate for farmers and discuss the rates post the Valuer General budget being set.</p> <p>ASAC also provided advice in relation to the Rural Land Use Strategy which was considered by Council during the quarter.</p>	100%	







## Progress Indicator Legend

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

**Strategic Indicators**

Name	Comments	Year to date result	Target
Number of jobs in the agriculture sector in East Gippsland	The agriculture sector contributes 1,690 jobs (9.1%) to total employment in East Gippsland.	1,690	> 1,612 jobs
Value added by the agriculture sector in East Gippsland	The agriculture sector contributes \$266,304,000 (10.3%) of total value-added product in East Gippsland. Down marginally from last year's contribution of \$267,829,000 reflecting a challenging year of flood impacts and falling stock prices.	\$266,304,000	> \$169 Million

## Progress Indicator Legend

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



Several Council Officers attended the East Gippsland Field Days, where they provided information to the community on current projects and services and were able to assist with any questions that local residents raised.

# 5

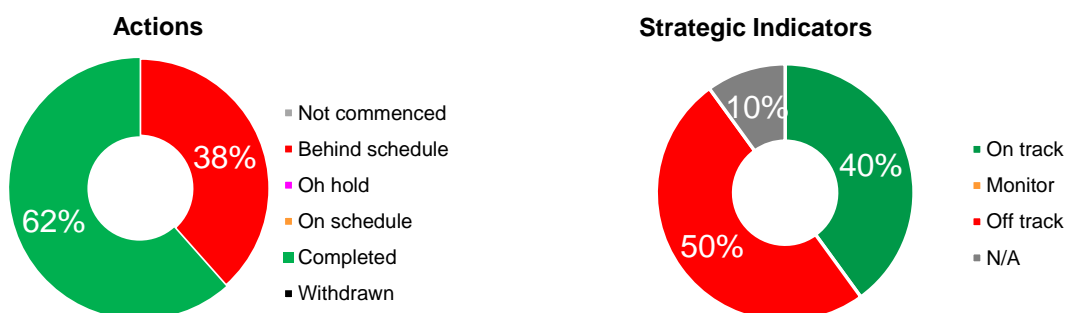
**A transparent organisation that listens and delivers effective, engaging, and responsive services**



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

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

### Summary of performance




### Council services provided

Commercial Business  
 Communications, Media and Civic Events  
 Corporate Planning  
 Council Enterprises  
 Customer Experience  
 Finance  
 Governance  
 Human Resources

Information Services  
 Occupational Health and Safety  
 Organisation Development  
 Procurement  
 Property Administration  
 Rates and Valuations  
 Risk Management







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

Action Code	Action Name	Comments	Progress	Status
<b>Major initiative 8</b>	Implement the Customer Experience Strategy. Key projects include: <ul style="list-style-type: none"> <li>Enhance systems and processes to increase resolution of customer enquiries and requests at first point; and</li> <li>Streamlining customer response systems and processes</li> </ul>	Phase 2 of the Civica the implementation and the onboarding of all business units with the Customer Response Project has been completed.	100%	



#### Strategic Indicators

Name	Comments	Year to date result	Target
Community satisfaction with customer service	Result was under target, indicating the work needs to be completed to ensure community members are satisfied with Council's customer service.	59	≥ 65 (Large Rural Council average)

#### Progress Indicator Legend

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

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

Action Code	Action Name	Comments	Progress	Status
5.2.1	Participate in One Gippsland advocacy activities	<p>There were three meetings held with One Gippsland during the quarter.</p> <p>A meeting was held with the Hon Kristy McBain MP (Minister for Regional Development, Local Government and Territories), to convey priority projects in budget submission, local projects and to seek support for projects.</p> <p>Additional meetings held during the period discussed the Latrobe Valley and Gippsland Transition Plan and Action Plan.</p>	100%	
5.2.2	<p>Deliver an advocacy program that focuses on Council's priorities. Key priorities include:</p> <ul style="list-style-type: none"> <li>Seek homelessness funding allocation through 'Big Housing Build'.</li> <li>Seek commitment for support to bushfire recovery services at least until year five.</li> <li>Seek commitment to telecommunications infrastructure upgrades.</li> <li>Seek funding programs to implement a net zero emissions target; and</li> <li>Seek funding and support for management of remnant vegetation and weeds on Council managed reserves and road reserves.</li> </ul>	<p>Council continued to advocate for several projects and programs, including:</p> <ul style="list-style-type: none"> <li>Advocacy for continued Bushfire Recovery funding, which has generally been confirmed to June 2025 or support indicated for extensions to achieve this.</li> <li>Disaster Ready Program, to identify and mitigate client risk, which is based on the Mallacoota trial with CSIRO.</li> <li>Funding was secured to replace lighting and street lighting with LED lights and install Electric Vehicle charging stations.</li> <li>Delivery of the roadside weed and pest program through environmental works in Mallacoota, including a focus on the foreshore area, and along the Mitchell River in Bairnsdale.</li> <li>Council also advocated for additional funding for the management of roadside pests and weeds.</li> </ul>	100%	




### Strategic Indicators

Name	Comments	Year to date result	Target
Community satisfaction with advocacy (lobbying on behalf of the community)	Target was achieved, meeting the Large Rural Council average. Indicates that community satisfaction with lobbying on their behalf is in line with similar size councils.	49	≥ 49 (Large Rural Council average)

#### Progress Indicator Legend

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

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

Action Code	Action Name	Comments	Progress	Status
5.3.1	Build Council's capacity to deliver consistent and effective community engagement, and embed use of the Community Engagement Toolkit	<p>Council has commissioned a review of Council's community engagement practice and to make recommendations to strengthen Council's capacity and embed Council's community engagement toolkit. The project has been scoped, a consultant engaged and stakeholder interviews have commenced.</p> <p>Whilst the review is pending Council continues to use a range of community engagement tools including online engagement through Your Say (290% increase in use of this tool by community members in 2022/23); drop-in sessions, focus groups, project reference groups, Council in Community and traditional media and social media use. Council provided opportunities for extensive face to face engagement as part of the development of the Housing and Settlement Strategy; the Marine and Coastal Plan; and a range of infrastructure projects.</p>	75%	
5.3.2	Strengthen how council's Place Manager model can support ongoing community engagement in remote areas of the municipality	During the year, the organisation reviewed the approach to place management with a range of changes to be implemented in 2023/24. Recruitment has commenced for ongoing Place Facilitators.	75%	
5.3.3	Conduct strong and effective community engagement for all major strategies and projects	<p>Council delivered strong community engagement this quarter:</p> <ul style="list-style-type: none"> <li>Community engagement was completed for the Rural Land Use Strategy and the House and Settlement Strategy Discussion Paper, which consisted of media notices, YourSay page and face-to-face consultation sessions in nine locations.</li> <li>The Arts Precinct study was also conducted during the period and incorporated focus groups and various engagement methods to support the project creation.</li> <li>Community consultation was undertaken during the period for Krautungalung Walk, Jemmy's Point, Lakes Entrance Foreshore Project along with other projects, including consultation with GLaWAC.</li> </ul>	100%	







#### Progress Indicator Legend

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



### Strategic Indicators

Name	Comments	Result	Target
Community satisfaction with community consultation and engagement	The difference between the result and the target indicate there is room for improvement in how Council approaches community consultation and engagement.	45	≥ 49 (Large Rural Council average)
Community satisfaction with making community decisions	The result is on track of the target set. Improvement in making community decision could improve the result in future	47	≥ 48 (Large Rural Council average)
Community satisfaction with informing the community	The difference between the result and the target indicate that there are further improvement opportunities	47	≥ 54 Large Rural Council average

#### Progress Indicator Legend

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







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

Action Code	Action Name	Comments	Progress	Status
5.4.1	Undertake service reviews for priority services and implement recommendations	<p>Service reviews were completed on the following earlier in the year:</p> <ul style="list-style-type: none"> <li>- Service Centres and Libraries</li> <li>- Arts and Culture (within the Culture and Creativity Strategy process)</li> </ul> <p>Several Process improvements or service improvements have been made during the quarter including refinement of road management responsibilities and development of policy to guide management of Caravan Parks</p>	100%	
5.4.2	<p>Fit for purpose technology is explored, implemented and used to generate productivity and efficiency gains across the organisation.</p> <p>Key projects include:</p> <ul style="list-style-type: none"> <li>• Replace Rates, Property, Planning and Customer Request Management system.</li> <li>• Improve datacentre capability through reduced infrastructure footprint; and</li> <li>• Replace electronic records management system (multi-year project)</li> </ul>	<p>Council has successfully achieved major technology initiative milestones for the 22/23 financial year. Highlights include:</p> <ol style="list-style-type: none"> <li>1. <i>Replacement of Pathway</i> - (Property &amp; Rates Platform) Council has successfully implemented the Civica Platform (Pathway replacement) with Customer Request Management, Registers Rates, Property and Planning from July 4 as planned and without issues.</li> <li>2. <i>Datacentre consolidation</i> – Fully completed.</li> <li>3. <i>New Electronic Document and Records Management Solution</i> – (in collaboration with Wellington Shire Council) - Collaborative tender procurement process has been completed. The collaborative procurement of a shared EDRMS system will achieve alignment and standardisation of systems, efficiency of core business process and service improvements. This is a multiyear project.</li> </ol>	100%	

#### Strategic Indicators

Name	Comments	Year to date result	Target
Number of service reviews undertaken	<p>Service Reviews were completed for:</p> <ul style="list-style-type: none"> <li>- Service Centre &amp; Libraries</li> <li>- Arts and Culture</li> </ul> <p>An additional three service reviews are currently in progress:</p> <ul style="list-style-type: none"> <li>- Visitor Information Centres</li> </ul>	2	2 reviews

#### Progress Indicator Legend

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

Name	Comments	Year to date result	Target
	- Grants - Community Engagement		



Progress Indicator Legend

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



Permanent workforce has access to mobile technology	Up to 90% of full-time staff and key council positions (90% of full time EFT staff) now have access to mobile technology. Part time staff with key service positions have been issued with access to mobile technology.	90%	> 70%
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### 5.5: Resources are managed to meet current and future needs and priorities

Action Code	Action Name	Comments	Progress	Status
5.5.1	Manage resources in accordance with Council's 10-year Financial Plan and asset management plans	The 10 Year Financial Plan and the Asset Management Plans form the basis of future decisions to ensure resources are managed in accordance with those plans and ongoing financial sustainability measures.	100%	
5.5.2	Advocate to funding bodies to attract external and partner funding for high priority needs	Council continued to advocate this quarter for funding for a range of projects and activities. These included: <ul style="list-style-type: none"> <li>• Successful in gaining funding Disaster Ready Fund for a range of initiatives to support understanding of climate risk and disaster preparedness.</li> <li>• Commonwealth Department of Industry for the extension of Building Better Regions Funded projects.</li> <li>• Parliamentary submissions were also made to both the Victorian and Australian parliaments on road related matters.</li> <li>• Successful advocacy also saw additional funding provided for several Council projects this quarter including the Crooke Street Wetlands and the Buchan Recreation Reserve renewal.</li> </ul>	100%	




#### Strategic Indicators

Name	Comments	Year to date result	Target
Victorian Auditor-General's Office assessment of Council's overall Financial Sustainability is low risk	There is no current report back to Council on this particular review by the Victorian Auditor General's office.	Data not available	Achieve low risk rating

#### Progress Indicator Legend

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

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

Action Code	Action Name	Comments	Progress	Status
<b>Major initiative 9</b>	Review and redevelop the organisation's Occupational Health and Safety Management System	Development of the new Safety Management System is well advanced, following approval of the new Policy in the previous quarter and extensive internal consultation on the draft suite of over forty documents that underpin the Policy and form the Safety Management System. Implementation is scheduled to commence in early in the 2023/24 year.	70%	
5.6.1	Implement the Workforce Plan 2021-25. Key actions include: <ul style="list-style-type: none"> <li>Review attraction and retention strategies;</li> <li>Deliver structured leadership development training; and</li> <li>Create succession plans for key roles.</li> </ul>	Leadership training has been identified, and will be rolled out to coordinators, during quarter 1 and 2 of the 2024 year.  Further actions have been delayed due to resourcing constraints.	40%	
5.6.2	Deliver actions from the Gender Equality Action Plan. Key actions for include: <ul style="list-style-type: none"> <li>Update employee diverse data collection systems; and</li> <li>Implement a safe and inclusive workplace training framework.</li> </ul>	Intersectional data, where appropriate, is collected when staff complete their on-boarding documents.  Additional engagement was conducted with external target groups on how to best engage with diverse applicants.  The development of a safe and inclusive workplace training framework was delayed due to resourcing constraints	40%	

#### Strategic Indicators

Name	Comments	Year to date result	Target
The percentage of actions implemented from the Workforce Plan 2021-25	Due to staff constraints, progress was not made as expected.	29%	≥ 80%
Unplanned annual staff turnover rate	Turnover has decreased since the 2021/22 financial year and is only slightly higher than the Australian average rate of 12%.	13.58%	≤ 12% annually

#### Progress Indicator Legend

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

## Contact us

Residents' Information Line: 1300 555 886  
Contact Centre: (03) 5153 9500  
National Relay Service: 133 677

East Gippsland Shire Council, PO Box 1618  
Bairnsdale 3875 Australia

Web [eastgippsland.vic.gov.au](http://eastgippsland.vic.gov.au)  
Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
Fax (03) 5153 9576

### In person

Bairnsdale: 273 Main Street  
Lakes Entrance: 18 Mechanics Street  
Mallacoota: 70 Maurice Avenue  
Omeo: 179 Day Avenue  
Orbost: 1 Ruskin Street  
Paynesville: 55 The Esplanade

### Outreach Centres

Bendoc Outreach Centre - 18 Dowling Street  
Buchan Resource Centre - 6 Centre Road  
Cann River Community Centre - Princes Highway

## 5.2.2 Draft Annual Report 2022-23

Authorised by Acting General Manager Business Excellence

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### Conflict of Interest

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

### Executive Summary

This report represents the draft Annual Report 2022-23 (Annual Report), provided at **Attachment 1**, for Council's review, under the requirements of the *Local Government Act* 2020 (the Act).

The Annual Report has been written with focus on the significant number of achievements during a period of challenges for the Council and the community. There has been a focus on advocacy for funding to support our region, and opportunities to engage State and Federal Government Ministers over impacts to Industry. It summarises the organisational performance, achievements, and financial position for the year.

Some highlights of from the Annual Report include:

- Council delivered its **largest ever Capital Works Program** expending \$41.8 million with a further \$33.3 million committed via awarded contracts. This provides a combined total of \$75.8 million of investment in over 270 separate projects.
- Council's first **four electric vehicle charging stations** were installed in Bairnsdale, Cann River, Omeo and Orbost. The network will be expanded in the coming year with a further three charges being installed.
- Council worked with contractors to maintain a **Road Network of almost 3,000 km** of local roads. With 97% of the road network kept within the prescribed standards for local roads within Council's Road Management Plan.
- Council was awarded \$1.2 million disaster preparedness funding. **The Disaster Ready Fund grant** will be used to extend Council's current projects aimed at advancing disaster preparedness and resilience in collaboration with communities across the shire.
- The **STAYS EXPO** were delivered in Buchan and Omeo, where local landowners were informed on the opportunities associated with providing accommodation to tourists.
- **Grow Your Business Group Program 2022** saw 11 businesses in East Gippsland collectively make \$5.4 million in productivity improvements thanks to their participation in the program. The program delivered simple, measurable, and effective business improvement training opportunities at no cost to the businesses.
- **Economic Development Strategy 2022-2023** and four-year **Action Plan** was launched in 2023.
- Council adopted a 10-year **Culture and Creativity Strategy** to build and celebrate the region's arts and culture scene.
- East Gippsland has become the **first certified ECO Destination** in Victoria and only the seventh in Australia, receiving recognition from Ecotourism Australia.
- In a first for local government in Victoria, Council teamed up with Wellington Shire Council to **consolidate our respective Data Centres** and information and communications technology (ICT) infrastructure.

The Annual Report has been produced to meet the regulatory obligations required by the Act and utilising the Local Government Better Practice Guide Model report and previous Council Annual Report formats.

## **Officer Recommendation**

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

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. adopts the draft Annual Report 2022-23 provided at Attachment 1.***

## **Background**

This report presents the Annual Report 2022-23 for Council's review and consideration.

There is a legislated requirement that the Annual Report must contain certain information. This is detailed in the Act, 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; and
- f. any other matter prescribed by the regulations.

Sections b., c., d., and e., as listed above, will be included in the Annual Report when presented to the 17 October 2023 Council meeting for adoption.

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

## **Legislation**

As of 1 July 2021, all provisions of the Act commenced. Some provisions of the *Local Government Act* 1989, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with the Act, section 98(2).

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 Act, this report has not been prepared in collaboration with another Council or organisation.

## **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.

## **Resourcing**

### *Financial*

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

### *Plant and equipment*

Not applicable

### *Human Resources*

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

### *Risk*

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

## **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 Annual 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:

This report is assessed as having no direct impact on climate change. Consideration is given to climate change in corporate, strategic or Council Plan(s) and the Annual Report highlights the activities undertaken by council in this area.

## **Engagement**

After adoption, the Annual Report will be promoted to the community with a media release. As the Annual Report covers Council's highlights and achievements for the past year, it is a great opportunity to promote a good news story to the community. This report will be made available on Council's website and promoted through social media channels.

## **Attachments**

1. Draft Annual Report 2022-23 [**5.2.2.1** - 143 pages]



# Annual Report

2022-23



A young Aboriginal dance troupe performed at the opening of Inspire East Gippsland Tourism Summit and Eco Tourism Certification event, held at Metung, in May.

## Acknowledgement of Country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and Bidjil people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared for 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 East Gippsland Shire Council. An online version of this report is available at [eastgippsland.vic.gov.au](http://eastgippsland.vic.gov.au).

Cover image: Shaving Point, Metung.

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Mayor Cr Mark Reeves, Councillors and Council staff visited Lindenow and surrounds in early September where they spoke with business owners including some of Australia's leading vegetable growers and Sally-Ann Kelly, co-director of antenna maker ZCG (front row, second from left).



## 1 Introduction

East Gippsland Shire Council is committed to transparent reporting and accountability to its community. The Annual Report 2022-23 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 2021-25 and the 2022/23 Annual Budget were delivered.

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

This report also gives information on the elected Council, the organisation and statutory information. Council's overall financial position and performance is reported in the Audited Financial Statements for the period 1 July 2022 to 30 June 2023.

## Community Vision 2040

Our people, place, environment, and economy will be connected, in balance, and resilient. Our unique and diverse communities will be accessible, inclusive, well connected, and safe. We will value and care for each other and our natural environment. Our economy will support existing and emerging industries by being agile, innovative, and sustainable.

## Council 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 Code 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.



#### 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

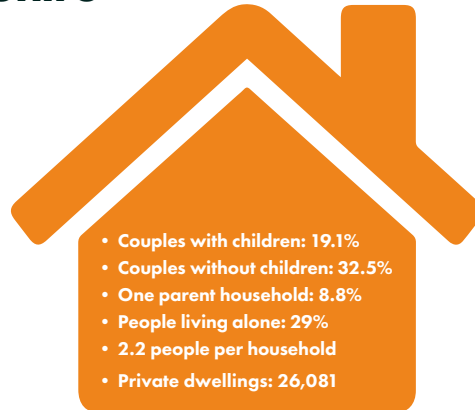
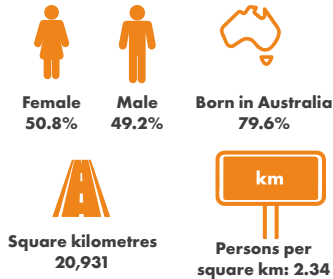
Nothing in these standards is intended to limit, restrict, or detract from robust public debate in a democracy.

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.

# Profile

## East Gippsland Shire

**48,887 PEOPLE**



## Employment

**19,914**  
TOTAL JOBS

**4,771**  
BUSINESSES

**49%**

Worked full-time

**38.4%**

Worked part-time

**4.4%**

Unemployed

**8.2%**

Other - employed,  
away from work



### Industries – registered business by industry (top four)

- Agriculture, Forestry and Fishing – 23.6%
- Construction – 18.8%
- Rental, hiring and Real Estate Services – 9.1%
- Accommodation and Food Services – 6.7%



Nighttime along the Lakes Entrance Esplanade.



## Fast Facts



### Aerodromes

- Managed three aerodromes, Bairnsdale, Mallacoota and Orbost

### Animal management

- 145 animals rehomed
- 132 animals reclaimed

### Aquatic and recreation centres

- 1,158 Bairnsdale Aquatic and Recreation Centre active memberships, 612 Lakes Entrance Aquadome active memberships
- 451,300 visits to all aquatic facilities during the year (BARC, Aquadome, Bairnsdale Outdoor Pool and Orbost Outdoor Pool)

### Arts and culture

- 17,615 people attended shows and activities at the Forge Theatre and Arts Hub
- 137 performances of 73 shows presented at the Forge Theatre and Arts Hub
- Major Live Music Project
  - o Employed 101 local musicians
  - o Events held at 13 local businesses/venues
  - o 896 people in attendance
  - o Across six different towns
- Six Arts and Culture grants programs events took place, attracting 2,898 participants
- Six Arts and Heritage projects were completed, attracting 644 participants



### Asset management

- Council maintains
  - o 3,033km of roads
  - o 191 timber and concrete bridges
- 41 public jetties, 19 fishing platforms and 31 boat ramps

### Boat ramps and marinas

- Three commercial marinas – Metung (145 berths – including 24 dry berths) and Chinaman's Creek (69 berths) in Metung and Slip Bight (220 berths) in Paynesville

### Caravan parks and campgrounds

- 12,090 bookings at Mallacoota Foreshore Holiday Park
- 2,055 bookings at Eagle Point Caravan Park
- 2,178 bookings at Omeo Holiday Park

### Civic events

- Five Citizenship Ceremonies
- Three Volunteer Recognition Events



### Customer service

- 44,128 phone calls received
- Average call wait time was 41 seconds
- 74.91% of calls were answered within 45 seconds
- 948 calls were received after hours
- 121,666 customers attended service centres during the year (excluding the Bairnsdale Library)
- Collectively, service centres and mobile centres were open 249 hours per week

### Disaster recovery and preparedness

- Supported 10 Community Recovery Committees

### Electronic vehicle chargers

- 613 unique chargers
- 15,333 kWh used
- 4,889 tonnes of CO<sub>2</sub> saved
- The EV chargers were used by cars registered to 206 different postcodes from all over Australia

### Environmental and public health

- 498 food premises inspections carried out during the year.
- Greenhouse gas emissions from energy use: Reduced by 42% from 2021-22. We emitted 3,808 tonnes of greenhouse gas emissions in 2021-22, which reduced to 2,206 tonnes in 2022-23.

### Events

- 346 events held
- Five events during off peak periods



Our site at the 2023 East Gippsland Field Days was as popular as ever, with information about our projects, sustainability, agribusiness, Council services and much more. Our puppets were certainly an attraction, as was the our 'wheelie bin waste mascot'.

### Libraries

- 184,814 library visits
- 3,319 visits to the mobile library services
- 965 library programs
- 12,021 people attended library programs
- 45,664 hours of WIFI was used
- 7,397 hours of library bookable devices
- 77,819 library items were available for loan. 70,564 physical items and 7,255 digital items
- Over 237,000 library loans were taken



### Livestock exchange

- 47,779 cattle and 21,393 sheep were processed during the year

### Media and communications

- Council's Facebook page has 9,006 followers
- Council's website had 364,208 visits
- There were 546 media releases/newsletter articles distributed during the year
- Environment Connect – Distributed quarterly to over 400 subscribers, which over 660 people opened

### Playgrounds and parks

- Over 40 playgrounds were mulched with an estimated 450m<sup>3</sup> of mulch spread

### Planning and building approvals

- 547 planning permits were issued, representing \$117m estimated cost of works for all permits granted combined.
- The average cost of works per permit was \$213,000
- Over 130 new dwellings and over 350 new lots were permitted (including revisions to permits)

### Roads, bridges and footpaths

- 300 lineal metres of footpaths were replaced
- 1,310km of gravel roads graded at cost of \$1.7m
- Roadside rubbish removed from 320 locations at an overall cost of \$130,700

### Streetlights

- Saved over 310,000 kWh (or 27% reduction) of energy use by upgrading our streetlights to LED globes

### Tourism

- \$596m of domestic tourism expenditure in the region for the year ending March 2023

### Trees and vegetation

- 8,618.25km of slashing took place

### Waste and recycling services

- Glass collection services now available at eight waste transfer stations
- 21,901 kerbside garbage bins
- 21,681 kerbside recycling bins
- 1,279,576 kerbside garbage and recycling collection bin lifts



*We joined the Omeo Historical Society and community in late October to celebrate the 150th year since the proclamation of the Shire of Omeo at the Omeo Justice Precinct. The Omeo Historical Society has preserved the history of the area that encompasses the former Shire of Omeo and the buildings were restored (led by Council) in time for the celebrations.*



## 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.

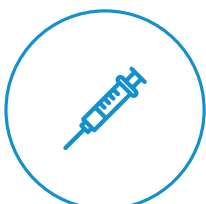
## An inclusive and caring community that respects and celebrates diversity



We marked International Women's Day with a community event at the Bairnsdale Library which was live streamed to Lakes Entrance, Omeo, Orbost, and Paynesville service centres on 8 March, reflecting the 2023 theme, #EmbraceEquity. We were joined by guest speakers Kylie Findley (CFA member), Josephine Jakobi (local artist), Glenys Watts (chair of Gunaikurnai Traditional Owner Land Management Board) and Dr Linda Wilkinson (dog trainer) who shared their inspiring stories and achievements.



The Libraries After Dark Program continued to grow in popularity. Held every Thursday in the Bairnsdale Library, the program holds movie screenings, offers talks and provides time for socialisation. The evenings have been particularly beneficial for people who live alone. A highlight was a talk by Peter McHugh on Moscow Villa and the Ah Chow family; over 80 people attended the talk and movie that night.



Council successfully implemented the state-wide immunisation program. The Central Immunisation Records Victoria program was fully funded by the Department of Health and allows nurses administering vaccinations to record the vaccination on the spot in real time.



Access audits are being rolled out across several high priority community facilities to verify inclusive and accessible feature. Bairnsdale Aquatic and Recreation Centre, Clifton Creek recreation precinct including the hall and grounds, Swifts Creek Community Hall and grounds and the Bairnsdale Community Hub and grounds have been audited.



Three volunteer recognition events were held in May 2023 at Marlo, Paynesville and Johnsonville and were well supported. In addition, the Council Volunteer honour roll was updated to recognise more hardworking volunteers in our region.



Council adopted its first **Culture and Creativity Strategy** on 23 May 2023. This 10-year strategy is Council's guide to fostering a thriving cultural life across the shire. The Strategy aims to cultivate the conditions that will allow the region's cultural and creative communities to thrive and deliver cultural experiences to our local community and visitors. Pictured: Artists Lee Nickless and Anli Vuong transformed the courtyard of the Forge Theatre and Arts Hub.



A Reconciliation Week Elders Lunch was held. The lunch was well received with positive feedback; Council is hoping to make this an annual event.



The Municipal Public Health and Wellbeing Plan was endorsed by Council in June 2023. The Plan aims to provide East Gippsland communities, the Council, and its partners with clear direction regarding priority areas for improving health and wellbeing over the next four years. Priority areas have been developed collaboratively following an extensive consultative period.



Council continues its commitment to the arts and culture of East Gippsland through its funding for the East Gippsland Art Gallery, in addition to supporting key programs including the highly successful East Gippsland Winter Festival and the Paynesville Musical Festival.





Sensory Kits have been made available at each of East Gippsland's Emergency Relief Centres. Each kit contains sensory tools and resources that can be used to help lessen a child's anxiety level. Visuals, breathing techniques, small tents and noise-cancelling headphones are among items that can be found in the kits.



Bairnsdale Aquatic and Recreation Centre has successfully run a pilot Sensory Friendly program to improve accessibility for children who have sensory challenges or additional needs.

**The Marveloo, a mobile accessible restroom** which caters for people with disabilities and their carers is now available to residents and visitors. This has been generously donated to the East Gippsland community by the Maroondah City Council. During the year we were also successful in attracting Changing Places funding from the Victorian Government to install a permanent accessible restroom in Lakes Entrance and another at Cann River. . Pictured: Disability advocates Bianca Basset and Steve Fletcher (centre front) and members of Lakes Entrance community groups joined Councillors and senior officers from Maroondah City Council and East Gippsland Shire Council to celebrate the handover of the Marveloo.



18 EAST GIPPSLAND SHIRE COUNCIL

East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 17 October 2023

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

**\$75.8m**

Council delivered its largest ever Capital Works Program expending \$41.8m with a further \$33.3m committed via awarded contracts. This provides a combined total of \$75.8m of investment in over 270 separate projects.



Council has worked with communities in Bruthen, Buchan, and Mallacoota to design significant Streetscape Upgrades for the main business areas of these three townships. All included significant work with community members to design upgrades that are both functional and aesthetically pleasing. The Bruthen Streetscape works are now nearing completion, with implementation of the designs for Mallacoota and Buchan to occur in 2023-24.

**3,000km**

Council worked with contractors to maintain a road network of almost 3,000km of local roads. With 97% of the road network kept within the prescribed standards for local roads within Council's Road Management Plan.



Council commenced work on some strategic guiding strategies to guide our existing and future communities, this work included preparation of a draft Rural Land Use Strategy and a draft Housing and Settlement Strategy. Funding was also secured to undertake further planning work for Bairnsdale.



Council's first four **electric vehicle charging stations** were installed in Bairnsdale, Cann River, Omeo and Orbost. The network will be expanded in the coming year with a further three charges being installed. Inset: Deputy Mayor Cr Allen officially launched Council's electric vehicle charging station network.



Mallacoota Skatepark was upgraded, while the Bairnsdale Skatepark had security lighting and seating installed, and the footpath connection to Davison Oval was completed. A new skate park in Cann River was also designed with the community and will be installed next year.



Mental health services for bushfire affected communities were extended thanks to funding received from the Commonwealth-State Disaster Recovery Funding Arrangements. Council entered into a \$1.35m funding agreement with Gippsland Primary Health Network for these services.

**\$3m**

Funding for the redevelopment of the Buchan Recreational Reserve was secured with \$3m allocated from the Recovery and Resilience Grant (from Emergency Recovery Victoria) towards the redevelopment of the reserve and to improve or replace existing public infrastructure and support programs that contribute to building resilience for stronger recovery for future events. This complements \$1.2m previously allocated from the Local Roads and Community Infrastructure Program. While not a Council asset, Council will project manage these works.

**\$**

Council also worked with the Sarsfield community to secure funding for the upgrade of the Sarsfield Recreation Reserve.



Multiple community sporting facilities were upgraded during the year with the intention to increase community participation in sport. The synthetic hockey pitch upgrades at the WORLD were completed; cricket nets were installed at Paynesville and Mallacoota; tennis courts at Metung were upgraded in addition to netball courts at Swifts Creek, Swan Reach and Omeo. The Lindenow Recreation Reserve oval lighting was upgraded to LED, and the new purpose-built gymnastics pavilion at Lucknow was also completed.



Council worked with its Community Road Safety Committee and the broader community to develop a Road Safety Strategy, that will be used to guide future work to ensure that our 3,000km of roads and extensive footpath network are safe for users.

## A natural environment that is managed and enhanced



Council replaced the last 30% of its streetlights with LED Lights. Traditionally, the street light network was one of Council's highest energy consumption services and CO2 emitters.



Council developed a four-year Environmental Sustainability Action Plan that outlines how Council intends to achieve the goals and targets of the Environmental Sustainability Strategy. The action plan details how Council will either lead or work in partnership with various stakeholders and our community to achieve outcomes.



Council's domestic wastewater program continues to provide benefits to residents. Council has seen increased compliance through a process of proactive monitoring, education and support for landowners and occupiers, as well as risk minimisation associated with public health and environmental risk due to poorly functioning septic systems.



A pet management resource document has been established and is available on Council's website. This document covers topics including pet registration, microchipping and desexing, off-leash parks and dog control, cat containment and tips on keeping your cat safe, healthy, and happy. The document also explains how to foster a pet.



Council was awarded \$1.2m disaster preparedness funding. The Disaster Ready Fund grant will be used to extend Council's current projects aimed at advancing disaster preparedness and resilience in collaboration with communities across the shire.



Nineteen **high volume static water tanks** were installed across remote or isolated communities which has increased the capabilities of emergency services to respond to bushfire events.



As part of a wide range of library programs, the new Seed Library borrowing service was established at Bairnsdale library for budding and experienced gardeners alike, where you can borrow up to three packets of seeds at a time, plant the seeds in your garden and watch them grow and donate any saved seeds back to the Seed Library for the next person to borrow.



Council's Street Tree program commenced with several trees planted in Howitt Avenue in Metung, as well as the development of an online portal for tree requests to help future-proof for climate change.





