



Acknowledgement of Country

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

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

Council information

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

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

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

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

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page.

Councillors

Cr John White (Mayor)

Cr Sonia Buckley (Deputy Mayor)

Cr Arthur Allen

Cr Jodie Ashworth

Cr Tom Crook

Cr Barry Davis

Cr Joanne Eastman

Cr Bernie Farquhar

Cr Ian Trevaskis

Executive Leadership Team

Fiona Weigall Chief Executive Officer Stuart McConnell General Manager Assets and Environment Sarah Johnston General Manager Business Excellence Chris Stephenson 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

To foster inclusive, connected, communities and places where all East Gippslanders prosper, and endeavour not to leave anyone behind.

Our Strategic Themes

- 1. Community Wellbeing and Social Responsibility
- 2. Prosperity
- 3. Making the Most of What We've Got
- 4. Managing Council Well

Index

1 Procedural	7
1.1 Recognition of Traditional Custodians	7
1.2 Apologies	7
1.3 Declaration of Conflict of Interest	7
1.4 Confirmation of Minutes	7
1.5 Next Meeting	7
1.6 Requests for Leave of Absence	7
1.7 Condolences	7
1.8 Open Forum	7
1.8.1 Petitions	7
1.8.2 Questions of Council	7
1.8.3 Public Submissions	7
1.9 Items for Noting	7
2 Notices of Motion	7
3 Deferred Business	7
4 Councillor Delegate Reports	7
5 Officer Reports	8
5.1 Chief Executive Officer	8
5.1.1 Project Management Overview	8
5.2 Place and Community	11
5.2.1 Planning Permit application 2024.373 - Buildings and works and removal of vegetation associated with Krauatungalung Walk Stage 4 - Lakes Entrance	
Foreshore	11
5.2.2 Tiny Homes - Notice of Motion Response	.203
5.3 Assets and Environment	.221
5.3.1 Waste and Recycling Service Review and Transition Plan	.221
5.3.2 CON2026 1745 Expression of Interest for Construction and Operation of Compost Facility	.262
5.4 Business Excellence	

	5.4.1 Service Review Policy	266
	5.4.2 Organisational Performance Report July to September 2025	287
	5.4.3 S11A Instrument of Appointment and Authorisation Planning and Environment	ent
	Act 1987	340
	5.4.4 Council Meeting Resolution Register	343
	5.4.5 Council Meeting Schedule 2026	353
6 M	layoral Term Address	355
7 U	rgent Business	355
8 C	onfidential Business	355
8	3.1 Contract Matter	355
9 C	lose of Meeting	355

1 Procedural

1.1 Recognition of Traditional Custodians

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

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

1.2 Apologies

1.3 Declaration of Conflict of Interest

1.4 Confirmation of Minutes

That the minutes of the Council Meeting held Tuesday 21 October 2025 be confirmed.

1.5 Next Meeting

The next Council Meeting is the Statutory Meeting for the election of the Mayor and, if determined, the Deputy Mayor. It will be held on Thursday 20 November 2025 at the Corporate Centre, 273 Main Street, Bairnsdale, commencing at 6.00 pm.

1.6 Requests for Leave of Absence

1.7 Condolences

That Council acknowledges the recent passing of Paul Pace, a valued member of East Gippsland Shire Council staff, and Peter Quinn, a respected member of the East Gippsland community who contributed many years of service to his community including through Council's Community Recovery Committee and extends its sincere condolences to both their families.

1.8 Open Forum

- 1.8.1 Petitions
- 1.8.2 Questions of Council
- 1.8.3 Public Submissions

1.9 Items for Noting

2 Notices of Motion

3 Deferred Business

4 Councillor Delegate Reports

5 Officer Reports

5.1 Chief Executive Officer

5.1.1 Project Management Overview

Authorised by Chief Executive Officer

Purpose

To seek endorsement from Council to adopt a set of eight strategic Guiding Principles that have been developed to support decision-making at the selection and initiation stages of Council's capital and operating projects. If endorsed, these Guiding Principles will be implemented through Council's Project Management Framework (PMF), enabling projects to be determined through a consistent and transparent decision-making process at key stages of a project cycle.

Background

East Gippsland Shire Council delivers an extensive capital works and operating program each year. Council is committed to maintaining a continuous improvement focus and has embarked on a journey of best practice ensuring that projects are designed and delivered more effectively and efficiently. As a result, eight *Guiding Principles* have been proposed.

The Councillor's play an important role in providing strategic direction that enable what projects are, and are not, included in the annual program. Although the Council Plan drives many of Council's activities, a set of eight *Guiding Principles* has been developed to provide additional strategic decision-making support during the project selection and initiation stages of capital works or operating projects.

If endorsed, these *Guiding Principles* will be included in Council's Project Management Framework (PMF) at the pre-planning stage. The PMF is used to plan and deliver all parts of a project. It outlines an organisational approach to project management and describes the stages that connect the inception of a project to the end of the project delivery. The PMF defines:

- Role and responsibilities
- Tasks for review and completion
- Stage gates and reporting requirements through a project life cycle

Inclusion of the *Guiding Principles* in the PMF will ensure that they are accessible for those who are involved in decision-making throughout a project life cycle.

Additionally, Council is enhancing its use of technology, refining its systems and processes, and putting additional steps in place so that proactive communication across teams and with key stakeholders during a project is maintained.

Key Points

Following an interactive workshop that included input and feedback from Councillors, the proposed *Guiding Principles* have been developed. They take community needs into consideration, and Council's ability to deliver within allocated resources. If endorsed, they will take immediate effect and continue to be embedded in Council's processes through FY2026/27 and beyond.

The Guiding Principles are outlined and described as below:

- 1. **Needs Driven-** Support projects based on community need, infrastructure condition, and liveability.
- 2. **Value for Money-** That money is spent wisely and contributes to the well-being of the community.
- 3. **Advocacy & Partnerships** Seek funding that supports growth and economic development for our towns.
- 4. Quality- Support high-quality projects that enhance our unique heritage and spaces.
- 5. **Leveraging local strengths-** Support projects where there is multiple benefit, purpose or use and celebrate local knowledge.
- 6. **Strategic Alignment** Ensure that projects fit in with the Council Plan, masterplans and other strategic documents.
- 7. **Belonging & Inclusion** Support projects that make our towns more accessible and socially connected.
- 8. **Sustainable future-** Support projects that enhance the lives of future communities and consider lifetime costs and benefits.

It is proposed that these *Guiding Principles* are underpinned by an organisational commitment to greater collaboration, stronger engagement and communication, a thorough approach to the reporting and management of risks, and an effective closing out of projects throughout a project life cycle.

Council is also committed to maintaining a continuous improvement mindset and will therefore, continue to monitor the effectiveness of its technology, and systems and processes and continue to innovate when and where possible.

Recommendation

That Council endorses the 8 Guiding Principles for inclusion and implementation into Council's Project Management Framework.

Strategic Alignment

This report has been prepared and aligned with the following theme/s in the Council Plan 2025-2029:

Theme 3: Making the most of what we've got Outcome – Our assets are well maintained, utilised and meet community needs

Consultation/Community Engagement/Impacts

These principles have been discussed internally and with Councillors prior to formal presentation to the Councillors for consideration.

Opportunities and Risks

Adopting these principles presents no foreseeable risk and indeed provides clarity and removes risk from the selection and initiation of projects.

Climate change

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

Conflicts of Interest

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

Attachments

Nil

5.2 Place and Community

5.2.1 Planning Permit application 2024.373 - Buildings and works and removal of vegetation associated with Krauatungalung Walk Stage

4 - Lakes Entrance Foreshore

Authorised by General Manager Place and Community

Purpose

This report seeks Council's approval of planning permit application 5.2024.373.1 for Buildings and Works and Removal of Vegetation associated with Krauatungalung Walk Stage 4 (Lakes Entrance Foreshore) at Middle Street, Lakes Entrance. The report outlines the proposal and details the rationale behind the officers' recommendation for approval.

Key Points

Stage 4 of the Krauatungalung Walk forms part of a broader 4.7 kilometre all-abilities walking circuit along the eastern portion of Cunninghame Arm at Lakes Entrance. This stage provides a 400-metre missing link between the existing concrete path to the west and gravel path to the east. Works include a raised boardwalk, paths, sand renourishment, a retaining system and integration with existing jetties. The project is located on Crown land within the public foreshore reserve adjoining residential properties and sits largely within the Gippsland Lakes Ramsar site. Plans of the proposal are provided at **Attachment 2**.

Key legislative triggers for the application include the Public Conservation and Resource Zone (clause 36.03-2), the Land Subject to Inundation Overlay (clause 44.04-2) and the Native Vegetation provisions (clause 52.17-1) of the East Gippsland Planning Scheme. Assessment against the Planning Policy Framework, including clauses 02.03, 11, 12, 13 and 15, demonstrates that the proposal is consistent with settlement, environmental and landscape values, environmental risk management and built environment objectives. An outline of key Planning Scheme considerations is provided at **Attachment 3**.

A Cultural Heritage Management Plan has been prepared and approved in accordance with the Aboriginal Heritage Regulations 2018. The Cultural Heritage Management Plan is provided at **Attachment 4**.

While the development area is environmentally sensitive, mitigation measures have been incorporated through design and the recommendations of a Biodiversity Assessment (May 2025). These include minimising vegetation removal (0.064 hectares), provision of appropriate offsets, sand nourishment and erosion protection works, and the requirement for a Construction Environmental Management Plan prior to works commencing. The Biodiversity Assessment is included at **Attachment 5**.

The proposal has been subject to agency and community consultation. Conditional consent has been provided by the East Gippsland Catchment Management Authority and Gippsland Ports, while the Department of Energy, Environment and Climate Action (DEECA) has also provided Marine and Coastal Act consent subject to conditions. Referral responses are provided at **Attachments 6** and **7**.

Public notification under section 52 of the Planning and Environment Act 1987 was undertaken via letters to adjoining owners and an on-site sign. Eight objections were received and an informal meeting with objectors was held on 20 January 2025 to discuss concerns. Copies of the redacted objections are included at **Attachment 8**.

The proposal addresses many of the objector's concerns by maintaining a setback from wetlands to protect sightlines, integration with existing jetties to maintain pedestrian access, and designing the boardwalk at a safe width with a non-slip surface. The walking circuit will enhance connectivity, support tourism and local businesses, and provide a safe recreational facility for people of all ages and abilities while protecting cultural and environmental values.

Overall, the application represents a sensitive and appropriate response to the site and planning policy objectives. Subject to conditions addressing vegetation offsets, biodiversity mitigation, and construction management, the proposal is suitable for support.

This report provides recommendations within Council's statutory obligation as the Responsible Authority under the *Planning and Environment Act* 1987. Matters relating to the budgetary and other project delivery responsibilities of Council are outside the scope of this report and will be addressed through Council's internal project management and reporting processes.



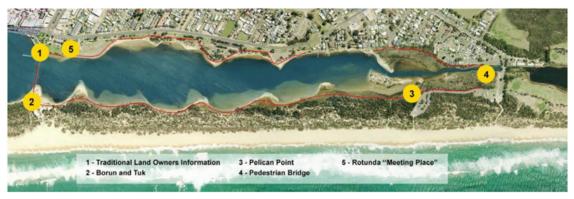


Figure 1 – Locality Plan – Krauatungalung Walk, Lakes Entrance (source: eastgippsland.vic.gov.au)



Figure 2 - Staging Plan - Krauatungalung Walk, Lakes Entrance (source: eastgippsland.vic.gov.au)

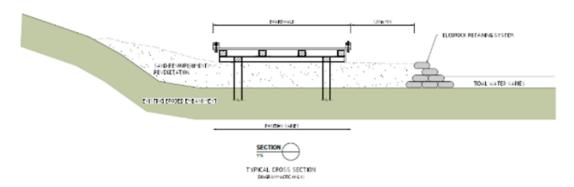


Figure 3 - Stage 4 Proposed Works- Elevate Consulting Engineers

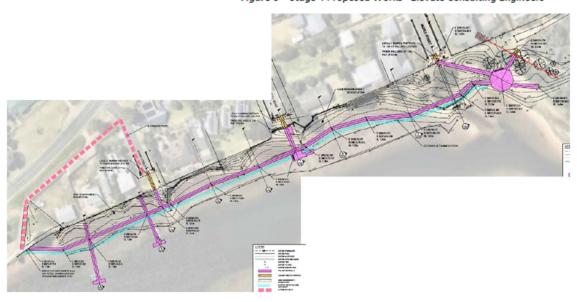


Figure 4 – Stage 4 Site Plan– Elevate Consulting Engineers

Recommendation

That Council being the Responsible Authority and having considered all the relevant planning matters, determines that Planning Permit Application 5.2024.373.1 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 Buildings and Works and Removal of Vegetation Associated with Krauatungalung Walk Stage 4 (Lakes Entrance Foreshore), at Middle Street, Lakes Entrance, subject to permit conditions in Attachment 1.

Strategic Alignment

The proposed Stage 4 of the Krauatungalung Walk supports the strategic directions and priorities identified in the East Gippsland Shire Council Plan 2021–2025 and other relevant adopted strategies. In particular:

- **Healthy and Inclusive Communities** The project delivers accessible public infrastructure that encourages active transport, walking and outdoor recreation for people of all ages and abilities, improving community health and wellbeing.
- Environmentally Sustainable and Resilient Shire The boardwalk and associated
 works are designed to protect and enhance the foreshore environment through
 controlled access, erosion mitigation measures and offsetting of native vegetation
 removal. This responds to Council's Environmental Sustainability Strategy and
 commitments to ecologically sustainable development.
- Tourism and Economic Development By completing a critical link in a popular foreshore walking circuit, the project strengthens Lakes Entrance's reputation as a major tourist destination and supports local businesses through increased visitor activity. This aligns with the Council's Economic Development Strategy.
- **Cultural Heritage and Place** The proposal is underpinned by an approved Cultural Heritage Management Plan, demonstrating sensitivity to Aboriginal cultural values and heritage sites in accordance with the Aboriginal Heritage Regulations 2018.
- Integrated Transport and Connectivity The walk provides a safe and attractive alternative to road-based pedestrian movement along Princes Highway/Esplanade, directly supporting Council's Active Transport and Open Space strategies.

Overall, the proposal represents a well-considered public infrastructure investment that balances environmental protection with improved public access and amenity. It advances multiple strategic objectives in the Council Plan and is consistent with the Planning Policy Framework's emphasis on sustainable, accessible and culturally respectful development of coastal settlements.

In summary, Stage 4 of the Krauatungalung Walk is a strategic public-realm project that satisfies the requirements of the Planning Scheme and aligns with the Council Plan's objectives for healthy communities, environmental sustainability, tourism and active transport. It provides a critical link in the foreshore walking circuit, balances improved public access with environmental protection and cultural heritage management, and delivers net community benefit consistent with legislative requirements.

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 2: Prosperity

Outcome – A well-functioning planning system that responds to our communities' needs

Consultation/Community Engagement/Impacts

The proposed Stage 4 of the Krauatungalung Walk is expected to deliver a clear net community benefit. By completing an all-abilities foreshore circuit, the project will enhance public health, inclusiveness, safety and tourism while providing controlled access that protects sensitive environmental and cultural heritage values. Although some adjoining residents have expressed concerns about privacy, noise, views and parking, the design has been adjusted and conditions recommended to mitigate these impacts. On balance, the proposal is considered to meet community expectations for sustainable, accessible and well-managed public infrastructure and to provide positive long-term social outcomes for Lakes Entrance and the wider region.

Further, Stage 4 of the Krauatungalung Walk has been designed and assessed to ensure minimal adverse environmental impact while enhancing the resilience of the foreshore. Works are located within a Ramsar-listed wetland and culturally sensitive area; however, the proposal incorporates a Biodiversity Assessment, approved Cultural Heritage Management Plan, sand nourishment and retaining systems to stabilise the shoreline, minimise erosion and protect marine biodiversity. Native vegetation removal has been reduced to the lowest practicable level and appropriate offsets are to be secured. Subject to recommended conditions, the development is considered to achieve a balance between public access and conservation objectives, supporting the long-term protection and enjoyment of Lakes Entrance's natural and cultural assets.

Opportunities and Risks

Environmental

- Advantages: Directs pedestrian movement onto a defined route, reducing informal
 access and trampling of sensitive habitats. Incorporates erosion control, sand
 nourishment and revegetation to stabilise the foreshore and protect the Ramsar site.
 Implementation of a Biodiversity Assessment and Cultural Heritage Management Plan
 ensures mitigation of ecological and heritage impacts.
- Challenges: Works occur within a tidal wetland and Ramsar-listed area, requiring careful construction methods to avoid unintended impacts. Native vegetation removal (0.064 ha) and potential disturbance to marine biodiversity necessitate offsetting and monitoring.

Social

- Advantages: Provides inclusive and safe access for people of all ages and abilities, encouraging active recreation and social interaction. Enhances public amenity and improves connectivity away from the Princes Highway/Esplanade. Supports the Objectives of Planning in Victoria.
- Challenges: Some adjoining residents have raised concerns about privacy, noise, views, parking and perceived duplication of infrastructure. These have been addressed through design and recommended conditions.

Operational

- Advantages: The project consolidates and improves existing access points, simplifies
 maintenance by creating a formalised route and reduces pedestrian—vehicle conflict.
 A Construction Environmental Management Plan will guide contractors and reduce risk
 during works.
- Challenges: Staging works in a high-use public foreshore area will require careful traffic
 and access management. Coastal conditions and tidal movements may create delays
 or additional construction complexity. Ongoing inspection and repair of boardwalk
 components will be required to maintain safety standards.

On balance, the proposal offers significant community, tourism and environmental stewardship benefits that align with the Council Plan and Planning Policy Framework. These advantages are tempered by manageable challenges relating to environmental sensitivity, stakeholder perceptions, cost and future maintenance. Subject to implementation of the recommended conditions and management measures, the benefits are considered to outweigh the risks.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Legislation

Planning and Environment Act 1987 (including ss. 4, 6, 12, 12B, 60)

Category

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

Options – Councillor Briefing Reports Only

Council has two options:

- 1. Endorse the officers' recommendation and issue a Notice of Decision to approve the application, subject to conditions. The proposal is considered to meet the statutory requirements of the Planning Scheme and deliver a net community benefit.
- 2. Not endorse the officers' recommendation and resolve to issue a Notice of Decision to refuse the application. It is not considered that there are sufficient grounds to refuse.

Option 1 is recommended.

Conflicts of Interest

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

Attachments

- 1. Proposed Planning Permit Conditions [**5.2.1.1** 6 pages]
- 2. Development Plans [**5.2.1.2** 2 pages]
- 3. Assessment against East Gippsland Planning Scheme [5.2.1.3 4 pages]
- 4. Approved CHMP 20338 Krautungalung Walkway Mackillops Lane Lakes Entrance 30.10.24 [**5.2.1.4** 76 pages]
- 5. Biodiversity Assessment [5.2.1.5 71 pages]
- 6. Krauatungalung Walk Stage 4 consent letter [5.2.1.6 1 page]
- 7. Referral Responses [5.2.1.7 11 pages]
- 8. Redacted submissions [5.2.1.8 15 pages]

WORKING CONDITIONS DOCUMENT

Application: 5.2024.373.1

Proposal: Buildings and works and removal of vegetation associated with

Krauatungalung Walk Stage 4 (Lakes Entrance Foreshore)

Property Address: Middle Street LAKES ENTRANCE 3909

Property Title TBA: BETWEEN 1/17 MIDDLE STREET AND 1/4 P-H

THE PERMIT ALLOWS:

Planning Scheme Clause	Matter for which the permit has been granted
36.03-2 (PCRZ)	Construct a building or construct or carry out works.
44.04-2 (LSIO)	Construct a building or construct or carry out works.
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Lavout not altered

- 1. The layout of the development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.
- At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
- 3. Recommendations of the Biological Assessment Report (prepared by ecology&heritage partners, project no. 16453, dated May 2025), are to be strictly followed.
- 4. All works and activities must be undertaken in accordance with the recommendations stated in the Cultural Heritage Management Plan No. 20338 Amended (prepared by Anita Barker, dated 30 October 2024).
- 5. Before the development starts, a landscape/revegetation 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. layout of landscaping and planting within all open areas of the subject land
 - a survey (including botanical names) of all existing vegetation to be retained and/or removed
 - iii. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
 - iv. details of surface finishes of pathways and driveways
 - v. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant

The Responsible Authority may consent in writing to vary any of these requirements.

6. The walk-way decking must be a minimum of 2.5m wide, have a non-slip surface, with all fastenings to be stainless steel nuts, bolts and screws, clips and other fittings.

Construction Environmental Management Plan

7. Before works start, a Construction Environmental Management Plan must be endorsed and approved by the responsible authority. The Construction Environmental Management Plan must:

- a) be prepared to the satisfaction of the responsible authority
- b) set out a weed monitoring protocol
- c) make provision for weed control in the event of weed invasion at the site
- d) set out a best practice mitigation protocol to identify and control emerging environmental impacts including pollution and spills

The Responsible Authority may consent in writing to vary any details in the environmental management plan.

Department of Energy, Environment and Climate Action – Native Vegetation removal conditions

Notification of permit conditions

8. 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.

Native vegetation permitted to be removed, destroyed or lopped

9. The native vegetation identified in Native Vegetation Removal Report (NVRR) ID 319_20241023_ 41J dated: 23/10/2024 and permitted to be removed, destroyed or lopped under this permit is 0.18 hectares of native vegetation, including 0.116 hectares of past removal, which is comprised of 0.064 hectares of patches of native vegetation.

Native vegetation offsets

- 10. To offset the removal of 0.064 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). The permit holder must secure the following offsets:
 - a) A general offset of 0.035 general habitat units:
 - located within the East Gippsland Catchment Management boundary or East Gippsland Shire municipal area
 - ii. with a minimum strategic biodiversity value of at least 0.4680

Offset evidence

- 11. 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 must be one or both of the following:
 - a) 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,
 - b) 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.

Construction management

13. Prior to commencement of native vegetation removal/works start, a Construction Environment Management Plan (CEMP) 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 form part of this permit.

The CEMP must include:

- a. A detailed description of the measures to be implemented to protect the native vegetation and fauna habitat to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the responsible authority, including the protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970:2025 Protection of Trees on Development Sites, to the satisfaction of the responsible authority.
- Measures to control sediment and sediment laden water run-off including design detail of any structures.
- c. Measures to reduce and control sediment plumes and siltation in the marine environment.
- d. Measures to control pollutant and hydrocarbon contamination of the marine environment.
- A detailed description of the measures to be implemented to protect coastal and marine habitats during construction works, and the person/s responsible for implementation and compliance.
- f. Measures to ensure pest species and microbial pathogens are not introduced to the local area.
- g. Controls to minimise the effects of noise (including below water and above water noise) and lighting.
- h. Where equipment, machinery and material are to be stored/ stockpiled.
- i. Proposed monitoring and reporting systems.
- j. Land rehabilitation techniques including revegetation and weed control.
- k. Detail timing of the proposed works to avoid the overwintering period for migratory waders.
- I. Proposed monitoring and reporting systems.
- 14. Excavation of the landside area must not be undertaken unless an acid sulphate soil management plan is prepared and endorsed by the responsible authority. The plan must include appropriate measures to ensure acidic runoff does not enter the marine environment.

Protection of patches of native vegetation and scattered trees to be retained

- 15. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
 - a) vehicular access
 - b) trenching or soil excavation
 - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products

- d) entry and exit pits for the provision of underground services
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Department of Energy, Environment and Climate Action – use and development of marine and coastal land

- 16. The works are to be carried out in accordance with the application form and supporting information and plans, received on 18 September 2025.
- 17. Any modification to the works proposed will require further written approval by the Regional Manager, Land and Built Environment Programs (LBEPL Gippsland, Department of Energy, Environment and Climate Action (DEECA).
- 18. All the conditions provided in DEECA's response to the planning permit application reference number 5.2024.373.1 are to be adhered to and the following additional conditions:
- 19. Prior to commencement of native vegetation removal begins/works start, a Construction Environment Management Plan must be submitted to and approved by DEECA. When approved, the plan will be endorsed and will form part of this permit.
 - a. A detailed description of the measures to be implemented to protect the native vegetation and fauna habitat to be retained during construction works, and the person/s responsible for implementation and compliance.
 - These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the responsible authority, including the protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970:2025 Protection o/trees on development sites, to the satisfaction of the responsible authority.
 - b. Identify the site within the project footprint where sand borrow for backfilling is to occur.
 - c. Measures to control sediment and sediment laden water run-off including design detail of any structures.
 - d. Measures to reduce and control sediment plumes and siltation in the marine environment.
 - e. Measures to control pollutant and hydrocarbon contamination of the marine environment.
 - f. A detailed description of the measures to be implemented to protect coastal and marine habitats during construction works, and the person/s responsible for implementation and compliance.
 - g. Measures to ensure pest species and microbial pathogens are not introduced to the local area
 - h. Controls to minimise the effects of noise (including below water and above water noise) and lighting.
 - i. Where equipment, machinery and material are to be stored/ stockpiled.
 - j. Proposed monitoring and reporting systems.
 - k. Land rehabilitation techniques including revegetation and weed control.

- I. Proposed monitoring and reporting systems.
- m. Include a fauna management plan which includes:
- A plan for identifying and avoiding disturbance to any beach nesting birds that may be present within 100 metres ofthe works area.
- A protocol for machinery and vehicle used to avoid impacts to fauna and beach nesting birds.
- a plan for identifying habitat prior to removal of native vegetation/fallen trees which may be harbour for fauna.
- pre-clearing surveys.
- construction phase capture (fauna salvage) methodology.
- proposed release sites on the subject land and plan for what to do if pest species are encountered, the animal is harmed or there are no appropriate locations for release on the subject land.
- Sand used in renourishment must not be taken from areas with seagrass present, it must be taken from sandy bare patches only and measures implemented to reduce sediment plumes occurring.
- 21. There must be no excavation of the terrestrial environment unless an acid sulphate soil management plan is prepared and endorsed by DEECA. The plan must include appropriate measures to ensure acidic runoff does not enter the marine environment.
- 22. No works are to occur within 100 metres of nesting Hooded Plovers, Fairy Terns or other beach nesting birds. If works are undertaken during the nesting period for Hooded Plover or Fairy Tern (August-Marchi April), daily checks must be undertaken within 100m of the works area. If Hooded Plovers or Fairy Terns are detected during the checks, works are to cease within 100m of nesting birds and DEECA Natural Environment Program is to be contacted for additional mitigation measures.
- 23. Turbidity monitoring should be undertaken throughout the dredge and sand placement program and adaptive measures implemented where possible to control the rate of turbidity plumes.
- 24. The access points and the work sites are to be maintained to a safe standard to avoid public risk and where practical public access is to be excluded from the works area, using appropriate signage and barriers.
- 25. Works must cease immediately upon the discovery of any Aboriginal cultural material and Aboriginal Victoria be immediately notified of any such discovery.
- All works must be completed and maintained to the satisfaction of the Regional Manager, LBEP, DEECA.

This consent under the Marine and Coastal Act 2018 will expire if the works are not completed within three (3) years of the date of issue, unless an extension of time is applied for and granted by the Regional Manager, LBEP, DEECA.

Catchment Management Authority conditions

- 27. Where the deck level of the boardwalk is below the declared 1 % AEP flood level of 1.8 metres AHD:
 - a) The boardwalk beams must be securely anchored to piers by bolting or other means.
 - b) The decking shall be securely pinned to the boardwalk beams.
 - c) The boardwalk decking must be constructed of timber or other non-erodible material.

Gippsland Ports conditions

- 28. A Works Permit is required to be obtained by the Principal Contactor prior to commencement of any works on Port Waters. Applications can be made via www.gippslandports.vic.gov.au or further information obtained by calling (03) 5150 0500.
- 29. Design and construction of jetties or other structures intended for vessel berthing must comply with all relevant Australian Standards and Design Guidelines, including Gippsland Ports requirements for the construction of private jetties.

Expiry - Development

- 30. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
 - a) The development is not started within 2 years of the issued date of this permit.
 - b) The development is not completed within 4 years of the issued date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes

Catchment Management Authority note

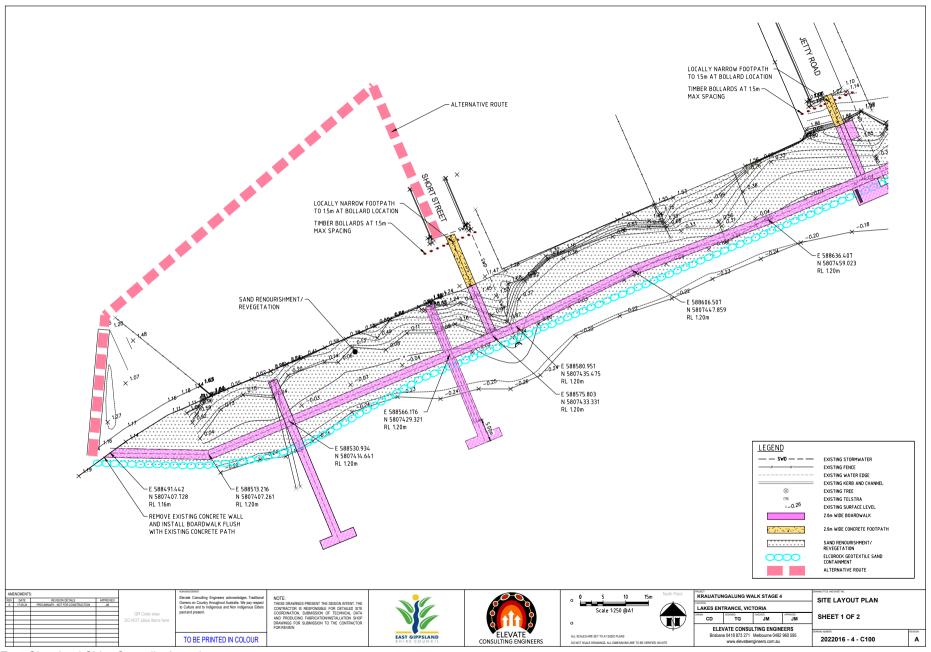
 Prior to the commencement of any works a Works on Waterways permit must be obtained from the East Gippsland Catchment Management Authority, issued under the Water Act 1989. An application form is available at https://www.wgcma.vic.gov.au/works-on-waterways-application-form

Department of Energy, Environment and Climate Action note(s)

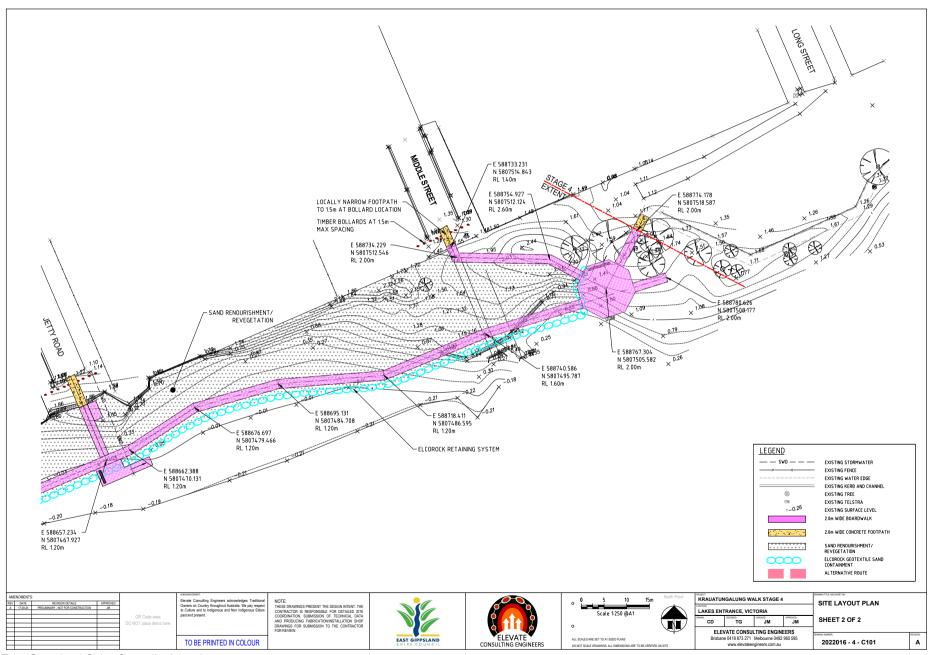
- 2. All wildlife in Victoria is protected under the Wildlife Act 1975. Prior to removal of vegetation landholders are advised to determine whether a Wildlife Act authorisation is required. For further information please visit https://www.vic.gov.au/wildlife-licences-and-permits
- 3. Works or other activities on public land which may affect protected native plants, may require a Protected Flora Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the most up to date Protected Flora List (DEECA) to determine whether FFG approvals are required.
- Works within a designated waterway will require a Works on Waterways authorisation under the Water Act 1989. For further information please seek further advice from your local Catchment Management Authority.
- 5. The granting of this permit does not exempt the holder of a permit from the requirements of other Commonwealth and State legislation or policy.

6.

Attachment 5.2.1.2



Attachment 5.2.1.2



REPORT – PLANNING CONSIDERATION

Planning Policy Framework (PPF)

The assessment of the application before Council requires assessment against Planning Policy Framework.

The clauses that have an influence upon the assessment of this application include:

02.03-1	Settlement – Coastal settlements
02.03-2	Environmental and landscape values
02.03-3	Environmental risks and amenity
02.03-5	Built environment and heritage
11	Settlement
12	Environmental and landscape values
13	Environmental risks and amenity
15	Built environment and heritage

PPF Assessment

The proposal will contribute to a high standard of environmental sustainability, and amenity by designing the proposed walking circuit to meet the constraints of the foreshore reserve, reducing any potential negative environmental implications as sought to achieve by the Vision at Clause 02.03 and Clause 11.

Clause 02.03-1 identifies Lakes Entrance as a growth area town being the largest coastal town in the Gippsland area. Lakes Entrance is a major tourist and retirement destination.

The proposed Stage 4 of the Krauatungalung walk will connect to the existing foreshore walking track providing a critical link to the overall circuit designed to ensure accessibility for all whilst respecting the indigenous heritage values. The proposal has been designed to respond to the natural environment and environmental risks associated with the location whilst minimising land degradation and assessing the impacts of sea level rise.

Clause 02.03-5 identifies the need to protect the natural and cultural heritage, with the proposal being a sensitive development that is sympathetic to the character of the area.

As outlined in Clause 11, the development is consistent with the objectives outlined for planning in general by supporting health, wellbeing and safety, a high standard of environmental sustainability, urban design and amenity, protecting, conserving and improving biodiversity, waterways and other natural resources and accessibility.

Clause 12 provides that planning must implement environmental principles for ecologically sustainable development and should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value. The Krauatungalung Walk has adequately considered and addressed the biodiversity and native vegetation management

objectives outlined in Clause 12 including designing the boardwalk to avoid the removal and destruction of vegetation, minimising the impacts and ensuring there are appropriate offsets.

The boardwalk has been designed to ensure there is no impact to the natural flood carrying capacity and flood storage function of the waterways. The proposal incorporates erosion mitigation measures by the retaining systems and sand nourishment program responding to the objectives of Clause 13.04.

The development appropriately responds to its surrounding landscape and character, valued built form and cultural context. The objective of the Krauatungalung Walk is to accommodate people of all abilities, ages and cultures whilst contributing positively to the local character and sense of place. The design encourages enjoyable and engaging public space that supports human health and community wellbeing.

ZONE

36.03 PUBLIC CONSERVATION RECREATION ZONE

A permit is required to construct a building or construct or carry out works. There is no exemption available in the zone or applicable schedule and as such a permit is required for the development of Stage 4 of the Krauatungalung walking circuit.

The proposed development area is currently used for public recreation for access to the beach and as a fishing location, with several private jetties located along with the proposed boardwalk. Much of the area forms part of Lake King.

The proposal is consistent with the decision guidelines of the PCRZ, which seeks to protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values. In addition, it will provide facilities that will assist public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.

OVERLAY

44.04 LAND SUBJECT TO INUNDATION

A permit is required to construct a building or construct or carry out works.

The proposal is considered to ensure the maintenance of free water passage, that will reduce flood damage and responding to the local flood hazard and drainage conditions.

The proposal was referred to East Gippsland CMA with a response with conditional consent. It is expected that a 'works on waterways' permit will be applied for from the East Gippsland CMA where any impacts on waterways within the proposed development area.

PARTICUI AR PROVISIONS

52.17 NATIVE VEGETATION

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

The sand nourishment area largely coincides with the boardwalk area, so minimal additional impacts will result from the creation of the boardwalk. A summary of the proposed impacts are provided below:

- 0.0105 hectares Damp Sands Herb-rich Woodland
- 0.011 hectares Mangrove Shrubland
- 0.042 hectares Estuarine Flats Grassland

The submitted Biodiversity Assessment detailed that the native vegetation mapped within the sand nourishment area was mainly Grey Mangroves. The objective of the sand nourishment program, to prevent erosion along the lake through the provision of additional sand and stabilisation wall.

The study area is within Location 2, with 0.18 hectares of native vegetation proposed to be removed, which includes 0.064 hectares of proposed removal and 0.166 hectares of past removal. The offset requirements for native vegetation removal for the proposed development are 0.035 General Habitat Units.

The proposal was referred to DEECA where additional information was requested on 6 December 2024. Response to the RFI was submitted on 20 May 2025, which DEECA are yet to provide a formal response.

It is recommended that a condition for an offset obligation requirement is placed onto the permit if issued.

GENERAL PROVISIONS

Decision Guidelines

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.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

<u>Assessment</u>

The proposed construction of Stage 4 of the Krauatungalung Walk provides a missing link between the end of an existing concrete path to the west and existing gravel path to the east. The project forms part of the broader project where a circuit walk around the eastern end of Cunninghame Arm is proposed for development, with Stage 1 already approved and under construction.

The proposal is located within the foreshore reserve area and is considered to be a positive contribution to the public realm. The rehabilitation works will ensure that the natural environment is protected and enhanced to ensure a positive outcome for the native flora and fauna.

The proposal has addressed the decision guidelines of Clause 65, with the proposed development supporting orderly planning of the area whilst taking into consideration the potential effect on the environment, human health and the amenity of the area.

The proposal is considered to be consistent with the objectives and strategies outlined in the Planning Policy Framework. The proposed all-ability walking track provides for a positive outcome for the overall community and will result in a positive environmental outcome.

Krautungalung Walkway, Mackillops Lane,

Lakes Entrance

Cultural Heritage Management Plan Number: 20338



Sponsor: East Gippsland Shire Council

ABN: 81 957 967 765

Heritage Advisor: Anita Barker

Authors: Anita Barker, Anna Kent and Anthony Gowans

Date: 30 October 2024

Krautungalung Walkway, Mackillops Lane, Lakes Entrance

Cultural Heritage Management Plan Number: 20338

Activity Size: Small r.81

Assessment: Desktop and Standard Assessments r.60

Aboriginal Cultural Heritage in the Activity Area: None

Sponsor: East Gippsland Shire Council

ABN: 81 957 967 765

Heritage Advisor: Anita Barker

Authors: Anita Barker, Anna Kent and Anthony Gowans

Date: 30 October 2024

Front Cover: Activity Area (View southwest)

Aboriginal Heritage Act 2006

Cultural Heritage Management Plan - Notice of Approval

СНМР NAME:	Krautungalung Walkway, Mo	killops Lane, Lakes Entrance
CHMP NUMBER:	20338	
SPONSOR:	East Gippsland Shire Council	ACN/ABN: 81 957 967 765
Cultural Heritage Advisor(s):	Anita Barker	
Author(s):	Anita Barker, Anna Kent and	Anthony Gowans
Cover date:	28 th October 2024	Pages: 68
Received for approval:	28 th October 2024	

TO BE COMPLETED BY THE Registered Aboriginal Party DELEGATE	Yes	No
I have considered the Evaluation Report for this CHMP and:		
I am satisfied that the CHMP has been prepared in accordance with the standards prescribed for the purposes of section 53 (in the Aboriginal Heritage Regulations 2007 and the Approved Form).	Yes	
I am satisfied that the CHMP adequately addresses the matters set out in section 61.	Yes	

I, Russell Mullett, RAP Manager, Gunaikurnai Land and Waters Aboriginal Corporation, acting under authority delegated to me by the BOARD OF DIRECTORS, and pursuant to section 65(2) of the Aboriginal Heritage Act 2006 hereby approve this cultural heritage management plan:

Signed:

RUSSELL MULLETT

Dated: 4th November 2024

- This notice of approval should be inserted after the title page and bound with the body of the management plan.

 The recommendations in this management plan are now compliance requirements. Officers from the Department of Premier and Cabinet may attend the subject land to monitor compliance with the recommendations.

EXECUTIVE SUMMARY

Compliance requirements are set out in Part 1 of the Cultural Heritage Management Plan

Location & Extent of the Activity Area

The activity area comprises an approximate 5410.11m² parcel of land at Mackillops Lane, Lakes Entrance. The activity area includes the southernmost ends of Middle Street, Jetty Road and Short Street as well as part of the foreshore of Lake King.

The Activity

The proposed activity comprises the construction of a boardwalk approximately 300m in length at Mackillops Lane, Lakes Entrance. A complete description of the activity is provided in Section 3.6.

Assessment

A Desktop and Standard Assessment was completed for this CHMP.

The Assessment Results

The Desktop Assessment has determined that it is unlikely that Aboriginal cultural heritage material will be present in the activity area due to its low lying aspect and its location on the lakeshore. The Standard Assessment did not identify any Aboriginal cultural heritage or areas of potential archaeological sensitivity in the activity area. The Standard Assessment identified evidence that the activity area has been subject to significant ground disturbance by the construction of the existing dwellings adjacent to the activity area, the construction of Middle Street, Jetty Road and Short Street, surface and subsurface services installation including (stormwater drainage, power and Telstra infrastructure), the building up of the western part of the activity area as well as, jetty and retaining wall construction. Due to this significant ground disturbance, it is unlikely that *in situ* Aboriginal cultural heritage is present within the activity area. In addition, it was observed that the low-lying lakeshore, prone to flooding, that constitutes the majority of the activity area would have been an unattractive option for occupation by Aboriginal people in the past. A Complex Assessment was determined to not be warranted as the entire activity area has been subject to significant ground disturbance as listed above.

Aboriginal Cultural Heritage in the Activity Area

No registered Aboriginal cultural heritage is recorded in the activity area.

Page | iv

Contents

PAR	T 1 CHMP CONDITIONS	
1.	Cultural Heritage Management Conditions	1
1.1	. Specific Cultural Heritage Management Conditions	1
2.	Cultural Heritage Management Contingency Plan	1
Co	ntingency 1 – The Discovery of Human Remains	1
Co	ntingency 2 – Aboriginal Cultural Heritage (excluding Aboriginal Ancestral Remains)	2
Сс	ntingency 3 – Custody and Management	4
Сс	ntingency 4 – Dispute Resolution	5
Сс	ntingency 5 – Compliance	5
Сс	ntingency 6 – Future Changes to the Activity	6
Сс	ntingency 7 – Safety	6
Сс	ntingency 8 – Handling of Sensitive Information	6
PAR	T 2 CHMP ASSESSMENT	
3.	Introduction	7
3.1	. Heritage Advisor	7
3.2	2. Location and Description of the Activity Area	7
3.3	Reason for Preparing a Cultural Heritage Management Plan	10
3.4	Registered Aboriginal Party for the Activity Area	10
3.5	5. Consultation in Relation to the Assessment	10
3.6	S. Activity Description	11
4.	Desktop Assessment	14
4.1	. Introduction	14
4.2	2. The Geographic Region	14
4.3	3 - 3	
He	ritage Register	14
4.4	Previous Archaeological Investigations within the Geographic Region	18
4.5	5. Summary of Archaeological Investigations in the Geographic Region	27
4.6	6. Historical and Ethnohistorical Accounts within the Geographic Region	28
4.7	7. Climate	33
4.8	B. Landforms & Geomorphology of the Geographic Region	33
4.1	0. Hydrology	37
4.1	1. Land Use History	37
4.1	2. Desktop Assessment Conclusions	42
5.	Standard Assessment	43
5.1	. Introduction & Aims	43
5.2	2. Standard Assessment Methodology	43
5.3	3. Standard Assessment Results	43
5.4	I. Standard Assessment Conclusions	53

Page | v

6. Co	nsideration of Section 61 Matters – Impact Assessment	54
6.1.	Introduction	54
6.2.	Consideration of Section 61 Matters	54
6.3.	Cumulative Impact of the Proposed Works on the Regional Aboriginal Cultural Heritage	ge .54
6.4.	Contingency Plans	54
6.5.	Custody & Management of Aboriginal Cultural Heritage	55
Referer	nces	56
Append	lix 1: Copy of Notice of Intent to Prepare a CHMP	59
Append	lix 2: GKLaWAC Notification to Evaluate the CHMP	61
Append	lix 3: Glossary	62
Append	lix 4: CHMP Compliance Checklist	64
Append	lix 5: Archaeological Survey & Excavation Attributes Form	66
Annend	lix 6. Proposed Plans	67

Figures

Figure 1: Location of the activity area	8
Figure 2: Existing conditions within the activity area	
Figure 3: The proposed activity in the activity area	
Figure 4: VAHR Places within the geographic region	
Figure 5: Map of GunaiKurnai Groups (Howitt 1904)	
Figure 6: Map of Gunaikurnai Groups (Wesson 2000:22)	
Figure 7: Gippsland Canoes ca.1886 (National Library of Australia)	32
Figure 8: Geomorphological units present in the geographic region	
Figure 9: Geological units within the geographic region	
Figure 10: 1750s modelled ecological vegetation classes within the geographic region	
Figure 11: Engraving of the entrance to the Gippsland Lakes by Frederick Grosse in 1864 (State	
Library of Victoria online collection)	39
Figure 12: A watercolour painting of the entrance to Reeves River (Cunninghame Arm) by Daniel	
Rutter Long (1856-1183) (State Library of Victoria online collection)	39
Figure 13: Map showing a plan of the entrance to the Gippsland Lakes by Surveyor Dawson in 186 (State Library of Victoria online collection)	
Figure 14: Tourist map from 1919 showing the Gippsland Lakes region, road, rail and townships	10
(State Library of Victoria website)	40
Figure 15: A watercolour painting of two Aboriginal people in a mia mia opposite Laughton's Hotel	
Lakes Entrance by Daniel Rutter Long (1856-1883) (State Library of Victoria online collection)	
Figure 16: Lake Entrance c.1930 (State Library of Victoria online collection)	
Figure 17: Survey coverage of the activity area	
Tables	
Table 1: Cadastral information for the activity area	10
Table 2: Documentation of consultation	
Table 3: Participation in the conduct of the assessment	
Table 4: Aboriginal Places Registered in the Geographic Region	
Table 5: Aboriginal Place Types in the Geographic Region	16
Table 6: Historical References Recorded in the Geographic Region	18
Table 7: Archaeological assessments undertaken in the geographic region	18
Table 8: Survey coverage and ground surface visibility in the activity area	44
Plates	
Plate 1: High ground surface visibility along the lakeshore landform present in the activity area (vie	:W
west)	
Plate 2: High ground surface visibility along the lakeshore landform present in the activity area (vie	
southeast)	
Plate 3: High ground surface visibility along the lakeshore landform present in the activity area (vie	
southeast)	
Plate 4: High ground surface visibility along the lakeshore landform present in the activity area (vie	
west)	
Plate 5: High ground surface visibility along the lakeshore landform present in the activity area (vie	
west)	
Plate 6: Vegetation and retaining wall present in the activity area (view west)	
Plate 7: Vegetation and retaining wall present in the activity area (view northwest)	
Plate 8: Ground surface visibility along the lakeshore in the activity area (view west)	
Plate 9: Vegetation present in the activity area (view north)	
Plate 10: Retaining wall present in the activity area (view north)	
Plate 11: Jetty and stormwater drainage infrastructure present in the activity area (view southwest)	
Plate 12: Stormwater drainage infrastructure present in the activity area (view southwest)	48

Page | vii

Plate 13: Middle Street section of the activity area (view southwest)	48
Plate 14: Middle Street section of the activity area (view north)	49
Plate 15: Jetty Road section of the activity area (view southwest)	49
Plate 16: Short Street section of the activity area (view northwest)	49
Plate 17: Signage and path present in westernmost section of the activity area (view east)	50
Plate 18: Low ground surface visibility in westernmost section of the activity area (view southwest)	50
Plate 19: Low ground surface visibility in westernmost section of the activity area (view southwest)	50
Plate 20: Easternmost section of the activity area (view north)	51
Plate 21: Ground surface visibility in the easternmost section of the activity area (view northeast)	51

ACRONYMS

ACHRIS	Aboriginal Cultural Heritage Register and Information System
CHMP	Cultural Heritage Management Plan
DPC	Department of Premier & Cabinet
EVC	Ecological Vegetation Class
FPSRG	First Peoples – State Relations Group Department of Premier and Cabinet
GKLaWAC	GunaiKurnai Land and Waters Aboriginal Corporation
HA	Heritage Advisor
LDAD	Low-density Artefact Distribution
RAP	Registered Aboriginal Party
VAHR	Victorian Aboriginal Heritage Register

Page | viii

PART 1 – CHMP CONDITIONS

1. Cultural Heritage Management Conditions

These conditions become compliance requirements once this Cultural Heritage Management Plan (CHMP) is approved. Failure to comply with a condition is an offence under Section 67A of the *Aboriginal Heritage Act* 2006.

The Cultural Heritage Management Plan must be readily accessible to the Sponsor and their employees and contractors when carrying out the activity.

1.1. Specific Cultural Heritage Management Conditions

There are no specific cultural heritage management conditions imposed by this CHMP as no Aboriginal cultural heritage was identified in the activity area during this assessment.

2. Cultural Heritage Management Contingency Plan

This section provides for a series of contingencies relating to the possible discovery of Aboriginal cultural heritage during the activity and other matters. These contingencies become compliance requirements once the CHMP has been approved. Any costs relating to the contingencies must be borne by the Sponsor.

Contingency 1 - The Discovery of Human Remains

If any suspected human remains are found during any activity, works must cease. The Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe the remains are Aboriginal, the Coronial Admissions and Enquiries hotline must be contacted immediately on 1300 309 519. The RAP must be notified.

This advice has been developed further and is described in the following 5-step contingency plan.

Any such discovery at the activity area must follow these steps.

1) Discovery:

- a) If suspected human remains are discovered, all activity within at least 30 metres must stop.
- b) The remains must be left in place and protected from harm or damage, and
- c) Do not contact the media; do not take any photographs of the remains other than those requested by the relevant authorities below.

2) Notification:

- a) If suspected human remains have been found, the State Coroner's Office and the Victoria Police must be notified immediately.
- b) If there are reasonable grounds to believe the remains are Aboriginal Ancestral Remains,
 the Coronial Admissions and Enquiries hotline must be immediately notified on 1300 309
 519
- All details of the location and nature of the human remains must be provided to the relevant authorities.
- d) If it is confirmed by State Coroner's Office that the discovered remains are Aboriginal Ancestral Remains, the person responsible for the activity must report the existence of them to the Victorian Aboriginal Heritage Council in accordance with section 17 of the Aboriginal Heritage Act 2006.

3) Impact Mitigation or Salvage:

- a) The Victorian Aboriginal Heritage Council, after taking reasonable steps to consult with any Aboriginal person or body with an interest in the Aboriginal Ancestral Remains, will determine the appropriate course of action as required by section 18(2)(b) of the Aboriginal Heritage Act 2006.
- b) An appropriate impact mitigation or salvage strategy as determined by the Victorian Aboriginal Heritage Council must be implemented by the Sponsor. All costs associated with this will be the responsibility of the Sponsor.

4) Curation and further analysis:

 a) The treatment of salvaged Aboriginal Ancestral Remains must be in accordance with the direction of the Victorian Aboriginal Heritage Council.

5) Reburial:

- a) Any reburial site(s) must be fully documented by an experienced and qualified archaeologist and all relevant details provided to the Registrar.
- b) Appropriate management measures must be implemented to ensure the Aboriginal Ancestral Remains are not disturbed in the future.

Contingency 2 – Aboriginal Cultural Heritage (excluding Aboriginal Ancestral Remains)

Secret / sacred objects

 a) Any suspected Secret / Sacred Objects must be reported to the Victorian Aboriginal Heritage Council, as per Part 2, Division 3 (sections 21-2) of the *Aboriginal Heritage Act* 2006.

- b) All works must stop within at least 10 metres of the objects.
- c) The Victorian Aboriginal Heritage Council will transfer the object/s to an Aboriginal person that the Victorian Aboriginal Heritage Council is satisfied is entitled to and willing to take possession, custody or control of the object/s, or otherwise deals with the object/s as the Victorian Aboriginal Heritage Council thinks appropriate, as per section 21B of the Aboriginal Heritage Act 2006.

2) Discovery

- a) If any other suspected Aboriginal cultural heritage, excluding Aboriginal Ancestral Remains and suspected Secret / Sacred Objects, is uncovered or identified:
 - i) All works must stop within at least 10 metres of the suspected Aboriginal cultural heritage.
 - ii) The 'stop works' area around the suspected Aboriginal cultural heritage must be fenced off using appropriate temporary fencing and protected from further disturbance; "no-go zone" signage must be attached to the fencing at all times to prevent the area being disturbed further.
 - iii) An appropriately qualified Heritage Advisor and the RAP must be notified within two working days.
 - iv) An appropriately qualified Heritage Advisor and RAP representative must inspect the suspected Aboriginal cultural heritage within three working days of notification.

3) Notification

a) The Department of Premier and Cabinet (vahr@dpc.vic.gov.au) must be notified of the discovery of any Aboriginal cultural heritage excluding Aboriginal Ancestral Remains by the Sponsor within five working days.

4) Unexpected discoveries of Aboriginal cultural heritage

- a) If the Heritage Advisor and the RAP determines that the discovery is Aboriginal cultural heritage, and is not Aboriginal cultural heritage as described in Contingency 2 (5) below:
 - i) the Sponsor must consider whether it is possible to avoid harm to the Aboriginal cultural heritage, and if harm cannot be avoided, whether harm can be minimised, and salvage excavation of the Aboriginal cultural heritage undertaken to mitigate impact
 - ii) if harm cannot be avoided, the Sponsor must arrange a meeting between the Heritage Advisor and the RAP, as soon as practicable, to discuss and agree an appropriate way of managing the Aboriginal cultural heritage.

- iii) all reasonable costs arising from the meeting and any agreed management actions must be borne by the Sponsor.
- iv) the temporary fencing around the suspected or identified Aboriginal cultural heritage may be removed, and works re-commence in the "no-go zone", when the suspected or identified Aboriginal cultural heritage has been investigated and managed appropriately, in accordance with the Aboriginal Heritage Act 2006 and as agreed in discussions with the RAP.
- v) the Heritage Advisor must record the Aboriginal cultural heritage in accordance with VAHR standards and relevant forms must be submitted to the Victorian Aboriginal Heritage Register as soon as practical.

5) Not unexpected Aboriginal cultural heritage and low-density artefact distributions and other

- a) If the Heritage Advisor and RAP determines that the discovery is a low-density artefact distribution:
 - the Heritage Advisor must record the Aboriginal cultural heritage in accordance with Victorian Aboriginal Heritage Register (VAHR) recording standards, and relevant forms must be submitted to the VAHR as soon as practical.
 - works can continue once the Aboriginal cultural heritage has been recorded and all temporary fencing is removed.

Contingency 3 - Custody and Management

- 1) The custody of Aboriginal cultural heritage (with the exception of Aboriginal Ancestral Remains, or secret or sacred objects) discovered during or after an activity must comply with the requirements of the *Aboriginal Heritage Act 2006* and be assigned according to the following order of priority, as appropriate:
 - a. any relevant Registered Aboriginal Party for the land from which the Aboriginal cultural heritage is salvaged
 - b. any relevant registered native title holder for the land from which the Aboriginal cultural heritage is salvaged
 - c. any relevant native title party (as defined in the *Aboriginal Heritage Act 2006*) for the land from which the Aboriginal cultural heritage is salvaged
 - any relevant Traditional Owner or Owners of the land from which the Aboriginal cultural heritage is salvaged

- e. any relevant Aboriginal body or organisation which has historical or contemporary interests in Aboriginal cultural heritage relating to the land from which the Aboriginal cultural heritage is salvaged
- f. the owner of the land from which the Aboriginal cultural heritage is salvaged
- g. Museum Victoria.
- 2) Final management arrangements, such as repatriation and / or reburial, must occur within six months of the completion of the activity.
- 3) If the RAP request, and if it is practical, provisions should be made to re-bury artefacts within the activity area, in a place which will not be disturbed by future works.
- 4) Any reburial must be carried out by the RAP and documented by a suitably qualified Heritage Advisor with the relevant forms and spatial data provided to the VAHR, as soon as practicable.

Contingency 4 - Dispute Resolution

The Regulations (Schedule 2, 13(1)(b)) requires that a CHMP contain a contingency plan for dispute resolution if a dispute between the Sponsor and the RAP arises during the activity. In the event that a dispute arises then the following dispute resolution contingencies must apply. If any dispute arises relating to cultural heritage the parties (the RAP and the Sponsor) shall attempt to resolve the matter initially by discussion and negotiation between themselves. This must occur within 48 hours (i.e. 2 working days) of a notice being received that a dispute exists.

Only issues relating to cultural heritage management will be subject to this dispute resolution procedure. If the matter remains unresolved for at least 14 working days from the date that the dispute commenced, the parties shall seek to agree upon the appointment of an independent mediator to assist in the resolution of the matter. Both parties must agree upon a timeframe for the independent mediator. If an independent mediator fails to resolve the dispute, Department of Premier and Cabinet or the Victorian Aboriginal Heritage Council may be approached to assist in resolving the dispute. Work may continue in accordance with the CHMP in the section of the activity area unaffected by the dispute during dispute negotiations.

Contingency 5 - Compliance

A CHMP compliance checklist is presented in Appendix 4.

- 1) In the event of suspected non-compliance:
 - a) All relevant works must stop
 - b) The Sponsor must contact the RAP within two working days to review the suspected non-compliance and agree to any required remedies.
 - If agreement cannot be reached by all parties, the Minister may order an audit of the management plan.

d) All reasonable costs arising from the meeting and any agreed remedies must be borne by the Sponsor.

Contingency 6 - Future Changes to the Activity

Future changes to the conduct and layout of the activity may be made as long as they are confined to the area assessed by this CHMP and are related to the same activity. Any changes requiring development outside of the activity area or pertaining to different activities may require an amendment to the approved CHMP or a new CHMP to be prepared. The Sponsor must inform the Heritage Advisor of any proposed changes to the activity.

Contingency 7 - Safety

The Heritage Advisor and RAP representative/s involved in inspecting or documenting Aboriginal cultural heritage discovered during the course of the activity must abide by the Sponsor's project delegate or site supervisor's OH&S procedures at all times.

Contingency 8 - Handling of Sensitive Information

Any potentially sensitive information relating to cultural heritage that may be identified during the course of the activity must not be made public, released or published without the Sponsor or Sponsor's delegate or site supervisor consulting with and receiving the approval of the RAP.

PART 2 - ASSESSMENT

3. Introduction

This Cultural Heritage Management Plan (CHMP) has been commissioned by East Gippsland Shire Council for upgrade works for Krauatungalung Walkway (proposed boardwalk) at Mackillops Lane, Lakes Entrance (hereafter referred to as the activity area).

3.1. Heritage Advisor

Anita Barker is the Heritage Advisor and the principal author for this CHMP. Anita has a Bachelor of Archaeology 2006 (Honours 2008) and therefore meets the requirements for a Heritage Advisor under Section 189 of the *Aboriginal Heritage Act* 2006. In addition, Anita has over 17 years' experience in cultural heritage management and extensive experience in archaeological fieldwork, having completed numerous field surveys and excavation programs in Victoria. As a Heritage Advisor Anita has authored numerous CHMPs, due diligences, salvage reports and heritage assessments.

Anna Kent, who contributed to this report, has a Bachelor of Arts (Honours in Indigenous Studies 2013) and has over 12 years' experience in the management of cultural heritage. Anna meets the requirements for a Heritage Advisor under Section 189 of the *Aboriginal Heritage Act* 2006 and has completed numerous CHMPs and archaeological reports specialising in GIS mapping for archaeology projects.

Anthony Gowans (Heritage Advisor) supervised part of the Complex Assessment and contributed to this report. Anthony has a Bachelor of Arts (Honours in Archaeology 2018) and is listed as a Heritage Advisor under the *Aboriginal Heritage Act 2006*. Anthony has over six years' experience in archaeological fieldwork.

3.2. Location and Description of the Activity Area

The activity area is located at Mackillops Lane, Lakes Entrance and comprises an approximate 5410.11m² area. The activity area is unoccupied Crown Land and lies within the Local Government Authority (LGA) of East Gippsland Shire Council (Figure 1) who are the land managers and Sponsor. A search of the Victorian Aboriginal Heritage Register (VAHR) undertaken on 6 October 2024 as part of the Desktop Assessment showed no Aboriginal places are present in, or within 200m of, the activity area. The activity area is characterised by coastal reserve currently used for public recreation for access to the beach and as a fishing location, with several private jetties located along the proposed boardwalk location. Much of the activity area forms part of Lake King. The activity area also includes the southernmost ends of Middle Street, Jetty Road and Short Street. In the east, the activity area borders Lakes Entrance Foreshore – Cunninghame Arm. The existing conditions of the activity area are shown in Figure 2.

