

Council Meeting Agenda



Tuesday 16 December 2025 at 6:00 pm
Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875



Acknowledgement of Country

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

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

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 Jodie Ashworth (Mayor)
Cr Tom Crook (Deputy Mayor)
Cr Arthur Allen
Cr Sonia Buckley
Cr Barry Davis
Cr Joanne Eastman
Cr Bernie Farquhar
Cr Ian Trevaskis
Cr John White

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	8
1.8.1 Petitions	8
1.8.1.1 Objection to Name Change of View Street, Lakes Entrance	8
1.8.2 Questions of Council	10
1.8.3 Public Submissions	10
1.9 Items for Noting	10
2 Notices of Motion	22
3 Deferred Business	22
4 Councillor Delegate Reports	22
5 Officer Reports	23
5.1 Chief Executive Officer	23
5.1.1 Councillor Representation Register 2024-2028 - Annual Review 2026	23
5.2 Assets and Environment	27
5.2.1 CON2026 1745 Expression of Interest for Construction and Operation of Compost Facility	27
5.2.2 CON2026 1748 Old Slipway Seawall Storm Damage Repairs, Lakes Entrance	32
5.2.3 CON2026 1751 Spillway and bridge replacement at Livingstone Park, Omeo	37
5.3 Business Excellence	46
5.3.1 Endorse updated Procurement Policy	46
5.3.2 Audit and Risk Committee Matters	81

5.4 Place and Community.....	131
5.4.1 Use and Development of Land for Timber Production and the Removal of Native Vegetation at 400, 400A and 580 Aitkens Road, Bengworden.....	131
5.4.2 Open Space Strategy 2025-2035	166
5.4.3 Community Grants Impact 2025/26	225
5.4.4 Seeking further Direction on Planning Scheme Amendment C170egip	229
6 Urgent Business	467
7 Confidential Business	467
7.1 Property Matter	467
7.2 Contract Matter	467
8 Close of Meeting	467

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 18 November 2025 and the Statutory meeting held Thursday 20 November 2025 be confirmed.

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 17 February 2026 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 Frank Grando, a valued member of East Gippsland Shire Council staff and extends its sincere condolences to his family.

1.8 Open Forum

1.8.1 Petitions

1.8.1.1 Objection to Name Change of View Street, Lakes Entrance

Authorised by General Manager Business Excellence

Conflict of Interest

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

Key Points

Petition

This report informs Council of a petition submitted by Ms Gizelle Phillips objecting to the proposed renaming of View Street, Lakes Entrance. The petition was received in hard copy on 24 November 2025. The petition states:

"We the undersigned, hereby petition East Gippsland Shire Council. We strongly object to the proposed changing of the name of View Street in Lakes Entrance. This street name has historical significance in and of itself. It is the original View Street within the 3909-postcode area (preceding the Lake Tyers Beach View Street by decades). We request that View Street in Lakes Entrance retain its name regardless of the fact that it is, and always has been, a no through road for vehicles."

The petition has been received and presented in accordance with Governance Rule 8.7.

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

Background

Road renaming is sometimes a complex but necessary process, and it is done to solve issues of street duplication, on this occasion we have been advised of ongoing postal and service delivery issues due to the duplication of the name 'View Street, Lake Tyers Beach'. Duplication of street and Road names can also cause safety issues especially when considering directing emergency services to the right address. This is detailed as part of the Naming Rules for Places in Victoria where the principles state that geographic names must not create confusion for emergency services, transport or mail services.

However, we do acknowledge that not all residents of View Street, Lakes Entrance support the proposed renaming, and we understand that changes like these are inconvenient and frustrating for residents who are very passionate about retaining their street names.

Council initially considered renaming View Street, Lake Tyers Beach, given it is the newer street and contains fewer properties. However, during consultation, residents of that street provided a valid position that View Street, Lakes Entrance is a cul-de-sac and therefore does not comply with the required road-type definitions under the Naming Rules.

Following consultation with residents from both locations, and guidance from the Office of Geographic Names Victoria, identifying a compliant road name and road type for the Lakes Entrance cul-de-sac was considered the most effective and policy-aligned solution to address the duplication and its associated risks.

Again, we acknowledge that the residents are passionate about retaining the name 'View'. To achieve an outcome that would go part of the way to satisfy the residents and would meet the statutory requirements, we chose to use 'View' as the new road type. We put forward two name suggestions that fitted the name theme for the area (many of the roads are named after vessels that were lost on the Gippsland Lakes or Bass Strait) and provided the opportunity for residents/owners to suggest other names.

The names suggested were Magnolia which received five votes, Glenelg which received one vote, and there were seven responders that wanted to retain View as the whole street name. We also received suggestions for an additional two names, one of the names would have not been supported by Geographic Names Victoria (GNV) and the other name would require permission from the family of the namesake.

All feedback from both View Streets, Lake Tyers Beach and Lakes Entrance, was then submitted to GNV for guidance on the best way to proceed.

We have now gathered all feedback and have been informing those impacted of the proposed decision.

All residents and owners can formally object to or support the new road name.

When we need to make these kinds of changes, we try our best to make this as easy as possible for affected property owners and residents, including advising many authorities of the change.

This includes advising the following authorities of the change:

- AusNet Services
- Australia Post
- East Gippsland Water
- Telstra Corporation
- Origin Energy
- Triple Zero Victoria (000)
- Australian Electoral Commission
- Victorian Electoral Commission
- State Revenue Office (Property Title)

Recommendation

That Council:

- 1. receives the petition;***
- 2. notes that the petition will be referred to General Manager Business Excellence for consideration and response; and***
- 3. notes that the Chief Executive Officer will arrange for Council Officers to write to the head petitioner advising them of these actions.***

1.8.2 Questions of Council

1.8.3 Public Submissions

1.9 Items for Noting

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

Attachments

1. 2024-25 Annual Performance Assessment Report [**1.9.1.1** - 11 pages]



Audit and Risk Committee

2024/25 Annual Performance Report

EXECUTIVE SUMMARY

This report outlines the outcomes of the Audit and Risk Committee's annual performance review for the 2024/25 financial year. In accordance with section 54(4) of the Local Government Act 2020 and the Audit and Risk Committee Charter (the Charter), the Committee is required to undertake an annual assessment of its performance against the Charter's provisions and report its findings to Council.

To support this requirement, the Chief Executive Officer will table the review outcomes for Council's consideration at the next practicable meeting.

The Committee met in October to consider the results of the performance review, which was informed by a survey designed to capture feedback on key elements of the Charter and the Committee's operations. The survey was distributed to Committee members, Councillors, and Senior Officers, achieving a response rate of nearly 69%. While the sample size limits detailed quantitative analysis, the qualitative feedback provides valuable insights into the Committee's strengths and areas for improvement.

Committee Observations and Key Findings

The Committee's annual performance review for 2024/25 found that, overall, the Committee is meeting the expectations of its members, Council officers, and observers. Survey responses and facilitated discussions indicate that the Committee is generally effective in fulfilling its Charter responsibilities, particularly in areas such as compliance management, audit oversight, and fostering a professional and collaborative culture.

However, the review also identified several opportunities for improvement. These include:

- Strengthening financial risk management and early warning systems;
- Enhancing the robustness of financial controls and reporting;
- Encouraging more active participation and open discussion during meetings;
- Ensuring that audit recommendations are both timely and impactful; and
- Maintaining ongoing review of the Charter and membership arrangements to ensure continued alignment with best practice and Council expectations.

The Committee is committed to addressing these areas for improvement and will continue to monitor its performance to ensure it remains an effective and independent source of assurance for Council.

Annual Performance Review Process

The 2024/25 Audit and Risk Committee performance review was undertaken through a structured, multi-step process:

1. **Survey Distribution:** A performance questionnaire was completed by Committee members, Councillors not serving on the Committee, and Senior Officers. The survey focused on key elements of the Committee's Charter and operational effectiveness.
2. **Facilitated Discussion:** On 17 October 2025, the Committee held a dedicated members-only session to reflect on the survey findings. This session was independently facilitated by Mr John Watson, providing an impartial perspective. The Chief Executive Officer also participated, offering organisational insights to support the Committee's deliberations.
3. **Report Preparation:** A summary report capturing the outcomes of the survey and facilitated discussion was prepared and circulated electronically to Committee members in October 2025 for review and endorsement.
4. **Council Reporting:** A formal Council Report, incorporating the performance review and Committee feedback, will be tabled by the Chief Executive Officer at the next practicable Council meeting.

Survey Methodology

The evaluation questionnaire completed by survey respondents covered the following areas of the Committee’s operations:

- Monitoring and Reporting Responsibilities
- Assurance and Controls
- Financial Controls and Reporting
- Compliance Management
- Performance of Auditors
- Committee Meetings
- Thinking Ahead

The evaluation questionnaire was distributed to three stakeholder groups: Committee Members (both Independent and Councillor members), Senior Officers, and Councillors (Observers). The feedback collected was used to assess the Committee’s performance against the Charter.

It is important to note that the scope for meaningful statistical analysis is limited due to the small and non-representative sample size. Of the 16 individuals invited to participate, 11 responded—representing a response rate of 68.75%.

Category	Number Surveyed	Responses Received
Committee Member (Independent and Councillor members)	7	7
Councillor (Observers)	6	1
Senior Officers	3	3
Total	16	11

It is noted that the responses received from a Councillor Observer and two Committee Members were incomplete.