Development of Council's Coastal and Marine Management Plan has commenced with high level engagement conducted across the Shire. The Coastal and Marine Management Plan is a critical land use Plan that provides high level guidance for the management of areas of coastline for which Council is responsible, considering the relative legislation, intensive community engagement, and local planning context.



A detailed business case for the management of organic waste has been completed and externally peer reviewed. The tender for the detailed design of a composting facility has been awarded with this work now underway.

Council entered into its **first Environmental Upgrade Agreement (EUA)**, struck with Patties Foods, the landowner of the Lucknow manufacturing site Charter-Hall, and external financier, Sustainable Australia Fund, to support the implementation of energy efficiencies. The two-year trial agreement, valued at over \$200,000, will see the installation of energy-efficient LED lighting in Patties' production facilities. Pictured: Scott Botskay, Chief Executive and Managing Director of Sustainable Australia Fund, East Gippsland Shire Council Mayor Cr Mark Reeves and Michael Hall, former General Manager Operations of Patties Foods in Bairnsdale.



24 EAST GIPPSLAND SHIRE COUNCIL

East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 17 October 2023

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



Economic Development Strategy 2022-2032 and four-year Action Plan was launched in 2023. Through extensive consultation, the strategy was formulated through detailed research and analysis of the region and incorporated a co-design process of engagement with external and internal stakeholders. It aims to enhance our focus on the priorities that support our regional business community while also ensuring we are prepared to welcome new contributors as part of our long-term pursuit of innovation adaptation and economic sustainability.



Bairnsdale Regional Airport was recognised as the National Small Airport of the Year for the second time, reflecting the investment that Council has made on improving and upgrading this important facility. The Bairnsdale Airport also received Australian Government funding to deliver a purpose-built Patient Transport Facility, recognising that the Bairnsdale airport is one of the most visited airports by Air Ambulance Victoria. Council also worked with the Civil Aviation Safety Authority to reinstate Mallacoota Airport's status as a registered airport and installed perimeter fencing at the Orbost Airport to restrict animals from interacting with the airside area. Air transport and our airports are important for many community transport services.



The first Inspire East Gippsland Tourism Summit was held in May. With 100 people in attendance, the summit included a great line up of industry speakers including executives from a range of industry stakeholders. Pictured: Jan Fitzgerald (Chair Destination Gippsland), Mayor Cr Mark Reeves and Rob Pennicott (Pennicott Wilderness Journeys).



Council developed and adopted a position paper and articulated its position in response to the announcement of the Victorian Forestry Plan to phase out native timber harvesting by the Victorian Government. The Council's call to action involves advocating for a sustainable native forest wood products sector in East Gippsland, with a focus on a new approach to logging based on high value, low volume inputs from regrowth forests.



Council led the inaugural Youth Agri-tech Expo in May in partnership with key industry stakeholders. The Expo promoted different aspects of the agriculture industry to 188 students and young people from schools across the region to encourage employment, retention of young people in the region, and update participants' knowledge of future careers in agriculture.



Council developed a **monthly newsletter for the Omeo Mountain Bike Trails** project – a transformation project for the High Country. The newsletter updates the community and stakeholders on the progress of trail construction, staged opening of completed trails, and the marketing of Omeo as a mountain bike destination. During the year the first 10km of the Mountain Bike Trail were opened for riders' use (in time for Easter).

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The Business Boost program has successfully engaged and supported 14 new businesses in Buchan and Bruthen, connecting them with various professional services over nine months. The program has strengthened peer-to-peer support within the Buchan community, enhancing capacity and fostering robust economic resilience.



The Stays Expos were delivered in Buchan and Omeo, where local landowners were informed on the opportunities associated with providing accommodation to tourists. Keynote speakers were industry specialists and were able to provide targeted information for each location.



Celebrating local food and the people who make it across our shire with the "Love Where it's Grown, Caught, Made" farm gate trail campaign and a new brochure that lists our farm gates on one handy map. This promotes the many local businesses that grow, harvest, farm and make food, selling it through farm gates, roadside stalls, farmers' markets or online. It supports local farm gates and helps put more local produce on everyone's plates.



The Economic Development Advisory Committee was established with 13 members appointed. The new committee will provide an opportunity for members to share their experiences and expertise to support our shire's businesses and tourism operators and deliver on actions from Council's recently adopted Economic Development Strategy and four-year Action Plan.



Council hosted the 'Succession Expo: Family, Farm, Finance, Future' in Omeo and Buchan. The succession process includes matters relating to land assets, business structures, retirement, and pensions. The keynote speaker Sam Marwood, founder of social enterprise Cultivate Farms, shared innovative approaches to farm succession planning and community revitalisation.



Emerging Tourism Events Mentoring Program: Pathway to Growth supported event organisers to plan, grow and deliver successful tourism events.

**Grow Your Business Group Program 2022** saw 11 businesses collectively make \$5.4m in productivity improvements thanks to their participation in the program. The program delivered simple, measurable, and effective business improvement training opportunities at no cost to the businesses. Pictured with (left) Ray Clark from Optim Improvement and (right) Cr Jane Greacen OAM are Riviera Joinery's Brady Collins, Luca Blackmore, Ryan Collins and William Ray.





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



Community and stakeholder engagement is a key part of Council's activities. The layout of Council's engagement website, Your Say East Gippsland, was refined during the year to better identify activities that were open for consultation, progress status on activities that are underway, and updates for completed projects. In 2022-23 the use of the site increased by 292% with over 26,000 visitors to the site engaging in consultations about specific projects and receiving project updates. Council added 86 projects and policies on the Your Say website.



Through the Customer Experience and Library Service Review Council determined to retain existing opening hours at its service centres and libraries to monitor community use for 12 months with a minor change to a 9.00 am start. During this period the collection of broader customer service and library data will be gathered, there will be the introduction of call centre activities at remote service centre locations, additional staff resources, and the redesign of the mobile service. Two vehicles deliver the full range of Council and library services and provide access to community consultation and feedback opportunities to 48 remote and vulnerable communities across the shire – many of these are new sites.



Council's Customer Response Module system was updated during the 2022-23 year to support the increase of first-point resolution of customer enquiries, lodgements, and more efficient request management.



East Gippsland Shire Council undertook a significant step in federal advocacy to Canberra MPs, with Mayor Cr Mark Reeves, Cr Tom Crook and Chief Executive Officer Anthony Basford using online meetings with ministers to progress Council's advocacy priorities during March. Meetings were held with: Advisers to Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government; Senator Anthony Chisholm, Assistant Minister for Regional Development and Education; Darren Chester MP, Member for Gippsland and Shadow Minister for Regional Development, and adviser to Julie Collins MP, Minister for Housing, Homelessness and Small Business.



Council places a high value on being a key member of One Gippsland – the peak regional advocacy body representing Gippsland. Mayor Cr Mark Reeves was elected the Chair of One Gippsland in February 2023. One Gippsland has successfully advocated for many projects and services that have directly or indirectly benefitted East Gippsland. In the recent State Budget, this includes One Gippsland priorities such as hospitals, education, mental health, and transitional energy. Our involvement adds weight to that advocacy.



Council has advocated for its community at the **Inquiry into Bank Closures in Regional Australia**, presenting at the Senate Inquiry's first hearing in Sale on 2 March. "East Gippsland is a large rural shire where our residents deal with isolation and long distances to access services. We contend that, instead of being purely commercial decisions, banks must consider the social impact of site closures, particularly on smaller communities that are long distances away from larger regional service hubs," Mayor Cr Mark Reeves said.



In a first for local government in Victoria, Council teamed up with Wellington Shire Council to consolidate our respective data centres and information and communications technology (ICT) infrastructure. Ratepayers across the two shires are set to benefit thanks to reduced operational costs through greater efficiency, and increased cybersecurity and data protection.

In addition to the data centre consolidation, the councils have adopted software called Civica Altitude, which will streamline operations and improve community engagement. The aim is to deliver more efficient, effective, and sustainable services for their communities.



Community engagement for the Housing and Settlement Strategy was undertaken during May and engaged nine communities in direct consultation sessions across the entire region, in addition to having a platform for feedback on Council's website. The strategy will provide greater certainty as to where people can expect to see new housing developed, they type of housing that is anticipated and outline options and opportunities.



Forest Park, Orbost, during the October 2022 flood event.

We continue to work with communities recovering from the Black Summer Bushfires, and note considerable fatigue being experienced by the community volunteers and leaders. Whilst there have been some significant steps forward in recovery and resilience, there are still multiple and sometimes complex challenges being faced by communities and individuals on this journey. Only around 20 per cent of homes destroyed in the fires have been fully rebuilt.

There was one declared natural disaster event during the year. During October, the far east and high country were subject to significant flooding, for a period of several weeks. This event combined with the above average rainfall experienced during winter and spring, resulted in a challenging workload for the maintenance crews. This created extensive fire slashing work, vegetation management, and road works in addition to the usual maintenance schedule.

The native timber industry closing earlier than first expected, at the end of 2023, is causing significant concern for impacted communities. The process of starting to identify

opportunities through transition projects are highlighting complex challenges in communities, including gaps in housing, childcare, education, and training.

With a Capital program of over \$100m and 272 separate projects East Gippsland was not immune to the challenges of cost escalations and supply shortages experienced nation-wide across the construction sector.

Council put in place a range of measures to assist in the management of these market driven pressures, but still experienced delays in the delivery of some projects and significant cost increases in others.

Council remains committed to providing a work environment free of abuse for staff members and Councillors. During the year Council initiated a campaign highlighting the values of the Mutual Respect Charter which remind community members that staff are to be treated with courtesy and respect; deserve a safe and healthy working environment; and that there will be zero tolerance on verbal abuse, offensive behaviour, threats, and violence.

Staff featured in a campaign to remind community members that they are to be treated with respect.



## Challenges

Although we had many significant achievements during the year Council and the community also navigated various challenges.



Council facilitated a meeting between Hon Jaclyn Symes, Minister for Emergency Services, Mariela Diaz, CEO Emergency Recovery Victoria, and representatives from the Community Recovery Committees for the 2019-20 Black Summer Fires to discuss recovery progress.



East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 17 October 2023

## The Year in Review

**Looking at the past year we have an opportunity to reflect on some very significant achievements balanced with very real challenges for Council and community.**

Our experiences over recent years with drought, bushfire, COVID-19 and floods required us to adapt the way we deliver for the community. We have focused efforts on building resilience in communities navigating and recovering from these events, and we know there is more to do. Council has developed strategies to guide our future, however we also deal with the economic and supply chain challenges that face all stakeholders in our community and must continually adapt.

Listening to, and working with the community, has allowed the delivery of the largest ever Capital Works Program while continuing to maintain our existing assets and deliver the many council services we provide.

Council has advocated strongly to Government in light of the forced closure of the timber industry being brought forward to the end of 2023 and has focused efforts to seek funding for transition support for the most affected communities.

## Message from the Mayor

I am pleased to present this year's Annual Report, highlighting some significant achievements in the 2022-23 financial year amid some very real challenges for Council and community.

In recent years, we've grappled with and sought to overcome the impacts of drought, bushfires, the ongoing impacts of COVID-19, and floods. These challenges forced us to adapt our approach to serving the community, including addressing economic and supply-chain issues affecting us and our stakeholders.

A key focus has been on building resilience in our communities as they navigate and recover from these events. We recognise that there is still much work to be done and will continue to work with our communities to plan and prepare for the future. We proudly became the first certified ECO Destination in Victoria, opening doors to showcase our natural wonders.

Through active engagement with the community (and from successfully receiving federal and state government funding, see below!), we've successfully delivered the largest-ever Capital Works Program while also maintaining existing assets and essential services.

One of our crucial advocacy efforts involved (and continues to involve) addressing the forced closure of the timber industry, which has been accelerated to the end of 2023. We've tirelessly sought transition funding to ensure the support of communities affected by this change.

We advocated on a range of issues and took our calls directly to Canberra. Our advocacy has yielded impressive results:

- \$190,000 in Federal Government funding from the Regional Tourism Bushfire Recovery Grant Program.
- \$1.5m successful grant application for the construction of Air Ambulance Patient Transfer Station at Bairnsdale Aerodrome.
- \$1.2m in Federal Government funding committed to the Federal Disaster Ready Fund, which will enable Council to complete a climate risk analysis to identify the likely impact of extreme weather and other climate events.

Furthermore, we continued our strong advocacy to secure support for upgrades to the Great Alpine Road, airports, increased investment in housing, sporting facilities and infrastructure, and measures to prevent bank branch closures.

We again recognised the invaluable contributions of our volunteers by adding 67 new inductees to the East Gippsland Volunteer Honour Roll. National Volunteer Week events were held across three sites. Our volunteers' dedication to our communities is truly commendable.

One significant milestone this year was the successful finalisation of the Environmental Sustainability Strategy. This guide work across Council to achieve objectives for climate change, biodiversity, land and water management and resource efficiency.

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 Gipps TV* and to continue to engage with us through our engagement portal, *YourSay East Gippsland*.

Along with my fellow Councillors and dedicated officers, I am committed to building on the achievements of the past year and continuing our advocacy and resilience-building efforts to fulfill the community's goals for the region.

**Councillor Mark Reeves – Mayor**



## Message from the Chief Executive Officer

Council's Annual Report for the year 2022-23 provides an important record of a year of accomplishments, but it also looks to the future.

As an organisation, we maintained a forward-looking approach across our three directorates – Assets and Environment, Business Excellence and Place and Community; and adjusted our structure as required to best support service delivery to the community.

We started 2022-23 with a view of achieving a capital works program of \$104 million, which focused on renewing ageing infrastructure and providing new assets for the community. Our capital works program achieved an impressive milestone of spending and committing \$78m on projects.

Council and community navigated various challenges throughout the year. Supply chain issues and escalating costs for materials impacted projects. Flooding in parts of the shire and above average rainfall resulted in an increased workload for maintenance and emergency management teams, and added significant vegetation management work to our 'normal' schedule. We continue to support communities and volunteers with bushfire recovery and resilience.

Financially, we remain sustainable with surpluses, reserves and increased net assets. In the past year, I made staff resourcing and well-being a priority, including comprehensive training and support. I am proud of our commitment to training programs for staff on family violence, sexual harassment and resilience. We introduced a new Employee Assistance Program.

As we look ahead, we'll continue developing major strategies and plans such as the East Gippsland Sporting Masterplan, Marine and Coastal Management Plan, Housing and Settlement Strategy, Bairnsdale 2050 and Reconciliation Action Plan to ensure that East Gippsland remains a place where people want to live, visit and invest.

**Anthony Basford – Chief Executive Officer**



## Summary of Financial Performance

The summary of financial performance provides an overview of how Council has performed financially in 2022-23. The Long-term Financial Plan focused on improving Council's financial position, ensuring its long-term financial sustainability.

### Financial Snapshot

- \$156m revenue against a budgeted \$151m.
- Rates and Charges comprised \$65.5m (42%) of the total operating revenue.
- \$118.2m expenditure against a budgeted \$110.9m.
- Operating surplus of \$37.8m (budget \$40m).
- \$41.8m Capital Works program delivered against a budgeted \$104m.
- Cash holdings and other financial assets increased by \$23.7m from \$116.5m in 2021-22 to \$140.3m in 2022-23.
- Net debt increased to \$2.912m in 2022-23 from \$1.650m in 2021-22.

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 2022-23 is 97.34%.

### 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

There were new borrowings during the year of \$1.262m and borrowings totalled \$2.912m as at 30 June 2023.

### Council's operating results

Council achieved an operating surplus of \$37.812m this year compared to a \$30.976m surplus in 2021-22. This is greater than last year's result by \$6.836m. The operating surplus in 2022-23 though includes unbudgeted income of \$19.9m for an advance payment of the 2023-24 Federal Assistance Grant.

Without this advance payment, the operating surplus for the year would have been \$17.9m which is \$22.175m less than the budgeted result.

A decrease in capital grants over the budget of \$34.4m was offset by an increase in operating grants over budget of \$30.8m and other income for interest on invested funds that was an increase over budget of \$3.2m as a result of the increase in interest rates during the year. \$19.9m of the increase in operating grants was a result of the advance Financial Assistance Grant for 2023-24, including a CPI adjustment for the 2022-23 year, being received in 2022-23. There was also additional grant funding for Fire 2019 related projects of \$13.5m that was unbudgeted.

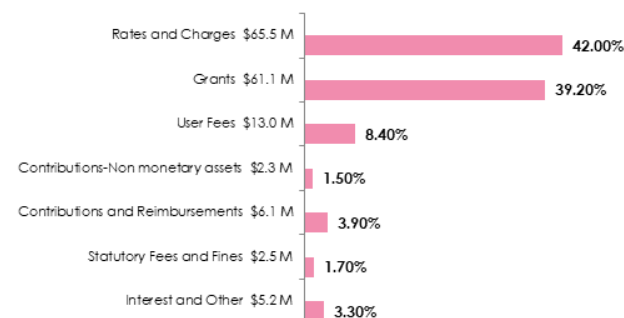
While the operating surplus represents an overall good result, an important indicator of financial sustainability is the underlying result, which removes all non-recurrent capital income to show the true operating position. An underlying surplus indicates that all operational expenditure including depreciation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

Council recorded an underlying surplus of \$19.11m this year compared to an underlying surplus of \$12.74m last year.

### Income

This year's operating income totalled \$156.018m compared to \$141.562m in 2021-22, an increase of \$14.456m.

The graph below shows the breakdown of Council's income in 2022-23:



### Rates and charges

Rates and charges income was \$65.5m this year. As a percentage of total income this is 42%, compared with 44.2% in the previous year.

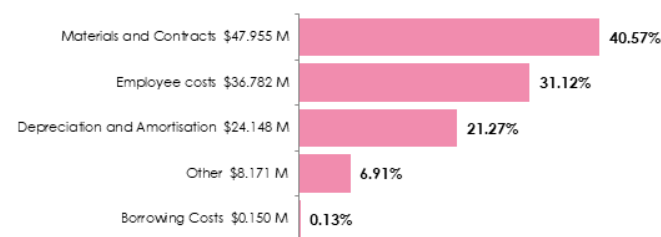
### Other revenue sources

Grant funding was \$61.1m this financial year and accounted for 39.2% of total income, compared to 37.3% last year. The greater percentage of total income from grants resulted from an increase in operating grants of \$10.1m partly offset by a decrease in capital grants of \$1.8m.

User fees accounted for 8.4% of total income compared to 8.0% in the previous year. Council facilities such as Recreation Centres and Caravan Parks returned to normal levels in 2022-23 following the restrictions that had been in place during the COVID-19 periods in previous years.

### Operating expenditure

The graph below shows the breakdown of Council's operating expenditure in 2022-23:



93% of our operating costs occur in the following three categories:

- Employee expenses 31.12%
- Materials and services 40.57%
- Depreciation and amortisation 21.27%

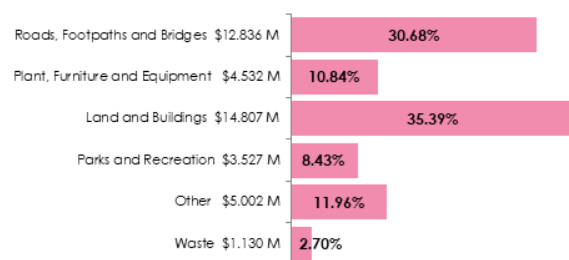
This year's operating expenditure totalled \$118.206m, which was \$7.271m greater than the adopted budget. Other expenses were \$6.466m greater than budget as a result of the landfill rehabilitation provision movement of an increase of \$1.621m and \$4.089m of infrastructure write-offs, primarily due to assets being replaced. Materials and services were \$1.024m greater than budget mainly as a result of natural disaster event restoration works undertaken during the year that will be offset by reimbursement income as well as Bushfire 2019 recovery expenditure that was unbudgeted but was funded from new and unspent operating grants. Depreciation and amortisation were less than budget by \$1.796m as a result of less projects being capitalised during the year than expected together with the new landfill cell airspace intangible asset not yet being required to be brought to account.

All other expenditure in 2022-23 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 \$41.8m, which was \$62.2m less than budget. This was due to the timing of some projects that will not be completed until the 2023-24 year.

The graph below shows the major capital expenditure categories for the 2022-23 year:



Roads and Bridges capital expenditure was \$12.836m this year, \$1.651m less than last year, and accounted for 30.68% of total capital expenditure compared to 37.92% last year.

Plant, Furniture and Equipment capital expenditure was \$4.532m this year, \$1.001m less than last year and accounted for 10.84% of total capital expenditure compared to 14.49% last year.

Land and Buildings capital expenditure was \$14.807m this year, \$6.024m greater than last year, and accounted for 35.39% of total capital expenditure compared to 22.99% last year.

Parks and Recreation capital expenditure was \$3.527m, \$0.979m less than last year. It accounted for 8.43% of total capital expenditure compared to 11.8% last year.

Other Infrastructure capital expenditure was \$5.002m this year, \$2.144m greater than last year and accounted for 11.96% of total capital expenditure compared to 7.48% last year.

Waste capital expenditure was \$1.130m this year, \$0.903m less than last year and accounted for 2.7% of total capital expenditure compared to 5.32% last year.

### Balance sheet

Council has maintained a healthy balance sheet this year. Net Assets were \$1,548m as at 30 June 2023 compared to \$1,366m last year. This is an increase of \$182.485m. \$144.673m of the increase relates to the increase in the fair value of infrastructure. The remaining increase is due to the operating surplus of \$37.812m.

### Debt levels

New borrowings of \$1.262m were taken up during the year for the Eagle Point Community Hub project, through the Community Infrastructure Low Interest Loan Scheme. Borrowings totalled \$2.912m as at 30 June 2023, an increase of \$1.262m from the previous year.

Council borrowings as at 30 June 2023 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 \$150,000, which is \$147,000 less than last year.

### Cash and cash equivalents and other financial assets

Cash and cash equivalents and other financial assets totalled \$140.317m as at 30 June 2023; this was \$23.77m greater than last year. There was an decrease in cash held at year end to fund 2022-23 capital and landfill rehabilitation projects that will be completed in the 2023-24 year of \$3.3m. There was an increase in unspent operating grants that will be expended in future years of \$11.1m and an increase in the federal Financial Assistance Grant received in advance of an additional \$6.1m. An increase in trade and other payables of \$1.32m at year end together with a reduction in trade and other receivables and other current assets of \$2.761m also added to the increase in cash held at year end.

### 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 2022-23 year was set at 1.75% with Council resolving that total base rates and charges would be increased by the rate cap percentage in the 2022-23 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.





*Gippsland Mayors Cr Kellie O'Callaghan (Latrobe City), Cr Mark Reeves (East Gippsland) and Cr Ian Bye (Wellington) flanked by Senator the Hon. Jonathon Duniam (Shadow Minister for the Environment, Fisheries and Forestry) and Federal Member for Gippsland Darren Chester MP at the National General Assembly of the Australian Local Government Association.*

## Advocacy

Councillors and officers 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.

A prioritised set of advocacy initiatives was developed and adopted by Council in September 2022. 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.

### During the year advocacy effort focused on:

- native timber harvesting position paper
- infrastructure funding
- the Bairnsdale Aerodrome project
- upgrades to Great Alpine Road
- housing needs, including the impact of bushfires on housing stock
- an update on bushfire recovery
- an arts and culture centre/arts precinct
- disaster impact on insurance premiums and related funding options
- heritage bridge support, funding required to maintain Victoria's second oldest timber truss bridge.
- for the Victorian Government to fully fund the school crossing supervision program
- Lakes Entrance Sports Stadium
- bank closures in regional Australia, significant issues created by the closure of bank branches on local communities.
- the impact of severe weather on roads and the inadequacy of disaster recovery funding to support road network improvements
- road safety and post COVID road safety for vulnerable road users.

Additionally, during the year Council supported several motions made by the Australian Local Government Association and the Municipal Association of Victoria, which included:

- the urgent need to upgrade critical infrastructure to respond to the impacts of climate change through investment in detailed modelling, setting of new design standards, and funding infrastructure upgrades.
- the unintended consequences of the Environment Protection and Biodiversity Conservation Act 1999 on management of key infrastructure and community services be reviewed.
- a strong framework and adequate resourcing for implementing the State of the Environment Report recommendations.
- restoration and expansion of the scope of the Financial Assistance Grants.
- support and protection against rapid and excessive increases to insurance premiums for landholders in areas impacted by severe weather events and/or natural disasters.
- a state-wide ongoing program that funds and supports Local Governments to combat invasive species.
- a State-funded Local Government Circular Economy Funding Program.

Councillors also hold representative positions on external advisory committees and boards to ensure that East Gippsland is represented in regional, state, and national arenas. Such as the National Timber Councils Association, One Gippsland, Australian Coastal Councils Association Inc, Timber Towns Victoria, and Australian Local Government Association.

*Councillors visited Bass Coast Shire Council in August to discuss the future of Gippsland tourism, climate change, community resilience, environmental effects and toured coastal erosion sites in Bass Coast.*







## Major capital works completed

During 2022-23 the major capital works include the following:

### Women's Organisation for Recreation, Leisure, and Development (WORLD) - Hockey and Netball Playing Surfaces

Construction packages 1 and 2 with the following facilities are nearing completion and will be ready for use by the end of September 2023:

- Eight-court netball precinct with lighting
- Synthetic hockey pitch with lighting
- Turf hockey pitch
- Carparking

Saturday 6 May 2023 saw the first hockey matches played on the synthetic pitch.

Construction package 3 (WORLD Pavilion) is now under construction, with the slab foundation completed and framing taking shape. Expected completion of the pavilion is mid-2024.

The project attracted significant investment from both the Australian Government and the Victorian Government, with the Victorian Government providing additional funds through a low interest loan scheme.

*Aerial photo of the WORLD Sporting Precinct, which includes eight new netball courts, a synthetic hockey pitch and a grass hockey pitch.*

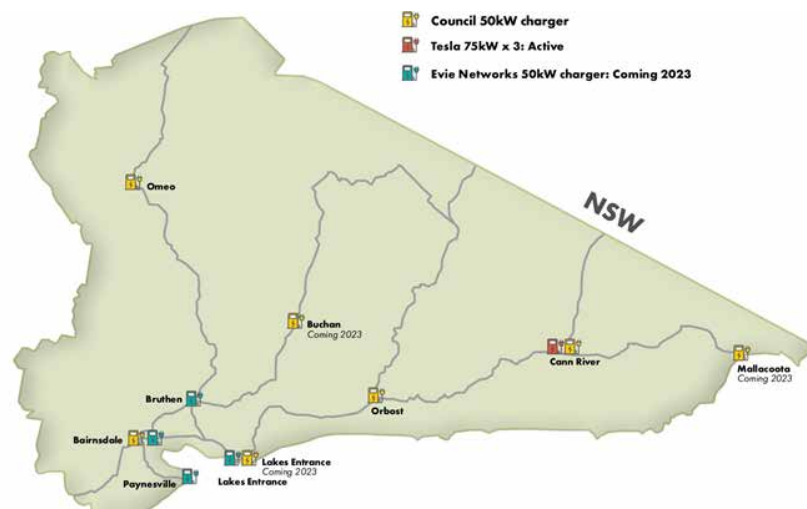


## Description of Operations

Council provides a broad range of community services and infrastructure to support the wellbeing and prosperity of our community.

The delivery of services, facilities, support, and advocacy to achieve the strategic objectives is measured by a set of service performance indicators and measures. Council has a wide range of responsibilities under Victorian and Australian legislation such as maintaining community infrastructure, land use planning and building control, domestic animal control, environmental protection and supporting local businesses.





Council has installed four **electric vehicle (EV) 50kW DC fast chargers** across the shire. Bairnsdale, Omeo, Orbast and Cann River were identified as priority towns to receive the EV chargers, establishing a regional network and increased connectivity across East Gippsland. Anyone who charges their electric vehicle from one of Council's charging stations will be using 100% renewable energy. Funding was provided by the Australian Government through the Local Roads and Community Infrastructure Program.

#### Cricket Net Upgrades for Paynesville and Mallacoota

Funding from Sport and Recreation Victoria saw the upgrade of the cricket nets at the AJ Freeman Reserve in Paynesville.

A new fit-for-purpose cricket training facility at the Mallacoota Lions Park Recreation Reserve was designed and constructed. An open-practice area was incorporated into the design to provide opportunity and a safe space for young children to play and practice.

Both facilities utilise a retractable net system providing flexibility, reducing visual obstruction, and improving on-field safety by reducing the likelihood of collisions with fixed infrastructure and incidents from balls ricocheting off hard poles and netting.

Works also commenced on upgrades to six hard wicket pitches across the Shire from as narrow as 2.0m to meet the standard of 2.8m and include junior line marking.

Completion of these two projects will improve participation levels for the Paynesville Cricket Club and the Mallacoota Cricket Club, as well as the wider community.



#### LED Street Lighting Upgrade

The street lighting bulk upgrade works in the AusNet Services distribution area of East Gippsland commenced on 28 March 2022, with the final light replaced on 10 February 2023. The project saw 1,602 lights replaced. Funding was provided by the Australian Government through the Local Roads and Community Infrastructure Program.



#### East Gippsland Gymnastics Pavilion

The new home for the East Gippsland Gymnastics Club in Lucknow features two Olympic-sized inground trampolines and an open-ended trampoline that flows into a 6m<sup>2</sup> landing bag, a "ninja zone" including a scaffolding rig and other challenging obstacles, and a mezzanine viewing area with associated seating and heating to complement the facility. The facility opened to users in early July and was funded by Council and Sport and Recreation Victoria.

#### Nowa Streetscape Upgrade

The Nowa Nowa Streetscape Upgrade has improved the standard of road infrastructure adjacent to the Princes Highway in the town. Works included road pavement, kerb and channel, drainage, path connections, landscaping, construction of a bus shelter and asphalt surfacing. The works have improved both pedestrian and vehicle safety and accessibility. The project was funded by the Australian Government through the Victorian Infrastructure Investment Program.



#### Embedding Resilience in Community – Fire Response – Static Water Tanks

The installation of 19 high volume static water tanks across remote or isolated East Gippsland communities has increased the capabilities of emergency services to respond to bushfires. Each water tank is constructed from concrete to ensure they withstand any threat from fire and are for firefighting purposes only. They will contribute to saving lives, protecting homes and critical infrastructure during a bushfire event.

The tanks hold approximately 46,000 litres and can each fill up to 23 fire truck loads of water. Each tank is fitted with County Fire Authority (CFA) / Department of Energy, Environment and Climate Action compatible fittings and are locked to stop water being taken for other purposes. The tanks will also provide surety for responders when all other utility systems fail, as they are not dependant on any utilities to be accessed.

The project involved consultation with the CFA, Forest Fire Management, VicRoads, and local community. Funding was provided by the Australian Government Department of Industry, Science, Energy and Resources through the Black Summer Bushfire Grants Program.

#### Bullock Island Bridge

Council has replaced Bullock Island Bridge with a modern bridge to safely accommodate pedestrians and cyclists with a shared path. The bridge opened in time for the busy Christmas holiday period. The project was funded by the Australian Government through the Victorian Infrastructure Investment Program.







The **upgrade of Bruthen's streetscape** has transitioned the township into a tourism hub. Works included removing unsafe intersections and carriageways, widening the road to safely accommodate heavy vehicle movement, and upgrading one of Eastern Victoria's most-used public toilets. Parking has been improved to meet current standards and make it safer for all users, and pedestrian safety measures have been introduced with additional paths to better connect destinations within the town centre. Aesthetic improvements include enhancement of Bruthen's Main Street gardens with additional plantings and new street furniture.

#### New Mallacoota Skatepark

The Mallacoota Skate Park is a vibrant family hub for all ages to enjoy. It is a space to play, teach and learn through active recreation and social inclusion. Following the devastating 2019-20 Black Summer Bushfires and the impacts of COVID-19, local organisations, individuals, and businesses all came together to support the town's recovery. The Sanctuary (Mallacoota Youth Group) and Mallacoota Halls and Recreation Committee of Management, with support from the Mallacoota and District Recovery Association and Mallacoota Lions Club, were successful in securing funding from the Bendigo Bank for the design and construction of the new skate park.



#### Road Reseal Program

- \$3.8m spent on road reseals
- 64 roads renewed (totalling 71.71km – that is the equivalent of driving from Bairnsdale to Ensay)
- \$1.5m funding from Roads to Recovery



#### Buchanan Linkages

A shared path link from the Buchanan Caves campground to the Buchanan township is part of the larger Buchanan Main Street and Linkages project. The project has boosted Buchanan's tourist economy by improving visitor access to the town centre and enhancing its appeal, encouraging

people to stop, stay and spend. The shared path link has also increased accessibility for the local community to move around town more safely.

Council secured funding for this project from the Victorian Government's Local Economic Recovery Program, which is jointly funded by the Australian and Victorian governments.