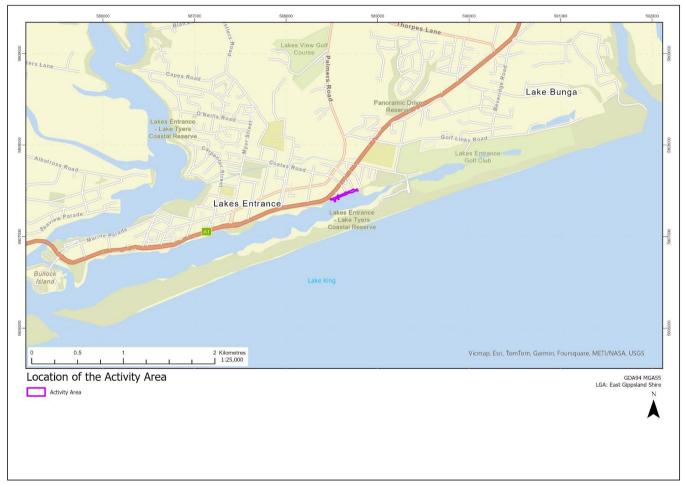


Figure 1: Location of the activity area

Page | 8

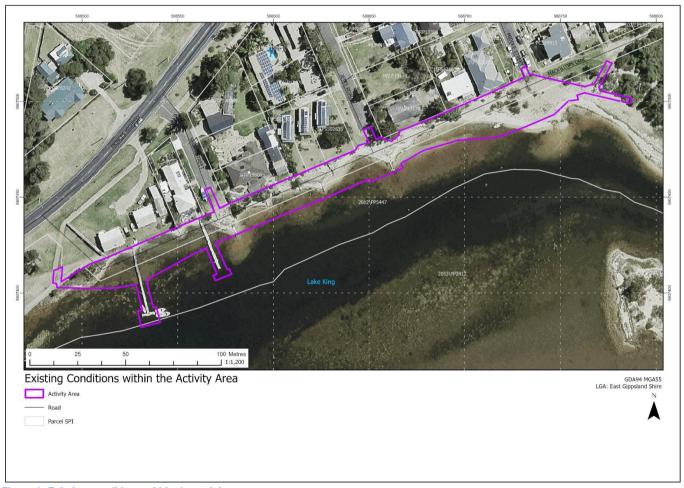


Figure 2: Existing conditions within the activity area

Page | 9

Table 1: Cadastral information for the activity area

Property Identifiers	Crown Land 2012\PP5447
Parish	Colquhoun
LGA	East Gippsland Shire Council
Size	5410.11m²

3.3. Reason for Preparing a Cultural Heritage Management Plan

Under the Aboriginal Heritage Regulations 2018 (r.7), an Aboriginal Cultural Heritage Management Plan is required if the proposed activity is considered to be a 'high impact activity' and part or all of the subject area is considered to be an 'area of cultural heritage sensitivity'.

In the case of the activity area the entire area is an area of cultural heritage sensitivity under -

r.26 Waterways

 Subject to subregulation (2), a waterway or land within 200 metres of a waterway is an area of cultural heritage sensitivity (relating to Lake King).

r.29 Declared Ramsar wetlands

• Subject to subregulation (2), a declared Ramsar wetland or land within 200 metres of a declared Ramsar wetland is an area of cultural heritage sensitivity (relating to the Gippsland Lakes).

The activity is not considered a high impact activity as the track is less than 500m in length however, the Sponsor considered it prudent to carry out a voluntary CHMP.

A Notice of Intent (NoI) was submitted to the Secretary Department of Premier and Cabinet and GunaiKurnai Land and Waters Aboriginal Corporation (GKLaWAC) on 21 September 2024 (Appendix 1). A copy of the NOI was sent to the Sponsor and East Gippsland Shire Council on the same day. GKLaWAC confirmed on 23 September 2024 that the RAP would be the evaluating authority for the CHMP (Appendix 2). The CHMP has been registered as CHMP No. 20338 with First Peoples - State Relations (FPSR) Group, Department of Premier and Cabinet.

No Activity Advisory Group has been appointed in relation to the CHMP.

3.4. Registered Aboriginal Party for the Activity Area

GunaiKurnai Land and Waters Aboriginal Corporation (GKLaWAC) is the Registered Aboriginal Party (RAP) for the land where the activity area is located.

3.5. Consultation in Relation to the Assessment

Consultation with GKLaWAC was undertaken throughout the course of the CHMP preparation. A summary of the consultation is provided in Table 2 and attendance in the participation of the Standard

Assessment is provided in Table 3. No oral history pertaining to the activity area was collected during the CHMP assessment.

Table 2: Documentation of consultation

Date	Personnel	Consultation Description
21/09/2024	Anita Barker (Heritage Advisor)	A copy of the NoI emailed to Russell Mullett (RAP Manager GKLaWAC).
23/09/2024	Russell Mullett (RAP Manager GKLaWAC)	Emailed response to NoI stating that GKLaWAC will be the evaluating authority for the CHMP.
10/10/2024	Anthony Gowans (Heritage Advisor), Dillon Siely (GKLaWAC Representative) and Shadow Alderhoven (Opero Consulting)	Inception meeting carried out prior to the assessment commencing.
10/10/2024	Anthony Gowans (Heritage Advisor), Dillon Siely (GKLaWAC Representative) and Shadow Alderhoven (Opero Consulting)	Conducted Standard Assessment.
16/10/2024	Anita Barker (Heritage Advisor) and Russell Mullett (GKLaWAC RAP Manager)	Attended the CHMP close off meeting. It was agreed that a Complex Assessment was not required and that the no specific conditions are required. Standard CHMP contingencies detailed in Section 2 will apply.

Table 3: Participation in the conduct of the assessment

Date	Personnel	Consultation Description
10/10/2024	Anthony Gowans (Heritage Advisor), Dillon Siely (GKLaWAC Representative) and Shadow Alderhoven (Opero Consulting)	Standard Assessment Participation.

3.6. Activity Description

The proposed activity comprises the construction of a boardwalk approximately 300m in length and will involve:

- Removal of an existing concrete wall in order to connect the boardwalk with an existing concrete path in the west section of the activity area;
- Machine and material set down and machine access;
- Installation of timber bollards (depth of ground disturbance 500-800mm) where the boardwalk connects with Short Street, Jetty Road and Middle Street;
- The installation of an approximate 2m wide x 12m long concrete path at Shore Street to connect the boardwalk to Short Street (ground disturbance to 300mm depth);
- The installation of an approximate 2m wide x 6m long concrete path at Jetty Road to connect the boardwalk to Jetty Road (ground disturbance to 300mm depth);

CHMP 20338

- The installation of an approximate 2m wide x 4m long concrete path at Middle Street to connect the boardwalk to Middle Street (ground disturbance to 300mm depth);
- The installation of an approximate 2m wide x 4m long concrete path at the east end of the
 activity area to connect the boardwalk to Middle Street (ground disturbance to 300mm
 depth);
- · Revegetation and landscaping where required;
- The installation of an approximate 2m wide x 300m long boardwalk (footings 800-1500m in depth)
- Installation of Elcorock geotextile sand containment along the lake shore; and,
- Reinstatement repair/maintenance of the existing fencing, kerb and drainage; and ongoing maintenance of the above activities as required.

Impacts of the activity on surface and subsurface soils (existing and potential buried land surfaces) will occur throughout the activity area. If Aboriginal cultural heritage is present, it will be impacted by the proposed activity. The proposed activity is presented in Figure 3 and Appendix 6.

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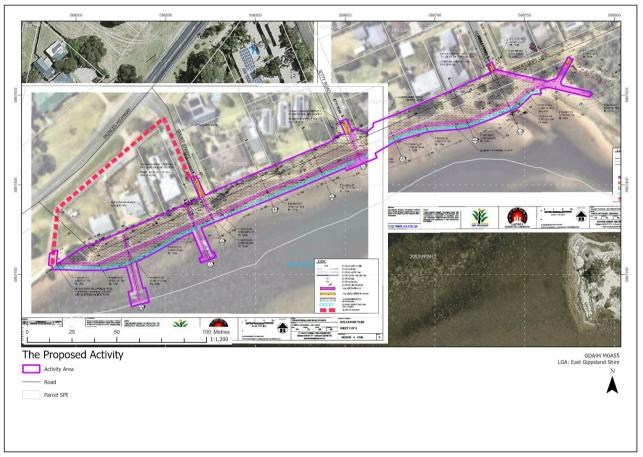


Figure 3: The proposed activity in the activity area

4. Desktop Assessment

4.1. Introduction

The following section provides an overview of the geographic region and includes information on the geomorphic units, landforms, and historic land use pertinent to the activity area. This is followed by a review of previously registered Aboriginal places and archaeological investigations undertaken in the geographical region to inform a site prediction model. Parts of the information in this section are drawn from archaeological assessments undertaken by the author in the region (Barker, Kent and Gowans 2023 and Barker, Kent and Nash 2023).

4.2. The Geographic Region

The geographic region selected for this CHMP comprises the area within an approximate 2.5km radius east, north and west of the activity area (Figure 4), and provides a relevant sample of the geology, geomorphology, and archaeological investigations likely to influence conditions in, and be represented in, the activity area. A wider geographic region was not considered to be warranted as the activity area is situated on the lake shore and Aboriginal places registered further inland on a different landform are not considered relevant for a site prediction model.

4.3. Aboriginal Places within the Geographic Region – Search of the Victorian Aboriginal Heritage Register

A search of the Victorian Aboriginal Heritage Register (VAHR) was undertaken on 6 October 2024 by Anita Barker (Heritage Advisor). There are no Aboriginal places registered in, or within 200m of, the activity area. There are 19 Aboriginal places registered in the geographic region, the majority of which are artefact scatters (n=12, 68%). The remaining Aboriginal places present in the geographic region include; three LDADs, one Aboriginal Historical Place, one earth feature and one object collection (Table 4, Table 5). Six Historical References are registered in the activity area (Table 6).

The VAHR data set is likely to, at least partially, reflect field conditions, the extent and locations of archaeological subsurface testing programs, field surveys and field methods rather than the nature and extent of Aboriginal cultural heritage in the geographic region. The data set likewise reflects limited collection of oral histories and other intangible connections to places.

Table 4: Aboriginal Places Registered in the Geographic Region

VAHR No	Aboriginal Place Name	Component Type	Place Details/Contents
8422-0298	Bennett Collection	Object Collection	2 surface artefacts of fine-grained chipped stone flakes made on quartz and acid volcanics
8422-0546	Cabarita Point 1	Artefact Scatter	1 silcrete core
8422-0547	Cabarita Point 2	Artefact Scatter	1 silcrete flake
8422-0549	Eastern Creek Scatter 1	Artefact Scatter	Subsurface artefact scatter located within remnant sandy terraces around the creek. One artefact identified in a

Page | 14

			disturbed context. Site comprises 106 artefacts, a sample of which included seven cores, one retouched axe, one geometric, one scraper, one hammerstone, one manuport and 11 flakes, manufactured with quartz (n=11), rhyolite (n=6), hornfels (n=1), greenstone (n=1), silcrete (n=1), quartzite (n=2) and chert (n=1).
8422-0550	Eastern Creek Scatter 2	Artefact Scatter	A subsurface artefact scatter comprising one silcrete flake.
8422-0551	Eastern Creek Scatter 3	Artefact Scatter	A surface artefact scatter (60m2) comprising five flaked stone artefacts (four quartz and one silcrete).
8422-0672	Ferndale Pde AS 1	Artefact Scatter	A subsurface artefact scatter (approximately 15x12m) comprising a total of 206 stone artefacts. Assemblage was mostly made on quartz and silcrete, with quartzite, fine-grained sedimentary rock, basalt, chert, coarse-grained sedimentary rock and sandstone also present. Dominant manufacture type was flakes, followed by flaked pieces, retouched flakes, and cores. Assemblage included two backed blades and two end scrapers.
8422-0711	Lakeview Drive AS 1	Artefact Scatter	An artefact scatter comprising 26 stone artefacts made mostly on quartz, with silcrete, quartzite, and coastal flint also present. Assemblage contained flakes, cores, angular fragments, and one thumbnail scraper.
8422-0726	Ostlers Road LDAD	Low Density Artefact Distribution (LDAD)	Seven subsurface artefacts comprising one quartz angular fragment, one quartz complete flake, three silcrete complete flakes, one silcrete angular fragment and one angular of unknown material.
8422-0728	Ostlers Road LDAD 2	Low Density Artefact Distribution (LDAD)	18 surface and subsurface artefacts comprising four silcrete complete flakes, four quartz complete flakes, one quartz proximal flake, one quartz angular fragment, one silcrete medial flake, one silcrete proximal flake, one chert angular fragment, two silcrete cores (multidirectional), one chert core (multidirectional), one quartzite core (bidirectional) and one complete flake of an unknown material.
8422-0733	Ostlers Road Artefact Scatter 1	Artefact Scatter	Subsurface artefact scatter comprising of 114 subsurface artefacts. The assemblage identified during CHMP 18933 comprises fourteen quartz complete flakes, one silcrete complete flake, one chert complete flake, three quartz distal flakes, two silcrete distal flakes, one quartz flaked piece, one silcrete medial flake, one quartz multidirectional core, sixteen quartz angular fragments, three silcrete angular fragments and one silcrete flaked piece. An additional 70 subsurface artefacts were identified during a salvage excavation at this Aboriginal place. Artefacts were made on quartz, crystal quartz, quartzite and silcrete raw materials.

Page | 15

CHMP 20338

8522-0215	Krauatungalung B/G	Earth Feature	Ceremonial Bora ring/s spanning an approximate 3m area covered in tea tree.
8522-0232	Thorpes Property, Lakes Entrance	Aboriginal Historical Place	Comprises a 10 acre area bought by William Thorpe, who had been forced off of the Lake Tyers Mission with the 1886 Aborigines Protection amendment. William ('Billy') bought this property with Henry Thorpe and planted fruit trees.
8522-0234	Ostlers Rd 1, Lakes Entrance	Artefact Scatter	Surface and subsurface artefact scatter (15x4m) comprising four silcrete artefacts and one quartz artefact.
8522-0235	Ostlers Rd 2, Lakes Entrance	Artefact Scatter	Artefact scatter (0.4x0.4m) comprising one silcrete flake.
8522-0236	Ostlers Rd 3, Lakes Entrance	Artefact Scatter	Artefact scatter (0.4x0.4m) comprising one silcrete flake.
8522-0238	Thorpes-Colquhoun Artefact Scatter	Artefact Scatter	Surface and subsurface artefact scatter (1000x600m) comprising 52 stone artefacts made on silcrete, quartz, chert, quartzite, rhyolite, and an unidentified material. Assemblage included flakes, cores, angular fragments, and one thumbnail scraper.
8522-0256	Eastern Beach Road AS 1	Artefact Scatter	Surface and subsurface artefact scatter comprising a total of 628 stone artefacts made mostly on silcrete, with low numbers of quartz, quartzite and an unidentified material also present. The assemblage mostly comprised flakes, followed by blades, cores, and flaked pieces. The assemblage contained six backed blades, six amorphous scrapers, three Bondi points, two geometric microliths, and one retouched flake.
8522-0262	Lakes Entrance Golf Course LDAD	Low Density Artefact Distribution (LDAD)	Two basalt complete flakes – identified on the surface.

Table 5: Aboriginal Place Types in the Geographic Region

Aboriginal Place Type	Count	Percentage (%)
Aboriginal Historical Place	1	5%
Artefact Scatter	13	68%
Earth Feature	1	5%
Low Density Artefact Distribution	3	16%
Object Collection	1	5%
Grand Total	19	100

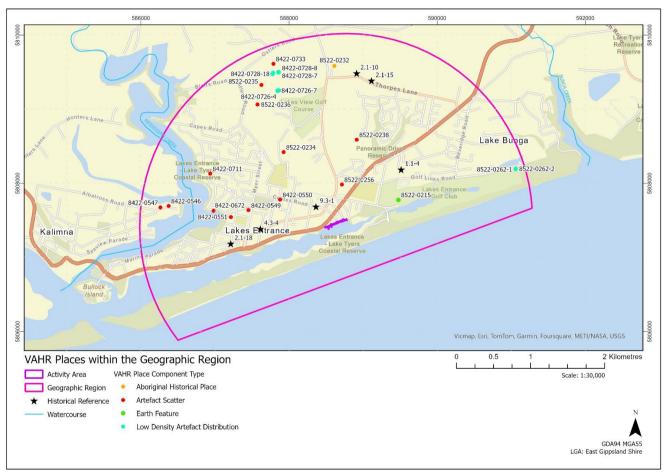


Figure 4: VAHR Places within the geographic region

Page | 17

Table 6: Historical References Recorded in the Geographic Region

Ref ID	Historical Reference Name	Historical Reference Association	Period of Association
1.1-4	Merrangbaur Station	1.1 Properties where initial contact with pastoralists occurred	-
4.3-4	Lakes Entrance 'Native' Football Team	4.3 Places of recreation (played sport, holidays, get togethers)	-
2.1-18	Lakes Entrance Summer Camp	2.1 Places where people camped/lived around towns	-
2.1-10	Thorpe's Lane Settlement	2.1 Places where people camped/lived around towns	-
9.3-1	Lakes Entrance Cemetery	9.3 Location of burials within cemeteries	-
2.1-15	Thorpe's Property, Lakes Entrance	2.1 Places where people camped/lived around towns	1863-01-01 to 1923- 12-31

4.4. Previous Archaeological Investigations within the Geographic Region

No CHMPs or archaeological assessments have previously been undertaken in the activity area. A number of archaeological studies have been undertaken in the region and the most relevant studies to the activity area are discussed below (Table 7). A review of these studies aims to provide information on the distribution and character of Aboriginal places in the region.

Table 7: Archaeological assessments undertaken in the geographic region

Report No.	Report Type	Title	Author
240	Desktop or Paper or Due Diligence or Other	Gazetteer of all Sites in the Gippsland Lakes	Hall, R.
675	Survey	Far East Gippsland Survey - Draft Report	Hall, R.
751	Survey	An Archaeological Survey of the Gippsland Lakes (Stage 2)	Lomax, K.
773	Desktop or Paper or Due Diligence or Other	Far East Gippsland Aboriginal Archaeological Heritage: National Estate Threshold Analysis	Rhoads, J.
1091	Desktop or Paper or Due Diligence or Other	East Gippsland Aboriginal Cultural Site Modelling	Lewis, A., MacNeill, R. & Rhoads, J.
1852	Desktop or Paper or Due Diligence or Other	Effective Strategies for the Management of Coastal Aboriginal Archaeological Sites and Places In Victoria.	Freslov, J.
4843	Salvage Excavation	Ferndale Parade Sewer Pump Station and Emergency Storage Tank Upgrade - Ferndale Parade, Lakes Entrance, East Gippsland	Freslov, J.
5466	Salvage Excavation	VAHR 8422-0733 Ostlers Road Artefact Scatter 1 Salvage Report	Barker, A. & Nash, L.
10181	CHMP Complex Assessment	Ostlers Road Subdivision, Lakes Entrance Discontinued	Clark, V., Phillips, O. & Blame, E.

CHMP 20338

10282	CHMP Complex	Ocean View Lakes - Residential Sub-Division,	Lane, S., Wheeler,
	Assessment	Stirling Drive, Lakes Entrance	J. & Walther, E.
10744	CHMP Complex Assessment	Eastern Creek Wetlands, Lakes Entrance, Victoria	Matic, A
10984	CHMP Complex Assessment	Eastern Creek Re-Alignment, Lakes Entrance, Victoria	Matic, A
14026	CHMP Desktop Assessment	16 Ferndale Parade, Lakes Entrance Jetty Construction	Jones, Z.
14181	CHMP Complex Assessment	Marine Parade Sewer Pump Station Upgrade And Rising Main Construction Lakes Entrance, East Gippsland	Freslov, J. & Boucher, A.
14313	CHMP Complex Assessment	Ferndale Parade Sewer Pump Station and Emergency Storage Tank Upgrade Ferndale Parade, Lakes Entrance, East Gippsland	Freslov, J.
15475	CHMP Complex Assessment	11 Eastern Beach Road, Lakes Entrance Residential Village	Mathews, D.
16577	CHMP Desktop Assessment	Exercise Station Installation Evett Park, Lakes Entrance	Barker, A. & Kent, A.
18933	CHMP Complex Assessment	Residential Subdivision 16 & 112 Ostlers Road Lakes Entrance	Barker, A., Kent, A. & Gowans, A.
18969	CHMP Complex Assessment	Proposed Motel Development, 665 Esplanade, Lakes Entrance, Victoria	Burch, J., Hunt, J., Green, T., Cooper- Wallis, M., & Ryan, F.
19722	CHMP Standard Assessment	Development of a Store at 25 Princes Highway, Lakes Entrance	Barker, A., Kent, A. & Nash, L.

Regional Studies

The following regional archaeological assessments demonstrate that Aboriginal places in the wider region, while present on all landforms, have been predominately identified on landforms close to potable water and on elevated land. Scarred trees are unlikely to be present further than 400m from waterways.

Lomax (1992) suggest that a change in the stone tool industry, regarding raw material use and stone tool production, is evident in the regional archaeological record representing the Late Holocene. The author posit that a change from silcrete microlith production to quartz bipolar lithic reduction during the Late Holocene suggests a change from the use of imported to locally available material and an associated change in resource exploitation resulting in intensification of wetland, terrestrial and coastal exploitation. This pattern has been interpreted as a modification of behaviour in response to ecological focus changing from estuarine to freshwater resources, with an associated development in Aboriginal peoples' settlement patterns and relationships to the land. Hall (1989) suggests that low density artefact occurrences are present on ridges and spurs on inland waterways; the dominant raw

CHMP 20338

material type is quartz with occasional chert, sandstone and volcanic material; and few scarred trees are present and will rarely occur more than 400m from a waterway.

Report 240: Gippsland Lakes Site Gazetteer (Hall 1989

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Hall's (1988) gazetteer details a number of sites previously recorded in the Gippsland Lakes area, along with newly recorded sites identified during his survey. A site prediction model for the hill landform (elevated country less than 300m above sea level) concluded that: low density artefact occurrences are present on ridges and spurs on inland waterways; the dominant raw material type is quartz with occasional chert, sandstone and volcanic material; and few scarred trees are present and will rarely occur more than 400m from a waterway.

Report 675: Far East Gippsland Survey – Draft Report (Hall 1991)

Hall (1991) carried out an archaeological survey of the East Gippsland forest country. The 'Coastal and Alluvial Plains (<300m)' landform discussed in Hall's study is relevant to the current activity area. Hall (1991) did not survey the coastline during this study however did visit several shell midden sites in the Pearl Point area, which is outside of the geographic region. Aboriginal places inspected by Hall (1991) are not in the geographic region for this study. Hall (1991) recorded the following shell species in the middens that were inspected at Pearl Point: *brachidontes, subinella, dicathais,* abalone, various limpets and *scutus*. Hall (1991) points out that these are all rocky platform species and Aboriginal people likely collected the shellfish off the platform and consumed them in the lee of the dunes. Artefact contents of the shell midden sites at Pearl Point were not recorded however Hall (1991) notes that the assemblages are very different to the artefact assemblages observed at the inland sites which were the main focus of this study. Hall (1991) did identify a quartz quarry and workshop at Pearl Point.

Report 751: An Archaeological Survey of the Gippsland Lakes Stage 2 (Lomax 1992)

A survey undertaken by Lomax (1992) in the vicinity of the Gippsland Lakes resulted in the identification of 59 Aboriginal places. These places comprise 35 stone artefact scatters, 13 isolated artefacts and 11 scarred trees. The survey involved a limited subsurface testing program, comprising a total of five 50x50cm shovel test pits excavated at three Aboriginal places (VAHR 8422-0269, VAHR 8422-0289, and VAHR 8422-0239) (Lomax 1992:45). None of these three places occur within the current geographic region.

The results of the subsurface testing program indicated there was a change in artefact types and raw material in the late Holocene at VAHR 8422-0269 and VAHR 8422-0289. The upper deposits above the dated material were characterised by quartz bipolar artefacts with silcrete comprising the dominant material type in the deposits below the dated layer. A basal date of 1,000 BP was obtained from VAHR 8422-0239, with upper deposits dated to 500 BP. The maximum date obtained for archaeological material associated with the seaward side of the outer barrier is 2,000 BP.

Archaeological deposits associated with the land side of the coastal barrier are dated to 4,000 BP (Lomax 1992:54-147).

Lomax (1992) supports a change in the stone tool industry occurred approximately 3,000 years ago with a transition from a predominately silcrete microlith technology to a predominately quartz bipolar reduction industry. However, this transition is not apparent at all recorded Aboriginal places. A notable difference in later sites is the increasing use of locally available raw materials and a subsequent decrease in exotic raw material suggesting a change in mobility patterns where occupation concentrated in the coastal lowlands replaced a pattern of seasonal movement between localities. Lomax (1992) suggests that a change in raw material use, and stone tool reduction techniques indicates a behaviour change associated with increasing productivity of resources in the region during the Late Holocene resulting in intensification of wetland, terrestrial and coastal exploitation. This pattern may also be a response to a wider set of circumstances concerning a change in relationship between Aboriginal groups and forms of land tenure.

Report 773: Far East Gippsland Aboriginal Archaeological Heritage National Estate Threshold Analysis (Rhoads 1994)

Rhoads (1994) undertook an analysis of sites in forested areas of East Gippsland to further understanding of the range of activities that Aboriginal people undertook in this area. His research is centred around the Australian Heritage Commission National Estate Criteria. Using data sourced from previous surveys, Rhoads' analysis involves two main steps: 1) creating cultural parameters by associating specific values with specific site types; and 2) grouping sites into comparable units of analysis.

Report 1091: East Gippsland Aboriginal Cultural Site Modelling (Lewis, MacNeill & Rhoads 1996)

Lewis, MacNeill and Rhoads (1996) utilised a geographic information system (GIS) to conduct a spatial analysis for the modelling and prediction of archaeological sites in forested areas of East Gippsland. Due to a general lack of access and issues with ground visibility in source data, survey transects were found to coincide with smaller roads and the project demonstrated that road-based survey would lead to biased archaeological datasets. The authors recommended that future work requires: 1) representative and unbiased sampling techniques; 2) more complete data recording (including the recording of null observations); and 3) a non-site approach to recording where artefacts rather than 'sites' are recorded.

Report 1852: Effective Strategies for the Management of Coastal Aboriginal Archaeological Sites and Places in Victoria (Freslov 1996).

Freslov (1996) undertook a report with the aim of providing a new model for the management of coastal Aboriginal sites to be utilised by Aboriginal Affairs Victoria. Further to this, the report aimed to provide an educative management structure targeted at stakeholders such as other government bodies, land managers, developers, land users and Aboriginal communities. Fieldwork undertaken

in preparation of the report included stakeholder consultation and a review of sites in the field. Results from the analysis of observations of these sites highlighted that most coastal Aboriginal archaeological sites suffer from multiple threats, including the enormity of sites requiring attention, the number of different stakeholders taking part in management, and to a greater extent, the destructive and disruptive human impact associated with access and development. Data collection relative to site erosion, preservation and other threats is required. Freslov (1996) provided 16 management recommendations for a more effective model of management of Victorian coastal Aboriginal archaeological sites. Of particular note is the movement of sediment that impacts coastal deposits, with Lakes Entrance considered at risk in this process. Sites near Lakes Entrance are also considered at risk from unstable landforms due to natural drainage and water erosion. The construction of jetties, seawalls, groynes and piers may have destroyed, destabilised or buried Aboriginal cultural middens along the coast. In addition, coastal constructions indirectly affect adjacent areas of coastline leading to beach drift or destruction (Freslov 1996:19,23).

Localised Studies

The following section summarises archaeological assessments undertaken in the geographic region. The assessments support the findings of the regional assessment that Aboriginal places most commonly occur on elevated land and in close proximity to potable water. Quartz and silcrete dominate the artefact assemblages with hornfels, rhyolite, chert, quartzite, basalt, and other volcanic raw materials also present to a lesser extent.

Report 4068: Gippsland Ports Maritime Cultural Heritage Desk Study (Duncan & Nicolson 2007)

Duncan and Nicolson (2007) prepared a desktop maritime archaeological / cultural heritage assessment of Lakes Entrance prior to a proposed program of dredging and channel deepening to remove sand build up around the Entrance Channel. The report detailed the extent of reclaimed land at Bullock Island through the deposition of spoil from dredging works and the extensive land use history of the island. The authors surmised that if archaeological deposits are present at the former seabed level, these deposits will have been covered by dredge spoil.

The desktop study noted six Aboriginal Historical Places within a 3km radius of the study area and one potential Aboriginal archaeological site, a possible burial noted on the western edge of Boole Poole Peninsula (VAHR 8422-0083 – Lakes Entrance Cranium). VAHR 8422-0083 (Lakes Entrance Cranium) is located approximately 3.5km southwest of the activity area and is considered to be in a secondary depositional context, having been washed in by tidal currents.

CHMP 10181: Ostlers Road Subdivision, Lakes Entrance DISCONTINUED (Clark, Phillips & Blamey 2008)

Clark et al. (2008) commenced a CHMP for a proposed subdivision for a 68.384 ha area at Ostlers Road, Lakes Entrance. This CHMP was discontinued following the Standard and Complex Assessments. A total of one 1x1m test pit and 121 40x40cm shovel test pits were excavated during

the Complex Assessment and resulted in the identification 11 subsurface artefacts. The artefact scatters were subsequently registered as three Aboriginal places. VAHR 8522-0234 (Ostlers Road 1 Lakes Entrance) comprised nine artefacts, including seven silcrete flakes, one silcrete scraper, and one quartz flake. VAHR 8522-0235 (Ostlers Road 2 Lakes Entrance) comprised one silcrete flake. VAHR 8522-0236 (Ostlers Road 3 Lakes Entrance) comprised one silcrete flake. The closest of which is VAHR 8522-0234 (Ostlers Road 1 Lakes Entrance) located 1.1km northwest of the activity area.

<u>CHMP 10282: Ocean View Lakes – Residential Sub-Division, Stirling Drive, Lakes Entrance (Lane, Wheeler & Walther 2008)</u>

Lane, Wheeler and Walther (2008) prepared a CHMP for a residential subdivision on the higher escarpment overlooking Lakes Entrance at Thorpes Lane. A survey of the study area was carried out in poor ground surface visibility conditions and no Aboriginal places were located. A Complex Assessment was undertaken using both mechanical and manual testing. The subsurface testing program identified a low-density artefact distribution (LDAD), comprising 52 artefacts, which was subsequently registered as VAHR 8522-0238 (Thorpes-Colquhoun Artefact Scatter). The assemblage was made mostly on silcrete (n=40), with quartz (n=6), rhyolite (n=2), unidentified materials (n=2), chert (n=1), and quartzite (n=1) also present. The majority of the artefacts were identified as flakes (n=37), with angular fragments (n=12), and cores (n=2) also present. One tool was recovered, a thumbnail scraper, and retouch was identified on two additional flakes. VAHR 8522-0238 (Thorpes-Colquhoun Artefact Scatter) is located approximately 1.1km northeast of the activity area.

CHMP 10744: Eastern Creek Wetlands, Lakes Entrance, Victoria (Matic 2010a)

Matic (2010a) prepared a CHMP for the EGSC who proposed to construct a wetland at the western end of Eastern Creek. A surface survey was undertaken but no Aboriginal cultural heritage was located. An area of high cultural heritage potential was identified, as well as two areas of low to moderate potential. The area was observed to be very disturbed. Complex subsurface testing was carried out in the areas of archaeological potential on the elevated terrace. A subsurface artefact scatter was identified (VAHR 8422-0549, comprising 106 artefacts). The archaeological assessment also identified a surface Aboriginal place (VAHR 8422-0551), but no further artefacts were found during subsequent subsurface testing. Both VAHR 8422-0549 (Eastern Creek Scatter 1) and VAHR 8422-0551 (Eastern Creek Scatter 3) are located within the geographic region for this report over 1km west of the activity area.

CHMP 10984: Eastern Creek Re-Alignment, Lakes Entrance, Victoria (Matic 2010b)

Matic (2010b) completed CHMP 10984 ahead of proposed works at Eastern Creek, Lakes Entrance. The study area comprises a total area of 2.6 ha, with a length of 1,190m and width varying between 20 – 30m. The Desktop and Standard Assessments identified no Aboriginal cultural heritage within

the study area. The Standard Assessment determined significant levels of disturbance had occurred within the study area, however, two areas of potential for Aboriginal cultural material were still identified. The first was located along the northern edge of a creek and the second was located north of the creek. A Complex Assessment was carried out in four locations considered to be of archaeological potential. The excavation consisted of 15 shovel probes (30x30cm) and two auger holes (10cm diameter) and resulted in the identification of one silcrete stone artefact, VAHR 8422-0550 (Eastern Creek Scatter 2), located 750m northeast of the activity area.

CHMP 14026: 16 Ferndale Parade, Lakes Entrance Jetty Construction (Jones 2016)

Jones (2016) undertook a Desktop CHMP prior to the installation of a proposed jetty. The Desktop Assessment determined that it is highly unlikely for Aboriginal cultural heritage material to be present in the study area which is below the water line and within the inter-tidal zone.

CHMP 14181: Marine Parade Sewer Pump Station Upgrade and Rising Main Construction, Lakes Entrance, East Gippsland (Freslov & Boucher 2016)

Freslov and Boucher (2016) completed a CHMP for the installation of a rising main between Marine Parade and Eastern Creek. A survey of the study area found no surface Aboriginal cultural heritage. Subsequent subsurface testing throughout the activity area found no evidence of Aboriginal cultural heritage. Significant ground disturbance associated with the introduction of fill was evident throughout the study area.

<u>CHMP 14313: Ferndale Parade Sewer Pump Station and Emergency Storage Tank Upgrade – Ferndale Parade, Lakes Entrance, East Gippsland (Freslov 2016)</u>

Freslov (2016) prepared a CHMP for the upgrade of a sewer pump station and emergency storage tanks in Ferndale Parade, Lakes Entrance on North Arm. No Aboriginal cultural heritage was identified as a result of the Standard Assessment. A Complex Assessment found a small subsurface artefact scatter comprising 24 artefacts, registered as VAHR 8422-0672 (Ferndale Pde AS 1) and present within the geographic region for the present CHMP. This place is located on the shoreline of North Arm, on a terrace associated with an unnamed drainage line. VAHR 8422-0672 (Ferndale Pde AS 1) is situated approximately 1.5km northwest of the activity area. A subsequent salvage excavation (Freslov 2017) in the impact zone found a further 182 artefacts (see Report 4843 below), making it the largest artefact scatter identified in the area.

Report 4843: Ferndale Parade Sewer Pump Station and Emergency Storage Tank Upgrade - Ferndale Parade, Lakes Entrance, East Gippsland (Freslov 2017)

Freslov (2017) prepared a salvage report detailing the results of further excavations at VAHR 8422-0672 (Ferndale Pde AS 1) in preparation for the upgrade of a sewerage pumping station and emergency storage tank at Lakes Entrance (see above). VAHR 8422-0672 (Ferndale Pde AS 1) is

located on the foreshore of Mississippi Creek (North Arm). The salvage program comprised the excavation of two 1x1m test pits and two 2x1m test pits. A total of 174 stone artefacts were identified during the course of the salvage, mostly from depths between 200 – 500mm. Eight additional artefacts were recovered during a later due diligence (total 182 artefacts). Freslov notes that the salvage program confirmed the findings of CHMP 14313 (Freslov 2016) regarding ground disturbance within the place extent.

The salvage assemblage was made on a variety of materials, including quartz (n=60), silcrete (n=58), quartzite (n=29), fine-grained sedimentary rock (n=20), basalt (n=9), chert (n=3) and coarse-grained sedimentary rock (n=2). The assemblage comprised flakes (n=140), flaked pieces (n=33), and cores (n=6), with three retouched flakes present. Retouched flakes included two backed blades and one scraper. The former of these are diagnostic components of the Australian Small Tool Tradition (ASTT) and date to the last 5000 years.

CHMP 15475: 11 Eastern Beach Road, Lakes Entrance Residential Village (Mathews 2018)

Mathews (2018) undertook a CHMP for a proposed residential subdivision at Lakes Entrance. The study area comprised an area of 3.85 ha located on a flat to gently sloping landform. The Desktop Assessment determined that no registered Aboriginal cultural heritage places occurred within the study area, but there was potential for Aboriginal cultural heritage to be present. The Standard Assessment was limited by poor ground surface visibility (averaging <1%). A Complex Assessment comprised two 1x1m excavation pits and 46 50x50cm shovel test pits excavated across the activity area. A total of 55 subsurface stone artefacts were identified across 13 shovel test pits and one 1x1m excavation pit in the western part of the study area. This assemblage was registered as VAHR 8522-0256 (Eastern Beach Road AS 1) and was mostly made on silcrete (n=49) or quartz (n=6). The assemblage comprised flakes (n=41), angular fragments (n=10), and cores (n=1), with three formal tools identified (two backed blades and one retouched flake). Artefacts were located in an area defined as having moderate ground disturbance. No artefacts were located in areas that had been subject to moderate to high, or high ground disturbance. Aboriginal place VAHR 8522-0256 (Eastern Beach Road AS 1) is located 400m north of the activity area for the present CHMP.

CHMP 16577: Exercise Station Installation Evett Park, Lakes Entrance (Barker & Kent)

CHMP 16577 (Barker & Kent 2019) was completed ahead of the construction of an outdoor exercise station at Lakes Entrance. The study area covered a 453m² area of land. The Desktop Assessment determined that no Aboriginal cultural heritage was registered within the study area. A Standard and Complex Assessment were not required because it was deemed unlikely that Aboriginal cultural heritage would be present in the study area. This was determined from a review of previous assessments in the study area and the distribution of known Aboriginal cultural heritage in the geographic region.

CHMP 18933: Residential Subdivision 16 & 112 Ostlers Road Lakes Entrance (Barker, Kent & Gowans 2023)

Barker, Kent and Gowans (2023) prepared this CHMP ahead of the subdivision of a property at Ostlers Road into 167 separate lots. The study area comprised an approximate 355,304.78m² of paddocks. A Desktop Assessment determined that two previously identified Aboriginal places existed in the study area and that there was potential for further Aboriginal cultural heritage to be identified. The Standard Assessment identified six surface stone artefacts.

The Complex Assessment involved the excavation of two 1x1m excavation pits and 54 50x50cm shovel test pits and resulted in the identification of 63 stone artefacts. The stone artefacts identified during this assessment were registered as three Aboriginal places. VAHR 8422-0726 (Ostlers Road LDAD) is a subsurface low-density artefact distribution (LDAD) comprising seven artefacts made on quartz (n=4), silcrete (n=2), and an unidentified raw material (n=1). The assemblage comprised flakes (n=4) and angular fragments (n=3). VAHR 8422-0733 (Ostlers Road Artefact Scatter 1) is a subsurface artefact scatter comprising 44 stone artefacts, mostly made on quartz (n=35), with some silcrete (n=8) and chert (n=1) also present. The assemblage was characterised mostly by flakes (n=22), with angular fragments (n=19), flaked pieces (n=2), and one core also present. VAHR 8422-0728 (Ostlers Road LDAD 2) is a surface and subsurface LDAD comprising 18 artefacts, mostly made on silcrete (n=8), with quartz (n=6), chert (n=2), quartzite (n=1), and an unidentified raw material (n=1) also present. The assemblage comprised flakes (n=12), cores (n=4), and angular fragments (n=2). All three Aboriginal places are located approximately 2km northwest of the activity area.

Report 5466: VAHR 8422-0733 (Ostlers Road Artefact Scatter 1) Salvage Report (Barker and Nash 2023)

Report 5466 (Barker and Nash 2023) presents the results of a salvage excavation program undertaken for VAHR 8422-0733 (Ostlers Road Artefact Scatter 1) in compliance with CHMP 18933 (Barker, Kent and Gowans 2023), (see above). A total of 3m² was excavated at VAHR 8422-0733 (Ostlers Road Artefact Scatter 1) as three 1x1m salvage pits. During the salvage program a total of 70 subsurface Aboriginal stone artefacts were identified. Combined with the original 44 stone artefacts identified during the CHMP 18933 (Barker, Kent and Gowans 2023) the combined artefact assemblage of this Aboriginal place totals 114 stone artefacts. Subsurface artefacts were identified at depths at ranging from 1mm to 700mm during the salvage program. However, artefacts were most densely concentrated between depths of 200mm and 700mm (Barker and Nash 2023:24-25). The salvage assemblage from VAHR 8422-0733 (Ostlers Road Artefact Scatter 1) was characterised entirely by flaking debris (complete flakes and flaking debriage), indicating that some degree of stone tool manufacture was occurring on site (Barker and Nash 2023:27). The assemblage included complete flakes (31), broken flakes (13), angular fragments (13), flaked pieces (12), and one blade (Barker and Nash 2023:27). Quartz was the dominant raw material, followed by silcrete with single

examples of chert, crystal quartz, and quartzite also present in the salvage assemblage (Barker and Nash 2023:32-33).

CHMP 18969: Proposed Motel Development, 665 Esplanade, Lakes Entrance, Victoria (Burch et al. 2022)

Burch et al. (2022) prepared this CHMP in preparation for the construction of a motel development at Lakes Entrance. The study area comprises an approximate 2,661m² area. The Desktop Assessment did not identify any previously registered Aboriginal places but determined that there was a possibility that Aboriginal cultural heritage might be located in the study area. A Standard Assessment did not identify any Aboriginal places but did identify one area of potential archaeological sensitivity. This area was targeted by the Complex Assessment, which involved the excavation of one 1x1m excavation pit and five 50x50cm shovel test pits but did not identify any Aboriginal cultural heritage.

CHMP 19722: Development of a Store at 25 Princes Highway, Lakes Entrance (Barker, Kent and Nash 2023)

Barker, Kent and Nash (2023) prepared CHMP 19722 ahead of the construction of a store at 25 Princes Highway, Lakes Entrance. A Desktop Assessment and Standard Assessment were conducted as part of the assessment and identified no Aboriginal cultural heritage present in the study area. The study area has been subject to significant ground disturbance associated with the construction of existing buildings, roads and subsurface infrastructure such that it is unlikely that *in situ* Aboriginal cultural heritage exists within the study area. In addition, the low-lying floodplain landform that the study area is situated on would have been an unattractive option for occupation by Aboriginal people in the past. A Complex Assessment was determined to not be warranted as the entire study area has been subject to significant ground disturbance associated with the existing residential development.

4.5. Summary of Archaeological Investigations in the Geographic Region

Previous Archaeological assessments undertaken in the geographic region have determined that Aboriginal places are likely to be identified on elevated landforms that are situated in close proximity to permanent sources of potable water such as wetlands, lakes and swamps. Drainage lines and the edges of swamps and lakes are considered to be extremely sensitive (Matic 2010b;; Hall 1988; 1991). The construction of jetties, seawalls, groynes and piers may have destroyed, destabilised or buried Aboriginal cultural heritage which was once located in the activity area. In addition, coastal constructions nearby the activity area may have indirectly affected adjacent areas of coastline leading to beach drift or destruction (Freslov 1996:19.23).

The site types most likely to occur are artefact scatters or low-density artefact distributions. Stone artefacts in the region are most commonly made on quartz and silcrete with hornfels, rhyolite, chert, quartzite, basalt, greenstone, and other volcanic rock also present to a lesser extent.

4.6. Historical and Ethnohistorical Accounts within the Geographic Region

This section provides an overview of Aboriginal cultural spatial organisation as recorded at the time of European settlement. The historic accounts used to construct this section are derived from historical sources and are based on observations made of an Aboriginal society already significantly impacted by over 30 years of contact with European culture by the time of recording (Broome 2005:5) and are therefore incomplete and reflect contemporary biases.

The Gunaikurnai occupied the territory between the Tarwin River, Snowy River and north to the Alps (Wesson 2000:17, Figure 5). Alfred Howitt, an early anthropologist who spent much time in Gippsland, noted that the Gunaikurnai comprised of six distinct subgroups: Brataualong, Brayakaulung, Tatungalung, Brabralung, Krauatungalung and Bidawal (Clark 1998). Howitt (cited in Hotchin 1990:107-108) recorded that the moiety system of the Gunaikurnai people as based on two totemic groups: the Yerang (Yeerung - Emu Wren) for males and the Djeetgang (Djeetgun - Superb Warbler) for females with groups of people linked through marriage ties. However, Howitt's contemporary, John Bulmer, believed that the conventional classification system may have been disrupted by European settlement.

Borders between clan groups are not precisely defined and may have changed over time. The geographic region is in the territory of the Krauatungalung, who laid claim to all land from the entrance of the Gippsland Lakes to Cape Everard (Howitt 1904:76). Howitt called the Kurnai language group a tribe which he divided into five geographically defined clans sharing three dialects, two clans being exclusive speakers of two of the dialects. Krauatungalung spoke a dialect called 'Thangquai', meaning 'broad' speech (Howitt 1904:73). Wesson (2000:23, 42) records the Brt-Brita group (Figure 6) as living in close proximity to the Lakes Entrance area, alternatively termed Ngrangit or Ngrungit by other sources. Their territory comprises the old entrance to the Lakes, which was traditionally named 'Nrangit' (Wesson 2000:23). The name 'Krauatungalung' is from 'Krauat' meaning 'east', and 'galung' meaning 'of' or 'belonging to' (Fison and Howitt 1880:228; Howitt 1904:76).

Estimating population numbers in the region pre-contact is problematic as European diseases and violence had already significantly impacted Aboriginal people in the 1840s when observations were made. In 1844, Commissioner Tyers had estimated the population to be 1,000 near the Lakes. However, Hotchin notes that Gardner considers 'that estimates of Aboriginal population made early in the contact period, or in retrospect, must be low simply because it is not seemly for a coloniser to admit to having eradicated a significant population' (Hotchin 1990:119).

Wesson (2000:42) lists the following population numbers for the Krauatungalung from the mid-to late nineteenth century:

- 1862: 24 men, 11 women, 6 boys, 4 girls (as cited in Bulmer 1863).
- 1863: 23 men, 9 women, 6 boys, 4 girls (as cited in Bulmer 1863).
- 1879: 26 men, 11 women, 12 children (as cited in Fison and Howitt 1880:181).

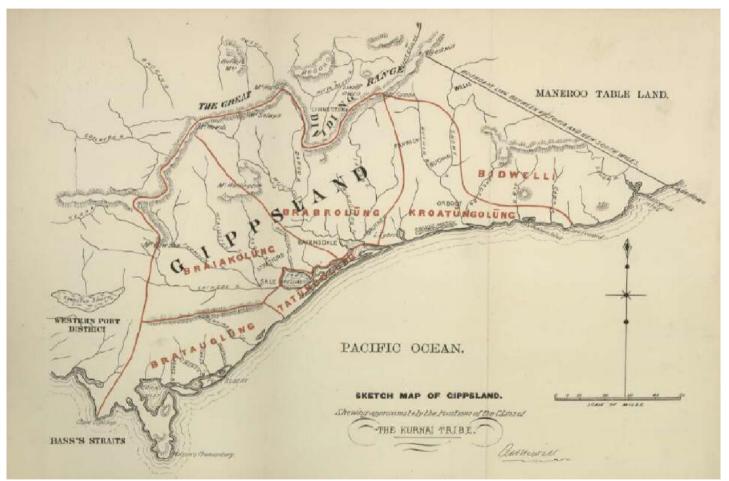


Figure 5: Map of GunaiKurnai Groups (Howitt 1904)

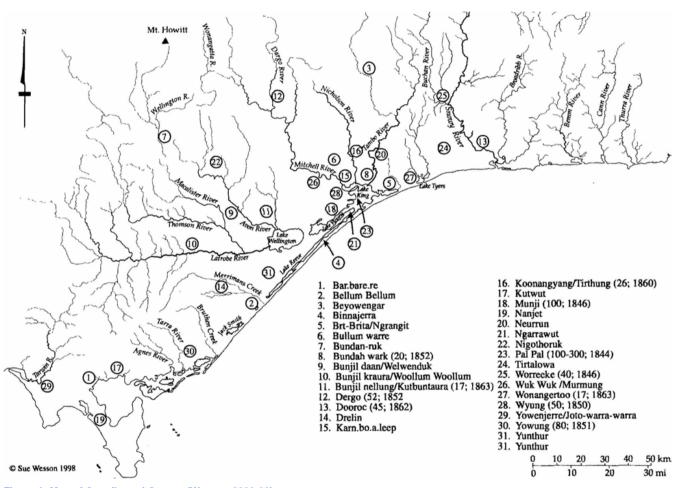


Figure 6: Map of Gunaikurnai Groups (Wesson 2000:22)

Page | 30

CHMP 20338

Occupation of the region was described by Bulmer with the Gunaikurnai people gathering at different times of the year, in different parts of Gippsland, for the collecting, cooking, and eating of seasonal foods. The spring and summer months were generally spent exploiting seasonal coastal and wetland resources. Resource procurement in autumn and winter generally focused on hunting activities in the hinterland and on collecting various vegetable roots (Smyth 1878:141-143; Wesson 2000:48). In addition, George Robinson recorded that the tribes from Gippsland seasonally went to the mountains around Omeo to collect Bogong moths during the moths' aestivating period (Clark 1998:88; Mackaness 1941).

Settlement of the region generally focused on rivers and wetlands. Hotchin (1990:127) describes the manufacture of Gippsland canoes (Figure 7) as recorded by Howitt (cited in Smyth 1878):

'... the tree chosen was a stringy bark about four feet (1.3m) in diameter at ground level. The bark was cut around 2-3 feet (60-100cm) above ground level, and around 10 feet (3m) above that a vertical cut was made between the two rings. Two saplings were trimmed to a bladed form, inserted in the vertical cut and used to lever the bark off. Once detached the outside "fuzzy" bark was removed, and either end was further thinned. The bark was heated over a fire until pliable, then turned inside-out, and cords around the outside held it in shape. The ends were next gathered and folded like a fan and tied with a cord of stringy bark'.

Additionally, a fire would sometimes be made in the canoe to cook the caught fish and at night a torch made of bark and pieces of fungus would be lit to attract the fish. Fishing was done using nets made of plant fibres, as well as pronged spears and handlines with shell or bone hooks (Thorpe 2016:8).

By the 1840s the rapid settlement of the region by squatters led to conflict with the Gunaikurnai as they were dispossessed of their land (Nelson & Alves 2009:147). The European settlement at Orbost was abandoned in 1845 due to Aboriginal conflict (Barraclough & Squires 1992:12). The massacre of Aboriginal people by heavily armed groups of European settlers is discussed at length by Gardner (1983). Boney Point, The Heart, Lakes Entrance, Boole Poole, and Boomerang Point were the scenes of massacres. Recorded massacres also occurred in 1843 at Butchers Creek and Warrigal Creek; in 1846 at the Snowy River; and in 1850 at Brodribb Creek (Barraclough & Squires 1992:9-13).

Some reported incidences were allegedly in retaliation for the murders of Europeans, while others were killed by 'government' sponsored expeditions carried out in 1847 in search of a 'white woman' thought to be held captive by the Gunaikurnai (Gardner 1983:8-10). The white woman was considered to be the likely survivor from the Brig 'Britomat' shipwrecked in 1839. Following repeatedly



Figure 7: Gippsland Canoes ca.1886 (National Library of Australia)

reported sightings of the white woman, Governor La Trobe requested in March 1846 that surveyor Charles Tyres investigate the rumours. In late December 1846, De Villers and Warman led the first of three expeditions to locate the white woman (Barraclough & Squires 1992:12).

While efforts were made to quell the uneasy relations between Aboriginal people and settlers through the Native Police, concern about the welfare of Aboriginal people by the English Government led to the introduction of an Aboriginal protectorate scheme in 1839. The scheme was to provide Aboriginal people with food and shelter and to record information about their numbers and distribution. This scheme was not a success and was abandoned within ten years. Following the findings of the 1858 Parliamentary Select Committee in Victoria, a Central Board for the Protection of Aborigines was founded in 1860. From 1869 this was known as the 'Board for the Protection of Aborigines'. In 1869 the *Aborigines Act* was enacted giving the Board great authority over the everyday lives of the Aboriginal people of Victoria.

Protectorates, reserves, and missions were established to provide bases for displaced Aboriginal communities. In 1861, Reverend John Bulmer established the Aboriginal Reserve at Buchan. However, this was unsuccessful and was moved to Lake Tyers at the end of the year. Rev Hagenauer established Ramahyuck Mission in February 1862 and in March 1863 Lake Tyers Mission was gazetted (Barraclough & Squires 1992:17-18). In 1862, about 50 Aboriginal people visited the Lake Tyers station and by 1877 the population was recorded as 68 people. There was considerable movement between cattle stations and the mission and evidence that a considerable number of people stayed away from the mission with some living in the bush. Under the 1869 Aborigines Protection Act all people of Aboriginal descent were considered to be entitled to rations and board

on the reserves and stations. However, following the 1886 Aborigines Protection Law Amendment Bill, the 'Half -caste Act' removed all people under 35 years of mixed race from the reserves and stations with assistance to be phased out over seven years. This resulted in the separation of many family members (Wilkinson 1996:17, 18). Eventually the Gunaikurnai in the region were forced to move onto Ramahyuck Mission or to Lake Tyers. When Ramahyuck mission closed in 1907 the remaining residents were sent to Lake Tyers. Gunaikurnai people continue to live in the region and at Lake Tyers today, with the granting of land under the *Aboriginal Lands Act* 1970 giving the station residents formal ownership (Pepper & de Araugo 1985:221-229, 262).

4.7. Climate

Victoria has been shaped by climatic and geological changes since the beginning of the Holocene epoch 10,000 years ago. During this period, the sea rose to its present level and climatic conditions were milder and wetter until the mid-Holocene when conditions became slightly cooler and drier, similar to current climatic conditions (Kershaw 1995:669). At the end of the Pleistocene and the beginning of the early Holocene some areas would have been less attractive for occupation while others would have provided better food resources (Flood 2001:219). The rising sea levels during the early to mid-Holocene (10,000 – 5,500 years ago), when sea levels were approximately 2m higher than today, would have influenced occupation patterns. In areas of rising sea levels, occupation was likely to have been pushed inland. Sea level changes have dramatically impacted the coast of Victoria; past changes in temperature and precipitation have impacted the coastal hinterland influencing its resources and attractiveness for human settlement (Freslov 1996:7).

4.8. Landforms & Geomorphology of the Geographic Region

The geographical region is characterised by the following geomorphological units:

- 1.3.1 'Low relief landscapes at low elevation' (Cann River south, Silvan, Templestowe)
- 7.2.1 'Floodplains and morasses' (Powlett, Tarwin, Moe, Latrobe, Thomson, Avon, Mitchell, Jack and Tarra Rivers, Dowd's Morass)
- 8.4 'Coastal barriers' (Ninety Mile Beach)

The activity area is characterised by the geomorphological unit 7.2.1 'Floodplains and morasses' (Figure 8). Current floodplains are comprised of recent alluvial deposits, (VRO website accessed 6 October 2024). The activity area will therefore contain deposits of alluvial material with locally available raw material, such as guartz, utilised in stone tool manufacture.

The activity area geology is characterised predominantly coastal dune deposits (Qdl1) which comprise sand, silt, and clay that is well sorted, but poorly consolidated, along with alluvium (Qa1) which comprise gravel, sand, and silt that is generally unconsolidated and variably sorted, including deposits of low terraces and alluvial floodplain deposits (Figure 9).

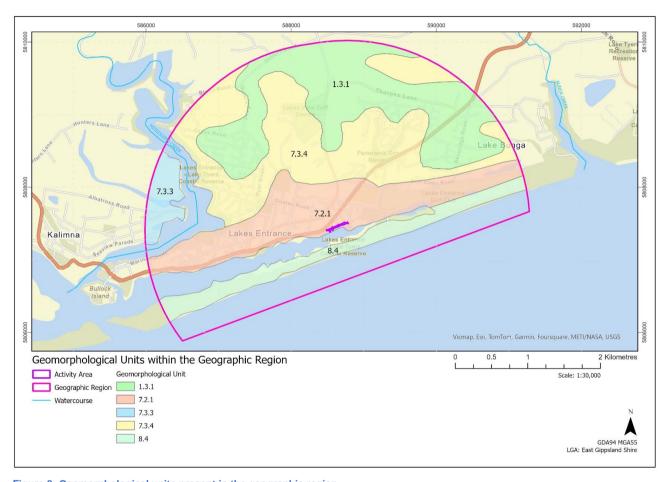


Figure 8: Geomorphological units present in the geographic region

Page | 34

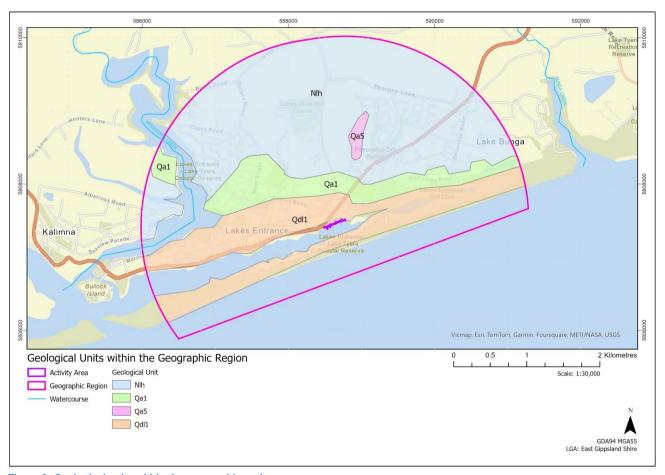


Figure 9: Geological units within the geographic region

Page | 35

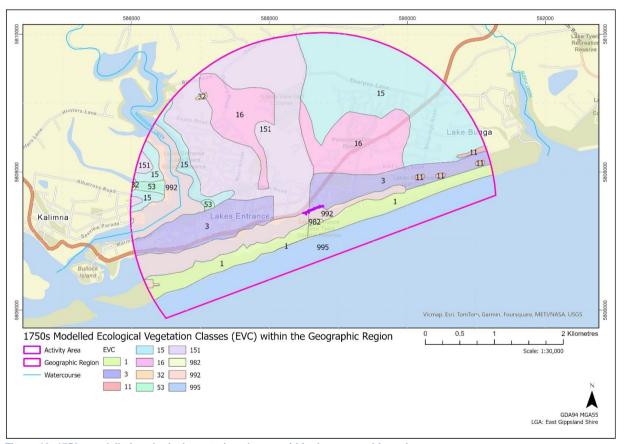


Figure 10: 1750s modelled ecological vegetation classes within the geographic region

4.9. Flora and Fauna in the Geographic Region

Prior to European contact the geographic region would have been characterised by Damp Sands Herb Rich Woodland (EVC 3) (DEECA (EVC Benchmarks) website accessed 6 October 2024) (Figure 10). The plant resources of the region would have been utilised by Aboriginal people for food, medicines and as raw material for tool manufacture (Zola & Gott 1992:1-19).

Besides littoral sources of ocean fish and shellfish available from Lake King and the nearby Ninety Mile Beach, Mississippi Creek would have provided Aboriginal people with food resources in the form of fresh water fish and birds such as cormorants, black swans and ducks (Cronin 2008:33-40). The Eastern Grey Kangaroo, Black Wallaby, Common Wombat, Echidna, Brush-tailed and Ring-tailed Possums would have been some of the larger faunal resources utilised by Aboriginal people in the region (Menkhorst & Knight 2004:44, 86, 118, 126). Other resources include the Red-bellied Black Snake and Eastern Tiger Snake, the Eastern Blue-tongued Lizard as well as other small reptiles common in waterway environments (Cronin 2008:83, 86)

4.10. Hydrology

The lakeshore and Lake King make up a considerable part of the southern section of the activity area and would have provided Aboriginal people with food resources in the form of fish, shellfish and birds (Cronin 2008:33-40). This estuarine environment is prone to changes in water level regularly. Alluvial processes may result in the redeposition or movement of any Aboriginal cultural heritage material which is present on the lakeshore or close to rivers including sections of the activity area.

4.11. Land Use History

European settlement near Lakes Entrance commenced in the 1840s following several expeditions into the region to seek new grazing land for cattle. In late 1838, Andrew Hutton reached Lakes Entrance from the upper reaches of the Genoa River with a party of stock. After a week at Lakes Entrance, he abandoned the cattle due to attacks from local Aboriginal groups (Barraclough & Squires 1992:6). Angus McMillian, exploring the region in January 1840, named the Mitchell River after the Surveyor-General Sir Thomas Mitchell. McMillian camped on the site of modern-day Bairnsdale (Porter 1977:59). Settlement in the Gippsland region was slow due to the challenges traversing the difficult terrain and thick vegetation. During the early 1840s a settlement was established at Port Albert, located at the mouth of the Tarra River, enabling ships to anchor close to shore and settlers to reach previously inaccessible areas (Daley 1960:15-23). By 1842 it was reported that 35,000 sheep, 7,000 cattle, 100 horses, 177 men, 26 women and 17 children were residing in the Gippsland Region. Within two years 40 pastoral runs and 447 people were listed in the region by the Government surveyor, Charles Tyers (Barraclough & Squires 1992:10-11).