By necessity, the primary focus of the evaluation is on considering and interpreting comments, especially the issues and suggestions they highlight.

Survey Findings

In addition to the broad themes outlined in the Executive Summary, the survey responses offer valuable insights into the Committee’s performance and operations during the 2024/25 period. The feedback reflects a range of perspectives from Committee members, Senior Officers, and Councillor Observers, and provides a nuanced view of how the Committee is functioning in practice.

While the sample size limits the scope for detailed quantitative analysis, the qualitative responses highlight key strengths and areas for improvement. The following section summarises the feedback received across the main areas of performance, as defined by the Charter.

Monitoring and Reporting Responsibilities

This section asked respondents to assess how well the Committee understands Council's business and monitors key systems and activities, including financial reporting, governance, and risk management.

The survey results indicate that the Committee is generally perceived as performing at an "Adequate" level across most monitoring and reporting responsibilities, with a significant proportion of respondents also rating performance as "More than Adequate" in several areas. Notably, there is strong confidence in the Committee's oversight of accounting policies, compliance, and audit functions.

However, the responses also reveal areas for improvement:

- A minority of respondents feel the Committee's performance is "Less than Adequate" in financial reporting, governance, and early warning measures.
- Qualitative feedback suggests concerns about governance processes, particularly regarding changes to the Charter and meeting formats, and the need for more robust attention to financial risks.
- There is a call for greater transparency, consultation, and proactive risk management, especially in relation to financial risks and audit reporting.

Recommendations

- Increased focus on financial risk management and early warning systems is recommended, responding to member feedback.

Assurance and Controls

Respondents were invited to evaluate the Committee's effectiveness in providing assurance over Council's risk management framework, internal controls, and the process for addressing identified risks.

The survey responses indicate that the Committee is generally perceived as performing at an "Adequate" level in providing assurance and overseeing controls. Most members feel the Committee is fulfilling its responsibilities in risk identification, risk management framework review, and internal control oversight.

However, there are areas for improvement:

- A quarter of respondents feel the Committee could do better in making recommendations to address risk and control deficiencies, and in scheduling audit reviews based on risk assessments.
- Qualitative feedback suggests that the Committee's recommendations could be more frequent and impactful, and that contributions from all members should be encouraged.

Recommendations

- The Committee should consider strategies to increase the frequency and quality of recommendations addressing risk and control deficiencies.
- Encourage broader participation and input from all members to ensure a diversity of perspectives and expertise in identifying and addressing risks.
- Review the process for scheduling audit reviews to ensure alignment with risk assessments and Council priorities.

Financial Controls and Reporting

This question focused on the Committee's understanding and review of management information, specifically the effectiveness of financial controls and reporting.

The survey responses indicate that the majority of respondents feel the Committee is performing at an "Adequate" level in understanding and reviewing financial controls and reporting. This suggests a reasonable level of confidence in the Committee's oversight of financial management information.

However, the absence of any "More than Adequate" ratings, combined with a minority of responses indicating "Less than Adequate" or "Unsure/Unable to Respond", highlights opportunities for improvement.

Specifically:

- The Committee's review of financial controls and reporting could be more thorough or robust.
- The presence of "Unsure/Unable to Respond" responses may indicate a need for further clarity or communication regarding the Committee's role and activities in this area.

Recommendations

- The Committee should consider ways to strengthen its oversight of financial controls and reporting.
- Regular feedback and discussion on financial reporting processes could help address any uncertainties and improve overall Committee performance.

Compliance Management

Respondents were asked to consider the Committee oversight of compliance, including its review of regulatory changes and management's assurances regarding legislative adherence.

The survey responses indicate a high level of confidence among Committee members in the Committee's oversight of compliance management. The majority of respondents feel the Committee is adequately reviewing developments in key legislation and regulations, as well as management's assurances regarding compliance.

The presence of "More than Adequate" ratings, though limited, suggests that some respondents view the Committee's performance in this area as exceeding expectations. Importantly, there were no responses indicating uncertainty or inadequacy, which reflects positively on the Committee's effectiveness in compliance oversight.

Recommendations

- The Committee should continue its strong focus on compliance management, maintaining thorough review processes and clear communication regarding regulatory changes and management assurances.

Performance of Auditors

This section sought feedback on the Committee's role in overseeing the performance and engagement of internal and external auditors. This included reviewing audit performance, meeting privately with auditors, establishing reporting lines, and approving audit plans.

The majority of respondents assessed the Committee's performance in overseeing audit functions as "adequate", suggesting that the Committee is meeting its core responsibilities in this area. The high proportion of "Adequate" responses across all four measures reflects a consistent perception of satisfactory performance.

However, the relatively high number of "Unsure/Unable to Respond" selections—particularly in relation to private meetings with auditors and structured reporting lines—may indicate limited visibility or engagement with these specific activities among some members. The absence of qualitative comments further limits insight into the rationale behind the ratings, making it difficult to assess whether there are underlying concerns or simply a lack of awareness.

Recommendations

- Encourage respondents to provide qualitative feedback in future surveys to support continuous improvement and deeper understanding of Committee performance.
- Encourage the Committee to make the opportunity for Members only to meet with the Internal Auditors without management if requested by any Member or the Internal Auditors.

Committee Meetings

Respondents assessed the conduct and effectiveness of meetings, including agenda management, participation, and the provision of meeting materials.

The survey responses indicate that Committee meetings are generally well-managed, with most respondents rating key aspects such as agenda structure, advance provision of materials, and meeting conduct as "Adequate" or "More than Adequate". This reflects positively on the Committee's administrative support and commitment to effective governance.

However, the feedback also highlights areas for improvement:

- Some respondents perceive a lack of openness to questions and robust discussion, suggesting a need to foster a more inclusive and participatory meeting culture.
- While Members Only sessions can provide a valuable forum for candid discussion among Committee members, their effectiveness is diminished if the insights and outcomes are not appropriately shared. Without visibility of these discussions, the Chief Executive Officer may be excluded from critical context, limiting the Committee's ability to influence organisational improvement and strategic decision-making.

Recommendations

- Consider reviewing meeting practices to ensure all members feel encouraged to ask questions and participate in discussions.
- Ensure that key decisions and discussions, including those from Members Only sessions, are appropriately shared to maintain transparency and accountability.
- The Committee should adopt a practice if there is any matter discussed in a Members only session, for the Chair to report those matters in the full Committee meeting so that they can be recorded in the minutes.

Other Matters

Respondents were invited to provide any additional comments, suggestions, or feedback relating to the Committee's Charter, structure, or overall performance.

The open-ended feedback from respondents highlights a generally positive view of the Committee's professionalism and cohesion. Respondents appreciate the Committee's adherence to its role and value its contribution to Council governance.

However, the responses also identify several opportunities for improvement:

- There is strong support for regular review of the Committee Charter. Removing outdated references and clarifying applicability of governance rules will further strengthen governance.
- Respondents have called for increased attention to financial reporting indicating this should be a priority for future meetings.

Recommendations

- Schedule an annual Charter review of the Committee's Duties and Functions and provide recommendations to Council for consideration.
- Prioritise financial reporting with a focus on enhancing the depth of review, clarity of financial information, and identification of emerging financial risks.

What does the Committee do well?

This question asked respondents to identify the strengths and positive aspects of the Committee's operations and contributions.

The feedback from respondents reflects a strong sense of professionalism, collaboration, and effectiveness within the Committee. Respondents appear to appreciate the Committee's respectful culture, its efficiency in addressing key issues, and its commitment to assurance and oversight functions.

The Committee's willingness to seek clarification, encourage questions, and support professional development are highlighted as strengths that contribute to robust governance and continuous improvement. Regular meetings and comprehensive consideration of agenda papers further reinforce the Committee's diligence.

Recommendations

- Continue to foster a respectful and collaborative environment that encourages active participation and open discussion.
- Maintain the focus on assurance, compliance, and audit oversight, ensuring these remain central to the Committee's work.

Areas for Improvement

Respondents were encouraged to suggest specific tasks or functions the Committee could undertake in a better way to enhance its effectiveness.

The feedback indicates that while some respondents are satisfied with the Committee's current operations, others see opportunities for improvement, particularly in meeting management and the Committee's advisory role.

Key areas for enhancement include:

- Review the structure and timing of meetings to ensure sufficient time is allocated for discussion and consideration of key issues, rather than lengthy presentations.
- Strengthen the Committee's impact by providing more targeted guidance and recommendations to Council and staff.

Recommendations

- Prioritise discussion and limit presentation time where possible.
- The Chair should encourage members to actively contribute questions and guidance, fostering a culture of open dialogue and continuous improvement.
- Leverage audit insights to support Council's strategic planning and risk management efforts, ensuring the Committee's work translates into tangible outcomes for the organisation.

Council and Officer Support

This section sought feedback on what Council or Council Officers could stop doing, start doing, do more, or do less to better support the Committee's work.

The feedback highlights several opportunities for Council and Council Officers to better support the Committee:

- There is a need to streamline meeting agendas and presentations, prioritising key issues and allowing sufficient time for discussion. This will help ensure meetings are productive and that members feel comfortable raising questions.
- Prompt and effective responses to Internal Audit findings are crucial for maintaining the integrity and impact of the Committee's oversight.