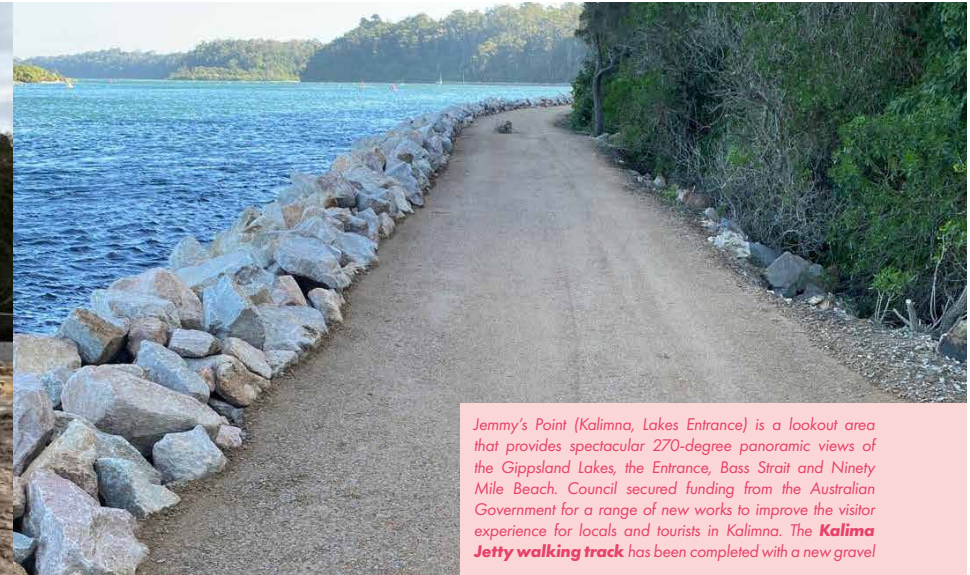
#### Omeo Recreation Reserve Netball and Tennis Upgrade

This project included resurfacing of courts, new perimeter fencing, lighting, player and scorer shelters, secure storage area for equipment, new pedestrian access path, and the upgrade of access roads and parking areas. The project was funded by the Australian Government through the Black Summer Bushfire Grants Program to support the community's physical and mental wellbeing by providing people of all ages the opportunity to participate in organised sport and physical activity, and to reconnect as a community.





The **Eagle Point Foreshore Hub's** new architectural building was designed with respect for the cultural history, natural landscape, and spectacular lake views, and to complement the character of Eagle Point. The hub will be a multi-functional building accommodating community spaces, the Eagle Point Caravan Park office and kiosk, public toilets, water-based activity equipment hire/storage, and a modern café. The precinct will include a large modern children's playground, shared pathways, improved access to the Eagle Point jetty, an event space with a stage and amphitheatre, barbecues, picnic tables, and seating. Construction is well under way, sitting at around 60% complete, with the project expected to be completed by late 2023.



Jemmy's Point (Kalimna, Lakes Entrance) is a lookout area that provides spectacular 270-degree panoramic views of the Gippsland Lakes, the Entrance, Bass Strait and Ninety Mile Beach. Council secured funding from the Australian Government for a range of new works to improve the visitor experience for locals and tourists in Kalimna. The **Kalima Jetty walking track** has been completed with a new gravel

## Significant projects underway

### Omeo Mountain Bike Trails

This three-year project aims to transform 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. Recently, 10 kilometres of trails (of the 56 kilometres in Stage 1) were opened to the public so they can begin to use the new trails.

Stage 1 includes:

- Cross country and downhill gravity trails.
- Switchback climbs for over 500 metres up nearby Mount Mesley.
- A loop parallel to the Great Alpine Road leads to the Historical Oriental Claims; and
- Descending trail of over 500 vertical metres from Mount Sam summit linking to Mount Mesley.

During the year Council was successful in attracting funding of Stage 2 of the trails from the Victorian Government which will create an extensive world-class bike trail.



### Moroney Street Stage 2

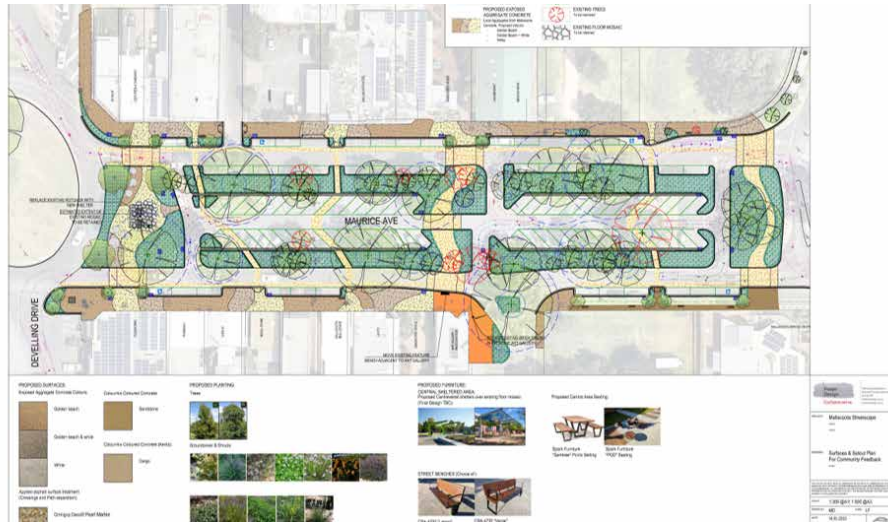
Council is improving the road and drainage infrastructure in Moroney Street, Bairnsdale. The overall objective is to upgrade Moroney Street with a consistent seal width, new underground drainage, kerb and channel, footpath installation as required, parking lanes, tree planting and upgrades to all intersections to improve road safety, this project involves upgrading the whole of Moroney Street and is being completed in three stages.

Stage 2, between McKean Street and Birchwood Court, began in November 2022. Drainage infrastructure is now complete, and the sealing works are scheduled for July 2023. The nature strips in this entire block will then be rehabilitated.



Council received funding from Better Boating Victoria to assist with an **upgrade of the Shaving Point Metung boat ramp**. Following community consultation undertaken in October 2022, works commenced on 26 June 2023 and include the demolition of the existing concrete double ramp and two timber jetties with a replacement ramp and jetties which includes a combination of fixed jetties and floating pontoons whilst carrying out remediation works to prevent sand build up on the ramp.





**Mallacoota's streetscape** is being upgraded to improve the functionality and operation of Maurice Avenue, and to enhance the appeal of the street with increased urban amenity, which is inviting, attractive and user friendly. The budget for this project is provided through contributions from the Australian Government and Council.

This project will include:

- Replacing footpaths and kerbing
- Reconfiguring parking
- Creating all-abilities accessible paths

- Creating a town square
- Upgrading street bins
- Beautifying the area through landscaping, installation of new street furniture and public art
- Collaborating with traders to upgrade their business facades and promote all-abilities accessibility
- Improving traffic management, ensuring the environment is safe and all-abilities accessible
- Increase opportunity for alfresco dining

#### Krauatungalung Walk, Lakes Entrance

Krauatungalung Walk, Lakes Entrance is being designed as an all-abilities accessible walking circuit around Cunningham Arm, east of the footbridge. The circuit aims to complement and link the existing uses and facilities of the foreshore.

Krauatungalung Walk, named after the traditional landowners, will be a practical demonstration of respect and healing by increasing our mutual understanding of the rich Indigenous heritage of Lakes Entrance. The circuit will tell stories of the local Indigenous community, while providing an opportunity to develop an active community and provide improved all-abilities access within Lakes Entrance.

Community consultation is currently underway for Stages, 2, 3 and 4, seeking feedback on the concept designs. Construction for Stage 1 will commence during 2023-24



#### Lakes Entrance Foreshore Park

Lakes Entrance Foreshore Park is an open reserve located on the north side of Cunningham Arm close to The Esplanade and town centre. The park will have shared paths in the East and South providing connections along the foreshore as well as to Ninety Mile Beach via the pedestrian bridge adjacent to the site. There is a large car park to the north and a rotunda to the east within the Esplanade Reserve.

Through the installation of a new playground, paths, and landscaping, Council will create a location where people

of all ages and abilities are able to play and be active in a safe and enjoyable environment which inspires creativity and encourages physical activity. The park will also link-in with the proposed Krauatungalung Walk - Stage 1, with a cultural gathering space provided within the foreshore area at the rotunda.

Community consultation has been undertaken for this project and detailed design work was completed during the year.

This project is funded by contributions from State Government, Australian Government and Council.



The **upgrade of Forest Park in Orbost** will revitalise and modernise Orbost's premier passive recreation area and visitor rest-stop. This will grow local tourism by providing a destination for travellers using the Princes Highway and provide a place for community members of all ages to gather, connect, and enjoy the beautiful location and facilities. The project will stimulate the local economy and provide significant community benefits to a town in transition. Council had made significant headway in planning and design process for this project, however due to budget constraints the project scope and proposed concept plan was amended. The revised project scope has been accepted, with the detailed design completed in June 2023.

The works will include:

- a new all-abilities accessible toilet block with baby change facilities
- access improvements, new paths, and increased parking
- an adventure playground
- barbecues, picnic facilities and covered shelter







Cr Sonia Buckley (second from left) chatting with locals at the opening of the Bundarra Community Centre.

## Supporting Community Projects

In addition to the Capital Works program that is delivered by Council we also play a role in supporting community projects.

Young East Gippslanders from areas hit by the Black Summer bushfires are leading recovery and preparedness efforts in their communities thanks to a \$10 million, multi-council project.

The Future Proof: Young People, Disaster Recovery and (Re)building Communities project is led by the Youth Affairs Council Victoria and funded via a Black Summer Bushfire Recovery Grants Program, of which East Gippsland Shire Council is a key partner.

Groups benefit from community projects, arts and heritage grants. More than \$72,000 will be handed out to 16 groups and organisations in round one of the 2022-23 East Gippsland Shire Council 'Community Projects Grants' and 'Arts and Heritage Grants' programs.

### Community Projects include:

- Upgrade Glenaladale Hall \$5,000
- Peaceful Memories, Bemm River Community Centre Inc \$5,000
- Tambo Upper Trail Riding Club Safety Equipment \$720.55
- Cassilis Community Resources \$2,681.36
- Omeo Community Hub \$5,000
- Going solar system project, Swan Reach Reserve Committee of Management \$5,000
- Asset protection from wildfire, Orbost Pony Club \$5,000
- Swifts Creek Gun Club/Post Bushfire and COVID-19 Re-Opening \$4,457.50
- Aim High Whilst Having Fun - Music Alongside Professionals, Crashendo East Gippsland \$5,000
- Preservation of Historic Building SS#1723, Rosehill Hillside School \$4,100

### Arts and Heritage projects include:

- Lost in the Groove: a free community music fiesta (Orbost, Lindenow, Marlo) \$10,000
- Star Wars: The Empire Strikes Back (Tambo Upper Primary School production) \$2,000
- Now Groove (accessible music program) \$3,000
- Raymond Island Ferry History \$5,000

### Community Projects and Arts and Heritage (combined):

- Medieval Winter Fire Festival, Bruthen Arts and Events Council \$5,000
- East Gippsland Geezers On Tour (theatre and comedy group) \$5,000

## Major Changes

### Enterprise Agreement Number 6

There were no major changes that were introduced as per clause 13 of the East Gippsland Shire Council Enterprise Agreement.

Enterprise Agreement Number 6 was approved by the Fair Work Commission in 2022.

## Major Achievements

### Excellence in Place Naming

Council's Finance team received the 'Excellence in Place Naming' gong at the Asia Pacific Spatial Excellence Awards in October 2022.

The award was received by General Manager Business Excellence Peter Cannizzaro and Rates and Valuations Coordinator Kylie Mitchell. The achievement is also reflected on an honour board at the Department of Environment, Land, Water and Planning (now known as the Department of Energy, Environment and Climate Action) in Melbourne. The award was in recognition of Council's work following a proposal by the East Gippsland Family History Group to name an unnamed laneway in Bairnsdale 'Bicknell Lane'. The name reflects the contribution Louisa Annie Bicknell made in opening a private hospital in Bairnsdale and her service with the Australian Army Nursing Service.



East Gippsland has become the **first certified ECO Destination in Victoria** and only the seventh in Australia, receiving recognition from Ecolourism Australia. By obtaining Eco Tourism Status, travellers are assured that the region is genuinely committed to sustainability and providing high-quality nature-based and sustainable experiences. Pictured: Mayor Cr Mark Reeves accepts Eco Tourism certification from EcoTourism Australia CEO Elissa Keenan.



**National Emergency Medals** were presented to about 60 East Gippsland Shire Council staff on Wednesday, October 19, recognising the important and sustained contribution made in the response effort during the 2019-20 Black Summer Bushfires.

#### **Small Regional (non-RPT) Aerodrome of the Year**

The Bairnsdale Airport was awarded Small Regional (non-RPT) Aerodrome of the Year at the Australian Airport Association's (AAA) National Airport Industry Awards 2022. Bairnsdale airport is sited 7km southwest of the Bairnsdale township on Bengworden Road off Princes Highway, approximately 300km east of Melbourne.

#### **Young Planner of the Year**

Victoria's top accolade for a young planning professional has been awarded to East Gippsland Shire Council Planning Officer Kyra Collins. Kyra was named Young Planner of the Year at the Planning Institute of Australia (Victorian Division) Awards for Excellence.



Wilari, 6, and Marion, 4, helped raise the flag at the Bairnsdale flag raising ceremony for NAIDOC Week in July 2022, held at the Corporate Centre. The theme for NAIDOC Week was Get Up! Stand Up! Show Up!

## **Civic Events**

Council recognises the importance of community involvement and celebrating achievements by hosting civic events as part of its civic leadership role and commitment to active community engagement.

These events include citizenship ceremonies, project openings and announcements, welcoming visiting dignitaries, participation in community events, meeting with local groups and schools, and engagement opportunities.

During National Volunteer Week in May, three recognition events were held, and now in its second year, more than 65 names were added to the East Gippsland Volunteer Honour Roll. The honour roll recognises the contribution and years of volunteering of local community members. The honour roll is a permanent listing featured on Council's website and, along with the celebration events, is widely promoted.

Community projects delivered as part of Council's capital works program were officially opened, with an emphasis placed on involving local people and groups through their attendance and contribution to events.

Council attended the East Gippsland Field Days in April. The event was a great success overall, with excellent stallholder and visitor numbers across both days. Council's site featured a broad range of information about projects, initiatives, and services. Among the highlights were the very engaging 'Grown Caught Made' trails, the return of flu shots, library activities, waste mascot and compost workshops.

Events were actively promoted and celebrated throughout Council's communication channels, local media, and within communities through various groups and clubs.



Dates	Civic event
9 July 2022	Marlo Triangle Park playground opening
28 July 2022	Citizenship Ceremony, Lakes Entrance
17 September 2022	Citizenship Ceremony (Australian Citizenship Day), Bairnsdale
11 October 2022	Citizenship Ceremony, online
25 October 2022	Omeo 150th Anniversary Since Proclamation and Omeo Heritage Precinct works
26 January 2023	East Gippsland Australia Day Awards, Newlands Arm
26 January 2023	Citizenship Ceremony, Bairnsdale
8 March 2023	International Women's Day, various towns
13 March 2023	Orbost Show and Landcare Expo
24 March 2023	Official opening of Marveloo, Lakes Entrance
6 April 2023	Omeo Mountain Bike Trails community celebration
21-22 April 2023	East Gippsland Field Days, Bairnsdale
11 May 2023	Citizenship Ceremony, Bairnsdale
17 May 2023	East Gippsland Volunteer Recognition Event, Johnsonville
18 May 2023	East Gippsland Volunteer Recognition Event, Paynesville
19 May 2023	East Gippsland Volunteer Recognition Event, Marlo
20 May 2023	Electric Vehicle Charging Network launch, Bairnsdale
25 May 2023	ECO Destination Certification launch, Metung



Ryan Findley (10+ years), Bon Nettleton (50+ years) and Ellie and John Lawrence (up to five years each) were recognised for their volunteerism on the East Gippsland Honour Roll at the Marlo volunteer morning tea.



Council's stand at the East Gippsland Field Days highlighted the 'Love Where it's Grown, Caught, Made' program (left). General Manager Place and Community Stuart McConnell and Cr Sonia Buckley drew the winner of the daily prize.

The upgrade at Marlo Triangle Park has proved a hit with children and families. A great crowd joined in a community celebration to mark completion of the work.



East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 17 October 2023



St Mary's Primary School students visited the Bairnsdale Corporate Centre as part of their civics studies. The students asked Crs Reeves, Allen and Urie many great questions while in the Council Chamber learning about the role of local government.





### Citizenship Ceremonies

In 2022-23, 95 people in East Gippsland became Australian citizens by conferral across five ceremonies hosted by Council. The newest citizens represent a wide range of cultural backgrounds and countries of birth. Some people have lived in East Gippsland or Australia for many years, while others are more recent arrivals.

A citizenship ceremony is the final step in the journey to become an Australian citizen and conferees receive a certificate of Australian Citizenship. The ceremony fulfils the requirements under Australian citizenship law and provides an opportunity for Council to officially welcome its new citizens.

Our ceremonies are live streamed for friends and family who cannot attend the event and can be viewed at any time on our YouTube channel, EastGippyTV.



### Australia Day Awards

More than 150 people celebrated the outstanding contributions of 19 individuals and multiple community events (nominated by the community) at East Gippsland's annual Australia Day Awards, held at Newlands Arm Community Centre on Saturday 21 January.

Held in Newlands Arm for the first time, the awards included a Welcome to Country by well-respected Gunaikurnai community member Kaylene Williamson, a flag unfurling by the Bairnsdale Scouts and 1st Paynesville Sea Scouts, entertainment by East Gippsland Brass, and an Australia Day address from local ambassador, Helen Martin.



Simon Hof named East Gippsland's Citizen of the Year, congratulated by Mayor Cr Mark Reeves.

#### Citizen of the Year – Simon Hof

Simon has been helping lead Sarsfield's recovery from the Black Summer Bushfires. As part of the Sarsfield Community Association, Simon has led the committee with enthusiasm and dedication to obtain the best future for Sarsfield. He has been passionate in driving surveys to find out what was important to the wider community as he always advocates the role of the committee is to serve the community. Simon has inspired many people to step up into leadership positions on the committee.

#### Young Citizen of the Year – Tillyrose Hambling

Tillyrose is a fundraising dynamo. She is a fundraising leader for her school and has raised funds for multiple foundations throughout her young life. Tillyrose was diagnosed with cerebral palsy at age seven. When she was nine, she raised \$1,500 for charity by cutting off her waist-length hair. The hair was used to make wigs for sick children. Taking part in STEPtember, Tillyrose and her family raised \$3,000 for a cerebral palsy charity.

Tillyrose is an exceptional young woman who has stayed positive and supportive of others despite her own challenges.



Tillyrose Hambling pictured with Mayor Cr Mark Reeves, took out the Young Citizen of the Year for her dedication to raised funds for multiple foundations.

#### Community Event of the Year – National Tree Day

Bairnsdale's National Tree Day event is organised by Bairnsdale Urban Landcare Group. Each year, the group works with the Bairnsdale Scout Group and community to educate and provide a hands-on opportunity for the public, especially children and youth, to revegetate and maintain the Mitchell River Walking Track. The event has demonstrated excellence in drawing together a diverse range of people from the community. An annual event over the past decade, its ongoing legacy is the natural environment that has been created because of mass-planting events. This, in turn, has created a wonderful outdoor space for recreation and leisure.



National Tree Day was named East Gippsland's Community Event of the Year.

## Events

The Victorian COVID-19 restrictions on events were lifted in July 2022, marking a significant recovery milestone. There was a surge in events being scheduled once restrictions were removed.

Council continued to coordinate and support events in our region through permits and sponsorship with: 346 individual events held

- Secured five events to the region during off peak periods
- Sponsored four events through the Regional and District Events Sponsorship (RADES) (this program is now concluded)
- Supported Bairnsdale Anzac Day Commemoration Services
- Presented Lakes Entrance Foreshore Summer Carnival
- Conducted two Event Masterclasses in Lakes Entrance and Bairnsdale which saw the launch of Council's Events Accessible Guide

In 2022-23 Council invested \$111,000 in sponsorship to 22 regional events, which brought a return on investment (ROI) of \$213.17:1 (or \$23,661,876 of economic benefit). This represents a significant increase from the previous year when the ROI was calculated at \$27.66 (attributed to the impact of restrictions imposed by COVID-19).

Council's RADES program, which had been in place for several years, has concluded. RADES was phased out and replaced by the Council-endorsed program Pathways to Growth, from the new East Gippsland Event Growth Action Plan 2021-26, to support and encourage visitation to our region. Over the past year, Council has implemented a significant proportion of actions from the Events Growth Action Plan 2021-26, including the "Pathways to Growth

Event Mentoring" program which has supported two events to date: Wild Harvest Seafood Festival and Twin Rivers Bream Classic.

Council secured \$190,000 through the Australian Government's Regional Tourism Bushfire Recovery Grant program. However, the program's implementation was significantly affected by the remaining COVID-19 restrictions and unseasonably wet weather, leading to event postponements.

Of the five events sponsored under this program, three had already taken place in the previous year. Of the two remaining, the Cattlemen 100 MTB Omeo was delivered, however the Super Trail Lakes Entrance was cancelled due to unfavourable weather. This event could not be rescheduled further as the funding program could no longer carry the program over (after three years of doing so) resulting in unspent funds being retained by Austrade, the funding body.

The third annual East Gippsland Winter Festival returned to the region in 2023. The festival sees the region come alive with light, food, music, art and culture. The 2023 festival was one of the largest and most diverse winter festival programs in Australia with more than 100 events across the region. The festival continues to grow year on year and is establishing itself as a community and visitor favourite. Council has continued to provide a range of support to the Winter Festival.

Approximately \$200,000 of funding provided in partnership with the East Gippsland Community Foundation for recovery and resilience focussed on community events.

The East Gippsland Winter Festival, including the lantern parade and light installations at Lakes Entrance, was again a resounding success.



Dates	Event	Supported by Council
<b>2022</b>		
17 June – 10 July	East Gippsland Winter Festival	RADES* **
9 July	Deep in the Weeds, Orbost	RADES
10 – 13 July	Lakes Country Cruise	RADES
19 – 21 August	Tennis Seniors Victoria National Ranking Tournament	Sponsorship
20 – 21 August	Vic Bream Classics Marlo	RADES
20 – 21 August	Squash Victoria Country Individuals Championship	Sponsorship
24 September	Friends of the Mitta Give Back to the Mitta	RADES
10 – 11 October	Victorian Women's Spring Golf Tournament	Sponsorship
28 October – 1 November	Omeo RV and Caravan Muster	RADES
10 – 13 November	X Marathon - Alpine Quest	RADES
11 - 13 November	Wild Harvest Seafood Festival, Mallacoota	RADES * & **
19 – 20 November	Grand Final Vic Bream Classics Metung	RADES
19 November	Cattlemen 100 MTB Omeo	RADES *
1 – 4 December	Alpine Rally of East Gippsland	RADES
26 December 2022 – 22 January 2023	Lakes Entrance Summer Carnival	
<b>2023</b>		
21 – 22 January	Big Garage Bairnsdale Pro-Am and Junior Pro-Am	Sponsorship* **
24 – 26 February	Paynesville Music Festival	RADES
25 – 26 March	Vic Bream Classics Marlo	Sponsorship* **
25 April	Anzac Day Bairnsdale	
6 – 7 May	Vic Bream Classics Mallacoota	Sponsorship **
6 – 7 May	X Marathon - Alpine Quest	RADES
13 May – 11 June	Victorian Broadbill Swordfish Championship	RADES
10 June	Deep in the Weeds, Orbost	RADES
9 June – 9 July	East Gippsland Winter Festival	RADES **

\*Indicates a new event Council attracted to the region.

\*\* Indicates an event supported by Council and received grant sponsorship from another Government organisation.





East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 17 October 2023

## 3 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.

## Regional Profile

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

### Our Local Economy

East Gippsland Shire's population is 48,887 and growing at a rate of 0.9% per annum. The region currently supports 4,771 businesses.

The local economy continues to reflect positive indicators of recovery with an annual economic output of \$5.612m. This output is being led by the Manufacturing, Construction and Agriculture industry sectors.

The visitor economy has rebounded with domestic visitation of 1.424m and expenditure at \$596m - an increase of 14.4% and 9.3% respectively on the previous year (and an extraordinary increase of 75.3% from \$340m in 2018).

With 2022-23 being the first year since COVID-19 restrictions were removed, the Economic Development unit was able to extend its focus beyond immediate bushfire and COVID-19 recovery response. While considerable activity supporting the business community through their recovery is ongoing, it has been another year of turbulence and industry change with an acceleration of the Forestry Transition by December 2023 impacting three of East Gippsland's communities.

Combined with the rapid Renewable Energy Transition, additional Council resources are required to ensure economic benefit for our region is identified and captured. The 2022-23 financial year saw the return of the Economic Development Advisory Committee.

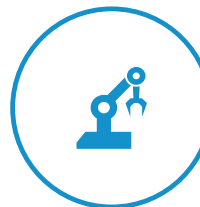
Together with the Agriculture Sector Advisory Committee, these sector leaders help to inform Council on the critical needs and emerging issues as they relate to the various industry sectors across the region. The Committees meet quarterly, and the minutes are tabled publicly through Council meetings.



### QUICK FACTS EAST GIPPSLAND 2022-23



Total of 18,654 jobs, with unemployment at 4.4% (at June 2023)



Top three export Industries: Manufacturing (35.8%), Agriculture, Forestry and Fishing (25.4%), Construction (12.3%) (REMPAN)



Top five industries by employment: Health Care and Social Assistance (17.8%), Retail Trade (10.4%), Education and Training (9.7%), Construction (9.6%) and Agriculture, Forestry and Fishing (9.1%) – (2021 REMPLAN)



**\$2.813 billion**

Total Gross Regional Product (GRP) (REMPAN)



## 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 elected Council is responsible for providing leadership for the good governance of the shire by setting the strategic direction for the shire.

## Our offices

### Bairnsdale - Corporate Centre

273 Main Street (PO Box 1618),  
Bairnsdale VIC 3875

**Lakes Entrance** 18 Mechanics Street

**Mallacoota** 70 Maurice Avenue

**Omeo** 179 Day Avenue

**Orbost** 1 Ruskin Street

**Paynesville** 55 The Esplanade

### Contact us

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

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

Phone: (03) 5153 9500

**Moogji Aboriginal Council East Gippsland**, led by CEO Tammy Bundle, welcomed Councillors and Senior Officer us to their Bonang Road property on the edge of Orbost in February. Moogji has been working on creating a place for Aboriginal and non-Aboriginal people to gather, revegetation activities and propagating site-specific tubestock. We appreciated the opportunity to yarn about what Moogji and their passionate team are doing on country and for Aboriginal people – a great story about an expanding organisation looking for opportunities and partnerships to make a difference.



EAST GIPPSLAND SHIRE COUNCIL  
East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 17 October 2023



**Cr Mark Reeves**  
Mayor

Phone: 0419 016 58

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

### Previous elected terms

2012-2016; 2016-2020

### Served as Mayor

2013-2014, 2021-22



**Cr Arthur Allen**

Deputy Mayor

Phone: 0429 630 474

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

### First elected

October 2020



**Cr Sonia Buckley**

Phone: 0429 567 229

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

### First elected

October 2020



**Cr Tom Crook**

Phone: 0429 554 064

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

### First elected

October 2020



**Cr Jane Greacen OAM**

Phone: 0428 478 219

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

### First elected

October 2020



**Cr Trevor Stow**

Phone: 0439 285 111

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

### First elected

October 2020



**Cr Mendy Urie**

Phone: 0436 324 179

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

### Previous elected terms

2005-2008; 2008-2012

### Served as Mayor

2006-2009; 2020-21



**Cr Kirsten Van Diggele**

Phone: 0429 629 950

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

### First elected

October 2020



**Cr John White**

Phone: 0498 001 531

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

### Previous elected terms

2016-2020

### Served as Mayor

2019-2020

East Gippsland Shire Council staff were recognised with 'Living Our Values' awards in 2022. Council's values are respect, collaboration, accountability and integrity.



East Gippsland Shire Council - Agenda  
Council Meeting - Tuesday 17 October 2023

## 4 Our Organisation

Delivering the strategies within our Council Plan requires a dynamic, diverse, and skilled group of people to work together to achieve outcomes for our community. A strong culture, robust structures and flexible systems provide the necessary support to allow our employees to flourish.



## 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 2023.



\*Wellington Shire Council Shared Service Resource



The East Gippsland Livestock Exchange in Bairnsdale offers facilities for multiple sales weekly. Mal Leys is Council's Livestock Exchange Senior Officer.

## 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; and
- provide responsive service.

The Staff 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 and limited-tenure staff, but excluding staff on parental leave. The number of full-time equivalent (FTE) positions as at 30 June 2023 were 383.4, including casuals.

Year	Total Staff*	FTE
2022-23	602*	383.4**
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

\* Including casuals and limited-tenure staff. Excluding the Chief Executive Officer and staff on parental leave.

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

\*\* Staff EFT numbers above include limited-tenure Bushfire Recovery, other limited-tenure roles, and calculated component for casual and capitalised roles.

## Total staff numbers by salary band and gender

Employment Classification	Total Staff	Female Staff	Male Staff	Self-described Gender Staff
Band 1	23	13	11	0
Band 2	34	19	15	0
Band 3	187	80	105	0
Band 4	117	87	30	0
Band 5	72	51	21	0
Band 6	77	40	37	0
Band 7	55	28	25	0
Band 8	9	2	7	0
Senior Executive Officer / Senior Officer	19	10	9	0
Immunisation Nurses	8	8	0	0
<b>Total</b>	<b>602**</b>	<b>338</b>	<b>260</b>	<b>4*</b>

\* To protect anonymity, self-described gender has not been declared at band level, due to low figures

\*\*Excluding Chief Executive Officer and staff on parental leave

## Job level by gender

Job Level	Total Staff	Female	Male	Self-described Gender
Chief Executive Officer	1	0	1	0
General Manager	3	1	2	0
Manager	15	8	7	0
Coordinator	55	29	26	0
All other staff	525	299	226	0
<b>Total</b>	<b>603**</b>	<b>338</b>	<b>261</b>	<b>4*</b>

\* To protect anonymity, self-described gender has not been declared at job level, due to low figures

\*\*Excluding staff on parental leave

## Staff numbers by directorate

Staff numbers for each directorate as at 30 June 2023 are:

Work type/ gender	Chief Executive Officer team	Assets and Environment	Business Excellence	Place and Community	Total
Full time – Female	1	31	48	33	113
Full time – Male	1	107	25	10	143
Part time – Female	1	33	44	20	98
Part time – Male	0	36	12	1	49
Casual – Female	0	86	28	13	127
Casual – Male	0	63	2	4	69
- other	0	0	0	0	4*
<b>Total</b>	<b>3</b>	<b>359</b>	<b>159</b>	<b>82</b>	<b>603**</b>

\* To protect anonymity, self-described gender has not been declared at job level, due to low figures

\*\*Excluding staff on parental leave



Our staff were all smiles at Orbost Outdoor Pool for the launch of the Learn to Swim program in November.

## People and Culture

### Learning and Development

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:

- Pathways to Prevention family violence awareness sessions
- Resilience Project – Wellbeing Series
- Sexual Harassment Prevention Training

Additionally at specific directorate or business unit levels, training has included:

- Email Standards and Etiquette
- Climate Risk – Organisational and Personal Liability

As COVID-19 restrictions lifted, the return to face-to-face training has resumed as the preferred delivery method, with online sessions made available to staff in remote locations.

Council currently has traineeship programs across a range of fields, being the host employer to six trainees during the 2022-23 year. With three trainees successfully completing traineeships (Livestock Saleyards, Sport and Recreation, and Parks and Gardens). Two of these trainees have become ongoing and valuable members of staff.

Currently there are two administration trainees, one each in

the Assets and Projects, and Business Excellence directorates.

Another community services trainee is working in the Place and Community directorate.

Council will continue to work closely with our partnering organisations and schools to provide traineeship opportunities which are valuable and successful.

### 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.

The Occupational Health and Safety (OHS) Policy, updated in March 2023, outlines Council's commitment to OHS and ensures that health and safety practices are embedded within our operational activities through the following four goals:

- Leadership
- Systematic Approach
- Proactive OHS Culture
- Safe Environments

The Safety Management System is being redeveloped to effectively support the achievement of operational objectives and continuously improve the delivery of our services while meeting the needs of workers, our community, and external stakeholders. Implementation of the system is scheduled to commence early in the 2023-24 year.



Our staff embrace equality when celebrating International Women's Day.

The system will support the implementation of a new OHS Strategy and aims to optimise the use of operational activities, including the allocation of resources, plant and equipment, technology, infrastructure, and facilities.

In 2022-23:

- 170 incidents were reported resulting in 54 injuries, of which 22 resulted in Workcover claims. There were 14 Workcover claims that resulted in lost time.
- Workcover claims as a percentage of staff is 3.62% for 2022-23.

Incidents have increased slightly from 2022 year. However, the resulting injuries have increased by 11%. Workcover claims increased by 50% from the previous year.