The earliest European holiday-goers at Lakes Entrance were John Campbell, a pastoralist, and his family who camped there for a summer during the late 1850s. The locality came to be known as Campbell Town and over the next decade holiday houses began to be constructed (Victorian Places,

Lakes Entrance, accessed 6 October 2024). Once the entrance to the lake was successfully navigated in 1859, ships began regularly entering the lakes. By the 1860s, Lakes Entrance had become an important port for exports, being closer to the gold mining activities in Omeo than Port Albert. From 1864, shipping to the lakes increased and the Lakes Navigation Company was formed. The shipping trade grew quickly, and on some days, there would be as many as seven vessels crossing the bar in one day (Loney 1971:48).

Siltation of the entrance compounded the need for a reliable and deeper entrance to the lakes and a new permanent entrance approximately three miles west of the natural entrance was surveyed and construction commenced in 1869-1870 (Figure 13). This led to beginnings of a township, then called Cunninghame, on the hummocks at the entrance and on the northern shore of the lake opposite. Township allotments were laid out, a road was cut directly to Bairnsdale, steam vessel traffic increased on the lake and a busy port developed. With the shipping trade a busy fish trade began, so that by the late 1880s fishing on the lakes was centred on Lakes Entrance, although commercial fishermen from the area also visited Mallacoota Inlet seasonally. By 1876 there were more than 100 boats at Lakes Entrance, including trawlers, scallop dredges and abalone boats (Lee & Ellis 2002:12-14) (Figure 12 shows a steam engine vessel). A permanent entrance to the Gippsland Lakes was completed in 1889.

By 1890, several hotels and a number of stores and businesses had been established in the township. Early hotels included the Fern Bank, the Central (1882) and the Club (1884). A school was opened in 1885 and the growing population required the construction of Methodist, Anglican and Catholic churches. In 1890 the population was recorded as 375, and by 1911 this figure had almost doubled (Victorian Places website accessed on 6 October 2024). The Lakes and Ninety Mile Beach area became a tourist attraction from the end of the nineteenth century with the introduction of accessible roads and paddle steamers connecting with railways at Sale and Bairnsdale (Figure 14).

Following a slump in tourism during the Second World War, the 1950s saw a boom in tourism at Lakes Entrance. Motels and caravan and camping parks replaced the guesthouses that had previously been inhabited by visitors arriving by steamboat. Similarly, more jetties had to be constructed to make room for the increasing numbers of private boats. Holiday houses were constructed in greater numbers and Lakes Entrance also became a popular retirement destination. During holiday periods the population is inflated by as many as 45,000. Lakes Entrance remains one of the largest towns in the area. Aside from tourism, Lakes Entrance industry has heavily relied upon fishing, both historically and in the present. Between 2007 and 2008 approximately 4 million tonnes of fish were caught at Lakes Entrance. In addition, oil comprised a component of the Lakes Entrance economy. Boring began as early as the 1920s and offshore drilling was still highly successful in the 1960s (Victorian Places, Gippsland Lakes, accessed 6 October 2024).

Aboriginal cultural heritage material, if present, within the activity area will be significantly impacted by the clearing of vegetation and ground disturbance associated with past and recent land use

activities (vegetation clearing, livestock grazing, construction of residential buildings, roads, driveway and fencing, as well as subsurface services such as water, drainage, gas, power, etc.).

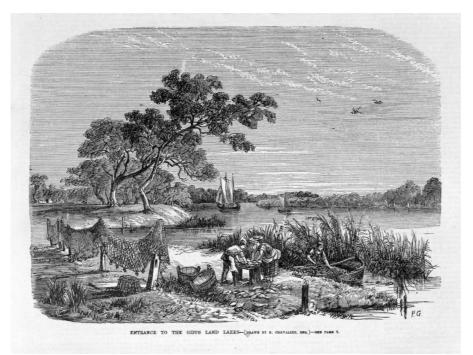


Figure 11: Engraving of the entrance to the Gippsland Lakes by Frederick Grosse in 1864 (State Library of Victoria online collection)



Figure 12: A watercolour painting of the entrance to Reeves River (Cunninghame Arm) by Daniel Rutter Long (1856-1183) (State Library of Victoria online collection)

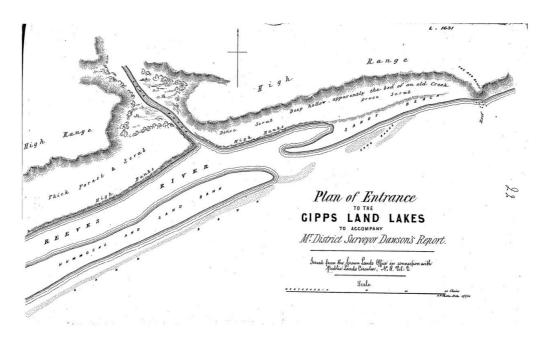


Figure 13: Map showing a plan of the entrance to the Gippsland Lakes by Surveyor Dawson in 1863 (State Library of Victoria online collection)

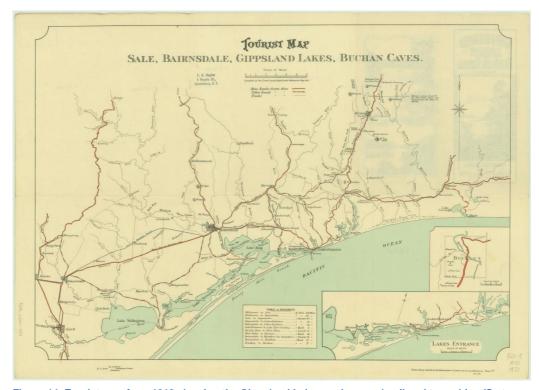


Figure 14: Tourist map from 1919 showing the Gippsland Lakes region, road, rail and townships (State Library of Victoria website)



Figure 15: A watercolour painting of two Aboriginal people in a mia mia opposite Laughton's Hotel at Lakes Entrance by Daniel Rutter Long (1856-1883) (State Library of Victoria online collection)



Figure 16: Lake Entrance c.1930 (State Library of Victoria online collection)

4.12. Desktop Assessment Conclusions

The Desktop Assessment determined that no previous archaeological investigation or assessment has been undertaken for the activity area. No Aboriginal places are registered in, or within 200m of, the activity area. A review of registered Aboriginal places in the geographic region shows that artefact scatters are the most common place type, comprising 68% of all places with LDADs representing 16% of place types. There are also single examples of an Aboriginal Historical Place, earth feature and object collection registered in the geographic region. Previous archaeological assessments undertaken in the geographic region have determined that Aboriginal places are likely to be identified on elevated landforms that are situated in close proximity to permanent sources of potable water such as wetlands, lakes and swamps. Drainage lines and the edges of swamps and lakes are considered to be extremely sensitive. Sandy sediments have the potential to contain burials. Assemblages are dominated by quartz and silcrete, with hornfels, rhyolite, chert, quartzite, greenstone, basalt, and other volcanic rock also present to a lesser extent. Freslov (1996:19,23) points out that the construction of jetties, seawalls, groynes and piers may have destroyed, destabilised or buried Aboriginal cultural heritage located along the coastline. In addition, coastal constructions in the vicinity of the activity area may have indirectly affected adjacent areas of coastline leading to beach drift or destruction.

The activity area is located on the lake shore within the vicinity of a developed suburban area with existing paths, concrete retaining walls, jetties, groynes, fencing, above ground and underground utilities (drainage, telecommunications) dissecting and occurring within the activity area. Aboriginal cultural heritage material, if present, within the activity area will be significantly impacted by the clearing of vegetation and ground disturbance associated with past and recent land use activities.

The Desktop Assessment has determined that it is unlikely that Aboriginal cultural heritage material will be present in the activity area due to its low lying aspect and its location on the lake shore. However, the presence of Aboriginal cultural heritage material cannot be ruled out as Aboriginal people are known to have utilised the lake shore for resource procurement. If Aboriginal cultural heritage material is present, it is likely to comprise diffuse low density artefact distributions in a disturbed context.

In order to meet the requirements of r.62 the CHMP was progressed to a Standard Assessment to examine any ground surface exposures, if present, for Aboriginal cultural heritage material and to determine the archaeological sensitivity of the activity area.

5. Standard Assessment

5.1. Introduction & Aims

A Standard Assessment was carried out to determine the archaeological sensitivity of the landforms within the activity area and to examine any surface exposures, if present, for evidence of Aboriginal cultural material. The Standard Assessment was undertaken on 16 October 2023 and was supervised by Anthony Gowans (Heritage Advisor, Opero Consulting), with assistance from Dillon Siely (GKLaWAC Representative) and Shadow Alderhoven (Archaeological Assistant, Opero Consulting).

5.2. Standard Assessment Methodology

The Standard Assessment was undertaken in accordance with best practice methods (as outlined in Burke & Smith 2004) and, in brief, involved a pedestrian survey of the activity area where obstacles allowed to examine any exposures for Aboriginal cultural heritage. The survey was undertaken opportunistically to examine ground surface exposures for evidence of Aboriginal cultural heritage material. Photographs were taken of the activity area using a range pole (range pole is in 200mm increments). Notes regarding features, visibility and landform were recorded.

5.3. Standard Assessment Results

No Aboriginal cultural heritage was identified during the Standard Assessment. Ground surface visibility varied across the activity area; areas of sandy shoreline had high ground surface visibility (80-100%), (Plates 1-5). Areas further back from the lakeshore were covered in native and planted vegetation which inhibited ground surface visibility in these areas (<5%), (Plates 6-9, 20 and 21). Evidence of significant ground disturbance was observed at Middle Street, Jetty Road and Short Street. Visibility at these locations was inhibited by thick grass coverage present at the ends of each of the roads/streets and the nature strips present in the activity area (<1%), (13 – 16). Further ground disturbance associated with the roads, sewage and stormwater drainage, power and Telstra infrastructure and retaining wall and groyne construction was observed across the entire activity area (Plates 6-19). Effective survey coverage is estimated to be 33% due to a lack of ground surface visibility across the activity area with the exception of the lakeshore. No culturally modified trees, rock shelters or caves are present in the activity area.

The Standard Assessment identified evidence that the activity area has been subject to significant ground disturbance by the construction of the existing dwellings adjacent to the activity area, as well as the associated services mentioned above. The construction of the retaining wall and jetties along the lakeshore also would have contributed to this ground disturbance. The westernmost section of the activity area has been introduced and completely built up with a retaining wall, concrete path and planted vegetation and grass (Plates 17 - 19). In the westernmost area only a small area of lakeshore was visible and the rest of the activity area at this location was imported. The least disturbed area was the very easternmost section of the activity area further back from the lakeshore. This area was

surveyed, however native vegetation and grass inhibited ground surface visibility in parts (Plates 20 and 21).

A Complex Assessment is considered to not be warranted due to the level of significant ground disturbance evident across the activity area. It is considered improbable that any *in situ* Aboriginal cultural heritage material is present in the activity area due to previous ground disturbance and its context. Due to the low-lying nature of the landform on the lakeshore that comprises the activity area this area would not have been attractive location for occupation in the past. The existing conditions in the activity area are shown in Plates 1-21. The survey results are provided in Table 8 and Figure 17.

Areas of Archaeological Sensitivity in the Activity Area

No areas of potential archaeological sensitivity were identified in the activity area during the survey.

Obstacles

The only obstacle encountered during the survey was limited ground surface visibility across approximately 63% of the activity area, where visibility was hindered by thick grass coverage and the presence of existing roads, footpaths and vegetation.

Table 8: Survey coverage and ground surface visibility in the activity area

Survey Area	Ground Surface Visibility	Size (m²)	Percentage (%)
Foreshore, Shoreface and Jetties	0%	2406.66	44.48
Sandy Beach	80-100%	2220.67	41.05
Grass and Vegetation	<5%	664.79	12.29
Concrete Footpath	0%	16.80	0.31
Grassed Area	<1%	17.65	0.33
Disturbed Track and Road Base	<1%	41.05	0.76
Total	N/A	5410.11	100



Plate 1: High ground surface visibility along the lakeshore landform present in the activity area (view west)



Plate 2: High ground surface visibility along the lakeshore landform present in the activity area (view southeast)



Plate 3: High ground surface visibility along the lakeshore landform present in the activity area (view southeast)



Plate 4: High ground surface visibility along the lakeshore landform present in the activity area (view west)



Plate 5: High ground surface visibility along the lakeshore landform present in the activity area (view west)



Plate 6: Vegetation and retaining wall present in the activity area (view west)



Plate 7: Vegetation and retaining wall present in the activity area (view northwest)



Plate 8: Ground surface visibility along the lakeshore in the activity area (view west)



Plate 9: Vegetation present in the activity area (view north)



Plate 10: Retaining wall present in the activity area (view north)



Plate 11: Jetty and stormwater drainage infrastructure present in the activity area (view southwest)



Plate 12: Stormwater drainage infrastructure present in the activity area (view southwest)



Plate 13: Middle Street section of the activity area (view southwest)

Page | 48



Plate 14: Middle Street section of the activity area (view north)



Plate 15: Jetty Road section of the activity area (view southwest)



Plate 16: Short Street section of the activity area (view northwest)

Page | 49



Plate 17: Signage and path present in westernmost section of the activity area (view east)



Plate 18: Low ground surface visibility in westernmost section of the activity area (view southwest)



Plate 19: Low ground surface visibility in westernmost section of the activity area (view southwest)



Plate 20: Easternmost section of the activity area (view north)



Plate 21: Ground surface visibility in the easternmost section of the activity area (view northeast)

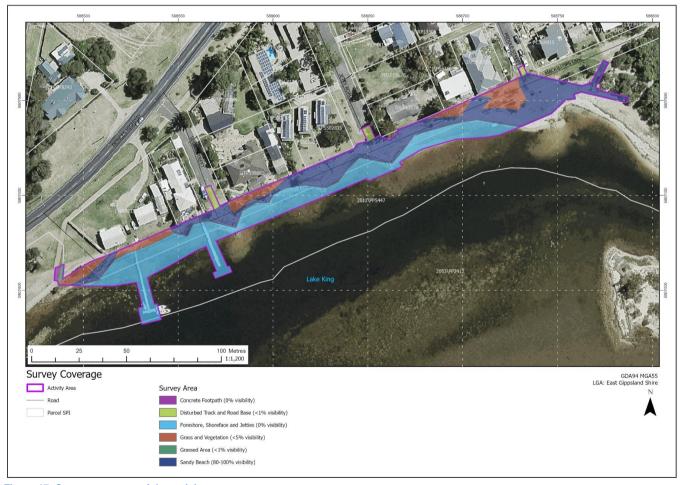


Figure 17: Survey coverage of the activity area

Page | 52

5.4. Standard Assessment Conclusions

The Desktop Assessment determined that it is unlikely that Aboriginal cultural heritage material will be present in the activity area due to its low lying aspect and its location on the lake shore. The Standard Assessment did not identify any Aboriginal cultural heritage or areas of potential archaeological sensitivity in the activity area. Though the survey was hindered by limited ground surface visibility across approximately 63% of the activity area, it is still considered unlikely that *in situ* Aboriginal cultural heritage is present because the activity area has been subject to significant ground disturbance associated with the construction of Middle Street, Jetty Road and Short Street, surface and subsurface services including (stormwater drainage, power and telecommunications infrastructure), the building up of the western part of the activity area and jetty, groyne and retaining wall construction. In addition, the low-lying lakeshore that the activity area is situated on would have been an unattractive option for occupation by Aboriginal people in the past.

A Complex Assessment was determined to not be warranted as the entire activity area has been subject to significant ground disturbance associated with the construction of Middle Street, Jetty Road and Short Street, surface and subsurface services including (stormwater drainage, power and Telstra infrastructure), the building up of the western part of the activity area and jetty and retaining wall construction. Due to the level of significant ground disturbance the areas of mapped cultural heritage sensitivity in the activity area are no longer considered to be areas of cultural heritage sensitivity under r.5 of the Regulations.

6. Consideration of Section 61 Matters - Impact Assessment

6.1. Introduction

Under Section 61 of the *Aboriginal Heritage Act* 2006 CHMPs are required to address matters relating to the management of Aboriginal cultural heritage if present within the activity area before, during and after the activity.

In particular it refers to the ways in which Aboriginal cultural heritage should be managed including:

- (a) whether the activity will be conducted in a way that avoids harm to Aboriginal cultural heritage;
- (b) if it does not appear to be possible to conduct the activity in a way that avoids harm to Aboriginal cultural heritage, whether the activity will be conducted in a way that minimises harm to Aboriginal cultural heritage;
- (c) any specific measures required for the management of Aboriginal cultural heritage likely to be affected by the activity, both during and after the activity;
- (d) any contingency plans required in relation to disputes, delays and other obstacles that may affect the conduct of the activity;
- (e) requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity.

This section addresses Section 61 matters.

6.2. Consideration of Section 61 Matters

No Aboriginal cultural heritage were identified during the CHMP Assessment undertaken for the activity area. Therefore, no specific cultural heritage management conditions relating to Aboriginal cultural heritage within the activity area are required. Specific management measures relating to avoidance and minimisation of harm to Aboriginal cultural heritage (Section 61a, 61b & 61c) therefore do not apply.

6.3. Cumulative Impact of the Proposed Works on the Regional Aboriginal Cultural Heritage

There is no known Aboriginal cultural heritage in the activity area. Therefore, the cumulative impact of the proposed works on the regional Aboriginal cultural heritage cannot be assessed.

6.4. Contingency Plans

Contingency plans required in relation to disputes, delays and other obstacles that may affect the conduct of the activity (Section 61d) are addressed in Part 1, Section 2.

6.5. Custody & Management of Aboriginal Cultural Heritage

Requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity (Section 61e) are addressed in Part 1, Section 2.

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https://victorianplaces.com.au/gippsland-lakes

Victorian Resources Online (accessed 6 October 2024)

https://vro.agriculture.vic.gov.au/dpi/vro//////vrosite.nsf/pages/landform_geomorphological_framework

Appendix 1: Copy of Notice of Intent to Prepare a CHMP



Notice of Intent to prepare a Cultural Heritage Management Plan for the purposes of the *Aboriginal Heritage Act 2006*

This form can be used by the Sponsor of a Cultural Heritage Management Plan to complete the notification provisions pursuant to s.54 of the *Aboriginal Heritage Act 2006* (the "Act").

For clarification on any of the following please contact Victorian Aboriginal Heritage Register (VAHR) enquiries on 1800-726-003.

SECTION 1 - Sp	onsor information	
Sponsor:	East Gippsland Shire Council	
ABN/ACN:	81 957 967 765	
Contact Name:	Mark Tickner	
Postal Address	PO Box 1618, Baimsdale, Vic 3875	j
Business Number:	03 5153 9576	Mobile:
Email Address:	MarkTi@egipps.vic.gov.au	
Sponsor's agen	t (if relevant)	
Company:		
Contact Name:		
Postal Address		
Business Number:		Mobile:
Email Address:		
SECTION 2 - De	scription of proposed activity	y and location
Project Name:	Krauatungalung Walkway, Mackillop	ps Land, Lakes Entrance
Municipal district:	East Gippsland Shire Council	
Clearly identify the p		eritage managment plan is to be prepared (ie. Mining, roa
Other		
SECTION 3 - Cu	Itural Heritage Advisor	
Anita Barker	Anita Barker	anita@aarch.com.au
Name	Company	Email address
SECTION 4 - Ex	pected start and finish date f	for the cultural heritage management plan
Start Date:	21-Sep-2024 Finish	Date: 30-Sep-2025
		Submitted on: 21 Sep 2024

Note – the VAHR were informed on 26 October 2024 that Land in the title should be Lane. The VAHR responded on xxx October 2024 that this was amended on their records.



	Status Government	and Cabinet
SECT	TION 5 - Why are you preparing this cultural heritage management pl	an?
	A cultural heritage management plan is required by the Aboriginal Heritage Regulations 2007 What is the high Impact Activity as it is listed in the regulations?	
V	Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations? Other Reasons (Voluntary) An Environment Effects Statement is required A Cultural Heritage Management Plan is required by the Minister for Aboriginal Affairs. An Impact Management Plan or Comprehensive Impact Statement is required for the activity	
SECT	TION 6 - List the relevant registered Aboriginal parties (if any)	
This	section is to be completed where there are registered Aboriginal parties in relation to the manag GUNAIKURNAI Land and Waters Aboriginal Corporation	ement plan.
Spon	TION 7A - List the relevant Aboriginal groups or Aboriginal people wi sor intends to consult (if any)	
	oction is to be completed only if the proposed activity in the management plan is to be carried out to Registered Aboriginal Party.	ıt in an area where
SECT	TION 7B - Describe the intended consultation process (if any)	
	ection is to be completed only if the proposed activity in the management plan is to be carried out to no Registered Aboriginal Party.	ıt in an area where
	FION 8 — State who will be evaluating this plan (mandatory) an is to be evaluated by:	
	Joint - Registered Aboriginal Party AND The Secretary A Registered Aboriginal Party	
V	If checked, list the relevant Registered Aboriginal Party Evaluating:	
	The Secretary Victorian Aboriginal Heritage Council	
SECT	ION 9 – Preliminary Aboriginal Heritage Tests (PAHTs)	
	Reference Number(s) of any PAHTs conducted in relation to the proposed activity:	
SECT	TION 10 - Notification checklist	
	Submitted on: 21	l Sep 2024

Appendix 2: GKLaWAC Notification to Evaluate the CHMP



23rd September 2024

East Gippsland Shire Council ATTENTION: Mark Tickner P.O. Box Bairnsdale, Victoria, 3875

Dear Mark

RE: Notice of Intent to Prepare a Cultural Heritage Management Plan 20338 Krauatungalung Walk, Mackillops Land, Lakes Entrance

The GunaiKurnai Land and Waters Aboriginal Corporation (GKLaWAC) acknowledge receipt of the Notice of Intent to Prepare a Cultural Heritage Management Plan (NOI) under s. 54 of the *Aboriginal Heritage Act* 2006 for the Project Krauatungalung Walk, Mackillops Land, Lakes Entrance — dated 21st September 2024.

In accordance with s.55 of the Aboriginal Heritage Act 2006 the GKLaWAC give notice of its intention to evaluate the plan.

GKLaWAC intends to consult with the Sponsor and Heritage Advisor in relation to the assessment of the area for the purposes of the plan, the conditions to be included in the plan and to participate in the conduct of the assessment.

We look forward to working with you on the protection and management of our cultural heritage.

Yours sincerely

Russell Mullett Manager Registered Aboriginal Party

Gunaikurnai Land and Waters Aboriginal Corporation (GKLaWAC)

Forestec, 27 Scriveners Road, Kalimna West VIC 3909

T 03 5152 5100 | F 03 5152 1666 | M 0400917723 | E: rapmanager@glawac.com.au | W http://www.gunaikurnai.org

Appendix 3: Glossary

Aboriginal Cultural Heritage: Aboriginal places (artefact scatters, low-density artefact scatters, shell middens, scarred trees, burials, quarry), Aboriginal objects and Aboriginal remains.

Activity Area: Area or areas to be used or developed for an activity.

Angular Fragment: Also referred to as debitage. Detached pieces that are produced/discarded during the reduction process with no diagnostic features.

Artefact: An object produced by human agency.

Assemblage: A group of stone artefacts found in close spatial and/or temporal association.

Australian Small Tool Tradition (ASTT): Refers to microlithic stone tool industries which are believed to have appeared in the mid-Holocene

Blade: An artefact that is twice as long as it is wide.

Backed Artefacts: An artefact with steep retouch thought to have been used to blunt one or more edges of a tool to be hafted.

Bipolar Fake: A stone artefact showing impact on opposing ends with compression rings moving in two directions towards each impact point.

Biopolar Technology: Stone artefact reduction process by resting the objective piece on an anvil and striking it with a hammer.

BP: Before the present era.

Core: Any stone artefact retaining more than two negative flake scars.

Core Tool: A core used for chopping, cutting, or some activity other than as a source of detached pieces.

Cortex: The original surface of a stone prior to flaking. Cortex results from a variety of physical and chemical processes which cause weathering of the rock surface.

Distal End of a Flake: The end of the flake that contains the termination and has no evidence of a platform.

Dorsal Surface of a Flake: The side of the flake or detached piece with evidence of previous flake removals. This surface was originally part of the surface of a core.

Eraillure Scar: A small chip removed from the bulb of force. Also referred to as a bulbar scar.

Formal Tool: Any stone artefact retaining edges with retouch.

Flake: A portion of rock removed from a core by percussion or pressure.

Geometric Microlith: Artefacts with backing on up to three edges and area symmetrical around the transverse axis.

Holocene: The most recent epoch of the Quaternary period, which began 10,000 years ago at the end of the Pleistocene.

In Situ: In its original or existing place or position.

Ka: Thousand years ago.

LGM: Last Glacial Maximum

Microblade: A bladelet or small blade, generally.

Manuport: Any stone object deposited or transported by humans that shows no evidence of use.

Microlith: Very small blades usually geometric in form generally used in composite tools.

OSL Dating: Optically Stimulated Luminescence dating is used to date mineral materials. To carry out OSL dating, mineral grains have to be extracted from the sample and the mineral's last exposure to sunlight is measured.

Platform: Also referred to as Striking Platform. The surface area on an artefact that received the force to detach it from the core.

Pleistocene: The epoch forming the earlier half of the Quaternary Period, beginning about two million years ago and ending 10,000 years ago, characterized by widespread glacial ice and the advent of modern humans.

Retouch: Intentional modification of a stone tool edge by either pressure or percussion flaking.

Quartz: A mineral composed of the elements of silicon and oxygen. Widely used as a raw material for stone tool production in the Pleistocene and Holocene.

Quaternary Period: Relates to the present period of earth history, originating about 2 million years ago and including the Holocene and Pleistocene Epochs.

Radiocarbon Dating: The determination of the age of objects of organic origin by measurement of the radioactivity of their carbon content. Also known as carbon-14 dating.

Shell Midden: A shell deposit, with or without Aboriginal stone artefacts, charcoal and bone.

Silcrete: Sedimentary rock formed through the impregnation of a sedimentary layer with silica. Often used to manufacture Aboriginal stone tools.

Stone Tool: A piece of stone that has been formed by humans for use as a tool or as the bi-product of stone tool manufacturing.

Stratigraphy: The study of stratification – the laying down or depositing of geological strata or layers. These layers are visible in the side of excavations.

Usewear: Modification on an artefact resulting from its use as a tool.

Appendix 4: CHMP Compliance Checklist

COMPLIANCE CHECK LIST							
Item	Date	Compliance (Y/N)	Issue/reason for non- compliance	Action	Person supervising action	Date to be completed by	
Contacts reviewed and current							
All disturbance within defined activity area							
Unexpected finds							
Has unexpected Cultural heritage been found?							
Did all works in the location of the finds cease?							
Did works within 5m of the discovery cease. Was a 5m buffer area around the area enforced?							
Was the site supervisor informed?							
Were the sponsor's delegate, HA and RAP / Traditional Owner informed within 24 hours?							
Did the HA inspect the site within 2 working days?							
Did a RAP / Traditional Owner representative attend the site with the HA?							
Was a management procedure agreed by all parties for the site?							
Has the management procedure been							

Page | 64

COMPLIANCE CHECK LIST						
Item	Date	Compliance (Y/N)	Issue/reason for non- compliance	Action	Person supervising action	Date to be completed by
implemented and followed?						
Comments (can the process be improved)						
Signature:			Date:			

Dispute Resolution Compliance Notification

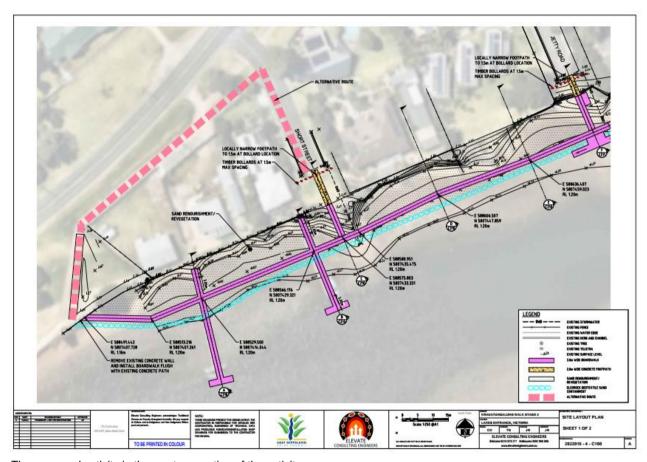
Appendix 5: Archaeological Survey & Excavation Attributes Form

ABORIGINAL CULTURAL HERITAGE PLACE ASSESSMENT: ARCHAEOLOGICAL SURVEY AND EXCAVATION ATTRIBUTES FORM

Author/Consu	ultant	Anita	Barker,	Anna Kent	and Antho	ony Gov	ans			
Cultural Herit	tage Manage	ement	Plan#	203	38					
Cultural Herit	tage Permit	#								
Survey Date				16 Oc	ctober 202	4 Gro	und Sur	face Visibility		<1 - 100%
Actual Surve	y Coverage			~	3599.88 n	² Effe	ctive Su	ırvey Coverage (m²)		1,998.60
Survey Spaci	ina (m)		2	Transect V	Vidth (m)	N/A	Num	ber in Crew		3
Landform	Lakeshore - disturbed	Vege	tation	Native veg and grass	vegetation Disturbance Construction of Middle Street, Jet			ubsurface drainage,		
Survey Meth	nod		Survey	Design		Samp	ole	Surve	у Туре	
X Pedestrian Remote sensing (specify) X Vehicular		∍ Rando ∍ Syste	andom e ystematic e tratified e		∍ Trai ∍ Loc ∍ Hap	X Area X Surface Transect Locality Haphazard Other				
Excavation I	method									
Excavation D	ato		N/A				0/. Aro	a Excavated		0%
Excavation S			N/A	Transect Width (m)		(m)	N/A	Number in Cre	w	U /0
Test Pit/Tren			N/A			,	Depth	(m)		
Excavation I	Method				Excava	tion De	sign	Sample		
Manual Mechanical Auger		Exc (eg Mo	controlle cavation shovel initoring ntrolled cavation	pit)	∍ Oppor ∍ Rando ∍ Syster ∍ Stratif ∍ Other	om matic		∍ Area ∍ Transec ∍ Locality ∍ Haphaz ∍ Other		
Comments				ace testing on the ground d		-	the field	d team, however, the en	tire activi	ty area has

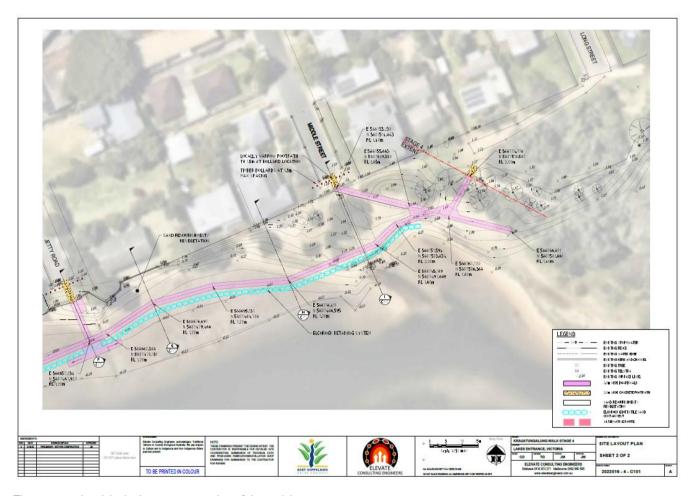
OFFICIAL

Appendix 6: Proposed Plans



The proposed activity in the western section of the activity area

Page | 67



The proposed activity in the eastern section of the activity area

Page | 68



Final Report

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria

Prepared for

Elevate Consulting Engineers

October 2024



Ecology and Heritage Partners Pty Ltd

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Mapping	Petra Sorenson (GIS Officer)
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Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria

2

Ecology and Heritage Partners acknowledge the Traditional Owners of the country we live and work on, and we pay our respect to Elders past and present.



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CONTENTS

S	UMMA	ARY OF CLAUSE 52.17 APPLICATION REQUIREMENTS	5
1	INT	RODUCTION	6
	1.1	Background	6
	1.2	Study Area	6
2	ME	THODS	8
	2.1	Desktop Assessment	8
	2.2	Field Assessment	8
	2.3	Removal, Destruction or Lopping of Native Vegetation (the Guidelines)	9
	2.4	Assessment Qualifications and Limitations	9
3	RES	GULTS	11
	3.1	Vegetation Condition	11
	3.2	Fauna Habitat	15
	3.3	Significance Assessment	15
4	REN	MOVAL, DESTRUCTION OR LOPPING OF NATIVE VEGETATION (THE GU	IIDELINES) 17
	4.1	Avoid and Minimise Statement	17
	4.2	Residual Impacts to Native Vegetation	18
	4.3	Offset Strategy	19
5	LEG	GISLATIVE AND POLICY IMPLICATIONS	20
	5.1	Flora and Fauna Guarantee Act 1988 (Victoria)	20
	5.2	Planning and Environment Act 1987 (Victoria)	20
	5.3	Water Act 1989 (Victoria)	20
6	МІТ	FIGATION MEASURES	21
7	SUI	MMARY OF PLANNING IMPLICATIONS	23
R	EFERE	NCES	24
F	IGURE	S	26
		DIX 1 FLORA	
~		Idix 1.1 Flora Results	
	Appen	MIX T.T. FIOTO NESOTIS	
		Biodiversity Assessment: Krautungalung Walk: Stage 4 Takes Entrance Victoria	3

Attachment 5.2.1.5



www.ehpartners.com.au

Appendix 1.2 Habitat Hectare Assessment	32
Appendix 1.3 Significant Flora Species	33
APPENDIX 2 FAUNA	41
Appendix 2.1 Significant Fauna Species	41
APPENDIX 3 NATIVE VEGETATION REMOVAL (NVR) REPORT	53
APPENDIX 4 AVAILABLE NATIVE VEGETATION CREDITS	55



SUMMARY OF CLAUSE 52.17 APPLICATION REQUIREMENTS

Clause 52.17 Native Vegetation outlines the requirements for a permit to remove, destroy or lop native vegetation, including dead vegetation, under the Victoria Planning Provisions. There are nine application requirements under the Intermediate Assessment Pathway that must be met in order to satisfy this clause (Table S1).

Table S1. Application requirements for a permit to remove native vegetation (Table 6 in DELWP 2017).

No.	Application Requirement	Response
	Application requirements under the Intermediate Assessment Pat	hway
1	Information about the native vegetation to be removed, including: • The assessment pathway and reason for the assessment pathway; • A description of the native vegetation to be removed; • Maps showing the native vegetation and property in context; and • The offset requirement that will apply if the native vegetation is approved to be removed.	Refer to Section 3.1, Section 4.2, Figure 2, Appendix 3 (NVR Report) and Appendix 4
2	Topographic and land information relating to the native vegetation to be removed, showing 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.	Refer to Section 1.2 and Figure
3	Recent dated photographs of the native vegetation to be removed.	Refer to Section 3.1
4	Details of any other native vegetation that was permitted to be removed on the same property with the same ownership as the native vegetation to be removed, where the removal occurred in the five-year period before the application to remove native vegetation is lodged.	0.116 hectares of native vegetation has been removed within the property within the past five years
5	An avoid and minimise statement. The statement describes any efforts to avoid the removal of and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value.	Refer to Section 4.1
6	A copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the <i>Conservation, Forests and Lands Act 1987</i> that applies to the native vegetation to be removed.	Not applicable
7	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 when the creation of defendable space is in conjunction with an application under the Bushfire Management Overlay.	Not applicable as the vegetation clearance is not for defendable space
8	If the application is under Clause 52.16, a statement that explains how the proposal responds to the Native Vegetation Precinct Plan considerations at decision guideline 8.	Not applicable as the application responds to Clause 52.17
9	An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.	Refer to Section 4.3



1 INTRODUCTION

1.1 Background

Ecology and Heritage Partners Pty Ltd was commissioned by Elevate Consulting Engineers to undertake a Biodiversity Assessment for Stage 4 of the proposed Krautungalung Walk: Stage 4, Lakes Entrance within Lakes Entrance, Victoria.

We understand that Elevate Consulting Engineers are proposing to submit a planning permit application on behalf of East Gippsland Shire in order to facilitate future development of an Indigenous-themed, all-abilities accessible walking circuit to complement and link the existing facilities of the foreshore, and to acknowledge and celebrate the rich Indigenous Heritage of Lakes Entrance.

The overall project includes four stages. Stage 1 has an approved permit and construction has commenced. Stages 2 and 3 are still in the early pre-planning phases. This report addresses Stage 4 only, and includes the past native vegetation removal associated with Stage 1. Any future native vegetation removal associated with Stages 2 and 3 will also include removal for Stages 1 and 4 to capture the projects cumulative impacts to biodiversity. Two main objectives form the Stage 4 project, being the <u>development of a raised boardwalk and a sand renourishment program</u>. The sand renourishment program is driven by local erosion concerns, where additional sand will be imported into the study area to supplement the existing sandy foreshore, and will include areas of revegetation with local indigenous flora species to promote sand stabilisation.

The purpose of this assessment was to identify the extent and type of native vegetation present within the study area and to determine the likely presence of significant flora and fauna species and/or ecological communities. This report presents the results of the assessment and discusses the potential ecological and legislative implications associated with the proposed action, primarily in relation to considerations under the *Planning and Environment Act 1999* (i.e. local planning scheme) and the *Flora and Fauna Guarantee Act 1988* (FFG Act).

A separate report detailing impacts on matters listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) which covers Stages 2 – 4 of the project is being prepared to support a referral under the EPBC Act. Therefore, implications under the EPBC Act are not discussed in this report.

1.2 Study Area

The study area for Stage 4 of the proposed Krautungalung Walk: Stage 4, Lakes Entrance is located within Lakes Entrance, Victoria and is approximately 265 kilometres west of Melbourne's CBD (Figure 1). The Stage 4 area is proposed to occur south of the residential properties located between 1/4 Princes Highway and 21 Middle Street, Lakes Entrance, located within the coastal reserve along the rear of these properties. The Stage 4 area covers a distance of approximately 300 meters and connects an existing concrete path at the western end of the study area to a gravel track at the eastern end, with three additional access points proposed at Short Street, Jetty Road and Middle Street.

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria



The study area is currently used for public recreation for access to the beach and as a fishing location, with several private jetties located along with the proposed boardwalk. Much of the study area forms part of Lake King

According to the Victorian Department of Energy, Environment and Climate Action (DEECA) NatureKit Map (DEECA 2024a), the study area is located within the Gippsland Plain bioregion, East Gippsland Catchment Management Authority (CMA) and East Gippsland Shire Council municipality. The study area falls largely within a Wetland of International Importance within the Gippsland Lakes Ramsar site, which is listed in the Directory of Important Wetlands of Australia.



2 METHODS

2.1 Desktop Assessment

Relevant literature, online-resources and databases were reviewed to provide an assessment of flora and fauna values associated with the study area. The following information sources were reviewed:

- The DEECA NatureKit Map (DEECA 2024a) and Native Vegetation Regulation (NVR) Map (DEECA 2024b) for:
 - o Modelled data for location risk, native vegetation patches, scattered trees and habitat for rare or threatened species; and,
 - o The extent of historic and current Ecological Vegetation Classes (EVCs).
- EVC benchmarks (DEECA 2024c) for descriptions of EVCs within the relevant bioregion;
- The Victorian Biodiversity Atlas (VBA) for previously documented flora and fauna records within the project locality (DEECA 2024d);
- The Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW)
 Protected Matters Search Tool (PMST) for matters of National Environmental Significance (NES)
 protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
 (DCCEEW 2024);
- Relevant listings under the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act), including the latest Threatened (DEECA 2024e) and Protected (DEECA 2024f) Lists;
- The online VicPlan Map (Department of Transport and Planning [DTP] 2024) to ascertain current zoning and environmental overlays in the study area;
- Aerial photography of the study area; and,
- Previous ecological assessments relevant to the study area; being;
 - o Krauatungalung Walk Environmental Values Assessment of Potential Alignments, Draft Version 2. Ethos NRM Pty Ltd 2020.
 - Biodiversity Impact Assessment & Offset Requirement: Krauatungalung Boardwalk Phase 1
 Cunninghame Arm. Ethos NRM Pty Ltd 2023.

2.2 Field Assessment

A field assessment was undertaken by a habitat hectare assessor, who is accredited by DEECA in the habitat hectare assessment methodology, on 28 February,1 March 2023 and 16 April 2024 to obtain information on flora and fauna values within the study area.

The study area was walked, with all commonly observed vascular flora and fauna species recorded, significant records mapped, and the overall condition of vegetation and habitats noted. Vegetation within the intertidal zone was mapped at low tide, to assess for the presence of sea-grass and capture the full

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria



extent of flora within the study area. EVCs were determined with reference to DEECA pre-1750 and extant EVC mapping (DEECA 2024a) and their published descriptions (DEECA 2024c).

Where native vegetation was identified a habitat hectare assessment was undertaken following the methodology described in the Vegetation Quality Assessment Manual (Department of Sustainability and Environment [DSE] 2004).

2.3 Removal, Destruction or Lopping of Native Vegetation (the Guidelines)

Under the *Planning and Environment Act 1987,* Clause 52.17 of the East Gippsland Planning Scheme requires a planning permit to remove, destroy or lop any native vegetation, including dead vegetation. The assessment process for the clearing of vegetation follows the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) (DELWP 2017).

2.3.1 Current Wetlands (DEECA)

Wetlands can be difficult to map and assess accurately as they respond quite quickly to changes in environmental condition, especially rainfall. After a period of no or low rainfall they can disappear or appear very degraded. They do, however, recover rapidly after periods of increased rainfall. As a result, under the Guidelines (DELWP 2017) all mapped wetlands (based on 'Current Wetlands' layer in DEECA's NatureKit Map) that are to be impacted must be included as native vegetation, with the modelled condition score assigned to them (DEECA 2024b).

Note that mapped wetlands do not apply if they are covered by a hardened, man-made surface, for example, a roadway. If covered by any vegetation including crops, bare soil, a mapped wetland must be treated as a native patch.

2.4 Assessment Qualifications and Limitations

This report has been written based on the quality and extent of the ecological values and habitat considered to be present or absent at the time of the desktop and/or field assessments being undertaken.

The 'snapshot' nature of a standard biodiversity assessment meant that migratory, transitory or uncommon fauna species may have been absent from typically occupied habitats at the time of the field assessment. In addition, annual or cryptic flora species such as those that persist via underground tubers may also be absent.

A comprehensive list of all terrestrial flora and fauna present within the study area was not undertaken as this was not the objective of the assessment. Rather a list of commonly observed species was recorded to inform the habitat hectare assessment and assist in determining the broader biodiversity values present within the study area.

Ecological values identified within the study area were recorded using a hand-held GPS or tablet with an accuracy of +/-3 metres. This level of accuracy is considered to provide an accurate assessment of the ecological values present within the study area; however, this data should not be used for detailed surveying purposes.

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria



The terrestrial flora and fauna data collected during the field assessment and information obtained from relevant desktop sources is considered to inform an accurate assessment of the ecological values present within the study area.



3 RESULTS

3.1 Vegetation Condition

Several patches of native vegetation were recorded within the study area. The remainder of the study area comprised either bare sand or areas dominated by exotic grass or planted gardens extending from the residential properties bordering the study area northern boundary.

Eighteen (18) flora species were observed within the study area, including 12 indigenous and six non-indigenous species. A list of all flora species recorded during the field assessment are provided in Appendix 1.1. Specific details relating to observed EVCs are provided below.

3.1.1 Patches of Native Vegetation

Native vegetation in the study area is representative of four EVCs: Mangrove Shrubland (EVC 140), Coast Banksia Woodland (EVC 2), Damp Sands Herb-rich Woodland (EVC 3) and Estuarine Flats Grassland (EVC 914). The presence of these EVCs is generally consistent with the modelled extent (2005) native vegetation mapping within the local area (DEECA 2024a).

The results of the habitat hectare assessment are provided in Appendix 1.2.

Mangrove Shrubland

Mangrove Shrubland is described as a shrubland to two meters tall, confined to low energy coastal environments generally on mud flats within the tidal zone (DEECA 2024c).

Several patches of Mangrove Shrubland were mapped within the study area (Figure 2). The patches were all characterised by the presence of Grey Mangrove *Avicennia marina* subsp. *australasica*, with the mapped extent also capturing areas of pneumatophores (aerial roots) (Plate 1; Plate 2). All mapped Grey Mangrove were young plants, less than one metre tall.



Plate 1. Grey Mangrove mapped within the study area (Ecology and Heritage Partners Pty Ltd 16/04/2024).



Plate 2. Several small Grey Mangrove mapped within the study area (Ecology and Heritage Partners Pty Ltd 16/04/2024).

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria

11



Coast Banksia Woodland

Coast Banksia Woodland is characterised by a woodland dominated by Coast Banksia *Banksia integrifolia* (DEECA 2024c). It occupies secondary dune systems near coastal locations, often behind Coastal Dune Scrub (DEECA 2024c).

A stand of Coast Banksia Woodland was observed within the eastern side of study area, with the patch extending further east out of the current study area. Within the Stage 4 area, the EVC was characterised by the presence of Coast Banksia canopy (Plate 3). The understorey was dominated by exotic grasses (Plate 4).



Plate 3. Looking east towards the Coast Banksia Woodland EVC (Ecology and Heritage Partners Pty Ltd 16/04/2024).



Plate 4. Looking west towards the Stage 4 study area from the Coast Banksia Woodland EVC, with understorey dominated by exotic grasses (Ecology and Heritage Partners Pty Ltd 16/04/2024).

Damp Sands Herb-rich Woodland

Damp Sands Herb-rich Woodland is characterised by an open woodland to 15 meters tall, with a diverse shrub layer and understorey of herbs and grasses (DEECA 2024c).

Damp Sands Herb-rich woodland within the study area was present in a modified state, growing in a narrow section located between the concrete pathway and constructed wall along the edge of Lake King. The habitat zone contained two native flora species, Coast Banksia and Common Reed *Phragmites australis* (Plate 5; Plate 6).





Plate 5. A patch of modified Damp Sands Herb-rich Woodland (Ecology and Heritage Partners Pty Ltd 18/04/2024).



Plate 6. Common Reed growing between Coast Banksia in the study area (Ecology and Heritage Partners Pty Ltd 18/04/2024).

Estuarine Flats Grassland

Estuarine Flats Grassland is described as an open grassland to 1.5 meters, with occasional emergent shrubs present on beach berms or sand sheets (DEECA 2024c).

Small patches of modified Estuarine Flats Grassland were recorded in the northern half of the study area, on higher sandy sections. The patches comprised a low diversity of native species, represented by Coast Saltbush *Atriplex cinerea*, Australian Salt-grass *Distichlis distichophylla* and Common Reed (Plate 7; Plate 8).



Plate 7. Modified patches of Estuarine Flats Grassland along the high tide line (Ecology and Heritage Partners Pty Ltd 16/04/2024).



Plate 8. Modified patches of Estuarine Flats Grassland along the high tide line (Ecology and Heritage Partners Pty Ltd 16/04/2024).

3.1.2 Large Trees in Patches

One large Coast Banksia was mapped within the Stage 4 area of the Coast Banksia Woodland EVC (Plate 9; Figure 2).

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria

13





Plate 9. Large Coast Banksia mapped at the eastern end of the study area (Ecology and Heritage Partners Pty Ltd 16/04/2024).

3.1.3 Scattered Trees

No scattered trees were present within the Stage 4 study area.

3.1.4 Introduced and Planted Vegetation

Most of the study area was dominated by native vegetation or sandy beaches and sand flats within the intertidal zone. Small areas of exotic grass had outcompeted native vegetation, such as in areas located between the Coast Banksia Woodland and the Estuarine Flats Grassland habitat zones. Exotic grass species commonly included Kikuyu and Rat-tail Grass *Sporobolus africans* (Plate 10; Plate 11).



Plate 10. Exotic grass in open area between Coast Banksia Woodland and Estuarine Flats Grassland (Ecology and Heritage Partners Pty Ltd 16/04/2024).



Plate 11. Exotic grass in understorey of Coast Banksia Woodland (Ecology and Heritage Partners Pty Ltd 16/04/2024).



3.2 Fauna Habitat

Several different types of fauna habitat were present within the study area, including a large waterbody, low lying coastal vegetation and woodlands.

The primary habitat type within the study area was the waterbody of Lake King. The study area occurs along the intertidal edge of the lake, providing foraging opportunities for a range of waterbirds, such as Black Swan *Cygnus atratus* and Royal Spoonbill *Platalea regia* which were observed within the study area. Additional fauna observed within the surrounding area included Pelican *Pelecanus conspicillatus*, Silver Gull *Chroicocephalus novaehollandiae*, Pied Oystercatcher *Haematopus longirostris*, White-faced Heron *Egretta novaehollandiae*, Australian White Ibis *Threskiornis moluccus* and Little Black Cormorant *Phalacrocorax sulcirostris*.

Reptiles such as skinks and snakes are likely to occur along the verges of the terrestrial vegetation, such as amongst the Coast Banksia Woodland and Estuarine Flats Grassland mapped within the study area, and within the areas of planted gardens.

Woodland birds are likely to occur within the Coast Banksia Woodland vegetation and residential gardens backing on to the study area, such as Red Wattlebird *Anthochaera carunculata*, Crimson Rosella *Platycercus elegans*, Superb Fairy-wren *Malurus cyaneus*, Silvereye *Zosterops lateralis*, Grey Fantail *Rhipidura albiscapa*, Australian Magpie *Gymnorhina tibicen* and Rainbow Lorikeet *Trichoglossus moluccanus*.

3.3 Significance Assessment

3.3.1 Flora

The VBA contains records of two nationally significant (i.e. under the EPBC Act) and 48 State significant (i.e. under the FFG Act) flora species previously recorded within 10 kilometres of the study area (DEECA 2024d) (Figure 3). The PMST nominated an additional 11 nationally significant species which have not been previously recorded but have the potential to occur in the locality (DCCEEW 2024) (Appendix 1.3).

One State significant flora species was mapped within the study area, Grey Mangrove. A total of 151 individuals were mapped, all present as young plants (< one meter tall).

No nationally significant flora species or additional State significant flora species were recorded during the site assessment and based on most of the study area being within the intertidal zone with a sandy substrate, additional significant flora species are unlikely to occur.

3.3.2 Fauna

The VBA contains records of 35 nationally significant (i.e. under the EPBC Act) and 37 State significant (i.e. under the FFG Act) fauna species previously recorded within 10 kilometres of the study area (DEECA 2024d) (Figure 4). The PMST nominated an additional 23 nationally significant species which have not been previously recorded but have the potential to occur in the locality (DCCEEW 2024) (Appendix 2.1).

A variety of nationally and State significant waterbirds have been mapped within proximity to the study area, within Lake King and the adjacent coastal reserve. The surrounding habitat near the study area provides suitable habitat for a range of these species, such as the nationally significant Curlew Sandpiper *Calidris*

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria

15



ferruginea, Eastern Curlew Numenius madagascariensis, Fairy Tern Sternula nereis and Bar-tailed Godwit Limosa lapponica, and State significant Caspian Tern Hydroprogne caspia, Eastern Great Egret Ardea alba modesta, Little Tern Sternula albifrons and Australian Shoveler Anas rhynchotis.

Based on the areas of suitable surrounding habitat and connectivity to the study area, it is likely that the above species would occur within the study area on occasion, primarily for foraging purposes in the exposed flats at low tide, but would not rely upon this habitat given the higher quality areas nearby (i.e. within the coastal reserve).

3.3.3 Ecological Communities

Six nationally listed ecological communities are predicted to occur within 10 kilometres of the study area (DCCEEW 2024):

- Gippsland Red Gum (*Eucalyptus tereticornis* subsp. *mediana*) Grassy Woodland and Associated Native Grassland;
- Littoral Rainforest and Coastal Vine Thickets of Eastern Australia;
- River-flat eucalypt forest on coastal floodplains of southern New South Wales and eastern Victoria;
- Subtropical and Temperate Coastal Saltmarsh;
- Natural Damp Grassland of the Victorian Coastal Plains; and,
- White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland.

The native vegetation mapped within the study area did not contain any of the floristic characteristics that define any of the above ecological communities. The main vegetation present was scattered Grey Mangrove and areas of Coastal Saltbush.

No State significant ecological communities were recorded within the study area.

3.3.4 Ramsar Wetlands

The study area sits largely within the nationally significant Gippsland Lakes Ramsar Wetland, which is recognised as a matter of national significance under the EPBC Act. The Ramsar site covers a total area of 60,015 hectares, extending far beyond the limits of the Stage 4 study area.

Ramsar wetlands are recognised as internationally important wetlands under the Ramsar Convention 1971 and are recognised as matters of NES under the EPBC Act. They are known to support migratory shorebirds, which rely on these intertidal wetlands in Australia as non-breeding stopovers. Migratory shorebirds must build sufficient energy reserves, in order to travel long distances back to breeding grounds often in the northern hemisphere.

Gippsland Lakes was listed as a wetland of international importance under the Convention on Wetlands of International Importance in 1982, with an emphasis on its importance as one of the largest coastal lagoon systems, important habitat for threatened fauna species and waterfowl habitat and important habitat and feeding areas for a range of aquatic species.

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria



4 REMOVAL, DESTRUCTION OR LOPPING OF NATIVE VEGETATION (THE GUIDELINES)

4.1 Avoid and Minimise Statement

The proposed construction of Stage 4 of the Krauatungalung Walk provides a missing link between the end of an existing concrete path to the west and existing gravel path to the east. The project forms part of the broader project where a circuit walk around the eastern end of Cunninghame Arm is proposed for development, with Stage 1 already approved and under construction.

The primary impact for the project will result from the sand nourishment program proposed to prevent erosion along the lake edge through the provision of additional sand and installation of a stabilisation wall using Elcorock geosynthetic containers. The proposed impact area for the sand nourishment includes the footprint of the boardwalk, as the boardwalk is designed to run near the southern edge of the sand nourishment area, restricting the impacts to the same area. A diagram of the proposed sand nourishment area and boardwalk is provided below (Plate 12).

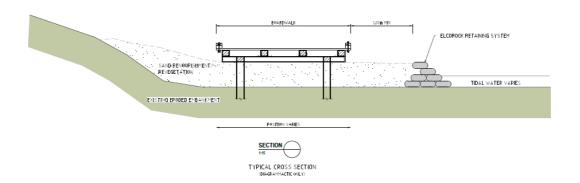


Plate 12. Diagram showing proposed sand nourishment, boardwalk and Elcorock retaining wall (Elevate Consulting Engineers 2024).

The native vegetation mapped within the sand nourishment area was mainly Grey Mangroves. The objective of the sand nourishment program, to increase and stabilise the amount of sand within this area, will result in all Grey Mangroves within this location being impacted. As the height of the current sand level will be raised, it was not feasible to retain individuals of Grey Mangrove.

The impact areas outside of the sand nourishment area includes a portion of Damp Sands Herb-rich Woodland. The section of boardwalk that intersects the Damp Sands Herb-rich Woodland area will impact upon a section of Common Reed, which is located between two mature Coast Banksia trees. Both of the

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria



Coast Banksia are avoided, with the alignment designed to retain these trees (Plate 5 shows the location of these trees).

The eastern section of the boardwalk alignment intercepts a fragment of an Estuarine Flats Grassland patch, where the southern tip of the EVC falls within the alignment (EFG2 on Figure 2). The rest of the patch is located within the sand nourishment area, and whilst may be physically retained on site, the change in surrounding surface levels and associated works in the area may compromise the vegetation, therefore is included as assumed loss.

The alignment proceeds further east towards the area of Coast Banksia Woodland, however no impacts are anticipated at this location, as the boardwalk ends at the existing gravel path, and the understorey of the Coast Banksia Woodland habitat zone at this location was entirely dominated by exotic grass (see Plate 11).

Based on the objectives of the sand nourishment program and the objectives of providing connectivity at the eastern and western ends of the study area through the creation of the new boardwalk, there are no further feasible opportunities to avoid or minimise impacts to native vegetation within the study area without undermining the feasibility of the proposal. Mitigation measures to reduces the overall impacts to biodiversity are provided in Section 6.

4.2 Residual Impacts to Native Vegetation

The below clearing scenario is based on the impacts associated with the sand nourishment and boardwalk construction, based on the development plan provided by the client on 14th October 2024. The sand nourishment area largely coincides with the boardwalk area, so minimal additional impacts will result from the creation of the boardwalk. A summary of the proposed impacts are provided below:

- 0.0105 hectares Damp Sands Herb-rich Woodland
- 0.011 hectares Mangrove Shrubland
- 0.042 hectares Estuarine Flats Grassland

The width of the boardwalk averages two metres, which will be a raise platform above the high tide level, and set back from the edges of residential properties (i.e. the alignment primarily runs through the intertidal area).

No impacts to the modelled current wetland are included in the impact assessment, as the wetland assessment was carried out when the wetland had been inundated for at least one month and native vegetation associated within the wetland could be accurately assessed (assessed at low tide) (DELWP 2021).

4.2.1 Vegetation proposed to be removed

The study area is within Location 2, with 0.18 hectares of native vegetation proposed to be removed, which includes 0.064 hectares of proposed removal and 0.166 hectares of past removal. As such, the permit application falls under the Intermediate assessment pathway (Table 1).

Condition scores for patches of native vegetation proposed to be impacted that are located outside of the Current Wetland area are provided in Appendix 1.2.

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria

18



Table 1. Removal of Native Vegetation (the Guidelines) (DELWP 2017).

Assessment pathway	Intermediate				
Location Category	2				
Total Extent (past and proposed) (ha)	0.18				
Extent of past removal (ha)	0.116				
Extent of proposed removal (ha)	0.064				
Large Trees (scattered and in patches) to be removed (no.)	0				
Small scattered trees to be removed (no.)	0				
	Endangered (Estuarine Flats Grassland)				
EVC Conservation Status of vegetation to be removed	Vulnerable (Coast Banksia Woodland and Damp Sands Herb- rich Woodland)				
	Least Concern (Mangrove Shrubland)				

4.2.2 Offset Targets

The offset requirements for native vegetation removal for the proposed development are 0.035 General Habitat Units.

A summary of the offset requirements associated with the proposed vegetation losses is presented in Table 2 and the Native Vegetation Removal (NVR) report is presented in Appendix 3.

Table 2. Offset Targets.

General Offsets Required	0.035 General Habitat Units
Large Trees	0
Vicinity (catchment/council)	East Gippsland CMA / East Gippsland Shire Council municipality
Minimum Strategic Biodiversity Value*	0.4680

^{*}The minimum Strategic Biodiversity Value is 80% of the weighted average score across habitat zones where a General offset is required.

4.3 Offset Strategy

According to DEECAs Native Vegetation Offset Register (DEECA 2024g), there are nine offset sites within the East Gippsland CMA or East Gippsland Shire Council municipality that can be used to satisfy the General Habitat Unit offset requirements.

An offset register search statement identifying the relevant offsite sites is provided in Appendix 4, which provides evidence that the offset obligation can be secured without any difficulty should a permit be provided for the project.



5 LEGISLATIVE AND POLICY IMPLICATIONS

5.1 Flora and Fauna Guarantee Act 1988 (Victoria)

A total of 151 Grey Mangrove, listed as Threatened under the FFG Act, were mapped within the Stage 4 area, and of these, 80 are proposed to be impacted. A permit under the FFG Act will be required as the study area is located on public land. The proponent should allow up to six weeks to obtain an FFG Act permit through DEECA.

5.2 Planning and Environment Act 1987 (Victoria)

5.2.1 Local Planning Scheme

The study area is located within the East Gippsland Shire Council and zoned Public Conservation and Resource Zone (PCRZ) (DTP 2024). No overlays apply to the study area.

5.2.2 The Guidelines

The State Planning Policy Framework and the decision guidelines at Clause 12.01 Biodiversity and Clause 52.17 Native Vegetation require Planning and Responsible Authorities to have regard for the Guidelines (DELWP 2017).

5.2.3 Implications

The study area is within Location 2, with 0.18 hectares of native vegetation proposed to be removed from the impact area. This includes 0.072 hectares of proposed removal and 0.116 hectares of past removal. As such, the permit application falls under the Intermediate assessment pathway.

The offset requirement for native vegetation removal is 0.035 General Habitat Units.

A planning permit from the East Gippsland Shire Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the local planning scheme. In this instance, the application is required to be referred to DEECA because the study area is located on Crown land managed by the responsible authority.

5.3 Water Act 1989 (Victoria)

A 'works on waterways' permit from the East Gippsland CMA is likely to be required where any action impacts on waterways within the study area. Additionally, where structures are installed within or across waterways that potentially interfere with the passage of fish or the quality of aquatic habitat, these activities should be referred to DEECA with the East Gippsland CMA included for comment.