Recommendations

- Keep presentations brief to ensure discussion is prioritised.
- Improve responsiveness to Internal Audit findings by establishing clear timelines for rectification and introducing periodic reassessment of audit recommendations that are more than two years old, to ensure they remain relevant and aligned with current organisational priorities.

Committee Operations

Respondents were asked to reflect on the Committee's operational practices and suggest changes to improve the way the Committee or its members work.

The feedback indicates that while some respondents are content with the Committee's current operations, others see opportunities for improvement, particularly in meeting culture and the Committee's advisory function.

Key areas for enhancement include:

- The Committee should foster a culture where questions and discussion are welcomed, ensuring all members feel comfortable raising issues and contributing to deliberations.
- Raising key priorities and concerns before meetings can help ensure that important topics receive adequate attention and discussion.
- The Committee can add value by providing more targeted advice and recommendations to Council, especially regarding risk and report adequacy.

Recommendations

- Foster a culture where respectful questioning of officers is encouraged.
- The Chair should encourage more frequent and detailed advice and recommendations to Council.
- Committee members should continue to use the in-camera pre-meeting to advise the Chair of key focus areas within the agenda to assist with the flow of the meeting.

Key Areas of Focus for the Next 12 Months

Respondents were asked to identify priority areas for the Committee to focus on in the coming year, reflecting on emerging risks and strategic objectives.

The feedback from respondents highlights a clear set of priorities for the Committee over the next 12 months:

- The Committee should maintain a strong focus on financial sustainability, risk management, and capital works oversight. This includes monitoring project management practices and ensuring robust controls around major initiatives and change projects.
- Continued attention to strategic risk management and compliance with evolving legislation is essential. The Committee should ensure that risk frameworks and OH&S systems are regularly reviewed and updated.
- The Committee should be proactive in addressing concerns raised by Councillors and ensure that reviews lead to actionable outcomes. This will strengthen the Committee's impact and support Council's ability to deliver on its objectives.

Recommendations

- Prioritise financial sustainability, risk management, and capital works as key agenda items.
- Continue to monitor and review project management, digital transformation, and change initiatives.
- Foster a culture of responsiveness to Councillor concerns and ensure that project reviews result in tangible improvements.
- Maintain oversight of compliance with changing legislation and strategic risk work.

Charter and/or Membership

This section of the survey invited respondents to reflect on the current Charter and membership arrangements to identify any aspects they believe require review or improvement.

This question provided an opportunity for respondents to offer suggestions that could strengthen the Committee's effectiveness, independence, and alignment with best practice principles for audit and risk committees.

The feedback aligns well with the significant changes recently requested by Council, which are designed to strengthen the governance and independence of the Committee. These changes include:

- The move to a 5-Member model, including three independent members, the Mayor as ex-officio, and one councillor appointed annually. This directly addresses the Committee's call for a broader skill set and expertise, and supports best practice for audit and risk committees.
- Committee Chair to be appointed by the Council. This reinforces transparency and accountability in leadership selection, responding to feedback about Chair tenure and the need for clear, fair processes.
- The recruitment panel for independent members will include the CEO, Mayor, and a Councillor who sits on the Committee. This ensures a balanced and representative selection process, which supports the need for a skills-based recruitment and diversity.
- Sitting fees for independent members will be increased from 2026, recognising the expertise and time commitment required for effective oversight addresses concerns about the disconnect between attendance expectations and remuneration.

These changes are considered positive and align with best practice principles for audit and risk committees. They directly respond to member feedback about recruitment, skills alignment, leadership, and recognition of the Committee's work.

Additional Feedback from the Workshop

In addition to the above, during the workshop there was discussion among those present about the appropriateness of the Annual Joint Meeting with Councillors.

There was clear consensus that this practice should not continue, as it was seen to impede the Committee's ability to engage in open and robust independent deliberations. Members expressed concern that the presence of Councillors during these sessions may unintentionally influence or constrain the Committee's discussions.

Discontinuing the joint meeting is viewed as a step toward preserving the Committee's independence and ensuring it can operate with the level of candour and objectivity required for effective oversight.

Recommendations

- As part of the Charter update required to give effect to the changes requested by Council, the Committee also recommends that Council consider the following changes:
 - Section 1.5.6 and 1.7(a): remove reference to the Governance Rules;
 - Section 1.6(g): include a requirement for the Committee to endorse the proposed scope of each Internal Audit;
 - Section 1.6(m): include an annual review of the Charter as part of the Annual Performance review process;
 - Section 1.7: remove the requirement for the Committee to hold a joint meeting with Councillors each year;

- Include a new requirement for all Committee Members to pro-actively participate in the Annual Performance Review process should be embedded in the Charter; and
 - Make any other changes throughout the Charter to ensure consistency with the changes described above (ie Governance Rule references, quorum etc).
- The Committee should monitor the impact of these changes on its effectiveness and independence, reporting back to Council as appropriate.

Conclusion

The 2024/25 annual performance review demonstrates that the Audit and Risk Committee continues to provide valuable oversight and assurance to Council, operating in accordance with its Charter and legislative requirements. The Committee's strengths in compliance, audit oversight, and professional conduct are clear, and recent changes to its structure and Charter are expected to further enhance its effectiveness and independence.

The Committee acknowledges the areas identified for improvement and is committed to implementing the recommended actions, including strengthening financial oversight, fostering a more open meeting culture, and ensuring ongoing alignment with best practice. The Committee will monitor the impact of recent changes and report back to Council on its progress.

By maintaining a focus on continuous improvement, the Committee aims to support Council in achieving its strategic objectives and upholding the highest standards of governance and accountability.

2 Notices of Motion

3 Deferred Business

4 Councillor Delegate Reports

5 Officer Reports

5.1 Chief Executive Officer

5.1.1 Councillor Representation Register 2024-2028 - Annual Review 2026

Authorised by Chief Executive Officer

Purpose

This report is presented for Council consideration and endorsement of the Councillor Representation Register (Register) for the 2026 year.

Key Points

Following the Statutory Council Meeting held on Thursday 20 November 2025 for the election of Mayor and Deputy Mayor, it is necessary to undertake an annual review of the Register.

There are some internal advisory committees and external organisations that require the Mayor to attend as Mayor ex-officio. There are also opportunities for Councillors to participate on a range of committees that are important to the future economic, environmental and social sustainability of the municipality.

Effective representation on relevant external organisations and internal advisory committees is a critical element of Council's advocacy program. Through its membership of and representation on a diverse range of relevant local, regional and state committees and organisations, Council is well placed to represent and advocate for the interests of the East Gippsland community.

Councillor representation on these committees and organisations is guided by the [Councillor Representation Policy](#). As detailed in the Council Representation policy, Delegates are required to:

- represent the position of Council and advocate proactively for outcomes that will help to progress the objectives set out in Council's four-year plan and deliver good outcomes for the region;
- submit a written report to the Councillor Support Officer for inclusion in the minutes of the next Council meeting; and
- circulate minutes of the meeting or other event to all other Councillors.

Recommendation

That Council endorses the Councillor representation on various committees as shown in the Councillor Representation Register for the 2026 calendar year provided at Attachment 1.

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 4: Managing Council well

Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Consultation/Community Engagement/Impacts

By ensuring Council has a 'voice at the table' through its representation arrangements, Councillors will be able to work proactively with other members of these organisations to achieve the best possible social outcomes for Council and the East Gippsland community.

Opportunities and Risks

The risks of this proposal have been considered and determined to be low.

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:

Category

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. Councillor Representation Register [5.1.1.1 - 2 pages]



Councillor Representation Register 2024-2028

Register for the 2026 Calendar Year

Council Resolved Advisory Committees	2026 Councillor/s Recommended as Representatives	Position	Term	Meeting Frequency
Audit and Risk Committee	Mayor Cr Joanne Eastman	Ex-officio Committee Member	Mayoral Term Annual	Quarterly
Chief Executive Officer (CEO) Employment and Remuneration Committee	Mayor Deputy Mayor Cr Bernie Farquhar Cr Barry Davis	Ex-officio Ex-officio Committee Member Committee Member	Mayoral Term Annual	Quarterly
Marina Consultative Committee	Cr Jodie Ashworth Cr Arthur Allen	Committee Member Committee Member	Annual	Biannual
Agriculture Sector Advisory Committee	Mayor Cr Barry Davis	Ex-officio Committee Member	Mayoral Term Annual	Quarterly
East Gippsland Local Community Road Safety Group Note that this group is not structured as an Advisory Committee of Council and representation is optional.	Cr Ian Trevaskis Cr Sonia Buckley	Delegate Substitute	Annual	Biannual
Youth Ambassadors Advisory Committee Note – Mayor ex-officio or delegate as per Terms of Reference <i>may</i> attend	Mayor Cr Joanne Eastman	Ex-officio Attendee	Mayoral Term	Bi-monthly



Councillor Representation Register 2024-2028

External Committee/Group	2026 Councillor/s Recommended as Representatives	Position	Term	Meeting Frequency
Australian Coastal Councils Association Inc. ** Refer to External Appointments table - delegate	Cr Tom Crook	Representative	Annual	Monthly
Australian Local Government Association Note – Mayor ex officio	Mayor	Ex-officio	Mayoral Term	Annual
Municipal Association of Victoria	Mayor Cr Sonia Buckley	Ex-officio Sub - Delegate	Mayoral Term	Biannual
One Gippsland Note – Mayor ex-officio as per Terms of Reference	Mayor	Ex-officio	Mayoral Term	Monthly
Rail Freight Alliance	Cr Arthur Allen Cr John White	Delegate Substitute	Annual	Biannual
South-East Australian Transport Strategy Inc (SEATS) ** Refer to External Appointments table - delegate	Cr Arthur Allen	Delegate	Annual	Quarterly
Timber Towns Victoria	Cr Joanne Eastman Cr Ian Trevaskis	Delegate Substitute	Councillor Term	Monthly