#### Preventing Violence Against Women

Pathways to Prevention: Make the Link Training was mandatory for all staff to complete during the year. The training was designed for staff to help 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 continues to support the East Gippsland Partners in Prevention of Violence 10-year Plan, and activities as part of the 16 Days of Activism campaign.

#### Gender Equality

Council continues to work through actions from the Gender Equality Action Plan as required by the *Gender Equality Act 2020* by the Commission for Gender Equality in the Public Sector.

The action 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. The Gender Equality Action Plan is available on our website. Gender Impact Assessments are being conducted on policies, programs and services that have a direct and significant impact on the public.



Our sexual harassment prevention program was an all-staff learning and development opportunity.

With support from the State Government grants program known as FReeZA, local young people have organised a range of community events and activities to support social engagement, awareness raising and service connection.

- Flag raising, walk and afternoon tea events were held on IDAHOBIT Day (International Day Against Homophobia, Biphobia and Transphobia Day) Wednesday 17 May 2023. The events were supported by Council staff and the East Gippsland Shire Council Youth Ambassadors and FReeZA committees.
- Throughout the year a number of Youth Pride Picnic events have been held to provide a safe supportive space for young gender diverse people and allies to come together and share food and activities. Information and free health support services and resources are available at the events for young people to access and connect.
- Every year East Gippsland Council Youth Ambassador and FReeZA committee members support East Gippsland's HEY (Healthy Equal Youth) in the delivery of the Annual Rainbow Ball event. The 2022 event held at Club Eastwood on 27 August was successful with numbers exceeding pre-COVID levels.



*Councillors and staff meet with representatives from partner agencies Gunaikurnai Land and Waters Aboriginal Corporation, Federation University and East Gippsland Catchment Management Authority to discuss the Crooke Street Wetlands project in East Bairnsdale.*



# 5

## 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.

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

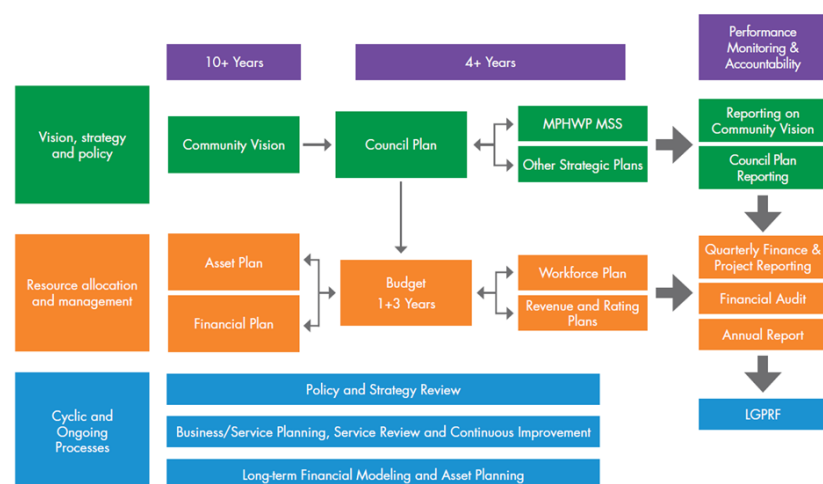
## Strategic Planning Principles

The Strategic Planning Principles are found in part 4 (clause 89) of the Local Government Act 2020 (the Act). The Act requires that Council adopt an integrated approach to planning, monitoring and performance reporting.

Under the Act, Council's strategic planning must:

- address the Community Vision.
- consider the resources needed for effective implementation.
- identify and address the risks to effective implementation; and
- provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

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



Terminology:

MPHWP = Municipal Public Health and Wellbeing Plan

MSS = Municipal Strategic Statement

LGPRF = Local Government Performance Reporting Framework

## Council Plan

The Council Plan 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 2022/23 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 support 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**

The following pages document the performance, achievements, and challenges of Council during 2022-23, and outline Council's performance in each area of five strategic objectives.

Council's performance for the 2022-23 year 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 2022-23 and Annual Budget 2022/23.
- Results achieved for the strategic objectives in the Council Plan.
- Results against the prescribed service performance indicators and measures.
- Services funded in the budget.



*Bairnsdale Library at dusk.*

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

Major Initiative	Progress
<b>Major Initiative 1</b> Develop a Culture and Creativity Strategy	The Culture and Creativity Strategy has been completed and was adopted by Council in May 2023. A draft Action Plan has been developed and is ready for finalisation and implementation in the 2023-24 year.
<b>Major Initiative 2</b> Develop a new Reconciliation Action Plan	Development of a new Reconciliation Action Plan is underway, with community consultations completed during the period, which included one-on-one engagement with key stakeholders.



## STRATEGIC INDICATORS

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

Strategic Indicator	2021-22	2022-23	Target	Comments
<b>Community satisfaction with accessibility to Council facilities</b>	Not Applicable	No Data	Baseline to be confirmed 2022-23	<p>A specific Community Accessibility Survey was not undertaken during the year.</p> <p>Council has conducted accessibility audits on the BARC, Clifton Creek Recreation precinct, Swifts Creek Community Hall and grounds and the Bairnsdale Community Hub and grounds.</p> <p>All new or upgraded facilities meet accessibility compliance requirements. This includes the Lucknow Gymnastics Centre, WORLD Sporting Precinct and Bairnsdale City Oval Female Friendly changerooms.</p>
<b>Number of community facilities and infrastructure upgraded to improve accessibility</b>		9	≥ 10 Upgrades	<p>Nine projects that have been in the capital works program in 2022-23 have improved physical accessibility to either specific infrastructure or community facilities.</p>
<b>Number of community organisations / individuals funded through Council's community grants program</b>	30	12 Community 10 Arts and Heritage	≥ 25 community ≥ Nine Arts and Heritage	<p>There were 12 applications proposed to be funded in the first round of 2022-23 Community Grants Program. These applications were approved for funding.</p> <p>The program was paused, so that a review of Council's grant streams and processes could take place.</p> <p>During this time there was a large number of community organisations supported through bushfire recovery funding and the community infrastructure grants program.</p> <p>Funding contributed to community facility upgrades, improved safety and communication equipment, renewable power equipment and installation, art and cultural performance and experiences and heritage preservation works.</p>
<b>Develop baseline measures for cultural outcomes for Council Programs</b>	Not Applicable	75%	Base line developed in 2022-23	<p>Measures are being considered as part of a review of Council's grants program.</p>

Strategic Indicator	2021-22	2022-23	Target	Comments
<b>Community group satisfaction with Council support</b>	Not Applicable	Not Available	Baseline to be developed in 2022-23	<p>The Community Accessibility Survey has not proceeded due to several factors including but not limited to community feedback around surveying experience, consultation fatigue, staffing capacity.</p> <p>Council has conducted accessibility audits on the BARC, Clifton Creek Recreation precinct, Swifts Creek Community Hall and grounds and the Bairnsdale Community Hub and grounds.</p> <p>All new or upgraded facilities meet accessibility compliance requirements. This includes the Lucknow Gymnastics Centre, WORLD Sporting Precinct and Bairnsdale City Oval Female Friendly changerooms.</p>
<b>Number of events held that recognise and support volunteers</b>	Five	Six	≥ Five events per annum	<p>The number of annual events has been achieved, including 3 Volunteer recognition events held in May in addition to events across Youth Ambassadors, Disability Advisory Committee, Friends of the Library, Community Recovery Committee, and the CFA.</p>
<b>People attending Council's recreation centres through an allied health service program delivery</b>		Data not available	> 800 attendances per annum	<p>Data is currently not available; a system is being implemented to capture this information in the future.</p>
<b>Develop a Housing Strategy</b>		95% Completed	Adopted in 2022-23	<p>The Housing and Settlement Strategy final draft preparation is underway following completion of community engagement undertaken in May 2023.</p>
<b>Percentage of total staff who have participated in cultural awareness training in the past 24-months</b>		33.89%	100%	<p>The ongoing training for new starters is provided as part of the Corporate Orientation. A Corporate Orientation session was conducted each quarter. Not all staff (casuals, part time) are able to attend due to other commitments.</p> <p>Cultural Awareness specific training is being planned for delivery in early 2023-2024</p>
<b>Percentage of Council directorate representation on Reconciliation Action Plan working group</b>		100%	100%	<p>Formal Reconciliation Action Plan working groups yet to be established. All directorates have been part of the initial consultation, including the Aboriginal Engagement Officers, Community Programs Coordinator, Library Programs Team Leader, General Manager Place and Community.</p>

Strategic Indicator	2021-22	2022-23	Target	Comments
<b>Number of projects and service review that have included formal engagement with traditional owners</b>		37	≥ 10 projects and service reviews	Of the live projects, there are 37 that have included engagement with traditional owners.  Regular meetings continue to be held with GLaWAC and other traditional owner groups during the design phase of a range of Council's capital projects.  Formal engagement was also undertaken for a range of strategies including the Culture and Creativity Strategy.
<b>The number of initiatives that celebrate diversity and inclusion supported by Council</b>		12	≥ 10 events per annum	Council has hosted and supported several events celebrating diversity and inclusivity. Including NAIDOC Week, National Reconciliation Week Elders Lunch and International Day Against Homophobia, Biphobia and Transphobia.

#### 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	Results				Comments
Measure	2019-20	2020-21	2021-22	2022-23	
Animal Management					
<b>Timeliness</b> Time taken to action animal requests <sup>1</sup>	2.60	2.60	1.49	2.24	The Community Laws team was operating at a reduced capacity with two of the five Officers being on extended and unplanned leave. A risk-based triage approach was implemented during this time to ensure community safety-related matters were prioritised.
<b>Service standard</b> Animals reclaimed <sup>2</sup>	28.10%	23.24%	27.19%	23.08%	The number of animals collected for the period 01/07/2022 – 30/06/2023 was 572 and of this 132 were reclaimed – statistics supplied by Animal Aid. The ability to have animals reclaimed by their owner is very much dependent upon owners registering their cat or dog and the owner's willingness to take the animal back.

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

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

Indicator	Results				Comments
Measure	2019-20	2020-21	2021-22	2022-23	
<b>Service standard</b> Animals rehomed <sup>3</sup>	31.86%	38.67%	36.64%	21.85%	The number of animals collected for the period 01/07/2022 – 30/06/2023 was 572 and of this 145 were rehomed – statistics supplied by Animal Aid. Officers continue to promote the availability of animals for rehoming via social media and other community news items.
<b>Service cost</b> Cost of animal management service <sup>4</sup>	\$15.11	\$12.64	\$14.99	\$15.20	There has been a small increase in the cost of service for the year.
<b>Health and safety</b> Animal management prosecutions <sup>5</sup>	100%	0	100%	100%	Council had eight incidents during the year that were taken to Court. All prosecutions were successful.
<b>Aquatic Facilities</b>					
<b>Service standard</b> Health inspections of aquatic facilities <sup>6</sup>	0	0	0	0	No inspections were carried out by an authorised officer under the <i>Public Health and Wellbeing Act 2008</i> as no public health issues were lodged with Council by customers. Council-run pools are tested by qualified and trained staff five times a day. All Council pools also underwent microbiological water testing by an independent laboratory, with all test results coming back negative.
<b>Utilisation</b> Utilisation of aquatic facilities <sup>7</sup>	5.63	4.06	6.07	9.23	Council has witnessed significant growth in recreation centre utilisation at the BARC over the last twelve months. Officers have made comparisons with this year's attendance data vs pre COVID pandemic (18/19) attendance data, to identify true growth in utilisation. When comparing this data, the BA RC was up 16,000 on membership visits and 12,500 casual visits.
<b>Service cost</b> Cost of aquatic facilities <sup>8</sup>	\$7.92	\$11.69	\$7.99	\$4.06	There was an increase in the number of visits to aquatic facilities during the year, as well as a reduction in the net cost of operating aquatic facilities.

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

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

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

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

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

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

Indicator Measure	Results				Comments
	2019-20	2020-21	2021-22	2022-23	
Food Safety					
Timeliness Time is taken to action food complaints <sup>9</sup>	1.58	1.77	1.73	2.25	Different comment to LGPRF: The time taken to action food complaints is within range. Complaints are being actioned in two days like that of previous years
Service standard Food safety assessments <sup>10</sup>	107.37%	104.76%	99.46%	124.64%	Council was able to assess 430 food premises for the year, which puts the result above 100% of the target with some premises being assessed multiple times throughout the period.
Service cost Cost of food safety service <sup>11</sup>	\$768.45	\$604.85	\$712.70	\$771.83	There was an increase in the cost for delivery of the service for the year, noting that there was an increase in the number of assessments undertaken in the year.
Health and safety Critical and major non-compliance outcome notifications <sup>12</sup>	85.71%	100%	100%	100%	All major and critical non-compliance notifications for food premises were followed up. For the 2022 calendar year, there were 17 critical and major non-compliance notifications.
Libraries					
Utilisation Physical library collection usage <sup>13</sup>	2.31	1.76	2.34	2.41	Use of the physical collection for the year is 2.5 loans per collection item, which is a slight increase on the previous years.
Resource standard Recently purchased library collection <sup>14</sup>	51.97%	52.08%	53.62%	51.24%	The collection is being maintained at a greater than 50% purchase within the last 5 years. This year there has been a slight reduction in the standard which can be attributed to increased costs of items and a reduced number of items removed from the collection.
Service cost Cost of library service per population <sup>15</sup>	\$25.22	\$22.23	\$23.92	\$21.99	The cost of delivery of library services decreased this year whilst the population increased.

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

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

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

<sup>12</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

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

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

<sup>15</sup> [Direct cost of the library service / population]

Indicator Measure	Results				Comments
	2019-20	2020-21	2021-22	2022-23	
<b>Participation</b> Active library borrowers in the municipality <sup>16</sup>	19.01%	16.88%	13.81%	11.96%	12% of the East Gippsland community are active users of the library service. This figure (an average across three years) is showing a decrease; however, the individual year result shows an increase on the previous year.

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

**COST OF OUR SERVICES**

The following statement provides information about the services funded in the Annual Budget 2022/23.

Business area	Description of services provided	Net Cost Actual Budget Variance Surplus/ (deficit) \$'000
<b>Arts and Culture</b>	This service provides a varied, ongoing program of arts and cultural events that bring our communities together to celebrate our identity and generate ideas. It also provides funding and strategic advice to support the development of arts and culture in East Gippsland.	404 267 <b>(137)</b>
<b>Community Laws</b>	This service also maintains and improves the health and safety of people and the environment. This includes staff at school crossings throughout the municipality to ensure that school children can cross the road safely. Animal management services are delivered in accordance with the <i>Domestic Animals Act 1994</i> 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.	602 1,075 <b>473</b>
<b>Community Planning</b>	The Community Planning function supports, encourages, and works with residents and community groups to identify their needs and aspirations and how to achieve them with responsive, high-quality services and facilities.	68 308 <b>240</b>
<b>Community Programs</b>	Council's community programs provide support, assistance, and information to the community at all stages of life. They also provide community facilities that enhance social and health outcomes and improve local neighbourhood amenity.	546 202 <b>356</b>
<b>Community Support</b>	Council has service agreements with suitable accredited organisations across the shire that provide a range of home and community care services for the aged and people with a disability. Services include home-delivered meals, personal care, transport, dementia care, home maintenance, housing support and senior citizen clubs. The Victorian Government directly funds these organisations for the provision of the specified services and Council makes a financial contribution to the operations of each of the providers.	177 859 <b>682</b>
<b>Family and Youth Services</b>	Council supports preschools, playgroups, and early years programs. Support is also provided to suitably accredited organisations that provide Maternal and Child Health services (MaCH). The providers of the MaCH service are directly funded by the Victorian Government for the provision of the specified services and Council provides a financial contribution to the operations of each of the providers.	538 345 <b>(193)</b>
<b>Library Services</b>	Council provides library and outreach services at six locations within the municipality including mobile library services to its more remote areas. Library services and programs are customer focused and aim to meet the learning and information needs of local communities. Libraries also provide a focal point for the community where they can meet, relax, and enjoy the facilities and services offered and increase their participation in community life.	609 274 <b>365</b>
<b>Performing Arts</b>	This service provides performing arts facilities, including the Forge Theatre and Arts Hub in Bairnsdale. A key focus is to deliver accessible programs and events that celebrate our cultural diversity and enrich the lives of our community and visitors.	545 502 <b>(43)</b>

Business area	Description of services provided	Net Cost Actual Budget Variance Surplus/ (deficit) \$'000
<b>Public Health</b>	Public Health maintains and improves the health and safety of people and the environment in accordance with the <i>Public Health and 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.	258 282 <b>24</b>
<b>Recreation Centres</b>	This service combines a wide range of programs and services that contribute to the general wellbeing of the community. This includes opportunities for individuals of all ages, genders, and abilities to participate in a variety of health, education, and leisure activities by providing recreational facilities that include indoor and outdoor aquatic facilities, a fully equipped gymnasium, aqua aerobics and group fitness classes, a stadium, and childcare facilities.	1,605 1,651 <b>46</b>



Prominently located next to the Princes Highway in Bairnsdale, the Bairnsdale Skate Park and the East Gippsland All-Abilities Playground are popular with locals and visitors.

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

#### PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
<b>Major initiative 3</b> Prepare a Housing and Settlement Strategy to guide future housing development and to support increased housing diversity and affordability	The Housing and Settlement Strategy Discussion Paper was released for community engagement from November 2022 to February 2023. The Draft Housing and Settlement Strategy released for public consultation in April 2023. A further review of the draft Strategy is being undertaken prior to presentation to Council for adoption in the 2023-24 year.
<b>Major Initiative 4</b> Develop key public open space planning initiatives, which includes the East Gippsland Sporting Facilities Plan and Public Open Space Strategy	Development of the Marine and Coastal Management Plan has commenced with the engagement of consultants, and establishment of the Project Control Group. The East Gippsland Sporting Facilities Plan is in the final stages of community consultation with the broader East Gippsland community.
<b>Major Initiative 5</b> Implement a climate risk analysis to identify the likely impact of extreme weather and climate events on Council's infrastructure assets, and ability to provide community services	Council's \$1,200,000.00 grant funding proposal to the Federal Disaster Ready Fund was successful, allowing this project to proceed. The project will commence in 2023-24 financial year and will see the completion of detailed climate modelling completed to support understanding of climate risk and inform future actions to improve the resilience and adaptability of our community.

#### STRATEGIC INDICATORS

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

Strategic Indicator	2021-22	2022-23	Target	Comment
Community satisfaction with planning and building permits	40	41	≥ 42	Results are in line with the target. However, the low result indicates that there is room for improvement in regard to building and planning permit process.
Statutory Planning applications decided within required time frames	38.91%	37.12%	> 80 per cent	Timeframe for decisions has increased slightly and is still well below target due to application backlog and volume of applications that were received during the year.
Average time taken to decide Statutory Planning applications	89 days	96 days	< 61 days	Target was not achieved this year. The continuing workload of applications has meant an increase in average time taken to determine applications.
Council Statutory Planning decisions upheld at VCAT hearing	75%	70.00%	> 60 per cent	10 of Council's planning decisions were appealed to VCAT during the year, with 3 being set aside.
Completion of milestones of key strategic plans: <ul style="list-style-type: none"> <li>• Rural Land Use Strategy.</li> <li>• Housing and Settlement Strategy.</li> <li>• Eagle Point Structure Plan.</li> <li>• Paynesville Structure Plans.</li> <li>• East Gippsland Sporting Facilities Plan; and</li> <li>• Public Open Space Strategy.</li> </ul>		67%	> 90 per cent of milestones	Rural Land Use Strategy has been completed and is awaiting Council adoption (as at 30 June 2023). House and Settlement Strategy is on track following consultation on the draft Strategy. Eagle Point Structure Plan is on track, with the Planning Scheme Documentation drafted. Paynesville Structure Plan has been delayed due to negotiations with new landowners. Sporting Facilities Plan delayed but progressing. Open Space Strategy is delayed due to competing priorities.
Asset renewal and upgrade expenses as a percentage of depreciation	112.75%	97.34%	> 100 per cent	During 2022-23 there was a higher than normal number of new assets created or enhanced, due to significant external funding for these opportunities. As such asset renewal was slightly under the 100% target.
Percentage of adopted capital projects completed at the conclusion of the financial year (based on the most recent amended budget)	92%	96.53%	> 80 per cent	The 2022-23 Capital Works Program finished the year with 246 projects; 45 of which are completed and 196 are progressing. Based on the most recent amended budget of \$43.3 million, \$41.8 million has been spent with an additional \$33.3 million committed to contracts.

Strategic Indicator	2021-22	2022-23	Target	Comment
Community satisfaction with appearance of public areas in East Gippsland	58	60	≥ 65	The difference between the result and target indicates that there is room for improvement in regard to the appearance of public areas. The result however is an improvement on last year's result.
Number of Committees of Management and volunteer groups for Council managed land with a guiding plan	Not available	12	≥ 10 new plans per annum	12 of 59 respondents have a strategic Plan. Plans to provide support for Committees have commenced with multiple Committees approached. While several have responded positively, many of those contacted have advised they do not wish to develop a guiding document.
Percentage of community recreation reserves and halls asset condition above target condition rating	Not available	Not available	Target to be confirmed in 2022-23	All Recreation Reserve asset inspections have been completed however a formal target condition rating has not been established.
Community satisfaction with emergency and disaster management	62	60	≥ 64	The result is a little lower than other large rural councils, recognising the very high and understandable expectations of emergency management in East Gippsland.  Council continues to invest significantly in improved emergency management including supporting strengthened community preparedness and resilience.
Percentage of communities that need a Local Incident Management Plan have one in place and reviewed as needed	100%	100%	100%	Of the communities that require a Local Incident Management Plan (LIMP) have one in place at the end of the period. Of the 55 communities that have a LIMP, eight are currently in draft.
Milestones achieved for climate risk analysis		0%	100%	Funding has been recently secured, but project postponed to 2023-24 therefore target was not achieved.

## LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

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

Indicator Measure	Results				Comments
	2019-20	2020-21	2021-22	2022-23	
<b>Roads</b>					
<b>Satisfaction of use</b> <i>Sealed local road requests<sup>17</sup></i>	24.74	33.04	57.37	92.51	The extreme weather events experienced throughout the year has had a significant impact on some parts of the road network and associated infrastructure. Accompanying this was the correlating increase in reports of road and drainage damage from local residents which would contribute the larger than expected jump in these figures.
<b>Condition</b> <i>Sealed local roads below the intervention level<sup>18</sup></i>	97.31%	96.81%	94.04%	97.36%	Council endeavours to ensure it always meets its obligations under the Road Management Act 2004 as well as its Road Management Plan. Council's associated Road departments have not only just completed one of its highest Capital Works Budgets on record, combining this with recent Disaster Maintenance repairs (i.e. fire and flood repairs) undertaken, this in turn would be a large factor in the improvement shown in these ratings.
<b>Service cost</b> <i>Cost of sealed local road reconstruction<sup>19</sup></i>	\$62.86	\$87.88	\$50.89	\$68.54	The cost of sealed road reconstruction varies each year depending on the reconstruction treatment of the specific roads in the program.
<b>Service cost</b> <i>Cost of sealed local road resealing<sup>20</sup></i>	\$5.42	\$5.76	\$6.29	\$8.43	Resealing cost increases this year reflect both the application of CPI adjustments to contracts and the increase in the cost of some inputs.
<b>Satisfaction</b> <i>Satisfaction with sealed local roads<sup>21</sup></i>	55	53	41	43	Council has continued work during the year to improve the condition of almost 3000 km of local roads. Many of the satisfaction comments received actually applied to State Managed roads. Council will therefore continue to advocate to the Department of Transport and Planning for improvements to specific roads based on community feedback received in surveys.

<sup>17</sup> [Number of sealed local road requests / Kilometres of sealed local roads] x100

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

<sup>20</sup> [Direct cost of sealed local road resealing / Square metres of sealed local roads ressealed]

<sup>21</sup> [Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads]



Indicator Measure	Results				Comments
	2019-20	2020-21	2021-22	2022-23	
<b>Statutory Planning</b>					
<b>Timeliness</b> <i>Time taken to decide planning applications<sup>22</sup></i>	41	77	89	96.00	The continuing workload of applications has meant an increase in average time taken to determine applications.
<b>Service standard</b> <i>Planning applications decided within 60 days<sup>23</sup></i>	82.44%	32.38%	38.91%	37.12%	The continuing workload and backlog of applications has meant an increase in average time taken to determine applications.
<b>Service cost</b> <i>Cost of statutory planning service<sup>24</sup></i>	\$1,728.65	\$2,266.19	\$1,573.60	\$1,823.28	There were additional resources allocated to statutory planning during the year to assist in processing the increased number of applications as well as a back log of applications.
<b>Decision making</b> <i>Council planning decisions upheld at VCAT<sup>25</sup></i>	100.00%	50.00%	25.00%	70.00%	10 of Council's planning decisions were appealed to VCAT during the year with 3 being set aside.

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

23 [Number of planning application decisions made within 60 days / Number of planning application decisions made] x100.

24 [Direct cost of statutory planning service / Number of planning applications received]

25 [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.

## COST OF OUR SERVICES

The following statement provides information about the services funded in the Annual Budget 2022/23:

Business area	Description of services provided	Net Cost Actual Budget Variance Surplus/ (Deficit) \$'000
<b>Asset Maintenance</b>	This service 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.	9,970 8,977 (993)
<b>Asset Management</b>	This service 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.	361 375 14
<b>Building Control</b>	This service enforces statutory building regulations under the Victorian Building Code. These include providing advice on building permits and legislation, fire safety inspections, audits of swimming pool barriers and investigations of complaints and illegal works.	119 86 (33)
<b>Emergency Management</b>	Council works collaboratively with relevant stakeholders to help communities prepare for emergency events and natural disasters and, in times of emergency, respond to their needs and help them recover.	(337) 555 891
<b>Emergency Response</b>	Council works collaboratively with relevant stakeholders to help communities prepare for emergency events and natural disasters and, in times of emergency, respond to their needs and help them recover.	(6,721) 1,138 7,860
<b>Parks and Gardens</b>	Parks and Gardens manages and implements open-space strategies and maintenance including mowing, garden maintenance, annual plant displays, weed control and walking track maintenance. It also provides tree maintenance including inspection, pruning and removals.	3,144 4,686 1,542
<b>Project Management</b>	This service undertakes project planning, design, and delivery of various works within Council's Capital Works Program.	1,425 505 (920)
<b>Recreation and Sporting Reserve Management</b>	This service is responsible for the maintenance and operation of sporting grounds and pavilions and community centres with meeting, function, and activity space. Often this work is undertaken in conjunction with community operated committees of management. The service assists in the delivery of strategic sporting outcomes across the municipality through the upgrade and improvement of facilities and the attraction of funding to undertake this work.	1,161 1,392 231
<b>Statutory Planning and Development Services</b>	Statutory planning services assess planning applications in accordance with the <i>Planning and Environment Act 1987</i> , the Planning Scheme and Council policies to ensure that our towns and settlements develop in an orderly and sustainable way. It provides advice and makes decisions about development and land-use proposals, as well as representing Council at the Victorian Civil and Administrative Tribunal where necessary.	433 959 526

Business area	Description of services provided	Net Cost Actual Budget Variance Surplus/ (Deficit) \$'000
<b>Strategic Planning</b>	This service aims to deliver vibrant, connected, and productive places and infrastructure to meet current and future community needs. Strategic Planning advocates for and implements land use policies, plans and standards that guide land use development and promote sustainable design, development, and heritage conservation. This is supported through continual reviews and improvements to the East Gippsland Planning Scheme.	521 821 <b>300</b>
<b>Works</b>	This service manages and maintains Council's building infrastructure and assets. It includes Council's vehicles, machinery and equipment and place-based works crews.	3,854 1,136 <b>2,718</b>



Tambo Waste (pictured) and Cranes Civil & Surfacing hosted Councillors and officers to show Council their significant local investment in the circular economy. Tambo Waste is now producing high quality crushed glass that can be used in concrete and road construction. Cranes is utilising crumbed tyre rubber for road construction and crushing old concrete for various applications. Both companies (Council contractors) are creating local jobs and ensuring better environmental outcomes.

### A natural environment that is managed and enhanced

#### PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
<p><b>Major initiative 6</b></p> <p>Support the circular economy through initiatives that reduce waste going to landfill, including:</p> <ul style="list-style-type: none"> <li>Value adding green and organic waste; and</li> <li>Introducing appropriate glass collection services at locations throughout the shire</li> </ul>	<p>A detailed business case for the management of organic waste has been completed and externally peer reviewed. The tender for the detailed design of a composting facility has been awarded with this work now underway.</p> <p>Glass collection services are now available at eight of Council's Waste Transfer Stations. Officers are also working closely with the contractors that has received the contract for container deposit schemes for Eastern Victoria to support this service provider plan an appropriate service for East Gippsland.</p>

## STRATEGIC INDICATORS

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

Strategic Indicator	2021-22	2022-23	Target	Comments
Percentage of Council's electricity use from renewable sources	54.8%	99.85%	> 95%	The majority of Council's electricity accounts are on the VECO agreement and using 100% renewable energy. A minority of accounts remain with other suppliers, with most moving over to VECO during the year.
Reduce carbon emissions from Council operations	4,043	2,234	<3,639	The main factors behind the significant decline in emissions as this is the first full year reporting since Council's switched electricity accounts to 100% renewable as part of the Victorian Energy Collaboration Organisation (VECO) agreement. Council also finalising the replacing residential streetlights with LED lighting.
Proportion of Council passenger vehicle fleet is electric, hybrid or uses alternate fuel sources	10.08%	13.28%	> 10%	Council increased the vehicles that use sustainable energy by one for the period. Of the 128 vehicles in Council's fleet: <ul style="list-style-type: none"> <li>17 are hybrid</li> <li>one is an alternate fuel source; and</li> <li>one is a full electric</li> </ul> Additional vehicles are still on back order.
Total kilowatt hours output from renewable energy systems at Council owned facilities	19.6%	9.23%	> 10% increase from the previous year	The solar panels on Council's buildings generated 378,470 kWh in the year 2022-23, which is an increase of 32,870 kWh on last year (which was due to Council's biggest system, namely the 99kW system added to the BARC, being added part way through the previous year).  This is an increase of 9.23% in solar production from the year before.
New public electric vehicle charging stations	Not available	4 Council owned stations	7 Council owned stations	Council installed charging stations at Omeo, Bairnsdale, Orbost and Cann River.  An additional three chargers are scheduled to be installed in Mallacoota, Buchan, and Lakes Entrance in 2023-24 with the design work undertaken in 2022-23.

Strategic Indicator	2021-22	2022-23	Target	Comments
Kilometres of regionally controlled and prohibited weeds treated on roadsides	226 km	398 km	> 200 km per annum	398 kilometres of regionally controlled and prohibited weeds were treated during the year. This performed well above the target and can be attributed to the War on Weeds program.
Community satisfaction with slashing and weed control	36	43	≥ 43	Result has met the target. It is worth noting that this is a significant increase to results received in the 2021-22. A large amount of work has been completed to improve this result in the course of a year
A baseline for the quality and quantity of land being managed for 'at risk' habitat, biodiversity purposes, and community safety on Council and private land	Not achieved	Not achieved	Baseline to be developed Year 2	Baseline data exists for some areas, but full baseline is yet to be developed.
Total investment in Council managed land to support natural areas	\$2.483 million	\$2,159,679	≥ \$1,710,000 (2020-21 baseline)	During the year Council has made significant investment to support natural areas. Activities included general maintenance, the War on Weeds project and roadside fire slashing.
Community Satisfaction with waste management	67	68	≥ 65	Result achieved this year was higher than the target. Result indicates that Council performs at a higher level than the large Rural Council's average.
Proportion of recycled content in construction projects on Council assets	10%	22%	> 10%	60 of the 272 projects report the use of recycled materials as at the end of the period. Process improvements to enable more accurate reporting on both quantitative and qualitative data for the percentage of use of recycled material in construction projects is underway.
Number of community waste education programs delivered	Six	10	> Five programs per annum	Officers attended a range of events and offered education programs to targeted stakeholders. This included a waste display and composting workshops at the East Gippsland Field Days where the reusable product rebate was promoted to the public.
Number of new waste streams collected through waste facilities	Not available	1	≥ Two new waste streams	Council has started collecting source separated glass at eight waste facilities.  Planning has been undertaken for the introduction of nappies and fabric recycling in 2023-24.
All Council offices have four streams of recycling (co-mingled, organics, soft plastics, paper/cardboard)	Not recorded	75%	100% of offices have four recycling streams	Three streams introduced via the Green Team – co-mingled, organics, paper/cardboard. Soft plastics are not an option at this stage.

## LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

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

Indicator measure	Results			Comments
	2020-21	2021-22	2022-23	
<b>Waste Collection</b>				
<b>Satisfaction</b> <i>Kerbside bin collection requests<sup>26</sup></i>	31.47	26.58	28.65	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 request is to replace damaged bins, followed by replacing stolen bins.
<b>Service standard</b> <i>Kerbside collection bins missed<sup>27</sup></i>	1.37	0.43	1.75	This year is consistent with the last 5 years other than 2021-22 where the contractor did not record all the missed bin services.
<b>Service cost</b> <i>Cost of kerbside garbage collection service<sup>28</sup></i>	\$61.30	\$65.92	\$70.55	Increased contract costs with annual CPI adjustment.
<i>Cost of kerbside recyclables collection service<sup>29</sup></i>	\$75.21	\$73.01	\$75.59	Increase reflects an increase in contracts to allow for CPI adjustment.
<b>Waste Diversion</b> <i>Kerbside collection waste diverted from landfill<sup>30</sup></i>	53.48%	53.32%	53.06%	The consistent higher result for this indicator is perhaps due to the reduction of garbage volumes following the removal of the 240-litre garbage bins and this attributed to the higher recycling volumes. Green waste volumes remain steady.

<sup>26</sup> [Number of kerbside garbage and recycling bin collection requests / Number of kerbside bin collection households] x1,000

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

<sup>28</sup> [Direct cost of the kerbside garbage bin collection service / Number of kerbside garbage collection bins]

<sup>29</sup> [Direct cost of the kerbside recyclables bin collection service / Number of kerbside recyclables collection bins]

<sup>30</sup> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100

## COST OF OUR SERVICES

The following statement provides information about the services funded in the Annual Budget 2022/23:

Business Area	Description of Services Provided	Net Cost Actual Budget Variance Surplus/ (Deficit) \$'000
<b>Environmental Management</b>	The Environmental Management function identifies and manages broad-based environmental issues on Council-owned or managed land including the Mosquito Management Program, pest plants and animals, and urban waterways.	556 <u>558</u> 2
<b>Environmental Sustainability</b>	This service develops environmental policy and strategies, coordinates and implements environmental projects, and works with other services to improve Council's environmental performance. Reducing greenhouse emissions and utility use within Council operations are a key priority. This includes community awareness and behavioural-change programs to encourage and support reduced use of energy and resources.	(170) <u>333</u> 503
<b>Waste Services</b>	This service provides kerbside waste collection of household rubbish, recycling, and green waste from households; and manages landfill and transfer station facilities. The service operates and rehabilitates Council's current and legacy landfills and manages the East Gippsland Waste and Recycling Centre in ways that promote positive waste behaviour in the community and minimise environmental impacts.	7,246 <u>7,899</u> 653

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

### PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
<b>Major Initiative 7</b> Implement the Tourism Events Action Plan 2022-23	<p>Council has implemented a significant proportion of actions from the Events Growth Action Plan 2021-26.</p> <p>Council's former RADES program concluded and was replaced by the Council-endorsed program Pathways to Growth Mentoring Program. A key initiative within the East Gippsland Event Growth Action Plan, this program aims to support up to four events per year to become firmly established and contribute to increasing visitation to the region.</p> <p>This year, two events have been accepted into the program: Wild Harvest Seafood Festival and Twin Rivers Bream Classic.</p>



Council's Economic Development Advisory Committee was appointed and includes 13 community leaders with a broad range of expertise.

### STRATEGIC INDICATORS

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

Strategic Indicator	2021-22	2022-23	Target	Comments
Percentage of actions implemented from the Economic Development Strategy Action Plan 2022-26	Not applicable	72%	≥ 80% of year 1 actions	60% of year 1 actions and 16% of year 2 actions have been completed or are in progress.
Exiting secondary school students undertaking an apprenticeship / traineeship or TAFE training	32.2%	Data not available	> 24%	Data unavailable due to changes in reporting due to new government privacy rules (2022-23)
Year 12 students continuing to university education	27.1%	Data not available	> 20%	Data unavailable due to changes in reporting due to new government privacy rules (2022-23)
Participation in Council run programs delivered to support business growth	728	981	≥ 300 participants annually	There were 981 participants across Council run programs to support business growth during the year.
Number of new businesses registered	1,446	1,337	> 394 businesses	A total of 1,337 new businesses were registered according to REMPLAN in the 2022-23 financial year
Average processing time for goods on footpath permits	10	12	≤ 8 days	There were 22 new Goods on Footpath permits issued for the period 01/07/2022 - 31/12/2022 with an average of 12 days to action
Average processing time trading permits	8	12	≤ 6 days	There were 8 new trading permits for the period 01/06/2022 - 31/12/2022 with an average of 12 days to action
Average processing time for domestic animal business registrations	14	-	≤ 6 days	There were no new Domestic Animal Businesses permit issued for the period.
Total visitation to East Gippsland (international, domestic and daytrip combined)	1,244 million	1,424 million	> 1.3 million visitors per annum	Domestic visitation to year ending March 2023 increased on last year by 14.4% for a total of 4,424,000. Visitor overnight stays increased by 6.3% to a record level of 2,606,000 nights and represents more than a quarter of all of Gippsland's overnight stay for the year.
Tourism expenditure in East Gippsland	\$545 million	\$596 million	>\$360 million per annum	Domestic tourism expenditure for East Gippsland totaled \$596 million year ending March 2023. Overnight expenditure was down 7.1% to \$441 million however the decline was made up by a 120% increase in daytrip expenditure to provide an overall increase of 9.3% on last year. The shift from overnight to more daytrip expenditure suggests a tightening economy off the back of rising interest rates, cost of living and potential substitution for overseas holidays now that international travel has resumed.

Strategic Indicator	2021-22	2022-23	Target	Comments
Number of tourism events held during the low and shoulder season periods	47	>50	> 50 events per annum	<p>The East Gippsland Winter Festival was the umbrella event that represented a total 161 of events held in the region.</p> <p>Other tourism events held during the year included:</p> <ul style="list-style-type: none"> <li>• Deep in the Weeds (part of the Winter Festival)</li> <li>• Twin Rivers Bream Classic</li> <li>• Tennis Seniors Victoria National Ranking Tournament</li> <li>• RND 4 Vic Bream Classics Marlo</li> <li>• Squash Victoria Country Individuals Championship</li> <li>• Friends of the Mitta Give Back to the Mitta</li> <li>• Great East Rail Trail Ride</li> </ul>
Number of jobs in agriculture sector in East Gippsland	1,235	1,690	>1,235	The agriculture sector contributes 1,690 jobs (9.1%) to total employment in East Gippsland.
Value added by agriculture section in East Gippsland	\$169 million	\$266 million	>\$169 million	<ul style="list-style-type: none"> <li>• The agriculture sector contributes \$266,304,000 (10.3%) of total value-added product in East Gippsland. Down marginally from last year's contribution of \$267,829,000 reflecting a challenging year of flood impacts and falling stock prices.</li> </ul>

#### COST OF OUR SERVICES

The following statement provides information about the services funded in the Annual Budget 2022/23:

Business area	Description of services provided	Net Cost Actual Budget Variance Surplus/ (Deficit) \$'000
<b>Business Growth</b>	The development of business and industry in East Gippsland is supported by this service, which provides business information services, referrals to other organisations for support, facilitation of industry networking and knowledge sharing events, and facilitation of funding opportunities at all levels of government. It also works with government departments to link businesses to Victorian and Australian government services to support growth and diversification.	47 100 <b>53</b>
<b>Economic Development</b>	The economic development service assists the organisation to facilitate an environment that is conducive to a sustainable and growing local business sector and provides opportunities for local residents to improve their skill levels and access employment.	655 795 <b>140</b>
<b>Events</b>	This service works with partners to develop East Gippsland's reputation as a recognised events destination through attraction and facilitation of new events and support of existing events. It provides support, resources, and training information, and assists with the development of major events that stimulate economic benefits and cultural diversity and enhance the wellbeing of residents.	307 350 <b>43</b>
<b>Tourism and Visitor</b>	Council 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.	902 719 <b>(183)</b>





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

#### PROGRESS AGAINST MAJOR INITIATIVES

Major Initiative	Progress
<b>Major initiative 8</b> Implement the Customer Experience Strategy. Key projects including: <ul style="list-style-type: none"> <li>Enhance systems and processes to increase resolution of customer enquiries and requests at first point; and</li> <li>Streamlining customer response systems and processes</li> </ul>	Significant progress has been made on the Customer Experience Strategy with all Year Two Actions being completed.  Improvements to the Customer Response Module were made with the implementation of a new program, Civica. Civica Customer Response Module was implemented during quarter four with reporting commencing during the same period.
<b>Major Initiative 9</b> Review and redevelop the organisation's Occupational Health and Safety Management System	Development of the new Safety Management System is well advanced, following approval of the new Occupational Health and Safety policy and extensive internal consultation on the draft suite of 40 documents that underpin the policy and form the Safety Management System. Implementation is scheduled to commence in 2023-24.

#### STRATEGIC INDICATORS

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

Strategic Indicator	2021-22	2022-23	Target	Comments
Community satisfaction with customer service	63	59	≥ 65	Result was under target, indicating the work needs to be completed to ensure community members are satisfied with Council's customer service.
Community satisfaction with advocacy (lobbying on behalf of the community)	50	49	≥ 49	Target was achieved, meeting the Large Rural Council average. Indicates that community satisfaction with lobbying on their behalf is in line with similar size councils.
Community satisfaction with community consultation and engagement	48	45	≥ 49	The difference between the result and the target indicate there is room for improvement in how Council approaches community consultation and engagement.
Community satisfaction with making community decisions	50	47	≥ 48	The result is on track of the target set. Improvements in community consultation in decisions could improve the result in future.
Community satisfaction with informing the community	52	47	≥ 54	The difference between the result and the target indicate that are further improvement opportunities
Number of service reviews undertaken	Four	Two	≥ Two reviews per annum	Service Reviews were completed for: <ul style="list-style-type: none"> <li>Service Centres and Libraries</li> <li>Arts and Culture</li> </ul> An additional three service reviews are in progress: <ul style="list-style-type: none"> <li>Visitor Information Centres</li> <li>Grants</li> <li>Community Engagement</li> </ul>
Permanent workforce has access to mobile technology	80%	90%	> 70%	Up to 90% of full-time staff and key council positions (90% of full time EFT staff) now have access to mobile technology. Part time staff with key service positions have been issued with access to mobile technology.
Victorian Auditor-General's Office assessment of Council's overall financial sustainability is rated low risk	No data available	No data available	Achieve low risk rating	There is no current report back to Council on this particular review by the Victorian Auditor General's office.
The percentage of actions implemented from the Workforce Plan 2021-25	83%	29%	≥ 80% of year 3 actions	Due to staff constraints, progress was not made as expected.
Unplanned staff turnover rate	20.5%	14.21%	< 12 per cent annual rate	Turnover rate has decreased significantly. This could be due to the market settling after COVID-19 and staff looking for stability with cost of living issues.

## LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

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

Indicator measure	Results				Comments
	2019-20	2020-21	2021-22	2022-23	
<b>Governance</b>					
<b>Transparency</b> Council resolutions at meetings closed to the public <sup>31</sup>	3.57%	8.09%	12.50%	17.27%	The increase in closed decisions is due to matters being considered that are confidential as defined by the Local Government Act 2020.
<b>Consultation and engagement</b> Satisfaction with community consultation and engagement <sup>32</sup>	54	51	48	45	Rating has decreased in the perception survey. Council will be conducting surveys to assess whether the experience of community members who have engaged with Council aligns with the feedback received.
<b>Attendance</b> Councillor attendance at Council meetings <sup>33</sup>	92.59%	95.06%	97.66%	91.89%	Due to some Councillors availability, they were not able to attend all meetings.
<b>Service cost</b> Cost of governance <sup>34</sup>	\$58,190.67	\$50,641.89	\$47,214.33	\$54,313.56	There was an increase in conference and training expenses post COVID-19 together with annual increases for the Mayoral and Councillor allowances.
<b>Satisfaction</b> Satisfaction with council decisions <sup>35</sup>	54	51	50	47	Satisfaction with council decisions, has reduced.

## COST OF OUR SERVICES

- 31 [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
- 32 [Community satisfaction rating out of 100 with how council has performed on community consultation and engagement]
- 33 [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
- 34 [Direct cost of the governance service / Number of councillors elected at the last council general election]
- 35 [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]

The following statement provides information about the services funded in the Annual Budget 2022/23

Business area	Description of services provided	Net Cost Actual Budget Variance Surplus / (Deficit) \$'000
<b>Community Leadership and Advocacy</b>	Council provides leadership on issues of importance to East Gippsland and advocates on behalf of the community and its vision for the future. It does this through strong, transparent, accountable leadership and the development of strong relationships with key stakeholders and other levels of government.	626 <u>689</u> <b>63</b>
<b>Council Enterprises</b>	This service supports the local economy and provides an alternative revenue stream for Council through the effective operation of a range of Council-managed commercial enterprises such as caravan parks, marinas, and the East Gippsland Livestock Exchange.	1502 <u>1,780</u> <b>(278)</b>
<b>Customer Experience</b>	This service acts as the main customer interface with the community. It provides accessible, high-quality customer service at Council's Corporate Centre and Service Centres, which connects people to Council services and general information.	2,122 <u>2,173</u> <b>51</b>
<b>Finance and Treasury</b>	This service predominantly provides financial services to both internal and external customers including the management of Council's finances, payment of salaries and wages, and raising and collection of rates and charges.	(26,111) <u>(1,887)</u> <b>24,224</b>
<b>Governance</b>	This service provides a range of governance, statutory and corporate support services to Council, including coordination of business papers for meetings of the Council and its committees; coordination of arrangements for Council and committee meetings; and the maintenance of statutory registers and the conduct of municipal elections. An Audit and Risk Committee supports this service. This service also provides the framework, oversight, and advice to support Council in complying with statutory procurement and contracting provisions	3,824 <u>3,719</u> <b>(105)</b>
<b>Human Resources</b>	Through this service Council provides human resource and industrial relations services dedicated to ensuring Council's workforce operates efficiently and effectively within a framework that encourages innovation and continuous improvement. Human Resources also provides payroll services for all employees.	1,304 <u>1,706</u> <b>402</b>
<b>Information Services</b>	This service provides, supports, and maintains reliable and cost-effective communications and computing systems, facilities and infrastructure to Council staff enabling them to deliver services in a smart, productive, and efficient way. It is also responsible for the provision of document and information management support services and compliance with statutory obligations under Freedom of Information and Information Privacy legislation.	4,506 <u>4,919</u> <b>413</b>
<b>Media, Communications and Civic Events</b>	This service oversees provision of advice on communications, in consultation with relevant stakeholders, on behalf of Council. It also provides in-house graphic design services. This service also conducts civic events to recognise, commemorate and celebrate prominent residents and the successful delivery of significant Council programs, infrastructure, and projects.	663 <u>663</u> <b>0</b>
<b>Organisation Development</b>	This service provides Council with strategic and operational organisation development support. The service also assists managers to determine and progress toward future structures, capability, and cultures in their service units.	92 <u>604</u> <b>512</b>

Business area	Description of services provided	Net Cost Actual Budget Variance Surplus / (Deficit) \$'000
<b>Property Management</b>	The management of 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.	273 422 149
<b>Risk Management and Compliance</b>	This service manages a compliance framework that promotes prudent and responsible management approaches to Council's decision making and service delivery. It ensures the highest standards of legislative compliance are achieved across Council and that its risk exposure is minimised through proactive and comprehensive systems and processes.	1,653 1,880 227

## Retired service performance indicators

Indicator Measure	Results				
	2018-19	2019-20	2020-21	2021-22	2022-23
<b>Aquatic facilities</b>					
<b>Service standard</b>	0	retired	retired	retired	retired
Health inspections of aquatic facilities <sup>36</sup>					
<b>Service cost</b>	\$4.52	retired	retired	retired	retired
Cost of indoor aquatic facilities <sup>37</sup>					
<b>Service cost</b>	\$12.37	retired	retired	retired	retired
Cost of outdoor aquatic facilities <sup>38</sup>					
<b>Animal Management</b>					
<b>Service cost</b>	\$52.96	retired	retired	retired	retired
Cost of animal management service <sup>39</sup>					
<b>Health and safety</b>	2	retired	retired	retired	retired
Animal management prosecutions <sup>40</sup>					
<b>Libraries</b>					
<b>Service cost</b>	\$3.46	retired	retired	retired	retired
Cost of library service <sup>41</sup>					

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

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

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

39 [Direct cost of the animal management service / Number of registered animals]

40 [Number of successful animal management prosecutions]

41 [Direct cost of the library service / Number of visits]



Grade six students Juliet Walker and Tully Robinson were welcomed to the Council Chamber as part of their Rotary Junior Community Award Program by Mayor Cr Mark Reeves.

## Governance, Management and Other Information

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 decision-making processes including community consultation, public forums such as community meetings and the ability to make submissions to Special Committees of Council.

### Council's Roles and Responsibilities

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 of 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 Council's YouTube channel, EastGippyTV.

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 1.00 pm on the Friday before the meeting. In addition, the agenda is available from the Council's Customer Service and Outreach Centres.

Council minutes capturing all resolutions of a meeting can be viewed in the same locations as the agenda. In 2022-23, there was a total of 18 Council meetings, comprising 14 scheduled and two unscheduled Council meetings, and two separate meetings for the purpose of electing a Mayor and Deputy Mayor.

### Council Meeting Attendance

The following table provides a summary of Councillor attendance at Council meetings in 2022-23.

Councillor	Council Meetings
<b>Cr Mark Reeves (Mayor)</b>	18
<b>Cr Arthur Allen (Deputy Mayor)</b>	18
<b>Cr Sonia Buckley</b>	14
<b>Cr Tom Crook</b>	17
<b>Cr Jane Greacen OAM</b>	17
<b>Cr Trevor Stow</b>	17
<b>Cr Mendy Urie</b>	18
<b>Cr Kirsten Van Diggele</b>	16
<b>Cr John White</b>	13

### Councillor Allowances

Under section 39 of the Act, 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 2022, Determination No. 01/2022 set the allowances for the Mayor, Deputy Mayor, and Councillors. The category two annual allowances effective from 18 December 2022 were Mayor \$100,637, Deputy Mayor \$50,319, and Councillors \$31,353. The annual allowances that applied from 1 July 2022 to 17 December 2022 were Mayor \$96,470, Deputy Mayor \$48,235, and Councillors \$30,024.

Councillor	Allowance \$
<b>Cr Mark Reeves</b>	102,167
<b>Cr Arthur Allen</b>	50,385
<b>Cr Sonia Buckley</b>	31,815
<b>Cr Tom Crook</b>	31,815
<b>Cr Jane Greacen OAM</b>	31,815
<b>Cr Trevor Stow</b>	31,815
<b>Cr Mendy Urie</b>	31,815
<b>Cr Kirsten Van Diggele</b>	31,815
<b>Cr John White</b>	31,815
<b>Total</b>	<b>375,257</b>

### Councillor Expenses

Under section 40 of the Act, 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 Act.

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.

The following table details the total expenses for all Councillors during the 2022-23 financial year.

Councillor	Remote Travel \$	Conferences/ Training \$	Office and other expenses \$	Delegate and other Council representation costs \$	Vehicle and travel reimbursement \$	Total \$
Cr Mark Reeves	0	7,492	987	1,309	7,143	16,931
Cr Arthur Allen	0	0	697	394	6,977	8,068
Cr Sonia Buckley	89	6,548	1,363	184	6,977	15,161
Cr Tom Crook	270	7,755	579	119	6,739	15,462
Cr Jane Greacen OAM	0	2,453	585	0	6,956	9,994
Cr Trevor Stow	0	0	1,428	438	6,977	8,843
Cr Mendy Urie	0	2,014	635	0	4,881	7,530
Cr Kirsten Van Diggele	0	3,989	579	0	6,343	10,911
Cr John White	0	0	835	0	6,800	7,635
<b>Total</b>	<b>359</b>	<b>30,251</b>	<b>7,688</b>	<b>2,444</b>	<b>59,793</b>	<b>100,535</b>

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 Act.

### 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 Act 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 by Councillors and is publicly available on Council's website.

### Committees

The Act allows councils to establish the following types of committees:

- Delegated Committees.
- Joint Delegated Committees.
- Community Asset Committees; and
- Audit and Risk Committee.

Councils may also establish advisory committees for the purpose of providing advice to the Council.

### Delegated Committees

Delegated Committees can exercise any powers, duties, or functions of a council, under the Act or any other Act, delegated to it through an Instrument of Delegation, and must consist of at least two Councillors, and any other persons appointed by the Council.

Council has not established any Delegated Committees.

### Joint Delegated Committees

Under section 63 of the Act, two or more Councils may resolve to establish a Joint Delegated Committee. A Joint Delegated Committee must include at least one Councillor from each of the participating Councils.

Council has not established any Joint Delegated Committees.

### Community Asset Committees

Council may also establish a Community Asset Committee under section 65 of the Act for the purpose of managing a community asset in the municipality and may consist of as many members as necessary to achieve its purpose.

These types of committees act under the power of delegation by the Chief Executive Officer, subject to any specified conditions and limitations specified in the Instrument.

Council has not established any Community Asset Committees.

### Advisory Committees

Advisory committees have no decision-making powers and may only make recommendations to Council.

The following table contains a list of all advisory committees established by Council that are in operation and the purpose for which each committee was established:

Committee	Councillors	Officers	Other	Purpose
Chief Executive Employment and Remuneration Committee	4	0	1	Considers, and makes recommendations to Council on the: <ul style="list-style-type: none"> <li>• selection and appointment of an Independent Member</li> <li>• performance monitoring of the Chief Executive Officer (CEO), including with respect to achievement of the Key Performance Indicators (KPIs)</li> <li>• annual review of the CEO's performance, including against the KPIs</li> <li>• CEO's remuneration</li> <li>• recruitment and appointment (or reappointment) of a CEO, if required.</li> </ul>
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 Economic Development Advisory Committee	2	4	12	Provides advice, guidance, and recommendations to Council on matters that affect economic growth across the municipality.
Marina Consultative Committee	2	0	6	Provides advice, guidance, and recommendations to Council on the need for existing and emerging services, and overall sustainable management of Council's marina business.



### Audit and Risk Committee

Under section 53 of the Act, Council must establish an 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, to assist Council decision-making.

The Audit and Risk Committee performs an advisory function. It has no executive powers or authority to implement actions in areas over which management has responsibility and no delegated financial responsibility. Nor does it have any management functions, so is independent of management.

The Audit and Risk Committee comprises of seven members: four independent external members, one of whom will be Chair, along with the Mayor of the day and two other Councillors appointed by Council. The Chair is appointed each February. In 2022-23 the Audit and Risk Committee members were:

#### Councillors

- Cr John White: July 2022 – June 2023
- Cr Mendy Urie: July 2022 – June 2023
- Cr Mark Reeves, Mayor: July 2022 – June 2023

#### Independent Committee Members

- Andrew Roberts: July 2022 – November 2022
- Claudia Goldsmith: July 2022 – June 2023
- Celeste Gregory: July 2022 – June 2023 (Chair 2023)
- Jason Hellyer: December 2022 – June 2023
- Stephen Paterson: July 2022 – April 2023 (Chair 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 Internal Audit Plan (IAP) 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, outcomes, and management input. The IAP is reviewed and endorsed 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.

For 2022-23, the annual external audit of Council's Financial and Performance Statements was conducted by the Victorian Auditor-General's representative, RSD Audit.

### 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 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.



Public art can be found all around East Gippsland Shire, including on the shores of Lake King at Metung.



## Governance and Management Checklist

As outlined in section 98(3)(d) of the Act and regulation 9(2)(c) of the Local Government (Planning and Reporting) Regulations 2020 (the Regulations), the results of Council's assessment against the Governance and Management Checklist are set out below in the form prescribed by the Regulations.

Governance and Management Items	Assessment	
<b>1 Community Engagement Policy</b> (Policy under section 55 of the Act outlining Council's commitment to engaging with the community on matters of public interest)	Adopted in accordance with section 55 of the Act. Date of adoption: 16 March 2021	✓
<b>2 Community Engagement Guidelines</b> (Guidelines to assist staff to determine when and how to engage with the community)	Guidelines Date of commencement of current guidelines: 16 March 2021	✓
<b>3 Financial Plan</b> (Plan under section 91 of the Act outlining the financial and non-financial resources required for at least the next ten financial years)	Adopted in accordance with section 91 of the Act. Date of adoption: 27 June 2023	✓
<b>4 Asset Plan</b> (Plan under section 92 of the Act setting out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	Adopted in accordance with section 92 of the Act. Date of adoption: 28 June 2022	✓
<b>5 Revenue and Rating Plan</b> (Plan under section 93 of the Act setting out the rating structure of Council to levy rates and charges)	Plan adopted in accordance with section 93 of the Act. Date of adoption: 27 June 2023	✓
<b>6 Annual Budget</b> (Plan under section 94 of the Act setting out the services to be provided and initiatives to be undertaken during the budget year and the funding and other resources required)	Adopted in accordance with section 94 of the Act. Date of adoption: 27 June 2023	✓
<b>7 Risk Policy</b> (Policy outlining Council's commitment and approach to minimising the risks to Council's operations)	Policy Date of commencement of current policy: 29 November 2022	✓
<b>8 Fraud Policy</b> (Policy outlining Council's commitment and approach to minimising the risks to Council's operations.)	Policy Date of commencement of current policy: 5 May 2020	✓
<b>9 Municipal Emergency Management Plan</b> (Plan under section 60ADB of the Emergency Management Act 2013 for emergency mitigation, response, and recovery)	Prepared and maintained in accordance with section 60ADB of the Emergency Management Act 2013 Date of preparation: 25 November 2021	✓

Governance and Management Items	Assessment	
<b>10 Procurement Policy</b> (Policy under section 108 of the Act outlining the principles, processes and procedures that will apply to the purchase of goods and services by the Council)	Adopted in accordance with section 108 of the Act. Date of adoption: 14 September 2021	✓
<b>11 Business Continuity Plan</b> (Plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster)	Plan Date of commencement of current plan: 27 March 2019	✓
<b>12 Disaster Recovery Plan</b> (Plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Plan Date of commencement of current plan: 22 March 2022	✓
<b>12A Complaint Policy</b> (Policy under section 107 of the Act outlining Council's commitment and approach to managing complaints)	Developed in accordance with section 107 of the Act. Date of commencement of current policy: 16 December 2021	✓
<b>12B Workforce Plan</b> (Plan under section 46 of the Act outlining Council's commitment and approach to planning for current and future workforce requirements)	Developed in accordance with section 46 of the Act. Date of commencement of current plan: 30 August 2021	✓
<b>12C Payment of Rates and Charges Hardship Policy</b> (Policy outlining Council's commitment and approach to assisting ratepayers who are experiencing financial hardship or difficulty paying their rates)	Policy Date of commencement of current policy: 4 February 2020	✓
<b>13 Risk Management Framework</b> (Framework outlining Council's approach to managing risks to the Council's operations)	Framework Date of commencement of current framework: 19 September 2022	✓
<b>14 Audit and Risk Committee</b> (See sections 53 and 54 of the Act)	Established in accordance with section 53 of the Act. Date of establishment: 25 August 2020	✓
<b>15 Internal Audit</b> (Independent accounting professionals engaged by the Council to provide analyses and recommendations aimed at improving Council's governance, risk, and management controls)	Engaged Date of engagement of current provider: 1 July 2018	✓
<b>16 Performance Reporting Framework</b> (A set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Act)	Framework Date of adoption of current framework: 29 June 2021	✓

Governance and Management Items	Assessment	
<b>17 Council Plan Report</b> (Report reviewing the performance of the Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Report Date of report: 28 February 2023	<input checked="" type="checkbox"/>
<b>18 Quarterly Budget Reports</b> (Quarterly reports to the Council under section 97 of the Act comparing actual and budgeted results and an explanation of any material variations)	Reports presented to Council in accordance with section 97(1) of the Act. Dates reports presented: 20 September 2022 8 November 2022 7 February 2023 2 May 2023	<input checked="" type="checkbox"/>
<b>19 Risk Reports</b> (6-monthly reports of strategic risks to Council's operations, their likelihood, and consequences of occurring and risk minimisation strategies)	Reports Dates of reports: 25 July 2022 7 November 2022 20 February 2023 31 May 2023	<input checked="" type="checkbox"/>
<b>20 Performance Reports</b> (6-monthly reports of indicators measuring financial and non-financial performance, including performance indicators referred to in section 98 of the Act)	Reports Dates of reports: 31 May 2023 11 October 2022	<input checked="" type="checkbox"/>
<b>21 Annual Report</b> (Annual report under sections 98 and 99 of the Act of containing a report of operations and audited financial and performance statements)	Presented at a meeting of the Council in accordance with section 100 of the Act. Date of presentation: 11 October 2022	<input checked="" type="checkbox"/>
<b>22 Councillor Code of Conduct</b> (Code under section 139 of the Act setting out the standards of conduct to be followed by Councillors and other matters)	Reviewed and adopted in accordance with section 139 of the Act. Date reviewed and adopted: 16 December 2021	<input checked="" type="checkbox"/>
<b>23 Delegations</b> (Documents setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff, in accordance with sections 11 and 47 of the Act)	Reviewed in accordance with section 11(7) of the Act and a register kept in accordance with sections 11(8) and 47(7) of the Act. Date of review under section 11(7): 5 October 2021	<input checked="" type="checkbox"/>
<b>24 Meeting Procedures</b> (Governance Rules under section 60 of the Act governing the conduct of meetings of Council and delegated committees)	Governance Rules adopted in accordance with section 60 of the Act. Date Governance Rules adopted: 30 August 2022	<input checked="" type="checkbox"/>

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

_____ Anthony Basford <b>Chief Executive Officer</b> <b>Dated:</b>	_____ Cr Mark Reeves <b>Mayor</b> <b>Dated:</b>
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## Statutory Information

### Information Available for Public Inspection

Council has 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 is available on Council's website and outlines the publicly available information.

### Freedom of Information

The *Freedom of Information Act 1982* (the *FoI Act*) provides individuals with the right to request access to Council documents. There is an application procedure, and rights of access are limited by exemptions detailed in the *FoI Act*. Applications must be accompanied by an application fee and specific details of the documents requested.

Council received 39 applications during the 2022-23 reporting year. Four requests were transferred as the subject matter of the documents was more closely connected with the functions of another agency. Additionally, one request was carried forward from the 2021-22 financial year.

	2022-23	2021-22	2020-21	2019-20	2018-19	2017-18	2016-17
New Applications / Requests	39	26	22	18	26	15	16
Access granted in full	1	15	7	6	12	4	1
Access granted in part	12	6	12	6	10	8	9
No documents existed in the requested form / Act does not comply	5	2	4	1	1	0	0
Access denied	4	2	1	1	0	1	3
Withdrawn	2	1	0	2	0	3	1
Requests outstanding at end of financial year	3	0	0	2	3	1	2
Review by Office of Victorian Information Commissioner	1	0	1	2	0	1	2
Appeals lodged with VCAT	0	0	0	0	0	0	0
Fees collected (\$)	642.60	752.50	621.20	473.60	722.50	369.20	418.50
Fees waived (\$)	428.40	408.00	0	59.20	22.90	28.40	0
Charges collected (\$)	424.30	0	0	88.00	75.00	265.30	271.90

### Public Interest Disclosures

In accordance with the *Public Interest Disclosures Act 2012* (the *PID Act*), Council has a policy that establishes the procedures for handling public interest disclosures. The purpose of the *PID 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 2023.

### 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 has a policy that guides how Council collects, uses, and discloses 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.

Further details about Council's approach to information privacy are located on Council's website.

### Contracts

Section 108(1) of the *Act* requires Council to adopt a Procurement Policy which specifies the principles, processes and procedures that apply in respect to the purchase of works, goods, and services.

Council's Procurement Policy was adopted on 14 September 2021.

During 2022-23, a total of 67 formal procurement processes (including Requests for Tender, Requests for Quotation and Expression of Interest requests) were undertaken. These complied with the expenditure thresholds and market engagement requirements as detailed in the Procurement Policy.

The details of all contracts awarded through a public tender process are available on Council's website.

Year	Contracts awarded by Chief Executive Officer (\$)		Total Contracts awarded by the Chief Executive Officer	Contracts awarded by Council (\$)	Total Contracts awarded
	< 250,000 (inc. GST)	< 500,000 (inc. GST)		>500,000 (inc. GST)	
2022-23	26	19	45	22	67

### 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:

- Community Programs and Customer Service officers have completed Carer Friendly Places training facilitated by Carers Victoria and achieved Carer Friendly Place accreditation for Council. Council can now provide information about supports and services for carers and connect carers with other people in their local community.
- Community Programs has undertaken four access audits on Council-owned and community spaces, which will increase access and safety of the built environment for all users, facilitate more community confidence and greater use of local services and facilities.
- Commenced assistive communication technology communication project with Gippsland Lakes Complete Health, the Bairnsdale Library and Council's Community Programs team to increase access to technology that supports people with complex communication needs to communicate and access information.
- Council's Community Facilities team developed a plan for Changing Places Spaces in East Gippsland. The Disability Advisory Committee endorsed the plan. The Disability Advisory Committee celebrated the Marveloo Changing Places Space donation by Maroondah City Council and supported locating the facility at Lakes Entrance.
- Council is undertaking a Community Transport Study that focuses on the experiences of people with disability when using community and public transport and is looking at practical solutions and partnership opportunities to improve access to transport.
- Council's Emergency Management team has attended Disability Advisory Committee meetings to plan with people with disability for natural disasters and emergencies.
- Council's Disability Advisory Committee contributed to the East Gippsland Accessible Events Guide and endorsed the resource.
- Community Programs officers attend state-wide network meetings for the Victorian Local Government Disability Planners Network and the Municipal Association of Victoria's Positive Ageing Network, implementing and actioning State policy, direction and priorities in access and inclusion at a local level.