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria



6 MITIGATION MEASURES

Recommended measures to mitigate impacts upon terrestrial and aquatic values present within the study area include:

- Minimise impacts to native vegetation and habitats through construction and micro-siting techniques, including fencing retained areas of native vegetation during construction. If indeed necessary, trees should be lopped or trimmed rather than removed. Similarly, soil disturbance and sedimentation during works within the intertidal zone should be avoided or kept to a minimum, to avoid, or minimise impacts to fauna habitats;
- All contractors should be aware of ecologically sensitive areas to minimise the likelihood of
 inadvertent disturbance to areas marked for retention. Native vegetation (areas of sensitivity)
 should be included as a mapping overlay on any construction plans;
- Undertake supplementary planting around the area of Estuarine Flats Grassland to minimise the
 impacts to native vegetation at this location. Recommended flora species include Australian Saltgrass, Coast Saltbush, Hairy Spinifex Spinifex sericeus and Knobby Club-sedge Ficinia nodosa;
- Undertake understorey plantings in the area of Coast Banksia Woodland where the understorey was
 dominated by exotic grasses. Recommended species include Seaberry Saltbush Rhagodia
 candolleana, Common Boobialla Myoporum insulare, Coast Beard-heath Leucopogon parviflorus,
 Australian Salt-grass, Knobby Club-sedge, and Coast Saltbush;
- Salvage and translocation of Grey Mangroves located within the impact area into nearby suitable locations;
- Tree Protection Zones (TPZs) must be implemented to prevent indirect losses of native vegetation to be retained during construction activities (Standards Australia 2009). A TPZ applies to a tree and is a specific area above and below the ground, with a radius 12 x the Diameter at Breast Height (DBH). At a minimum standard a TPZ should consider the following:
 - o A TPZ of trees should be a radius no less than two metres or greater than 15 metres;
 - o Construction, related activities and encroachment (i.e. earthworks such as trenching that disturb the root zone) should be excluded from the TPZ;
 - Where encroachment is 10% or more of the total area of the TPZ, the tree should be considered as lost and offset accordingly (unless an arboricultural report specifies otherwise);
 - o Directional drilling may be used for works within the TPZ without being considered encroachment. The directional bore should be at least 600 millimetres deep;
 - The above guidelines may be varied if a qualified arborist confirms the works will not significantly damage the tree (including stags / dead trees). In this case the tree would be retained, and no offset would be required; and,
 - o Where the minimum standard for a TPZ has not been met an offset may be required.

Biodiversity Assessment: Krautungalung Walk: Stage 4, Lakes Entrance, Victoria

21



- Construction stockpiles, machinery, roads, and other infrastructure should be placed away from areas supporting native vegetation and within the intertidal zone of Lake King; and,
- Ensure that best practice sedimentation and pollution control measures are undertaken at all times, in accordance with Environment Protection Authority (EPA) guidelines (EPA 2020a; EPA 2020b; Victorian Stormwater Committee 1999) to prevent offsite impacts to waterways and wetlands.



7 SUMMARY OF PLANNING IMPLICATIONS

Further requirements associated with development of the study area, as well as additional studies or reporting that may be required, are provided in Table 3. Implications under the EPBC Act are addressed in a separate report prepared for Stages 2-4 of the project, which will support an EPBC Act referral.

Table 3. Further requirements associated with development of the study area.

Relevant Legislation	Implications	Further Action
Flora and Fauna Guarantee Act 1988	A total of 151 Grey Mangrove, listed as Threatened under the FFG Act, were mapped within the Stage 4 area, and of these, 80 are proposed to be impacted. A permit under the FFG Act will be required as the study area is located on public land. The proponent should allow up to six weeks to obtain an FFG Act permit through DEECA.	Prepare and submit an FFG Act permit application to DEECA.
Planning and Environment Act 1987	The study area is within Location 2, with 0.18 hectares of native vegetation proposed to be removed. As such, the permit application falls under the Intermediate assessment pathway. The offset requirement for native vegetation removal is 0.035 General Habitat Units. A planning permit from the East Gippsland Shire Council is required to remove, destroy or lop any native vegetation under Clause 52.17 of the Planning Scheme. In this instance, the application is required to be referred to DEECA.	Prepare and submit a Planning Permit application.
Water Act 1989	A 'works on waterways' permit is likely to be required from the East Gippsland CMA where any action impacts on waterways within the study area.	Obtain a 'works on waterways' permit from the East Gippsland CMA.



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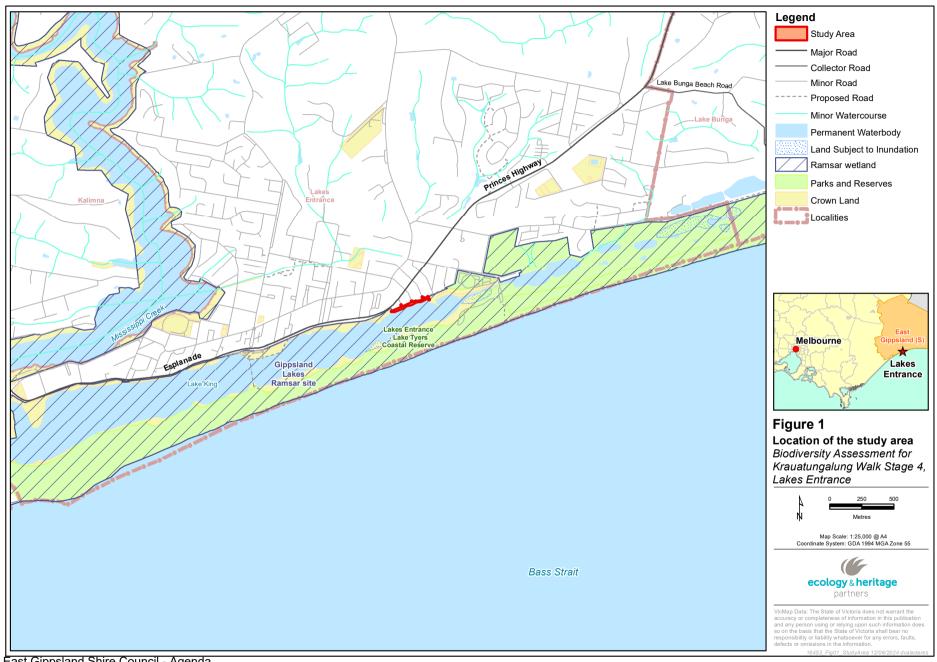
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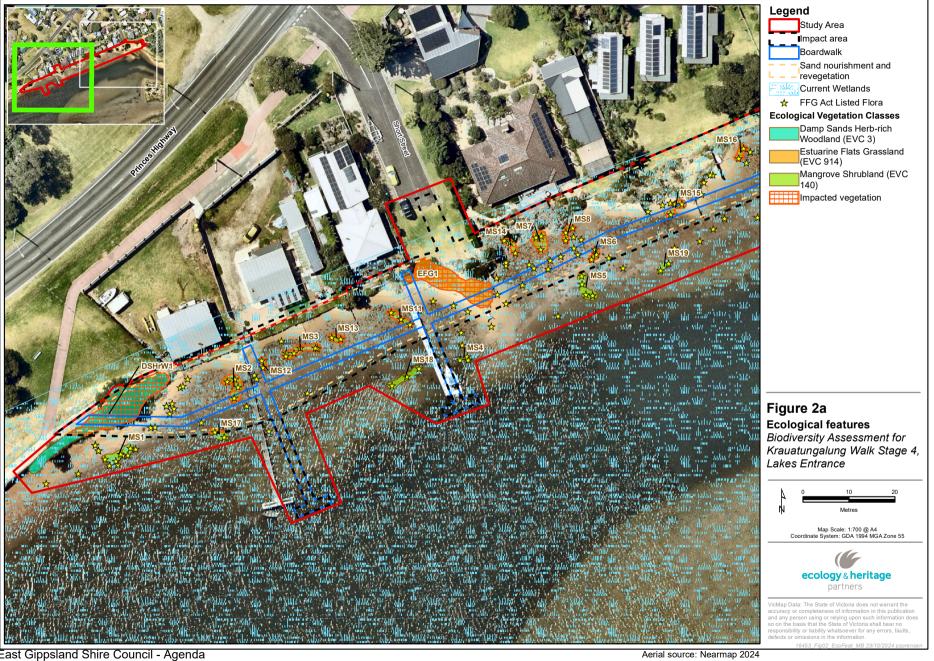
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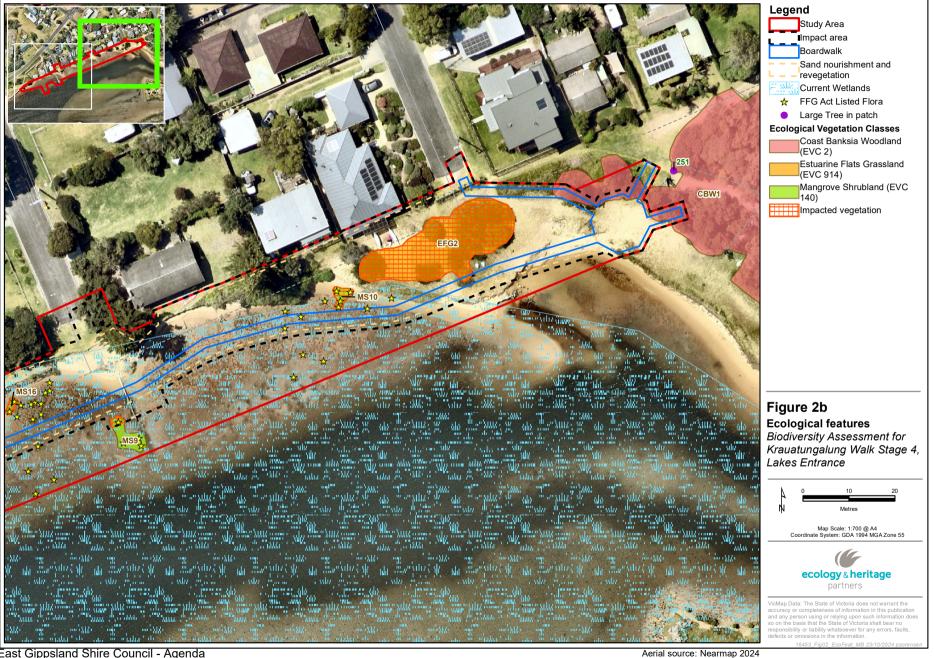


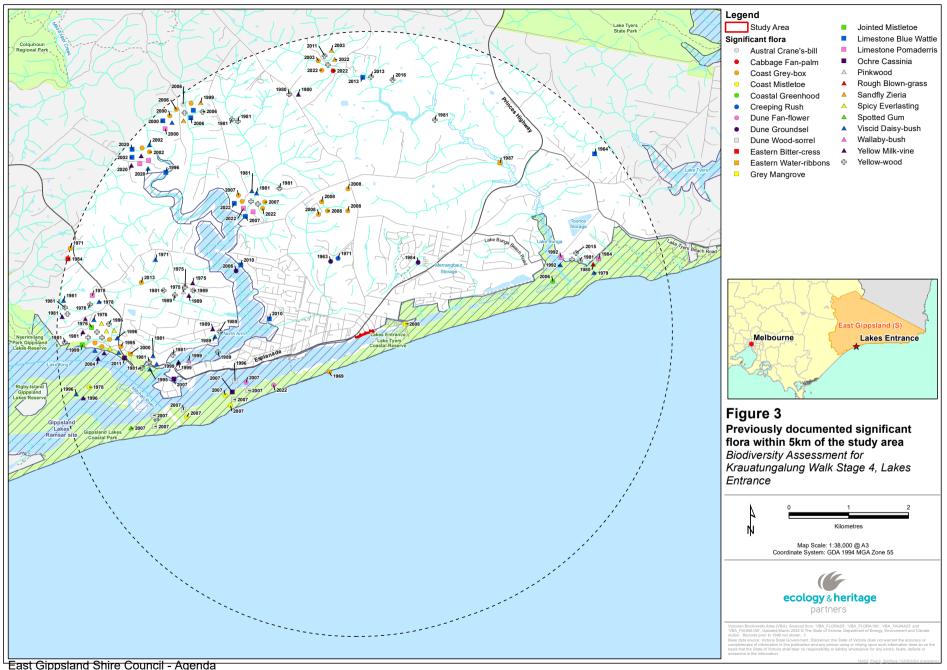
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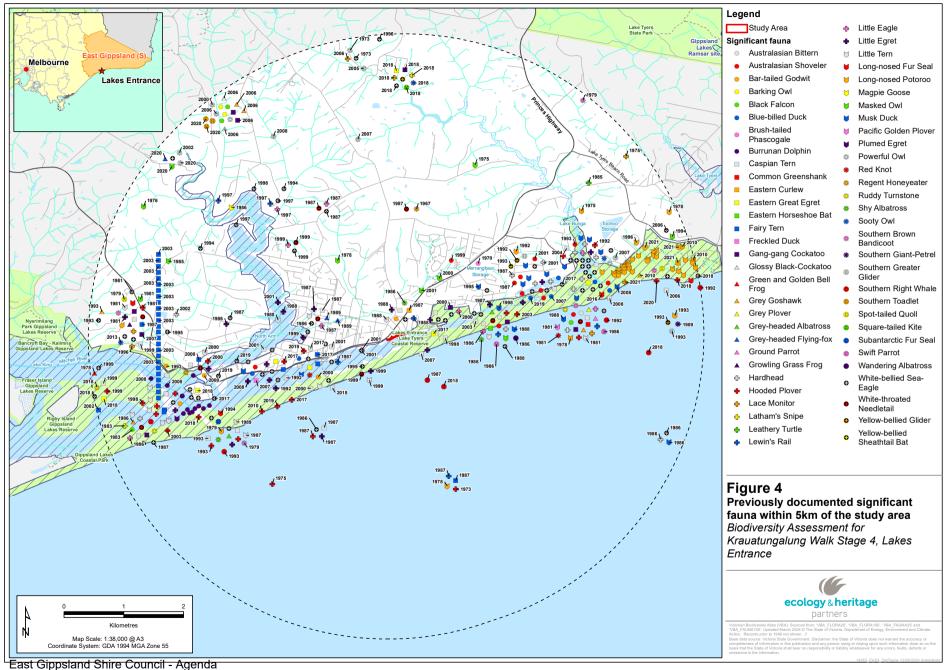














APPENDIX 1 FLORA

Appendix 1.1 Flora Results

Legend:

En Listed as endangered under the FFG Act (DEECA 2024e)

- Naturally growing (i.e. non-planted) indigenous species to the study area
- + Naturally growing indigenous species that also occurs as planted indigenous vegetation to the study area
- ** Planted indigenous species to the study area
- # Planted Victorian (non-indigenous) and Australian species

Table A1.1. Flora within the study area.

Scientific Name	Common Name	Notes
	INDIGENOUS SPECIES	'
Acacia longifolia subsp. sophorae	Coast Wattle	-
Atriplex cinerea	Coast Saltbush	-
Avicennia marina subsp. australasica	Grey Mangrove	En
Banksia integrifolia subsp. integrifolia	Coast Banksia	-
Distichlis distichophylla	Australian Salt-grass	-
Ficinia nodosa	Knobby Club-sedge	-
Leptospermum laevigatum	Coast Tea-tree	-
Leucopogon parviflorus	Coast Beard-heath	-
Phragmites australis	Common Reed	-
Rhagodia candolleana	Seaberry Saltbush	-
Spinifex sericeus	Hairy Spinifex	-
Tetragonia implexicoma	Bower Spinach	-
NON-INDI	GENOUS OR INTRODUCED SPECIES	
Ammophila arenaria	Marram Grass	-
Cynodon dactylon	Couch	-
Pennisetum clandestinum	Kikuyu	-
Hypochaeris radicata	Flatweed	-
Lagurus ovatus	Hare's-tail Grass	-
Sporobolus africanus	Rat-tail Grass	-



Appendix 1.2 Habitat Hectare Assessment

Table A1.2. Habitat Hectare Assessment Table.

Vegetation Zone		EFG1 & EFG2	СВW	MS1-17	DSHrW
Bioregion		Gippsland Plain	Gippsland Plain	Gippsland Plain	Gippsland Plain
EVC		Estuarine Flats Grassland	Coast Banksia Woodland	Mangrove Shrubland	Damp Sands Herb- rich Woodland
EVC Numl	per	914	2	140	3
EVC Conse	ervation Status	Endangered	Vulnerable	Least Concern	Vulnerable
	Large Trees /10	N/A	5	N/A	0
	Tree Canopy Cover /5	N/A	3	N/A	0
	Lack of Weeds /15	10	15	25	5
Site	Understorey /25	9	15	15	15
Conditio n	Recruitment /10	3	10	10	5
/75	Organic Matter /5	3	5	N/A	5
	Logs /5	N/A	2	N/A	0
	Treeless EVC Multiplier	1.36	1.00	1.36	1.00
	Subtotal =	34.00	55.00	68.00	30.00
	Patch Size /10	1	2	1	1
Landsca pe	Neighbourhood /10	2	3	2	2
Context /25	Distance to Core 4 4		4	4	4
. 3	Subtotal =	7	9	7	7
Habitat Po	oints /100	41	64	75	37
Habitat S	core	0.41	0.64	0.75	0.37



Appendix 1.3 Significant Flora Species

Significant flora within 10 kilometres of the study area is provided in the Table A1.3.3 at the end of this section, with Tables A1.3.1 and A1.3.2 below providing the background context for the values in Table 1.3.3.

Table A1.4.1 Conservation status of each species for each Act/policy. The values in this table correspond to Columns 5 to 7 in Table A1.4.3.

EPBC Act	EPBC Act (Environment Protection and Biodiversity Conservation Act 1999):		FFG Act (Flora and Fauna Guarantee Act 1988):			
EX	Extinct	L	Listed as threatened			
CR	Critically endangered	N	Nominated for listing as threatened			
EN	Endangered	D	Delisted as threatened			
VU	Vulnerable	1	Rejected for listing as threatened; taxon invalid			
#	Listed on the Protected Matters Search Tool	Х	Rejected for listing as threatened; taxon ineligible			

Table A1.3.2 Likelihood of occurrence rankings: Habitat characteristics assessment of significant flora species previously recorded within 10 kilometres of the study area, or that may potentially occur within the study area to determine their likelihood of occurrence. The values in this table correspond to Column 8 in Table A1.3.3.

1	Known Occurrence	Recorded within the study area recently (i.e. within ten years).
2	High Likelihood	 Previous records of the species in the local vicinity; and/or, The study area contains areas of high-quality habitat.
3	Moderate Likelihood	 Limited previous records of the species in the local vicinity; and/or The study area contains poor or limited habitat.
4	Low Likelihood	Poor or limited habitat for the species, however other evidence (such as lack of records or environmental factors) indicates there is a very low likelihood of presence.
5	Unlikely	No suitable habitat and/or outside the species range.



Table A1.3.3 Significant flora recorded within 10 kilometres of the study area.

Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
		1	NATIONAL SIGN	IFICANCE		,	
Acacia caerulescens	Limestone Blue Wattle	41	2022	VU	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Amphibromus fluitans #	River Swamp Wallaby-grass	-	-	VU	-	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Astrotricha sp. Wingan Inlet (J.A.Jeanes 2268) #	Wingan Star-hair	-	-	EN	-	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Caladenia tessellata	Thick-lip Spider-orchid	13	2011	VU	-	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Commersonia prostrata #	Dwarf Kerrawang	-	-	EN	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Dianella amoena #	Matted Flax-lily	-	-	EN	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Glycine latrobeana #	Clover Glycine	-	-	VU	vu	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Grevillea celata #	Colquhoun Grevillea	-	-	VU	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Prasophyllum spicatum #	Dense Leek-orchid	-	-	VU	cr	5	Study area primarily within the intertidal zone of



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
							Lake King or sandy beach. No suitable habitat present.
Pterostylis chlorogramma #	Green-striped Greenhood	-	-	VU	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Thelymitra epipactoides #	Metallic Sun-orchid	-	-	EN	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Thesium australe #	Austral Toadflax, Toadflax	-	-	VU	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Xerochrysum palustre #	Swamp Everlasting	-	-	VU	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
			STATE SIGNIFIC	CANCE			
Acronychia oblongifolia	Yellow-wood	48	2022	-	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Asplenium trichomanes subsp. quadrivalens	Common Spleenwort	1	1992	-	en	5	
Avicennia marina subsp. australasica	Grey Mangrove	1	2008	-	en	1	Species mapped within the study area (Figure 2)
Beyeria lanceolata	Pinkwood	3	1975	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Beyeria lasiocarpa	Wallaby-bush	1	1999	-	vu	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
							present.
Billardiera scandens s.s.	Velvet Apple-berry	1	2008	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Botrychium australe	Austral Moonwort	4	1999	-	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Caladenia osmera	Pungent Spider-orchid	1	2011	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Caladenia peisleyi	Heath Spider-orchid	8	2011	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Cardamine microthrix	Eastern Bitter-cress	1	1984	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Cardamine papillata	Forest Bitter-cress	1	1984	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Cardamine tryssa	Dainty Bitter-cress	2	1995	-	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Cassinia nivalis	Ochre Cassinia	5	2011	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Corunastylis nuda	Tiny Midge-orchid	1	1980	-	vu	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.



Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Corybas aconitiflorus	Spurred Helmet-orchid	6	2022	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Corybas fimbriatus	Fringed Helmet-orchid	8	2022	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Corymbia maculata	Spotted Gum	1	2007	-	vu	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Cycnogeton microtuberosum	Eastern Water-ribbons	3	1987	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Dipodium pardalinum	Spotted Hyacinth-orchid	4	2023	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Dipodium variegatum	Blotched Hyacinth-orchid	3	2017	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Echinopogon caespitosus var. caespitosus	Bushy Hedgehog-grass	2	2022	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Eucalyptus bosistoana	Coast Grey-box	51	2022	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Eucalyptus mackintii	Gippsland Stringybark	11	2021	-	vu	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.



Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Eucalyptus polyanthemos subsp. longior	Forest Red-box	2	2020	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Eupomatia laurina	Bolwarra	1	1992	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Geranium solanderi var. solanderi s.s.	Austral Crane's-bill	2	2006	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Juncus revolutus	Creeping Rush	2	1980	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Korthalsella rubra subsp. rubra	Jointed Mistletoe	2	1999	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Lachnagrostis rudis subsp. rudis	Rough Blown-grass	3	1985	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Lawrencia spicata	Salt Lawrencia	5	2007	-	en	3	Suitable habitat present however not observed during site assessment. Vegetation primarily consisted of Grey Mangrove growing within intertidal zone.
Leichhardtia flavescens	Yellow Milk-vine	21	2020	-	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Livistona australis	Cabbage Fan-palm	1	2022	-	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.



Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Lysimachia japonica	Creeping Loosestrife	2	1997	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Muellerina celastroides	Coast Mistletoe	5	2007	-	cr	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Olearia viscosa	Viscid Daisy-bush	36	2020	-	cr	4	Limited areas of suitable habitat present at eastern end of study area, however not observed during site assessment. Vegetation primarily consisted of Grey Mangrove growing within intertidal zone.
Oxalis rubens	Dune Wood-sorrel	6	2007	-	en	4	Limited areas of suitable habitat present in sandy berms however not observed during site assessment. Vegetation primarily consisted of Grey Mangrove growing within intertidal zone.
Ozothamnus argophyllus	Spicy Everlasting	7	1999	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Platysace ericoides	Heath Platysace	16	2011	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Pomaderris aurea	Golden Pomaderris	2	2020	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Pomaderris oraria subsp. calcicola	Limestone Pomaderris	40	2022	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Pterostylis alveata	Coastal Greenhood	4	2006	-	vu	5	Study area primarily within the intertidal zone of



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
							Lake King or sandy beach. No suitable habitat present.
Pterostylis grandiflora	Cobra Greenhood	2	2008	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Pterostylis tunstallii	Granite Greenhood	2	2007	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Scaevola calendulacea	Dune Fan-flower	3	2022	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Senecio spathulatus var. latifructus	Dune Groundsel	6	2006	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Sicyos australis	Star Cucumber	3	2001	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Wurmbea uniflora	One-flower Early Nancy	1	1980	-	vu	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.
Zieria smithii	Sandfly Zieria	7	2022	-	en	5	Study area primarily within the intertidal zone of Lake King or sandy beach. No suitable habitat present.

Data Sources: Victorian Biodiversity Atlas (DEECA 2024d); Protected Matters Search Tool (DCCEEW 2024).



APPENDIX 2 FAUNA

Appendix 2.1 Significant Fauna Species

Significant fauna within 10 kilometres of the study area is provided in the Table A2.1.3 at the end of this section, with Tables A2.1.1 and A2.1.2 below providing the background context for the values in Table 2.1.3.

Table A2.1.1 Conservation status of each species for each Act/policy. The values in this table correspond to Columns 5 to 8 in Table A2.1.3.

EPBC (Environment Protection and Biodiversity Conservation Act 1999):				FFG (Flora and Fauna Guarantee Act 1988):						
EX	Extinct	VU	Vulnerable	ex	Extinct	vu	Vulnerable			
CR	Critically endangered	CD	Conservation Dependent	cr	Critically endangered	cd	Conservation Dependent			
EN	Endangered	#	Listed on the Protected Matter Search Tool	en	Endangered					

Table A2.1.2 Likelihood of occurrence rankings: Habitat characteristics assessment of significant fauna species previously recorded within 10 kilometres of the study area, or that may potentially occur within the study area to determine their likelihood of occurrence. The values in this table correspond to Column 9 in Table A2.1.3.

1	Known Occurrence	Recorded within the project area recently (i.e. within 10 years).
2	High Likelihood	 Likely resident in the study area based on site observations, database records, or expert advice; and/or, Recent records (i.e. within five years) of the species in the local area (DELWP 2018); and/or, The study area contains the species' preferred habitat.
3	Moderate Likelihood	 The species is likely to visit the study area regularly (i.e. at least seasonally); and/or, Previous records of the species in the local area (DELWP 2021); and/or, The study area contains some characteristics of the species' preferred habitat.
4	Low Likelihood	 The species is likely to visit the study area occasionally or opportunistically whilst en route to more suitable sites; and/or, There are only limited or historical records of the species in the local area (i.e. more than 20 years old); and/or, The study area contains few or no characteristics of the species' preferred habitat.



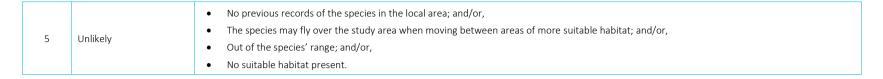


Table A2.1.3. Significant fauna within 10 kilometres of the study area.

Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence			
NATIONAL SIGNIFICANCE										
Anthochaera phrygia	Regent Honeyeater	4	1967	CR	cr	5	No recent records and habitat within the study area primarily within the intertidal zone.			
Arctophoca tropicalis	Subantarctic Fur Seal	1	1997	EN	-	5	No recent past records or preferred habitat present (i.e. coastal rocky platforms)			
Ardenna grisea #	Sooty Shearwater	-	-	VU	-	5	No past records within proximity to the study area. No suitable terrestrial habitat present within the study area.			
Arenaria interpres	Ruddy Turnstone	16	2018	VU	en	3	May forage within the intertidal zone within the study area on occasion.			
Botaurus poiciloptilus	Australasian Bittern	9	1992	EN	cr	5	No recent past records or preferred habitat present (forages in freshwater wetlands).			
Calidris acuminata	Sharp-tailed Sandpiper	51	2005	VU	-	3	May forage within the intertidal zone within the study area on occasion.			
Calidris canutus	Red Knot	7	2017	VU	en	3	May forage within the intertidal zone within the study area on occasion.			



Scientific name	Common name	Total # of documented records	Last documented record	EPBC	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Calidris ferruginea	Curlew Sandpiper	8	2017	CR	cr	3	May forage within the intertidal zone within the study area on occasion.
Calidris tenuirostris	Great Knot	3	2003	VU	cr	3	May forage within the intertidal zone within the study area on occasion.
Callocephalon fimbriatum	Gang-gang Cockatoo	128	2018	EN	en	4	Limited recent records and habitat within the study area primarily within the intertidal zone. Limited foraging habitat within the Coastal Banksia Woodland.
Calyptorhynchus lathami	Glossy Black-Cockatoo	16	2020	VU	vu	4	Limited recent records and habitat within the study area primarily within the intertidal zone. Limited foraging habitat within the Coastal Banksia Woodland.
Carcharodon carcharias #	Great White Shark	-	-	VU	en	5	No suitable habitat within the study area. Marine species occurring in open ocean waters.
Caretta caretta #	Loggerhead Turtle	-	-	EN	-	5	Oceanic species, no preferred habitat within the study area or past records within proximity to the study area.
Charadrius leschenaultii #	Greater Sand Plover	-	-	VU	vu	4	No past records within proximity to the study area. Some preferred foraging habitat present.
Charadrius mongolus	Lesser Sand Plover	2	1999	EN	en	4	Species does not breed in Australia. Suitable foraging habitat present, although no recent records within proximity to the study area.
Chelonia mydas #	Green Turtle	-	-	VU	-	5	No past records within proximity to the



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
							study area and no preferred habitat present.
Climacteris picumnus	Brown Treecreeper	3	2012	VU	-	5	No recent records and habitat within the study area primarily within the intertidal zone.
Dasyornis brachypterus	Eastern Bristlebird	2	1988	EN	cr	5	No recent records and habitat within the study area primarily within the intertidal zone.
Dasyurus maculatus maculatus	Spot-tailed Quoll	7	1999	EN	en	5	No recent records and habitat within the study area primarily within the intertidal zone.
Dermochelys coriacea	Leathery Turtle	2	1985	EN	cr	5	No recent records within proximity to the study area and no preferred habitat present.
Falco hypoleucos #	Grey Falcon	-	-	VU	vu	5	No past records within proximity to the study area and no preferred habitat present.
Fregetta grallaria grallaria #	White-bellied Storm-Petrel (Australasian)	-	-	VU	-	5	No past records within proximity to the study area and no preferred habitat.
Galaxiella pusilla #	Dwarf Galaxias	-	-	EN	en	5	No recent records and habitat within the study area primarily within the intertidal zone.
Galeorhinus galeus #	School Shark	-	-	CD	-	5	No suitable habitat within the study area. Marine species occurring in open ocean waters.
Gallinago hardwickii	Latham's Snipe	10	2018	VU	-	4	Some nearby past records however no preferred habitat within the study area (i.e. freshwater wetlands).



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Grantiella picta	Painted Honeyeater	3	2006	VU	vu	5	No recent records and habitat within the study area primarily within the intertidal zone.
Halobaena caerulea #	Blue Petrel	-	-	VU	-	5	No past records within proximity to the study area.
Heleioporus australiacus #	Giant Burrowing Frog	-	-	VU	cr	5	No recent records and habitat within the study area primarily within the intertidal zone.
Hirundapus caudacutus	White-throated Needletail	101	2018	VU	vu	4	Predominately aerial species, unlikely to rely on habitat within the study area for foraging or breeding
Isoodon obesulus obesulus	Southern Brown Bandicoot	7	2010	EN	en	5	No recent records and habitat within the study area primarily within the intertidal zone of Lake King.
Lathamus discolor	Swift Parrot	8	2008	CR	cr	4	Few past records and limited preferred habitat present within the study area.
Limosa lapponica	Bar-tailed Godwit	77	2008	VU	vu	3	Recent past records within proximity to the study area and some preferred foraging habitat present.
Lissolepis coventryi #	Swamp Skink	-	-	EN	en	4	No past records within proximity to the study area, limited suitable habitat present.
Litoria aurea	Green and Golden Bell Frog	2	1978	VU	-	5	No recent past records within proximity to the study area, and no preferred habitat.
Macronectes giganteus	Southern Giant-Petrel	3	1989	EN	en	5	No past records and primarily marine oceanic species.



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Macronectes halli #	Northern Giant Petrel	-	-	VU	en	5	No past records and primarily marine oceanic species.
Melanodryas cucullata	Hooded Robin	3	1980	EN	vu	4	No recent records and limited terrestrial habitat present within the study area
Neophema chrysostoma	Blue-winged Parrot	4	1999	VU	-	4	No recent records within proximity to the study area and no preferred habitat present.
Numenius madagascariensis #	Eastern Curlew	-	-	CR	cr	4	No past records within proximity to the study area, limited suitable habitat present.
Pachyptila turtur subantarctica #	Fairy Prion (southern)	-	-	VU	-	4	No past records within proximity to the study area, limited suitable habitat present.
Petauroides volans	Southern Greater Glider	33	2020	EN	en	5	No suitable habitat within the study area (primarily coastal/aquatic habitat with no hollow-bearing trees present).
Petaurus australis	Yellow-bellied Glider	91	2022	VU	vu	5	No suitable habitat within the study area (primarily coastal/aquatic habitat with no hollow-bearing trees present).
Pluvialis squatarola	Grey Plover	5	1980	VU	vu	4	Breeds in the northern hemisphere. Limited preferred foraging habitat present.
Potorous tridactylus trisulcatus	Long-nosed Potoroo	96	2021	VU	vu	4	Limited suitable terrestrial habitat. May pass through the eastern section of the study area on occasion however unlikely due to residential nature of the broader surroundings.



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Prototroctes maraena #	Australian Grayling	-	-	VU	en	5	No past records within proximity of the study area or preferred habitat within the study area.
Pseudomys novaehollandiae #	New Holland Mouse	-	-	VU	en	5	No past records within proximity of the study area and no preferred habitat within the study area
Pterodroma leucoptera leucoptera #	Gould's Petrel	-	-	EN	-	5	Pelagic marine species, no preferred habitat within the study area.
Pteropus poliocephalus	Grey-headed Flying-fox	7	2020	VU	vu	5	Limited recent past records within proximity of the study area and
Pycnoptilus floccosus	Pilotbird	4	2008	VU	vu	4	Relatively sedentary bird, limited preferred habitat within the study area.
Rhincodon typus #	Whale Shark	-	-	VU	-	5	No suitable habitat within the study area. Marine species occurring in open ocean waters.
Rostratula australis #	Australian Painted Snipe	-	-	EN	cr	4	No past records within proximity to the study area, limited suitable habitat present.
Seriolella brama #	Blue Warehou	-	-	CD	cd	5	No suitable habitat within the study area. Marine species occurring in open ocean waters.
Stagonopleura guttata	Diamond Firetail	2	2000	VU	vu	4	Limited past records within proximity to the study area and limited preferred habitat.
Sternula nereis	Fairy Tern	381	2019	VU	cr	3	Recent records within proximity to the study area and some preferred habitat present.



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Thinornis cucullatus	Hooded Plover	184	2020	VU	vu	3	Recent records within proximity to the study area and limited preferred habitat present.
Thunnus maccoyii #	Southern Bluefin Tuna	-	-	CD	cd	5	No suitable habitat within the study area. Marine species occurring in open ocean waters.
Tringa nebularia	Common Greenshank	3	1980	EN	en	4	No recent records however some suitable foraging within the intertidal zone of the study area.
Uperoleia martini #	Martin's Toadlet	-	-	EN	cr	5	No records within proximity to the study area and no preferred habitat.
		9	STATE SIGNIFICAN	ICE			
Accipiter novaehollandiae	Grey Goshawk	84	2019	-	en	3	Past records within proximity to the study area however limited preferred habitat present. May fly over on occasion.
Anseranas semipalmata	Magpie Goose	5	1995	-	vu	4	No recent records within proximity to the study area and no preferred habitat present.
Arctophoca forsteri	Long-nosed Fur Seal	4	2016	-	vu	4	Limited recent records within proximity to the study area and no preferred habitat present.
Ardea alba modesta	Eastern Great Egret	29	2019	-	vu	3	Recent past records within proximity to the study area and limited preferred habitat present.
Ardea intermedia plumifera	Plumed Egret	15	2004	-	cr	3	Several past records within proximity to the study area and limited preferred



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
							habitat present.
Aythya australis	Hardhead	71	2019	-	vu	3	Recent past records within proximity to the study area and limited preferred habitat present.
Biziura lobata	Musk Duck	112	2017	-	vu	3	Recent past records within proximity to the study area and limited preferred habitat present.
Egretta garzetta	Little Egret	161	2019	-	en	3	Recent past records within proximity to the study area and limited preferred habitat present.
Falco subniger	Black Falcon	11	2006	-	cr	4	Few recent records in proximity to the study area however limited preferred habitat present.
Haliaeetus leucogaster	White-bellied Sea-Eagle	523	2020	-	en	3	Numerous records within proximity to the study area however limited preferred habitat present. May fly over on occasion.
Hieraaetus morphnoides	Little Eagle	135	2013	-	vu	4	Past records within proximity to the study area however limited preferred habitat present.
Hydroprogne caspia	Caspian Tern	232	2019	-	vu	3	Recent past records within proximity to the study area and some preferred habitat present.
Lewinia pectoralis	Lewin's Rail	17	1997	-	vu	4	No recent records and no preferred habitat present.
Lophoictinia isura	Square-tailed Kite	6	2018	-	vu	4	Few recent records in proximity to the study area however limited preferred habitat present.



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
Miniopterus orianae oceanensis	Eastern Bent-winged Bat	5	2012	-	cr	4	Few recent records in proximity to the study area however limited preferred habitat present.
Ninox connivens	Barking Owl	2	2006	-	cr	4	Limited suitable foraging habitat and no suitable nesting habitat present.
Ninox strenua	Powerful Owl	42	2020	-	vu	4	Some recent past records within proximity to the study area however limited preferred habitat present.
Numenius phaeopus	Whimbrel	2	1999	-	en	4	No recent records within proximity to the study area however some preferred foraging habitat present.
Oxyura australis	Blue-billed Duck	17	2019	-	vu	3	Recent past records within proximity to the study area and limited preferred habitat present.
Pezoporus wallicus	Ground Parrot	4	1981	-	en	5	No recent records within proximity to the study area and no preferred habitat present.
Phascogale tapoatafa	Brush-tailed Phascogale	1	1970	-	vu	5	No recent records within proximity to the study area and no preferred habitat present.
Pluvialis fulva	Pacific Golden Plover	2	1977	-	vu	5	No recent records and limited preferred habitat present.
Pseudophryne semimarmorata	Southern Toadlet	31	2020	-	en	5	No suitable habitat within the study area.
Pyrrholaemus sagittatus	Speckled Warbler	1	1986	-	en	5	No recent records and limited preferred habitat present.
Rhinolophus megaphyllus	Eastern Horseshoe Bat	60	2012	-	en	4	Few recent records in proximity to the



Scientific name	Common name	Total # of documented records	Last documented record	ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence
megaphyllus							study area however limited preferred habitat present.
Saccolaimus flaviventris	Yellow-bellied Sheathtail Bat	1	1993	-	vu	5	No recent records and limited preferred habitat present.
Sminthopsis leucopus	White-footed Dunnart	8	2013	-	vu	4	Few past records in proximity to the study area however limited preferred habitat present.
Spatula rhynchotis	Australasian Shoveler	56	2019	-	vu	3	Recent past records within proximity to the study area and some preferred habitat present.
Sternula albifrons	Little Tern	639	2019	-	cr	2	Numerous recent records in proximity to the study area and suitable foraging habitat present.
Stictonetta naevosa	Freckled Duck	2	2007	-	en	4	Few recent past records within proximity to the study area and limited preferred habitat present.
Synoicus chinensis	King Quail	1	1988	-	en	5	No recent records and no preferred habitat present.
Thylogale billardierii	Rufous-bellied Pademelon	1	1909	-	th	5	No recent records and limited preferred habitat present.
Tringa brevipes	Grey-tailed Tattler	1	1992	-	cr	5	No recent records and limited preferred habitat present.
Tursiops australis	Burrunan Dolphin	23	2016	-	cr	4	Recent past records in proximity to the study area however limited preferred habitat present.
Tyto novaehollandiae	Masked Owl	29	2020	-	cr	4	Some recent past records within proximity to the study area however



Scientific name	Common name	Total # of Last documented records record		ЕРВС	FFG	Likely occurrence in study area	Rationale for likelihood of occurrence	
							limited preferred habitat present.	
Tyto tenebricosa	Sooty Owl	31	2020	-	en	4	Some recent past records within proximity to the study area however limited preferred habitat present.	
Varanus varius	Lace Monitor	23	2021	-	en	4	Limited suitable terrestrial habitat. May pass through the eastern section of the study area on occasion.	

Data Sources: Victorian Biodiversity Atlas (DEECA 2024d); Protected Matters Search Tool (DCCEEW 2024).



APPENDIX 3 NATIVE VEGETATION REMOVAL (NVR) REPORT



Native Vegetation Removal Report

NVRR ID: 319 20241023 4IJ

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines). This report is **not an assessment by DEECA** of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

Report details

Date created: 23/10/2024

Local Government Area: EAST GIPPSLAND SHIRE

Shapefile name:

EHP16453_LakesEntrance_St4_VG20_23102024_Patches.shp

Site assessor name:

Claire Ranyard Ethos NRM

Registered Aboriginal Party: Gunaikurnai

Coordinates: 147.99614, -37.88145

Address:

596 ESPLANADE LAKES ENTRANCE 3909
ESPLANADE LAKES ENTRANCE 3909
594 ESPLANADE LAKES ENTRANCE 3909
240 ESPLANADE LAKES ENTRANCE 3909
288 ESPLANADE LAKES ENTRANCE 3909
6 BULLOCK ISLAND ROAD LAKES ENTRANCE 3909
400 ESPLANADE LAKES ENTRANCE 3909
380 ESPLANADE LAKES ENTRANCE 3909
470 ESPLANADE LAKES ENTRANCE 3909
286 ESPLANADE LAKES ENTRANCE 3909
(4 additional addresses not listed)

Regulator Notes

Removal polygons are located:

- Within a DEECA Mapped Wetland area
- On Crown Land



Summary of native vegetation to be removed

Assessment pathway	Intermedia	Intermediate Assessment Pathway						
Location category	characterise as encompa: wetland or s	egetation extent map indicates that this area is d as supporting native vegetation. Additionally ssing an endangered Ecological Vegetation Clas ensitive coastal area. The removal of less than tation in this area will not require a Species Offs	, it is modelled ss, sensitive 0.5 hectares of					
Total extent including past and proposed removal (ha) Includes endangered EVCs (ha): 0.042	0.18	Extent of past removal (ha) Extent of proposed removal - Patches (ha) Extent of proposed removal - Scattered Trees (ha)	0.116 0.064 0.000					
No. Large Trees proposed to be removed	o	No. Large Patch Trees No. Large Scattered Trees	0					
No. Small Scattered Trees	0							

Offset requirements if approval is granted

Any approval granted will include a condition to secure an offset, before the removal of native vegetation, that meets the following requirements:

General Offset amount ¹	0.035 General Habitat Units
Minimum strategic biodiversity value score ²	0.4680
Large Trees	0
Vicinity	East Gippsland CMA or EAST GIPPSLAND SHIRE LGA

NB: values within tables in this document may not add to the totals shown above due to rounding

The availability of third-party offset credits can be checked using the Native Vegetation Credit Register (NVCR) Search Tool - https://nvcr.delwp.vic.gov.au

 $^{{\}bf 1.}\ {\bf The\ General\ Offset\ amount\ required\ is\ the\ sum\ of\ all\ General\ Habitat\ Units\ in\ Appendix\ {\bf 1.}$

^{2.} Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required.

3. The Species Offset amount(s) required is the sum of all Species Habitat Units in Appendix 1.

Application requirements

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.

Application Requirement 1 - Native vegetation removal information

If the native vegetation removal is mapped correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 1.

Application Requirement 2 - Topographical and land information

This statement describes the topographical and land features in the vicinity of the proposed works, including the location and extent of any ridges, hilltops, wetlands and waterways, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

Application Requirement 3 - Photographs of the native vegetation to be removed

Application Requirement 3 is not addressed in this Native Vegetation Removal Report. <u>All applications must include recent, timestamped photos of each Patch, Large Patch Tree and Scattered Tree which has been mapped in this report.</u>

Application Requirement 4 - Past removal

If past removal has been considered correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 4.

Application Requirement 5 - Avoid and minimise statement

This statement describes what has been done to avoid and minimise impacts on native vegetation and associated biodiversity values.

Application Requirement 6 - Property Vegetation Plan

This requirement only applies if an approved Property Vegetation Plan (PVP) applies to the property Does a PVP apply to the proposal?

Application Requirement 7 - Defendable space statement

Where the removal of native vegetation is to create defendable space, this statement:

• Describes the bushfire threat; and

Page 3

Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in the Guidelines. If you wish to remove the mapped native vegetation you are required to apply for approval from the responsible authority (e.g. local Council). This Native vegetation removal report must be submitted with your application and meets most of the application requirements. The following requirements need to be addressed, as applicable.

Application Requirement 3 - 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, Patch Tree or Scattered Tree, 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.

Application Requirement 6 - Property Vegetation Plan

If a PVP is applicable, it must be provided with the application.

Appendix 1: Description of native vegetation to be removed

General Habitat Units for each zone (Patch, Scattered Tree or Patch Tree) are calculated by the following equation in accordance with the Guidelines

General Habitat Units = extent without overlap x condition score x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The General Offset amount required is the sum of all General Habitat Units per zone.

Native vegetation to be removed

		Info	rmation pr	ovided by or on behalf of the	Information calculated by NVR Map						
Zone	Туре	DBH (cm)	EVC code	Bioregional conservation status	Partial Removal	Condition score	Large Tree(s)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
10-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.000
11-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.000	0.000	0.260	0.000
12-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.321	0.001
13-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.001
14-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.000	0.000	0.260	0.000
15-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.000
16-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.000
17-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.001
18-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.000
19-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.000	0.000	0.260	0.000

		Info	rmation pr	ovided by or on behalf of the	Information calculated by NVR Map						
Zone	Туре	DBH (cm)	EVC code	Bioregional conservation status	Partial Removal	Condition score	Large Tree(s)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
2-b	Patch	-	GipP0003	Vulnerable	no	0.370	-	0.010	0.010	0.260	0.004
20-е	Patch	-	GipP0002	Vulnerable	no	0.680	-	0.049	0.049		
21-e	Patch	-	GipP0002	Vulnerable	no	0.680	-	0.029	0.029		
22-f	Patch	-	GipP0009	Least Concern	no	0.820	-	0.038	0.038		
3-c	Patch	-	GipP0914	Endangered	no	0.410	-	0.008	0.008	0.260	0.003
4-c	Patch	-	GipP0914	Endangered	no	0.410	-	0.034	0.034	0.870	0.020
5-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.002	0.002	0.260	0.001
6-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.001
7-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.000	0.000	0.260	0.000
8-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.000
9-d	Patch	-	GipP0140	Least Concern	no	0.750	-	0.001	0.001	0.260	0.001

Appendix 2: Images of mapped native vegetation

1. Property in context



2. Aerial photograph showing mapped native vegetation

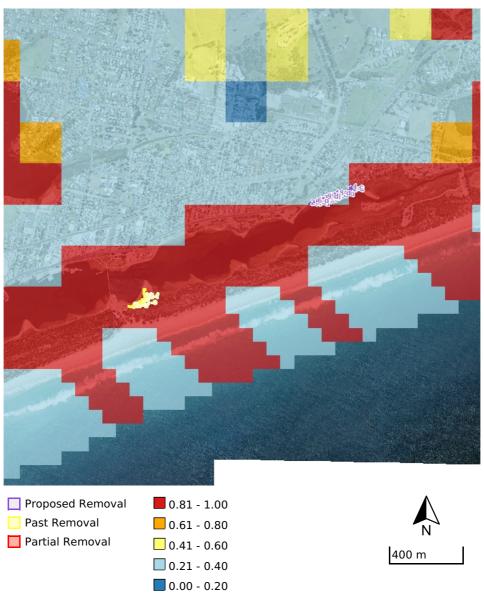


400 m

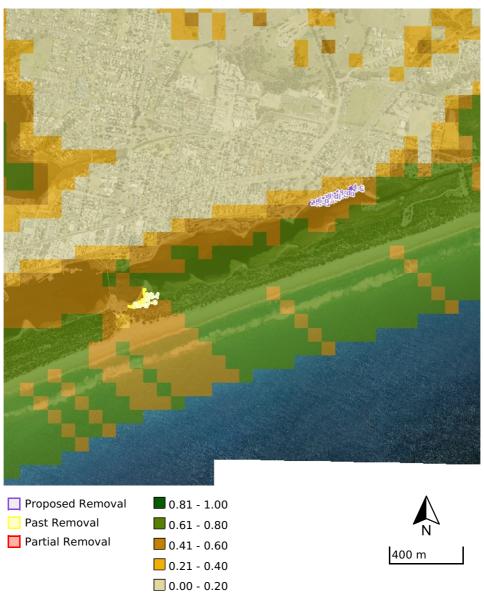
3. Location Risk Map



4. Strategic Biodiversity Value Score Map



5. Condition Score Map



6. Endangered EVCs



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Page 13



APPENDIX 4 AVAILABLE NATIVE VEGETATION CREDITS



This report lists native vegetation credits available to purchase through the Native Vegetation Credit Register.

This report is **not evidence** that an offset has been secured. An offset is only secured when the units have been purchased and allocated to a permit or other approval and an allocated credit extract is provided by the Native Vegetation Credit Register.

Date and time: 23/10/2024 08:53 Report ID: 26947

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)
0.035	0.468	0	СМА	East Gippsland
			or LGA	East Gippsland Shire

Details of available native vegetation credits on 23 October 2024 08:53

These sites meet your requirements for general offsets.

GHU	LT	СМА	LGA	Land owner	Trader	Fixed price	Broker(s)
2.914	0	West Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets
6.019	86	East Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets, Ethos, VegLink
15.103	903	East Gippsland	East Gippsland Shire	Yes	Yes	No	VegLink
0.039	96	North East	East Gippsland Shire	Yes	Yes	No	Contact NVOR, TFN
0.087	16	West Gippsland	East Gippsland Shire	Yes	Yes	No	Bio Offsets, Ecocentric, Ethos, VegLink
1.387	1	East Gippsland	East Gippsland Shire	Yes	Yes	No	TFN
1.876	244	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR
19.943	1588	East Gippsland	East Gippsland Shire	Yes	Yes	No	Ethos, VegLink
0.677	0	East Gippsland	East Gippsland Shire	Yes	Yes	Yes	VegLink
	2.914 6.019 15.103 0.039 0.087 1.387 1.876	2.914 0 6.019 86 15.103 903 0.039 96 0.087 16 1.387 1 1.876 244 19.943 1588	2.914 0 West Gippsland 6.019 86 East Gippsland 15.103 903 East Gippsland 0.039 96 North East 0.087 16 West Gippsland 1.387 1 East Gippsland 1.876 244 East Gippsland 19.943 1588 East Gippsland	2.914 0 West Gippsland East Gippsland Shire 6.019 86 East Gippsland East Gippsland Shire 15.103 903 East Gippsland East Gippsland Shire 0.039 96 North East East Gippsland Shire 0.087 16 West Gippsland East Gippsland Shire 1.387 1 East Gippsland East Gippsland Shire 1.876 244 East Gippsland East Gippsland Shire 19.943 1588 East Gippsland East Gippsland Shire	owner2.9140West GippslandEast Gippsland ShireYes6.01986East GippslandEast Gippsland ShireYes15.103903East GippslandEast Gippsland ShireYes0.03996North EastEast Gippsland ShireYes0.08716West GippslandEast Gippsland ShireYes1.3871East GippslandEast Gippsland ShireYes1.876244East GippslandEast Gippsland ShireYes19.9431588East GippslandEast Gippsland ShireYes	2.914 0 West Gippsland East Gippsland Shire Yes Yes 6.019 86 East Gippsland East Gippsland Shire Yes Yes 15.103 903 East Gippsland East Gippsland Shire Yes Yes 0.039 96 North East East Gippsland Shire Yes Yes 0.087 16 West Gippsland East Gippsland Shire Yes Yes 1.387 1 East Gippsland East Gippsland Shire Yes Yes 1.876 244 East Gippsland East Gippsland Shire Yes Yes 1.9943 1588 East Gippsland East Gippsland Shire Yes Yes	2.914 0 West Gippsland East Gippsland Shire Yes Yes No 6.019 86 East Gippsland East Gippsland Shire Yes Yes No 15.103 903 East Gippsland East Gippsland Shire Yes Yes No 0.039 96 North East East Gippsland Shire Yes Yes No 0.087 16 West Gippsland East Gippsland Shire Yes Yes No 1.387 1 East Gippsland East Gippsland Shire Yes Yes No 1.876 244 East Gippsland East Gippsland Shire Yes Yes No 1.9943 1588 East Gippsland East Gippsland Shire Yes Yes No

These sites meet your requirements using alternative arrangements for general offsets.

Credit Site ID	GHU	LT	СМА	LGA	Land	Trader	Fixed	Broker(s)
					owner	owner		

There are no sites listed in the Native Vegetation Credit Register that meet your offset requirements when applying the alternative arrangements as listed in section 11.2 of the Guidelines for the removal, destruction or lopping of native vegetation.

These potential sites are not yet available, land owners may finalise them once a buyer is confirmed.

Credit Site ID	GHU	LT	СМА	LGA	Land owner	Trader	Fixed price	Broker(s)
VC_CFL- 3777_01	14.388	531	East Gippsland	East Gippsland Shire	Yes	Yes	No	Contact NVOR

LT - Large Trees

CMA - Catchment Management Authority

LGA - Municipal District or Local Government Authority

Next steps

If applying for approval to remove native vegetation

Attach this report to an application to remove native vegetation as evidence that your offset requirement is currently available.

If you have approval to remove native vegetation

Below are the contact details for all brokers. Contact the broker(s) listed for the credit site(s) that meet your offset requirements. These are shown in the above tables. If more than one broker or site is listed, you should get more than one quote before deciding which offset to secure.

Broker contact details

Broker Abbreviation	Broker Name	Phone	Email	Website
Abezco	Abzeco Pty. Ltd.	(03) 9431 5444	offsets@abzeco.com.au	www.abzeco.com.au
Baw Baw SC	Baw Baw Shire Council	(03) 5624 2411	bawbaw@bawbawshire.vic.gov.au	www.bawbawshire.vic.gov.au
Bio Offsets	Biodiversity Offsets Victoria	0452 161 013	info@offsetsvictoria.com.au	www.offsetsvictoria.com.au
Contact NVOR	Native Vegetation Offset Register	136 186	nativevegetation.offsetregister@d eeca.vic.gov.au	www.environment.vic.gov.au/nativ e-vegetation
Ecocentric	Ecocentric Environmental Consulting	0410 564 139	ecocentric@me.com	Not avaliable
Ethos	Ethos NRM Pty Ltd	(03) 5153 0037	offsets@ethosnrm.com.au	www.ethosnrm.com.au
Nillumbik SC	Nillumbik Shire Council	(03) 9433 3316	offsets@nillumbik.vic.gov.au	www.nillumbik.vic.gov.au
TFN	Trust for Nature	8631 5888	offsets@tfn.org.au	www.trustfornature.org.au
VegLink	Vegetation Link Pty Ltd	(03) 8578 4250 or 1300 834 546	offsets@vegetationlink.com.au	www.vegetationlink.com.au
Yarra Ranges SC	Yarra Ranges Shire Council	1300 368 333	biodiversityoffsets@yarraranges.vi c.gov.au	www.yarraranges.vic.gov.au

 $\ensuremath{@}$ The State of Victoria Department of Energy, Environment and Climate Action 2024



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For more information contact the DEECA Customer Service Centre 136 186 or the Native Vegetation Credit Register at nativevegetation.offsetregister@delwp.vic.gov.au

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

Obtaining this publication does not guarantee that the credits shown will be available in the Native Vegetation Credit Register either now or at a later time when a purchase of native vegetation credits is planned.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes



574 Main Street Bairnsdale VIC 3875 Telephone: (03) 5152 0400 ABN 90 719 052 204 deeca.vic.gov.au

DEECA File Ref: 1601976/SP490636

P Oaks Co-ordinator Project Planning and Design East Gippsland Shire 273 Main Street BAIRNSDALE VIC 3875 (via email: paulo@egipps.vic.gov.au)

Dear Paul

RE: CONSENT FOR USE AND DEVELOPMENT OF COASTAL CROWN LAND

KRAUTUNGALUNG WALK – STAGE 4, CUNNINGHAM ARM, LAKES ENTRANCE

Thank you for your application for the use and development of coastal Crown land pursuant to Section 68 of the *Marine and Coastal Act 2018*. Your application was received on

Pursuant to Section 70 of the *Marine and Coastal Act 2018* and as delegated by the Minister, I consent to the proposed use and development subject to the conditions in the attached consent notice.

Note the *Aboriginal Heritage Act 2006* requires the discovery of Aboriginal cultural heritage places or objects on any land in Victoria be reported to the Secretary, Department of Premier and Cabinet.

If you have any further enquiries, please contact Tracey West, Land and Built Environment Program Officer at the Department of Energy, Environment and Climate Action Bairnsdale office on 0457 501 299 or email tracey.west@deeca.vic.gov.au

Yours sincerely	
Deterni	
DARRIN MCKENZIE	DATE: 2/10/2025
REGIONAL DIRECTOR	DATE: 2/10/2023
GIPPSLAND	





ABN 98 943 634 870

www.gippslandports.vic.gov.au

Port Managers

Anderson Inlet Corner Inlet & Port Albert Gippsland Lakes Snowy River Mallacoota Inlet

Waterway Manager

Shallow Inlet Lake Tyers Tamboon Inlet Sydenham Inlet

Head Office

PO Box 388 (97 Main Street) Bairnsdale Vic 3875 03 5150 0500 Ph: Fax: 03 5150 0501

feedback@gippslandports.vic.gov.au

Depots

Bullock Island Lakes Entrance Vic 3909 03 5155 6900 Ph·

Fax: 03 5155 6931

Lewis Street

Port Welshpool Vic 3965 Ph: 03 5688 1303 03 5688 1658 Fax:

Boatyards

Slip Road

Pavnesville Vic 3880 03 5156 6352 Ph: 03 5156 6816 Fax:

Bullock Island

Lakes Entrance Vic 3909 Ph: 03 5155 6950 03 5155 6951 Fax:

GP File 23-418

5 June 2025

Kerry Stow Land Use Administration Officer East Gippsland Shire Council

Via email: Planning@egipps.vic.gov.au

Dear Kerry

Response to Planning Permit Application 5.2024.373.1; 1-17 Middle Street and 1-4 Princes Highway, Lakes Entrance

Thank you for referring the abovementioned application to Gippsland Ports.

Please note that Gippsland Ports have reviewed the abovementioned application and considers that it does not impact on port management or operations. Gippsland Ports provides its endorsement for the proposal subject to the following conditions;

- A Works Permit is required to be obtained by the Principal Contactor prior to commencement of any works on Port Waters. Applications can be made via www.gippslandports.vic.gov.au or further information obtained by calling (03) 5150 0500.
- Design and construction of jetties or other structures intended for vessel berthing must comply with all relevant Australian Standards and Design Guidelines, including Gippsland Ports requirements for the construction of private jetties.

Please don't hesitate to contact me should you require any further information.

Regards,

Tom Weatherall

Executive Manager Infrastructure & Operations



East Gippsland Shire Council 273 Main Street (PO Box 1618) BAIRNSDALE VIC 3875

Ref: 00007092

planning@egipps.vic.gov.au

Dear Sir/Madam,

REFERENCE NUMBER: 5.2024.373.1

PROPOSAL: BUILDINGS AND WORKS AND REMOVAL OF VEGETATION

ASSOCIATED WITH KRAUATUNGALUNG WALK STAGE 4 (LAKES

ENTRANCE FORESHORE)

ADDRESS: MIDDLE STREET LAKES ENTRANCE 3909
DEECA RESPONSE: NO OBJECTION SUBJECT TO CONDITIONS

Thank you for your correspondence dated 19 November 2024 for the above application, under section 55 of the *Planning and Environment Act 1987* (the Act).

The application is for buildings and works and removal of vegetation associated with Stage 4 of the Krauatungalung Walk. The subject land is located within the Public Conservation and Resource Zone (PCRZ) and Public Park and Recreation Zone (PPRZ) under the East Gippsland Planning Scheme.

The application was referred to the Secretary to the Department of Energy, Environment and Climate Action (DEECA) pursuant to Section 55 of the Act. DEECA is a recommending referral authority under Clause 66.02-2 (Native Vegetation) to remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.

The subject land is part of Crown land known as the Lakes Entrance Foreshore Reserve.

COMMENT

On 6 December 2024, DEECA requested further information (RFI) to assess the referral. East Gippsland Shire Council provided the requested information on 20 May 2025.

DEECA is now satisfied that the application meets the three-step approach and represents an adequate compromise between achieving the key development objectives and minimising impacts on native vegetation.

While DEECA's RFI stated that impacts to seagrass had not been addressed and that the proposal was not consistent with the avoid and minimise principles of the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) (the Guidelines). The application, specifically the ecological assessment (Ecology Heritage and Partners, May 2025), states that seagrass is not present in the project footprint.

The native vegetation to be removed has therefore been adequately described and evidence has been provided demonstrating that the required offsets are available to compensate for the proposed removal of native vegetation.

Marine and Coastal Act 2018

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 authorized by law. Enquiries about access to information about you held by the Department should be directed to <u>foi.unit@delwp.vic.gov.au</u> or FOI Unit, Department of Energy, Environment and Climate Action, PO Box 500, East Melbourne, Victoria 8002.



As you are aware, pursuant to section 68(3) of the *Marine and Coastal Act 2018*, the application is also deemed to be an application for consent to the use and development of marine and coastal Crown land.

This application is being managed separately by the Land and Built Environment team at DEECA. Please contact traralgon.propertyservices@deeca.vic.gov.au for further assistance.