External appointments

Executive Appointments/Gippsland Representatives	Appointed Councillor/s	Position	Term	Date of Appointment	Meeting Frequency
**Australian Coastal Councils Association Inc.- Committee of Management	Cr Tom Crook	State Representative	2 Years	November 2025	Monthly
**South-East Australian Transport Strategy Inc (SEATS)	Cr Arthur Allen	Executive Member (Victoria)	4 Years	17/08/23	Quarterly

5.2 Assets and Environment

5.2.1 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 or contracted operator, officers undertook comprehensive benchmarking and obtained both legal 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 RFT. It does not commit Council to a particular model or operator. That determination would be subject to 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 process as recommended in Confidential Attachment 1, to participate in a selective Request for Tender 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;***
- 3. notes that the selective Request for Tender for the proposed Organics Composting Facility will be undertaken as separable portions to allow future determination of preferred delivery models; and***
- 4. 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 themes 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

Project risks include limited availability of highly qualified contractors, potential delays in regulatory approvals, and market preferences and capacity. The EOI process provides the opportunity to reduce these risks via a two-stage procurement process, whereby industry knowledge and experience can inform the RFT process.

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 the EOI (CON2026 1745) process prior to commencing a formal RFT allows Council to better understand market preferences for the delivery of the Organic Waste Processing Facility, including viable delivery models, refinement of facility design, suitable procurement approaches, expected timelines, and the availability of additional services.

The EOI attracted strong market participation 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 to 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 sought for an exemption under section 7.4 of the Procurement Policy from the requirement for open market testing via a public Request for Tender (RFT). This exemption is requested on the following grounds:

- The primary objective of the 2-stage procurement process is to confirm delivery models and pricing with suitably qualified and experienced contractors to construct and operate an Organics Composting Facility.
- A comprehensive public EOI process has already been undertaken, which has identified and shortlisted suitably experienced and qualified parties.
- Proceeding to public RFT after a successful EOI would be both unreasonable and disadvantageous, as the EOI has already identified and shortlisted suitably qualified parties, and repeating another open market testing would not add value and could undermine the competitive process already established.
- A selective RFT among shortlisted candidates maintains momentum, reduces administrative burden, while aligning with Procurement Policy objectives of preserving competition, ensuring fairness and transparency. The EOI process was conducted with integrity and confidentiality as overseen by a probity auditor.
- The EOI process attracted strong interest, indicating a competitive market. The selective RFT process with shortlisted respondents will be informed by learnings obtained through the EOI process.
- The selective RFT mitigates risk by focusing on the most capable and interested parties, maintaining momentum, and ensuring the facility's timely delivery.
- The exemption aligns with section 14.3 of the Procurement Procedure, which allows Council to proceed with a selective tender among shortlisted candidates rather than a public RFT.

This recommended exemption request is consistent with Council's Procurement Policy and procedures and provides an effective, efficient, and policy-aligned approach for procuring the Organics Composting Facility. It ensures Council's objectives are met, risks are managed, and procurement integrity is maintained.

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 (GHG): 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 - CON2026 1745 Council Evaluation Report [**5.2.1.1** - 11 pages]
2. CONFIDENTIAL - CON2026 1745 Probity Review Report [**5.2.1.2** - 2 pages]
3. CONFIDENTIAL - CON2026 1745 EOI Schedule Report [**5.2.1.3** - 31 pages]

5.2.2 CON2026 1748 Old Slipway Seawall Storm Damage Repairs, Lakes Entrance

Authorised by General Manager Assets and Environment

Confidentiality Notice

The information contained in **Confidential Attachments 1 (CON2026 1748 Contract Award Summary), 2 (Tender Evaluation Report) and 3 (Probity Report)** in 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 would unreasonably expose the business, commercial or financial undertaking to disadvantage, by disclosing financial information to competitors.

Purpose

The purpose of this report is to seek Council approval to award the contract for the replacement of the Old Slipway seawall in Lakes Entrance (**Attachment 4 Lakes Entrance Slipway Site location**).

Key Points

The objective of this project is to replace a seawall that has collapsed.

The Old Slipway seawall is located on coastal crown land previously managed by Gippsland Ports. Council took over as Committee of Management over this parcel on 10 December 2020 however this was specifically excluding the seawall and the concrete slipway below the high-water mark. Responsibility of the seawall went back to the Department of Energy, Environment and Climate Action (DEECA) by default during the transfer of committee of management. The seawall is an approximately 45 metres long, masonry faced steel sheet pile seawall retaining the old slipway, a disused 100 Tonne slipway.

A section of the seawall suffered a failure in storm conditions in August 2024. DEECA secured funding to replace this asset as part of the Treasurer's Advance – Severe Weather Event Recovery Funding – September 2024, and this funding has since been transferred to Council under a grant funding agreement with DEECA.

Council has developed the Slipway precinct into a busy tourist area, and it is therefore in the interest of Council and public safety that the seawall be replaced. Council and DEECA have worked together to come to this point of awarding a construction contract.

The design was completed by DEECA, with input from Council officers. Council officers managed the permit stage and tendering process with involvement from a DEECA representative as required in the grant agreement. The construction works will be project managed by Council with specific hold points validated by the designer nominated by DEECA.

Recommendation

That Council:

- 1. accepts the tender submitted by _____ for CON2026 1748 Old Slipway Seawall Storm Damage Repairs, Lakes Entrance for the Contract amount specified in the CON2026 1748 Contract Award Summary provided at Confidential Attachment 1;***
- 2. authorises the General Manager - Assets and Environment to approve variations to CON2026 1748 Old Slipway Seawall Storm Damage Repairs, Lakes Entrance up to the contingency amount specified in the CON2026 1748 Contract Award Summary provided at Confidential Attachment 1, subject to the conditions specified in that summary;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents;***
- 4. notes that the successful tenderer and contract amount will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and***
- 5. resolves that the Confidential Attachments to this report and all discussions relating to them remain confidential.***

Strategic Alignment

Work with communities to plan for natural disasters and emergencies, strengthening capacity, infrastructure, resilience, preparedness, and recovery

This report has been prepared and aligned with the following theme 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

Collaborative Procurement

Pursuant of section 109(2) of the *Local Government Act 2020* this report has been prepared in collaboration with the DEECA.

Consultation/Community Engagement/Impacts

A Treasurer's Advance was received in response to a severe weather event to address critical public safety and infrastructure damage as a section of the seawall suffered a failure in these storm conditions. While the Slipway development is currently stable, replacement of the seawall is necessary to protect Council assets and keep open important recreational areas for the community

Given the purpose of this project is to replace an existing asset, broader community consultation has not been undertaken in relation to the design.

The Slipway Collective has been informed of the works and will continue to be updated through the pre-construction stage. The works are expected to commence following Anzac Day 2026. The timing of the works was specifically negotiated with DEECA to minimise impact on businesses and the public through the busy summer and Easter period.

Opportunities and Risks

Time-critical activities must be undertaken to prevent more significant and costly impacts from the storm event, including to stabilise public land and coastal and maritime infrastructure, and keep communities safe.

The works were designed taking into account lessons learnt from previous seawall reconstruction in Lakes Entrance. The proposed new seawall will be constructed in front of the existing seawall to avoid unnecessary demolition. The old seawall will be encapsulated into the new works. This methodology will reduce impacts to existing structures and minimise construction risks and latent conditions.

In terms of permits and approvals, a Works on Waterway was granted by the CMA, and a Marine and Coastal Act consent application was submitted to DEECA. A Cultural Heritage due diligence and an EPBC assessment were also completed for this site.

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:

Category

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts.