**Domestic Animal Management Plan 2021-25**

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:

- Promoted opportunities available to members of the public to seek financial assistance in relation to desexing and registration support.
- Attended the East Gippsland Field Days and provided education on responsible pet ownership.
- Established a *Responsible Pet Care and Management* resource on Council's website to enhance community awareness of the importance of responsible pet ownership.

Year	Animal Impoundments	Reclaimed	Adopted	Euthanised	Transferred to Animal Aid Coldstream <sup>1</sup>
<b>2022-23</b>	<b>572</b>	<b>132</b>	<b>145</b>	<b>97</b>	<b>4</b>
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>1</sup> – Coldstream is the headquarters of Animal Aid, Councils pound services contractor

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

**Food Act Ministerial Directions**

Under section 7E of the *Food Act 1984*, Council is required to publish a summary of any ministerial directions received during the financial year in its annual report.

No such ministerial directions were received by Council during the financial year.

**Road Management Act Ministerial Directions**

Under section 22 of the *Road Management Act 2004*, Council must publish a copy or summary of any ministerial directions in its annual report.

No such ministerial directions were received by Council during the financial year.

**Infrastructure and Development Contributions**

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

For the 2022-23 year there were no infrastructure and development contributions made. Council did not collect any Community Infrastructure Levies or payments during the financial year.


**Financial Performance**

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**East Gippsland Shire Council**  
**2022/2023 Financial Report**

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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**

**Dated :** 9/10/2023  
 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 2023 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.

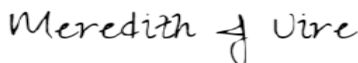
We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.



Councillor Mark Reeves

**Councillor**

**Dated :** 9/10/2023  
 Bairnsdale



Councillor Mendy Urie

**Councillor**

**Dated :** 9/10/2023  
 Bairnsdale



Anthony Basford

**Chief Executive Officer**

**Dated :** 9/10/2023  
 Bairnsdale



## Independent Auditor's Report


To the Councillors of East Gippsland Shire Council

<b>Opinion</b>	<p>I have audited the financial report of East Gippsland Shire Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• balance sheet as at 30 June 2023</li> <li>• comprehensive income statement for the year then ended</li> <li>• statement of changes in equity for the year then ended</li> <li>• statement of cash flows for the year then ended</li> <li>• statement of capital works for the year then ended</li> <li>• notes to the financial statements, including significant accounting policies</li> <li>• certification of the financial statements.</li> </ul> <p>In my opinion the financial report presents fairly, in all material respects, the financial position of the council as at 30 June 2023 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 4 of the <i>Local Government Act 2020</i>, the <i>Local Government (Planning and Reporting) Regulations 2020</i> and applicable Australian Accounting Standards.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the Financial Report</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's <i>APES 110 Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the financial report</b>	<p>The Councillors of the council are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, the <i>Local Government Act 2020</i> and the <i>Local Government (Planning and Reporting) Regulations 2020</i>, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.</p> <p>In preparing the financial report, the Councillors are responsible for assessing the council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.</p>

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<b>Auditor's responsibilities for the audit of the financial report</b>	<p>As required by the <i>Audit Act 1994</i>, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.</p> <p>As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:</p> <ul style="list-style-type: none"> <li>• identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.</li> <li>• obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control</li> <li>• evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Councillors</li> <li>• conclude on the appropriateness of the Councillors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the council to cease to continue as a going concern.</li> <li>• evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.</li> </ul> <p>I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.</p>
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MELBOURNE  
13 October 2023

  
Travis Derricott  
as delegate for the Auditor-General of Victoria

## Comprehensive Income Statement For the Year Ended 30 June 2023

	Note	2023 \$'000	2022 \$'000
<b>Income / Revenue</b>			
Rates and charges	3.1	65,592	62,556
Statutory fees and fines	3.2	2,581	2,514
User fees	3.3	13,074	11,335
Grants - operating	3.4	42,317	32,196
Grants - capital	3.4	18,802	20,606
Contributions - monetary	3.5	853	1,074
Contributions - non monetary	3.5	2,346	1,044
Net gain on disposal of property, infrastructure, plant and equipment	3.6	437	551
Fair value adjustments for investment property	6.2	-	295
Other income	3.7	10,016	9,391
<b>Total income / revenue</b>		<b>156,018</b>	<b>141,562</b>
<b>Expenses</b>			
Employee costs	4.1	36,782	35,032
Materials and services	4.2	47,955	47,368
Depreciation	4.3	24,506	23,769
Amortisation - intangible assets	4.4	553	985
Amortisation - right of use assets	4.5	89	88
Bad and doubtful debts - allowance for impairment losses	4.6	112	102
Borrowing costs	4.7	150	297
Landfill rehabilitation provision movement	5.5	1,621	(1,125)
Finance costs - leases	4.8	17	18
Fair value adjustments for investment property	6.2	677	-
Other expenses	4.9	5,744	4,052
<b>Total expenses</b>		<b>118,206</b>	<b>110,586</b>
<b>Surplus for the year</b>		<b>37,812</b>	<b>30,976</b>
<b>Other comprehensive income</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods</b>			
Net asset revaluation increment	6.1	144,673	31,471
<b>Total other comprehensive income</b>		<b>144,673</b>	<b>31,471</b>
<b>Total comprehensive result</b>		<b>182,485</b>	<b>62,447</b>

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

## Balance Sheet As at 30 June 2023

	Note	2023 \$'000	2022 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1	95,055	116,547
Trade and other receivables	5.1	8,768	9,102
Other financial assets	5.1	45,262	-
Prepayments	5.2	1,043	955
Other assets	5.2	4,528	7,043
<b>Total current assets</b>		<b>154,656</b>	<b>133,647</b>
<b>Non-current assets</b>			
Trade and other receivables	5.1	243	194
Property, infrastructure, plant and equipment	6.1	1,442,201	1,282,249
Right-of-use assets	5.8	682	771
Investment property	6.2	7,455	8,263
Intangible assets	5.2	446	999
<b>Total non-current assets</b>		<b>1,451,027</b>	<b>1,292,476</b>
<b>Total assets</b>		<b>1,605,683</b>	<b>1,426,123</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3	13,125	11,805
Trust funds and deposits	5.3	3,755	3,033
Unearned income/revenue	5.3	19,197	25,951
Provisions	5.5	12,887	11,153
Interest-bearing liabilities	5.4	1,262	-
Lease liabilities	5.8	75	102
<b>Total current liabilities</b>		<b>50,301</b>	<b>52,044</b>
<b>Non-current liabilities</b>			
Unearned income/revenue	5.3	419	428
Provisions	5.5	4,550	5,643
Interest-bearing liabilities	5.4	1,650	1,650
Lease liabilities	5.8	678	758
<b>Total non-current liabilities</b>		<b>7,297</b>	<b>8,479</b>
<b>Total liabilities</b>		<b>57,598</b>	<b>60,523</b>
<b>Net assets</b>		<b>1,548,085</b>	<b>1,365,600</b>
<b>Equity</b>			
Accumulated surplus		486,359	448,856
Reserves	9.1	1,061,726	916,744
<b>Total Equity</b>		<b>1,548,085</b>	<b>1,365,600</b>

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

## Statement of Changes in Equity For the Year Ended 30 June 2023

	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2023</b>					
Balance at beginning of the financial year		1,365,600	448,856	915,218	1,526
Surplus/(deficit) for the year		37,812	37,812	-	-
Net asset revaluation increment/(decrement)	6.1	144,673	-	144,673	-
Transfers to other reserves	9.1	-	(307)	-	307
Transfers from other reserves	9.1	-	(2)	-	2
		<u>1,548,085</u>	<u>486,359</u>	<u>1,059,891</u>	<u>1,835</u>
<b>Balance at end of the financial year</b>		<b>1,548,085</b>	<b>486,359</b>	<b>1,059,891</b>	<b>1,835</b>

		Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2022</b>					
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)
		<u>1,365,600</u>	<u>448,856</u>	<u>915,218</u>	<u>1,526</u>
<b>Balance at end of the financial year</b>		<b>1,365,600</b>	<b>448,856</b>	<b>915,218</b>	<b>1,526</b>

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 2023

	2023	2022
	Inflows/ (Outflows)	Inflows/ (Outflows)
Note	\$'000	\$'000
<b>Cash flows from operating activities</b>		
Rates and charges	64,886	62,886
Statutory fees and fines	2,493	2,400
User fees	15,378	14,449
Grants - operating	42,238	34,788
Grants - capital	15,008	17,757
Contributions - monetary	871	1,154
Interest received	5,735	318
Dividends received	3,291	-
Trust funds and deposits taken	11,911	9,540
Other receipts	1,185	14,181
Net GST refund/payment	3,273	3,143
Employee costs	(36,330)	(35,294)
Materials and services	(55,141)	(51,143)
Trust funds and deposits repaid	(11,189)	(9,342)
Other payments	(1,821)	(1,771)
<b>Net cash provided by/(used in) operating activities</b>	<b>61,788</b>	<b>63,066</b>
<b>Cash flows from investing activities</b>		
Payments for property, infrastructure, plant and equipment	(39,893)	(37,548)
Proceeds from sale of property, infrastructure, plant and equipment	873	994
Payments for investments	(45,262)	-
<b>Net cash provided by/(used in) investing activities</b>	<b>(84,282)</b>	<b>(36,554)</b>
<b>Cash flows from financing activities</b>		
Finance costs	(136)	(321)
Proceeds from borrowings	1,262	-
Repayment of borrowings	-	(1,700)
Interest paid - lease liability	(17)	(18)
Repayment of lease liabilities	(107)	(124)
<b>Net cash provided by/(used in) financing activities</b>	<b>1,002</b>	<b>(2,163)</b>
Net increase (decrease) in cash and cash equivalents	(21,492)	24,349
Cash and cash equivalents at the beginning of the financial year	116,547	92,198
<b>Cash and cash equivalents at the end of the financial year</b>	<b>95,055</b>	<b>116,547</b>

Financing arrangements

5.6

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 2023

	Note	2023 \$'000	2022 \$'000
<b>Property</b>			
Land		937	321
<b>Total land</b>		<b>937</b>	<b>321</b>
Buildings		13,722	8,310
Heritage buildings		115	152
<b>Total buildings</b>		<b>13,837</b>	<b>8,462</b>
<b>Total property</b>		<b>14,774</b>	<b>8,783</b>
<b>Plant and equipment</b>			
Plant, machinery and equipment		2,453	3,489
Fixtures, fittings and furniture		393	812
Computers and telecommunications		1,480	1,020
Library books		205	212
<b>Total plant and equipment</b>		<b>4,531</b>	<b>5,533</b>
<b>Infrastructure</b>			
Roads		8,730	9,068
Bridges		2,813	3,391
Footpaths and cycleways		478	1,098
Drainage		190	797
Recreational, leisure and community facilities		1,825	3,410
Waste management		1,130	2,033
Parks, open space and streetscapes		1,736	1,096
Off street car parks		625	133
Other infrastructure		5,002	2,858
<b>Total infrastructure</b>		<b>22,529</b>	<b>23,884</b>
<b>Total capital works expenditure</b>		<b>41,834</b>	<b>38,200</b>
<b>Represented by:</b>			
New asset expenditure		17,980	11,401
Asset renewal expenditure		21,797	23,684
Asset upgrade expenditure		2,057	3,115
<b>Total capital works expenditure</b>		<b>41,834</b>	<b>38,200</b>

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 2023

### 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 Bairnsdale Victoria 3875.

#### Statement of compliance

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

##### 1.1 Basis of accounting

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

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.

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.

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

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision.

Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

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

#### Goods and Services Tax (GST)

Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

East Gippsland Shire Council

2022/2023 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2023

### Note 2 ANALYSIS OF OUR RESULTS

#### 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.

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 / Revenue and expenditure

	Budget 2023 \$'000	Actual 2023 \$'000	Variance \$'000	Variance %	Ref
<b>Income / Revenue</b>					
Rates and charges	65,194	65,592	398	1%	
Statutory fees and fines	2,283	2,581	298	13%	1
User fees	12,127	13,074	947	8%	2
Grants - operating	11,439	42,317	30,878	270%	3
Grants - capital	53,208	18,802	(34,406)	(65%)	4
Contributions - monetary	663	853	190	29%	5
Contributions - non monetary	2,000	2,346	346	17%	6
Net gain on disposal of property, infrastructure, plant and equipment	-	437	437	100%	7
Other income	4,108	10,016	5,908	144%	8
<b>Total income / revenue</b>	<b>151,022</b>	<b>156,018</b>	<b>4,996</b>	<b>3%</b>	
<b>Expenses</b>					
Employee costs	35,090	36,782	(1,692)	(5%)	9
Materials and services	46,931	47,955	(1,024)	(2%)	10
Depreciation	25,659	24,506	1,153	4%	11
Amortisation - intangible assets	1,214	553	661	54%	12
Amortisation - right of use assets	71	89	(18)	(25%)	13
Bad and doubtful debts - allowance for impairment losses	28	112	(84)	(300%)	14
Borrowing costs	265	150	115	43%	15
Landfill rehabilitation provision movement	-	1,621	(1,621)	100%	16
Finance costs - leases	1	17	(16)	(1600%)	17
Fair value adjustments for investment property	-	677	(677)	100%	18
Other expenses	1,676	5,744	(4,068)	(243%)	19
<b>Total expenses</b>	<b>110,935</b>	<b>118,206</b>	<b>(7,271)</b>	<b>(7%)</b>	
<b>Surplus for the year</b>	<b>40,087</b>	<b>37,812</b>	<b>2,275</b>	<b>6%</b>	

East Gippsland Shire Council

2022/2023 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2023

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

#### (i) Explanation of material variations

Variance		Explanation
Ref	Item	
1	Statutory fees and fines - \$298k greater than budget	As a result of increased planning applications the planning fees exceeded the budget by \$347k. Building fees were also greater than budget by \$59k. Offsetting the increase in fees was a reduction in fees for legal recoveries of \$109k as a result of the timing of progressing outstanding rates and charges to the magistrates court for recovery. This is offset by a reduction in legal costs.
2	User fees - \$947k greater than budget	User fees for recreation facilities increase over budget by \$458k as a result of an increase in memberships and other services. Marina fees were also greater than budget by \$183k as a result of the number of berths being utilised. Waste fees were also greater than budget by \$115k due to usage of waste facilities. Caravan park income was greater than budget by \$97k as a result of an increase in usage. Raymond Island Ferry fees and the Livestock exchange fees accounted for a further \$117k increase as a result of increased use.
3	Grants - operating - \$30.9m greater than budget	The 100% advance payment of the indicative 2023/24 Victoria Grants Commission general purpose and road grant plus the adjustment for the final 2022/23 allocation of \$19.9m was the most significant variation. Additional unbudgeted grant funding for Bushfire recovery resourcing of \$5.3m was also received. Other unbudgeted bushfire Resilience and Recovery grants were received, totalling \$7.1m for a number of programs including Wellbeing and Mental Health, Rebuilding and Business and Economic recovery. There were several other new grants for projects with the most significant being \$500k for Council Flood Support. As a result of the timing of works for a number of bushfire community projects grants funds for these projects was underbudget by \$4.3m.

East Gippsland Shire Council

2022/2023 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2023

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

#### (i) Explanation of material variations

Variance		Explanation
Ref	Item	
4	Grants - capital - \$34.4m less than budget	<p>Capital grants were \$34.4m less than the adopted budget. The timing of works for a number of large capital projects will see those projects completed in the 2023/24 year. As a result grant income associated with the projects will now not be received until the 2023/24 year. Some of the most significant projects and capital grant variances are as follows:</p> <ul style="list-style-type: none"> <li>- Omeo Mountain Bike Trails - Stage 1 - \$0.6m</li> <li>- Jemmy Point Lookout Infrastructure Renewal - \$1.7m</li> <li>- Parking Design - Marine Parade Lakes Entrance - \$1.28m</li> <li>- Paynesville Seawall Design - \$0.8m</li> <li>- Bullock Island Works - \$1.42m</li> <li>- Cann River Roadside rest Area - \$0.91m</li> <li>- Orbost Forest Park Upgrade - \$1.3m</li> <li>- WORLD Sporting Precinct - \$6.8m</li> <li>- Slip Road Maritime Precinct Paynesville - \$5.2m</li> <li>- Lakes Entrance Marine Parade Upgrade - \$1m</li> <li>- Livingstone Park Community Facilities - \$0.92m</li> <li>- Mallacoota Streetscape - \$1.3m</li> <li>- Buchan Streetscape - \$0.8m</li> <li>- Krauatungalung Walk Stage 1 - \$1.9m</li> <li>- Moroney Street Bairnsdale Stage 2 - \$1m</li> <li>- Mallacoota Hall Upgrade - \$0.8m</li> <li>- Cann River Skatepark - \$0.5m</li> <li>- Entry Road &amp; Parking at Lucknow Rec Res/Gymnastics - \$0.8m</li> <li>- Krauatungalung Walk Stage 2 - \$0.6m</li> <li>- Omeo Mountain Bike Trails - Stage 2 - \$0.6m</li> </ul>
5	Contributions - monetary - \$190k greater than budget	Capital contributions of \$146k were not received as a result of the timing of the works for the related projects. Subdivision developer contributions exceeded budget by \$258k and an unbudgeted contribution of \$83k was received for a road project.
6	Contributions - non monetary - \$346k greater than budget	Contributed assets of \$2.346m were received during the year against a budget of \$2m. Developer contributed assets vary from year to year depending on subdivision activity.
7	Net gain on disposal of property, infrastructure, plant and equipment - \$437k greater than budget	The proceeds from the sale of assets exceeded the written down value of the assets. These were mainly vehicle sales.



East Gippsland Shire Council

2022/2023 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2023

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

#### (i) Explanation of material variations

Variance		
Ref	Item	Explanation
8	Other income - \$5.908m greater than budget	The timing for reimbursements for replacement and rehabilitation works for a number of natural disaster events accounts for \$866k of the additional income. Additional income from the investment of surplus cash of \$3.258m resulted from the significant increase in the interest rates during the year. Workcover reimbursements were \$287k greater than budget. Lease income was greater than budget by \$185k also. A reimbursement of \$561k for Street Lighting VEEC credits was unbudgeted. Reimbursements for capital projects of \$551k was also unbudgeted.
9	Employee costs - \$1.69m greater than budget	Workcover premium costs were \$877k less than the adopted budget as the MAV Scheme cost was less than expected. Superannuation expense was \$324k greater than budget as a result of additional staff employed during the year for grant funded programs and projects as well as salaries costs of \$511k. As a result of a number of vacancies during the year external agency staff were used in a number of roles. The recovery of capital wages and overheads was less than budget by \$1.042m as a result of the actual capital expenditure being less than budget. There was additional employee costs for bushfire recovery employees of \$896k that was funding from grant income received in the previous year. The movement in annual leave and long service leave provisions were less than budget by \$194k.
10	Materials and services - \$1.024m greater than budget	Unbudgeted Bushfire recovery programs expenditure of \$1.34m occurred during the year. This expenditure was funded though from grants received in the prior year. There were a number of community projects for the upgrade of facilities that were underspend during the year as they will be completed in the next financial year and these projects amounted to an underspend of materials of \$4.8m. These facilities included the Sarsfield Recreation reserve, Buchan Recreation reserve, Swifts Creek Recreation reserve and the Club Terrace Community Facility. There was unbudgeted expenditure for restoration works following natural disaster events of \$2.325m which is funded from unbudgeted reimbursements. Funding was received for Resilience and Recovery programs and the unbudgeted materials expenditure for these programs was \$523k. Contract and materials payment for the maintenance of roads and bridges exceeded the budget by \$1.6m (excluding the natural disaster restoration works) as a result of additional maintenance works required that were seasonal in nature.
11	Depreciation - \$1.153m less than budget	Depreciation expenses was \$1.153m less than budget mainly as a result of the new landfill cell not yet being completed and in use.

East Gippsland Shire Council

2022/2023 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2023

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

#### (i) Explanation of material variations

Variance		Explanation
Ref	Item	
12	Amortisation - intangible assets - \$661k less than budget	The Landfill Air Space assets were fully amortised during the year and the new cell is yet to be open for use so no new air space assets were created during the year.
13	Amortisation - right of use assets - \$18k greater than budget	Minor variance based on actual for the year.
14	Bad and doubtful debts - allowance for impairment losses - \$84k greater than budget	The assessment at year end of the required provision for doubtful debts was greater than budget by \$84k.
15	Borrowing costs - \$115k less than budget	As a result of the Community Infrastructure Low Interest loans not being fully drawn down during the year, the borrowing costs are less than budget.
16	Landfill rehabilitation provision movement - \$1.621m greater than budget	There was an adjustment to the present value calculation of an increase of \$1.621m and other adjustments that required an increase to the Landfill Provision for future rehabilitation works.
17	Finance costs - leases - \$16k greater than budget	Minor variance based on actual cost for the year.
18	Fair value adjustments for investment property - \$677k greater than budget	There was a decrease in the fair value of investment properties as at the end of the year. No budget had been provided for this decrease in value.
19	Other expenses - \$4.068m greater than budget	There were \$4.089m of buildings, roads, bridges and other assets written off primarily as a result of assets being replaced. Operating leases for the Bushfire Administration Centre were greater than budget by \$50k as a result of the lease period ending later than expected. Legal expenses were less than budget by \$109k.

## Notes to the Financial Report For the Year Ended 30 June 2023

### Note 2 ANALYSIS OF OUR RESULTS

#### 2.1.2 Capital works

	Budget 2023 \$'000	Actual 2023 \$'000	Variance \$'000	Variance %	Ref
<b>Property</b>					
Land	2,127	937	(1,190)	(56%)	1
<b>Total land</b>	<b>2,127</b>	<b>937</b>	<b>(1,190)</b>	<b>(56%)</b>	
Buildings	13,385	13,722	337	3%	2
Heritage buildings	146	115	(31)	(21%)	
<b>Total buildings</b>	<b>13,531</b>	<b>13,837</b>	<b>306</b>	<b>2%</b>	
<b>Total property</b>	<b>15,658</b>	<b>14,774</b>	<b>(884)</b>	<b>(6%)</b>	
<b>Plant and equipment</b>					
Plant, machinery and equipment	3,702	2,453	(1,249)	(34%)	3
Fixtures, fittings and furniture	30	393	363	1210%	4
Computers and telecommunications	6,060	1,480	(4,580)	(76%)	5
Library books	209	205	(4)	(2%)	
<b>Total plant and equipment</b>	<b>10,001</b>	<b>4,531</b>	<b>(5,470)</b>	<b>(55%)</b>	
<b>Infrastructure</b>					
Roads	15,467	8,730	(6,737)	(44%)	6
Bridges	3,580	2,813	(767)	(21%)	7
Footpaths and cycleways	1,245	478	(767)	(62%)	8
Drainage	1,962	190	(1,772)	(90%)	9
Recreational, leisure and community facilities	14,123	1,825	(12,298)	(87%)	10
Waste management	2,564	1,130	(1,434)	(56%)	11
Parks, open space and streetscapes	33,113	1,736	(31,377)	(95%)	12
Aerodromes	116	-	(116)	(100%)	13
Off street car parks	1,598	625	(973)	(61%)	14
Other infrastructure	4,664	5,002	338	7%	15
<b>Total infrastructure</b>	<b>78,432</b>	<b>22,529</b>	<b>(55,903)</b>	<b>(71%)</b>	
<b>Total capital works expenditure</b>	<b>104,091</b>	<b>41,834</b>	<b>(62,257)</b>	<b>(60%)</b>	
<b>Represented by:</b>					
New asset expenditure	30,931	17,980	(12,951)	(42%)	16
Asset renewal expenditure	70,324	21,797	(48,527)	(69%)	17
Asset upgrade expenditure	2,836	2,057	(779)	(27%)	18
<b>Total capital works expenditure</b>	<b>104,091</b>	<b>41,834</b>	<b>(62,257)</b>	<b>(60%)</b>	

## Notes to the Financial Report For the Year Ended 30 June 2023

### 2.1.2 Performance against budget (cont'd)

#### (i) Explanation of material variations

Variance Ref	Item	Explanation
1	Land - \$1.190m less than budget	Land Acquisitions was under budget by \$1.19m as a result of the timing for these projects and will be completed in the 2023/24 year.
2	Buildings - \$337k greater than budget	There were a number of projects that will not be completed until the 2023/24 year. The most significant of these are Eagle Point Foreshore Hub under budget by \$1.787m, Bairnsdale City Oval Changerooms upgrade under budget by \$820k, Building renewals and Energy Efficiency projects under budget of \$1.222m, Eagle Point Caravan Park Amenities Block Renewal under budget by \$362k, Mallacoota Foreshore Holiday Park Fire Safety Works under budget by \$432k, Mallacoota Hall Upgrade under budget by \$820k and Lake Tyers Beach Hall Upgrade under budget by \$384k. These were offset by the Gymnasium Facility Lucknow that was over budget by \$561k. The WORLD Sporting Precinct Project was classified as Recreation in the budget but the actual has been classified as Buildings at year end with actual expenditure of \$5.526m.
3	Plant, machinery and equipment - \$1.249m less than budget	The timing for the purchase of new plant and equipment has seen an under spend in the 2022/23 year that will be carried forward to the 2023/24 year as a result of delays in the delivery of plant and vehicles.
4	Fixtures, fittings and furniture - \$363k greater than budget	There were a number of projects classified in various categories in the budget that had components where the expenditure was classified as fixtures and fittings at year end. The most significant of these projects are Internal CCTV actual expenditure \$111k, Glass recycling actual expenditure \$91k and Mallacoota Cricket Nets actual expenditure \$77k.
5	Computers and telecommunications - \$4.58m less than budget	There are a number of IT projects that will be delivered over the coming years and have been carried forward into the 2023/24 year. This is a result of the timing for these upgrades to corporate systems and accounts for the budget variance.
6	Roads - \$6.737m less than budget	Some major roads projects will not be completed until the 2023/24 year. The most significant of these projects that are under budget for the year include Marine Parade Lakes Entrance Parking and Road works \$2.55m under budget, Entry Road and Parking Lucknow Recreation reserve \$681k under budget and Moroney Street Bairnsdale \$909k under budget. The Power Road project with a budget of \$624k was cancelled. There were also a number of Parks Streetscape projects that had cost components classified as Roads and have added to the expenditure. The most significant of these are Buchan Streetscape \$442k, Nowa Nowa Streetscape \$470k and Mallacoota Streetscape \$151k.
7	Bridges - \$767k less than budget	The Bullock Island Bridge project will be completed in the 2023/24 year and was under budget by \$797k.

## Notes to the Financial Report For the Year Ended 30 June 2023

### 2.1.2 Performance against budget (cont'd)

#### (i) Explanation of material variations

Variance Ref	Item	Explanation
8	Footpaths and cycleways - \$767k less than budget	There were a number of Footpath projects that will now be completed in the 2023/24 year with the most significant being Lindenow Footpath Connections under budget by \$473k and the Footpath renewal program under budget by \$350k. This was offset by the Krauatungalung Walk expenditure of \$145k with the budget for this project being in Parks.
9	Drainage - \$1.772m less than budget	There were a number of projects that will be completed in the 2023/24 year with the most significant being the Stormwater Drainage renewal program under budget by \$393k and the Jones Bay Southern Catchment WSUD project under budget by \$741k. There were other drainage projects that were under budget by \$671k. Offsetting this was the LENGA Drainage project which had been included in the Roads budget but has been classified as drainage at year end with actual expenditure of \$196k.
10	Recreational, leisure and community facilities - \$12.298m less than budget	There are a number of projects that were classified as Recreation in the budget but at year end the expenditure has been classified into various other asset categories. The most significant project is the WORLD Sporting Precinct with a budget of \$11.527m. These were also a number of projects that were classified in other asset categories in the budget but the actual has been classified as Recreation at year end. The most significant of these projects are Mallacoota Seawall Design actual \$188k, Slip Road Paynesville Maritime Precinct actual \$312k and Cann River Skatepark actual \$29k. There were also a number of projects that will now not be completed until the 2023/24 year with the most significant of these being Shaving Point Metung Boat Ramp Upgrade under budget by \$525k, LRCI Bairnsdale Oval Lighting Upgrade under budget by \$307k, Metung Bowls Club under budget by \$161k and Omeo Netball Courts Upgrade under budget by \$148k.
11	Waste management - \$1.434m less than budget	The Cann River Transfer Station project was included in the Waste budget but has been classified as Buildings at year end. The budget for this project was \$1.5m. The Construction of Cell 4 has been delayed and will be completed in the 2023/24 budget with an underspend of \$647k.
12	Parks, open space and streetscapes - \$31.377m less than budget	There were a number of projects classified as Parks in the budget but at year end the expenditure has been classified as a different asset category. The most significant of these are the Omeo Mountain Bike Trail budget \$4.09m, Jemmy's Point Lookout budget \$2.07m, Bruthen Streetscape budget \$1.231m, Mallacoota Streetscape budget \$1.84m, Buchan Streetscape budget \$1.583m, Nowa Nowa Streetscape budget \$495k, Krauatungalung Walk budget \$2.186m, Bullock Island Masterplan implementation budget \$2.78m and Slip Road Paynesville Maritime Precinct budget \$5.216m. There were also a number of projects that will now not be completed until the 2023/24 year and these include Lakes Entrance Foreshore Park under budget by \$1.549m, Orbost Forest Park under budget by \$1.645m, Livingstone Park Community Facilities under budget by \$1.507m and Lakes Entrance Slipway Upgrade under budget by \$661k.
13	Aerodromes - \$116k less than budget	The budgeted aerodrome works will now be undertaken in the 2023/24 year.

## Notes to the Financial Report For the Year Ended 30 June 2023

### 2.1.2 Performance against budget (cont'd)

#### (i) Explanation of material variations

Variance		
Ref	Item	Explanation
14	Off street car parks - \$973k less than budget	The Cann River Roadside rest Area project will be completed in the 2023/24 year and was under budget by \$1.049m.
15	Other infrastructure - \$338k greater than budget	There were a number of projects that were classified as Other Infrastructure in the budget but have been classified as a different asset category at year end. The most significant of these are the Paynesville Seawall design with a budget of \$1.665m and Mallacoota Seawall design with a budget of \$1.4m. There were a number of projects that were included in other categories in the budget but the actual expenditure has been classified as Other Infrastructure at year end. These include the Omeo Mountain Bike Trail actual expenditure of \$2.234m, Bruthen Streetscape actual expenditure \$1.023m, Mallacoota Skatepark actual expenditure \$494k, Lindenow Sports Lighting actual expenditure \$268k, Static Water Tanks actual expenditure \$266k, Orbost Airport Fencing actual expenditure \$164k and Lakes Entrance Transfer Station Upgrade actual expenditure \$266k. There were also a number of contingencies that were included in the Other Infrastructure Budget that were reallocated to specific projects during the year and those budgets amounted to \$907k.
16	New asset expenditure - \$12.951m less than budget	A number of projects that are new assets were incomplete at year end and will be completed in the 2023/24 year. The most significant of these projects are Omeo Mountain Bike Trails Stages 1 and 2 underbudget by \$2.695m, Eagle Point Foreshore Hub under budget by \$1.788m, Bullock Island Masterplan Implementation under budget by \$1.918m, Land Purchases under budget by \$885k and WORLD Sporting Precinct under budget by \$5m.
17	Asset renewal expenditure - \$48.527m less than budget	There were a significant number of renewal projects that will now be completed in the 2023/24 year. The most significant of these are Mallacoota Streetscape under budget by \$1.689m, Buchan Streetscape under budget by \$1.141m, Bairnsdale City Oval Changerooms upgrade under budget by \$820k, Raymond Island Koala Experience under budget by \$547k, Moroney Street Bairnsdale under budget by \$908k, Hinnomunjie Bridge Restoration under budget by \$493k, Cann River Skatepark under budget by \$576k, Shaving Point Boat Ramp under budget by \$524k, Building renewal program under budget by \$672k, Plant and Vehicle renewals under budget by \$1.801m, Forward Design Roads and Drainage under budget by \$435k, Jemmy's Point Lookout under budget by \$1.933m, Parking Design - Marine Parade Lakes Entrance under budget by \$1.358m, Paynesville Seawall design under budget by \$1.665m, Mallacoota Seawall design under budget by \$1.211m, Bullock Island Bridge under budget by \$797k, Cann River Roadside Rest Area under budget by \$1.049m, Forest Park Orbost under budget by \$1.644m, Eagle Point Caravan Park Amenities Block Renewal under budget by \$362k, Mallacoota Foreshore Holiday Park Fire Safety Works under budget by \$432k, Cann River Waste Transfer Station under budget by \$1.463m, Slip Road Paynesville Maritime Precinct under budget by \$4.933m, Lakes Entrance Marine Parade Upgrade under budget by \$1.198m, Lakes Entrance Foreshore Park under budget by \$1.548m, Livingstone Park Community Facilities under budget by \$1.507m, IT renewals under budget by \$932k, Air Handling Unit Lakes Aquadome under budget by \$469k and Roads under budget by 3.092m.