Please note that under section 61(3) of the *Planning and Environment Act 1987*, the responsible authority must not decide to grant a permit to use or develop marine and coastal Crown land unless consent under the *Marine and Coastal Act 2018* has been issued. If the Minister (or delegate) refuses to issue consent or is deemed to have refused consent, then the responsible authority must also refuse to grant a permit.

Flora and Fauna Guarantee Act 1988

An application to take protected flora for Stage 4 of the Krauatungalung Walk project was received on 12 November 2024. The application was to remove 80 endangered Grey Mangroves. DEECA requested further information in relation to this application. A second FFG application was subsequently provided on 20 May 2025. A permit has not yet been issued.

RESPONSE

DEECA does not object to a planning permit being granted subject to the following conditions and permit notes being included on the permit:

DEECA Permit Conditions

Notification of permit conditions

1. 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.

Native vegetation permitted to be removed, destroyed or lopped

2. The native vegetation identified in Native Vegetation Removal Report (NVRR) ID 319_20241023_4IJ dated: 23/10/2024 and permitted to be removed, destroyed or lopped under this permit is 0.18 hectares of native vegetation, including 0.116 hectares of past removal, which is comprised of 0.064 hectares of patches of native vegetation.

Native vegetation offsets

- 3. To offset the removal of 0.064 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). The permit holder must secure the following offsets:
 - a) A general offset of 0.035 general habitat units:
 - located within the East Gippsland Catchment Management boundary or East Gippsland Shire municipal area
 - ii. with a minimum strategic biodiversity value of at least 0.4680

Offset evidence

- 4. 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 must be one or both of the following:
 - a) 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,
 - b) 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.

Construction management

VICTORIA State Government

Page 2

 Prior to commencement of native vegetation removal/works start, a Construction Environment Management Plan (CEMP) 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 form part of this permit.

The CEMP must include:

- a. A detailed description of the measures to be implemented to protect the native vegetation and fauna habitat to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the responsible authority, including the protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970:2025 Protection of Trees on Development Sites, to the satisfaction of the responsible authority.
- Measures to control sediment and sediment laden water run-off including design detail of any structures.
- c. Measures to reduce and control sediment plumes and siltation in the marine environment.
- d. Measures to control pollutant and hydrocarbon contamination of the marine environment.
- e. A detailed description of the measures to be implemented to protect coastal and marine habitats during construction works, and the person/s responsible for implementation and compliance.
- Measures to ensure pest species and microbial pathogens are not introduced to the local area.
- Controls to minimise the effects of noise (including below water and above water noise) and lighting.
- h. Where equipment, machinery and material are to be stored/ stockpiled.
- i. Proposed monitoring and reporting systems.
- j. Land rehabilitation techniques including revegetation and weed control.
- k. Detail timing of the proposed works to avoid the overwintering period for migratory waders.
- I. Proposed monitoring and reporting systems.
- 7. Excavation of the landside area must not be undertaken <u>unless</u> an acid sulphate soil management plan is prepared and endorsed by the responsible authority. The plan must include appropriate measures to ensure acidic runoff does not enter the marine environment.

Protection of patches of native vegetation and scattered trees to be retained

- 8. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
 - a) vehicular access
 - b) trenching or soil excavation
 - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
 - d) entry and exit pits for the provision of underground services
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.

DEECA Permit Notes

- 1. All wildlife in Victoria is protected under the *Wildlife Act 1975*. Prior to removal of vegetation landholders are advised to determine whether a Wildlife Act authorisation is required. For further information please visit https://www.vic.gov.au/wildlife-licences-and-permits.
- 2. Works or other activities on public land which may affect protected native plants, may require a Protected Flora Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation



Page 3

likely to be affected should be checked against the most up to date *Protected Flora List* (DEECA) to determine whether FFG approvals are required.

- 3. Works within a designated waterway will require a Works on Waterways authorisation under the *Water Act 1989*. For further information please seek further advice from your local Catchment Management Authority.
- 4. The granting of this permit does not exempt the holder of a permit from the requirements of other Commonwealth and State legislation or policy.

In accordance with Section 66 of the Planning and Environment Act, a copy of Council's decision must be provided to the contact person at the below address.

If you have any further questions in relation to this matter, I can be contacted directly at pe.assessment@deeca.vic.gov.au.

Yours sincerely

TODD PRYSE

Senior Planning Officer, Planning Services (Central-East)

3 June 2025





574 Main Street (PO Box 1012) Bairnsdale Vic 3875

EGCMA Ref:

EGCMA-F-2025-00021

Document No:

Date: 13 February 2025

Emine Mestan Principal Senior Statutory Planner East Gippsland

Dear Emine,

Planning Permit Application No.: 5.2024.373.1

Property Street: Between 1-4 Princes Highway & 1/17 Middle Street

Lakes Entrance Vic 3909

Cadastral: Allotment 2012, Parish of Colquhoun

Applicant(s): Department of Energy, Environment and Climate Action

C/- Development Solutions Victoria Pty Ltd

I refer to your correspondence received at the East Gippsland Catchment Management Authority ('the Authority') on 21 January 2025 in accordance with the provisions of section 55 of the *Planning and Environment Act 1987*. The Authority notes that the application is for buildings, works and removal of vegetation associated with Krauatungalung Walk Stage 4.

The 1% Annual Exceedance Probability (AEP) flood level under current climatic conditions is 1.8 metres Australian Height Datum (AHD). Under future climatic conditions this level increases to 2.6 metres AHD.

The applicable 1% AEP flood level for this location is 1.8 AHD.

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 condition and note being included in the permit:

- Where the deck level of the boardwalk is below the declared 1% AEP flood level of 1.8 metres AHD:
 - a) The boardwalk beams must be securely anchored to piers by bolting or other means.
 - b) The decking shall be securely pinned to the boardwalk beams.
 - c) The boardwalk decking must be constructed of timber or other non-erodible material.

Note: Prior to the commencement of any works a Works on Waterways permit must be obtained from the East Gippsland Catchment Management Authority, issued under the *Water Act 1989*. An application form is available at https://www.wgcma.vic.gov.au/works-on-waterways-application-form.

East Gippsland statutory function matters are managed in partnership with West Gippsland CMA. Call 1300 094 262 | Email planning@wgcma.vic.gov.au | Website www.egcma.com.au

We acknowledge the Traditional Owners of Country throughout East Gippsland and pay our respects to them, their Culture and their Elders past, present and future.

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 this condition and note 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 Susan O'Sullivan on 1300 094 262 or email planning@wgcma.vic.gov.au. To assist the Authority in handling any enquiries please quote **EGCMA-F-2025-00021** in your correspondence with us.

Yours sincerely,

Adam Dunn

Gippsland Floodplain Officer

Cc: Department of Energy, Environment and Climate Action C/- Development Solutions Victoria Pty Ltd (admin@devsolvic.com.au)

The information contained in this correspondence is subject to the disclaimers and definitions attached.

EXPLANATORY REPORT



Figure 1 – Designated waterways and 1% AEP flood extent

1% AEP 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) 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.

Page 3 of 6

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 1.8 metres AHD, which was obtained from the *Gippsland Lakes Flood Level Modelling Project* (2004).

The Authority holds no information in relation to the arrangement and capacity of stormwater drainage infrastructure in the area.

Flood Hazard Assessment

A boardwalk is unlikely to increase the flood risk at the site. Because of this, the proposed development is viable subject to addressing the conditions listed in the cover letter.

Decision Guidelines

The East Gippsland Catchment Management Authority assesses all applications against the following national, state, and local policies, guidelines, and practice notes:

- 1. Australian Disaster Resilience Guideline 7-3 Flood Hazard (AIDR, 2017)
- 2. Victorian Floodplain Management Strategy (Victoria State Government, 2016)
- 3. Council Planning Schemes 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. PPN11: Applying for a Planning Permit under the Flood Provisions (DELWP, 2015)
- 6. East Gippsland Waterway Strategy (EGCMA, 2014-2022)
- 7. East Gippsland Regional Catchment Strategy (EGCMA, 2022)
- 8. East Gippsland Floodplain Management Strategy (EGCMA, 2017)

Definitions

1. **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.

- 2. **AHD** as Australian Height Datum is the adopted national height datum that generally relates to height above mean sea level. The elevation is in metres.
- 3. 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.
- 4. **Finished Floor Level** is the level of the top layer of the floor. This is the layer of floor that you will see and walk on.
- Flood Resistant Materials are materials used in building construction that are capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. Some examples of this are concrete, metal, brick and some timber. Avoid using materials like carpet, plaster and some timber.
- 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.

Disclaimers

- 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 regarding, the accuracy or naming of this proposed development location according to its official land title description.

Page 5 of 6

- 3. 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.
- 4. 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 regarding 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.
- 5. 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.
- 6. 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.
- 7. The flood information provided in this letter is generally more up to date than the Flood Overlay (FO) or Land Subject to Inundation Overlay (LSIO). This is because the Authority continually updates its flood information whenever new information becomes available. The overlays mentioned above are maintained by Council and are often out of date (by years in some areas).

Page 6 of 6

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>

Sent: Monday, 25 November 2024 11:56 AM

To: Planning Unit Administration

Subject:Objection to a Planning Permit ApplicationAttachments:OBJECTIONS FOR PLANNING PERMIT 5.docx

Objection to a Planning Permit Application

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

Name: Gillian Smith

Email address:

Postal address:

Mobile phone number:

Planning permit number: 5.2024.373.1

What has been proposed?: Building and works and removal of vegetation associated with the Krauatungalung Walk Stage 4 (Lakes Entrance Foreshore

What is the address to be used or developed?: Middle Street Lakes Entrance 3909, TBA: Between 1/17 Middle Street and 1/4 Princes Highway Lakes Entrance

Who has applied for the permit?: Development Solutions Victoria PTY LTD

What are the reasons for your objection?: Please See attached summary

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

Attach any further information: OBJECTIONS FOR PLANNING PERMIT 5.docx

Privacy Statement: Yes

OBJECTIONS FOR PLANNING PERMIT 5.2024.373.1

KRAUATUNGALUNG WALK STAGE 4

Reasons for objections:

Totally inappropriate structure and works for environment

- o Destroying and disturbing natural area of flora and fauna
- o Impact studies on fauna carried out only in short frame of time
- o Area has many types of birds, it is a Ramsar Site
- Design feature has certain part of boardwalk with handrails for safety, not keeping with wish to enhance natural environment
- Design of all abilities unrealistic for area
 - o Area too small, look like monorail when tide out
- Will not support tourism and local business by attracting visitors
 - o Once built it will destroy what people come to see, nature and wilderness
- Side street access
 - o These streets are very short in length and residential, minimal parking space
 - No direct access to lake if people wish to go swimming or use canoes etc.

Loss of mental well being and feelings of safety

- Closeness of track to local residents personal living areas
 - o Developing a sensation of tension and anxiety
- Security issues at night time
 - Noice levels and access to private property

Duplication of infrastructure

- All abilities track already constructed along Princes Highway.
- A lot of money for a folly, could be better well spend coming done the hill to Lakes Entrance, that is a huge eyesore and embarrassment (should be the WOW factor)

Flood Management

- Nothing noted about storm water drains.
 - o Numerous small and large pipes into lake
 - o If covered up, how will they work in future?

Please note I have lived 25 years in this place and have experienced one major flood.

- Has this been considered at all, where is excess water going to get away?
 - Back into central Lakes Entrance as HAPPENED last time!

27th November 2024

Department of Energy, Environment and Climate Action 71 Hotham Street
Traralgon VIC 3844

Email: traralgon.propertyservices@deeca.vic.gov.au

Dear Sir /Madam

I am writing to you regards the planning permit application, details are attached.

This permit is for removal of vegetation and building works within an area between Middle Street and Princes Highway Lakes Entrance.

My concerns are regarding the whole project, which should not be permitted to be allowed to commence.

The lakeside area where flora will be removed is a very sensitive site. Lots of different birdlife can be found on these shores, resting and feeding. The plan to build "an all-abilities boardwalk" will severely Impact this fragile environment. The raising of the sand levels to extend out in the lake area with a wall to hold it in place, we will see all the wildlife removed from this area. The boardwalk design is simply too big for this area and unrealistic.

I do hope you take my concerns into consideration when processing this permit application

Yours faithfully

Gillian Smith

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>

Sent: Thursday, 28 November 2024 1:32 PM

To: Planning Unit Administration

Subject: Objection to a Planning Permit Application

Attachments: Proposed Boardwalk Site.jpg

Objection to a Planning Permit Application

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

Name: Joy Davenport

Email address:

Postal address:

Mobile phone number:

Planning permit number: 5.2024.373.1

What has been proposed?: Buildings and works and removal of vegetation associated with Krauatungalung Walk Stage 4 (Lakes Entrance)

What is the address to be used or developed?: Middle Street Lakes Entrance 3909 1/17 Middle Street and 1/4 Princes Highway

Who has applied for the permit?: Development Solutions Victoria Pty Ltd

What are the reasons for your objection?: The area is a unique example of natural Wet Lands that can be accessed by all in its present state. This area will be destroyed under the present proposal The area is frequented by many verities of foraging shore birds The area is a breeding and nursery grounds for many marine species The area is a Gazetted Ramsar Site and will be severely impacted by this development which goes against the ideals and purpose of what a Ramsar Site proclaims to be. Already have an all abilities walking track along Princes Highway. The cost of one (1) million dollars to build four (400) hundred metres of boardwalk is a total waste of tax/rate payer's money. The funds could be put to far better use if the intention is to promote the environment and features of the Gippsland Lakes There has been no public cost benefit analysis to justify how this project will promote the area. We see no cultural benefit in this particular project as has been promulgated The design of the Boardwalk being almost a straight track will encourage the riders on electric scooters and bicycles to use it as a race track at a danger to potential pedestrians. The suggestion that handrails may be installed will be a visual detriment to the ambiance of the area. At present the public come down Short Street and access the lake for swimming and launch paddle boards, kayaks and other small water craft. Also it is a safe place for small children to swim. This will not be available under the proposed project. We have a fear that as the project progresses and runs out of funds it will not be what was promised and become a shadow of what was planned as has happened in some similar projects undertaken by the Shire.

How would you be affected by the granting of this permit?: We have been living and holidaying in this particular area for 60 years and we have a very strong emotional attachment to the place. It will be very stressful to us to see the biodiversity and ambiance of the area be destroyed just so some people can walk their dog home via a more ascetic route. The very thought of the project and time that has been spent over the past couple of years it has taken to get to this stage, has caused great mental anguish, stress and anxiety to my mental health. As it stands at present we have the ability to launch Kayaks and small craft from our back gate. We see no opportunity to be able to do this in the current proposal. We also have small children who at present have the ability to play in the sand at our back gate in a safe environment and with convenient supervision. We see no opportunity to be able to do this in the current proposal. With the suggested height of the project we will now have an increased public presence with the ability to view into our privacy. Something we have not had to contend with in the past. There will be access from Short Street onto the boardwalk, as we live in Short Street (a very short street) parking will be a problem. We envisage the street will become a parking lot, it would not take many cars to fully block the street and make it almost impossible to exit. Max & Joy Davenport

Attach any further information: Proposed Boardwalk Site.jpg

Privacy Statement: Yes

East Gippsland Shire Council

273 Main Street (PO Box 1618) Bairnsdale VIC 3875 Website www.eastgippsland.vic.gov.au Email feed back@eqipps.vic.qov.au Follow us on Twitter @egsc



Telephone: (03) 5153 9500 Fax: (03) 5153 9576 National Relay Service: 133 677 ABN: 81 957 967 765

Objection to Planning Permit Application

Planning and Environment Act 1987

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

Your Details:			
Name: Number Peter	- Hall		
Postal address:			
			Postcode
Phone number: Home:	Work:	Mobile	
Email address:		Fax:	
Permit Details:			
Planning permit number: 5 28	124.373.1	1	
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Privacy Statement

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

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

DEC 22

East Gippsland Shire Council

Email <u>feed back@egipps.v</u> Follow us on Twitter @eg	nd.vic.qov.au ic.qov.au sc	EAST GIPPSLAND	Telephone: (03) 51 Fax: (03) 51 National Relay Service : ABN: 81 957	53 9576 133 677
How would you be affected	d by the granting of	this permit?	May Jaway	und te
affected	severely.	الثنا	loose ween	s to
te like.				
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Signature:				
Name:	Peter fall		Date: <u>25</u>	111124
Office Use Only: Objection Received by:			Date Received:	

April McDonald

From: Snapforms Notifications <no-reply@snapforms.com.au>

Sent: Thursday, 28 November 2024 1:32 PM

To: Planning Unit Administration

Subject: Objection to a Planning Permit Application

Attachments: Proposed Boardwalk Site.jpg

Objection to a Planning Permit Application

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

Name: Joy Davenport

Email address:

Postal address:

Mobile phone number:

Planning permit number: 5.2024.373.1

What has been proposed?: Buildings and works and removal of vegetation associated with Krauatungalung Walk Stage 4 (Lakes Entrance)

What is the address to be used or developed?: Middle Street Lakes Entrance 3909 1/17 Middle Street and 1/4 Princes Highway

Who has applied for the permit?: Development Solutions Victoria Pty Ltd

What are the reasons for your objection?: The area is a unique example of natural Wet Lands that can be accessed by all in its present state. This area will be destroyed under the present proposal The area is frequented by many verities of foraging shore birds The area is a breeding and nursery grounds for many marine species The area is a Gazetted Ramsar Site and will be severely impacted by this development which goes against the ideals and purpose of what a Ramsar Site proclaims to be. Already have an all abilities walking track along Princes Highway. The cost of one (1) million dollars to build four (400) hundred metres of boardwalk is a total waste of tax/rate payer's money. The funds could be put to far better use if the intention is to promote the environment and features of the Gippsland Lakes There has been no public cost benefit analysis to justify how this project will promote the area. We see no cultural benefit in this particular project as has been promulgated The design of the Boardwalk being almost a straight track will encourage the riders on electric scooters and bicycles to use it as a race track at a danger to potential pedestrians. The suggestion that handrails may be installed will be a visual detriment to the ambiance of the area. At present the public come down Short Street and access the lake for swimming and launch paddle boards, kayaks and other small water craft. Also it is a safe place for small children to swim. This will not be available under the proposed project. We have a fear that as the project progresses and runs out of funds it will not be what was promised and become a shadow of what was planned as has happened in some similar projects undertaken by the Shire.

How would you be affected by the granting of this permit?: We have been living and holidaying in this particular area for 60 years and we have a very strong emotional attachment to the place. It will be very stressful to us to see the biodiversity and ambiance of the area be destroyed just so some people can walk their dog home via a more ascetic route. The very thought of the project and time that has been spent over the past couple of years it has taken to get to this stage, has caused great mental anguish, stress and anxiety to my mental health. As it stands at present we have the ability to launch Kayaks and small craft from our back gate. We see no opportunity to be able to do this in the current proposal. We also have small children who at present have the ability to play in the sand at our back gate in a safe environment and with convenient supervision. We see no opportunity to be able to do this in the current proposal. With the suggested height of the project we will now have an increased public presence with the ability to view into our privacy. Something we have not had to contend with in the past. There will be access from Short Street onto the boardwalk, as we live in Short Street (a very short street) parking will be a problem. We envisage the street will become a parking lot, it would not take many cars to fully block the street and make it almost impossible to exit. Max & Joy Davenport

Attach any further information: Proposed Boardwalk Site.jpg

Privacy Statement: Yes

Objections for Planning Permit 5.2024.373.1

Krauatungalung Walk

Every person directly affected by the stage 2 boardwalk objects to this development for very good reasons. The area concerned will be lost to locals and tourists alike and replaced by an illogical and ugly reminder of activity masquerading as progress. This is environmental and economic vandalism.

This is a Ramsar site.

Treaties with Japan and Korea will be ignored.

It is a duplication of infrastructure.

Beaches for swimming and recreation will be lost.

Placing a raised boardwalk in front of a residents bedroom is unacceptable. I could not imagine any of the members of our local council having this monstrosity in front of their families bedrooms! Why is it ok to inflict this on someone else?

Locals and tourists will lose beach access for small boats, kayaks etc.

Storm water drains will be restricted and result in flooding for the town area.

Handrails will have to be placed on the boardwalk due to council regulations whilst we will only be one "slip or fall" away from having lighting added to an already overbearing structure.

I am very concerned that this permit application will be approved. It will be a travesty for Lakes Entrance and East Gippsland as a whole. Keep it natural, leave it alone.

Peter Neverauskas

Objection to Planning Permit 5.2024.373.1

Subject: KRAUATUNGALUNG WALK

As an owner of adjacent property at

I object to the issue of the Town

Planning permit.

Reasons/Grounds for objection

1. Impact on the neighbourhood:

The area is a rare area of natural lake /wetlands. This area will be substantially destroyed under the present proposal.

In particular:

- a. The area is feeding and breeding area frequented by many varieties of shore birds
- b. The area is a breeding and nursery grounds for many marine species
- c. The area is a Gazetted Ramsar Site and will be severely impacted by this development which goes against the ideals and purpose of Ramsar.

2. Amenity:

In general the proposed boardwalk substantially impacts the amenity of the area and thus the residents in the area and the neighbourhood in general.

a. Creation of danger.

The design of the Boardwalk being almost a straight track will encourage electric scooters segways and bicycles at a danger to potential pedestrians.

b. Noise and nuisance.

A full boardwalk may attract noise and antisociable behaviour to the detriment of residents

c. Access to jetties.

The design crosses two private jetty's impacting the usage by owners

d. Access for other uses.

The proposed project will create a barrier to access to the lake.

At present the public visit the streets in the location ie Short st, Middle st, and Jetty st to access the lake for birdwatching, fishing, swimming and launch paddle boards, kayaks and other small water craft. Also it is a safe place for small children to swim.

e. Privacy and Overlooking

Many adjoining properties are south facing and look directly over the proposed location. The amenity of these residents will be significantly impacted by overlooking etc. In particular my property has living and bedrooms facing the location of the boardwalk and users will impact our privacy.

3. Heritage:

The area is historically an area of remnant lake foreshore with abundant bird and sea life. Any change to the foreshore area may impact this historically significant part of our town. As a Ramsar site it is categorised as an area of environmental significance and construction of a boardwalk will cause damage.

4. Inappropriate development.

- a. There is adequate all abilities walking track along Princes Highway.
- b. There has been no public cost benefit analysis to justify how this project will promote the area.

OBJECTOR DETAILS:

Gary Vick

Luke Roberts

To Emine Mestran

Dear Emine, I am writing tio you regarding planning permit application no. 5.2024.371.1

Middle street Lakes entrance between 1/17 Middle street and
4 Princess hwy. "Krauatungalung walk stage 4"

My name is Luke Roberts and I have been a resident of For over 10 years, and lived in east gippsland all of my life.

I strongly appose the construction of the above mentioned Krauatungalung walk stage 4 Some of my reasons for this objection are listed as follows:

- This is a ramsar site and should be preserved as a ramsar site.
- This proposal will completely destroy this unique part of the gippsland lakes. We have a vast array of marine life who"s habitat will be destroyed. Also we have an abundance of water fowl and other bird life that live and feed in this unique wetland which will be destroyed forever.
- One of the main joys of living in this pristine environment is our outlook over the lake which will be taken from us.
- If this project proceeds we will no longer have direct access to the lake. Some of the activities that we currently enjoy throughout the year are as follows.
 - 1. Swimming
 - 2. Fishing
 - 3. Paddle boarding
 - 4. Kyacking
 - 5. Sailing
 - 6. Windsurfing
 - 7. Prawning
 - 8. Boating

All of these activities we enjoy throughout the course of every year. These activities are not only enjoyed by the residents families and friends but also by tourists and people who reside in the neighbouring area and beyond. These activities will be impossible to persue if this project goes ahead.

I would like to request a meeting with yourself and the newly elected councillors to show in person our concerns, at a time that is suitable for all stake holders. A viable alternative to this project is to use the existing pathways from 4 Princes hwy to Middle street and continue the boardwalk from Middle street to Eastern beach which will have a minimal impact on the environment and the communities" lifestyle. Cost savings to the government will be substantial if this alternative is adopted.

I trust you will consider my objections and alternative carefully.

Yours faithfully,

Luke Roberts

WR & GJ Irvine

22/01/2025

Objection to Planning Permit 5.2024.373.1

Krauatungalung Walk Stage 4

Firstly, we were excluded from the original mailing list, I read it was only residences between 1/17 Middle St and yet we live at 20 Middle St. closest to the lake.

My biggest concern is the parking available in Middle St, as you may know it is only a one-way street and during holiday time it can become an issue and the same must go for Jetty Road and Short Street. With the elevated viewing platform propose at the end of Middle Street will make traffic even worse for residences.

Privacy becomes another factor with the height of elevated boardwalk to our living and bedroom areas which may have an impact at night when sleeping.

I was under impression the boardwalk at the end of middle would be adjacent to concrete storm water culvert. I believe it can be extended out by approximately 2 meters

The access to the private jetties much will be a concern to those owners even though it doesn't not have a direct impact on us.

The access to the entering water will be an obstacle for families, swimming, fishing paddleboards, kayaks, canoes users and we are owners of some water craft. Trying to lug these over the boardwalk becomes a problem

Regards

William "Ross" Irvine

Gloria J Irvine

WR & GJ Irvine

23/01/2025

Objection to Planning Permit 5.2024.373.1 Krauatungalung Walk Stage 4

Good Morning Development Solutions

One item I omitted from my letter yesterday 22/01/2025 which needs to be noted

Regarding the storm water outlet drain at the end of Middle Street.

It will be very difficult for Cranes Constructions to come with their back hoe and clear out the sand that has built up over a period of time around the storm water gate valves. This is an ongoing routine maintenance to clear the sand from the gate valves to allow storm water to flow into the lake to prevent the street from flooding especially after heavy rain.

Also, would like to note that the residences from 18, 19, 20 and 21 Middle Street were not included in your planning permit letter in November 2024

Regards

William "Ross Irvine

Gloria J Irvine

5.2.2 Tiny Homes - Notice of Motion Response

Authorised by General Manager Place and Community

Purpose

The purpose of this report is to respond to the Council Notice of Motion 2.1 – Diversity of Housing Options, dated 10 September 2024.

Key Points

At the Council Meeting on 10 September 2024, the following Notice of Motion was passed:

That Council:

- 1. acknowledges the significant levels of housing stress being felt by our community, the homelessness crisis, and the need for a diversity of housing options to be available for residents to meet their individual housing needs;
- requests Officers to produce a report, for consideration at a future council meeting, on the benefits, impediments, and any potential further considerations of a change to the East Gippsland Planning Scheme and General Local Law in relation to the regulation of 'Tiny Homes', with a view to better understanding how such measures have been approached and used by other councils in Australia to reduce the housing stress;
- 3. requests for the report to include information so to inform future decisions of Council in relation to tiny homes including an assessment of existing uptake in other areas and potential future tiny home demand in East Gippsland, with a view to:
 - a. removing regulatory impediments to their adoption and enable greater uptake of Tiny Home; and
 - b. as a mechanism to provide greater levels of housing diversity, a cheaper option for resident's experiencing housing stress and to provide greater housing security for the East Gippsland community.

Increasing house prices and rental costs combined with other cost of living pressures are limiting the ability for some households to access appropriate housing. This was identified within evidence used to inform the East Gippsland Housing and Settlement Strategy (2023) (HSS). It is estimated that there are approximately 3,000 households experiencing housing stress in East Gippsland (13% of total households).

To respond to the challenge of housing stress, the HSS includes an objective to: "Increase housing diversity to meet the needs of all ages and lifestyles."; and an associated strategy to: "Advocate to the Victorian Government for stronger legislative and planning policy guidance for the provision of compact, affordable homes such as residential villages, tiny homes and secondary dwellings."

'Tiny homes' are a recently emerging housing product provided for consumers who are not seeking a traditional housing type with its associated construction costs. They cater for a lifestyle that does not require large living areas, multiple bedrooms, etc. A tiny home is still a dwelling under the Building Regulations (as is any self-contained residence which contains a kitchen sink, food preparation facilities, a bath or shower, and a toilet and wash basin). Tiny homes require a building permit and, in some cases, a planning permit if affected by an overlay under the Planning Scheme. There is no impediment to approval of a tiny home in a residential zone other than what applies to any other form of dwelling, to ensure public health, safety and amenity.

Since adoption of the HSS, the Victorian Government has announced new planning controls relating to small second dwellings. A small second dwelling must be less than 60 square metres and can generally be constructed with no planning permit on urban or rural land where there is an existing dwelling and no flooding, environmental or other special planning controls. Anyone can live in or rent a small second home, including a family member, dependent person or unrelated persons. A building permit is still required for a small second dwelling including a tiny home.

The changes to planning controls offer significant opportunities for the construction of small second dwellings (similar to a tiny home) throughout East Gippsland. This report provides analysis of the policy context and associated opportunities for tiny home development at **Attachment 1**.

Changes to planning controls do not include tiny homes on wheels (THOW), that are deemed to be a caravan. The East Gippsland General Local Law states that caravans (including THOWs) can only be occupied where a dwelling exists and for a total period not exceeding 28 days per year provided sanitation, bathing and drainage facilities are available.

THOWs present challenges for local government in relation to issues of residential safety/amenity, environmental impact, environmental risks and impact on surrounding land uses. Some Councils are undertaking further investigation into how THOWs could form part of a suite of housing opportunities to address housing stress. This report provides a summary of other Council approaches to THOWs at **Attachment 2**.

It is considered that the current regulatory requirements, including recent changes to the East Gippsland Planning Scheme, provide an appropriate regulatory platform to support the development of permanent tiny homes in appropriate locations. However, a policy gap remains in relation to THOWs where a lack of regulation (not overregulation) is the primary impediment to guide the safe and appropriate location of this type of accommodation.

This report therefore recommends that Council note the existing regulatory framework, including recent changes to the East Gippsland Planning Scheme and continues to advocate for enhanced regulation for THOWs. This advocacy work should be informed by the monitoring of a THOW pilot program in Surf Coast Shire.

To address the current policy gap regarding THOWs in the short term, Council, as part of the review of the General Local Law could consider allowing the occupation of THOWs on private land without the need for a local law permit. A review of the Local Law should develop appropriate criteria to address community safety, amenity and environmental impact.

The HSS identifies that the issue of housing stress is a complex one that will require a multifaceted approach to deliver diverse and affordable housing opportunities for all households. In this context, it is important that Council continues to promote a range of diverse and affordable housing opportunities, including tiny homes, in line with the recommendations of the HSS.

Recommendation

That Council:

- 1. notes that a tiny home built as the only dwelling on a lot is regulated in the same way as any other form of dwelling;
- 2. notes changes to the East Gippsland Planning Scheme (VC253) that enable the construction of small second dwellings without the need for a planning permit, subject to certain conditions;
- 3. monitors the Surf Coast Shire Council Tiny Homes on Wheels (THOW) pilot program and, subject to evaluation of program results, include advocacy for appropriate regulation for THOWs as part of the East Gippsland Advocacy Strategy;
- 4. notes that through the review of the East Gippsland General Local Law, Council has the further ability to consider allowing the occupation of a Tiny Home on Wheels (THOW) on private land with a current residence without the need for a local laws permit. The review of the General Local Law could also be used to develop appropriate criteria to address community safety, amenity of the subject site and surrounding areas, and environmental impact;
- 5. as part of the review of the East Gippsland General Local Law, consult with the community about removing the current requirement that limits occupancy of a caravan or tiny home on wheels to a maximum of 28 days. The proposed change would allow longer-term occupancy, provided the occupant has ready access to proper sanitation, bathing, and drainage facilities within the developed residence on which the caravan or tiny home on wheels is located and investigate if an expedited review of this section of the East Gippsland General Local Law is feasible; and
- 6. continues to promote diverse housing opportunities in accordance with the Objectives and Strategies of the East Gippsland Housing and Settlement Strategy (2023), including, but not limited to:
 - a. diverse infill housing development in appropriate locations; and
 - b. advocacy for social and affordable housing.

Strategic Alignment

The report is consistent with the recommendations of the HSS in relation to housing diversity.

Our Council Plan focus:

- Develop a policy position and advocacy program for homelessness; affordable and social housing.
- Support the provision of more social and affordable housing and housing diversity through land use planning.
- Secure future land and housing supply in accordance with the Housing and Settlement Strategy 2023, Plan for Victoria and associated plans for Paynesville, Eagle Point, Lucknow/East Bairnsdale, Lakes Entrance, Omeo/Swifts Creek and Lindenow.
- Initiate strategies that facilitate adequate supply of zoned residential, industrial and commercial land to support growth Shire-wide.

This report has been prepared and aligned with the following themes in the Council Plan 2025-2029:

Theme 1: Community wellbeing and social responsibility

Outcome – A connected and inclusive community, where no one is left behind

Theme 2: Prosperity

Outcome – A well-functioning planning system that responds to our communities' needs

Consultation/Community Engagement/Impacts

The HSS was prepared following extensive engagement with the East Gippsland community and agency partners. It identifies opportunities for Council to develop partnerships to advocate and facilitate the provision of diverse and affordable housing options for all households.

In preparing this report, no additional community engagement has been undertaken. Analysis of tiny home projects and policies in other local government organisations across Australia has been carried out.

Opportunities and Risks

The East Gippsland Planning Scheme (the Scheme) provides significant opportunities for the construction of small second dwellings, without the need for a planning permit, on land across East Gippsland, subject to conditions outlined in **Attachment 1**. This will increase diverse and affordable housing opportunities to assist addressing issues of housing stress. It will also result in positive opportunities for the construction sector to deliver innovative new housing products.

The Scheme does not include opportunities for THOWs. In accordance with Council's General Local Law, THOWs can currently only be occupied on land where a dwelling exists for a period of no more than 28 days per year.

Council's General Local Law could provide increased opportunities for THOWs. A review of the General Local Law should consider the following matters:

- a) the requirements of the *Local Government Act 2020*, including the preparation of a Local Law Community Impact Statement.
- b) ensuring THOW structures provide an adequate level of safety and/or amenity for occupants.
- c) how the location and length of occupation of THOWs is monitored to address risks associated with:
 - environmental impact of waste disposal, wastewater, drainage and water quality, vegetation management, landscape values etc.
 - environmental risks including bushfire and flood.
- d) potential impact on surrounding land uses including agricultural production and residential amenity.
- e) providing THOWs with convenient access to services and facilities.
- f) monitoring and compliance of THOWs.

Surf Coast Shire Council is currently undertaking a pilot project to evaluate opportunities associated with the use of THOWs in appropriate locations. More details of this pilot project and other local government approaches to THOWs can be found at **Attachment 2**.

To better understand the opportunities and risks associated with THOWs, and potential measures to mitigate risks, it is recommended to collaborate with relevant Councils to inform a review of the East Gippsland General Local Law as it relates to THOWs.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Legislation

Local Government Act 2020 (including ss. 8-9)
Planning and Environment Act 1987 (including ss. 4, 6, 12, 12B, 60)

Category

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

Conflicts of Interest

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

Attachments

- 1. Policy Context [**5.2.2.1** 1 page]
- 2. Other Local Government Approaches [5.2.2.2 12 pages]

Tiny Homes Policy Context

What is a tiny home?

The Australian Tiny House Association defines a tiny home as a moveable dwelling suitable for permanent residential use, with self-contained amenities and services and the option to be grid connected. Tiny homes can be transportable (designed to be relocated) or on wheels (Tiny House on Wheels - THOW), constructed on a trailer designed to road legal dimensions.

Policy considerations

Planning and Environment Act 1987

Under the provisions of the *Planning and Environment Act 1987*, the East Gippsland Planning Scheme (the Scheme) classifies a tiny home as a dwelling (regardless of its size) provided it contains a kitchen sink; food preparation facilities; a bath or shower; and a toilet and wash basin. The construction of a dwelling may require a planning permit, depending on the Scheme zone and overlay controls of land where it is to be located.

The Victorian Government introduced 'small second dwelling' provisions into all Planning Schemes including East Gippsland in December 2023 via Planning Scheme Amendment VC253. A small second dwelling must meet the following criteria.

- A home with a gross floor area of 60 square metres or less.
- Must be located on the same lot as an existing dwelling and used as a self-contained residence.
- Includes a kitchen sink; food preparation facilities; a bath or shower; and a toilet and wash basin.
- Must not be connected to reticulated natural gas.
- Can be occupied by a family member, dependent person or rented to unrelated persons.

The Scheme generally does not require a planning permit for a small second dwelling provided these conditions are met.

There is no classification for a Tiny Home on Wheels (THOW) and they are therefore deemed to be a caravan. Caravans are defined in the Scheme as accommodation for use within a camping and caravan park. The use of caravans on land other than a camping and caravan park is governed by the East Gippsland General Local Law (discussed below).

Building Act 1993

The *Building Act 1993* and associated *Building Regulations 2018* require dwellings and small second dwellings to obtain a building permit to ensure siting, amenity, design and safety requirements are addressed. Residential tenancy requirements that apply to a dwelling also apply to a small second home, including room sizes, facilities and smoke alarms.

East Gippsland General Local Law 2017

The East Gippsland General Local Law controls the storage and occupation of caravans. A caravan may be stored on a property where a dwelling exists and may be occupied for a total period not exceeding 28 days per year provided sanitation, bathing and drainage facilities are available. A caravan must not be stored or occupied on any other property (except a camping and caravan park).

Mount Alexander Shire Council

In June 2023 Mount Alexander Shire changed their Local Law to allow either a caravan, a tiny house on wheels or a tent to stay on privately owned property with a current residence without the need for a local laws permit. This does not apply to permanent, fixed tiny homes, where a planning and/or building permit is required.

The amendment to the Local Law was made following a community engagement program and submissions from over 1,600 residents as part of a long term community advocacy campaign.

The Mount Alexander Shire Council General Local Law 13 (2020) states:

13. Camping on private property

- A person must not without a permit camp or occupy a caravan or tiny house on wheels on property where there is no dwelling.
- 2) A person may without a permit camp or occupy one caravan or tiny house on wheels on property on which there is a dwelling.
- 3) A permit issued under subclause (1) must comply with conditions of subclause (5) and must not exceed one application of:
 - a) a maximum of 6 consecutive months on the property; or
 - b) if there is a current valid building permit for a dwelling on the property;
 - i) 12 consecutive months on the property; or
 - ii) such longer time as approved by Council if Council is satisfied as to the progress of the construction of the dwelling.
- 4) A person camping under subclause (2) must comply with conditions of subclause (5)
- 5) When considering an application for a permit under subclause (1) Council must consider all of the following:
 - a) the provision of adequate sanitary facilities are provided for any occupant;
 - b) wastewater, sewage and domestic refuse must be disposed of off site.
 - c) occupation does not adversely affect or cause a nuisance to the occupants of other properties;
 - d) all weather access is provided to enable the removal of the caravan or tiny house on wheels;
 - e) the camping, caravan or tiny house on wheels is only for private use and not commercial purposes;
 - f) the Mount Alexander Planning Scheme.
- 6) When a person camps under subclause (2) Council and the person must consider all the following:
 - a) The provision of adequate sanitary facilities are provided for any occupant;
 - b) wastewater, sewage and domestic refuse is disposed of off site;
 - c) occupation does not adversely affect or cause a nuisance to the occupants of other properties;
 - d) all weather access is provided to enable the removal of the caravan or tiny house on wheels;
 - e) the camping, caravan or tiny house on wheels is only for private use and not commercial purposes;
 - f) the Mount Alexander Planning Scheme.

https://www.mountalexander.vic.gov.au/Council/Local-laws-permits-and-fines/Local-laws

Surf Coast Shire Council

Surf Coast Surf Coast Shire are running a Tiny Homes on Wheels pilot program from December 2023 to December 2026. The program seeks to monitor and evaluate THOWs as a lawful and safe contribution to housing affordability and diversity. In the first 12 months of the project, 4 permits for THOWs have been issued by Council. The details and procedures of the THOW program are set out below.



Purpos

The purpose of the Tiny House on Wheels Pilot is to design, establish and evaluate a pilot program to enable and test Tiny Houses on Wheels as a lawful and safe contribution to housing affordability and diversity in the Surf Coast Shire.

Definition

A Tiny House on Wheels is a self-contained dwelling which is built on a wheeled trailer base (registerable chassis) and can be transported onto the site. For the purposes of this Pilot a retrofitted bus, van or truck, wagon, shipping container, caravan, tent, yurt, non-retrofitted vehicle or 'donga' transportable or park home, is not a Tiny House. The Tiny House on Wheels must remain on wheels during the Pilot.

Why is the Pilot program important?

It will enable Council to test the conditions under which Tiny Houses on Wheels are allowed and regulated, in a manner that services the community, and to identify and mitigate risks.

Principles for Considering a Tiny House on Wheels

It is recommended that approval is gained prior to purchase of your Tiny House on Wheels, as there are numerous elements to consider before applying to be part of the Pilot:

Short Term Holiday Rentals	Tiny Houses on Wheels must not be used at any time for short-term holiday rentals.
Planning Scheme Provisions	In some circumstances a Tiny Houses on Wheels may require a planning permit under the Surf Coast Planning Scheme. This is dependent largely on the type of accommodation (how the Tiny House is occupied).
	The Pilot is appliable to locations where <u>no</u> planning permit is required. This can be assessed by Council and is considered on a case-by-case basis.
	Information on the potential zones and requirements is listed further below.
	Some sensitive areas have overlays to protect residents and the environment. Land in the following overlays as identified in the Surf Coast Planning Scheme will be excluded from the Pilot:
	Bushfire Management Overlay (unless within the township settlement boundaries) Floodway Overlay, Land Subject to Inundation Overlay
	Sallnity Management Overlay
Land Title Details	The placement of a Tiny House on Wheels must comply with any restrictions or conditions on the Certificate of Title, including Covenant, Section 173 Agreement or other restriction.
	The Tiny House on Wheels must not be placed on any easements on the land.
Siting of Tiny House on Wheels	The Tiny House on Wheels must be sited on the land appropriately, having regard to:
	 Minimising the impacts on neighbours through suitable setbacks. Minimising the impacts on the character of the area. Avoiding/minimising the impacts on any existing vegetation.
Access and transport	Must be able to reasonably transport the Tiny House on Wheels to and from the site.
	There must be an existing all-weather access to the site for transportation and on-site parking for the residents.

surfcoast.vlc.gov.au/THOWs



Requirements	The Tiny House on Wheels must be bullt to the relevant BAL (Bushfire Attack Level) requirements where in a Bushfire Prone Area. There must be appropriate access to water, electricity/gas and domestic refuse systems. It should be noted that Council's standard waste service consists of one set of four bins, but if necessary, the property owner may request an additional bin(s) for an annual fee. When this is no longer required, a cancellation may be requested.
	There must also be systems in place to manage sewerage, stormwater and grey water.
	It is recommended that approval is gained prior to purchase of your Tiny House on Wheels.
Consultation	All applicants are encouraged to discuss their plans with their neighbours. Council will write to any neighbours regarding the decision to allow a Tiny House on Wheels to be placed on the land.
	There is no requirement under the Local Law to advertise an application for the purposes of determining whether a permit should be granted.
	Feedback received from any neighbour will be used to Identify Issues and find opportunities to Improve the outcome.
Keeping of animals	Must comply with all existing legal requirements for the keeping of animals (i.e cat curfews, number of animals, and registrations). For the purposes of numbers of animals this relates to the property as a whole (including existing residence).

Surf Coast Planning Scheme

The following table provides an example where planning permits may be required for Tiny Houses on Wheels. It is important to note that the specific site conditions as well as circumstances around the use/occupation of the Tiny House on Wheels may affect the requirements and it is recommended that this be considered a guide only. Council will assess each application on its own merits.

Land Use	Permanent residence (ongoing occupation)		Other accommodation (persons living away from usual place of residence)	
Zone	Vacant site	Exist. Dwelling	Vacant site	Exist. dwelling
Township Zone	Conditions must be met	Conditions must be met		Conditions must be met
Low Density Residential Zone				Conditions must be met
General Residential Zone				Conditions must be met
Rural Living Zone	Conditions must be met			Conditions must be met
Rural Conservation Zone				Conditions must be met
Farming Zone	Conditions must be met		Excl. Rural Workers (no permit if conditions met)	Conditions must be met
KEY	No planning permit required	Planning permit required	Prohibited	

surfcoast.vic.gov.au/THOWs

12



Other approvals

You may also require separate approvals for:

- Removal or destruction of any vegetation.
- Onsite wastewater management system (septic tank).
- · Any temporary associated structures.
- A second waste collection service.
- Connection to mains water supply.

These will be considered as part of your application process and may impact on your eligibility for the Pilot.

Pilot Proces

- 1. Apply for inclusion within the Pilot.
- Applications are assessed for sultability; additional information may be requested.
- If successful, an invitation to be part of the Pilot will be provided with details of next steps.
- Further approvals may need to be secured before a permit issued (i.e. onsite wastewater management system).
- On submission of these approvals, a Temporary Residence permit under the Local Law will be issued, subject to terms and conditions.
- At least 14 days before any action is taken to place the Tiny House on Wheels on the land, Council must be notified.
- Council will notify neighbours and provide information on the Pilot and how feedback will be obtained.

Application timeframes

The pilot will run until 13 December 2026. All permits issued will be valid until this date.

Applicants can lodge an online application form or email to planning apps@surfcoast.vic.gov.au

- Applications will be acknowledged within 3 days.
- Outcome of assessment will be provided within 28 days of receipt (including a request for information or advice on sultability for pilot).
- Local Law permit will issue within 14 days of receipt of any further approvals/information required.
- All permits will be valid until 13 December 2026.
- 14 days prior to commencing any site preparations or works associated with installing the Tiny House on the land, Council must be notified to enable notice to neighbours to occur.

The permit is not transferrable and will be for the occupant for the duration of the pilot. You must advise Council if the Tiny House on Wheels is removed from the site, or the occupant changes. Significant changes may require a new permit application.

During the pilot

Council is committed to monitoring and evaluating the success of the pilot. The following will occur:

- Inspections of the Tiny House on Wheels may be undertaken by Council officers (Building Services, Planning Compliance and Environmental Health) to confirm that conditions are being adhered to. Notification of inspections will occur in consultation with the resident/owner.
- Feedback will be sought from the residents, owner of the host land, and neighbours as part of the Pilot to understand each party's experience. This will include targeted consultation within commencement, midway and towards the completion of the Pilot:
- Feedback is welcome at any stage, and Council will be monitoring for compliance and will keep a register of any complaints.
- In the event of non-compliance, Council may revoke the permit issued under Local Laws, and a reasonable amount of time will be provided for the Tiny House on Wheels to be removed from the land.

After the pilot

Tiny Houses on Wheels are relatively new housing solution, and we hope the Pilot will lead to an ongoing pathway for legal occupation. While the outcomes of the Pilot cannot be pre-empted, Council will continue to work with Tiny House on Wheels owners from the Pilot on the way forward.

surfcoast.vlc.gov.au/THOWs

13

https://www.surfcoast.vic.gov.au/Community/Housing/Tiny-Houses-on-Wheels-Pilot

Shire of Esperance (WA)

In December 2022 the Shire of Esperance recognised tiny homes as permanent dwellings and introduced a local planning policy to guide assessment of planning applications. A planning permit is still required for a THOW in this instance. It is noted that the planning system in Western Australia is different from Victoria, and it would not be possible to achieve the same local planning policy outcomes in the East Gippsland Planning Scheme. The Shire of Esperance Local Planning Policy is outlined below.

Policy Name:	Local Planning Policy – Tiny Houses
Objective:	To provide a standardised process for assessing Tiny-Houses- On-Wheels (THOW - herein referred to as tiny houses), considered dwellings with a floor area of 50m ² or less which are built on a wheeled trailer base and able to be transported but can remain tethered to a site for extended periods of time.
Key Words	Tiny Houses, Tiny House, Tiny-House-On-Wheels
Statutory Compliance	Local Planning Scheme No. 24

1. Purpose

This policy is to provide guidance for Tiny-Houses-On-Wheels (THOW - herein referred to as tiny houses), considered dwellings with a floor area of $50\,\mathrm{m}^2$ or less which are built on a wheeled trailer base and able to be transported but can remain tethered to a site for extended periods of time. This policy is proposed to:

- Identify the circumstances where a tiny house or tiny house community may be permitted
- Provide a simple framework which tiny houses can be assessed against
- Outline standard requirements for all tiny houses to comply with related regulations
- Clarify that the standard of building required should refer to Vehicle Standards
 Bulletin 1 in the absence of a classification for tiny houses in the National
 Construction Code.

2. Application of Policy

This policy applies to all zoned and reserved land under Local Planning Scheme No. 24.

3. Policy Provisions

3.1 Tiny House Definition

A tiny house is a dwelling of no more than 50m² which is built on a wheeled trailer base, constructed of domestic grade materials and finishes, and is permanently occupied. A tiny house cannot (and is designed not to) be moved under its own power and is designed and built to look like conventional dwelling.

In the context of this policy a retrofitted bus, van or truck, wagon, retrofitted sea container, caravan, tent, yurt, non-retrofitted vehicle or 'donga' transportable or park home, is not a tiny house.

Please note the definition of a tiny house does not relate to permanently fixed smaller sized homes on foundations. A small sized house on fixed foundations can already be assessed under the *National Construction Codes*.

4. Development Approval Requirements

A tiny house is subject to the following requirements:

- a) Development Approval is required for all tiny house dwellings, except where considered compliant with all elements of this policy and the local planning scheme
- b) A tiny house on one titled lot will be considered a single house.
- c) A tiny house on a lot with an existing dwelling will be considered an ancillary dwelling.
- d) Should development approval be granted for a single tiny house, which then moves away from the property, then moves back to the same location, the development approval is still valid.
- e) Should development approval be granted for a single tiny house, which then moves away from the property and is replaced with a different tiny house, development approval will be required unless consisted with Cl 4.a) and Cl 5.i).
- f) Where a tiny house is fixed to a site a building permit will be required.
- g) A tiny house is to be fully self-sufficient and contained on only one lot.

5. A Single Tiny House on a Private Lot

Development approval may be granted for one tiny house on a residential or rural residential, rural smallholdings or rural property provided the proposal meets the following:

- a) External fixtures, utilities and facilities such as aerials, satellite dishes, pipes or other external fixtures situated so they are not visually obtrusive and where possible located out of view from the primary street or any public area.
- b) Has access to at least one dedicated car-parking bay per tiny house.
- c) Is not located within the riparian zone of a waterway, within a floodplain or in a flood prone area.
- d) Contains or is connected to reticulated sewerage or an appropriate effluent disposal system, to the satisfaction of the Shire of Esperance Environmental Health Services.
- e) Has access to a source of electricity, which may include an off-grid solar system.
- f) Has access to potable water.

- g) Additional free-standing structures such as a deck, outbuilding, carport, or patio may be permitted provided within maximum site cover and minimum open space requirements for that zone. Any additional structures should not exceed the height of the tiny house. Where structures are fixed a building permit will be required.
- h) If in a bushfire prone area, a tiny house would be subject to the same legislation and policy as a habitable dwelling. In a bushfire prone area the applicant is to provide a Bushfire Attack Level (BAL) assessment of the proposed tiny house site, demonstrate the design meets the applicable BAL standards as per AS3959 and if necessary demonstrate how it can comply with the recommended Asset Protection Zone (APZ) setback distances and/or applicable evacuation plan.
- Complies with setbacks, height and lot coverage requirements for that zone (refer also Table 1 - Tiny House Setback Requirements).

Table 1 - Tiny House Setback Requirements

Deemed – to - comply	Design Objectives
Residential Zone Setback in accordance with the Residential Design Codes or applicable Special Control Area Provision	Where a setback variation is sought the applicant must demonstrate: a) Appropriate screening shall be provided should the proposal have a reduced setback or is viewable from a public area to the satisfaction of the Local Government. b) That the proposal will not result in the excessive removal of significant trees or stands of established vegetation.

Rural Residential, Rural Smallholdings and Rural Zone

Compliant with setbacks in accordance with the Local Planning Scheme or a Building Envelope when in place. Where a setback variation is sought the applicant must demonstrate:

- The proposal does not detract from rural amenity or existing views of significance; and,
- b) Where there is an existing dwelling the tiny house is located behind the building setback; or,
- c) Appropriate screening shall be provided should the proposal have a reduced setback or is viewable from a public area to the satisfaction of the Local Government.
- d) That the proposal will not result in the excessive removal of significant trees or stands of established vegetation.

j)

6. Tiny Houses for Short Term Tourism Accommodation

Development approval for a tiny house may be granted for short term tourism accommodation and classified as a single house or ancillary dwelling with consideration of the following criteria:

- a) Traffic able to be contained by the local road network
- b) Parking to be contained onsite
- c) Retention of existing vegetation and proposed landscaping
- d) Submission of a Management Plan which outlines maximum patron numbers, how complaints will be dealt with and/or potential for neighbouring land use conflicts and recommendations for ongoing management solutions.

7. Environmental Protection

As tiny houses are a 'transient' structure, tiny houses should not result in the clearing of native vegetation. Where vegetation removal is unavoidable the applicant shall submit a landscape plan showing where replacement vegetation is to be planted.

A tiny house proposal will not be supported where in the opinion of the local government the development would result in the excessive removal of significant trees and vegetation, or adversely impact existing waterways, soil stability or ecosystem functions.

8. Other Matters to be considered

- a) Impact on neighbourhood amenity
- b) Whether it meets the objectives of that zone
- c) Road Transport Authority (RTA) vehicle regulations
- d) Environmental Health regulations
- e) The National Building Construction Codes
- f) Engineering certification
- g) BAL construction standards

9. Relationship to Local Planning Scheme

This policy is a local planning policy prepared, advertised and adopted pursuant to Clause 4 of the Deemed Provisions.

Shire of Capel (WA)

The Shire of Capel have introduced a local planning policy, similar to the Shire of Esperance. The Shire of Capel THOW information sheet is provided below.



Planning Information Sheet

Tiny Houses

Definition

Under Local Planning Policy LPP6.13, "Tiny Houses" are defined as dwellings with a floor area of no more than 50m² which are built on a wheeled trailer base, constructed of domestic grade materials and finishes, and are permanently occupied.

Frequently asked questions

Do I need Development Approval for a Tiny House?

Development approval is required for all Tiny Houses.

- A Tiny House on vacant single titled lot will be considered and generally assessed as a Single House land use.
- A Tiny House on a Residential, Urban Development or Mixed Use Residential zoned lot with an existing dwelling will be assessed as an Ancillary Dwelling as defined by the Residential Design Codes.
- A Tiny House on a Rural Residential, Rural or Priority Agriculture zoned lot with an existing dwelling will be considered as an Ancillary Dwelling.
- Two or more Tiny Houses (a Tiny House Community) on a single titled lot will be considered and assessed as a Grouped Dwelling land use.

Can I build a Tiny House on a Single Lot?

Development Approval may be granted for one Tiny House on a Residential, Rural Residential, Rural or Priority Agricultural zoned lot, provided the proposal meets the following:

 a) Complies with single house site area, setback, open space, and building height requirements for that zone in addition to the requirements of Table 1 – Tiny House Setback Requirements.

Table 1 - Tiny House Setback Requirements

Deemed -to comply	Design Objectives		
Residential, Urban Development and Mixed- Use Residential zones	Where a setback variation is sought, the applicant must demonstrate:		
Setbacks to be in accordance with the applicable zone.	Appropriate screening shall be provided should the proposal have a reduced setback or is viewable from a public area to the satisfaction of the Shire of Capel.		

	b) That the proposal will not result in the excessive removal of significant trees or strands of established vegetation.
Rural Residential, Rural and Priority Agriculture zones	Where a setback variation is sought, the applicant must demonstrate:
Setbacks to be in accordance with the applicable zone.	The proposal does not detract from the rural amenity or existing views of significance.
	b) Where there is an existing dwelling, the Tiny House is located behind the building setback, or appropriate screening is provided where the proposal has a reduced setback or is viewable from the public area, to the satisfaction of the Shire of Capel.
	That the proposal will not result in the removal of significant trees or vegetation.

- Has access to at least one car-parking bay per Tiny House or access to public transport within 800m walking distance.
- c) Is not located in a flood prone area.
- d) Contains or is connected to an appropriate effluent disposal system.
- e) Has access to electricity, which may include an off-grid solar system.
- f) Has access to potable water, and where reticulated water supply is not available the provision of a rainwater tank of with a minimum capacity of 135,000 litres.
- g) Additional fixed structures such as a deck, outbuilding, carport, or patio may be permitted within maximum site cover and minimum open space requirements for the applicable zone.

Can I establish a Tiny House Community?

There are certain circumstances the Shire is able to consider a Tiny House Community. However, due to the complexities around such proposals, it is advised that applicants access the Local Planning Policy 6.13 and contact the Shire to arrangement an appointment with a Duty Planner.

Can I build Tiny Houses for Short Term Accommodation?

Development approval may be granted for short term accommodation and classified as a Single House, Ancillary Dwelling, or part of a Tiny House Community with consideration of the following criteria:

- a) Traffic can be contained by the local road network.
- b) Parking to be contained onsite.
- Existing vegetation is retained, and landscaping proposed.

- Submission of a Management Plan outlining maximum patron numbers, complaints process, and ongoing management solutions.
- e) The site may contain a space for visitors to bring their own Tiny House to park onsite.

My property is in a Bushfire Prone Area. What is required?

If in a bushfire prone area, a Tiny House is subject to the same legislation and policy as a habitable dwelling. The applicant is to provide a Bushfire Attack Level (BAL) assessment of the proposed site, demonstrate the design meets the required BAL standards as per AS3959 and if necessary, demonstrate how it complies with the recommended Asset Protection Zone (APZ) setback distances and/or applicable evacuation plan.

Do I need a Building Permit?

Yes. The Building Act 2011 states that a Building Permit is required for Tiny Houses. You must obtain a Building Permit from the Shire of Capel **before** commencing building work.

Can I use a second-hand or transportable building as a Tiny House?

Second-hand Dwellings may be permitted where they are consistent with other provisions of the Local Planning Policy 6.13 – Tiny Houses. Sea Containers or buildings known as 'dongas' will not be permitted for habitable purposes.

Do I need to upgrade the septic system to accommodate the new Tiny House?

If the existing residence and the Tiny House combined equates to 6 or more bedrooms, you will need a separate effluent disposal system to service the new dwelling, or an upgrade to the existing septic tank capacity and effluent disposal area will be required.

Applications for septic tanks and effluent disposal systems are to be submitted to and approved by the Shire's Environmental Health Services prior to the issue of a Building Permit for the Tiny House.

https://www.capel.wa.gov.au/Profiles/capel/Assets/ClientData/Document-Centre/Building Services Information Sheets/Tiny Houses.pdf

5.3 Assets and Environment

5.3.1 Waste and Recycling Service Review and Transition Plan

Authorised by General Manager Assets and Environment

Purpose

To present the draft 10- Year Waste and Recycling Services Transition Plan (Transition Plan) for Council endorsement.

Key Points

As East Gippsland's population continues to grow, and emergent regulatory and policy changes take effect, the review of waste services and the completion of a draft Transition / Transformation Plan is essential to assist Council in making informed decisions for the future of waste services across the shire.

The completion of a Transition Plan is also a requirement of Recycling Victoria to show how Council will implement a standard four bin kerbside collection service. All Victorian Councils received grant funding from DEECA to complete a Transition Plan. A condition of our funding was to complete and submit a final Transition Plan by 1 July 2026.

Given the date for expiry of Council's current kerbside collection contract, adopting the Transition Plan provides the direction for future kerbside collection services and contract.

The Transition Plan provides Council with a 'road map' to navigate and inform forward planning of services, to provide sustainable, equitable and financially reliable waste and recycling services for the community. Following Council consideration, if endorsed, the Transition Plan will be made publicly available.

The Transition Plan is informed by comprehensive community engagement undertaken from July to September 2024 and review of waste and recycling services undertaken by an external consultant.

The Victorian Government's new requirements for standard Food Organics and Garden Organics (FOGO) and separate glass kerbside collection, along with a higher landfill levy will increase waste-related fees. The waste service review has aimed to ensure equity, best value, and help limit fee rises amid cost-of-living pressures. The completion of the Transition Plan is generally in alignment with new requirements of the Victorian Government's kerbside collection reforms.

The Transition Plan (provided at **Attachment 1**) contains recommendations and directions at a s level – based on the service review – and is presented for Council's formal consideration.

Recommendation

That Council:

- 1. endorses the Transition Plan provided at Attachment 1 as the guiding framework for the future delivery of Council's waste and recycling services;
- 2. authorises the Chief Executive Officer or delegate to submit the endorsed Transition Plan to Recycling Victoria;
- 3. confirms that the endorsed Transition Plan will be published on Council's website to ensure transparency and public access; and
- 4. notes that any changes to specific waste services will be the subject of further community consultation and formal consideration by Council.

Strategic Alignment

This report has been prepared and aligned with the following themes in the Council Plan 2025-2029:

Theme 1: Community wellbeing and social responsibility

Outcome – A stronger collaborative community that is actively engaged and supported

Theme 3: Making the most of what we've got

Outcome - Natural assets are well-managed and protected

Consultation/Community Engagement/Impacts

Extensive community engagement was undertaken as part of the Waste and Recycling Service Review. This included public consultation via drop-in sessions and participation in events; use of focus groups and on-line consultation.