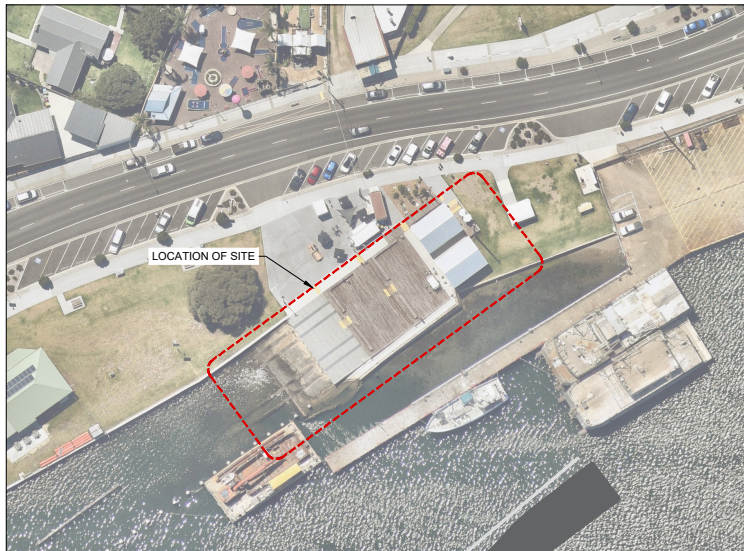
Conflicts of Interest

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

Attachments

1. CONFIDENTIAL - CON2026 1748 Contract Award Summary [**5.2.2.1** - 1 page]
2. CONFIDENTIAL - CON2026 1748 TEP Report [**5.2.2.2** - 10 pages]
3. CONFIDENTIAL - CON2026 1748 Probity Report [**5.2.2.3** - 2 pages]
4. Lakes Entrance Slipway Site location [**5.2.2.4** - 1 page]

DEECA LAKES ENTRANCE SLIPWAY SHEET PILE WALL S505115



SITE LOCATION
1:500


DRAWING INDEX	
DRAWING No.	TITLE
3827-S000	TITLE PAGE AND DRAWING INDEX
3827-S001	GENERAL NOTES (SHEET 1 OF 2)
3827-S002	GENERAL NOTES (SHEET 2 OF 2)
3827-S010	EXISTING CONDITIONS - PLAN
3827-S011	EXISTING CONDITIONS - SECTIONS
3827-S012	DEMOLITION PLAN
3827-S020	NEW SHEETPILE WALL - PLAN
3827-S021	NEW SHEETPILE WALL - SECTIONS
3827-S022	DETAILS SHEET 1
3827-S023	DETAILS SHEET 2

ISSUED FOR TENDER

NOT FOR CONSTRUCTION UNLESS STATED

W:\AWM\Projects\DEECA\Lakes Entrance\CAD

15/08/2025 1:46:48 PM

		 <div>Energy, Environment and Climate Action</div>			 <div>AW Maritime PTY LTD 63/574 Plummer St, Port Melbourne VIC 3207 www.awmaritime.com</div>	<div>DRAWN V. POURMOUSA</div> <div>DESIGNER T. ATKINS</div> <div>APPROVED T. ATKINS</div> <div>RREV PED005049</div>	<div>CLIENT DEECA</div> <div>PROJECT LAKES ENTRANCE SHEET PILE WALL S505115</div> <div>DRAWING TITLE PAGE AND DRAWING INDEX</div>		
						<div>WARNING</div> <div>BEWARE OF SERVICES</div> <div>THE LOCATION OF SERVICES (INCL. UNDERGROUND) ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.</div>			
						<div>ORIG. SIZE A1</div> <div>AWM PROJECT REF. 3827</div> <div>DRAWING NO. S000</div> <div>REVISION B</div>			
DRAWING NO.	TITLE		B	ISSUED FOR TENDER INCORPORATING COMMENTS	15.08.2025				
			A	ISSUED FOR TENDER	04.08.2025				
REFERENCE DRAWINGS			REV	DESCRIPTION	DATE				

5.2.3

CON2026 1751 Spillway and bridge replacement at Livingstone Park, Omeo

Authorised by General Manager Assets and Environment

Confidentiality Notice

The information contained in **Confidential Attachments 1 (CON2026 1751 Contract Award Summary)** and **2 (Tender Evaluation Report)** is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that—(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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 would unreasonably expose the business, commercial or financial undertaking to disadvantage, by disclosing financial information to competitors.

Purpose

To recommend that Council award contract CON2026 1751 Spillway and bridge replacement at Livingstone Park, Omeo.

Key Points

Council has embarked on a two-stage project to improve Livingstone Park and particularly, address risks associated with flooding and aged infrastructure.

Stage 1 has been completed and included the construction of large rock chutes and vegetated flow paths to manage high flow or flood events and protect existing infrastructure.

Stage 2, the current stage, is the final stage of the flood disaster risk mitigation project (**Attachment 3**), also providing ongoing protection and management of both cultural and environmental assets around Livingstone Creek which is the major focal point of the park.

The combined project was supported by the Local Economic Recovery Program following the 2019/20 Black Summer Bushfires and was jointly funded by the State and Federal Governments, together with Council funding. The grant funding was fully utilised for Stage 1 on the basis that Council would complete Stage 2 using Council funds.

The scope of this contract is the renewal of the damaged concrete and rock spillway structure and pedestrian bridge (**Attachments 4 and 5**). The existing weir and wingwalls are now significantly degraded. The concrete has several major cracks, with water flowing freely through the structure, rather than over the concrete spillway. The works involve the removal of the existing structures and the construction of a new rock spillway (angled rock chute) with a new bridge with bicycle handrail. The existing rock beaching that currently forms part of the spillway will be re-used as part of the new works.

Renewal of the weir will maintain the existing water level in the water body behind the weir, supporting continuation of existing uses and values.

As a result of the significant investment in the Omeo Mountain Bike Trails, Livingstone Park has become a high - visitation area. With safety first in mind, the reconstruction of the damaged spillway and pedestrian bridge will improve the amenity and support the ongoing development of this space to meet community and visitors' needs.

These improvements will not only enhance safety for all users but also promote increased recreational activity and tourism in the region. The upgraded infrastructure will further support local businesses and contribute to the economic vitality of Omeo, ensuring the area remains a popular destination for both residents and visitors.

Recommendation

That Council:

- 1. accepts the tender submitted by _____ for CON2026 1751 Spillway and bridge replacement at Livingstone Park, Omeo for the Contract amount specified in the Contract Award Summary provided at Confidential Attachment 1;***
- 2. authorises the General Manager - Assets and Environment to approve variations to CON2026 1751 Spillway and bridge replacement at Livingstone Park, Omeo up to the contingency amount specified in the CON2026 1751 Contract Award Summary provided at Confidential Attachment 1, subject to the conditions specified in that summary;***
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents;***
- 4. notes that the successful tenderer and contract amount will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and***
- 5. resolves that the Confidential Attachments to this report and all discussions relating to them remain confidential.***

Strategic Alignment

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 the community's quality of life and preserving the 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

This report has been prepared and aligned with the following theme 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.

Collaborative Procurement

Pursuant of section 109(2) of the *Local Government Act 2020* this report has not been prepared in collaboration with other agencies given the bespoke nature of the contract.

Consultation/Community Engagement/Impacts

The objective of this project from engagement after the 2019/2020 bushfires was to:

- Increase economic and social benefits through investment in supporting recreation activities
- Increase longer term economic, infrastructure and community resilience for future emergency events
- Increase and restore visitor confidence in the region
- Improve community wellbeing and social development
- Re-establish the resilience of the natural environment during and after flood events

The flood mitigation measures have had extensive engagement with the Northeast Catchment Management Authority to enable the longevity of the existing park infrastructure, along with assets within the park.

During the design stage, the community was kept updated through the YourSay page of the "Omeo - Revitalising Livingstone Park Upgrade". An info sheet was also provided. **(Attachment 6)**.

Opportunities and Risks

The following set of criteria were developed with consideration of greater objectives from Department of Energy, Environment and Climate Action and North East Catchment Management Authority to guide the selection of the most appropriate design solution for the site:

- Impediment to invasive fish species (deter carp from moving upstream)
- Improved safety for public
- Contain the 2% AEP rain event within the spillway (same criteria as constructed rock chutes)
- Minimise erosion and sediment generation
- Provide a cost-effective solution
- Improved maintenance access
- Provide a constructable solution
- Protect recreation value of the site (maintain weir pool depth)
- Protect heritage values (maintain weir pool depth and provide headwater necessary for flows to enter heritage tunnel)
- Construct a flood resilient bridge above the level of the 2% AEP rain event, with children-safe barriers and bicycle-safe handrails

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)

Category

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts.

Conflicts of Interest

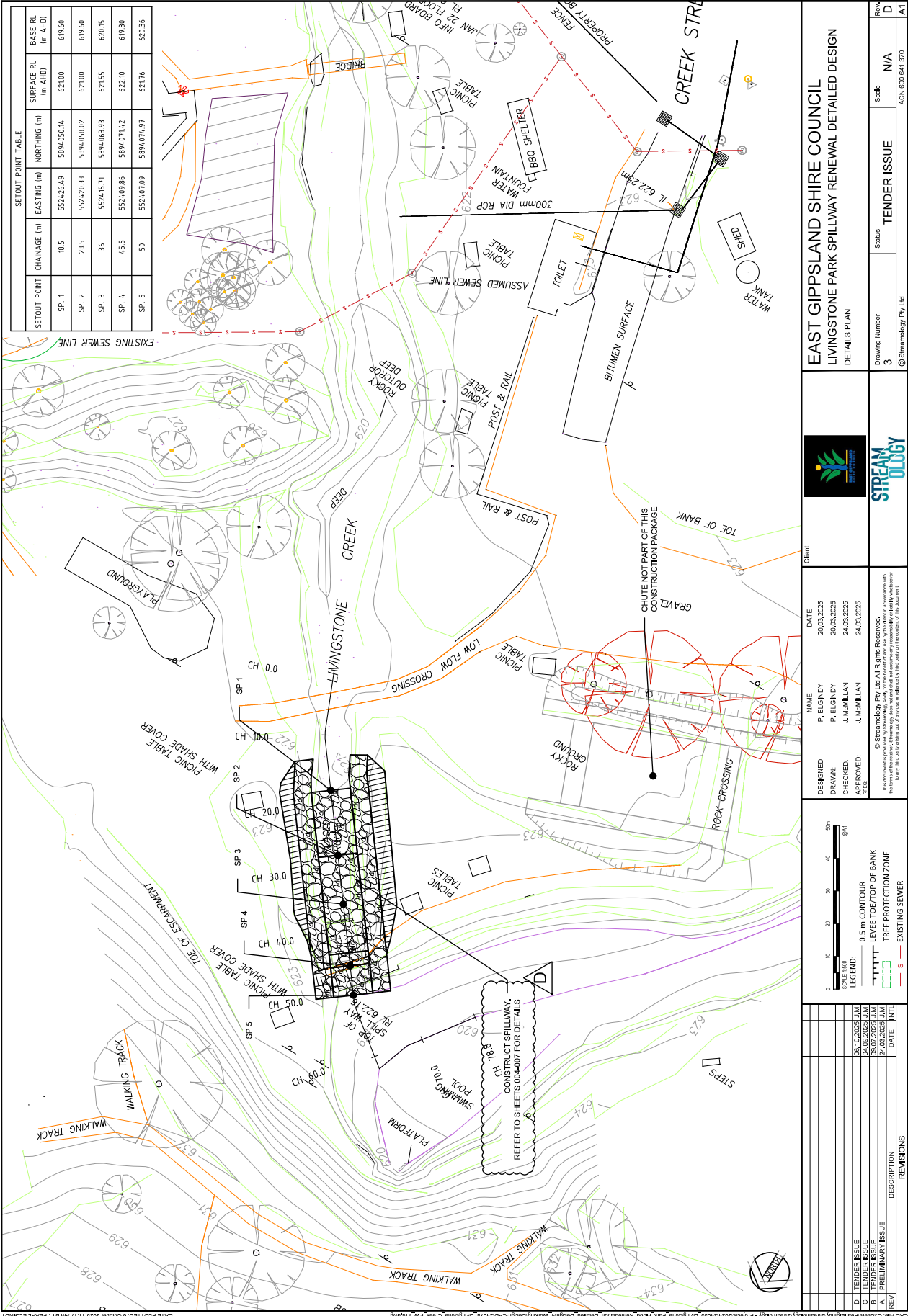
Officers preparing this report have no conflict of interest to declare.