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## Notes to the Financial Report For the Year Ended 30 June 2023

### 2.1.2 Performance against budget (cont'd)

#### (i) Explanation of material variations

Variance		Explanation
Ref	Item	
18	Asset upgrade expenditure - \$779k less than budget	There were a number of projects that will not be completed until the 2023/24 year and account for the under spend for asset upgrades. The most significant of these are Building Energy Efficiencies under budget by \$550k, Krauatungalung Walk Stage 2 under budget by \$619k, Entry Road and Parking Lucknow Recreation Reserve under budget by \$681k and Mallacoota Hall Upgrade under budget by \$784k. There were also a number of projects that had components of actual expenditure classified as Other Infrastructure at year end but the budget was included in other asset categories. These costs amounted to \$899k with the most significant being the Mallacoota Skatepark \$494k and Raymond Island Toilet Block upgrade with expenditure of \$203k.

## Notes to the Financial Report For the Year Ended 30 June 2023

### 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.

## Notes to the Financial Report For the Year Ended 30 June 2023

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

	Income / Revenue	Expenses	Surplus	Grants included in income / revenue	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2023</b>					
Office of the CEO	671	671	-	-	-
Business Excellence	56,572	20,907	35,665	17,533	11,966
Place and Community	13,915	11,768	2,147	12,258	627
Assets and Environment	84,860	84,860	-	31,328	1,593,090
	<b>156,018</b>	<b>118,206</b>	<b>37,812</b>	<b>61,119</b>	<b>1,605,683</b>

	Income / Revenue	Expenses	Surplus	Grants included in income / revenue	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2022</b>					
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
	<b>141,562</b>	<b>110,586</b>	<b>30,976</b>	<b>52,802</b>	<b>1,426,123</b>

## Notes to the Financial Report For the Year Ended 30 June 2023

### Note 3 FUNDING FOR THE DELIVERY OF OUR SERVICES

#### 3.1 Rates and charges

2023	2022
\$'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 2022/23 was \$12,355 million (2021/22 \$9,200 million). Commercial/Industrial rates for 2022/23 was \$1,303 million (2021/22 \$1,138 million) and Farm rates was for 2022/23 \$2,526 million (2021/22 \$1,849 million). The 2022/23 rate in the CIV dollar for General rates was 0.00290802 (2021/22 0.00370130), Commercial/Industrial rates was 0.00407123 (2021/22 0.00536688) and Farm rates was 0.00232641 (2021/22 0.00296104).

General rates	47,112	45,636
Municipal charge	7,502	7,280
Waste management charge	9,882	8,539
Supplementary rates and rate adjustments	656	691
Interest on rates and charges	300	277
Revenue in lieu of rates	140	133
<b>Total rates and charges</b>	<b>65,592</b>	<b>62,556</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2022, and the valuation was first applied in the rating year commencing 1 July 2022.

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

#### 3.2 Statutory fees and fines

Infringements and costs	269	282
Application Registration Fees	328	338
Animal Registrations	490	478
Town planning fees	1,059	948
Land information certificates	95	136
Permits	70	71
Other	270	261
<b>Total statutory fees and fines</b>	<b>2,581</b>	<b>2,514</b>

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

#### 3.3 User fees

Aged and health services	11	26
Leisure centre and recreation	2,760	1,809
Raymond Island Ferry	293	283
Arts and Culture	236	136
Caravan Parks	3,078	2,724
Saleyards	879	850
Marinas	1,204	1,158
Child care/children's programs	186	141
Tourism	65	58
Building services	110	132
Waste management services	4,098	3,868
Other fees and charges	154	150
<b>Total user fees</b>	<b>13,074</b>	<b>11,335</b>

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### Notes to the Financial Report For the Year Ended 30 June 2023

	2023	2022
	\$'000	\$'000
<b>User fees by timing of revenue recognition</b>		
User fees recognised over time	2,585	2,155
User fees recognised at a point in time	10,489	9,180
<b>Total user fees</b>	<b>13,074</b>	<b>11,335</b>

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

East Gippsland Shire Council

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### Notes to the Financial Report For the Year Ended 30 June 2023

	2023 \$'000	2022 \$'000
<b>3.4 Funding from other levels of government</b>		
Grants were received in respect of the following :		
<b>Summary of grants</b>		
Commonwealth funded grants	34,926	36,314
State funded grants	25,743	16,293
Other	450	195
<b>Total grants received</b>	<b>61,119</b>	<b>52,802</b>
<b>(a) Operating Grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Financial Assistance Grants	24,187	22,775
Aged Services	-	45
<b>Recurrent - State Government</b>		
Arts and Culture	60	60
Asset Maintenance	86	56
Community Development	(41)	55
Community Laws	118	99
Emergency Management	167	195
Environmental Management	97	94
Libraries	379	374
Parks and Gardens	1	-
Public Health	52	37
<b>Total recurrent operating grants</b>	<b>25,106</b>	<b>23,790</b>
<b>Non-recurrent - Commonwealth Government</b>		
Community Development	105	140
Bushfire Recovery	-	-
Economic Development	196	124
Environmental Management	151	1,445
Buildings	176	-
Roads	346	29
Recreational, Leisure and Community Facilities	39	7
<b>Non-recurrent - State Government</b>		
Community Development	183	203
Community Laws	79	-
Arts and Culture	6	72
Economic Development	350	640
Bushfire Recovery	13,518	4,722
Emergency Management	576	-
Libraries	27	60
Environmental Management	-	4
Public Health	20	-
Work for Victoria	-	288
Roads	23	24
Strategic planning	(76)	130
Human resource	68	66
Recreational, Leisure and Community Facilities	1,009	134
Waste	-	134
<b>Non-recurrent - Other</b>		
Environmental Management	103	59
Community Development	-	1
Economic Development	81	50
Events	20	20
Strategic planning	200	-
Libraries	11	51
Arts and Culture	-	3
<b>Total non-recurrent operating grants</b>	<b>17,211</b>	<b>8,406</b>
<b>Total operating grants</b>	<b>42,317</b>	<b>32,196</b>

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## Notes to the Financial Report For the Year Ended 30 June 2023

(b) Capital Grants	2023 \$'000	2022 \$'000
<b>Recurrent - Commonwealth Government</b>		
Roads to recovery	2,843	3,507
<b>Recurrent - State Government</b>		
Recreational, Leisure and Community Facilities	9	9
<b>Total recurrent capital grants</b>	<b>2,852</b>	<b>3,516</b>
<b>Non-recurrent - Commonwealth Government</b>		
Buildings	784	-
Bridges	2,256	1,550
Aerodrome	(77)	220
Footpath and Cycleways	232	197
Other Infrastructure	-	230
Parks, Open Space and Streetscapes	(89)	738
Recreational, Leisure and Community Facilities	2,352	3,493
Roads	1,131	1,618
Emergency Management	270	-
Environmental sustainability	24	176
Car Parks	-	20
<b>Non-recurrent - State Government</b>		
Buildings	64	507
Arts and Culture	90	-
Caravan Parks	-	11
Parks, Open Space and Streetscapes	48	862
Recreational, Leisure and Community Facilities	6,642	6,168
Governance	-	-
Waste Management	313	186
Environmental sustainability	182	-
Emergency Management	46	-
Roads	1,647	980
Footpath and Cycleways	-	123
<b>Non-recurrent - Other</b>		
Recreational, Leisure and Community Facilities	21	11
Library	14	-
<b>Total non-recurrent capital grants</b>	<b>15,950</b>	<b>17,090</b>
<b>Total capital grants</b>	<b>18,802</b>	<b>20,606</b>



## Notes to the Financial Report For the Year Ended 30 June 2023

### (c) 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 of 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.

	2023	2022
	\$'000	\$'000
<b>Income recognised under AASB 1058 <i>Income of Not-for-Profit Entities</i></b>		
General purpose	25,101	28,619
Specific purpose grants to acquire non-financial assets	33,151	20,605
Other specific purpose grants	1,266	1,124
<b>Revenue recognised under AASB 15 <i>Revenue from Contracts with Customers</i></b>		
Specific purpose grants	1,601	2,454
	<b>61,119</b>	<b>52,802</b>
	<b>2023</b>	<b>2022</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>(d) Unspent grants received on condition that they be spent in a specific manner</b>		
<b><i>Operating</i></b>		
Balance at start of year	10,489	7,003
Received during the financial year and remained unspent at balance date	1,250	8,752
Received in prior years and spent during the financial year	(8,720)	(5,266)
<b>Balance at year end</b>	<b>3,019</b>	<b>10,489</b>
<b><i>Capital</i></b>		
Balance at start of year	22,482	20,516
Received during the financial year and remained unspent at balance date	9,113	10,251
Received in prior years and spent during the financial year	(15,820)	(8,285)
<b>Balance at year end</b>	<b>15,775</b>	<b>22,482</b>

Unspent grants are determined and disclosed on a cash basis.

East Gippsland Shire Council  
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## Notes to the Financial Report For the Year Ended 30 June 2023

	2023	2022
	\$'000	\$'000
<b>3.5 Contributions</b>		
Monetary	853	1,074
Non-monetary	2,346	1,044
<b>Total contributions</b>	<b>3,199</b>	<b>2,118</b>

Contributions of non monetary assets were received in relation to the following asset classes.

Land	1,262	365
Roads	776	593
Drainage	259	51
Footpath	49	35
<b>Total non-monetary contributions</b>	<b>2,346</b>	<b>1,044</b>

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

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

Proceeds of sale	873	994
Written down value of assets disposed	(436)	(443)
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>437</b>	<b>551</b>

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

### 3.7 Other income

Interest	3,549	341
Investment property rental	1,103	944
Reimbursements - Other	2,297	1,047
Reimbursements - Natural Disasters	2,949	6,917
Other	118	142
<b>Total other income</b>	<b>10,016</b>	<b>9,391</b>

Interest is recognised as it is earned.

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

**Notes to the Financial Report  
For the Year Ended 30 June 2023**

	2023 \$'000	2022 \$'000
<b>Note 4 THE COST OF DELIVERING SERVICES</b>		
<b>4.1 (a) Employee costs</b>		
Wages and salaries	28,368	26,834
WorkCover	969	1,676
Casual staff	3,841	3,316
Superannuation	3,472	3,080
Fringe benefits tax	132	126
<b>Total employee costs</b>	<b>36,782</b>	<b>35,032</b>
<b>(b) Superannuation</b>		
Council made contributions to the following funds:		
<b>Defined benefit fund</b>		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	20	22
	<b>20</b>	<b>22</b>
Employer contributions payable at reporting date.	2	-
<b>Accumulation funds</b>		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	1,436	1,051
Employer contributions - Australian Super	325	255
Employer contributions - Hostplus	232	230
Employer contributions - Vic Super	184	180
Employer contributions - other funds	1,275	1,342
	<b>3,452</b>	<b>3,058</b>
Employer contributions payable at reporting date.	70	50
Contributions made exclude amounts accrued at balance date. Refer to note 9.3 for further information relating to Council's superannuation obligations.		
<b>4.2 Materials and services</b>		
<b>Contractors</b>		
- Road maintenance	12,050	12,144
- Vegetation management	1,767	2,305
- Ferry maintenance	26	217
- Aerodrome Operations and maintenance	85	100
- Building maintenance	262	237
- Electrical Services	367	32
- Ferry service	-	651
- Environmental Management	100	-
- Waste collection	4,567	4,176
- Waste Management	1,355	766
- Animal pound services	265	255
- Courier services	87	85
- Cleaning	1,101	1,156
- Swifts Creek Recreation Reserve	481	-
- Street Lighting	95	1,074
- Community facilities IT implementation	-	222
- Consulting	177	351
- Other	25	-
<b>Total Contractors</b>	<b>22,810</b>	<b>23,771</b>

**Notes to the Financial Report  
For the Year Ended 30 June 2023**

<b>4.2 Materials and services (Cont'd)</b>	<b>2023</b>	<b>2022</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Other materials and services</b>		
Building maintenance	466	230
General maintenance	12,488	12,268
Utilities	2,067	1,913
Office administration	1,892	1,069
Information technology	2,585	2,314
Insurance	1,366	1,246
Consultants	2,040	1,509
Contributions	2,241	3,048
<b>Total Other materials and services</b>	<b>25,145</b>	<b>23,597</b>
<b>Total materials and services</b>	<b>47,955</b>	<b>47,368</b>

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

**4.3 Depreciation**

Property	3,835	3,478
Plant and equipment	3,185	2,919
Infrastructure	17,486	17,372
<b>Total depreciation</b>	<b>24,506</b>	<b>23,769</b>

Refer to note 5.2( c ), 5.8 and 6.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

**4.4 Amortisation - Intangible assets**

Software	99	85
Landfill Airspace	454	900
<b>Total Amortisation - Intangible assets</b>	<b>553</b>	<b>985</b>

**4.5 Amortisation - Right of use assets**

Property	74	69
Plant and Equipment	15	19
<b>Total Amortisation - Right of use assets</b>	<b>89</b>	<b>88</b>

East Gippsland Shire Council  
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## Notes to the Financial Report For the Year Ended 30 June 2023

	2023 \$'000	2022 \$'000
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### 4.6 Bad and doubtful debts - allowance for impairment losses

Parking fine debtors	17	38
Animal fine debtors	52	68
Rates debtors	14	(13)
Other debtors	29	9
<b>Total bad and doubtful debts - allowance for impairment losses</b>	<b>112</b>	<b>102</b>

### Movement in allowance for impairment losses in respect of debtors

Balance at the beginning of the year	1,077	1,016
New provisions recognised during the year	110	66
Amounts already provided for and written off as uncollectible	-	(5)
<b>Balance at end of year</b>	<b>1,187</b>	<b>1,077</b>

An allowance for impairment losses in respect of debtors is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

### 4.7 Borrowing costs

Interest - Borrowings	150	297
<b>Total borrowing costs</b>	<b>150</b>	<b>297</b>

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

### 4.8 Finance Costs - Leases

Interest - Lease Liabilities	17	18
<b>Total finance costs</b>	<b>17</b>	<b>18</b>

### 4.9 Other expenses

Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	29	54
Auditors' remuneration - Internal Audit	39	35
Councillors' allowances	412	361
Operating lease rentals	178	234
Memberships/Subscriptions	360	324
Bank fees and charges	259	223
Legal fees	364	354
Assets written-off -Buildings	796	454
Assets written-off -Bridges	370	633
Assets written-off -Roads	1,719	1,199
Assets written-off -Open Space	503	-
Assets written-off -Others	701	156
Others	14	25
<b>Total other expenses</b>	<b>5,744</b>	<b>4,052</b>

East Gippsland Shire Council

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## Notes to the Financial Report For the Year Ended 30 June 2023

**Note 5 OUR FINANCIAL POSITION****5.1 Financial assets****(a) Cash and cash equivalents**

	2023 \$'000	2022 \$'000
Cash on hand	11	11
Cash at bank	48,033	89,487
Term deposits	47,011	27,049
<b>Total cash and cash equivalents</b>	<b>95,055</b>	<b>116,547</b>

**(b) Other financial assets****Current**

Term deposits - current	45,262	-
<b>Total current other financial assets</b>	<b>45,262</b>	<b>-</b>
<b>Total other financial assets</b>	<b>45,262</b>	<b>-</b>
<b>Total financial assets</b>	<b>140,317</b>	<b>116,547</b>

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

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

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

**(c) Trade and other receivables****Current****Statutory receivables**

Rates debtors	4,312	3,606
Special rate assessment	630	938
Infringement debtors	960	865
Provision for doubtful debts - infringements and rates	(1,118)	(1,012)
Net GST receivable	1,322	1,443

**Non statutory receivables**

Other debtors	2,731	3,327
Provision for doubtful debts - other debtors	(69)	(65)
<b>Total current trade and other receivables</b>	<b>8,768</b>	<b>9,102</b>

**Non-current****Statutory receivables**

Special rate scheme	243	194
<b>Total non-current trade and other receivables</b>	<b>243</b>	<b>194</b>
<b>Total trade and other receivables</b>	<b>9,011</b>	<b>9,296</b>

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

East Gippsland Shire Council

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### Notes to the Financial Report For the Year Ended 30 June 2023

	2023	2022
	\$'000	\$'000
<b>(d) Ageing of Receivables</b>		
The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:		
Current (not yet due)	1,952	2,807
Past due by up to 30 days	108	204
Past due between 31 and 180 days	500	189
Past due between 181 and 365 days	58	30
Past due by more than 1 year	44	31
<b>Total trade and other receivables</b>	<b>2,662</b>	<b>3,261</b>

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

At balance date, other debtors representing financial assets with a nominal value of \$69,000 (2022: \$65,000) were impaired. The amount of the provision raised against these debtors was \$ 69,000 (2022: \$65,000). 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	69	65
<b>Total trade &amp; other receivables</b>	<b>69</b>	<b>65</b>



East Gippsland Shire Council  
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## Notes to the Financial Report For the Year Ended 30 June 2023

### 5.2 Non-financial assets

#### (a) Prepayments

	2023	2022
	\$'000	\$'000
Prepayments	1,043	955
<b>Total prepayments</b>	<b>1,043</b>	<b>955</b>

#### (b) Other assets

Accrued income	598	202
Grant income receivable	3,903	6,816
Other	27	25
<b>Total other assets</b>	<b>4,528</b>	<b>7,043</b>

#### (c) Intangible assets

Software	446	545
Landfill air space	-	454
<b>Total intangible assets</b>	<b>446</b>	<b>999</b>

	Software	Landfill	Total
	\$'000	\$'000	\$'000
<b>Gross carrying amount</b>			
Balance at 1 July 2022	2,142	4,854	6,996
Additions from internal developments	-	-	-
Other additions	-	-	-
<b>Balance at 30 June 2023</b>	<b>2,142</b>	<b>4,854</b>	<b>6,996</b>
<b>Accumulated amortisation and impairment</b>			
Balance at 1 July 2022	1,597	4,400	5,997
Amortisation expense	99	454	553
<b>Balance at 30 June 2023</b>	<b>1,696</b>	<b>4,854</b>	<b>6,550</b>
Net book value at 30 June 2022	545	454	999
<b>Net book value at 30 June 2023</b>	<b>446</b>	<b>-</b>	<b>446</b>

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

East Gippsland Shire Council  
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## Notes to the Financial Report For the Year Ended 30 June 2023

	2023	2022
	\$'000	\$'000
<b>5.3 Payables, trust funds and deposits and unearned income/revenue</b>		
<b>(a) Trade and other payables</b>		
<b>Current</b>		
<i>Non-statutory payables</i>		
Trade payables	11,279	9,528
Accrued expenses	1,846	2,277
<b>Total current trade and other payables</b>	<b>13,125</b>	<b>11,805</b>
<b>(b) Trust funds and deposits</b>		
<b>Current</b>		
Refundable deposits	3,123	2,391
Fire services levy	215	208
Retention amounts	417	434
<b>Total current trust funds and deposits</b>	<b>3,755</b>	<b>3,033</b>
<b>(c) Unearned income/revenue - Current</b>		
Grants received in advance - operating	3,019	3,099
Grants received in advance - capital	15,775	22,482
Caravan Park and other	250	224
Prepaid Marina Income	153	146
<b>Total current unearned income/revenue</b>	<b>19,197</b>	<b>25,951</b>
<b>(d) Unearned income/revenue - Non Current</b>		
Prepaid Marina Income	419	428
<b>Total Unearned income/revenue - Non Current</b>	<b>419</b>	<b>428</b>

Unearned income/revenue represents contract liabilities and reflect 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 booking made 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.

East Gippsland Shire Council  
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## Notes to the Financial Report For the Year Ended 30 June 2023

5.4 Interest-bearing liabilities	2023	2022
	\$'000	\$'000
<b>Current</b>		
Treasury Corporation of Victoria borrowings - secured	1,262	-
<b>Total current interest-bearing liabilities</b>	<b>1,262</b>	<b>-</b>
<b>Non-current</b>		
Other borrowings - secured	1,650	1,650
<b>Total non-current interest-bearing liabilities</b>	<b>1,650</b>	<b>1,650</b>
<b>Total</b>	<b>2,912</b>	<b>1,650</b>

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	1,262	-
Later than one year and not later than five years	1,150	1,150
Later than five years	500	500
	<b>2,912</b>	<b>1,650</b>

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

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

### 5.5 Provisions

	Employee	Landfill	Native	Total
	\$ '000	restoration \$ '000	Vegetation \$ '000	\$ '000
<b>2023</b>				
Balance at beginning of the financial year	6,650	9,959	187	16,796
Additional provisions	877	599	18	1,494
Amounts used	(618)	(1,136)	-	(1,754)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(121)	1,022	-	901
<b>Balance at the end of the financial year</b>	<b>6,788</b>	<b>10,444</b>	<b>205</b>	<b>17,437</b>

#### Summary of provisions

Provisions - current	6,102	6,785	-	12,887
Provisions - non-current	686	3,659	205	4,550
<b>Total provisions</b>	<b>6,788</b>	<b>10,444</b>	<b>205</b>	<b>17,437</b>

#### 2022

Balance at beginning of the financial year	7,004	11,792	192	18,988
Additional provisions	995	374	16	1,385
Amounts used	(638)	(708)	(21)	(1,367)

Change in the discounted amount arising because of time and the effect of any change in the discount rate

	(711)	(1,499)	-	(2,210)
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**Balance at the end of the financial year**

<b>6,650</b>	<b>9,959</b>	<b>187</b>	<b>16,796</b>
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#### Summary of provisions

Provisions - current	6,081	5,072	-	11,153
Provisions - non-current	569	4,887	187	5,643
<b>Total provisions</b>	<b>6,650</b>	<b>9,959</b>	<b>187</b>	<b>16,796</b>

East Gippsland Shire Council  
2022/2023 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2023

	2023	2022
(a) Employee provisions	\$'000	\$'000
<b>Current provisions expected to be wholly settled within 12 months</b>		
Annual leave	2,505	2,380
Long service leave	316	328
	<b>2,821</b>	<b>2,708</b>
<b>Current provisions expected to be wholly settled after 12 months</b>		
Annual leave	431	425
Long service leave	2,849	2,948
	<b>3,280</b>	<b>3,373</b>
<b>Total current employee provisions</b>	<b>6,101</b>	<b>6,081</b>
<b>Non-current</b>		
Long service leave	686	569
Annual leave	-	-
<b>Total non-current employee provisions</b>	<b>686</b>	<b>569</b>
<b>Aggregate carrying amount of employee provisions:</b>		
Current	6,101	6,081
Non-current	686	569
<b>Total aggregate carrying amount of employee provisions</b>	<b>6,787</b>	<b>6,650</b>

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	4.06%	3.69%
- index rate	2.00%	2.00%

East Gippsland Shire Council

2022/2023 Financial Report

### Notes to the Financial Report For the Year Ended 30 June 2023

	2023	2022
	\$'000	\$'000
<b>(b) Landfill restoration</b>		
Current	6,785	5,072
Non-current	3,659	4,887
	<b>10,444</b>	<b>9,959</b>

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

Council reviews the landfill restoration provision on an annual basis, including the key assumptions listed below.

Key assumptions:

- discount rate	4.06%	3.55%
- index rate	4.00%	2.00%

#### (c) Native Vegetation Offset provision

Non-current	205	187
	<b>205</b>	<b>187</b>

#### 5.6 Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2023

Bank overdraft	1,500	1,500
Credit card facilities	300	300
Treasury Corporation of Victoria facilities	7,043	8,305
Borrowings	2,912	1,650
<b>Total facilities</b>	<b>11,755</b>	<b>11,755</b>
Used facilities	2,965	1,694
<b>Unused facilities</b>	<b>8,790</b>	<b>10,061</b>

East Gippsland Shire Council  
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## Notes to the Financial Report For the Year Ended 30 June 2023

### 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

	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2023</b>					
<b>Operating</b>					
Cleaning	1,081	1,078	2,099	49	4,307
Ferry Operations/Maintenance	5	-	-	-	5
Road Infrastructure Maintenance	591	591	52	-	1,234
Waste Management	4,216	2,754	68	-	7,038
Other Service Contracts	347	172	-	-	519
<b>Total</b>	<b>6,240</b>	<b>4,595</b>	<b>2,219</b>	<b>49</b>	<b>13,103</b>
<b>Capital</b>					
Buildings	19	-	-	-	19
Roads	2,905	-	-	-	2,905
Recreation	15,368	-	-	-	15,368
Waste	635	-	-	-	635
Other	10,034	-	-	-	10,034
<b>Total</b>	<b>28,961</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>28,961</b>
<b>2022</b>					
<b>Operating</b>					
Cleaning	707	50	-	-	757
Ferry Operations/Maintenance	65	1	-	-	66
Road Infrastructure Maintenance	599	600	654	-	1,853
Waste Management	4,204	4,076	2,639	-	10,919
Other Service Contracts	581	370	180	-	1,131
<b>Total</b>	<b>6,156</b>	<b>5,097</b>	<b>3,473</b>	<b>-</b>	<b>14,726</b>
<b>Capital</b>					
Buildings	189	-	-	-	189
Roads	117	-	-	-	117
Bridges	1,331	-	-	-	1,331
Recreation	16,546	-	-	-	16,546
Waste	2,065	-	-	-	2,065
Other	8,384	-	-	-	8,384
<b>Total</b>	<b>28,632</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>28,632</b>

East Gippsland Shire Council  
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## Notes to the Financial Report For the Year Ended 30 June 2023

### (b) Operating lease receivables

#### Operating lease receivables

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

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

	2023	2022
	\$'000	\$'000
Not later than one year	935	913
Later than one year and not later than five years	2,198	2,139
Later than five years	2,186	1,696
	<b>5,319</b>	<b>4,748</b>

### 5.8 Leases

At inception of a contract, Council assesses 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;
- Council has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- Council has the right to direct the use of the asset.

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

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

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

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

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

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

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

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

Under AASB 16 Leases, Council as a not-for-profit entity has elected not to measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

Council has 22 peppercorn/low value leases on land and buildings. Use of these properties is restricted to community service and welfare activities.



East Gippsland Shire Council  
2022/2023 Financial Report

### Notes to the Financial Report For the Year Ended 30 June 2023

<b>Right-of-Use Assets</b>	<b>Property</b>	<b>Equipment</b>	<b>Total</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Balance at 1 July 2022	706	65	771
Additions	-	-	-
Amortisation charge	(74)	(15)	(89)
<b>Balance at 30 June 2023</b>	<b>632</b>	<b>50</b>	<b>682</b>

<b>Lease Liabilities</b>	<b>2023</b>	<b>2022</b>
<b>Maturity analysis - contractual undiscounted cash flows</b>	<b>\$'000</b>	<b>\$'000</b>
Less than one year	91	110
One to five years	226	261
More than five years	572	606
<b>Total undiscounted lease liabilities as at 30 June:</b>	<b>889</b>	<b>977</b>

**Lease liabilities included in the Balance Sheet at 30 June:**

Current	75	102
Non-current	678	758
<b>Total lease liabilities</b>	<b>753</b>	<b>860</b>

**Short-term and low value leases**

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

	<b>2023</b>	<b>2022</b>
<b>Expenses relating to:</b>	<b>\$'000</b>	<b>\$'000</b>
Short-term leases	160	203
Leases of low value assets	38	30
<b>Total</b>	<b>198</b>	<b>233</b>

	<b>2023</b>	<b>2022</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Variable lease payments (not included in measurement of lease liabilities)</b>		
Variable lease payments	133	136
<b>Total</b>	<b>133</b>	<b>136</b>

Variable lease payments are those that depend on an index or a rate, for example payments linked to the consumer price index, a benchmark interest rate or changes in market rental rates.

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

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

**Payable:**

Within one year	25	108
Later than one year but not later than five years	62	22
Later than five years	31	36
<b>Total lease commitments</b>	<b>118</b>	<b>166</b>

**Notes to the Financial Report  
For the Year Ended 30 June 2023**

**6.1 PROPERTY, INFRASTRUCTURE, PLANT AND EQUIPMENT**

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

	Carrying amount 30 June 2022 \$'000	Additions \$'000	Contributions \$'000	Revaluation \$'000	Depreciation \$'000	Disposal \$'000	Write-off \$'000	Transfers \$'000	Carrying amount 30 June 2023 \$'000
Property	275,619	-	1,262	37,802	(3,835)	(75)	(831)	1,491	311,433
Plant and equipment	15,267	-	-	-	(3,185)	(361)	-	4,197	15,918
Infrastructure	961,793	-	1,084	106,871	(17,486)	-	(2,981)	16,622	1,065,903
Work in progress	29,570	41,834	-	-	-	-	(267)	(22,190)	48,947
	<b>1,282,249</b>	<b>41,834</b>	<b>2,346</b>	<b>144,673</b>	<b>(24,506)</b>	<b>(436)</b>	<b>(4,079)</b>	<b>120</b>	<b>1,442,201</b>

**Summary of Work in Progress**

	Opening WIP \$'000	Additions \$'000	Write-off \$'000	Transfers \$'000	Closing WIP \$'000
Property	8,676	14,774	(53)	(1,277)	22,120
Plant and equipment	1,382	4,531	(66)	(4,398)	1,449
Infrastructure	19,512	22,529	(148)	(16,515)	25,378
Total	<b>29,570</b>	<b>41,834</b>	<b>(267)</b>	<b>(22,190)</b>	<b>48,947</b>

Notes to the Financial Report  
For the Year Ended 30 June 2023

## (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 2022	146,669	3,634	150,303	17,095	188,318	205,413	8,676	364,392
Accumulated depreciation at 1 July 2022	-	-	-	(9,051)	(71,046)	(80,097)	-	(80,097)
	146,669	3,634	150,303	8,044	117,272	125,316	8,676	284,295
<b>Movements in fair value</b>								
Additions	-	-	-	-	-	-	14,774	14,774
Contributions	1,262	-	1,262	-	-	-	-	1,262
Revaluation	40,194	1,427	41,621	2,964	17,273	20,237	-	61,858
Disposal	-	(75)	(75)	-	-	-	-	(75)
Write-off	(34)	-	(34)	-	(1,542)	(1,542)	(53)	(1,629)
Transfers	394	(64)	330	-	1,274	1,274	(1,277)	327
	41,816	1,288	43,104	2,964	17,005	19,969	13,444	76,517
<b>Movements in accumulated depreciation</b>								
Depreciation and amortisation	-	-	-	(252)	(3,583)	(3,835)	-	(3,835)
Accumulated depreciation of disposals	-	-	-	-	745	745	-	745
Revaluation	-	-	-	(1,503)	(22,553)	(24,056)	-	(24,056)
Transfers	-	-	-	-	(113)	(113)	-	(113)
	-	-	-	(1,755)	(25,504)	(27,259)	-	(27,259)
At fair value 30 June 2023	188,485	4,922	193,407	20,059	205,323	225,382	22,120	440,909
Accumulated depreciation at 30 June 2023	-	-	-	(10,806)	(96,550)	(107,356)	-	(107,356)
Carrying amount	188,485	4,922	193,407	9,253	108,773	118,026	22,120	333,553

Notes to the Financial Report  
For the Year Ended 30 June 2023

## (b) Plant and Equipment

	Plant machinery and equipment \$'000	Fixtures fittings and furniture \$'000	Computers and telecomms \$'000	Library books \$'000	Work In Progress \$'000	Total plant and equipment \$'000
At fair value 1 July 2022	23,553	11,313	5,720	5,317	1,382	47,285
Accumulated depreciation at 1 July 2022	(14,048)	(7,799)	(4,491)	(4,298)	-	(30,636)
	9,505	3,514	1,229	1,019	1,382	16,649
<b>Movements in fair value</b>						
Additions	-	-	-	-	4,531	4,531
Disposal	(1,238)	-	-	-	-	(1,238)
Write-off	-	-	-	-	(66)	(66)
Transfers	2,253	414	1,304	205	(4,398)	(222)
	1,015	414	1,304	205	67	3,005
<b>Movements in accumulated depreciation</b>						
Depreciation and amortisation	(1,915)	(794)	(327)	(149)	-	(3,185)
Accumulated depreciation of disposals	877	-	-	-	-	877
Transfers	-	21	-	-	-	21
	(1,038)	(773)	(327)	(149)	-	(2,287)
At fair value 30 June 2023	24,568	11,727	7,024	5,522	1,449	50,290
Accumulated depreciation at 30 June 2023	(15,086)	(8,572)	(4,818)	(4,447)	-	(32,923)
Carrying amount	9,482	3,155	2,206	1,075	1,449	17,367

Notes to the Financial Report  
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## (c) Infrastructure

	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and community facilities	Waste Management	Parks open space and streetscapes	Aerodromes	Off street car parks	Other Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 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 1 July 2022	(109,678)	(10,053)	(6,599)	(22,256)	(14,524)	(5,508)	(5,698)	(510)	(2,035)	(7,938)	-	(184,799)
	660,214	104,651	30,241	71,405	21,543	5,769	29,108	8,366	10,535	19,961	19,512	981,305
<b>Movements in fair value</b>												
Additions	-	-	-	-	-	-	-	-	-	-	22,529	22,529
Contributions	776	-	49	259	-	-	-	-	-	-	-	1,084
Revaluation	85,689	12,714	4,092	10,424	3,968	679	3,799	988	1,399	3,085	-	126,837
Write-off	(2,704)	(477)	(75)	(5)	(452)	-	(673)	-	-	(180)	(148)	(4,714)
Transfers	5,812	3,992	1,462	189	1,190	-	2,822	-	284	871	(16,515)	107
	89,573	16,229	5,528	10,867	4,706	679	5,948	988	1,683	3,776	5,866	145,843
<b>Movements in accumulated depreciation</b>												
Depreciation and amortisation	(11,606)	(1,313)	(627)	(917)	(747)	(447)	(501)	(112)	(259)	(957)	-	(17,486)
Accumulated depreciation of disposals	985	108	24	1	250	-	170	-	-	47	-	1,585
Revaluation	(12,207)	(1,108)	(732)	(2,477)	(1,590)	(73)	(617)	(57)	(226)	(879)	-	(19,966)
	(22,828)	(2,313)	(1,335)	(3,393)	(2,087)	(520)	(948)	(169)	(485)	(1,789)	-	(35,867)
At fair value 30 June 2023	859,465	130,933	42,368	104,528	40,773	11,956	40,754	9,864	14,253	31,675	25,378	1,311,947
Accumulated depreciation at 30 June 2023	(132,506)	(12,366)	(7,934)	(25,649)	(16,611)	(6,028)	(6,646)	(679)	(2,520)	(9,727)	-	(220,666)
Carrying amount	726,959	118,567	34,434	78,879	24,162	5,928	34,108	9,185	11,733	21,948	25,378	1,091,281

## Notes to the Financial Report For the Year Ended 30 June 2023

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

#### Acquisition

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

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

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

	Depreciation Period	Threshold Limit
<b>Asset recognition thresholds and depreciation periods</b>		<b>\$'000</b>
Land & land improvements		
land	-	-
Buildings		
buildings	15-80 years	5
building and leasehold improvements	15-80 years	5
Plant and Equipment		
ferry equipment	40 years	1
plant, machinery and equipment	4-15 years	1
fixtures, fittings and furniture	10-20 years	1
computers and telecommunications	5 years	1
library books	10 years	1
Infrastructure		
road pavements and seals	18-80 years	5
road wearing course	15 years	5
road formation and earthworks	-	5
road kerb, channel and minor culverts	70 - 80 years	5
bridges	40-100 years	5
footpaths and cycleways	18-65 years	5
drainage	100 years	5
recreational, leisure and community facilities	28-60 years	5
aerodromes	15-80 years	5
waste management landfill cells	3 years	5
waste management infrastructure	50 years	5
parks, open space and streetscapes	40-75 years	5
car parks	15-80 years	5
Intangible assets	3-10 years	1

#### Land under roads

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

#### Depreciation and amortisation

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

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

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

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

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

#### Repairs and maintenance

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

## Notes to the Financial Report For the Year Ended 30 June 2023

### 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 Practising Valuer CPV API Member: 63110, Senior Director, Commercial Compliance and Quality of JLL Public Sector Valuations Pty Ltd and Mark Pastor, Certified Practising Valuer CPV API Member: 63501, Senior Valuer JLL Public Sector Valuations Pty Ltd as at 30 June 2023. 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 previous year for buildings only, this valuation was based on the Victoria Valuer-General's indices.