An overview of the types of engagement undertaken is provided below.

- 675 survey responses received from 1 July to 20 September
- Over 300 people attended listening booths and focus groups.
- 55% of survey responses were from people aged between 26-45.
- 49% of responses from Bairnsdale region with over 77 localities represented.

This engagement highlighted interest and support in additional services including:

- Increasing kerbside collection service options for rural properties
- Introduction of FOGO kerbside collections.
- Reducing waste to landfill.
- Bulky / hard waste collections.
- Additional recycling services and waste diversion was heard across the region.
- Improved education to assist better recycling and utilisation of unique services (e.g. Textile Recycling or Drum Muster).
- More options at local transfer stations for recycling/ disposal to avoid having to travel to a larger facility.

An overview of engagement activities is summarised within the Transition Plan.

Opportunities and Risks

How Council delivers waste and recycling services into the future provides both opportunities and challenges as we align our services with new regulations, community utilisation and ensure access and affordability. It is noted that the introduction of new kerbside services required by State Government will result in an increase in households' kerbside collection fees, something that this Council has actively advocated against along with over 30 other Councils.

The Transition Plan has been prepared to assist Council navigate these challenges by establishing goals that will guide the provision waste and recycling services over the coming decade.

The Transition Plan outlines emerging changes and trends and provides direction for the future including; the need for new infrastructure investment, importance of working with community as service changes are planned and implemented, a response to changing regulations while addressing potential risks such as waste contamination, economic pressures, and resourcing.

Alignment with State Government Policy and Regulations:

Recycling Victoria Policy 2020 - this is the Victorian Government's overarching policy setting the requirements for the kerbside reforms.

The Circular Economy (Waste Reduction and Recycling) Act 2021 requires all Victorian councils to offer households four waste streams comprising of glass, food and garden organics (FOGO), mixed recycling, and general rubbish. A household glass only service is currently proposed to be required to be implemented by July 2027 under the Victorian Government's draft Circular Economy (Waste Reduction and Recycling) (Mandatory Service Provision and Other Matters) Regulations 2024 (the Regulations) and draft Household Waste & Recycling Service Standards (the Standards). These standards and regulations remain in draft and have been for some time, impacting certainty for decision making.

The commencement and implementation requirements for these services are yet to be confirmed, which remain under development. Underpinning this, the draft Standards indicate how services must be delivered unless deemed to be not reasonably practicable. The parameters around what is reasonably practicable are also yet to be defined.

Delays in finalising State Government service standards create challenges for planning new services by the proposed start date of 1 July 2027. Council has necessarily continued preparations for establishing a new kerbside service contract and completion of a draft Transition Plan (required for submission to State Government).

The recommended draft Transition Plan generally aligns with objectives in the Victorian Government's Recycling Victoria – A New Economy policy (State Policy), including a reduction of 80% waste sent to landfill and achieving a 50% reduction of organic material going to landfill by 2030. The policy also aims for all households to access a separate food and organics recovery service or local composting by 2030.

The draft Transition Plan sets out a timeline and approach to glass collection which officers believe is reasonable and has been discussed with relevant staff from Recycling Victoria and Department of Energy, Environment and Climate Action (DEECA). The timeline does not however fully coincide with what is currently the foreshadowed implementation date for a glass collection service in State Policy. No mandatory implementation date is however currently specified in regulations or standards. This is the subject of ongoing advocacy.

Council must continue with the procurement of new kerbside collection services. To align with expected service standards, Council Officers proposed to request market responses as part of a forthcoming tender process for the implementation of a kerbside glass collection service between 2027 to 2030.

Equity Impact Assessments (EIA) have been completed for each of the key recommendations resulting from the service review to ensure introduction of changes to services is undertaken in a manner that is fair and inclusive.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

- Reduction in waste to landfill and methane emissions.
- Infrastructure investment, planning and design.
- Ensuring waste disposal assets and services are available in response to emergency response and preparedness.

Legislation

Climate Change Act 2017 (including ss.17, 23-28) Local Government Act 2020 (including ss. 8-9)

Category

Greenhouse Gas Emissions: Consideration has been given to reduce GHG emissions. Emergency Preparedness: Consideration has been given to ensuring reliable waste disposal to support emergency response.

Conflicts of Interest

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

Attachments:

1. FINAL DRAFT EGSC Waste and Recycling Services Transition Plan 1.0 [**5.3.1.1** - 36 pages]





REGIONAL WASTE STRATEGY 2022/23 - 2026/27

Published 2023

Acknowledgments

East Gippsland Shire Council acknowledges and extends appreciation to all contributors.

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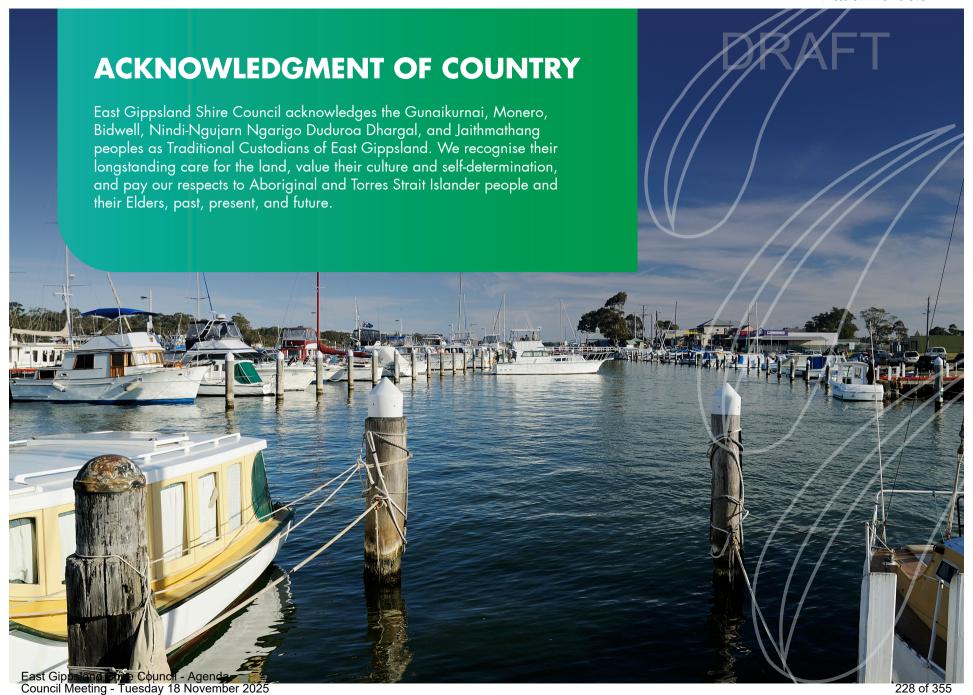
For further information contact

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(03) 5153 9500





MESSAGE FROM THE MAYOR

DRAFT

I am pleased to present the 10 Year Waste and Recycling Services Transition Plan. This provides a roadmap for sustainable, cost-effective waste and recycling services that will support our transition to a circular economy, reducing landfill and minimising environmental impact.

Council offers a broad range of waste and recycling services across the region. Ensuring these services are delivered equitably across a large municipality with diverse community needs is a key objective and we remain dedicated to ensuring both accessibility and affordability of services.



As the municipality grows and services are brought in line with updated Victorian Government policy and regulations, a comprehensive review of services was conducted to facilitate informed decision-making. This review contributed to the development of the Transition Plan, which addresses the changing needs of the community and highlights the importance of planning for future waste and recycling services and infrastructure investment.

The Transition Plan is aligned with the Council Plan and Environmental Sustainability Strategy and has been informed by extensive community engagement. Input was provided by over 900 residents through surveys, listening booths, and focus groups held between July and September 2024 across the municipality. Community participation emphasises the significance of waste and recycling services and collective responsibility for environmental stewardship. These contributions have helped guide the plan and ensure consistency with the Community Vision 2040.

As we work together to implement the actions outlined by this Plan, we also recognise the challenges and opportunities that come with change and will work collaboratively with community, business and industry.

Our community is passionate about environment and utilising our resources for their highest value. Every person has a part to play in reducing their waste and our role is to deliver services to support this goal.

CONTENTS

Introduction	6
Why We Need This Strategy	7
Reviewing Our Services	8
Vision to Achieve Best Practice	9
Community Profile	10
Current Services and Infrastructure	12
Benchmarking	18
Community Engagement	19
How We Finance Services and Forecasts	23
Transition Plan - Our Priorities to 2036.	27
Transition Plan	29





INTRODUCTION

This Transition Plan outlines how East Gippsland Shire Council (Council) will improve waste and recycling services over the next decade, aiming for a more efficient, sustainable, and community-focused system. The plan is based on a comprehensive review of current services, community feedback, benchmarking with other councils, and financial modelling. Based on this analysis and understanding, it is evident that Council is in a unique position to both increase waste diversion and achieve efficiencies to reduce rising costs.

This Transition Plan is therefore designed to deliver modern, efficient, and community-focused waste and recycling services for East Gippsland. It balances regulatory compliance, financial sustainability, and the needs of a diverse and growing community, while laying the groundwork for a circular economy.

The Transition Plan provides the pathway for a responsible, phased approach to achieve these goals, by starting with essential steps that will deliver big impacts. It targets larger volume wastes that can be avoided and recycled through new services, education and partnerships to harness resource recovery opportunities and job creation.

The Transition Plan provides the pathway for a responsible, phased approach to the alignment of service availability with community needs and how they access these services now and in the future.

The recommendations and actions detailed in the Transition Plan are guided by a thorough Waste and Recycling Service Review undertaken to develop well-informed, evidence-based strategies to achieve sustainable and fiscally responsible service provision as we move toward a 'Circular Economy.'

WHY WE NEED THIS STRATEGY



East Gippsland Shire Council (Council) faces unique challenges in providing waste management that require analysis to help Council make informed decisions about the future of waste and recycling services, including:

- A diverse network of waste services across a large footprint.
- Consideration of equity and access across a diverse and changing community.
- Supporting public and private sector to harness opportunities in a 'circular economy.'
- Aligning kerbside collection services with new Government regulations.

- Finding efficiencies to offset increasing costs.
- Need to reduce waste to landfill, greenhouse gas emissions and costs.
- Growing need for separation, storage and transport of recyclables for reprocessing.
- Underutilised and duplication of certain waste sites and services.

Promote circular economy Reduce the environmental impact of waste Improve recycling rates Reduce the environmental impact of waste Improve financial and operational efficiencies Changing regulation Reduce the environmental impact of waste Sometimes are considered and operational efficiencies Reduce the environmental impact of waste Sometimes are considered and operational efficiencies Reduce the environmental impact of waste Sometimes are considered and operational efficiencies Reduce the environmental impact of waste Sometimes are considered and operational efficiencies Reduce the environmental impact of waste Sometimes are considered and operational efficiencies Reduce the environmental impact of waste Sometimes are considered and operational efficiencies Reduce the environmental impact of waste Sometimes are considered and operational efficiencies Changing regulation

A key driver of the Transition Plan is the Victorian Government's Policy - Recycling Victoria, which mandates that all Councils introduce a four-stream waste and recycling services to households by the end of 2030, including separate kerbside collections for glass, food organics and garden organics (FOGO), mixed recycling, and general rubbish.

As the municipality continues to grow and State policy changes take effect, the review of waste services and the completion of a Transition Plan is essential to assist Council in making informed decisions for the future.

KEY ISSUES

REVIEWING OUR SERVICES

The Transition plan is informed by a comprehensive review of services, community feedback, benchmarking with other councils, financial modelling and engagement with industry providers. Key activities undertaken through 2024 and 2025 include:



Review of relevant policy and regulations



Completion of a waste and recycling services review and background study.



Benchmarking of services with comparable municipalities across Victoria and Interstate.



Completion of waste audits to understand waste and recycling streams and opportunities to divert waste from landfill.



Extensive engagement with community across the municipality.



Completion of Equity Impact Assessments to considering age, gender, disability and access.



Financial modelling of projected service and infrastructure needs.



Assessment of industry providers and capacity to deliver services.

This work has informed the development of clear goals and actions outlined in subsequent sections of this Transition Plan that will provide guidance and a timeline for implementation over the coming decade.

The service review considers the evolving needs of community and provides information-based recommendations for the future.



VISION TO ACHIEVE BEST PRACTICE

OUR VISION - To deliver a sustainable, equitable and financially reliable waste and recycling services which protect our environment and support transition towards Circular Economy.

Waste Management Hierarchy

The Hierarchy of Waste Management outlines waste management practices in an order of preference. This plan is guided by the principles of the Waste Management Hierarchy, with waste avoidance recognised as the optimal approach. The prevention of waste, reducing landfill and supporting the development of a circular economy are key priorities.



Circular Economy Principles

The Transition Plan aligns with Circular Economy principles, aiming to reduce landfill by reusing resources from waste. This model is more sustainable than the traditional linear economy of taking, making, using, and disposing of goods. Following the Circular Economy Act (2021), Victoria is moving towards a circular economy over 20 years.

Council is working to create a circular economy in our region and structure our services to support job creation and cost savings for our community.



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COMMUNITY PROFILE







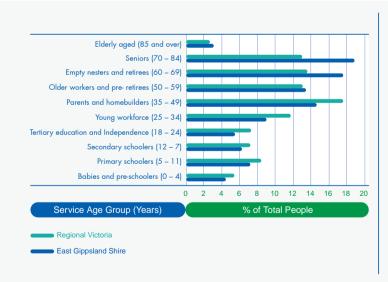
The region is predominantly a **rural area**, with **42 townships** and small communities.

The majority of the population is concentrated around the Gippsland Lakes area in the south-west (Bairnsdale, Paynesville, Lakes Entrance and Metung).

Understanding population change in service age groups, household types and diversity is necessary to understand how community members will access waste and recycling services. For example, nearly 40% of our population is aged over 60, which is 10% higher in comparison to the wider Regional Victoria (29.3%); and over the coming decade the number of people aged over 65 and 85 years old will increase significantly.

Considering how older residents might access transfer stations in the future is important. Extending kerbside collection services and possible introduction of new services such as booked hard waste collections is one such example to support older residents.

Understanding the identity and diversity of residents will inform how we communicate and support changes in waste management and recycling services and provide alternate messaging.



Aboriginal and Torres Strait Islander community members, and those originating from overseas, that speak a language other than English make up approximately 20% of residents.





DISTRICT

Bairnsdale	17,666	Mallacoota	1,28
Bruthen	1,119	Metung	2,30
Buchan	448	Omeo-Swifts Creek	1,35
Cann River	448	Cann River	4,00
Lakes Entrance	8,716	Lakes Entrance	6,49
Lindenow	2,520	Lindenow	2,94

10 EGSC - 10 Year Waste and Recycling Services Transition Plan

Attachment 5.3.1.1





CURRENT SERVICES AND INFRASTRUCTURE

High Country Zone (Largest area)



Residents: ~3.646



Split
Trailers: 7



Transfer Stations: 6



Split Bin: 1



| Bin | Enclosure: 1

Coastal Region Zone (Second largest area)



Residents:



Split
Trailers:



Bin Enclosure: 2





Landfill:
1 (Cann River Landfill)

Regional Zone (Smallest land area)



Residents:

~41,679 (highest population)



Transfer
Stations: 6



Landfill: 1

Bairnsdale Landfill which supports the disposal of waste generated from across the Shire.

The location of many waste services in place today stems from the merger of five former shires. Council has since worked to consolidate and rehabilitate numerous legacy landfills that no longer meet environmental standards, often replacing them with transfer stations or waste trailers. This has resulted in the duplication of some waste disposal sites and services, where the cost of operating facilities and services now outweigh the social and environmental benefits.

For the purpose of this plan, the East Gippsland region has been split into three distinct zones considering population density, geography and relationship between the types disposal facilities and how they are used by communities. All three regions see a surge in waste and recycling during holidays, prompting Council to increase services accordingly.

Council Infrastructure Type	Number of Infrastructure
Landfill (LF)	2
Transfer Station (TS)	18*
Split Trailer (ST)	12
Bin Enclosure (BE)	3
Split Bin (SB)	1
Street Litter Bins	774
Hook Lift Trucks	3

Council currently manages a large and diverse waste network consisting of kerbside services and landfills, transfer stations and other associated infrastructure.



13 EGSC - 10 Year Waste and Recycling Services Transition Plan

Transport and logistics

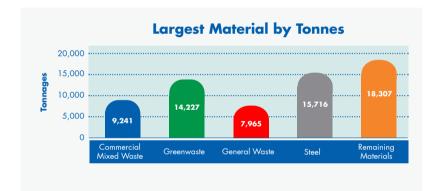
The transport of waste is essential to continued operation of disposal services for communities across East Gippsland.

- Approximately 1,800 annual truck movements transport material from transfer stations across the Shire to the Bairnsdale Landfill.
- This equates to an estimated annual cost of \$952,000 in costs, over \$500,000 of which is attributable to 4 transfer stations - Mallacoota, Omeo, Orbost and Lakes Entrance.
- The longest distance for a return trip is 460 kilometres.
- Managing the increasing costs of waste transportation across dispersed communities and exploring alternatives for localised processing or re-processing of recovered materials is a key opportunity.

Finding efficiencies by increasing local reuse and recycling, accessing cross border disposal and rationalising the number of services may provide opportunities to reduce costs and emissions.

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Green waste, General Waste and Steel are the most frequently deposited materials by tonnes and transactions at East Gippsland Waste Management Facilities. Green Waste and Steel are highly recoverable and present opportunities to support the Circular Economy





14 EGSC - 10 Year Waste and Recycling Services Transition Plan



Bairnsdale Regional Landfill

Bairnsdale Regional landfill underpins community and business disposal needs across the region, with capacity to continue to operate beyond 2050. The engineered landfill facility and transfer station combined accepts over 37,400t of material per annum representing on average 57% of all waste and recycling material received across East Gippsland.

Bairnsdale Landfill is well placed to service the East Gippsland Shire's needs as a 'Circular Economy Hub.'

Introducing a kerbside Food Organics and Green Organics (FOGO) service will significantly reduce greenhouse gas emissions by diverting organic waste from landfill.

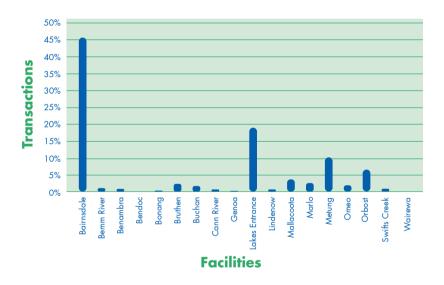
Recognising the strategic importance of site for the community now and into the future, a range of infrastructure projects are either planned or proposed as part of the development of a 20-year Master Plan that will establish the site as a 'Circular Economy Hub.'

These opportunities include:

- Commissioning the new Recycling Shed to divert additional waste from landfill.
- Expansion of warehousing for recyclables storage and logistics upgrades.
- Future landfill cell construction and rehabilitation works.
- Establishment of a 25,000T capacity organics composting facility.
- Agriculture farm trials of recovered greenwaste products.
- Growing tip shop capacity by strengthening social enterprise partnerships.

Summary of Tonnages and Transactions across facilities

A comparison of transfer stations was conducted to assess how and when sites are used. The review examined both the volume of waste material received, measured in tonnes, and the number of transactions at each location. The table below shows that Bairnsdale, Lakes Entrance, Metung, and Orbost recorded the highest activity levels.



When assessing the overall performance of sites, the following factors were also taken into account.

- Tonnes received at each site.
- Transactions each hour.
- Tonnes received each hour.
- Income per transaction.

Tonnes per transaction.

Environmental Compliance, Auditing and Upgrades:

The operational and environmental compliance of transfer stations, split trailers, split bins, and bin enclosures were examined. Areas for improvement were identified in site security, fencing, signage, site storage, and environmental compliance.

Work is currently underway to address these areas as part of an ongoing program, which includes regular site audits and reporting. Some improvements will involve collaboration with the community to promote responsible use of disposal facilities and reduce illegal dumping and pollution.

Where pollution or illegal dumping cannot be adequately managed, this may affect the continued provision of disposal services at certain locations.

Low-performing or underutilised site may indicate overserving some parts of the Shire. Consolidating services could reduce costs, particularly where new kerbside bin collections, booked hard waste services, or other alternative disposal options are introduced.

Kerbside waste and recycling collections

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Council currently provides three-bin kerbside collection in densely populated areas and two-bin service in some locations. Most three-bin households use the third bin for garden organics only, except in Mallacoota, which has FOGO due to its local composting facility.

Annual Tonnages Collected (FY2024/25)	8,495	5,785	4,909
Number of Services (FY2024/25)	22,756	22,437	17,967
Estimated Services (FY2036/37)	25,279	24,924	19,959



Introducing a FOGO kerbside collection service would significantly increase capacity in the general waste bin (red lid) as well as reduce waste to landfill and associated landfill gas emissions.

What goes into our Kerbside bins?

Two comprehensive waste audits were conducted in September/October 2024 and January 2025, encompassing 750 household bins across five townships. A total of 23,562 kilograms, equivalent to 193 cubic meters of general, recycling, and green waste materials were systematically sorted and evaluated.

We learnt that of all the materials disposed of incorrectly, 65% is potentially recoverable either through existing waste services or by implementing a Kitchen to Compost program (FOGO) across the Shire. Other key findings include:

- Food waste made up 23% of general waste, the largest category.
- Overall contamination of recycling bins was 28%.
- About 80% of paper/cardboard and glass are recycled, but only 60% of recyclable plastics and metal go in the correct bin.
- Significant potential to reduce contamination and boost recycling, freeing up space in household bins.

Click the link to the full Waste Audit report



Notes:

^{*}The January Audit data has not been considered throughout the services review and financial modelling.

^{**}The Bin composition audit data only considers the September/October Audit

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BENCHMARKING

A Benchmarking exercise was undertaken to compare our services with similar local councils from Victoria and New South Wales. As shown below – the introduction of a FOGO service is already in place across four (4) shires (and is soon to be implemented in Wellington Shire). Referring to Mildura, the FOGO service has significantly increased diversion of waste from landfill, with only 22% of all materials being placed in the red bin lid.

Council	Red Lid (General Waste) Tonnages	Yellow Lid (Recycling) Tonnages	Green Lid (Organics) Tonnages	Total Tonnage Collected	Percentage of Total Materials in Red Lid Bin
East Gippsland Shire Council	8,495	5,785	4,909 (GO)	18,766	49.52%
Mildura Regional City Council	5,316	5,290	13,029 (FOGO)	23,635	22.49%
Wellington Shire Council	7,790	3,926	N/A	11,716	66.49%
Bega Valley Shire Council	6,994	3,786	6,561 (FOGO)	14,341	48.77%
Bathurst Regional Council	10,450	2,332	5,480 (FOGO)	18,262	57.22 %
Wollondilly Shire Council	12,231	4,289	6,751 (FOGO)	23,271	52.56%

Once FOGO Collections are implemented, a significant reduction in material collected in the red lid bin and reduced waste to landfill can be achieved.

The below table shows the number of landfills and transfer stations relative to population and area when compared to similar sized Councils

Council	Area (Km2)	Population	Landfills	Transfer Station	Infrastructure per Km2	Infrastructure per Population
East Gippsland Shire Council	21,000	50,502 (2024)	2	18	1 per 1,167km2	1 per 2,805 People
Mildura Regional City Council	22,082	57,156 (2023)	2	6	1 per 2,760km2	1 per 7,145 People
Wellington Shire Council	10,81 <i>7</i>	46,124 (2023)	1	6	1 per 1,545km2	1 per 6,589 People
Bega Valley Shire Council	6,279	36,279 (2023)	1	6	1 per 897km2	1 per 5,183 People
Bathurst Regional Council	3,819	44,612 (2023)	1	5	1 per 637km2	1 per 7,435 People
Wollondilly Shire Council	2,556	57,616 (2023)	1	1	1 per 1,278km2	1 per 28,808 People

Benchmarking shows that Council's level of service is up to 2 to 3 times higher than those of similar-sized councils in terms of population or access to a service per square kilometre. Adjusting services to better match community needs by considering access and usage can help reduce overall costs.

COMMUNITY ENGAGEMENT

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A range of community engagement activities were undertaken through July to September 2024 and consisted of:

- An Online Survey with 675 respondents participating.
- Six Community Listening Booths with over 300 attendees across three weekends held 27th of July to 1st of September 2024.
- Five Community Focus Groups sessions held from the 12th of September 14th of September.

Service priorities and improvements nominated by the community:

- Increasing recycling options at waste facilities.
- Extend recycling services and waste diversion opportunities across the region- particularly for difficult to recycle items such as soft plastics.
- Increasing reuse and recycling of waste materials and reducing waste to landfill.
- Increasing kerbside service options to rural communities.
- Introduction of FOGO kerbside collections across the entire region.
- Implementing bulky waste collection services- particularly for those without the ability to transport large goods.
- Upgrades to facilities to reduce environmental impact and increase diversion from landfill.
- Improved education to assist better recycling and utilisation of services.
- Support for glass separation from waste.

Community members from across the Shire were engaged with over 77 localities represented.

More than 80% of respondents reported high satisfaction with Council's waste and recycling services.

Request for on-call hard waste service:

This request was frequently raised by community members during engagement.

Providing a service for disposing of large items, especially for residents without the means or ability to transport bulky objects to a transfer station, would make disposal more accessible.

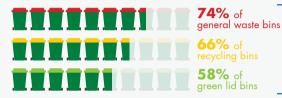
Additional benefits include the possibility of reducing illegal dumping and related clean-up expenses by using an experienced providers and allow separation of recyclable materials.

The engagement of an on-call hard waste collection will support a more equitable waste service within East Gippsland.

INCREASING THE EXTENT OF KERBSIDE COLLECTION AREAS

Many survey respondents sought an increase in locations which receive a kerbside collection service. In response, planning is underway to include an additional 1,400 households by expanding existing collections areas and include new communities. The introduction of new or expanded kerbside collection areas will occur progressively and in consultation with residents from 2027.

Bin Usage

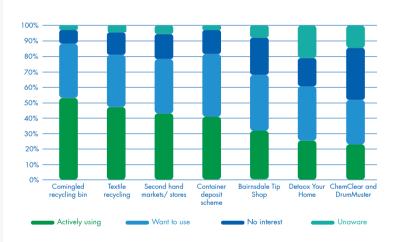


Are less than 75% full.

Overfilled bins were mainly due to large households, young children, medical needs, or not recycling. Offering service options that match different household needs will help reduce contamination.

Capacity	General Waste (Red Lid Bin)	Recycling (Yellow Lid Bin)	Green Waste (Green Lid Bin)
<25%	18%	13%	11%
26-50%	31%	25%	26%
51-75%	25%	28%	21%
76-100%	16%	24%	23%
Overflowing	6%	6%	6%
Have to use red lid bin		1%	2%
I don't have the bin			4%
Unsure/ Do not use	4%	3%	7%

Most residents either used or were interested in using recycling services. Notably kerbside recycling, textile recycling (82%), second hand markets/stores (78%), and/or Container Deposit Schemes (82%) were key priorities.

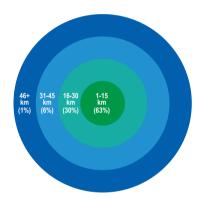


Investing in community education and offering flexible service options is essential to reducing contamination and increasing waste diversion.

How often and how far do residents travel to disposal sites?

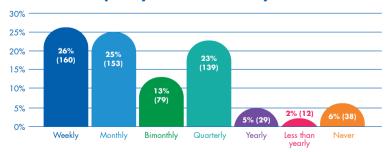
Over half (51%) of survey respondents visited a transfer station monthly, with approximately 92% of respondents visiting more than once a year. 3% of people who completed the survey were not able to transport waste to a facility.

The majority of respondents (63%) travelled under 15km to their chosen primary waste facility, with 93% travelling under 30km.



The significant majority of residents have access to a waste disposal facility within 30km from their home.

Frequency of Waste Facility Visits



21 EGSC - 10 Year Waste and Recycling Services Transition Plan

What disposal sites do community use?

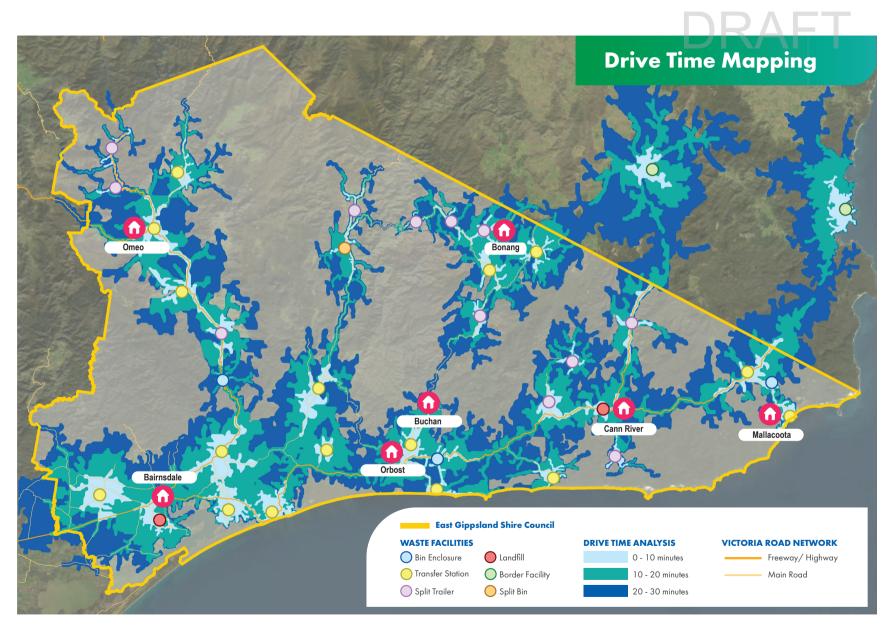
Survey respondents use more than one site for their waste management. Most respondents (67%) have used up to three (3) different facilities and 23% use five (5) or more.

This is due to residents accessing disposal facilities when travelling to access other services such as health or retail available in local centres and larger towns.

The proximity of several sites—within a 30-minute drive of one another is illustrated on the 'drive time map' overpage/ below.

Where the introduction of kerbside collections or a hard waste collections service is possible, consolidation opportunities of facilities may be considered where located in close proximity to an alternative service.

Aligning service availability with community needs and utilisation may support cost savings and efficient use of resources.



22 EGSC - 10 Year Waste and Recycling Services Transition Plan



HOW WE FINANCE SERVICES AND FORECASTS

Waste and recycling services account for \$10.1 million of Council expenditure, with projections estimating an increase to \$16.7 million by 2036 (excluding landfill cell construction, rehabilitation, and related works).

The majority of waste and recycling services operate on a 'user pays' model, encompassing kerbside waste service charges, rural waste fees, and disposal costs at waste facilities. Where appropriate, these expenses may be subsidised, such as for community groups, fundraisers, concession card holders and the provision of waste disposal vouchers.

The General Waste Levy helps fund essential waste and recycling services across East Gippsland to provide services beyond individual households by supporting all residents, businesses, and visitors. It contributes to services such as provision of public litter bins, transfer station operations, compliance activities and EPA Waste Landfill levy charges which ensure a healthy environment and safe community.

Applying cost management strategies will be essential for forecasting expenses and finding savings. Council will continue to explore alternative waste and recycling service options and review its facilities to help reduce the financial impact on households.

Rising landfill levies and mandated changes to kerbside collection services represent the most significant change in household costs in the short to medium term.

CHANGES TO KERBSIDE WASTE AND RECYCLING SERVICES

All councils in Victoria are required to provide households with four waste streams:



Glass

Food and garden organics (FOGO)



Mixed recycling



General rubbish

Mallacoota introduced the "Kitchen to Compost" (K2C) program for organic waste recycling in 2011, initially as a trial, which remains ongoing.

Community support, education, and flexible service options will assist the successful implementation of kerbside collection changes.

To comply with these requirements, the introduction of Food Organic Garden Organic (FOGO) and glass kerbside collection services is being planned and is a main focus of this Transition Plan. Details of these changes are provided below:

- The weekly collection of a new FOGO bin service (planned commencement 2027).
- The fortnightly collections of general waste bins (planned commencement 2027).
- Glass kerbside collection services will be provided by a monthly collection in the Regional Zone (commencement from 2027-2030).
- Local glass drop-off options at transfer stations will serve the Coastal and High Country Zones, already offered in many areas.
- The introduction of changed kerbside collection services will occur progressively in consultation with residents from 2027.
- The design of kerbside services will be planned to support diverse community needs.



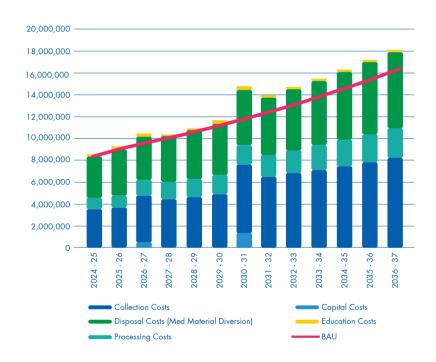
Council Meeting - Tuesday 18 November 2025

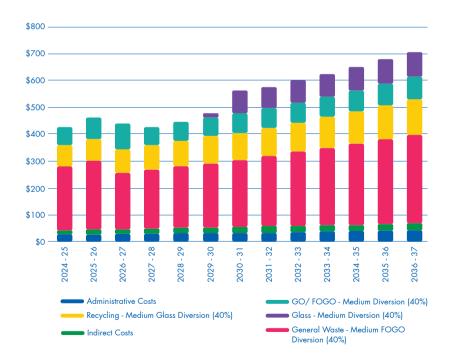
Attachment 5.3.1.1



Forecast costs to implement FOGO kerbside collection services from 2027 are projected to be \$1.4M (excluding capital infrastructure). The forecast cost to implement a glass collection service estimated to be \$3.1M (Regional Zone only).







25 EGSC - 10 Year Waste and Recycling Services Transition Plan



TRANSITION PLAN - OUR PRIORITIES TO 2036 DRA



This Transition Plan will serve as guide to Council and community to 2036, acknowledging that waste management priorities may shift overtime as new developments and community needs become apparent and regulations changes occur. The Goals and corresponding actions of the Transition Plan include a delivery timeline designed to meet regulatory milestones and align with Council's Environmental Sustainability Strategy targets.

The Transition Plan is guided by the following goals:



G1. Transition to a Circular Economy:

Promote collaboration and innovation by working with community, business, and industry to create local circular economy initiatives and job opportunities.



G4. Improve Service Efficiency and Financial Sustainability:

Deliver operational efficiencies to offset rising costs, including rationalising underutilised services, optimising logistics and infrastructure investment.



G2. Increase Waste Diversion and Recycling Rates:

Align with Victorian Government policies to reduce waste, including implementing FOGO and glass kerbside collections, introducing booked hard waste collections and supporting recycling initiatives.



G5. Engage and Educate the Community:

Undertake education campaigns to reduce contamination and increase recycling, facilitate consultation with the community, and support behaviour change.



G3. Deliver Equitable, Accessible, and Affordable Services:

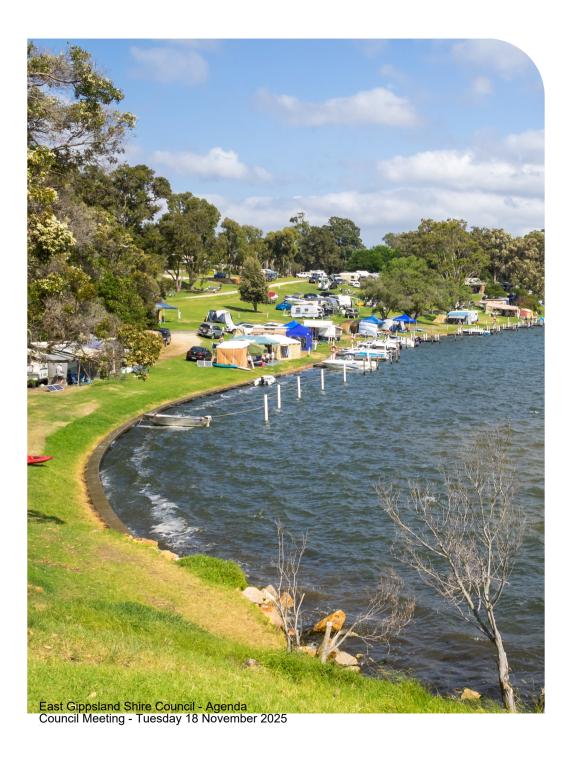
Promote collaboration and innovation by working with community, business, and industry to create local circular economy initiatives and job opportunities.



G6. Maintain Environmental and Regulatory Compliance:

Regularly audit and upgrade facilities to meet environmental standards.

The Transition Plan outlines key directions and actions aligned with the above goals. Progress will be reported to Council, with improvement actions updated as needed. The Sustainability and Waste Minimisation teams will lead delivery of the Plan in partnership with stakeholders and the community.



Resourcing and Review

Resourcing and funding to implement the Action Plan will be sourced from user fees, charges, grants, and other financial streams. Proposed resourcing will be outlined and shared with community as part of Council's annual planning and budgeting processes. External funding opportunities will be pursued to advance the vision, outcomes, and implementation of actions.

The Action Plan will be reviewed annually along with reporting to Council and the community. This will include regular waste audits, monitoring of contractor performance and reporting against priority projects and action to ensure achievement and alignment with identified goals.

DRAFT

TRANSITION PLAN

KI	KEY DIRECTION: IMPLEMENTAT			ECTION: IMPLEMENTATION OF FOGO KERBSIDE COLLECTIONS		ION OF FOGO KERBSIDE COLLECTIONS					
	Goals				Timeframe for Delivery						
6	62	63	64	G5	99	Actions		Y2 2027	Y3 2028	Year 4-6	Year 7-10
	✓	✓	✓			Collection services: Introduce weekly household FOGO bin service within the kerbside collections contract to commence from 2027.					
				✓		Education: Align resources to develop and deliver education campaigns to support implementation of FOGO kerbside services.					
	✓	✓		✓		Materials: Secure supplementary FOGO materials and supplies to support households including kitchen caddies, liners, bin lids and other resources.					
✓	✓	✓			✓	Infrastructure: Progress the establishment of an Organic Composting facility.					
✓	✓		✓	✓		Partnerships: Support utilisation of composted products through farm trials and partnerships with local agribusiness.					
					✓	Monitoring: Undertake annual kerbside bin audits to monitor contamination, inform education and compliance activities to support production of high value compost.					
✓	✓	✓	✓			Partnerships: Work with industry to establish commercial food waste collection and composting-targeting food processors and hospitality sectors.					

Goals						Timeframe for Delivery					
6	62	63	G4	G5	99	Actions		Y2 2027	Y3 2028	Year 4-6	Year 7-10
✓	✓	✓	✓			Collection Service : Establish monthly household glass bin service within the kerbside collections contract (applies to Regional Zone only and work towards commencement from 2027-2030).					
	✓			✓		Education : Develop and deliver education campaigns to inform and support implementation of glass services.					
	√	✓		✓		Infrastructure: Ensure alternative glass drop off and recycling options are available across the shire.					
			✓		✓	Monitoring: Undertake annual bin audits to monitor volume of glass in kerbside bins and future utilisation of glass bin to inform service frequency and access.					

KEY DIRECTIONS: EXPAND KERBSIDE COLLECTIONS AND INTRODUCE BOOKED HARD WASTE **Timeframe for Delivery** Goals Actions G G2 **G**5 99 Year 4-6 Year 7-10 2028 2027 Collection Services: In consultation with community, expand kerbside **√** collection areas progressively from 2027. Collection Services: Plan and introduce booked hard waste collection **√ √** services to commence from 2028 across designated kerbside collection Collection Services: Review public place recycling to understand uptake of container deposit scheme, contamination, waste diversion and community consultation. Education: Develop and deliver shire wide education programs to **1** engage and inform the community to support utilisation of booked hard waste services and reduce illegal dumping.

Goals						Timeframe for Delivery					
CJ	62	63	64	65	99	Actions	Y1 2026	Y2 2027	Y3 2028	Year 4-6	Year 7-10
✓			√	✓		Collaboration : Work with the community to align service availability and access with community benefit, utilisation and affordability – including consideration of alternative service arrangements.					
	✓	✓	✓			Infrastructure : Increase resource recovery through waste infrastructure design, investment, services planning, and logistics.					
			✓		✓	Planning: Explore opportunities to secure cross border waste management and disposal to deliver cost savings and reduce emissions.					
	✓		✓			Infrastructure: Increase site storage and warehouse capacity at designated waste transfer facilities to facilitate resource recovery and distribution to re-processors.					
/	√		✓			Planning: Establish the Bairnsdale Regional Landfill and Transfer Station as a 'Circular Economy Hub' for resource recovery consolidation and value-added processing opportunities.					
		✓	✓		✓	Infrastructure: Maintain asset conditions and renewal programs to ensure service reliability, capacity, environmental compliance and safety.					

		Go	als			Actions	Timeframe for Delivery					
6	62	63	G4	G5	99		Y1 2026	Y2 2027	Y3 2028	Year 4-6	Year 7-1	
	✓		✓	✓		Education : Deliver education programs and campaigns to enhance resource recovery and maximise material diversion from landfill across community business and industry.						
				√		Engagement : Maintain and create avenues to capture community feedback to understand changing community needs and adapt the services as needed.						
✓	√	√	√	√	√	Collaboration : Support communities and social enterprise organisations to establish localised material recovery, re-use and job creation opportunities.						
✓	✓	✓		✓		Partnerships: Facilitate local circular economy initiatives by supporting tip shop services and community programs such as repair cafes, reuse shops, tool libraries, and mobile recycling and exchange initiatives.						
		✓		✓	✓	Partnerships : Advocate for increased access to disposal options for hazardous and problem waste types to reduce environmental and public health risks.						
	✓			✓		Events : Provide resources and support to improve waste reduction at community events.						
✓	✓			✓		Partnerships: Work with Business and industry to leverage cost savings and create new investment and job creation in a circular economy.						
√		√		✓	✓	Engagement: Work with relevant agencies and community to develop initiatives and programs to reduce illegal dumping and pollution.						

Goals						Timeframe for Delivery					
<u>.</u>	62	63	64	65	99	Actions	Y1 2026	Y2 2027	Y3 2028	Year 4-6	Year 7-10
✓	✓			√		Policy: Reduce Council waste generation through avoidance, minimisation and use of recovered material by embedding within policies and procedures to support and achieve behaviour change.					
			√			Efficiency: Apply cost management strategies and financial modelling to inform long term financial sustainability and reliability of waste and resource recovery services and infrastructure.					
		√				Diversity: Ensure waste and recycling collection and disposal services are equitable and responsive to diverse and changing community needs.					
					✓	Environmental Compliance: Monitor and maintain environmental compliance with reporting of waste infrastructure and services in accordance with regulations, licenses and general environmental duties.					
						Reporting: Establish annual targets for diversion, contamination, and community satisfaction:					
	✓				✓	Regularly report progress to Council and the community.					
						 Adjust strategies and actions based on performance data and emerging practices. 					
	√	√	√	√	✓	Emergency Preparedness: Ensure timely, safe, and efficient resource recovery and waste disposal services to support community resilience and operational readiness before, during, and after emergency events.					



Council Meeting - Tuesday 18 November 2025

East Gippsland Shire Council

Address

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5.3.2 CON2026 1745 Expression of Interest for Construction and

Operation of Compost Facility

Authorised by General Manager Assets and Environment

Confidentiality Notice

The information contained in the confidential attachments to this report are confidential under section 3(1) of the *Local Government Act* 2020 because they relate to: (a) Council Business Information, being information that would prejudice the Council's position in commercial negotiations, if prematurely released.

Pursuant to section 66(5)(b) of the *Local Government Act* 2020, if released, the information discussed or considered in relation to this agenda item could prejudice Council's position in commercial negotiations which have not yet commenced.

Purpose

This report is provided to obtain Council's endorsement for the selection of respondents from the Expression of Interest (EOI) process to progress to a closed Request for Tender (RFT) for the development and operation of the proposed Organics Composting Facility.

Note that the establishment of the composting facility remains contingent upon obtaining approval from the Environment Protection Authority Victoria (EPA) and securing the requisite planning permit.

Key Points

The Victorian State Government's *Recycling Victoria: A New Economy Policy* introduces the requirement for Victorian Councils to introduce Food Organics and Garden Organics (FOGO) collection services by 2030.

Council initially considered and endorsed the development of in-house composting facilities in September 2022. The establishment of an Organic Composting Facility (as outlined in this report) aligns with this direction and is consistent with Council's current Waste Action Plan which includes Action 1.1. - Reduce organic waste to landfill by 90% and Introduce a Food Organics & Garden Organics (FOGO) kerbside collection.

Council has completed designs and supporting studies to progress the construction of a 25,000-tonne-per-year Organics Composting Facility at the Bairnsdale Regional Landfill site.

A planning permit application and an EPA Development Licence for the Facility are currently being assessed concurrently. The determination of these applications is anticipated in late 2025 / early 2026.

Since 2022 Officers have considered a range of mechanisms for developing and operating a Composting service including use of a third party provider. In testing the feasibility of a third party of contracted operator Officers conducted comprehensive benchmarking and obtained both legal counsel and independent advice from experienced consultancies throughout the preparation and facilitation of the Expression of Interest EOI process.

EOI was advertised on 23 July 2025 seeking responses from suitable contractors to deliver this service. An industry briefing was held on 6 August 2025 with 15 organisations represented.

The Evaluation Panel has assessed all submissions against set criteria including consideration of capacity, organisational structure, capability and experience.

The Evaluation Panel recommends that the nominated respondents be shortlisted to proceed to a closed RFT process as described in the EOI evaluation report provided within **Confidential Attachment 1.**

It should be noted that this report seeks only to proceed to a closed Request for Tender. It does not commit Council to a particular model or operator. That determination would be subject of future reports to Council. Therefore at this stage Officers are only seeking Council approval to proceed to a closed or selective Request for Tender.

Recommendation

That Council:

- 1. endorses the selection of the nominated respondents to the Expression of Interest (EOI) process (as recommended in Confidential Attachment 1), to participate in a selective Request for Tender (RFT) process for Contract CON2026 1745 for Council's proposed Organics Composting Facility;
- 2. approves an exemption under section 7.4 of the Procurement Policy to enter into a selective Request for Tender process, noting that it would be disadvantageous and unreasonable to proceed to a public request for tender process following a successful public Expression of Interest process, allowing progression to a selective Request for Tender (RFT); and
- 3. resolves that the Confidential Attachments to this report and all discussions relating to those attachments remain confidential.

Strategic Alignment

This report has been prepared and aligned with the following theme/s in the Council Plan 2025-2029:

Theme 3: Making the most of what we've got

Outcome - Natural assets are well-managed and protected

Theme 4: Managing Council well

Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Collaborative Procurement

Under section 109(2) of the *Local Government Act 2020*, EGSC joined the 'Gippswide Kerbside Collaborative Procurement' to collectively source waste and recycling services. Council exited the process due to high transport costs for organic materials and decided instead to establish a local Organic Composting Facility, which this procurement supports.

Consultation/Community Engagement/Impacts

Consultation with community is being undertaken as part of the planning permit and EPA license notification requirements.

Broader community consultation on the need for a composting service was also undertaken as part of the Waste and Recycling service review and development of a Waste and Recycling Transition Plan.

Opportunities and Risks

The EOI process that preceded the planned RFT sought information about a number of separable elements including:

- capacity and capability to construct the facility;
- capacity and capability to operate the facility; and
- opportunities for project financing.

Undertaking and EOI CON2026 1745 processes prior to commencing a formal RFTallows for better understanding of market preferences for the delivery of the Organic Waste Processing Facility (the Facility), including delivery models, refinement of facility designs, determination of procurement models, timelines and availability of additional services.

The EOI received strong interest and identified the most competitive options. An evaluation panel, including Officers and external advisors, assessed submissions and has shortlisted highly capable respondents recommended to participate in the RFT stage.

Under section 14.3 of the Procurement Procedure, Council can proceed with a selective tender among shortlisted candidates rather than a public RFT. Moving directly to a selective RFT maintains momentum, reduces administration, and preserves competition. A probity auditor oversaw the process, ensuring fairness and confidentiality confirmed in **Confidential Attachment 2.**

In addition to qualitative questions to establish a shortlist, the EOI sought to identify market preferences for the contract delivery model, including determination of financing structures, final design and asset ownership. This information did not form part of the weighted evaluation criteria.

All of the above information sought through the EOI will be used to inform the final RFT specification.

Council engaged a subject matter expert to undertake this review and provide recommendations, which were subsequently agreed by the Evaluation Panel. These recommendations are provided in **Confidential Attachment 3.**

Information obtained via the EOI process has been captured within an outline scope (see Appendix 3 to the Evaluation Report at Confidential Attachment 1) which will guide the preparation of the RFT.

Proposed exemption

Council approval is required for an exemption under sections 7.4 of the Policy, from the requirement for open market testing through a public request for tender on the basis that a public expression of interest has been undertaken and only suitably experienced and qualified parties that expressed interest are proposed to be invited to tender. Having proceeded through a public expression of interest process and having received suitable submissions it would be both unreasonable and disadvantageous to then proceed to a public request for tender and instead an invited request for tender is proposed.

Climate change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Legislation

Climate Change Act 2017 (including ss.17, 23-28) Local Government Act 2020 (including ss. 8-9)

Category

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts.

Greenhouse Gas Emissions: Consideration has been given to reduce GHG emissions. Importantly the removal of organic material from waste streams will significantly reduce landfill gas emissions.

Conflicts of Interest

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

Attachments

- 1. CONFIDENTIAL EGSC CO N 2026 1745 Council Evaluation Report FINAL.docx [5.3.2.1 11 pages]
- 2. CONFIDENTIAL Probity Review Report CO N 2026 1745 EOI Composting Facility [5.3.2.2 2 pages]
- 3. CONFIDENTIAL EOI Schedule 9 Report Dartmouth 081025 [5.3.2.3 31 pages]

5.4 Business Excellence

5.4.1 Service Review Policy

Authorised by General Manager Business Excellence

Purpose

This report presents the draft revised Service Review Policy (Policy) for Council's consideration and formal endorsement.

Key Points

As part of our commitment to continuous improvement under the Council Plan 2025–2029, Council is committed to carrying out regular service reviews each year to ensure our services remain responsive, effective, and aligned with community needs. These reviews are designed to assess both financial and service outcomes, ensuring our services remain relevant, high performing, and future-ready.

This Service Review Policy defines the intent and principles that guide our approach to service reviews as defined in the *Local Government Act 2020*.

The last Service Review Policy was adopted on 3 August 2021, the revised Policy is significantly more concise, with clearer structure and simplified language. It consolidates overlapping sections, introduces plain English principles, and clarifies governance roles making it easier to navigate and better aligned with the Council Plan 2025–2029. It also removes reference to the service review framework which is more operational and provides the structure, tools and processes for conducting service reviews. We are currently redeveloping the service review framework to align with the recommendations of the Victorian Auditor General's Office.

This report presents a draft revised Service Review Policy, provided at **Attachment 1**, for Council's consideration and adoption. A copy of the current Policy is provided at **Attachment 2**.

Recommendation

That Council adopts the draft Service Review Policy, as presented at Attachment 1.

Strategic Alignment

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well
Outcome – Council operates transparently and effectively with public trust

Opportunities and Risks

Opportunities

The revised Policy outlines the key principles that underpin Council's approach to service reviews. By embedding principles such as transparency, responsiveness, and continuous improvement, the revised Policy ensures that Council services are regularly assessed and remain aligned with community needs. Implementing these principles will enable Council to proactively address challenges and optimise service delivery.

Risks

If the revised Policy is not implemented, Council risks losing the structured approach necessary for regular, effective service evaluations. Without this Policy, there is a greater likelihood that services may become outdated, less responsive, or misaligned with evolving community expectations.

Climate change

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

Conflicts of Interest

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

Attachments

- 1. Draft Service Review Policy [5.4.1.1 6 pages]
- 2. Service Review Policy tracked changes [5.4.1.2 13 pages]



Service Review Policy

Contents

1.	Purpo	0SE	3
2.		e	
3.		ment	
4.		iples	
5.		s and Responsibilities	
6.		an Rights	
7.		ler Equality	
8.		Reference	
9.		rences and Supporting Documents	
		Applicable Legislation	
	9.2	Applicable Policy and Procedure	5
10.	Revie	ew and Revision History	е
		Administrative Updates	
		Document Control Disclaimer	

Service Review Policy

Date Approved:

Document Owner: Manager Organisational Strategy and

Performance

Document Number: Version Number: Next Review Date:

3 August 2027

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Page 2 of 6

1. Purpose

East Gippsland Shire Council is committed to ongoing service reviews to ensure our services are efficient, effective, and aligned with the needs and expectations of our community. These reviews support continuous improvement and help us deliver public value in a sustainable and responsive way.

2. Scope

This policy applies to all Council staff, contractors, and community members involved in the delivery, funding, or receipt of Council services.

3. Statement

As part of our commitment to continuous improvement under the Council Plan 2025–2029, Council will carry out regular service reviews each year to ensure our services remain responsive, effective, and aligned with community needs. These reviews are designed to assess both financial and service outcomes, ensuring our services remain relevant, high-performing, and future-ready.

Service reviews will be:

- Transparent with clear processes and open communication.
- Engaged involving internal and external stakeholders where appropriate.
- Evidence-based driven by data, performance metrics, and community feedback.
- **Change-ready** supported by upfront change management planning to ensure any proposed changes are understood, accepted, and successfully implemented.

4. Principles

This policy identifies the principles that guide our approach to service reviews. Council's approach to service reviews align with the principles set out in Section 106 of the *Local Government Act 2020*:

- (1) A Council must plan and deliver services to the East Gippsland community in accordance with the service performance principles.
- (2) The following are the service performance principles—
 - (a) services should be provided in an equitable manner and be responsive to the diverse needs of the East Gippsland;
 - (b) services should be accessible to the members of the East Gippsland community for whom the services are intended;
 - (c) quality and costs standards for services set by the Council should provide good value to the East Gippsland community;
 - (d) a Council should seek to continuously improve service delivery to the East Gippsland community in response to performance monitoring;
 - (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

Service Review Policy

Date Approved:

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Document Number: Version Number:

August 2027

Next Review Date:

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Page 3 of 6

5. Roles and Responsibilities

The following teams or positions have direct and/or supporting responsibilities associated with this Policy:

Position	Roles and Responsibilities
Councillors	Provide community insight and strategic direction by identifying service priorities and representing community expectations. Review and provide feedback on findings and recommendations to ensure alignment with Council's vision and community needs. Endorse significant service changes as required.
Chief Executive Officer	Provides overall leadership and accountability for the service review process. Ensures alignment with organisational priorities, endorses final recommendations, and supports implementation through executive direction and resource allocation.
Executive Leadership Team	Provides strategic oversight and ensures service reviews align with Council priorities. Endorses review scopes, monitors progress and supports implementation of recommendations through leadership accountability.
Project Sponsor	Oversees the review at a directorate level, ensuring alignment with strategic objectives and resourcing. Supports governance, facilitates communication across leadership, and champions review outcomes.
Manager Organisational Strategy and Performance	Oversees the annual service review program. Provides guidance on review methodology, ensuring alignment with the Service Review Policy and supports consistency and quality across reviews. Leads reporting and supports integration of findings into strategic planning.
Project Control Group (PCG)	Provides strategic oversight and high-level decision-making to ensure the service reviews align with Council Plan actions. The PCG includes representatives from key service areas such as finance, customer experience, communications, and asset management. The group is responsible for setting direction and scope, approving changes, defining key milestones, monitoring progress and risks, and making recommendations throughout the project lifecycle.
Project Delivery Group (PDG)	Responsible for the day-to-day implementation of project activities. This includes planning, executing, and delivering project outputs, managing timelines, resources, and communications, resolving operational issues, and providing regular updates to the PCG throughout the project lifecycle.
Service Review Project Manager	Manages the end-to-end review process, including project planning and day-to-day project delivery. Ensures the review is evidence-based, impartial, and delivers actionable recommendations for improvement.

Service Review Policy

Date Approved:

Document Owner: Manager Organisational Strategy and

Performance

Document Number: Version Number: Next Review Date:

August 2027

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Page 4 of 6

6. Human Rights

Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act* 2006 (the Charter). This Policy has been assessed as compliant with the obligations and objectives of the Charter.

7. Gender Equality

This Policy has considered the *Gender Equality Act* 2020 in its preparation and has been assessed as not requiring an Equity Impact Assessment (EIA).

8. Risk Reference

This Policy is implemented as a control to mitigate risks in the following categories:

Risk Category	R	Risk Category	R
Environmental		Technology and Information Management	✓
Health and Safety		Assets, Facilities and Security	
Project, Product and Service Delivery	✓	Human Resources	✓
Financial and Economic	✓	Procurement	
Leadership and Political Awareness	✓	Corporate Governance and Compliance	✓
Reputation and Corporate Image	✓	Legal	

9. References and Supporting Documents

9.1 Applicable Legislation:

- Local Government Act 2020
- Disability Discrimination Act 1992
- Gender Equality Act 2020

9.2 Applicable Policy and Procedure:

- Community Engagement Policy
- Complaint Management Policy

Service Review Policy

Date Approved:

Document Owner: Manager Organisational Strategy and

Performance

Document Number: Version Number: Next Review Date:

August 2027

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Page 5 of 6

10. Review and Revision History

Version Number	Date Approved	Approved By	Review Summary
1	15 April 2021	Strategic Leadership Group	New policy
2	3 August 2021	Council	Formatting; elevated to Council Policy
3			Policy reviewed to ensure alignment with Council Plan 2025-29

10.1 Administrative Updates

Minor amendments to this document may be required from time to time. Where amendments do not materially alter the intent of a document, they will be made administratively and approved by the Document Owner.

10.2 Document Control Disclaimer

Printed copies of this document are considered uncontrolled. Please refer to the Corporate Document Register on Council's intranet to access the most current version of this document.

Service Review Policy

Date Approved:

Document Owner: Manager Organisational Strategy and

Performance

Document Number: Version Number: Next Review Date:

August 2027

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Page 6 of 6

Version number: 2-3
Authorised by: Council



Service Review Policy

Version number: 2-3 Authorised by: Council

Contents

Purpose	1
Scope	1
Statement	1
Principles	1
Roles and Responsibilities	5
Human Rights	7
Gender Equality	
Risk Reference	
References and Supporting Documents	
Applicable Legislation:	
Applicable Policy and Procedure:	
Supporting Documents:	8
Revision History and Review	10
Administrative Updates	
Document Control Disclaimer	
Purpose	
Scope	
Policy Context	
Legislative Context	
Policy Statement	
Service Review Framework	
Service Review Principles	
Service Review Prioritisation	
Outcomes of Service Reviews	
Roles and Responsibilities	
References and Supporting Documents	.5
Applicable Legislation	.5
Applicable Policy and Procedure:	.5
Supporting Documents	
Privacy and Human Rights Consideration	.5
Definitions	.6
Revision History and Review	.7

Attachment 5.4.1.2

Service Review Policy
Date approved: 03/08/2021
Document owner: Manager Organisational Strategy and Performance
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Version number: 23

Next review date: 03/08/2024

Purpose

East Gippsland Shire Council is committed to ongoing service reviews to ensure our services are efficient, effective, and aligned with the needs and expectations of our community. These reviews support continuous improvement and help us deliver public value in a sustainable and responsive way.

To outline a commitment to ongoing service reviews to ensure that each service is aligned to Council's Community Vision, Council Plan, the *Local Government Act* 2020, other legislative requirements and relevant strategic documents.

The review will help to assess that the service is considered as important and valued by local communities and key stakeholders. Further, the review will aim to ensure that the service is delivered in the most responsible and sustainable manner.

This Policy will assist the decision-making process when a service review makesrecommendations to potentially introduce, expand, reduce, discontinue or outsource a service.

Scope

This Policy applies to Council, Council staff, contractors and <u>community members involved in the delivery, funding or receipt of Council</u> Services that have been contracted out.

Statement

As part of our commitment to continuous improvement under the Council Plan 2025–2029, Council will carry out regular service reviews each year to ensure our services remain responsive, effective, and aligned with community needs. These reviews are designed to assess both financial and service outcomes, ensuring our services remain relevant, highperforming, and future-ready.

Service reviews will be:

- Transparent with clear processes and open communication.
- Engaged involving internal and external stakeholders where appropriate.
- Evidence-based driven by data, performance metrics, and community feedback.
- Change-ready supported by upfront change management planning to ensure any proposed changes are understood, accepted, and successfully implemented.

Principles

This policy identifies the principles that guide our approach to service reviews. Council's approach to service reviews align with the principles set out in Section 106 of the *Local Government Act* 2020:

- 1. A Council must plan and deliver services to the East Gippsland community in accordance with the service performance principles.
- 2. The following are the service performance principles
 - a) services should be provided in an equitable manner and be responsive to the diverse

Service Review Policy
Date approved: 03/08/2021
Document owner: Manager Organisational Strategy and Performance
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Version number: 23 Next review date: 03/08/2024

1

needs of the East Gippsland;

- b) services should be accessible to the members of the East Gippsland community for whom the services are intended;
- c) quality and costs standards for services set by the Council should provide good value to the East Gippsland community;
- d) a Council should seek to continuously improve service delivery to the East Gippsland community in response to performance monitoring;
- e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

Policy Context

The face of local government and the services it provides to its communities are changing.