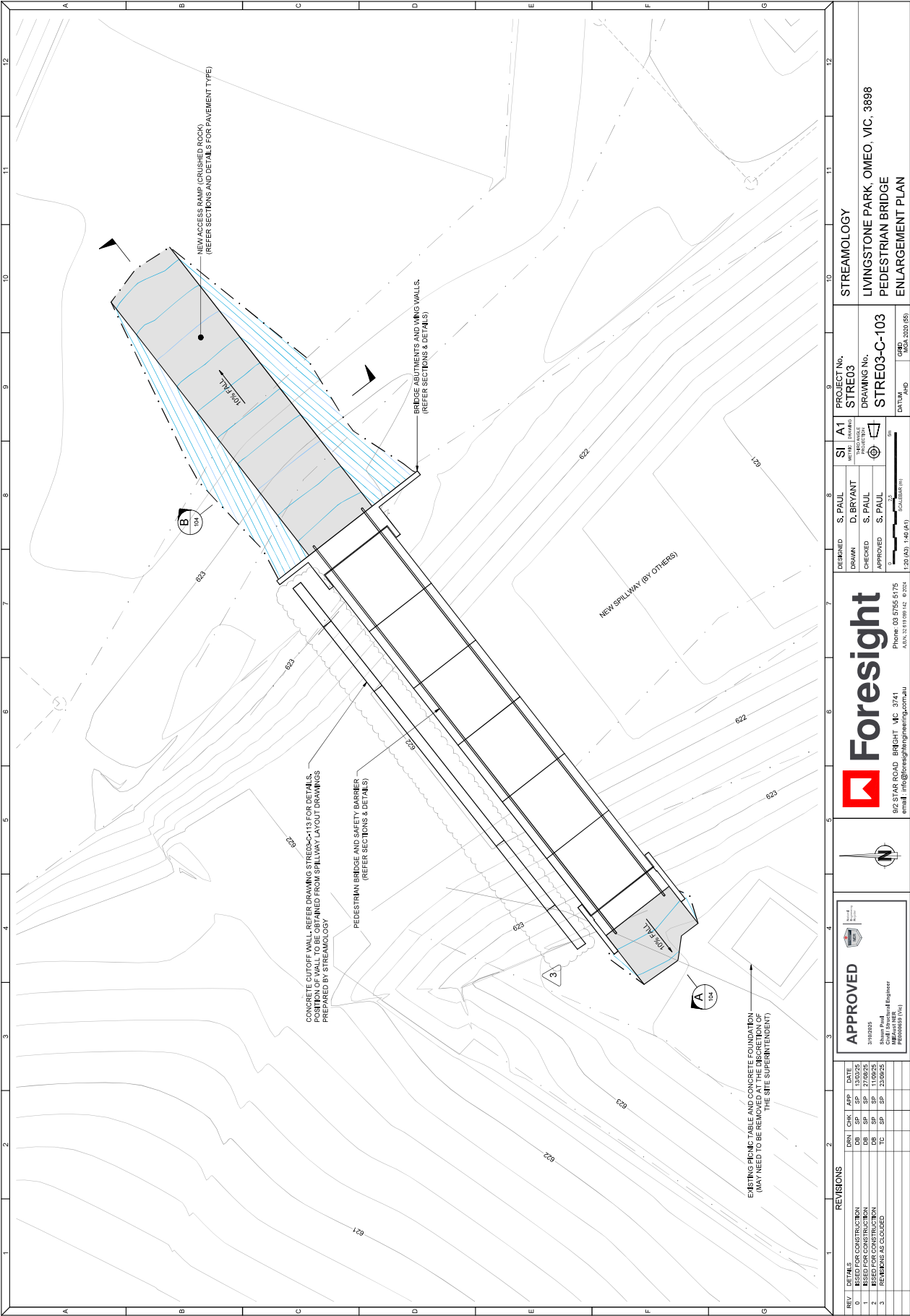
Attachments

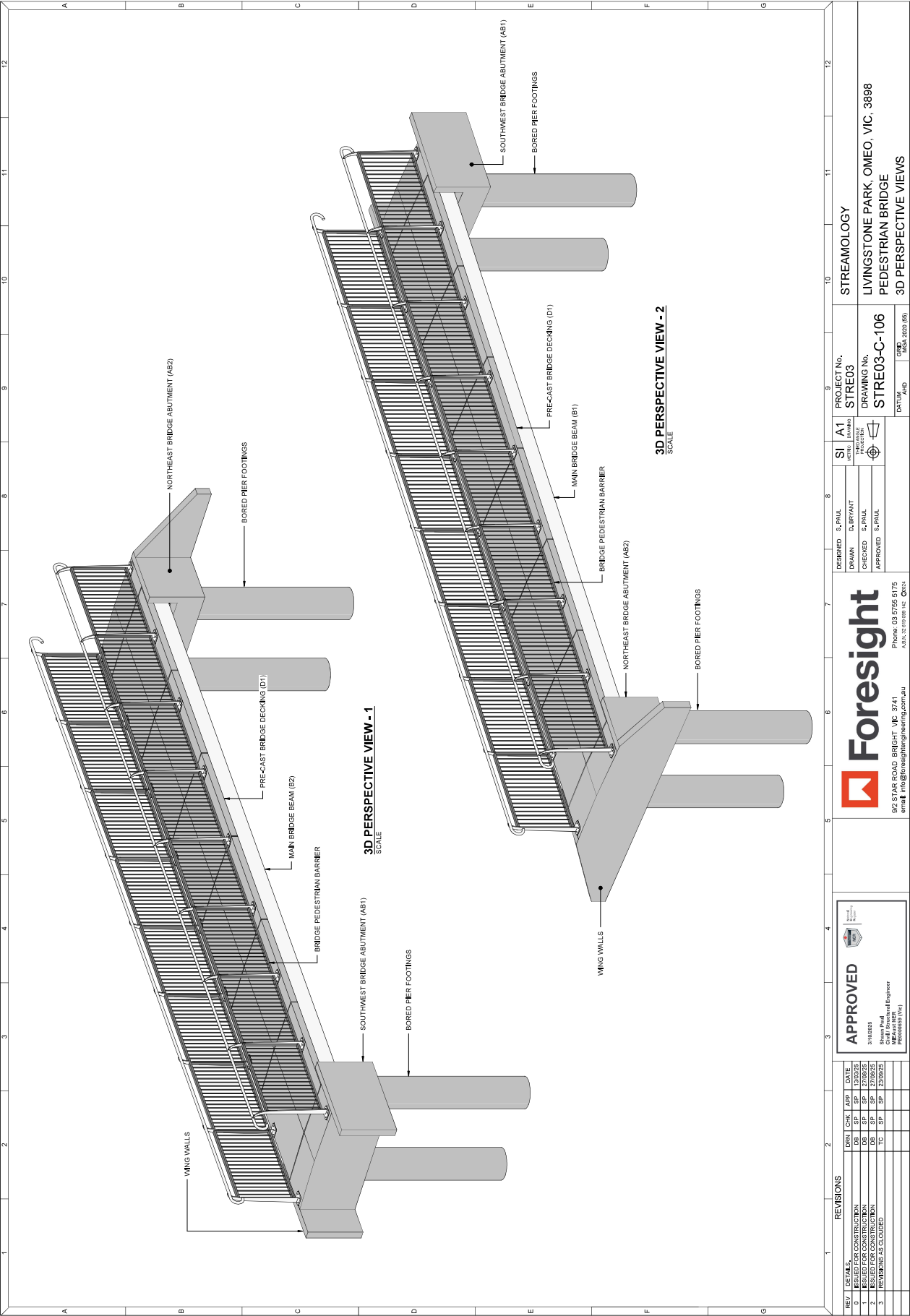
1. CONFIDENTIAL - CON2026 1751 Contract Award Summary [5.2.3.1 - 2 pages]
2. CONFIDENTIAL - CON2026 1751 TEP report [5.2.3.2 - 12 pages]
3. Work location [5.2.3.3 - 1 page]
4. Spillway [5.2.3.4 - 1 page]
5. Pedestrian bridge [5.2.3.5 - 2 pages]
6. INFO SHEET landscape Omeo Livingstone Park [5.2.3.6 - 1 page]



Figure 6. Spillway relative to newly constructed high-flow rock chute







Omeo Livingstone Park



Strengthening natural flood defences, restoring safe access, and protecting biodiversity in the heart of Omeo.