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 and type 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 2023 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation	Type of Valuation
Specialised land	-	-	188,485	30/06/2023	Independent
Non - Specialised land	-	4,922	-	30/06/2023	Independent
Heritage Buildings	-	-	9,253	30/06/2023	Independent
Buildings	-	-	108,773	30/06/2023	Independent
<b>Total</b>	<b>-</b>	<b>4,922</b>	<b>306,511</b>		

### Valuation of infrastructure

Valuation of all infrastructure assets was undertaken by Council's engineering and asset management staff as at 31 December 2017. The engineering staff member who undertook the valuation was Ashley Higman, Asset Engineer BEng (Civil) CPEng NER. The valuation was at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

The date of the current valuation is detailed in the following table. An index based valuation review was conducted in the current year as at 30 June 2023. This valuation review was based on Construction industries producer price indices for Victoria. A full revaluation of these assets will be conducted in 2024/25.

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 2023 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation	Type of Valuation
Roads	-	-	726,959	30/06/2023	Index
Bridges	-	-	118,567	30/06/2023	Index
Footpaths and cycleways	-	-	34,434	30/06/2023	Index
Drainage	-	-	78,879	30/06/2023	Index
Recreational, leisure and community facilities	-	-	24,162	30/06/2023	Index
Waste management	-	-	5,928	30/06/2023	Index
Parks, open space and streetscapes	-	-	34,108	30/06/2023	Index
Aerodromes	-	-	9,185	30/06/2023	Index
Off street car parks	-	-	11,733	30/06/2023	Index
Other infrastructure	-	-	21,948	30/06/2023	Index
<b>Total</b>	<b>-</b>	<b>-</b>	<b>1,065,903</b>		



## Notes to the Financial Report For the Year Ended 30 June 2023

### *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 \$1.20 and \$450.00 per square metre.

**Specialised buildings** are valued using a current 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 \$84 to \$6,730 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 current 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.

	2023	2022
	\$'000	\$'000
<b>Reconciliation of specialised land</b>		
Land under roads	1,426	2,998
Parks and reserves	68,145	74,649
Recreation and Leisure	57,116	38,582
Residential Land	1,022	469
Commercial Land	362	480
Aerodrome Land	15,802	2,413
Community Services Land	10,604	4,940
Business Centre/Library Land	4,669	3,929
Caravan Park Land	4,818	2,380
Carpark Land	4,746	3,844
Depot Land	832	239
Quarry Reserve Land	356	155
Drainage Reserve Land	10,248	6,691
Saleyard and Pound Facility Land	1,941	731
Waste Management Land	5,931	3,852
Road Reserves	467	317
<b>Total specialised land</b>	<b>188,485</b>	<b>146,669</b>

## Notes to the Financial Report For the Year Ended 30 June 2023

	2023 \$'000	2022 \$'000
<b>6.2 Investment property</b>		
Balance at beginning of financial year	8,263	8,882
Additions	29	-
Transfer	(148)	-
Disposals	(12)	(914)
Fair value adjustments	(677)	295
<b>Balance at end of financial year</b>	<b>7,455</b>	<b>8,263</b>

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

### **Valuation of investment property**

Valuation of investment property has been determined in accordance with an independent valuation by Todd Svanberg, Certified Practising Valuer CPV API Member 63110, Senior Director, Commercial Compliance and Quality of JLL Public Sector Valuations Pty Ltd and Mark Pastor, Certified Practising Valuer CPV API Member 63501, Senior Valuer JLL Public Sector Valuations Pty Ltd as at 30 June 2023. The valuation is at fair value, based on the current market value for the property.

## Notes to the Financial Report For the Year Ended 30 June 2023

### Note 7 PEOPLE AND RELATIONSHIPS

#### 7.1 Council and key management remuneration

##### (a) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of East Gippsland Shire Council. The Councillors, Chief Executive Officer and General Managers are deemed KMP.

Details of KMP at any time during the year are:

	2023 No.	2022 No.
<b>Councillors</b>		
Councillor Mark Reeves (Mayor)		
Councillor Arthur Allen (Deputy Mayor)		
Councillor Mendy Urie		
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 (1/7/2022 to 1/6/2023)		
Acting General Manager Business Excellence (From 2/6/2023 to 30/6/2023)		
General Manager Assets and Environment		
General Manager Place and Community		
<b>Total Number of Councillors</b>	9	9
<b>Total of Chief Executive Officer and other Key Management Personnel</b>	5	5
<b>Total Number of Key Management Personnel</b>	14	14

##### (b) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and Other senior staff is disclosed in the following categories.

**Short-term employee benefits** include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

**Other long-term employee benefits** include long service leave, other long service benefits or deferred compensation.

**Post-employment benefits** include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.

**Termination benefits** include termination of employment payments, such as severance packages.

	2023 \$'000	2022 \$'000
Total remuneration of key management personnel was as follows:		
Short-term employee benefits	1,230	1,263
Other long-term employee benefits	21	22
Post-employment benefits	91	88
<b>Total</b>	<b>1,342</b>	<b>1,373</b>

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

	2023 No.	2022 No.
\$10,000 - \$19,999	1	-
\$20,000 - \$29,999	-	6
\$30,000 - \$39,999	7	1
\$40,000 - \$49,999	1	-
\$50,000 - \$59,999	-	2
\$70,000 - \$79,999	-	1
\$90,000 - \$99,999	1	-
\$220,000 - \$229,999	2	-
\$230,000 - \$239,999	1	3
\$280,000 - \$289,999	1	-
\$300,000 - \$309,999	-	1
	14	14

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## Notes to the Financial Report For the Year Ended 30 June 2023

### (c) Remuneration of other senior staff

Other senior staff are officers of Council, other than Key Management Personnel, whose total remuneration exceeds \$160,000 and who report directly to a member of the KMP. \*

	2023 \$'000	2022 \$'000
Total remuneration of other senior staff was as follows:		
Short-term employee benefits	176	174
Other long-term employee benefits	4	4
Post-employment benefits	18	16
<b>Total</b>	<b>198</b>	<b>194</b>

The number of other senior staff are shown below in their relevant income bands:

	2023 No.	2022 No.
Income Range:		
\$190,000 - \$199,999	1	1
	<b>1</b>	<b>1</b>

	2023 \$	2022 \$
Total remuneration for the reporting year for other senior staff included above, amounted to:	197,694	194,109

\* Due to a definitional change the comparative figures in this note may not align with the previous year's annual report, which included disclosure of senior officers as defined in the *Local Government Act 1989*.

### 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 2023, Council paid \$144,660 to staff related to Key Management Personnel and has accrued benefits payable to these staff of \$20,614 as at 30 June 2023, under standard employment terms and conditions.
- For the year ended 30 June 2023, Council paid \$118,054 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 - \$107,109 for contracted slashing services
Cr Allen	Leftrade Pty Ltd - \$7,176 for works and services
	Paper Cranes Sushi Pty Ltd \$2,940 for catering services
Cr Greacen	Cunninghame Medical Centre - \$828 for employee related medical services

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

The following balances totalling \$8,425 are outstanding at the end of the reporting period in relation to transactions with related parties on normal commercial terms and conditions.

Cr White	Melwood Investments Pty Ltd - \$8,008 for contracted slashing services
Cr Allen	Leftrade Pty Ltd - \$253 for works and services
Cr Greacen	Cunninghame Medical Centre - \$164 for employee related medical services

#### (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

## Notes to the Financial Report For the Year Ended 30 June 2023

### 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

(i) Council is currently undergoing a process over a three year period to identify old drainage assets that are not currently recorded. At this stage Council is currently unable to value any of these found assets and will bring them to account in the future when valuations have been calculated.

##### (b) Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council; or
- present obligations that arise from past events but are not recognised because:
  - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
  - the amount of the obligation cannot be measured with sufficient reliability.

##### 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 2023. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2024 are \$37,335.

##### 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.

## Notes to the Financial Report For the Year Ended 30 June 2023

### 8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2023 reporting period. Council assesses the impact of these new standards. As at 30 June 2023 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2024 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 and TCV borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

#### (b) Market risk

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

##### Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 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.

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## Notes to the Financial Report For the Year Ended 30 June 2023

### (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 + 1.5% and -0.5% in market interest rates (AUD) from year-end rates of 4.1%.

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 2023

### 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. (For plant and equipment carrying amount is considered to approximate fair value given short useful lives). 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 1 to 4 years. The valuation is performed either by experienced council officers or independent experts. The following table sets out the frequency of revaluations by asset class.

<b>Asset class</b>	<b>Revaluation frequency</b>
Land	1 to 4 years
Buildings	1 to 4 years
Roads	1 to 4 years
Bridges	1 to 4 years
Footpaths and cycleways	1 to 4 years
Drainage	1 to 4 years
Recreational, leisure and community facilities	1 to 4 years
Waste management	1 to 4 years
Parks, open space and streetscapes	1 to 4 years
Aerodromes	1 to 4 years
Other infrastructure	1 to 4 years

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 2023

### Note 9 OTHER MATTERS

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<b>9.1 Reserves</b>			
<b>(a) Asset revaluation reserves</b>			
<b>2023</b>			
<b>Property</b>			
Land and land improvements	111,638	41,621	153,259
Buildings	94,763	(3,819)	90,944
	206,401	37,802	244,203
<b>Infrastructure</b>			
Roads	519,476	73,482	592,958
Bridges	76,191	11,605	87,796
Footpaths and cycleways	17,730	3,360	21,090
Drainage	45,297	7,947	53,244
Recreational, leisure and community facilities	14,242	2,379	16,621
Waste management	3,217	606	3,823
Parks, open space and streetscapes	11,610	3,182	14,792
Aerodromes	1,149	931	2,080
Offstreet car parks	2,114	1,173	3,287
Other infrastructure	17,791	2,206	19,997
	708,817	106,871	815,688
<b>Total asset revaluation reserves</b>	<b>915,218</b>	<b>144,673</b>	<b>1,059,891</b>
<b>2022</b>			
<b>Property</b>			
Land and land improvements	111,638	-	111,638
Buildings	84,209	10,554	94,763
	195,847	10,554	206,401
<b>Infrastructure</b>			
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
<b>Total asset revaluation reserves</b>	<b>883,747</b>	<b>31,471</b>	<b>915,218</b>

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

East Gippsland Shire Council  
2022/2023 Financial Report

## Notes to the Financial Report For the Year Ended 30 June 2023

	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
<b>(b) Other reserves</b>				
<b>2023</b>				
Car Parking	193	-	-	193
Development Contribution Plans	129	-	-	129
Lakes Entrance Northern Growth Area	1	-	-	1
Recreational Land	1,144	307	2	1,453
Road Upgrading	59	-	-	59
<b>Total Other reserves</b>	<b>1,526</b>	<b>307</b>	<b>2</b>	<b>1,835</b>
<b>2022</b>				
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
<b>Total Other reserves</b>	<b>1,120</b>	<b>408</b>	<b>(2)</b>	<b>1,526</b>

The Recreation Land Reserve receives developer contributions for future development of public open space.

Development Contribution Plans receive contribution from developers upon the sale of land in a prescribed planning area.

The Car Parking Reserve receives developer funds for future development of public car parks.

The Road Upgrading Reserve receives contributions from developers for the future upgrade of specific roads as required by development plans.

Lakes Entrance Northern Growth Area receive contributions in accordance with the development plan.

## Notes to the Financial Report For the Year Ended 30 June 2023

	2023	2022
	\$'000	\$'000
<b>9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)</b>		
Surplus/(deficit) for the year	37,812	30,976
Depreciation/Amortisation	25,148	24,842
Profit/(loss) on disposal of property, infrastructure, plant and equipment	(437)	(551)
Write off property, plant and equipment	4,089	2,442
Fair value adjustments for investment property	677	(295)
Contributions - Non-monetary assets	(2,346)	(1,044)
Financing cost in financing activities	153	339
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	285	1,969
(Increase)/decrease in prepayments	(88)	(9)
Increase/(decrease) in other current assets	2,516	(294)
Increase/(decrease) in trade and other payables	(621)	1,666
(Decrease)/increase in unearned income /revenue	(6,763)	5,019
(Decrease)/increase in provisions	641	(2,192)
Increase/(Decrease) in trust funds and deposits	722	198
Net cash provided by/(used in) operating activities	<b>61,788</b>	<b>63,066</b>

### 9.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in 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 2023, this was 10.5% as required under Superannuation Guarantee (SG) legislation (2022: 10.0%)).

#### 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.

#### Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary. A triennial actuarial investigation is currently underway for the Defined Benefit category which is expected to be completed by 31 December 2023. Council was notified of the 30 June 2023 VBI during August 2023 (2022: August 2022). The financial assumptions used to calculate the 30 June 2023 VBI were:

Net investment returns 5.7% pa  
Salary information 3.5% pa  
Price inflation (CPI) 2.8% pa

## Notes to the Financial Report For the Year Ended 30 June 2023

As at 30 June 2022, 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 102.2%. The financial assumptions used to calculate the VBI were:

Net investment returns 5.5% pa  
 Salary information 2.5% pa to 30 June 2023, and 3.5% pa thereafter  
 Price inflation (CPI) 3.0% pa

Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

Vision Super has advised that the estimated VBI at June 2023 was 104.1%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2022 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 2022 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 2023, this rate was 10.5% of members' salaries (10.0% in 2021/22). 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 2022 interim 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.

### **The 2022 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 2022 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:

	2022 (Interim) \$m	2021 (Interim) \$m
- A VBI Surplus	44.6	214.7
- A total service liability surplus	105.8	270.3
- A discounted accrued benefits surplus	111.9	285.2

## Notes to the Financial Report For the Year Ended 30 June 2023

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 2022.

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 2022.

The discounted accrued benefits 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 2022.

### The 2023 triennial actuarial investigation

A triennial actuarial investigation is being conducted for the Fund's position as at 30 June 2023. It is anticipated that this actuarial investigation will be completed by 31 December 2023. The financial assumptions for the purposes of this investigation are:

	2023 Triennial Investigation	2020 Triennial Investigation
Net investment return	5.7% pa	5.6% pa
Salary inflation	3.50% pa	2.50% pa for the first two years and 2.75% pa thereafter
Price inflation	2.8% pa	2.0% pa

### Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2023 are detailed below:

Scheme	Type of Scheme	Rate	2023 \$'000	2022 \$'000
Vision super	Defined benefits	10.5% (2022:10.0%)	20	22
Vision super	Accumulation	10.5% (2022:10.0%)	1,436	1,051
Various other funds	Accumulation	10.5% (2022:10.0%)	2,016	2,007

There were contributions outstanding of \$70,376 and no loans issued from or to the above schemes as at 30 June 2023.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2024 is \$37,335.

*East Gippsland Shire Council  
2022/2023 Financial Report*

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**Notes to the Financial Report  
For the Year Ended 30 June 2023**

**Note 10 CHANGE IN ACCOUNTING POLICY**

There have been no changes to accounting policies in the 2022-23 year.



# **East Gippsland Shire Council**

## **Performance Statement**

For the year ended 30 June 2023

## East Gippsland Shire Council

### Performance Statement

For the year ended 30 June 2023

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#### Description of municipality

East Gippsland is a large and vibrant region in a beautiful natural setting, home to proud and involved communities that embrace and encourage self-reliance, responsibility and new ideas. The past 30 years have seen East Gippsland evolve from its rural origins to a flourishing economic and tourism region in Eastern Victoria, drawing more than one million visitors each year.

The region has kept its identity and sense of place as it has grown. The shire stretches from west of Bairnsdale to the New South Wales border, covering approximately 21,000 square kilometres or 10 per cent of the State. East Gippsland has an Estimated Residential Population of approximately 48,887 residents (as at 30 June 2022).

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

We are responsible for maintaining 2,970 km of roads, 191 timber and concrete bridges, 25 footbridges, over 3,500 km of table drains, 540 km of kerb and channel, 350 hectares of Parks and Gardens and over 4,500 streetlights.

## East Gippsland Shire Council

### Sustainable Capacity Indicators

For the year ended 30 June 2023

<b>Indicator / measure</b> [formula]	<b>Results</b>				<b>Comment</b>
	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	
<b>Population</b>					
<i>Expenses per head of municipal population</i> [Total expenses / Municipal population]	\$2,250.55	\$2,386.32	\$2,285.97	\$2,417.94	There was a revaluation of assets in the 2020/21 year and also in the 2022/23 year which significantly increased the value of infrastructure assets and the value per head of population.
<i>Infrastructure per head of municipal population</i> [Value of infrastructure / Municipal population]	\$20,767.18	\$22,789.57	\$23,419.57	\$25,544.50	
<i>Population density per length of road</i> [Municipal population / Kilometres of local roads]	15.89	15.99	15.95	16.46	
<b>Own-source revenue</b>					
<i>Own-source revenue per head of municipal population</i> [Own-source revenue / Municipal population]	\$1,788.08	\$1,906.34	\$1,791.01	\$1,875.75	
<b>Recurrent grants</b>					
<i>Recurrent grants per head of municipal population</i> [Recurrent grants / Municipal population]	\$471.68	\$439.73	\$564.45	\$571.89	The increase in recurrent grants over the four years is a result of advance payments of the Federal Assistance Grant becoming greater over the four years. In the 2021/22 year there was an advance payment of 75% of the 2022/23 year grant which added to the 50% payment of the 2021/22 grant in that year. In the 2022/23 year there was a payment of 25% of the grant plus a 100% advance payment of the 2023/24 year based on the indicative allocation. This saw a significant increase in the recurrent grants in the 2021/22 and 2022/23 years.

<b>Disadvantage</b> <i>Relative socio-economic disadvantage</i> [Index of Relative Socio-economic Disadvantage by decile]	3.00	3.00	3.00	3.00	
<b>Workforce turnover</b> <i>Percentage of staff turnover</i>  [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	9.6%	12.8%	20.5%	14.2%	The staff turnover rate has decreased significantly, this could be due to the market settling after COVID, and staff looking for stability with the cost of living issues.

**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

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"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

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

## East Gippsland Shire Council

### Service Performance Indicators

For the year ended 30 June 2023

Service / indicator / measure	Results				Comment
	2020	2021	2022	2023	
<b>Aquatic facilities</b> <b>Utilisation</b> <i>Utilisation of aquatic facilities</i>  [Number of visits to aquatic facilities / Municipal population]	5.63	4.06	6.07	9.23	Council has witnessed significant growth in recreation centre utilisation at the BARC over the last twelve months. Officers have made comparisons with this years attendance data vs pre COVID pandemic (18/19) attendance data, to identify true growth in utilisation. When comparing this data the BARC was up 16,000 on membership visits and 12,500 casual visits.
<b>Animal management</b> <b>Health and safety</b> <i>Animal management prosecutions</i>  [Number of successful animal management prosecutions / Number of animal management prosecutions] x 100	100%	0%	100%	100%	Council had eight incidents during the year that were taken to Court. All prosecutions were successful.
<b>Food safety</b> <b>Health and safety</b> <i>Critical and major non-compliance outcome notifications</i>  [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	85.71%	100.00%	100.00%	100.00%	All major and critical non-compliance notifications for food premises were followed up. For the 2022 period, there were 17 critical and major non-compliance notifications.

<b>Governance</b> <b>Satisfaction</b> <i>Satisfaction with council decisions</i>  [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	54	51	50	47	Council has dealt with a number of complex and at times contentious issues over the year that may have impacted on this indicator
<b>Libraries</b> <b>Participation</b> <i>Active library borrowers in municipality</i>  [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	19.01%	16.88%	13.81%	11.96%	12% of the East Gippsland community are active users of the library service. This figure (an average across three years) is showing a decrease, however the individual year result shows an increase on the previous year.
<b>Roads</b> <b>Satisfaction</b> <i>Satisfaction with sealed local roads</i>  [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	55	53	41	43	Council has continued work during the year to improve the condition of almost 3000km of local roads. Many of the satisfaction comments received actually applied to State Managed roads. Council will therefore continue to advocate to the Department of Transport and Planning for improvements to specific roads based on community feedback received in surveys.
<b>Statutory Planning</b> <b>Decision making</b> <i>Council planning decisions upheld at VCAT</i>  [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	100.00%	50.00%	75.00%	70%	10 of Council's planning decisions were appealed to VCAT over the year with 3 being set aside.

<b>Waste Collection</b>					
<b>Waste diversion</b>					
<i>Kerbside collection waste diverted from landfill</i>	52.48%	53.48%	53.32%	53.06%	The consistent higher result for this indicator is perhaps due to the reduction of garbage volumes following the removal of the 240litre garbage bins and this attributed to the higher recycling volumes. Green waste remains steady.
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100					

### Definitions

"active library borrower" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under section 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 authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the Food Act 1984

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"population" means the resident population estimated by council



## East Gippsland Shire Council

### Financial Performance Indicators

For the year ended 30 June 2023

Dimension / indicator / measure	Results				Forecasts				Material Variations
	2020	2021	2022	2023	2024	2025	2026	2027	
<b>Efficiency</b>									
<b>Expenditure level</b>									
Expenses per property assessment [ Total expenses / Number of property assessments]	\$3,356.25	\$3,549.43	\$3,414.94	\$3,617.96	\$3,807.60	\$3,652.13	\$3,620.89	\$3,661.97	Expenditure increased by \$7.62 million or 6.8% over the previous year whilst the number of property assessments only increase by 1%. This accounts for the increase in the expenses per property assessment.
<b>Revenue level</b>									
Average rate per property assessment	\$1,599.31	\$1,623.26	\$1,653.46	\$1,691.66	\$1,750.61	\$1,801.53	\$1,859.85	\$1,923.74	The increase in the number of property assessments was 1% from the previous year whilst the rates and charges increase were 1.75% plus growth. This accounts for the increase in the rates per property assessment.
[General rates and Municipal charges / Number of property assessments]									

<b>Liquidity</b>									
<b>Working capital</b>									
<i>Current assets compared to current liabilities</i>	344.27%	248.59%	256.80%	307.46%	186.95%	196.81%	165.34%	183.04%	<p>There is a slight reduction in current liabilities but current assets have increased as a result of additional cash and financial assets resulting from operating grants received but yet to be spent as well as additional Victoria Grants Commission advance payment of \$6.1 million as a result of 100% of the 2023/24 grant being paid in the 2022/23 year whereas the previous year was an advance payment of 75%. The unspent operational grants will be spent in the 2023/24 year and the advance payment of 100% of the Grants Commission allocation for 2023/24 being received in 2022/23 will see a decrease in grant income for the 2023/24 year which will reduce this percentage in future years. There was also cash at the end of the 2022/23 financial year that was held to fund carry forward capital works that will be expended in the 2023/24 year.</p>
<i>[Current assets / Current liabilities] x100</i>									

<b>Unrestricted cash</b>									
<i>Unrestricted cash compared to current liabilities</i>	48.17%	123.66%	61.38%	89.62%	100.22%	99.83%	80.81%	89.76%	Unrestricted cash has increased mainly as a result of additional unspent unconditional operating grants of \$11.087 million at year end. Current liabilities also decreased slightly. The indicator is forecast to remain relatively steady in the out years.
[Unrestricted cash / Current liabilities] x100									
<b>Obligations</b>									
<b>Loans and borrowings</b>									
<i>Loans and borrowings compared to rates</i>	5.69%	5.53%	2.64%	4.44%	13.34%	11.76%	10.26%	8.78%	Council drew down \$1.262 million of the approved Community Infrastructure Low interest Loans during the year which increased borrowings at year end.
[Interest and principle repayments on Interest bearing loans and borrowings / Rate revenue] x100									
<b>Loans and borrowings</b>									
<i>Loans and borrowings repayments compared to rates</i>	1.75%	0.48%	3.23%	0.27%	1.49%	1.55%	1.48%	1.42%	In the 2021/22 year a repayment of \$1.7 million was made but there were no repayments due to be paid in the 2022/23 year.
[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100									

<b>Indebtedness</b>									
Non-current liabilities compared to own source revenue  [Non-current liabilities / Own source revenue] x100	19.91%	13.42%	9.79%	7.96%	18.31%	16.63%	11.49%	13.23%	Own source revenue increased mainly as a result of rate income increasing by \$3.036 million and User fees increasing by 1.7 million whilst non-current liabilities decreased by \$1.1 million as a result of a movement in provisions between non-current and current liabilities
<b>Asset renewal and upgrade</b>									
Asset renewal and upgrade compared to depreciation  [Asset renewal and upgrade expense / Asset depreciation] x100	136.06%	147.69%	112.75%	97.34%	293.22%	158.40%	114.18%	105.22%	There were a number of significant capital projects that are classified as new and the expenditure for renewals was slightly less than depreciation expense for the year. It is expected that future years will exceed 100% though.
<b>Operating position</b>									
<b>Adjusted underlying result</b>									
Adjusted underlying surplus (or deficit)  [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	9.78%	4.49%	10.33%	13.92%	-8.80%	-2.12%	-0.51%	0.23%	The 100% advance payment of the 2023/24 Victoria Grants Commission allocation in the 2022/23 year increased total revenue for the year and the underlying surplus.

Stability									
Rates concentration									
Rates compared to adjusted underlying revenue	49.85%	50.77%	50.72%	47.77%	60.10%	60.59%	62.15%	63.17%	There was an increase in operating grants in the 2022/23 year that are not expected in future years. This has reduced the future years adjusted underlying revenue and therefore rates as a percentage of the adjusted underlying revenue increases. In the current and previous years there has also been significant other income from reimbursements for restoration of assets following natural disaster events such as bushfires and floods that it not expected in future years.
[Rate revenue / Adjusted underlying revenue] x100									
Rates effort									
Rates compared to property values									The significant increase in property CIV of approximately 34.5% compared to the increase in rate revenue of 4.8% overall has resulted in a decrease in rates compared to property values.
[Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.55%	0.55%	0.51%	0.41%	0.36%	0.34%	0.32%	0.31%	

**Definitions**

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

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"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

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## East Gippsland Shire Council

### Other Information

For the year ended 30 June 2023

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#### 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 27 June 2023 and which forms part of the council plan. 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.

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## East Gippsland Shire Council

### Certification of the Performance Statement

For the year ended 30 June 2023

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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*.



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Elizabeth Collins, CPA  
**Principal Accounting Officer**  
**Dated:** 9 October 2023

In our opinion, the accompanying performance statement of the *(council name)* for the year ended 30 June 2023 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.

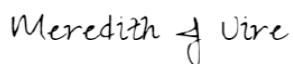
At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

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.



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Councillor Mark Reeves  
**Councillor**  
**Dated:** 9 October 2023



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Councillor Mendy Urie  
**Councillor**  
**Dated:** 9 October 2023



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Anthony Basford  
**Chief Executive Officer**  
**Dated:** 9 October 2023

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## East Gippsland Shire Council Independent Auditor's Report

For the year ended 30 June 2023



### Independent Auditor's Report

To the Councillors of East Gippsland Shire Council

<b>Opinion</b>	<p>I have audited the accompanying performance statement of East Gippsland Shire Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• description of municipality for the year ended 30 June 2023</li> <li>• sustainable capacity indicators for the year ended 30 June 2023</li> <li>• service performance indicators for the year ended 30 June 2023</li> <li>• financial performance indicators for the year ended 30 June 2023</li> <li>• other information and</li> <li>• certification of the performance statement.</li> </ul> <p>In my opinion, the performance statement of East Gippsland Shire Council in respect of the year ended 30 June 2023 presents fairly, in all material respects, in accordance with the performance reporting requirements of Part 4 of the <i>Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020</i>.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Standards on Assurance Engagements. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the performance statement</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the performance statement in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the performance statement</b>	<p>The Councillors are responsible for the preparation and fair presentation of the performance statement in accordance with the performance reporting requirements of the <i>Local Government Act 2020</i> and the <i>Local Government (Planning and Reporting) Regulations 2020</i> 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.</p>

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## East Gippsland Shire Council Independent Auditor's Report

For the year ended 30 June 2023

<b>Auditor's responsibilities for the audit of the performance statement</b>	<p>As required by the <i>Audit Act 1994</i>, my responsibility is to express an opinion on the performance statement based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance statement.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control</li> <li>• evaluate the 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.</li> </ul> <p>I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.</p>
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MELBOURNE  
13 October 2023



Travis Derricott  
*as delegate for the Auditor-General of Victoria*

**East Gippsland Shire Council**

273 Main Street, Bairnsdale



**03 5153 9500**



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



**EastGippyShire**



**PO Box 1618, Bairnsdale 3875**



## 6 Mayoral Term Address

## 7 Urgent Business

## 8 Confidential Business

Council will close the meeting to the public in accordance with the provision of section 66(2) of the *Local Government Act 2020* to consider the following list of items:

### 8.1 Audit and Risk Committee Appointment

Under Section 66(2) of the *Local Government Act 2020* (the Act) a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the Act, the information contained in this report (including all attachments pertaining to this report) is confidential because it contains personal information that would if released result in the unreasonable disclosure of information about personal affairs of the applicants who submitted an Expression of Interest to be the member of the East Gippsland Shire Council Audit and Risk Committee.

### 8.2 Contract Matter

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is confidential because it contains legal privileged information, being information to which legal professional privilege or client legal privilege applies, as it relates to possible litigation to which Council will be a party.

## 9 Close of Meeting