The new Local Government Act 2020, cost shifting, rate capping, increased regulatory requirements, bushfires, pandemics and demands from the community is resulting in local government needing to demonstrate it is providing value for money for services the community consider important. Financial sustainability of councils is reported in the form of league tablesregularly and its important within this context that service best practice and value for moneycan be demonstrated.

Environmental sustainability in a global climate change context also sees the need to reduce the footprint that service delivery leaves behind. This will also be a focus of any review.

The most appropriate way to address the above outcomes is through policy development and a consistent framework.

Legislative Context

Local Government Act 2020

Section 106 of the Local Government Act 2020 (the Act), states in relation to serviceperformance principles that:

- A Council must plan and deliver services to the municipal community in accordance with the service performance principles.
- The following are the service performance principles—
 - (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;
 - services should be accessible to the members of the municipal community for whom the services are intended;
 - quality and costs standards for services set by the Council should provide good value to the municipal community;
 - (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;

Service Review Policy Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance This document is uncontrolled when printed

Version number: 23 Next review date: 03/08/2024

(e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

This Policy will assist the Council in satisfying the requirements of Section 106 of the Act.

Policy Statement

Service Review Framework

A Service Review Framework has been developed to guide the review of Council's services.

The scope of a Service Review will vary depending upon the complexity of the service and the depth of the review. The Scope of reviews will be confirmed by the Executive Leadership Team prior to commencement.

Service Review Principles

When making service delivery related decisions, the Service Review Framework will be used to address the following principles:

- Services will reflect current and future community needs balanced against the resource capacity and financial viability.
- Services will reflect the strategic work of Council.
- Services will reflect Council's community vision as developed under section 88 of the Act, in accordance with its deliberative engagement practices in line with community's aspirations for the future of the municipality.
- Services will be delivered in accordance with Council's Integrated Strategic Planning and Reporting Framework (ISPRF) with a clear link to the Community Vision, Council Plan, Financial Plan, Asset Plan, Workforce Plan and Revenue and Rating Plan.
- Service reviews will check whether Council is the most appropriate agency to deliver the service.
- Service reviews will recommend the most appropriate levels of service and their associated revenue, expenses, assets, liabilities, investments and financial transactions in accordance with the financial management principles set out in section 101 of the Act.
- Service reviews will give consideration to the User Pays Principles and is required to consider socio-economic and capacity to pay factors.
- Services and their review will reflect an appropriate continuous improvement regime.
- Services will be delivered in accordance with relevant legislation and regulations.
- Services will be delivered in accordance with funding agency requirements.
- Consultation will be undertaken with internal and external stakeholders that have a role in the delivery, funding or receipt of Council's services as per the Community Engagement Policy.
- A risk assessment will be undertaken as part of the review and the impacts on staff will be closely monitored via appropriate organisational and human resources policy and practices.

Service Review Policy
Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance This document is uncontrolled when printed Version number: 23 Next review date: 03/08/2024

Service Review Prioritisation

Council will undertake reviews on a rolling program basis.

The priority of the reviews will be recommended by the Chief Executive Officer that has regard-

- Any withdrawal of government grants or funding for the service;
- customer/community feedback;
- legislative changes;
- entrepreneurial opportunities;
- · changes in the Council Plan;
- Financial Management Principles set out in section 101 of the Act; and
- Service Performance Principles set out in section 106 of the Act.

Outcomes of Service Reviews

The key outcomes are expected to be:

- an appropriate level of service being delivered within the available level of resources (that is financial, physical and human resources)
- clarity of services delivered
- best value for money for ratepayers
- a more engaged community;
- a level of community satisfaction that aligns with Council's resource capability;
- · alignment of service levels with financial capacity;
- cost savings or increased revenues including fee for service;
- partnerships/shared service outcomes;
- · whole of Council approach to service delivery; and
- appropriate capital investment for improved service delivery efficiency and cost.

Service Review Policy Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance

This document is uncontrolled when printed

Version number: 23

Next review date: 03/08/2024

Roles and Responsibilities

These positions are responsible for implementation and compliance monitoring of the procedure in their work areas: The following teams or positions have direct and/or supporting responsibilities associated with this Policy.

Party / Parties	Roles and Responsibilities
Councillors	Provide community insight and strategic direction by identifying service priorities and representing community expectations. Review and provide feedback on findings and recommendations to ensure alignment with Council's vision and community needs. Endorse significant service changes as required.
Council	The Council is responsible for: adopting the policy receiving final reports and recommendations contained in the Service Review Report making decisions when it is proposed to potentially introduce, expand, reduce, discontinue or outsource a service, or there are political ramifications.
Chief Executive Officer	Provides overall leadership and accountability for the service review process. Ensures alignment with organisational priorities, endorses final recommendations, and supports implementation through executive direction and resource allocation. Responsible for the Service Review Program.
Executive Leadership Team	Provides strategic oversight and ensures service reviews align with Council priorities. Endorses review scopes, monitors progress and supports implementation of recommendations through leadership accountability. Acts as the Steering Group. Provides overall direction and leadership for the review, priorities and timeframes, provides strategic input, endorses recommendations and final reports prior to Council consideration and reviews risks and outcomes including benefits realisation targets (i.e. best case to worst case scenarios).
Project Sponsor	Oversees the review at a directorate level, ensuring alignment with strategic objectives and resourcing. Supports governance, facilitates communication across leadership, and champions review outcomes.
Manager Organisational Strategy and Performance	Oversees the annual service review program. Provides guidance on review methodology, ensuring alignment with the Service Review Policy and supports consistency and quality across reviews. Leads reporting and supports integration of findings into strategic planning.

Service Review Policy
Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance This document is uncontrolled when printed Version number: 23 Next review date: 03/08/2024

5

Project Control Group (PCG)	Provides strategic oversight and high-level decision-making to ensure the service reviews align with Council Plan actions. The PCG includes representatives from key service areas such as finance, customer experience, communications, and asset management. The group is responsible for setting direction and scope, approving changes, defining key milestones, monitoring progress and risks, and making recommendations throughout the project lifecycle.
Project Delivery Group (PDG)	Responsible for the day-to-day implementation of project activities. This includes planning, executing, and delivering project outputs, managing timelines, resources, and communications, resolving operational issues, and providing regular updates to the PCG throughout the project lifecycle.
Service Review Project Manager	Manages the end-to-end review process, including project planning and day-to-day project delivery. Ensures the review is evidence-based, impartial, and delivers actionable recommendations for improvement.
General Manager/s	The relevant General Manager (GM) from each impacted area- is the "owner" of the review and its recommendations and- outcomes. The General Manager is responsible for: undertaking and delivering the Review in accordance with the Policy and Framework will work with the People Performance and Culture Team and the Service Delivery Review Team to undertake the Review.
Service Delivery Review Team	The key role is to review services in accordance with the Policy and Framework. The Service Delivery Review Teamwill be determined by the relevant GM and is based on the complexity of the review and the Service Delivery Review Framework. The Service Delivery Review Team will be chaired by the GM and may include: - Administrative support - Independent consultant - Subject expert - Senior Organisation Development Officer - Organisational Representatives from: - Finance - Customer Experience - Communications - Information Services - Risk and Governance

Service Review Policy
Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance This document is uncontrolled when printed

Version number: 23 Next review date: 03/08/2024

Party / Parties	Roles and Responsibilities
Manager/s	The relevant Manager/s will be a part of the Service Delivery Review Team.
Manager People, Performance and Culture	Provides assistance to the relevant General Manager and the organisation in the review process.
	Depending on the complexity and sensitivity of the review, inconsultation with the General Manager, the Manager People, Performance & Culture may call upon external and independent consultants to assist in the Review.
Senior Organisation- Development Officer	Provides advice on the service review process and required resources to the General Manager and Service Delivery Review Team.
Community Advisory Group	The relevant General Manager will give consideration to- forming a Community Advisory Group to provide input to the- review as part of the Review's engagement and consultation- plan.

Human Rights

Council is committed to upholding the Human Rights principles as outlined in the Charter of Human Rights and Responsibilities Act 2006 (the Charter). This Policy has been assessed as compliant with the obligations and objectives of the Charter.

Gender Equality

This Policy has considered the Gender Equality Act 2020 in its preparation and has been assessed as not requiring an Equity Impact Assessment (EIA).

Risk Reference

This Policy is implemented as a control to mitigate risks in the following categories

Risk Category		Risk Category	
<u>Environmental</u>		Technology and Information Management	
Health and Safety		Assets, Facilities and Security	ß
Project, Product and Service Delivery	đ	<u>Human Resources</u>	
Financial and Economic	đ	<u>Procurement</u>	
Leadership and Political Awareness	A	Corporate Governance and Compliance	₫
Reputation and Corporate Image	đ	<u>Legal</u>	

Service Review Policy Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance This document is uncontrolled when printed

Version number: 23 Next review date: 03/08/2024

References and Supporting Documents

Applicable Legislation:

Local Government Act 2020 Disability Discrimination Act 1992 Gender Equality Act 2020

Applicable Policy and Procedure:

Community Engagement Policy Occupational Health and Safety Policy **Complaints Management Policy** Customer Response Policy

Supporting Documents:

Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council will be handled inaccordance with all applicable privacy legislation and will be used only for the purpose for which it was collected. All personal information collected by East Gippsland Shire Council inconnection with service reviews and planning will be handled in accordance with all applicableprivacy legislation and will be used only for the purpose of investigating levels of service.

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

Service Review Policy Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance This document is uncontrolled when printed

Version number: 23

Next review date: 03/08/2024

Definitions

Term	Meaning			
Capital costs	Expenditure incurred when Council spends money to buy, construct, renovate or acquire an asset.			
Cost shifting	Cost shifting is a constant funding pressure faced by councils and occurs when Federal and State programs transfer service responsibilities to local government with insufficient funding or grants which do not keep pace with delivery costs.			
Council Plan	The Local Government Act 2020 (S90) prescribes the need for a Council Plan. It provides for a comprehensive overview of Council's values, commitments and activities. It includes clear goals and objectives against which measures Council performance. Every four years Council prepares a Council Plan after the election of a new Council.			
Integrated Strategic Planning and Reporting- Framework (ISPRF)	The Local Government Act 2020 (S89) prescribes the use of strategic planning principles. Guidelines have been developed to implement a ISPRF.			
	The Council's ISPRF provides for clear links between the Community-Vision (S88), Council Plan (S90), Financial Plan (S91), Asset Plan (S92), Revenue and Rating Plan (S93), Budget (S94) and Annual-Report (S98).			
League tables	A form of ranking based on a set of criteria such as revenue, earnings- or any other relevant metrics.			
Level of service	The service quantity and quality for a given activity.			
Officers	Member of East Gippsland Shire Council (EGSC) staff.			
Rate capping	The maximum amount a council can increase general rates and municipal charges.			
Recurrent costs	Refers mainly to expenditure on operations, wages and salaries, purchases of goods and services, and current grants and subsidies.			
Rolling program basis	Refers to the concept that reviews will be undertaken on a continuing basis. The Council determines the rolling program based on a report from the CEO.			
Service review	a formal process that considers the cost, quality and efficiency of a council service, and assesses whether the current mode of delivery is appropriate.			
Service planning	Planning for services helps to identify what level of service a Councilcan afford to provide for its community.			
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees.			

Service Review Policy
Date approved: 03/08/2021
Document owner: Manager Organisational Strategy and Performance
This document is uncontrolled when printed

Version number: 23 Next review date: 03/08/2024

9

Term	Meaning
Best value for money	Refers to the way in which services are delivered having regard to a combination of economy, efficiency and effectiveness.
User pays principal	Is a pricing approach based on the allocation of resources where- consumers of a service pay the full cost of the goods or services they- consume.

Revision History and Review

Version Control		Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	15 April 2021	Strategic Leadership Group	8980156	New policy
2	Approved	3 August 2021	Council	9116119	Policy adopted by Council: due to the strategic nature of the policy it has been determined to be a Council Policy not a Management Policy. Formatting changes.
3					Policy reviewed to ensure alignment with Council Plan 2025-29

Administrative Updates

Minor amendments to this document may be required from time to time. Where amendments do not materially alter the intent of a document, they will be made administratively and approved by the Document Owner.

Document Control Disclaimer

<u>Printed copies of this document are considered uncontrolled. Please refer to the Corporate</u>

Document Register on Council's intranet to access the most current version of this document

Service Review Policy Date approved: 03/08/2021

Document owner: Manager Organisational Strategy and Performance This document is uncontrolled when printed Version number: 23 Next review date: 03/08/2024

10

5.4.2 Organisational Performance Report July to September 2025

Authorised by General Manager Business Excellence

Purpose

To seek Council endorsement of the Organisational Performance Report for the period 1 July to 30 September 2025.

Key Points

The *Local Government Act 2020* (the Act), section 97 (1) requires a quarterly finance report to be presented to Council as soon as practical after the end of each quarter.

The Organisational Performance Report, provided at **Attachment 1**, provides an overview of progress against the quarter one results for 2025/26 of the:

- Council Plan 2025-2029; and
- 2025/26 Budget.

The report brings together a range of financial and performance indicators together to enhance the readability of the report and transparency of Council's performance.

Organisational Performance

The first section of the Organisational Performance Report provides a summary of achievements against the Strategic Objectives of the Council Plan and progress against major initiatives.

Financial Performance

Operating result

The second section of the Organisational Performance Report provides year-to-date financial performance.

Council has delivered a sound financial performance in the first quarter of the 2025/26 financial year. The Year to Date (YTD) operating surplus is \$53.865 million, exceeding the forecast by 4.7% (\$2.397 million). This is primarily due to timing differences in expenditure and recognition of income streams such as rates and interest earnings.

However, the full-year operating surplus is forecast to be just \$0.387 million, which is \$8.844 million lower than the adopted budget. This is mainly due to the reduction in Recurrent Operating Grants—specifically the Financial Assistance Grant of \$10.695 million, which was received in the prior year. This is partially offset by increases in non-recurrent grants, reimbursements, and other contributions, particularly for natural disaster recovery, capital reimbursements, and insurance claims.

Key financial sustainability indicators

Indicator	Target	2025/26	2024/25	Risk rating
Net Result	>0%	0.28%	14.80%	Low
Adjusted Underlying Surplus/Deficit)	>5%	-12.39%	-3.64%	Medium
Liquidity	150%	273.37%	333.37%	Low
Indebtedness	<60%	16.37%	16.97%	Low
Asset renewal	100%	156.86%	103.02%	Low

Capital Works Projects

The 2025-26 Capital Works Projects budget was adopted in June 2025 at \$71.711 million*. After final adjustments for carry forwards, the total budget increased by \$3.152 million, resulting in an initial budget of \$74.864 million. At the end of the first quarter, the forecasted budget decreased by \$0.334 million, reducing the revised budget to \$74.530 million.

By the end of the period, Capital projects expenditure and commitments reached \$19.273 million, accounting for 25.9% of the total revised budget.

At the end of quarter one, the program covered 171 separate projects of which 17 projects had been completed, 135 are progressing, 16 projects are yet to commence, and 3 projects have been withdrawn, transferred or are on hold.

It should be noted that in addition to the revised capital works budget of \$74.530 million, the Waste Rehabilitation and Aftercare non-capital projects (Major Projects) budget is \$6.485 million and the budget for Community projects (projects being managed on behalf of others) is \$4.7 million.

Recommendation

That Council:

- 1. endorses the full year forecast changes for operating and capital budgets, as included in the Organisational Performance Report for the period to 1 July to 30 September 2025; and
- 2. notes that if endorsed, the Organisational Performance Report for the period to 30 September 2025, as provided at attachment 1 will be published on Council's website.

Strategic Alignment

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well
Outcome – Council operates transparently and effectively with public trust

Opportunities and Risks

The detailed commentary and analysis of performance is contained in the performance report.

Climate change

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

Conflicts of Interest

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

Attachments

1. Organisational Performance Report - July to September 2025-combined [**5.4.2.1** - 50 pages]



ORGANISATIONAL PERFORMANCE REPORT

July 2025 to September 2025

Organisational Performance Report July 2025 – September 2025

Contents

About	t this Report	1
Orgar	nisational Performance	1
Com	munity wellbeing and social responsibility	2
Pros	perityng the most of what we've got	0
	aging Council well	
	cial Report Overview and Progress	
1.1	Income Statement at 30 September 2025	3
1.2	Balance Sheet 30 September 2025	8
1.3	Cashflow Statement for the Period 1 July 2025 to 30 September 2025	10
1.4	Capital Works Projects	
1.5	Capital Works report by asset class as at 30 September 2025	
1.5	Treasury	15
1.6	Procurement	
1.7	Rates Performance	18
Year t	o Date Financial Analysis	19
2.1	Financial Potics	10

Acknowledgement of Country

East Gippsland Shire Council acknowledges the Gunaikurnai, Nindi-Ngujarn Ngarigo Monero, Bidawel, Duduroa Dhargal, Jaithmathang 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.

About this Report

This Report is prepared as a key component of East Gippsland Shire Council's (Council) commitment to transparent reporting and accountability to our community and to meet statutory reporting requirements under the Local Government (Planning and Reporting) Regulations 2020.

Organisational Performance

Incorporating the Municipal Health and Wellbeing Plan, Council has identified the following Strategic Themes through Council Plan 2025-29 that will guide its work over the period:

- Community wellbeing and social responsibility
- Prosperity
- · Making the most of what we've got
- Managing Council well

Performance Monitoring

Council tracks its progress through quarterly reporting, focusing on:

- Progress against Council Plan initiatives
- Outcomes achieved against Council Plan performance measures

Health and Wellbeing Initiatives

Initiatives that support Health and Wellbeing priorities are marked with this icon ♥

Organisational Performance Report July – September 2025

Page 1

Community wellbeing and social responsibility

We foster a strong sense of belonging, inclusivity, and shared responsibility, ensuring that all members of our community are supported, valued, and empowered to thrive together.

How this theme is important for the health and wellbeing of our community

Belonging and social inclusion are critical components for mental health and overall well-being. Emphasising mental health and well-being helps reduce stigma, foster social connections, enhance physical health, boost productivity, and create safer communities.

Initiatives that promote high levels of well-being play a crucial role in driving social and economic success. These initiatives result in improved learning outcomes, increased creativity, greater productivity, stronger relationships, better physical health, and longer life expectancy.



and local data are guiding the development process.

Outcome - A connected and inclusive community, endeavouring not to leave anyone behind

We work with our local community to deliver a shared future

- The Omeo Place Plan is progressing well. Demographic data has been gathered for inclusion and will be summarised to support both community engagement and documentation. The engagement plan has been finalised, and an internal Place Plan Steering Committee has been established to support project coordination and input.
- The Community Engagement Policy has undergone a comprehensive review and was formally presented to Council this quarter. The revised
 policy reflects updated principles and practices aligned with contemporary engagement standards and Council's strategic direction. The draft
 policy was made available for public consultation (22 September to 20 October 2025) inviting community members to provide feedback and
 help shape the final version, ensuring transparency and reinforcing Council's commitment to inclusive and participatory decision-making.
- A Reconciliation Action Plan (RAP) has been developed and submitted to Reconciliation Australia for formal endorsement. The RAP outlines Council's commitment to strengthening relationships with Aboriginal and Torres Strait Islander communities, fostering respect, and creating opportunities for meaningful engagement and collaboration. It reflects a whole-of-organisation approach to reconciliation, embedding cultural awareness and inclusive practices into Council's operations and strategic direction. Endorsement from Reconciliation Australia will mark a significant milestone in Council's reconciliation journey and enable the implementation of a two-year action plan to bring the RAP's commitments to life.
- The Lakes Entrance Indoor Stadium Development project is progressing well. The project governance structure has been established to
 provide strategic oversight and review key project elements. A Reverse Brief has been developed to clarify project requirements and priorities
 and propose location options to ensure alignment with strategic objectives and community needs. Preliminary site investigations including an
 Arborist assessment and a Geotechnical report have also been completed, providing valuable insights to inform future planning and design
 stages.
- The draft Open Space Strategy was released for community engagement, providing an opportunity for residents and stakeholders to review and contribute to the future vision for public open spaces across the municipality. Feedback received during the consultation period was constructive and has informed minor revisions to the document, ensuring it better reflects community values and priorities. The updated Strategy is now being finalised and is scheduled to be presented to Council for formal adoption in the next quarter, marking a key step in quiding future planning, investment, and management of open space assets.

Outcome - A stronger collaborative community that is actively engaged and supported

We support the social wellbeing of our community

- The first draft of the Fort King Landscape Management Plan and a supporting works plan for Bullock Island have been developed following
 community engagement. These plans reflect local input and strategic priorities for environmental management and public access. Both
 documents are now listed for future Council discussion and endorsement, representing a key step in progressing place-based planning and
 sustainable development in these coastal areas.
- Pre-application discussions have taken place regarding a planning application for the expansion of the Swan Reach Caravan Park, which includes a component of affordable housing. As part of Council's commitment to housing diversity, a community housing outcome has been successfully negotiated, and a planning permit has been issued for a housing development in Bairnsdale. In addition, development planning for the Paynesville growth area is underway, with a focus on providing a diverse range of lot sizes to support greater housing choice and affordability across the region.
- Council has participated in preliminary discussions led by the Municipal Association of Victoria regarding the review of the Planning and Environment Act. While specific details of the proposed revisions have not yet been released by the State Government, Council continues to advocate for improvements to planning mechanisms through ongoing engagement with the regional office of the Department of Transport and Planning. This advocacy aims to ensure that future legislative changes support streamlined, transparent, and community-responsive planning processes.
- Promoting healthy eating, active living, and harm reduction has been a key focus this quarter. Council partnered with the Gippsland Primary
 Prevention Partnership to deliver on an agreed Action Plan, which included initiatives such as the installation of No Smoking No Vaping
 signage in public spaces. External funding was also secured to support the Gippy Girls Can campaign, which successfully engaged over 200
 girls and women in physical activity throughout September. These efforts contribute to broader public health outcomes and support inclusive
 participation in community wellbeing initiatives.

Council Plan Measures

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
engagement opportunities. p b ir p		This quarter 7,404 users visited at least one project page on our YourSay site, indicating broad community interest. Improvement initiatives include promotion (digital and in person), improving the quality of engagement information, survey questions and polls, and implementing other tools (mapping).	7,404	Increased participation year-on-year
	Number of visits to aquatic facilities per population.	The Aquadome saw considerable growth from the previous quarter, attributed to increase in aquatic education and the aqua run. The BARC saw a slight increase from the previous quarter, attributed to increased participation in group fitness and aquatic education.	2.69	≥11 Visits
Annually	Percentage of municipal population that are active library members.	Not yet reportable.	-	>15%
	Number of community members volunteering on Committees of Management.	Not yet reportable.	-	≥500 volunteers
	Community perception of safety.	Not yet reportable.	-	Baseline Year
	Percentage of social and affordable housing within the community	Not yet reportable.	-	31.1%

Prosperity

We embrace sustainability economic growth, fostering opportunities that enhance livelihoods, innovation, and long-term financial stability for our diverse communities.

How this theme is important for the health and wellbeing of our community

Supporting access to learning opportunities and driving economic investment through local employment is crucial for enhancing social connections, mental health, and self-expression. Continuous learning helps individuals remain adaptable in a changing world, while local employment provides a sense of purpose and community. These opportunities lay the foundation for financial stability and contribute to long-term economic growth. Together, they enable individuals to build relationships, improve their well-being, and achieve greater independence, ultimately enhancing their quality of life and fostering interconnected communities.



Engaging local suppliers - 46 participants attended our annual breakfast and workshop focused on procurement and capital works.

Outcome - Thriving, self-sufficient communities with strong local businesses and social enterprises

We are helping to strengthen economic opportunities through local investment and employment

- Council hosted its annual Contractors' Breakfast and Procurement Workshop during the quarter, with a notable increase in attendance—46
 participants from across the region. This year's event focused on enhancing contractor engagement and understanding of Council processes.
 Key topics included an introduction to the new Vendor Panel system, an overview of the upcoming 2025/26 Capital Works Program, practical
 tendering tips to improve submission quality, a spotlight on safety and compliance requirements, and insights into how procurement operates
 within local government. The event fostered stronger relationships with suppliers and reinforced Council's commitment to transparent and
 efficient procurement practices.
- A project group has been established to guide the implementation of the new Vendor Panel system across Council. The group is responsible
 for overseeing the rollout of the implementation plan, ensuring alignment with Council's procurement policies and transparency standards.
 This initiative supports improved supplier engagement, streamlined procurement processes, and enhanced accountability in purchasing
 decisions. The new Vendor Panel system is scheduled for launch in December 2025.
- Council continues to actively support community-led development strategies in towns impacted by the forestry transition. As the host agency for the Local Development Strategy (LDS) in Swifts Creek, and a key supporter of LDS projects in Orbost and Nowa Nowa, Council has played a central role in helping communities transition from native timber harvesting to more sustainable industries. This work has involved extensive community engagement, identification of local strengths, and participation in *Innovation Working Groups* across all three towns. Council also collaborates in regional advocacy efforts to improve transition approaches and secure long-term economic resilience for affected communities.
- ♥ Council has supported the Towards 2030 Gippsland Food, Drink & Agritourism Strategy through targeted initiatives that promote investment in the region's premium food and beverage sectors. A highlight this quarter was the development of a case study on *Lightfoot Wines*, showcasing the success of local viticulture and its contribution to regional identity and economic growth. The case study will feature prominently in the relaunch of the Invest East Gippsland brand, helping to attract further interest in agritourism and position East Gippsland as a destination for high-quality food and wine experiences.

We support the growth and development of our towns

- The Bairnsdale 2050 strategic planning project has progressed with the completion of an audit of existing background information and reports. This foundational work has helped identify gaps in data and areas requiring further community consultation. The Community Panel is scheduled to reconvene in late October to review these gaps, provide feedback on the draft documentation, and contribute to the development of draft strategies. This collaborative process ensures the long-term vision for Bairnsdale is informed by both evidence and community values.
- Council has commissioned a comprehensive four-year Regional Marketing Action Plan designed to elevate East Gippsland's profile across the pillars of Live, Work, Visit, and Invest. This strategic initiative will guide the relaunch of Council's investment attraction activities, including updates to the Invest East Gippsland website and the official launch and marketing of both the East Gippsland Investment Prospectus and the Omeo and District Visitor Economy Prospectus. The Action Plan will provide a coordinated framework to attract new residents, businesses, and visitors, while showcasing the region's strengths in lifestyle, natural assets, and economic potential.
- The review of Council's Local Law is underway, with a focus on modernising regulatory approaches to better support local business and community activity. Council is using the Local Laws Assessment Guide developed by the Victorian Department of Treasury and Finance to explore alternative, risk-based models for footpath trading permits. By considering more flexible and outcomes-focused approaches, Council aims to reduce unnecessary regulatory burden, encourage greater participation in footpath trading, and enhance street-level vibrancy, economic activity, and community engagement.
- The Bairnsdale Airport Runway Upgrade Project was formally endorsed at the Council Meeting on 16 September 2025. This endorsement includes planning to commence for an update to the Airport Master Plan, ensuring alignment with future aviation needs and regional development goals.

We promote East Gippsland's places and opportunities

- In response to ongoing dry conditions in the Benambra region, Council partnered with Agriculture Victoria to promote tailored programs and
 training opportunities aimed at supporting local agribusinesses. These initiatives focused on helping producers adapt to climate-related
 challenges, build long-term resilience, and explore sustainable farming practices. The partnership reflects Council's commitment to proactive
 support for rural communities facing environmental pressures.
- Council officers continue to support small businesses and local industries by sharing funding and training opportunities through a range of communication channels. These include the monthly Business Matters Newsletter and Agri Newsletter, which provide updates on grants, workshops, and development programs. These newsletters link directly to resources such as Grant Guru, Business Victoria training programs, and Council-run initiatives, ensuring businesses have timely access to practical support and growth opportunities.
- Council officers engage directly with local businesses through regular drop-in sessions and targeted visits across the Shire. These face-to-face interactions allow officers to provide tailored support, sharing information on funding programs, training opportunities, and strategic advice aligned with each business's specific needs. Whether assisting with access to the Forestry Transition Fund, business support vouchers, or identifying relevant workshops and mentoring programs, these engagements ensure businesses are equipped to grow, adapt, and thrive in a changing economic landscape.

We are helping to build a skilled and resilient local workforce that can adapt to new opportunities and challenges

- Council officers facilitated partnerships between local agribusiness employers and TAFE Gippsland to co-design short courses in farm safety,
 machinery operation and agritech. These courses were developed in direct response to identified workforce gaps and aim to build practical
 skills, improve safety standards, and support innovation in agricultural practices. This collaborative approach strengthens the local training
 pipeline and ensures that education offerings are aligned with industry needs.
- Council has made meaningful progress in advocating for funding to pilot the Community Connector Program. A detailed project plan has been developed, outlining the program's objectives, delivery model, and implementation timeline. The program is designed to strengthen social cohesion and improve access to services by connecting individuals and families with local support networks, particularly in areas experiencing rapid change or transition. Council's advocacy reflects its commitment to inclusive community development and responsive service delivery.
- The East Gippsland Jobs Expo was a resounding success, attracting 300 attendees an increase of 80 from the previous year. With 29 stallholders showcasing local employment, training, and career opportunities, the event received overwhelmingly positive feedback. Businesses praised the high level of engagement from job seekers and the quality of conversations. The Expo also marked the official launch of the Gippsland Jobs Hub, a free online digital recruitment platform designed to connect local employers with skilled job seekers across the region, enhancing workforce development and regional employment outcomes.

Outcome - A well-functioning planning system that responds to our communities' needs

We support and advocate for appropriate planning processes that the community understands

- Council has actively participated in the review of the *Planning and Environment Act* through its involvement in the Municipal Association of Victoria working group. As part of this process, Council has scrutinised the Ministerial Planning Scheme Amendments associated with the Plan for Victoria and sought further clarification from the Department of Transport and Planning regarding the implications of these changes. This engagement ensures Council remains informed and can advocate for planning reforms that reflect local needs and priorities.
- A draft Statutory Planning Process Improvement Plan has been prepared to identify and implement efficiencies across planning operations.
 One of the improvements already actioned includes changes to the process for obtaining Public Open Space valuations, resulting in reduced costs to Council. The plan aims to streamline statutory planning procedures, improve service delivery, and enhance the overall experience for applicants and stakeholders.
- To complement Council's Business Concierge Service, a Business Kit is being developed to support new and prospective businesses with clear, accessible guidance. The kit will include step-by-step information on permits, business support services, training opportunities, and practical tools such as checklists and templates. Designed for both digital and printed formats, the kit will help businesses navigate Council processes more confidently and efficiently, supporting growth and innovation across the region.
- Development of the myLot self-service platform for planning regulations is underway, with a scheduled launch in November. This digital tool
 will provide easy access to planning information, helping users understand land use regulations and development requirements. To ensure
 the platform meets local business needs, Council has sought funding to support targeted engagement activities aimed at identifying
 information gaps and developing tailored communications materials. This initiative supports transparency, accessibility, and improved
 customer experience in planning services.

We are developing land use plans for the right things

- The draft Coastal and Marine Management Plan was placed on public exhibition during the quarter, inviting community feedback on the proposed strategies for managing East Gippsland's coastal and marine environments. Feedback received during the exhibition period led to minor refinements to the document, ensuring it reflects community values and environmental priorities. The updated draft is now being prepared for Council consideration and future endorsement.
- An initial review of the Rural Living Zone Schedules, as supported by the Housing and Settlement Strategy, has been completed. The review confirmed that there is currently an adequate supply of rural living zoned land across the municipality. Given the high cost and complexity of making changes to Planning Scheme schedules, Council is reconsidering the timing of this project and assessing whether it should be deferred to a later stage of the Council Plan. This approach ensures resources are directed to areas of greatest strategic need.
- Initial scoping work has been completed to assess industrial land supply across the region, with a particular focus on Bairnsdale. This
 foundational work has identified the need for a more detailed analysis to support future planning and investment. Funding has been requested
 to commence a comprehensive industrial land analysis for Bairnsdale, which will inform strategic land use decisions and help meet future
 demand for industrial development.
- Council continues to advocate to the State Government for funding support to deliver essential infrastructure that will enable the release of land for housing. This advocacy is part of Council's broader commitment to addressing housing affordability and availability and ensuring that infrastructure keeps pace with population growth and development needs.

Council Plan Measures

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Quarterly	Percentage of planning applications decided within the specified timeframe (60 days for regular permits and 10 days for VicSmart permits)	The number of overall and complex planning applications has decreased, reflecting improved efficiency and clarity in our processes. Enhanced reporting now provides better tracking and transparency, supporting informed decision-making and contributing to a favourable performance outcome.	81.54%	55%
Annually	Number of ABN registrations in East Gippsland	Not yet reportable.	-	% increase year on year
	Number of visitors to our region.	Not yet reportable.	-	Increase in visitors compared to previous year
	Feedback from local businesses on satisfaction with economic support and development efforts.	Not yet reportable.	-	Increased satisfaction compared to previous year
	Feedback from community members on their satisfaction with the planning system.	Not yet reportable.	-	>Large Rural Council average

Making the most of what we've got

By using our assets and natural resources wisely, we protect them, adapt to change, and support future generations.

How this theme is important for the health and wellbeing of our community

A healthy natural environment is vital for food, clean air, and water. Our parks reduce stress and boost mental well-being. Proper management of natural resources improves community quality of life. Efficient waste management and a circular economy minimise environmental impact. Preserving cultural heritage connects us to our history. Maintaining and wisely using assets aligns with community needs. Sustainable resource management, climate risk planning, and safeguarding heritage are priorities for a resilient future.



Outcome - Natural assets are well-managed and protected

We promote sustainable management of natural and environmental assets

- ▼ The East Gippsland Bushland Strategy project scope and plan were presented to the Executive Leadership Team during the quarter, outlining the strategic direction for managing bushland areas across the region. An Expression of Interest process was completed to explore potential community engagement methods, ensuring that future consultation is inclusive, effective, and tailored to local contexts. This foundational work sets the stage for a collaborative and well-informed strategy development process.
- Council has actively advocated for outcomes from the Great Outdoors Taskforce by participating in stakeholder forums and contributing
 targeted feedback through the regional engagement process. A formal written submission was provided to ensure East Gippsland's priorities
 were clearly represented. In addition, Council supported forestry transition communities in their own advocacy efforts, helping to amplify local
 voices and secure recognition of community-led initiatives and needs.
- Y A peer review of existing flood studies has been finalised, ensuring the accuracy and reliability of data used in flood risk planning. Updated flood mapping is now underway in collaboration with the East Gippsland Catchment Management Authority. This work will inform future land use planning, emergency management, and infrastructure investment, helping to build resilience in flood-prone areas.

We promote environmental sustainability including mitigation and planning for climate risks

- Council officers actively engaged with local health organisations and are planning a targeted training session with the building and
 construction sector, facilitated by Sustainability Victoria. The session will promote the use of recycled plastics in construction, supporting
 circular economy principles and encouraging sustainable practices across the industry. This initiative reflects Council's commitment to
 environmental innovation and cross-sector collaboration.
- The Youth Ambassadors Program delivered a series of impactful initiatives during the quarter, including a tree planting event and a climate
 change engagement activity aimed at raising awareness and fostering youth leadership in sustainability. Council also promoted national
 webinars on climate resilience and participated in multiple community preparedness meetings, reinforcing our role in supporting communities.
- The Waste and Recycling Service Review and Transition Plan is nearing finalisation, aligned with the Recycling Victoria Policy. This strategic
 review will guide future service delivery and infrastructure investment to meet evolving waste management standards. Council is also actively
 involved in joint advocacy efforts regarding the introduction of mandatory glass collection services, ensuring regional perspectives are
 considered in statewide reforms.
- Council continues to support the maintenance of 20 Community Emergency Management Plans (CEMPs) and 46 Local Incident Management Plans (LIMPs). Updates are currently underway in high-risk communities, including partnerships with Aboriginal organisations and remote townships, to ensure plans remain relevant and responsive to local needs, strengthening emergency preparedness across the Shire.
- ♥ Stage 2 of the Climate Risk Assessment has been scoped, finalised, and approved by the Project Control Group. This will build on initial findings to provide a deeper understanding of climate-related risks across East Gippsland to be progressed by Stage 3, which will inform future planning, infrastructure investment, and adaptation strategies. The assessment supports Council's broader climate resilience agenda and evidence-based decision-making.

Outcome - Our cultural heritage is managed and preserved

We manage, preserve and promote the culture heritage of our community

- The Omeo Justice Precinct Masterplan Project has progressed significantly, with targeted stakeholder interviews completed involving key groups such as Destination Gippsland, the Omeo Historical Society, and the Omeo Business and Tourism Association. Both the first and second rounds of community engagement have also been completed, ensuring broad input into the planning process. A comprehensive background report has been finalised, laying the foundation for the next phase of masterplan development.
- As part of the Omeo Justice Precinct Masterplan Project, Council is exploring opportunities for storytelling and digital interpretation to
 enhance the precinct's cultural and historical value. This includes recognising the potential for adaptive reuse of heritage buildings and the
 use of digital platforms to share local histories. Digital storytelling is being considered as a creative solution to overcome physical site access
 constraints, ensuring inclusive engagement with the precinct's rich heritage.
- The promotion of cultural and creative activities through tourism campaigns has gained strong momentum, particularly through
 collaborative efforts with Destination Gippsland and Visit Victoria. A standout example is the East Gippsland Winter Festival, which achieved
 nationwide recognition following coordinated promotional efforts. This success highlights the region's growing reputation as a destination for
 vibrant, arts-based tourism experiences.
- Council has programmed SAPLINGS, a performance presented by the Australian Theatre for Young People, for next year. The show was selected in collaboration with the Culture team at GLaWAC, ensuring alignment with cultural values and youth engagement priorities. This initiative supports Council's commitment to inclusive arts programming and partnerships with Aboriginal organisations.
- Council is supporting the Lake Tyers Aboriginal Trust and their project manager with the delivery of a culturally significant project the installation of an iconic boomerang symbol at the Trust entrance. Funding approval has been secured, and works are now being scheduled. This project celebrates cultural identity and enhances the visibility of Aboriginal heritage in the region.

Outcome - Our assets are well maintained, utilised and meet community needs

We make the most out of Council assets

- An internal working group has been established to lead an organisation-wide Asset Optimisation Review, focused on identifying opportunities
 to improve the efficiency and strategic use of Council's infrastructure assets. The group is currently developing Terms of Reference to guide
 the review process. An initial assessment is underway to identify short-term rationalisation opportunities, with final recommendations to be
 informed by outcomes from ongoing Place Planning initiatives.
- The scope for the East Gippsland Aquatic Strategy is currently being drafted. This includes the development of Terms of Reference for community consultation groups, which will play a key role in shaping the strategy.
- Council officers are actively capturing the condition of all assets across aquatic and recreation sites to inform the development of both the Aquatic and Recreation Facility Asset Maintenance Program and the Asset Renewal Plan. This work will ensure that future planning is based on accurate data and supports sustainable management of aquatic infrastructure.
- The revised Road Management Plan was formally adopted by Council in September. The updated plan outlines Council's responsibilities for maintaining the local road network and reflects current legislative requirements, service standards, and community expectations.

Council Plan Measures

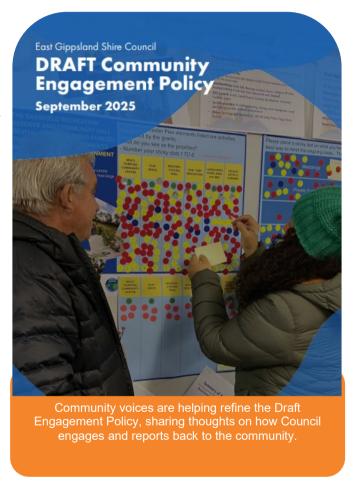
Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Quarterly	Percentage of the Capital Program delivered by the end of the financial year	By the end of the period, Capital projects expenditure and commitments reached \$19.273 million, accounting for 25.9% of the total revised budget. A further 30 tenders have been planned or in progress over the next 3 months to deliver the program.	5.7 %	≥ 70%
	Number of people utilising the Omeo Mountain Bike Trail	Utilisation is expected to rise in the coming months as favourable weather conditions continue.	4,563	Increased utilisation compared to previous year
Half-Yearly	Council sealed local roads and footpaths meeting service level needs	Not yet reportable.	-	≥ 95%
Annually	Capital renewal programs driven by renewal modelling using updated condition data	Not yet reportable.	-	Baseline year
	Number of community members participating in environmental conservation projects	Not yet reportable.	-	Baseline year
	Community satisfaction with appearance of public areas	Not yet reportable.	-	≥ Large Rural Council average

Managing Council well

We ensure effective leadership, transparent decision-making, and responsible management, fostering trust and collaboration to build a resilient and forward-thinking community.

How this theme is important for the health and wellbeing of our community

By providing inclusive and equitable access to services, processes, and facilities, we ensure that everyone's needs are met, fostering trust and security. Well-managed services enhance public health, support mental and physical well-being and promote social inclusion, reducing isolation and strengthening community connections.



Outcome - Council operates transparently and effectively with public trust

We are transparent and easy to engage and do business with

- The Transparency Portal Project has commenced, with initial design wireframes and concept maps developed and circulated for internal review. The portal will serve as a centralised digital platform, offering the community access to a suite of performance and service dashboards. Once complete, it will enhance transparency by allowing residents to view key data and metrics anytime from a single, user-friendly location.
- An Accessibility Review is underway to identify key issues and priority areas for improvement across Council's services and digital
 platforms. This work will inform future enhancements to ensure compliance with accessibility standards and improve the user experience
 for all community members, particularly those with disability or access needs.
- A discussion paper focused on engagement with targeted groups—such as people with accessibility needs—was prepared and presented
 at a Councillor Briefing in line with Council's new Business Engagement Framework. Councillors provided direction to proceed with drafting
 implementation steps, supporting more inclusive and responsive engagement practices.
- Engagement and communications plans were developed for several major initiatives, outlining key messages, communication channels, timelines, and consultation opportunities. Six engagement plans were prepared for the following projects:
 - · Omeo District Place Plan
 - Mallacoota Foreshore Holiday Park
 - · Public Amenity (Toilets) Service Review
 - Community Services Service Review
 - Stormwater Management Plan
 - Community Engagement Policy Review

Outcome - Decision-making is streamlined, efficient, and responsive to community needs

Our services are efficient and effective

- A draft Organisational Plan has been developed and reviewed by the Executive Leadership Team. The plan outlines strategic priorities and operational improvements across the organisation. The next phase involves a management working group undertaking a detailed assessment to refine the plan, with the aim of finalising it by December. This process ensures the plan is practical, aligned with Council's strategic direction, and informed by operational insights.
- Work has commenced on the development of a draft Service Review Framework, incorporating key recommendations from the Victorian Auditor-General's Office (VAGO) audit into the financial management of Councils. The framework will establish formal service review processes, develop a comprehensive service catalogue, set internal performance metrics, and implement a timetable for ongoing reviews. This initiative supports improved accountability, transparency, and continuous improvement in service delivery.
- The Public Amenity (Toilets) Service Review and the Community Services Service Review commenced this quarter. Project scopes for both reviews were prepared and formally endorsed, and Phase 1 of each review is currently underway. These reviews aim to assess service effectiveness, identify opportunities for improvement, and ensure services are meeting community needs efficiently and sustainably.
- The scope for the Financial Sustainability Strategy was developed this quarter in preparation for release through an Expression of Interest process. The strategy will guide Council's long-term financial planning, ensuring resources are managed responsibly and aligned with strategic priorities.
- A suitably experienced consultant has been engaged to support the drafting of a new Local Law. A detailed Project Plan has been developed; however, due to staff resourcing constraints, the timeline for this work has been rephased. A workshop with Councillors was held in August 2025 to outline the process for making a new Local Law and to understand their priority areas of focus. A compliance review of the existing Local Law has also been completed to identify provisions that should be removed or are inconsistent with current legislative requirements.

Council Plan Measures

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Quarterly	Percentage of customer enquiries responded to within required timeframes	During the quarter a total of 27,016 customer requests were received, with 99% of these enquiries responded to within the required timeframes. This reflects a consistently high level of responsiveness across the organisation, demonstrating strong performance in meeting customer service standards.	99%	≥ 95%
	Reduction in the number of customer complaints	The organisation recorded its lowest number of complaints at 46, compared to 95 in Q1 last year, representing a 52% reduction. This aligns with the trend observed in the previous quarter of 49 complaints. Complaints varied in nature and included dissatisfaction with staff conduct, overgrown vegetation, Raymond Island Ferry, cleaning of public facilities, rates and around the quality of responses to customers.	46	Fewer complaints than previous year
	Increased effectiveness of Council engagement activities	400 individuals contributed through forums, surveys, polls, and other interactive tools in Council's online engagement portal. Informed participants: 2,880 users accessed detailed project information, including documents, videos, and FAQs.	400	Increased engagement participation compared to previous year

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
	Percentage of community engagement plans developed for Council projects	Significant projects launched during the quarter with engagement plans including the Omeo District Place Plan and Community Engagement Policy review. Improvement will be reflected in the number of engagement plans developed with engagement to go live in quarter two onwards, including public toilets service review, aquatic strategy, Mallacoota Holiday Park master planning.	85.71%	100%
	Efficiencies achieved from business service improvements	As a part of Customer Experience Improvement project, in Q1 we improved efficiency by streamlining our Customer Relationship Management (CRM) system process. Previously, closing a request required two steps within the system, which added unnecessary work across the organisation. By enabling a new one-step close feature, we have saved staff time equivalent to 273 working hours this quarter. Additionally, we retired the Flowingly process mapping software after leveraged the Microsoft suite of tools at no additional cost.	\$33,544.70	Increased Efficiency
Annually	Community satisfaction with consultation and engagement.	Not yet reportable.	-	≥ Large Rural Council average



FINANCIAL REPORT

July 2025 to September 2025

1. Financial Report Overview and Progress

Quarter One - 1 July to 30 September 2025

Council has delivered a sound financial performance in the first quarter of the 2025/26 financial year. The Year to Date (YTD) operating surplus is \$53.865 million, exceeding the forecast by 4.7% (\$2.397 million). This is primarily due to timing differences in expenditure and recognition of income streams such as rates and interest earnings.

However, the full-year operating surplus is forecast to be just \$0.387 million, which is \$8.844 million lower than the adopted budget. This is mainly due to the reduction in Recurrent Operating Grants—specifically the Financial Assistance Grant of \$10.695 million, which was received in the prior year. This is partially offset by increases in non-recurrent grants, reimbursements, and other contributions, particularly for natural disaster recovery, capital reimbursements, and insurance claims.

Overall Financial Performance

Council recorded a Year-to-Date (YTD) Operating Surplus of \$53.865 million, which is \$2.397 million or 4.7% above the YTD Budget of \$51.468 million.

Performance Measure	YTD Actual (\$'000)	YTD Budget (\$'000)	Adopted Budget (\$000)	Forecast (\$000)	Variance (\$'000)	Variance (%)
Operating Surplus (YTD)	53,865	51,468			2,397	4.7%
Operating Surplus (Full Year)			9,231	387	(8,844)	(95.8%)
Adjusted Underlying Result (FY)			(8,506)	(19,254)	(10,748)	126.3%

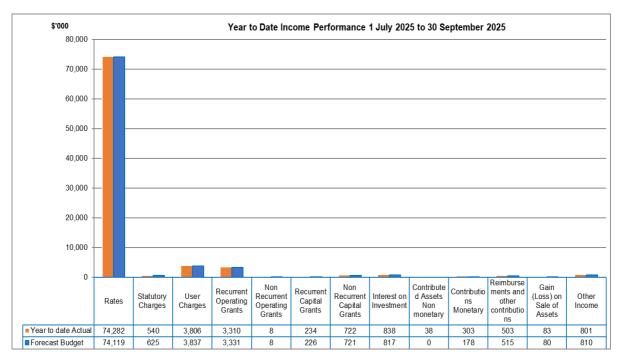
- Total year-to-date (YTD) expenditure was \$31.60 million, which is \$2.20 million (6.5%) below the YTD forecast budget of \$33.80 million. This favourable variance is primarily due to the timing of works and services, particularly in materials and services (\$1.47 million) and employee benefits (\$973,000), where some invoices such as the WorkCover premium had not yet been processed. Depreciation was slightly above budget due to the timing of asset capitalisation, though this is expected to smooth out over the year.
- Despite the favourable YTD result, full-year expenditure is forecast to increase slightly to \$135.82 million or \$966,000 above the adopted budget. This is mainly due to additional forecast costs for natural disaster recovery, increased legal expenses, and updated depreciation following changes in asset condition assessments. While costs are trending lower for the quarter, Council is proactively managing resourcing and contract delivery to meet project timelines in the months ahead.
- The YTD cash and investments are \$108.511 million which is greater than expected because of capital
 and operating projects and programs that were incomplete at the end of the previous financial year
 together with capital and land rehabilitation projects for the 2024/25 year that will now not be completed
 until the 2025/26 year of Council cash of \$25.4 million. A proportion of this total is already allocated to
 capital projects and unspent grant funding.
- Total interest-bearing borrowings are currently \$9.025 million.
- YTD expenditure on capital works is \$4.25 million, however combined with Capital projects expenditure and commitments it is \$19.273 million, accounting for 25.9% of the total revised budget. The full year budget is forecast to be \$74.53 million.

- The 2025-26 Capital Works Projects budget adopted in June 2025 at \$71.711 million. After final adjustments for carry forwards, the total budget increased by \$3.152 million, resulting in an initial budget of \$74.864 million.
- At the end of the first quarter, the forecasted budget decreased by \$0.334 million, reducing the revised budget to \$74.530 million.
- By the end of the period, Capital projects expenditure and commitments reached \$19.273 million, accounting for 25.9% of the total revised budget.

1.1 Income Statement at 30 September 2025

	Year-to-date			Full Year		
	Year to date Actual	Forecast Budget	Variance Fav/(Unfav)	Adopted Budget	Forecast Budget	Variance Fav/(Unfav)
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income						
Rates	74,282	74,119	163	74,145	74,145	0
Statutory Charges	540	625	(85)	2,693	2,693	0
User Charges	3,806	3,837	(31)	14,268	14,314	46
Recurrent Operating Grants	3,310	3,331	(21)	22,239	11,578	(10,661)
Non Recurrent Operating Grants	8	8	0	1,734	1,906	173
Recurrent Capital Grants	234	226	9	5,215	5,215	0
Non Recurrent Capital Grants	722	721	1	13,714	14,082	368
Interest on Investment	838	817	21	2,500	2,500	0
Contributed Assets Non monetary	38	0	38	4,000	4,000	0
Contributions Monetary Reimbursements and other	303	178	124	430	448	18
contributions	503	515	(12)	1,268	3,368	2,100
Gain (Loss) on Sale of Assets	83	80	3	0	80	80
Other Income	801	810	(9)	1,875	1,875	0
Total Income	85,467	85,267	200	144,082	136,204	(7,878)
Funance						
Expenses	10.658	44.604	973	40.000	40.057	(200)
Employee Benefits	-,	11,631		43,368	43,657	(288)
Materials and services	11,849	13,320	1,470	55,602	55,793	(191)
Depreciation and Amortisation	8,444 0	8,292 0	(151) 0	33,479 23	33,837 23	(358)
Bad and doubtful debts	57	57	0		23 370	0
Borrowing costs			-	370		-
Finance cost - leases	0	0	0	0	0	(400)
Other expenses	594	499	(95)	2,009	2,138	(129)
Total expenses	31,602	33,799	2,197	134,851	135,817	(966)
Operating Surplus/(Deficit)	53,865	51,468	2,397	9,231	387	(8,844)
Adjusted Underlying Surplus/ (Deficit)						
Non-Recurrent Capital Grants	(722)	(721)	(1)	(13,714)	(14,082)	(368)
Contributed Assets Capital contributions and	(38)	0	(38)	(4,000)	(4,000)	0
reimbursements	0	(6)	6	(23)	(1,559)	(1,536)
Adjusted Underlying Surplus/ (Deficit)	53,105	50,740	2,365	(8,506)	(19,254)	(10,748)

Year to Date Income Performance 1 July 2025 to 30 September 2025



Notes for Income Variances

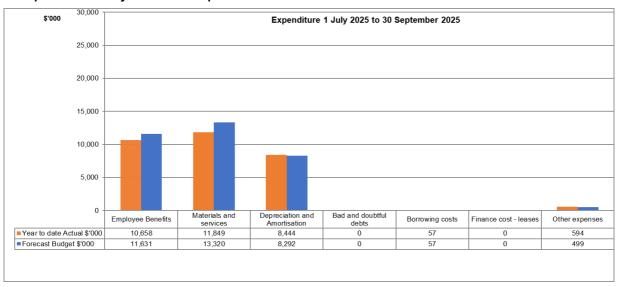
Variances Year to Date

Category	Variance Fav/(Unfav) \$'000	Commentary
Income Rates	163	The finalisation of objections to valuations will not be
		completed until end of February 2026.
Contributions Monetary	124	The YTD variance of \$178,000, reflecting earlier-than- expected receipts from developers and community contributions.

Variances Full Year

Category Income	Variance Fav/(Unfav) \$'000	Commentary
Recurrent Operating Grants	(10,661)	Financial Assistance grant is \$10.695 million lower than budgeted as this has been received in prior year.
Non-Recurrent Operating Grants	173	\$75K for agreed funding variation for Bastion Point Dredging, and new operating Grants has been approved for Swift Creek Structure Plan for \$100K
Non-Recurrent Capital Grants	368	Expecting an Increase in Commonwealth grant for Bairnsdale Airport Terminal (Air Ambulance Facility)
Reimbursements and other contributions	2,100	Reimbursement for Natural Disaster to be receipted for Work completed prior year.

Expenditure 1 July 2025 to 30 September 2025



Notes for Expense Variances

Variances Year to Date

variances real to bate		
Category	Variance Fav/(Unfav) \$'000	Commentary
Expenditure		
Employee Benefits	973	Due to Workcover premium invoice that has not been processed.
Materials and services	1,470	The variance is a result of the timing of works and services being delivered later than expected.
Depreciation and Amortisation	193	The variance is a result of the timing for capitalisation for new assets.

Variances Full Year

Variances Full Year		
Category	Variance Fav/(Unfav) \$'000	Commentary
Expenditure	ΨΟΟΟ	Commonary
Employee Benefits	(288)	We are forecasting a marginal increase in employee costs for the financial year of \$288,000 or (0.66%). This is largely offset by budget transfers from materials and services that have gone across to cover additional staff costs (i.e. from the consultant budget to employee budget for particular pieces of work).
Materials and services	(191)	The full year forecast will increase marginally due to work related to Natural Disasters which is grant funded.
Depreciation and Amortisation	(358)	Is due the timing of capitalisation of new assets together with the impact of the change in condition assessment for infrastructure assets.
Other expenses	(129)	The full-year forecast includes an increase in legal fees, primarily attributable to higher-than-anticipated costs in Risk Management team.
Results		
Operating Surplus/(Deficit)	(8,844)	The operating deficit is primarily a result of the reduction on Recurrent Operating grants that received in advance
	//	
Adjusted Underlying Surplus/ (Deficit)	(10,748)	reflects the operational shortfall after excluding non-recurring and capital-related items.

1.2 Balance Sheet 30 September 2025

				Full Year		
Prior Year Actual		Year to date Actual	Adopted Budget	Forecast	Variance	
(\$'000)		(\$'000)	(\$'000)	(\$'000)	(\$'000)	
	Current assets					
86,005	Cash and investments	108,511	59,153	66,946	7,793	
10,417	Receivables	79,244	10,276	10,276	0	
37,159	Other financial assets	0	732	732	0	
5,075	Other Current Assets	4,236	3,925	3,925	0	
138,656	Total Current Assets	191,991	74,086	81,879	7,793	
	Non-current assets					
1,375,817	Property, Infrastructure & Equipment	1,371,799	1,421,104	1,421,104	0	
13,030	Investment Properties	13,030	10,787	13,030	2,243	
465	Right of Use Assets	465	504	376	(128)	
1,959	Intangible Assets	1,728	6,942	1,044	(5,898)	
10	Other financial assets	0	10	10	0	
99	Receivables	86	124	124	0	
1,391,380	Total Non- Current Assets	1,387,108	1,439,471	1,435,688	(3,783)	
1,530,036	Total assets	1,579,099	1,513,557	1,517,567	4,010	
	Current liabilities					
16,105		1,701	10,865	10,866	1	
3,821	Trust Funds and Other Deposits	13,866	4,137	4,137	0	
7,204	Contract and other liabilities	7,244	5,958	5,958	0	
13,743	Current Provisions	13,430	8,216	8,175	(41)	
24	Lease Liabilities	24	79	79	0	
695	Interest Bearing Liabilities	524	728	728	0	
41,592	Total Current Liabilities	36,789	29,983	29,943	(40)	
	Non-current liabilities					
8,067	Non - Current Provisions	8,066	7,381	7,381	0	
265	Contract and other liabilities	265	419	419	0	
547	Lease Liabilities	547	600	600	0	
8,501	Interest Bearing Liabilities	8,501	7,772	7,772	0	
17,380	Total Non - Current Liabilities	17,379	16,172	16,172	0	
11,000		,				
58,972	Total liabilities	54,168	46,155	46,115	(40)	
58,972	Total liabilities Net assets	·	46,155 1,467,402	46,115 1,471,452	· · ·	
•		54,168		,	•	
58,972	Net assets	54,168		,	4,050	
58,972 1,471,064	Net assets Equity	54,168 1,524,931	1,467,402	1,471,452	4,050	
58,972 1,471,064 937,638	Net assets Equity Reserves	54,168 1,524,931 937,640	1,467,402 937,778	1,471,452 937,778	(40) 4,050 0 4,050 4,050 (8,844)	

Notes for Balance Sheet Variances

Variances - Full Year

Category	Variance Fav/(Unfav) \$'000	Commentary
Cash and investments	7,793	The favourable variance is partly a result of the delay in invoicing for capital projects.
Investment Properties	2,243	Some properties were reclassified from Property, Plant and Equipment to Investment Properties. This change was not included in the adopted budget.
Right of Use Assets	(128)	Council has cancelled two leases for Balfours Road depot and equipment which were included in the adopted budget.
Intangible Assets	(5,898)	Council had cloud-based software recorded as intangibles in the budget now recognised as operating expenses.
Total Retained Earnings	4,050	Overall, total retained earnings for the quarter were broadly in line with planned results. However, some movements were noted in Assets Held for Investment and Intangible Assets, primarily due to asset reclassifications.

1.3 Cashflow Statement for the Period 1 July 2025 to 30 September 2025

	Year-to-date		Full Year	
	Actual	Adopted Budget	Forecast Budget	Variance
	(\$'000)	(\$'000)	(\$'000)	(\$'000)
Cashflows from Operating Activities				
Ratepayer receipts	15,200	76,271	74,109	(2,162)
Statutory fees and fines	524	2,693	2,670	(23)
User fees	3,985	13,742	10,801	(2,941)
Operating Grants	3,632	23,973	11,866	(12,107)
Capital Grants	956	18,929	22,669	3,740
Contributions	303	430	448	18
Interest Received	1,209	2,500	2,465	(35)
Trust funds and deposits taken	10,045	8,650	8,816	166
Other Receipts and reimbursements	(9,375)	2,863	5,243	2,380
Net GST refund/payment	591	0	0	0
Payments to Employees	(10,930)	(42,833)	(44,648)	(1,815)
Payments to Suppliers	(25,838)	(61,245)	(66,522)	(5,277)
Trust funds and deposits repaid	0	(8,650)	(8,500)	150
Other Payments	(653)	(2,009)	(2,138)	(129)
Net cash provided by (used in) operating activities	(10,353)	35,314	17,278	(18,036)
Cashflows from Investing Activities	(15,555)		,	(10,000)
Payments for Property/ Plant	(5,993)	(71,711)	(73,425)	(1,714)
Proceeds from Investments	37,159	0	37,159	37,159
Proceeds from sale of assets	1,964	725	885	160
Net cash provided by (used in) investing activities	33,130	(70,986)	(35,380)	35,606
Cashflows from Financing Activities		(10,000)	(00,000)	
Finance costs	(57)	(369)	(370)	(1)
Loan Principal Repayments	(171)	(695)	(696)	(1)
New Loans	0	0	0	0
Interest paid-lease liability	0	(1)	0	1
Repayment of lease liabilities	(44)	0	109	109
Net cash provided by (used in) investing activities	(272)	(1,065)	(957)	108
Net Increase / (Decrease) in Cash	22,506	(36,737)	(19,059)	17,678
Cash At Beginning of Period/Year	86,005	95,890	86,005	(9,885)
Cash at End of Period/Year			•	

1.4 Capital Works Projects

The 2025-26 Capital Works Projects budget was adopted in June 2025 at \$71.711 million.

After final adjustments for carry forwards, the total budget increased by \$3.152 million, resulting in an initial budget of \$74.864 million.

At the end of the first quarter, the forecasted budget decreased by \$0.334 million, reducing the revised budget to \$74.530 million.

By the end of the period, Capital projects expenditure and commitments reached \$19.273 million, accounting for 25.9% of the total revised budget.

This pertains solely to capital works and excludes waste landfill rehabilitation and aftercare projects (major projects) and community projects. Landfill rehabilitation projects are mentioned further in this report however the combined overall budget is \$81.352 million. Community projects budget is \$4.7 million.