Livingstone Park is being revitalised to improve flood resilience, protect natural and cultural assets, and create a safer, more accessible, greener space for the Omeo community to connect, play and thrive.

Stage 2 new bridge and spillway:

The existing spillway will be replaced with a rock spillway, which is essentially an angled rock chute. This design helps:

- Slow and safely direct water flow during floods
- Reduce erosion
- Blend naturally into the landscape

A new bridge will improve safe access across the creek, especially during high water events.



This project is supported by Emergency Recovery Victoria and East Gippsland Shire Council.



YourSay East Gippsland

For more information, scan the QR code or visit:

<https://yoursay.eastgippsland.vic.gov.au/omeo-livingstone-park-upgrade>



East Gippsland Shire Council

Phone 5153 9500

Email feedback@egipps.vic.gov.au

Web eastgippsland.vic.gov.au

5.3 Business Excellence

5.3.1 Endorse updated Procurement Policy

Authorised by General Manager Business Excellence

Purpose

This report presents the draft revised Procurement Policy (Policy) for Council's consideration and formal endorsement.

Key Points

The *Local Government Act 2020* (Act), under sections 108 and 109, requires Council to have a Procurement Policy (Policy) and the Policy must be reviewed, at least once, during the four-year Council term. The current Policy, approved September 2021, is available via this [link](#).

There has been a lot of deep thinking about the Policy including the key areas that are important to Council and the communities we serve.

Coupled with this, the Municipal Association of Victoria (MAV), in July, released a best practice Procurement Policy template for Victorian Councils to use. The template policy is an audit-ready policy aligned with the *Local Government Act 2020* (the Act) and 2024 Best Practice Procurement Guidelines (Guidelines).

The new draft Policy now presented for consideration is based on workshops with Councilors, feedback from local contractors and the MAV Best Practice Procurement Policy Template, developed in collaboration with procurement professionals from across Victoria.

Council has tailored the template to reflect its own governance structure and strategic priorities, as well as internal audit recommendations resulting in a streamlined Policy that strengthens probity, consistency, and strategic alignment across all procurement activities.

This Policy reflects a contemporary, sector-aligned approach to Local Government procurement; being strategic, practical and audit ready. It adopts a simplified structure that distinguishes between core policy principles and operational procedures.

Editable appendices have allowed Council to configure key elements such as:

- Procurement thresholds.
- Financial delegations.
- Exemption justifications and variation limits.
- Key Performance Indicators (KPIs).

The Policy also strengthens guidance on ethical and compliant use of panel contracts and collaborative arrangements reflecting their increasing role in efficient service delivery.

Expanded definitions and clearer terminology will improve usability across the organisation.

The Policy embeds probity, transparency and value for money principles, with the 'how to' guidance being contained either through the appendices or via Council's Procurement Procedure (Procedure), which shall provide easier updates as systems and procurement maturity continues to evolve.

Key Themes and Proposed Changes

Procurement Thresholds

The sourcing thresholds have been updated to:

- reflect inflation, increases in supplier costs and sector benchmarking,
- align with MAV best-practice guidance, and
- provide greater flexibility whilst balancing compliance and probity.

These changes ensure thresholds are now:

- more closely aligned with Victorian sector standards, and
- better matched to Council's risk appetite through proportionate controls.

Procurement processes have been strengthened, and greater emphasis has been put on local suppliers by:

- providing clearer guidance on obtaining quotes,
- offering more flexibility in sourcing methods, and
- Retaining the mandatory 5% weighting for local suppliers as well which may be increased if the particular Tender process may benefit from the increased weighting, as well as adopting a policy position that encourages local supplier participation through enshrining that quotes need to be sought from local suppliers for all levels of procurement

Financial delegations and variation limits

The financial delegations remain aligned with the S5 Instrument of Delegation from Council to CEO.

The only change is to make the delegations GST exclusive which aligns with industry best practice.

There has also been strengthening of the wording to ensure that the delegation limits and any variations are clear to users to support probity and transparency and reduce the risk of procurement breaches.

Exemption Justifications

The criteria and justifications for exemptions have been expanded and clarified to align with MAV best-practice guidance, providing clearer definitions of when exemptions are appropriate—such as genuine sole-supplier circumstances, statutory obligations or urgent works—ensuring greater consistency and transparency. Approval requirements have been both streamlined and strengthened, with clearer pathways, improved documentation expectations and stronger probity considerations, enhancing oversight and auditability while still enabling timely decisions where exemptions are warranted.

Key Performance Indicators (KPIs)

New metrics are being introduced to measure procurement performance, focusing on enhancing efficiency, compliance, and local supplier spends. The new KPIs are:

- Level of compliance with the Policy.
- Purchase Order Compliance - % of invoices without a purchase order.
- Number of local suppliers engaged through procurement processes.
- Proportion (%) of total procurement spend with local businesses.

Coupled with this, we are in the process of implementing a new procurement system which will assist in our procurement uplift across the organization. The Policy, once in place, will set the framework for how this system is set up so we can realise the benefits of:

- Stronger probity controls, consistent application of thresholds and processes.
- Clear audit trails and reporting capability for all procurement activities.
- Real-time analytics for procurement planning, savings tracking, and supplier engagement.
- Efficiency of staff time by replacing manual processes.
- Increased ability to report on key procurement focus areas including local suppliers, sustainability and environment and social responsibility.

Recommendation

That Council:

- 1. adopts the draft Procurement Policy, as presented at Attachment 1;***
- 2. gives approval for the Chief Executive Officer (or delegate) to approve minor contract variations up to \$20,000 (ex GST) for contracts approved by Council prior to the adoption of this Policy, to enable nonmaterial variations to be managed efficiently and service provision to continue for community, provided that:***
 - a. the variation can be funded within the existing approved budget; and***
 - b. the variation does not materially alter the scope or intent of the contract;***
- 3. notes that this approval in recommendation 2 applies only to existing contracts approved by Council before the adoption of the new Procurement Policy; and***
- 4. notes that the Audit and Risk Committee will review the Procurement Policy at its first meeting in 2026, subject to the Policy being adopted by 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

In August 2025 Council hosted a Contractors' - Tendering and Procurement Workshop. The Workshop covered understanding government procurement procedures, top tender writing tips, spotlight on safety and Council's upcoming 2025/26 Capital Works Program. Feedback from local contractors was considered in the draft revised Procurement Policy.

The Policy is also aligned with industry practice having been developed by a Local Government industry Working Group facilitated by MAV.

Opportunities and Risks

The adoption and implementation of the Policy will strengthen Council's robust governance framework and assist in the mitigation of risks associated with the procuring of goods, services and works.

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 Procurement Policy [5.3.1.1 - 31 pages]



Procurement Policy

Table of Contents

1.	Purpose.....	3
2.	Scope	3
3.	Context.....	3
3.1	Treatment of GST	3
3.2	Procurement during the Election Period	3
4.	Guiding Principles	4
4.1	Probity, Accountability and Transparency	4
4.2	Strategic Procurement.....	5
4.3	Value for Money and Quadruple Bottom Line	5
4.4	Risk Management.....	7
5.	Council Policy	8
5.1	Procurement Structure, Processes, Procedures and Systems	8
5.2	Procurement Methods	8
5.3	Expressions of Interest (EOI)	9
5.4	Alternative Approaches Following an Unsuccessful Tender Process.....	9
5.5	Collaborative Procurement	9
5.6	Tender Evaluation	10
5.7	Procurement Exemptions and Sole Sourcing	11
5.8	Select Sourcing and Panel Arrangements	11
5.9	Lobbying and Communication Protocols	12
5.10	Conflict of Interest Declarations	12
6.	Roles and Responsibilities	13
7.	Definitions.....	14
8.	Procurement Monitoring, Reporting and Non-Compliance	18
9.	Human Rights.....	19
10.	Gender Equality.....	19
11.	Risk Reference	20
12.	References and Supporting Documents.....	20
12.1	Legislation and Guidelines.....	20
12.2	Applicable Policy and Procedure:	21
12.3	Supporting Documents:	21
13.	APPENDICES.....	22
13.1	Appendix 1 - Procurement Thresholds	22
13.2	Appendix 2 – Financial Delegations	23
13.3	Appendix 3 – Procurement Exemption Justifications	25
13.4	Appendix 4 - Procurement Performance Indicators	29
14.	Review and Revision History	30
14.1	Administrative Updates	31
14.2	Document Control Disclaimer	31

1. Purpose

The purpose of this Policy is to guide Council’s procurement activities in a manner that promotes open and fair competition, ensures Value for Money, and upholds the principles of transparency, probity, and accountability. It supports ethical, efficient, and effective procurement practices that deliver value to the community and align with Council’s strategic objectives.