Capital Works carry forwards:

Some projects will not be completed until the 2026/27 financial year. The total of these projects is \$2.4m and consist of:

- Internal CCTV Renewal \$0.1 million
- Digital Services \$2 million
- Public Space CCTV \$0.3 million

These budget changes aren't reflected within the revised budget yet and will be processed during October 2025.

Holding Account - Balance

As of the end of the first quarter, the holding account balance stands at \$333,924 representing funds pending allocation to specific projects.

	\$	\$
Opening Balance 1 July 2025		0
Project Savings	523,924	
New Projects	(340,000)	
Project Shortfalls	0	
Grant Movements	<u>150,000</u>	333,924

Closing Balance 30 September 2025 333,924

Capital Works Program Summary as at 30 September 2025

Description	Adopted Budget (Total new projects) \$'000	Final adjusted Carried Forward \$'000	Total Adopted Budget plus Carried Forward \$'000	Budget Movement Increases/ (Decreases) \$'000	Revised Annual Forecast \$'000	
Capital Projects	38,055	36,809	74,864	(334)	74,530	
Total Program	38,055	36,809	74,864	(334)	74,530	
% Decrease from adopted budget						
Movement in Program since adopted budget						

Description	Expended \$'000	Committed \$'000	Total Expended Commitments \$'000	Unexpended \$'000
Capital Projects Spend	4,250	15,023	19,273	55,257
% of Revised Forecast Spent plus Committed against Revised Budget		25.9%		

1.5 Capital Works report by asset class as at 30 September 2025

		Fu	Vaniona	
	Year to date Actual	Adopted with actual carry forwards	Forecast Budget	Variance Adopted budget to Forecast budget
Property	\$'000	\$'000	\$'000	\$'000
Land	20	207	207	0
Total land	39 39	387 387	387 387	0 0
Buildings	817	9,501	9,661	160
Heritage buildings	017	,	•	
Total buildings	817	9,606	9,766	0 160
Total property	856	9,993	10,153	160
Plant and equipment				
Plant, machinery and equipment	329	5,390	5,390	0
Fixtures, fittings and furniture	9	50	50	0
Computers and telecommunications	219	5,586	5,586	0
Library books	57	209	209	0
Total plant and equipment	614	11,235	11,235	0
Infrastructure				
Roads				
	492	10,404	10,404	0
Bridges	62	250	250	0
Footpaths and cycleways	5	831	831	0
Drainage	322	4,729	4,729	0
Recreational, leisure and community facilities	332	8,719	8,225	(494)
Waste management	55	1,868	1,868	0
Parks, open space and streetscapes	1,474	13,707	13,707	0
Aerodromes	25	11,938	11,938	0
Off street car parks	3	362	362	0
Other infrastructure	10	827	827	0
Total infrastructure	2,780	53,635	53,141	(494)
Total capital works expenditure	4,250	74,863	74,529	(334)

Organisational Performance Report July 2025 – September 2025

Landfill Rehabilitation Projects as at 30 September 2025

The 2025-26 adopted budget for Landfill Rehabilitation projects totalled \$6.485 million – these are classified as major projects as they are not capital in nature but are significant expenditures items. After final adjustments for carry forwards, the total budget was increased by \$0.003 million, resulting in an initial budget \$6.488 million.

By the end of the period Landfill Rehabilitation Works expenditure and commitments reached \$0.191 million.

Landfill Rehabilitation Projects carry forwards:

The full year budget will be reduced by \$6.2 million due to three waste related projects that we are required to be included in the budget by the Environmental Protection Authority but do not necessarily need to be completed in the budgeted year. An assessment will be completed at the start of the new financial year to confirm if the projects need to proceed to meet legislative requirements.

For these projects it has been assessed that they do not need to be completed in 2025/26. They will be carried forward to the 26/27 Budget.

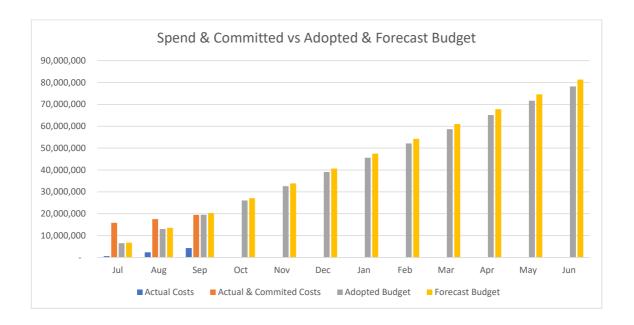
- Cann River Landfill Capping \$1.5 million
- Bairnsdale Cell 3A Capping Design \$2.3 million
- Bairnsdale Cell 3B capping \$2.4 million

These budget changes will be reflected during Q2 reporting period.

Description	Adopted Budget (Total new projects) \$'000	Final adjusted Carried Forward \$'000	Total Adopted Budget plus Carried Forward \$'000	Budget Movement Increases/ (Decreases) \$'000	Revised Annual Forecast \$'000
Landfill					
Rehabilitation	975	5,513	6,488	0	6,488

Description	Expended \$'000	Committed \$'000		
Landfill				
Rehabilitation	41	150	191	6,297

The graph below shows the relationship between actual spend and committed spend on capital projects and landfill rehabilitation projects compared to the budgeted amounts over a set period.



At the end of quarter one, the program covered 171 separate projects of which 17 projects had been completed, 135 are progressing, 16 projects are yet to commence, and 3 projects have been withdrawn, transferred or are on hold. A detailed list of all project status is provided in **Attachment 1.** Council is briefed on key capital projects on a monthly basis and receives an overview of the status of the program.

It should be noted Council commenced the year with a budget of \$81.352 million. This includes Waste Rehabilitation and Aftercare non- capital projects (Major Projects) but excludes Community projects.

1.5 Treasury

Council has paid \$0.171 million in scheduled principal debt repayments in the period 1 July 2025 to 30 September 2025.

The interest rates as at the end of September for each loan are as follows:

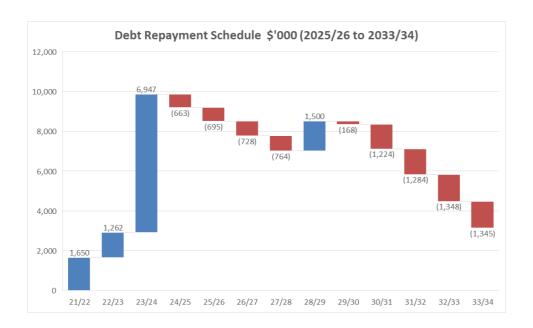
- 1. Tambo Bluff Special Charge Scheme 8.66% (recovered from the scheme participants)
- 2. Community Infrastructure Low Interest Loans from Treasury Corporation of Victoria:
 - WORLD Sporting Precinct 4.83%
 - Eagle Point Foreshore Hub 4.625%

The full year debt repayments are on schedule, with a forecast end of year balance of \$8.501 million.

	YTD September 2025				Full Year			
	Opening Balance	Principal Repaid	New Loans	Closing Balance	Opening Balance	Repayments	New Loans	Closing Balance
Loan Maturing	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Current Loans	695	(171)	0	524	695	33	0	728
Non-Current Loans	8,501		0	8,501	8,501	(728)	0	7,773
	9,196	(171)	0	9,025	9,196	(695)	0	8,501

Organisational Performance Report July 2025 – September 2025

Page 15



Cash and investment holdings total \$108.490 million as of 30 September 2025, an increase of \$22.485 million from the 30 June 2025 balance of \$86.005 million. Council has \$53.450 million in term deposits as at 30 September 2025 earning an average interest rate of 4.45%.



Organisational Performance Report July 2025 – September 2025

Page 16

1.6 Procurement

To meet the needs of the community and enable the functions of business, Council conducts procurement processes (tenders) and awards contracts for Infrastructure (works), Goods and Services.

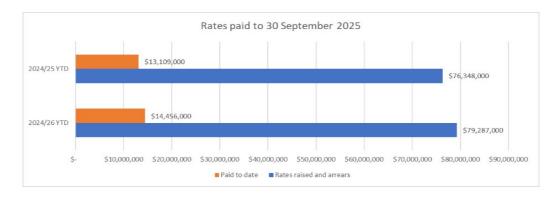
As detailed in the Procurement Policy, Council has formally recognised the value of the contribution made through procurement to the economic prosperity of the Shire, local suppliers and providers are encouraged to compete for the provision of Council goods, services and works.

The following is a public summary of all contracts awarded to suppliers by Council or under delegation between 1 July 2025 – 30 September 2025:

Contract number	Contract name	Date of award	Supplier	Estimated contract value (ex GST)	Contract period	Supplier location
CON2025 1730	Fort King Road, Paynesville - Drainage Upgrades	11/07/2025	McInnes Earthmoving Pty Ltd	\$319,394.00	31 October 2025	Gippsland
CON2025 1734	Provision of Supply Services for Diesel Generators East Gippsland Shire Council	16/07/2025	SM & JR Pty Ltd trading as Riviera Pumps & Generators	\$173,000.00	31 November 2025	East Gippsland
CON2025 1725	Construction of Cormorant Grove Road, Metung	31/07/2025	Middleton Lee Pty Ltd trading as CAL CIVIL	\$132,520.00	16 weeks from possession of site	East Gippsland
CON2025 1732	Construction of Buchan-Orbost Road Landslip Repair	25/08/2025	Jarvis Norwood Constructions Pty Ltd	\$539,535.00	30 weeks	East Gippsland
CON2026 1741	Provision of Painting, Blasting, Scaffolding and Encapsulation Services for Raymond Island Ferry Slipping	16/09/2025	Strini Industries Pty Ltd ATF F & S Strini Family Trust	\$343,610.00	6 weeks	East Gippsland

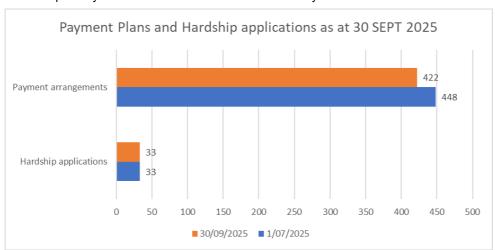
1.7 Rates Performance

At 30 September 2025 18% of rates have been received. This is 1% more than at the same time for the previous financial year.



The Rates Roadshow has become a vital cornerstone of the Shire's community engagement, providing an accessible, friendly platform for residents to better understand their rates. By taking the rates team directly to multiple locations across the region, the program effectively demystifies the complexities of valuations, rate calculations, and entitlements such as rebates and exemptions.

Council has also proactively encouraged ratepayers having trouble paying their rates to enter into a flexible payment plan, allowing them to make smaller instalments over a longer period without incurring interest. The rates team continues to work closely with residents to tailor payment options that suit their individual needs and budgets, ensuring ongoing support and fostering trust and transparency between the Council and the community.



Organisational Performance Report July 2025 - September 2025

Page 18

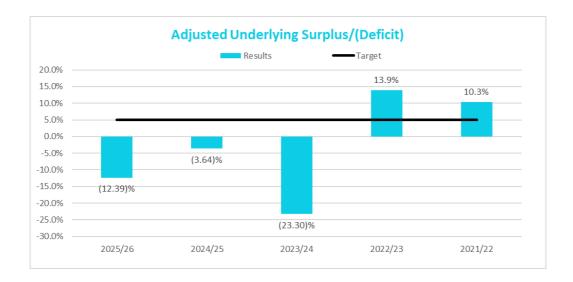
2. Year to Date Financial Analysis

2.1 Financial Ratios

Adjusted underlying surplus/(deficit)

The adjusted underlying result demonstrates Council's ability to generate a surplus in its ordinary course of business, excluding non-recurrent capital grants, non-monetary asset contributions and other contributions to fund capital works from its net result. A surplus or increasing surplus suggest an improvement in the operating position.

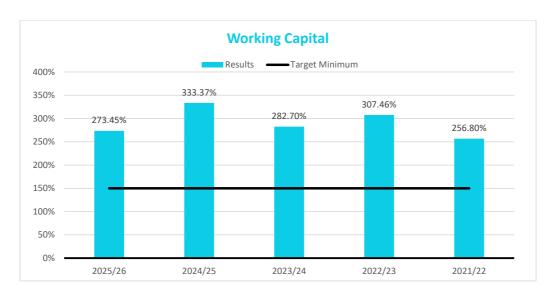
The adjusted underlying result for 2025/26 is forecast to be a deficit of 12.39%. This is due to the early payment of 50 % of the Financial Assistance Grants (\$10.695 million) received in 2024/25.



Liquidity

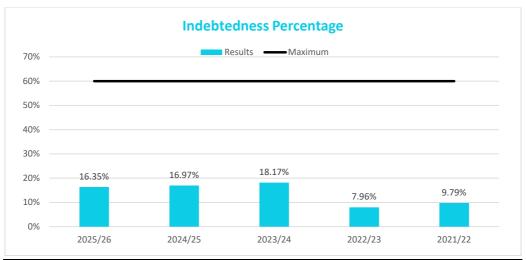
The Working Capital Ratio, which assesses Council's ability to meet current commitments, is calculated by measuring Council's current assets as a percentage of current liabilities.

The forecast Working Capital Ratio at 30 September 2025 is 273.45% against a target of 150%. This indicates that Council's ability to pay for current liabilities is strong.



Obligations

The Indebtedness Ratio Percentage Measures Council's level of long-term liabilities is appropriate to the size and nature of the organisation. This measures non-current liabilities against Council's own source revenue. It is forecast to be 16.35% against a target of less than 60% at 30 September 2025.



Organisational Performance Report July 2025 – September 2025

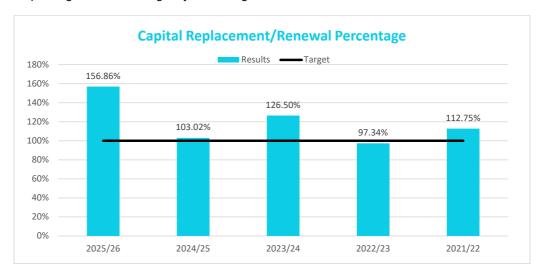
Page 20

Asset Renewal

The Capital Replacement Ratio/Renewal Percentage compares the rate of renewal expenditure for infrastructure, property, plant and equipment with its depreciations. Ratios greater than 100% indicate that Council is renewing these assets at a greater rate than they are depreciating. Council plans that the ratio sits at 100% or greater for each year.

Council aims to ensure that it can maintain its infrastructure assets at expected levels, while at the same time continuing to deliver the services needed by the community. The investment in asset renewal for the 2025/26 year is forecasted to be \$49.524 million.

The result is above the target due to the size of the program, which includes carry-forward funds from previous years as well as confirmed funding. This additional investment has contributed to surpassing the renewal target by increasing the total funds available towards asset renewal.



Attachment 1 - All Capital Works Projects - Status & Financial Update - 30 September 2025

Attachment 1 - All Capital Works Projects - Status & Financial Update - 30	September 2025			
Project	Status	Expenditure & Commitments	Forecast Expenditure Budget	Variance
7 School Road, Eagle Point – Drainage	Concept Design Progressing	\$ 17,869	\$ 104,230	\$ 86,361
Bairnsdale Cell 3B capping	Concept Design Progressing	\$ 4,995	\$ 2,404,995	\$ 2,400,000
Bairnsdale Landfill Fire Ring Main	Concept Design Progressing	\$ 52,159 0	\$ 388,925 \$ 146,000	\$ 336,766 \$ 146,000
Bairnsdale landfill Recycling Storage Shed Bairnsdale Landfill Staff Amenities Building	Concept Design Progressing Concept Design Progressing	\$ 4,300	\$ 362,246	\$ 357,946
Benambra Streetscape Improvements	Concept Design Progressing	0	\$ 275,000	\$ 275,000
Buchan Dump Point	Concept Design Progressing	\$ 9,274	\$ 18,249	\$ 8,975
Cann River Landfill Capping	Concept Design Progressing	\$ 37,491	\$ 1,590,000	\$ 1,552,509
Community Resilience and Development Program Phase 2	Concept Design Progressing	\$ 198,485	\$ 582,492	\$ 384,007
Dalmahoy Street, Bairnsdale - New Footpath	Concept Design Progressing	\$ 1,083	\$ 11,000	\$ 9,917
Eagle Point Beach Regeneration	Concept Design Progressing	0	\$ 118,351	\$ 118,351 \$ 100,000
EGSC Energy Eficiency 2019 Extension to existing Recycling Storage Area - Bairnsdale WTS	Concept Design Progressing Concept Design Progressing	0	\$ 100,000 \$ 265,000	\$ 265,000
Integrated Water Management - Bairnsdale	Concept Design Progressing	\$ 74,266	\$ 325,500	\$ 251,234
Jennings Street, Bairnsdale, Upgrade	Concept Design Progressing	\$ 3,511	\$ 20,000	\$ 16,489
Johnsonville Play Space	Concept Design Progressing	\$ 566	\$ 150,000	\$ 149,434
Lake Tyers Beach Road Drainage Upgrade Stage 2	Concept Design Progressing	\$ 88,964	\$ 103,976	\$ 15,012
Lakes Entrance Indoor Courts	Concept Design Progressing	\$ 851,096	\$ 979,498	\$ 128,402
Lakes Entrance Service Centre - Courtyard Upgrade	Concept Design Progressing	\$ 5,234	\$ 36,865	\$ 31,631
Lakes Entrance Service Centre office space Lanes Road Lucknow – Drainage Solution	Concept Design Progressing Concept Design Progressing	\$ 273 \$ 15,359	\$ 19,000 \$ 302,183	\$ 18,727 \$ 286,824
LENGA Drainage	Concept Design Progressing	\$ 478,639	\$ 534,788	\$ 56,149
Lindenow Recreation Reserve Netball changerooms	Concept Design Progressing	0	\$ 160,000	\$ 160,000
Mallacoota Foreshore Holiday Park Toilet Block 1	Concept Design Progressing	\$ 48,630	\$ 407,568	\$ 358,938
McCulloch Street, Bairnsdale Carpark	Concept Design Progressing	\$ 583	\$ 50,000	\$ 49,417
McKean Street to Main Road, Bairsndale - New Footpath	Concept Design Progressing	\$ 1,149	\$ 93,000	\$ 91,851
Nicholson Street, Orbost Footpath renewal	Concept Design Progressing	\$ 17,602	\$ 153,401	\$ 135,799
Nowa Nowa Boat Jetty	Concept Design Progressing	\$ 17,214 0	\$ 478,000	\$ 460,786
Orbost Service Centre - Upgrade handrails on front entry steps Parking Upgrade - Lakes Entrance	Concept Design Progressing Concept Design Progressing	0	\$ 13,000 \$ 100,000	\$ 13,000 \$ 100,000
Payne Street Upgrade	Concept Design Progressing Concept Design Progressing	\$ 15,433	\$ 15,768	\$ 100,000
Public Space CCTV Refresh	Concept Design Progressing	\$ 2,406	\$ 398,998	\$ 396,592
QRF Dinni Birrak Walk - Backwater Ct Paynesville	Concept Design Progressing	\$ 8,766	\$ 122,514	\$ 113,748
R2R54 Stirling / David Road Metung, Drainage upgrade	Concept Design Progressing	\$ 16,765	\$ 397,749	\$ 380,984
Raymond Island Township Road & Drainage Upgrade	Concept Design Progressing	\$ 140,929	\$ 135,412	-\$ 5,517
Roadknight St, Lakes Entrance	Concept Design Progressing	\$ 66,264	\$ 69,541	\$ 3,277
Seawall Renewal Program	Concept Design Progressing	\$ 4,965	\$ 324,000	\$ 324,000
Skidale Reserve Tambo Upper Road, outside Primary School	Concept Design Progressing Concept Design Progressing	\$ 14,338	\$ 60,000 \$ 13,752	\$ 55,035 -\$ 586
Toonalook Waters Revegetation Plan	Concept Design Progressing	0	\$ 110,219	\$ 110,219
West Bairnsdale Recreation Reserve Redevelopment	Concept Design Progressing	0	\$ 631,474	\$ 631,474
Admirals Quay, Paynesville – Drainage Works	Detailed Design Progressing	\$ 324,041	\$ 516,364	\$ 192,323
Apron & Taxiway C, Bairnsdale Airport	Detailed Design Progressing	\$ 49,422	\$ 3,212,238	\$ 3,162,816
Bairnsdale Airport – Minor Drainage Upgrade	Detailed Design Progressing	\$ 5,086	\$ 24,792	\$ 19,706
Bairnsdale Cell 3A Capping Design	Detailed Design Progressing	\$ 7,134	\$ 2,365,000	\$ 2,357,866
Bairnsdale Cell 4a Bairnsdale Composting Facility	Detailed Design Progressing Detailed Design Progressing	\$ 82,963 \$ 63,907	\$ 70,453 \$ 111,345	-\$ 12,510 \$ 47,438
Bairnsdale GELLEN building Accessibility	Detailed Design Progressing	\$ 5,562	\$ 30,000	\$ 24,438
Bairnsdale Runway 04/22 Extension & Lighting Upgra	Detailed Design Progressing	\$ 40,581	\$ 8,364,941	\$ 8,324,360
BARC Roof	Detailed Design Progressing	\$ 26,797	\$ 320,000	\$ 293,203
Bogong Street, Lakes Entrance – Drainage Renewal	Detailed Design Progressing	\$ 5,597	\$ 404,782	\$ 399,185
Bruthen footpath pedestrian fencing	Detailed Design Progressing	\$ 563	\$ 44,913	\$ 44,350
Building Renewal	Detailed Design Progressing	\$ 112,773	\$ 570,000	\$ 457,227
Cann River Waste Transfer Station Church Street, Lakes Entrance, Pedestrian Crossing	Detailed Design Progressing	\$ 193,896 \$ 972	\$ 774,320 \$ 616,000	\$ 580,424 \$ 615,028
Connleys Road, Omeo - Rural Road Improvement	Detailed Design Progressing Detailed Design Progressing	\$ 62,359	\$ 629,630	\$ 567,271
Corringle Road, Newmerrella road renewal	Detailed Design Progressing	\$ 38,669	\$ 804,303	\$ 765,634
Council Managed Caravan Park - Fire Saftey Works	Detailed Design Progressing	\$ 5,809	\$ 300,000	\$ 294,191
Eagle Point Foreshore Trail	Detailed Design Progressing	\$ 62,206	\$ 263,955	\$ 201,749
Eagle Point School Connection	Detailed Design Progressing	\$ 44,812	\$ 498,906	\$ 454,094
Eastern Beach Road Drainage Improvements	Detailed Design Progressing	\$ 29,228	\$ 615,000	\$ 585,772
Extension to Carpark - Slip Bight Marine Jetty 5	Detailed Design Progressing	\$ 14,763	\$ 211,865	\$ 197,102
Foreshore Management Plan Implentation - Marlo Francis & Pyke Street, Bairnsdale - Roundabout	Detailed Design Progressing Detailed Design Progressing	\$ 17,555 \$ 972	\$ 371,760 \$ 150,000	\$ 354,205 \$ 149,028
Gilsenan Reserve Toilet Replacement	Detailed Design Progressing	\$ 4,403	\$ 189,524	\$ 185,121
Internal CCTV Renewal	Detailed Design Progressing	\$ 10,738	\$ 340,760	\$ 330,022
Krautungalung Walk Stage 2	Detailed Design Progressing	\$ 23,839	\$ 747,553	\$ 723,714
Leased Caravan Parks - upgrade powerheads	Detailed Design Progressing	\$ 93,415	\$ 300,000	\$ 206,585
LER - Livingstone Park Community Facilities	Detailed Design Progressing	\$ 58,332	\$ 1,694,624	\$ 1,636,292
Mallacoota Foreshore Holiday Park Fire Safety work	Detailed Design Progressing	\$ 37,501 \$ 48,753	\$ 397,474 \$ 968,000	\$ 359,973 \$ 919,247
Marlo Township Drainage Design Metung Boardwalk Revitalisation	Detailed Design Progressing Detailed Design Progressing	\$ 48,753	\$ 430,323	\$ 349,362
Mississippi Creek, Scriveners Road - Stage 2	Detailed Design Progressing Detailed Design Progressing	\$ 98,453	\$ 149,046	\$ 50,593
Modifications to Lakes Entrance WTS Recycling Centre Shed	Detailed Design Progressing	\$ 1,000	\$ 45,000	\$ 44,000
Murphy Street - Urban Road Improvement	Detailed Design Progressing	\$ 64,869	\$ 69,818	\$ 4,949
Orbost Airport Apron Extension	Detailed Design Progressing	\$ 10,067	\$ 236,202	\$ 226,135
Power Station Road	Detailed Design Progressing	\$ 74,370	\$ 65,578	-\$ 8,792
Raymond Island Koala Experience	Detailed Design Progressing	\$ 23,642	\$ 206,712	\$ 183,070
Renewal and upgrade to corporate systems	Detailed Design Progressing	\$ 14,550	\$ 1,309,599	\$ 1,295,049
Replace Ferry Landings at Paynesville & Raymond Island Robin Street, Lakes Entrance Drainage Renewal	Detailed Design Progressing Detailed Design Progressing	\$ 34,744 \$ 10,162	\$ 308,203 \$ 7.849	\$ 273,459 -\$ 2,313
Rupert Street, Bairnsdale Drainage renewal	Detailed Design Progressing Detailed Design Progressing	\$ 40,033	\$ 7,849 \$ 61,077	-\$ 2,313 \$ 21,044
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Attachment 1 - All Capital Works Projects - Status & Financial Update - 30 September 2025

Attachment 1 - All Capital Works Projects - Status & Financial Update - 30 Sc	eptember 2025			
Project	Status	Expenditure & Commitments	Forecast Expenditure Budget	Variance
Swifts Creek Playspace Upgrade	Detailed Design Progressing	0	\$ 25,000	\$ 25,000
West Bairnsdale Oval Lighting	Detailed Design Progressing	\$ 20,419	\$ 20,000	-\$ 419
WORLD Sporting Precinct Stage 1	Detailed Design Progressing	\$ 353,979	\$ 5,763,038	\$ 5,409,059
Asset Management System	Delivery Progressing	\$ 91,937	\$ 375,000 \$ 13,000	\$ 283,063
Bairnsdale Cell 1 Aftercare Bairnsdale Cell 2 Aftercare	Delivery Progressing Delivery Progressing	\$ 13,707 \$ 13,707	\$ 13,000	-\$ 707 -\$ 2,707
Bairnsdale Cell 2 Altercare Bairnsdale Recycling Centre	Delivery Progressing	\$ 416,270	\$ 383,855	-\$ 32,415
BARC Basketball Scoreboards - replacement	Delivery Progressing	\$ 41,050	\$ 50,000	\$ 8,950
BARC Courts Major Reseal	Delivery Progressing	0	\$ 150,000	\$ 150,000
Bosworth Road Aftercare	Delivery Progressing	\$ 12,008	\$ 21,000	\$ 8,992
Bosworth Road Dog Park Upgrade	Delivery Progressing	\$ 47,151	\$ 96,646	\$ 49,495
Bruce Road Depot - Safety Upgrades	Delivery Progressing	\$ 13,393	\$ 19,828	\$ 6,435
Buchan Orbost Road - Major Slip Repair	Delivery Progressing	\$ 542,450 \$ 135,027	\$ 700,000	\$ 157,550 \$ 20,680
Cann River – Changing Places Facility Civica Project	Delivery Progressing Delivery Progressing	\$ 219,060	\$ 155,707 \$ 266,467	\$ 47,407
Community Resilience and Development Program	Delivery Progressing	\$ 154,515	\$ 167,219	\$ 12,704
Construction Cell 4 Bairnsdale Tip	Delivery Progressing	\$ 92,659	\$ 71,662	-\$ 20,997
Creation of Cormorant Drive, Metung	Delivery Progressing	\$ 134,269	\$ 417,428	\$ 283,159
Culvert Renewal Non-Specified	Delivery Progressing	\$ 62,166	\$ 250,000	\$ 187,834
Digital Services	Delivery Progressing	\$ 42,125	\$ 2,570,000	\$ 2,527,875
Dust Suppression Seal Non-Specified	Delivery Progressing	0	\$ 200,000	\$ 200,000
EV Charge Points -Streetscapes	Delivery Progressing	\$ 121,879	\$ 123,138	\$ 1,259
Gravel Road Resheet Non-Specified	Delivery Progressing	\$ 627,764	\$ 1,000,000	\$ 372,236
Information Technology Infrstructure	Delivery Progressing	\$ 227,106	\$ 300,000	\$ 72,894 \$ 255,807
Kerb and Channel Replacement, Shire-wide Krautungalung Walk Stage 1	Delivery Progressing Delivery Progressing	\$ 144,193 \$ 285,865	\$ 400,000 \$ 224,802	-\$ 61,063
Lakes Entrance Landfill Aftercare	Delivery Progressing	\$ 92,483	\$ 32,000	-\$ 60,483
Lindenow Sports Ground - Fire Services	Delivery Progressing	\$ 39,543	\$ 100,548	\$ 61,005
LRCI4 - 65 McTaggarts Road, Eagle Point drainage Renewal	Delivery Progressing	\$ 9,940	\$ 10,000	\$ 60
LRCI4 - Upgrade Omeo Streetscape	Delivery Progressing	\$ 111,640	\$ 118,038	\$ 6,398
Lucknow Recreation Reserve & Surrounds improvement works	Delivery Progressing	0	\$ 10,227	-\$ 10,227
Mallacoota Hall Upgrades	Delivery Progressing	\$ 376,350	\$ 297,412	-\$ 78,938
Marine Parade, Lakes Entrance - Stage 2	Delivery Progressing Delivery Progressing	\$ 538,307 \$ 42,446	\$ 735,387 \$ 50,000	\$ 197,080
Office Furniture Non-Specified Omeo Justice Precinct	Delivery Progressing	\$ 103,455	\$ 104,673	\$ 7,554 \$ 1,218
Omeo Mountain Bike Trails - Stage 2	Delivery Progressing	\$ 528,210	\$ 776,280	\$ 248,070
Orbost Landfill Aftercare	Delivery Progressing	\$ 6,591	\$ 10,000	\$ 3,409
Orbost Lochiel Park & Mechanics Hall Toilet Decommission	Delivery Progressing	\$ 19,912	\$ 5,000	-\$ 14,912
Photocopiers / Printers Renewal	Delivery Progressing	\$ 2,695	\$ 25,588	\$ 22,893
Plant Renewal	Delivery Progressing	\$ 787,475	\$ 3,924,404	\$ 3,136,929
Premiers Reading Challenge	Delivery Progressing	0	\$ 9,208	\$ 9,208
Property Acquisitions (Admin Services)	Delivery Progressing	\$ 46,032	\$ 187,407	\$ 141,375
Purchase Library Resources non-specified	Delivery Progressing	\$ 179,977 \$ 34,500	\$ 200,000 \$ 197,719	\$ 20,023 \$ 163,219
Quick Response Fund Road Rehabilitation Program	Delivery Progressing Delivery Progressing	\$ 56,981	\$ 390,000	\$ 333,019
Roads Resealed Non-Specified	Delivery Progressing	\$ 107,516	\$ 3,132,000	\$ 3,024,484
Slip Road Maritime Precinct -Paynesville	Delivery Progressing	\$ 6,862,725	\$ 7,031,672	\$ 168,947
Slippery Pinch Road – erosion repair	Delivery Progressing	\$ 35,530	\$ 40,564	\$ 5,034
Strategic Property Acquisitions	Delivery Progressing	\$ 74,864	\$ 200,027	\$ 125,163
Street Furniture Renewal (inc Signs)	Delivery Progressing	\$ 20,090	\$ 50,000	\$ 29,910
Street Trees Program	Delivery Progressing	0	\$ 42,022	\$ 42,022
Vehicles Renewal	Delivery Progressing Delivery Progressing	\$ 45,975 \$ 19,218	\$ 1,142,394 \$ 290,906	\$ 1,096,419 \$ 271,688
Visitor Information Centres - Internal Refit Bairnsdale Cell 3A Aftercare	Not Started	\$ 19,210 0	\$ 11,801	\$ 11,801
Bairnsdale Cell 3b Aftercare	Not Started	0	\$ 12,843	\$ 12,843
Cann River After care	Not Started	0	\$ 6,000	\$ 6,000
Caravan Park Equipment Renewal	Not Started	\$ 390	\$ 15,000	\$ 14,610
Forward Design Seawalls Shirewide	Not Started	0	\$ 150,000	\$ 150,000
Lake Tyers Beach Road Footpath from Bream Rd to Princes Hwy	Not Started	\$ 583	\$ 102,000	\$ 101,417
Mallacoota Landfill Aftercare	Not Started	0	\$ 7,000	\$ 7,000
New Hangers at Bairnsdale Airport	Not Started	0	\$ 100,000	\$ 100,000
Omeo Mountain Bike Access Tracks Omeo Service Centre – Female Toilets Upgrade	Not Started	0 \$ 215	\$ 300,000 \$ 6,804	\$ 300,000 \$ 6,589
Palmers Road, Lakes Entrance - Upgrade	Not Started	\$ 215	\$ 100,000	\$ 100,000
Port of Bairnsdale -Precinct Renewal	Not Started Not Started	0	\$ 250,000	\$ 250,000
Renew Guard Rails Non-Specified	Not Started	0	\$ 50,000	\$ 50,000
Road Safety and Intersection Improvement Program	Not Started	0	\$ 50,000	\$ 50,000
Tambo Bluff to Kings Cove, Metung footpath connection	Not Started	0	\$ 30,000	\$ 30,000
Upgrade Corporate Signage at Service Centres	Not Started	0	\$ 50,000	\$ 50,000
Dragway Demolition	On Hold	\$ 42,760	\$ 83,760	\$ 41,000
Gippsland Lakes Shared Community Hub	On Hold	\$ 63,517	\$ 2,608,535	\$ 2,545,018
Bairnsdale City Oval Netball Court Lighting Upgrade	Withdrawn	0 \$ 61,712	0 \$ 62,840	0 \$ 1,128
35 Marlo Road, Drainage Renewal Air Handling Unit, Lakes Aguadome	Completed Completed	\$ 61,712	\$ 62,840	\$ 1,128
AJ Freeman Reserve Toilet decommission, Paynesville	Completed	\$ 9,877	\$ 25,000	\$ 15,123
Bairnsdale Airport Terminal (Air Ambulance Facility)	Completed	ψ <i>σ,υ11</i>	\$ 1,053,730	\$ 1,053,730
Bastion Point Geotactile Groyne Wall	Completed	\$ 274,903	\$ 290,171	\$ 15,268
Bullock Island Masterplan Implementation	Completed	\$ 11,163	\$ 11,505	\$ 342
East Bairnsdale Play Area Renewal	Completed	\$ 106,290	\$ 208,319	\$ 102,029
Lakes Entrance Landfill Capping	Completed	\$ 3,380	\$ 3,380	0
Little River Road, Gabion Wall Reconstruction	Completed	\$ 133,316	\$ 481,326	\$ 348,010
Livestock traceability	Completed	0	\$ 23,182	\$ 23,182

Attachment 1 - All Capital Works Projects - Status & Financial Update - 30 September 2025

Project	Status	Expenditure & Commitments	Forecast Expenditure Budget	Variance
Mallacoota Streetscape	Completed	\$ 233,106	\$ 258,930	\$ 25,824
Marine Parade Marlo, Drainage Repair	Completed	\$ 257,491	\$ 269,994	\$ 12,503
Metung Bowls Club Fence	Completed	\$ 15,000	\$ 15,000	0
Orbost Forest Park Upgrade	Completed	\$ 11,517	\$ 11,628	\$ 111
Orbost Outdoor Pool	Completed	\$ 1,850	\$ 1,905	\$ 55
Progress Jetty Precinct Design	Completed	\$ 127,965	\$ 131,173	\$ 3,208
Upgrade existing facilities for accessibility & Female Friendly	Completed	0	\$ 3,349	\$ 3,349
Minor costs of 24/25 completed projects with no budget*	Completed	\$ 23,926	0	-\$ 23,926
Total	·	19.464.320	81.051.044	61.566.270

^{*}will rectify budget through CAPEX Steering Committee for next report

5.4.3 S11A Instrument of Appointment and Authorisation Planning and Environment Act 1987

Authorised by General Manager Business Excellence

Purpose

This report seeks a resolution of Council to remake the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act* 1987 (the Act).

Key Points

Some Council Officers are required to be appointed as Authorised Officers to exercise statutory powers under various Acts, regulations, and local laws in accordance with the provisions granted to them.

In most cases, Authorised Officers are appointed by the Chief Executive Officer (CEO) through the power of delegation conferred through the S5 Instrument of Delegation (Council to CEO). However, the Act specifically requires that Authorised Officers under that Act be appointed by resolution of Council.

The Act lists the activities that can be carried out on behalf of Council, which can only be carried out by Council Officers authorised under the Act, these are:

- 1. serve planning infringement notices (section 130);
- 2. enter any land at any reasonable time to carry out and enforce the Act, the regulations, a planning scheme, a permit condition, an enforcement order or a section 173 agreement (section 133); and
- 3. request the assistance of Victoria Police in the execution of the powers of entry (section 136).

Following staff movements within the Planning team, the existing S11A Instrument made by Council on 15 July 2025 has been reviewed to ensure that relevant staff are able to fulfill the requirements of their roles.

The review has identified:

- that a new appointment is recommended for the following Planning staff member Hamish McIntosh, Statutory Planning Coordinator; and
- that the appointment of Royce Edwards be revoked following his move from the Development Compliance Officer position to a different position in Council.

Recommendation

That Council:

- 1. in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987, resolves that Hamish McIntosh, Statutory Planning Coordinator be appointed as an Authorised Officer for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act;
- 2. revokes the appointment of Royce Edwards as an Authorised Officer for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act resolved by Council on 16 December 2024;
- 3. authorises the Chief Executive Officer to remake and execute the S11A Instrument of Appointment and Authorisation to reflect the above changes to Authorised Officers; and
- 4. notes that the Instrument will come into force immediately following resolution of Council and will remain in force until Council determines to vary or revoke it, or until the Officer ceases to be employed by East Gippsland Shire Council.

Strategic Alignment

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well
Outcome – Council operates transparently and effectively with public trust

Consultation/Community Engagement/Impacts

All appointments as Authorised Officers and the Act are prepared in consultation with the Manager Planning and Development.

Opportunities and Risks

Appointing Authorised Officers gives Planning staff the ability to carry out planning investigation and compliance activities, minimising the risks of failing to comply with the Act.

Conflicts of Interest

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

Attachments

Nil

5.4.4 Council Meeting Resolution Register

Authorised by General Manager Business Excellence

Confidentiality Notice

The information contained in the confidential attachments are confidential under section 3(1) of the *Local Government Act* 2020 because it relates to: (h) Confidential Meeting Information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the *Local Government Act* 2020, if released, the information discussed or considered in relation to this agenda item could undermine the integrity of Council decision-making processes, disclose sensitive discussions or deliberations, or reveal personal, legal, or commercial information that may prejudice Council or third parties.

Purpose

To provide a status update on resolutions from Council meetings held between 1 July – 30 September 2025 (**Attachment 1** and **Confidential Attachment 2**) and the status of actions that were reported as outstanding in the previous quarterly report (**Confidential Attachment 3**).

Key Points

The primary role of the Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Council must perform its role in accordance with the Overarching Governance Principles as set out in section 9 (2)(i) of the *Local Government Act* 2020, in which one of the principles states '...the transparency of Council decisions, actions and information is to be ensured'.

The reporting of Council resolutions is a vital measure of Council's performance and provides the information it needs to demonstrate transparency and Council's accountability to the community.

For the period of 1 July - 30 September 2025, there were 15 open Council resolutions (not including resolutions for noting only) in the reporting period, of which 13 have been completed and two are in progress. There were four closed Council resolutions (not including resolutions for noting only), of which all are completed.

Recommendation

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

Strategic Alignment

This report has been prepared in accordance with the *Local Government Act* 2020, specifically section 9 (2)(i) and section 58.

It aligns with the following strategic theme outlined in the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well

Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Consultation/Community Engagement/Impacts

No community or external stakeholder engagement was conducted in developing this report, aside from the internal engagement to compile its content.

Opportunities and Risks

The report supports Council's commitment to good governance by providing an accessible and detailed update on resolution progress.

Climate change

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

Conflicts of Interest

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

Attachments

- 1. Open Council Meeting Resolutions from 1 July 30 September 2025 [5.4.4.1 8 pages]
- 2. CONFIDENTIAL Closed Council Meeting Resolutions from 1 July 30 September 2025 [**5.4.4.2** 1 page]
- 3. CONFIDENTIAL Update on Closed Council Resolutions up to 30 September 2025 [5.4.4.3 2 pages]

Meeting Date	Item No.	Item	Resolution	Directorate	Status
15-07-2025	5 1.1	Construction of Slip Road Maritime Precinct - Variation	 approves an exemption from the market engagement requirements of the Procurement Policy on the basis that following the tender or procurement process would mean substantial delay or would be impractical, disadvantageous or unreasonable in the circumstances; approves the variation for CON2022 1451 Slip Road Marina Precinct Upgrade Project for the sum of \$2,716,582.15 (excluding gst); authorises the Chief Executive Officer or delegate to finalise the terms and to sign the contract variation in the form proposed; and 	Assets and Environment	Completed
15-07-2025	5 1.2	Sale of Land - 8 Gannet Grove Metung	resolves that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential. That Council: 1. determines that the Property known as 8 Gannet Grove Metung is not required for public access or any future public use; 2. gives notice of its intention to sell the property known as 8 Gannet Grove Metung in accordance with the provisions of section 114 of the Local Government Act 2020; 3. notes that in accordance with section 3.3 of Council's Sale of Council-owned Land Policy, the property will be sold for at least market valuation, unless Council specifically resolves otherwise; 4. notes that the property will be sold by public tender on the open market; and notes that a community engagement process will be undertaken in respect of the sale of the property at 8 Gannet Grove Metung.	Assets and Environment	Completed
15-07-2025	5 2.2	S11A Instrument of Appointment and Authorisation Planning and Environment Act 1987	 That Council: in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987, resolves that the Council Officers listed below be appointed as Authorised Officers, for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act: Kellinde Chester, Strategic Planning Projects Coordinator Daniel Heinrichs, Development Compliance Officer Chris Wightman, Senior Planning Advisor authorises the Chief Executive Officer to remake and execute the S11A Instrument of Appointment and Authorisation to reflect the above changes to Authorised Officers; and notes that the Instrument will come into force immediately following resolution of Council and will remain in force until Council determines to vary or revoke it, or until the Officer ceases to be employed by East Gippsland Shire Council. 	Business Excellence	Completed
19-08-2025	1 7 1.1	Objection 2025-26 Jetty Licence Fee Increase - Riviera Harbour, Paynesville	 That Council: receives the petition lodged by Mr Colin Frisch requesting "Petitioners are seeking that East Gippsland Shire Council review the decision to increase the Riviera Harbour Jetty licence fee and modify that fee increase in line with other East Gippsland Shire jetty/berth price rises - not exceeding 12%"; notes that the petition will be referred to General Manager Assets and Environment for consideration and response; and notes that the Chief Executive Officer will arrange for Council Officers to write to the head petitioner advising them of these actions. 	Assets and Environment	Completed

Meeting Date	Item No.	Item	Resolution	Directorate	Status
19-08-2025	5 1.1	Bairnsdale Outdoor Pool	 commission an independent safety inspection and detailed report on the Bairnsdale Outdoor Pool to: identify any safety risks to staff and patrons; assess compliance with relevant occupational health and safety legislation, standards, and guidelines; and highlight any areas of non-compliance or concern requiring remediation. request that officers obtain quotes for any necessary repairs or upgrades identified through the inspection to ensure the facility is compliant with occupational health and safety legislation; request that the inspection findings and repair quotes be presented to Council for further consideration, including any recommended actions or improvements; endorses the commissioning of a new East Gippsland Aquatic Strategy to determine the future of the Bairnsdale Outdoor Pool site, and future planning of aquatic facilities in the shire; and undertakes comprehensive community engagement including the use of a community reference group when developing the new East Gippsland Aquatic Strategy and determining the future use of the site. 	Place and Community	Completed
19-08-2025	5 2.1	CON2025 1732 Buchan Orbost Road - Major Slip Repair	 That Council: accepts the tender submitted by Jarvis Norwood Constructions Pty Ltd for CON2025 1732 Construction of Buchan-Orbost Road Landslip Repair for the Contract amount of \$539,535.00 exclusive of GST; authorises the Chief Executive Officer or delegate to finalise the terms and to sign the contract in the form proposed; and resolve that Confidential Attachment 1 to this report and all discussions relating to that attachment remain confidential. 	Assets and Environment	Completed
19-08-2025	5.1.2	Planning Permit Application - 5.2025.96.1 Two Lot Subdivision and Development of a Dwelling 34-36 Eighth Avenue, Raymond Island	That Council, being the Responsible Authority and having considered all the relevant planning matters, determines that Planning Permit Application 5.2025.96.1 is consistent with the requirements and objectives of the East Gippsland Planning Scheme and therefore resolves to issue a Notice of Decision to Grant a Permit for a two-lot subdivision and development of a dwelling, subject to the following permit conditions: Endorsed Plans 1. At all times, what the permit allows must be carried out generally in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority, unless with the written consent of the responsible authority. Telecommunications 2. The owner of the land must enter into an agreement with: a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provision of fibbre 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 (NBN) will not be provided by optical fibre. 3. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from: a. 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 item; and b. a suitably qualified person that fibre ready telecommunications 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		Completed

leeting Date	Item No.	Item	Resolution	Directorate	Status
			 Servicing 4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time. 		
			All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.		
			The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.		
			 Drainage 5. Before the issue of a statement of compliance, each lot as shown on the endorsed plans must be drained to the satisfaction of the Responsible Authority. 6. Before the dwelling/building is occupied all stormwater runoff from the roofed and paved areas must be discharged by an underground drainage system connected to an approved point of discharge to the satisfaction of the Responsible Authority 		
			 New Rural Vehicular Gravel Crossings 7. Before the issue of a Statement of Compliance a standard gravel crossover must be constructed at right angles to the road to suit the proposed driveway to Lot 2 to the satisfaction of the Responsible Authority. 		
			Protection of Council Infrastructure 8. Before the issue of a Statement of Compliance any portion of Council's existing infrastructure damaged as a result of work undertaken on the site or associated with the development must be repaired/reinstated to the satisfaction of the Responsible Authority.		
			 Section 173 Agreement 9. Before the issue of a Statement of Compliance, the owner of the land must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning and Environment Act 1987, which will provide that: a. The land must not be further subdivided to create an additional lot, and b. Any dwelling on each lot must include a rainwater tank having a minimum storage capacity of 2,000 litres; and c. The rainwater tank must collect rainwater runoff from the roof of the dwelling; and d. The rainwater tank must be used as the primary water source for flushing of toilets, laundry services and also include an external tap for garden irrigation. 		
			This agreement must be prepared by the owner. The cost of the preparation, review and recording on the title of the agreement in accordance with Section 181 of the <i>Planning and Environment Act 1987</i> to the satisfaction of the Responsible Authority must be borne by the owner of the land.		
			Conditions Relating to Inundation 10. The finished floor level of the dwelling must be a minimum of 2.5 metres AHD. This is referred to as the Nominal Flood Protection Level (NFPL).		
			11. All electrical outlets must be fixed above the Nominal Flood Protection Level (NFPL)of 2.5 Metres AHD.		
			12. Stumps rather than fill must be used to raise the finished floor level of the dwelling up to the NFPL if required. If the sub-floor is to be enclosed, it must have sufficient openings to allow for the free passage of floodwaters underneath the building.		
			13. Water resistant building materials that minimise the physical effects of flooding on the building structure and its contents must be used for foundations, footings, floor and walls up to the NFPL of 2.5 metres AHD.		
			14. Any high value and/or hazardous materials in the shed must be stored at or above the NFPL of 2.5 metres AHD.		
			15. The fencing must be of an open style to enable water to pass through freely. No solid brick, paling, panel, chain or fine mesh fence is to be constructed.		

Meeting Date I	tem No.	Item	Resolution	Directorate	Status
			Operation and Expiry of the Permit 16. This permit will operate from the issued date of this permit.		
			16. This permit will operate from the issued date of this permit.		
			 17. This permit as it relates to development (subdivision and development) will expire if one of the following circumstances applies: a. The buildings and works are not commenced within 2 years of the issued date of this permit. b. The buildings and works, having commenced, are not completed within 4 years of the issued date of this permit. c. The plan of subdivision has not been certified under the Subdivision Act 1988 within 2 years of the issued date of this permit. d. A statement of compliance is not issued within 5 years of the date of certification. 		
			In accordance with Section 69 of the <i>Planning and Environment Act 1987</i> , an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.		
			Country Fire Authority conditions		
			18. Bushfire Management Plan Required		
			Prior to certification under the <i>Subdivision Act 1988</i> , an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.		
			The plan must be generally in accordance with 21146-BMP, Version 1 – Drawn 26/03/2025 and prepared by Crowther & Sadler Pty Ltd but amended to include or replace the conditions for Water Supply with:		
			a. Water supply (with remote outlet)		
			 10,000 litres of effective water supply for fire fighting purposes must be provided which meets the following requirements: The static water supply must be stored in an above ground tank constructed of concrete or metal. The static water supply must be provided with an outlet for CFA (CFA outlet) that includes a 64 mm CFA 3 thread per inch male coupling. The location of the CFA outlet must be within 4 m of the driveway (or other suitable 'hardstand') and within 60 m of the building. The CFA outlet must be located to achieve gravity feed from the static water supply (the CFA outlet must be lower than the pipework outlet on the tank). 		
			 All water pipes and fittings to the remote CFA outlet must be a minimum pipe size of 100 mm (Class A Copper or Class 12 PVC) or 125 mm PN 12.5 HDPE. This includes the outlet at the tank. 		
			 The static water supply must include a separate outlet for the private use of the owner/occupier of the land that incorporates a ball or gate valve. 		
			 All fixed above-ground water pipes and fittings must be made of corrosive resistant metal. A 65mm British Standard Pipe (BSP) ball or gate valve must be provided at the CFA outlet to control the flow of water to the CFA coupling. Any other valves between the CFA outlet and the tank must be locked in the open position. The CFA outlet must be: 		
			 easily accessible by a fire-fighter in the event of a bushfire Clear of all vegetation for a distance of 1.5 metres Setback from flammable objects (including timber fences and timber retaining walls) for a minimum distance of 1.5 metres Oriented horizontally. 		
			 The centreline of the CFA outlet must be a minimum of 300mm and maximum 600mm in height above the finished ground level. The riser for the CFA outlet must be supported by a galvanised steel post at least 50mm x 50mm or equivalent which is concreted in the ground to a depth of at least 450mm. 		
			 The CFA outlet must be easily identifiable from dwelling or signage must be provided that meets the following requirements: Has an arrow pointing to the location of the fire authority outlet. Has dimensions of not less than 310mm high and 400mm long. Is red in colour, with a blue reflective marker attached. Is labelled with a 'W' that is not less than 15cm high and 3cm thick. 		
			 The CFA outlet must include fade-resistant or engraved signage that: Is to be fixed to the post supporting the fire authority outlet riser. Has a minimum height of at least 1m from the ground surface level. Includes the words "FIRE WATER TANK OUTLET" in lettering that is a minimum of 50mm in height and written in a colour 		

Meeting Date	Item No.	Item	Resolution	Directorate	Status
			 Includes the capacity of the water supply (in litres) in lettering that is a minimum of 50mm in height and written in a colour contrasting with that of the signage background. A blue reflective disc at least 50mm in diameter must be attached to the post holding the sign. The blue reflective disk must be located immediately below the sign. All below-ground water pipes must be installed to provide at least the following cover below the finished surface; 300 mm for pipes subject to vehicle traffic; 75 mm for pipes under dwellings or concrete slabs; and 225 mm for all other locations. Additional matters to be set out in the Section 173 agreement In addition to the requirements of Clause 44.06-5 of the Scheme, the section 173 Agreement prepared in accordance with that clause must also: Explicitly exclude Lot 1 from the following exemption under Clause 44.06-2 of the Scheme:		
19-08-2025	5.1.3	Planning Scheme Amendment C169egip - Update Municipal Planning Strategy and Planning Policy Framework (Post Exhibition Adoption)	 That Council: having formally considered all written submissions received to Amendment C169egip, notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 3; adopts Amendment C169egip with post exhibition changes, as outlined in Attachments 1 and 4, in accordance with section 29 of the Planning and Environment Act 1987; adopts the following changes resulting from a late submission: amend the following strategy at Clause 17.04-1L to state 'Encourage tourism proposals that are site responsive and well located to make use of existing services and infrastructure where service connections are required'; and retain the following strategy at Clause 17.04-1L 'Support staged development for residential use of resort sites, where these adjoin existing urban areas, are capable of being serviced and form a logical extension of a town'; submits adopted Amendment C169egip being Attachment 1 together with prescribed information, to the Minister for Planning for approval, in accordance with section 31 of the Planning and Environment Act 1987; authorises the Chief Executive Officer (or delegate) to advise those persons who made written submissions to Amendment C169egip of Council's decision; and recognising the need for reform of the Victorian Planning System, requests officers to prepare a position paper outlining advocacy to the Victorian Government to pursue the recommendations outlined in the Housing and Settlement Strategy and Council's submission on the Inquiry into the supply of homes in regional Victoria, including:	Place and Community	Completed

Meeting Date	Item No.	Item	Resolution	Directorate	Status
			 b. provide stronger legislative and planning policy guidance for the provision of innovative, compact, affordable homes such as residential villages and tiny homes; 		
			c. continue strengthening Environmentally Sustainable Development (ESD) policy in the Victorian Planning Provisions;		
			 support the capacity and capability of the development sector to deliver more diverse homes that incorporate ESD principles; 		
			e. legislate for social housing quotas in new development;		
			f. remove Windfall Gains Tax in regional areas for small rezonings (of a size to be determined);		
			g. provide funding to expand the capacity of existing water, wastewater and electricity infrastructure;		
			h. promote greater diversity of housing and housing affordability in new housing estates and subdivision;		
			 remove regulatory obstacles for infill housing development to promote medium-density housing in appropriate locations; and 		
			j. simplify planning requirements for infill development and mixed use development to create more "as of right" use and development in locations that have access to community infrastructure and services.		
19-08-2025	5.1.4	Business Engagement Approach	That Council:	Place and Community	Completed
			1. endorses the Business and Industry Engagement Framework (July 2025) as the primary mechanism for engaging with the local business community, as provided at Attachment 1;		
			2. acknowledges the contributions of Economic Development Advisory Committee members and ensures appropriate recognition and communication regarding the transition;		
			3. formally dissolves the Economic Development Advisory Committee in recognition of the enhanced engagement mechanisms provided by the Business and Industry Engagement Framework;		
			4. supports the integration of key stakeholders from Economic Development Advisory Committee into the new engagement tiers; and		
			5. approves the operationalisation of the Framework, including stakeholder mapping, engagement activity planning, feedback mechanisms, and internal capacity building as outlined in Attachment 1.		
19-08-2025	5.3.1	Municipal Association of Victoria October	That Council	Office of the CEO	Completed
		2025 State Council Meeting Motions	 endorses the Health and Social Supports motion, provided as Attachment 1 for submission to the Municipal Association of Victoria State Council on 10 October 2025; 	CLO	
			2. endorses the Social Housing Mandated Targets motion provided as Attachment 2 for submission to the Municipal Association of Victoria State Council on 10 October 2025;		
			3. endorses the Victorian Transmission and Renewable Energy Zones Benefits Plans motion provided as Attachment 3 for submission to the Municipal Association of Victoria State Council on 10 October 2025; and		
			4. endorses the Domestic Violence Disclosure Scheme motion provided as Attachment 4 for submission to the Municipal Association of Victoria State Council on 10 October 2025.		

Meeting Date	Item No.	Item	Resolution	Directorate	Status
16-09-2025	5 1.1	Raymond Island Ferry Pass Review	That Council: 1. notes the challenges presented by the current portable pass system for Raymond Island residents and the feedback received from selected stakeholders and representatives of Raymond Island residents; 2. adopts a preferred resident pass system based on: a. revocation of the current portable pass system; b. issue annually two free fixed "sticker" passes to the owners of developed land on Raymond Island; and c. issue one free fixed "sticker" passes to the lessee of a rental property on production of suitable evidence that they are renting a residential premises on Raymond Island (note that short-stay rentals are not eligible for a free pass); 3. implements the new resident pass system for the 2026/27 year following further consultation with the residents of Raymond Island and other stakeholders and Inclusion of any relevant refinements following consultation; 4. issues a second pass (at no cost) to the owners of developed land on Raymond Island as an interim measure until the implementation of the new pass system in the 2026/27 financial year; 5. issues one pass (at no cost) to the lessee of a rental property (on production of suitable evidence that they are renting a residential premises on Raymond Island, not including short-stay rental) as an interim measure until the implementation of the new pass system in the 2026/27 financial year; 6. notes that officers will provide further advice to the Raymond Island community within the next two weeks about how and when the additional passes will be distributed; 7. notes other elements of the Raymond Island Ferry Fees will remain unchanged from those adopted in the 2025/26 East Gippsland Shire Council budget; 8. notes that where a person has purchased an annual pass for 2025/26 and no longer requires the pass due to any changes outlined in Recommendation 4 or 5 then a pro-rata refund will be offered; 9. notes that officers will continue to investigate cost effective options to implement a walk-on fee for non-residents of Raymond Island and con	Assets and Environment	In progress
16-09-2025	5 1.2	Bairnsdale Airport Runway Upgrade	 That Council: endorses the proposed lengthening, strengthening and widening of the Bairnsdale airport runway as outlined in this report to future proof the airport for use by emergency services and support community health, wellbeing and safety; and notes that a revised masterplan will be developed for Council approval prior to further development of the Bairnsdale airport (except for renewal of Taxiway C). 	Assets and Environment	In progress
16-09-2025	5 1.3	Renewal East Gippsland Road Management Plan	That Council adopt the draft Road Management Plan 2025 as presented at Attachment 1.	Office of the CEO	Completed

Meeting Date	Item No.	Item	Resolution	Directorate	Status
16-09-2025	5 2.1	Councillor Support and Expenses Policy	 adopts the draft Councillor Support and Expenses Policy as provided at Attachment 1; and notes that further benchmarking be undertaken, with information to be presented to Council within six months outlining options to recognise and potentially enhance support for remote councillors, in acknowledgement of the additional costs and time commitments associated with participating in Council activities from remote locations. 	Business Excellence	Completed
16-09-2025	5 3.1	Annual Allocation Policy Review	That Council adopts the draft Annual Allocation Policy as presented at Attachment 1.	Place and Community	Completed

5.4.5 Council Meeting Schedule 2026

Authorised by General Manager Business Excellence

Purpose

To establish the dates, times, and locations for Council meetings in 2026.

Key Points

Council Meetings are held regularly to carry out the ongoing business of Council.

Before the end of each calendar year, Council must fix the date, time and place of all Council meetings for the following calendar year.

The proposed Council meeting schedule for the 2026 calendar year has been developed to enable Council to carry out its decision-making responsibilities effectively and efficiently and to ensure the Community are aware of the meeting dates and times.

Recommendation

That Council adopts the following Council Meeting dates for the 2026 Calendar year, to be held at the Corporate Centre, 273 Main Street Bairnsdale, commencing at 6.00 pm:

Tuesday, 17 February	Tuesday, 18 August
Tuesday, 17 March	Tuesday, 15 September
Tuesday, 21 April	Tuesday, 20 October
Tuesday, 19 May	Thursday, 12 November (Statutory)
Tuesday, 9 June	Tuesday, 17 November
Tuesday, 23 June	Tuesday, 15 December
Tuesday, 21 July	

Strategic Alignment

This report was prepared in accordance with section 60 (Governance Rules) and 61 (Council Meetings) of the *Local Government Act* 2020.

The conduct of Council meetings is at the discretion of Council except as described in the *Local Government Act* 2020 (the Act) and Council's Governance Rules.

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well

Outcome – Council operates transparently and effectively with public trust

Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Consultation/Community Engagement/Impacts

The 2026 Council meeting schedule will be available on the Council website, supporting transparency and engagement per the Council's Community Engagement Policy.

Council meetings are open to the public and are livestreamed, recorded, and published on Council's website.

Council's Governance Rules, Rule 8 Community questions and submissions, highlights the opportunity for members of the public to ask questions of Council, make a submission or submit a petition on matters important to them or the community.

Opportunities and Risks

This 2026 Council meeting schedule aims to enhance Council's operational efficiency, governance, and community engagement while balancing financial, environmental, and reputational considerations.

The implications of this report have been assessed against the following risk category:

Corporate Governance: A consistent meeting schedule enables Council to uphold strong governance practices by ensuring decisions are timely and regulatory requirements are met, supporting transparent community engagement.

Climate change

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

Conflicts of Interest

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

Attachments

Nil

6 Mayoral Term Address

7 Urgent Business

8 Confidential Business

8.1 Contract Matter

The information contained in this report is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (a) Council Business Information, being information that would prejudice the Council's position in commercial negotiations, if prematurely released.

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released, the information discussed or considered in relation to this agenda item could result in Council being placed at a commercial disadvantage during negotiations with the contracted business.

9 Close of Meeting