Council is required under sections 108 and 109 of the *Local Government Act 2020* (the Act) to prepare, adopt and comply with its procurement policy.

This Policy has been developed collaboratively by the Municipal Association of Victoria (MAV) in partnership with a working group of procurement professionals across the Victorian Local Government Procurement Sector. It builds upon previous policies developed by both the Northern and Southern Regions group of Councils, with the aim of supporting effective and consistent collaborative procurement practices aligned with legislative requirements.

While based on a shared template, this Policy has been tailored to reflect the specific needs and context of East Gippsland Shire Council and may differ slightly from policies adopted by other Council’s. It applies solely to procurement activities undertaken by East Gippsland Shire Council.

2. Scope

This Policy applies to all procurement activities undertaken by Council and is binding upon all Council Officers, Councillors, Contractors, Consultants and or third parties acting on behalf of Council to comply with the principles and framework set out in this Policy.

3. Context

In accordance with the Act, this Policy seeks to ensure open and fair competition and Value for Money whilst upholding the principles of transparency, probity and accountability.

Key terms used throughout this Policy are defined in [7. Definitions](#) section within this Policy.

3.1 Treatment of GST

All monetary values stated in this policy exclude GST unless specifically stated otherwise.

3.2 Procurement during the Election Period

In accordance with section 69 of the Act, Council must not make major procurement decisions during the Election Period that may influence the outcome of an election or bind an incoming Council.

All procurement activities during the Election Period must:

- be assessed for political or commercial risk;
- be clearly and appropriately documented; and
- comply with all relevant probity principles and legislative requirements.

Further guidance will be provided by Council through Election Period protocols and/or be referenced within Council’s procurement procedure or guidelines.

Procurement Policy	Document Number:
Date Approved:	Version Number: 13
Document Owner: Chief Finance Officer	Next Review Date:

This document is uncontrolled when printed

Page 3 of 31

4. Guiding Principles

The Policy reflects best practice local government procurement processes to:

- Achieve value for money outcomes and continuous improvement in the provision of services for the community.
- Ensure resources are used efficiently and effectively to support Council's strategic objectives and improve the overall quality of life of people in the local community with sustainable future outcomes in mind.
- Comply with relevant legislative requirements.
- Achieve high standards of openness, fairness, accountability, risk management, probity, and transparency.
- Minimise the cost of preparing submissions for potential suppliers by ensuring a competitive process

The Council's procurement processes shall be based on the following principles, irrespective of the value and complexity of that procurement.

4.1 Probity, Accountability and Transparency

The Council is committed to upholding the highest standards of probity, accountability and transparency in all procurement activities, in line with the Act, and the Victorian Best Practice Procurement Guidelines (2024).

All Councilors, Council officers and authorised agents involved in procurement activities must act ethically, impartially and in the public interest. They are individually accountable for their decisions and the outcomes of procurement processes undertaken on behalf of the Council.

All procurement activities must be conducted in a manner that:

- Complies with the Act, this Policy, associated procurement guidelines or procedure, relevant legislation and applicable standards.
- Demonstrates integrity, fairness, and transparency.
- Is defensible under internal and external scrutiny.
- Manages conflicts of interest and maintains public trust.
- Prevents and mitigates risks such as fraud, corruption or collusion.

Where procurement activities are carried out by authorised agents on Council's behalf (e.g. external parties, consultants, contractors), they must comply with the same legal, ethical and procedural obligations as Council officers.

To support probity and accountability, Council will:

- Apply consistent and transparent processes that ensure fair and equitable treatment of all suppliers.
- Ensure procurement criteria and conditions are not changed after public release unless formally approved in line with policy or procedure.
- Require all participants involved in procurement activities to act in good faith, declare and manage conflicts of interest, and adhere to relevant codes of conduct and ethical standards.
- Prohibit the acceptance of any gifts, benefits or hospitality from current or prospective suppliers in accordance with Council's Gifts, Benefits and Hospitality Policy.
- Apply additional independent oversight and clear separation of roles for any in-house bid that could also be delivered by external participants to ensure all bids are assessed equally and Council can demonstrate fairness and transparency.

Procurement Policy	Document Number:
Date Approved:	Version Number: 13
Document Owner: Chief Finance Officer	Next Review Date:

4.1.1 Disclosure of Information

Commercial in Confidence information received by Council must not be disclosed and is to be stored in a secure location. Councillors and Council Staff must take all reasonable measures to maintain confidentiality of:

- information submitted by suppliers in tenders, quotations or during tender negotiations;
- information that is marked confidential, or reasonably understood to be confidential due to its nature; and
- any details related to current or proposed contracts, particularly where disclosure could compromise Council's position or breach probity.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubts about what is being offered by that supplier.

At no stage should any discussion be entered into which could improperly influence the procurement process or negotiation of a contract prior to the contract approval process being finalised, other than authorised pre-contract negotiations.

4.2 Strategic Procurement

The Council adopts a strategic approach to procurement to maximise value and efficiency.

Each procurement activity will be planned with consideration of:

- opportunities for aggregated purchasing across Council or with other entities through approved purchasing schemes;
- collaborative or joint procurement arrangements;
- utilisation of existing internal and external supplier panels or contracts; and
- alternative contracting models that best support the delivery of outcomes.

Guidance materials and procurement planning templates are available to support Council Officers in applying these principles effectively throughout the procurement process.

4.3 Value for Money and Quadruple Bottom Line

Council is committed to achieving Value for Money in all procurement decisions. This means selecting the option that offers the best overall outcome - not just the lowest price, but based on a balanced assessment of cost, quality, risk, sustainability and social impact over the entire lifecycle of the goods, services or works.

Council's approach to Value for Money includes integration of Quadruple Bottom Line (QBL) principles which means ensuring that economic, environmental, social, and ethical considerations are embedded into procurement planning and decisions wherever practical and proportionate.

Procurement Policy	Document Number:
Date Approved:	Version Number: 13
Document Owner: Chief Finance Officer	Next Review Date:

In applying the Value for Money principle, Council will:

- Consider Whole-of-Life Costs, including planning, acquisition, operation, maintenance, repurpose and disposal.
- Optimise Quality and Performance, ensuring goods, services, and works are fit for purpose, durable, and supported by service warranties where appropriate.
- Deliver Broader Community Benefits, encouraging procurement outcomes that generate positive social, economic, and environmental impacts, including through support of local, social, Indigenous, and inclusive suppliers.
- Champion Sustainable and Ethical Procurement, engaging suppliers who demonstrate compliance with fair, ethical, and socially responsible labour practices, and who meet legislative and regulatory obligations, including workplace safety and modern slavery to employees.
- Minimise Environmental Impact, selecting products and services that reduce resource consumption, emissions, waste, and environmental degradation.
- Support Innovation, encouraging new solutions, technologies, or delivery models that improve outcomes or efficiencies.
- Promote Fair Competition and Efficiency, ensuring open, transparent procurement processes that support innovation and reduce duplication.
- Enable Collaboration and Aggregation, leveraging shared services, panel arrangements, and approved purchasing schemes where appropriate.

4.3.1 Quadruple Bottom Line (QBL) Principles

Council will, wherever appropriate, incorporate the following QBL considerations into its procurement planning and decision making:

- 1. Economic**
 - Support local suppliers (as defined in this Policy’s definition), small to medium enterprises (SMEs), and regional businesses.
 - Create local jobs and stimulate economic development within the Council area and nominated surrounding regions.
 - Consider long-term value and cost-effectiveness, not just the upfront price.
- 2. Sustainability & Environment**
 - Minimise environmental impact by reducing waste, greenhouse gas emissions, and resource consumption.
 - Prioritise sustainable procurement — select recycled, energy-efficient, and responsibly sourced goods and services.
 - Promote circular economy principles and strengthen climate resilience through environmentally responsible purchasing practices.
- 3. Social Responsibility**
 - Advance diversity, equity, and inclusion across all stages of the supply chain.
 - Support social procurement outcomes by engaging Indigenous-owned businesses, disability enterprises, and certified social benefit suppliers.
 - Create equitable opportunities through employment, training, and participation for disadvantaged or marginalised groups.
- 4. Ethical Governance**
 - Work with suppliers who follow ethical practices including fair labour, safe workplaces and compliance with modern slavery laws.
 - Maintain transparency, integrity, and compliance in all procurement activities.

Procurement Policy	Document Number:
Date Approved:	Version Number: 13
Document Owner: Chief Finance Officer	Next Review Date:

Council will apply QBL principles in a manner that is practical, proportionate, and aligned to the size, risk and complexity of each procurement activity. These considerations may be factored into planning, specification, evaluation, and contract management stages.

For operational guidance on how to apply Value for Money and QBL principles, including evaluation weightings and engagement strategies, refer to Council's Procurement Procedure.

4.4 Risk Management

Procurement activities must be properly planned and executed to protect Council from risks including but not limited to; personal injury, property damage, financial loss, reputational harm, legal exposure, and disruption to the delivery of goods, services, or works.

To minimise procurement-related risks and uphold best practice, Council implements the following risk mitigation strategies:

- Procurement Planning: allowing sufficient time for procurement preparation, market engagement, and internal approvals to reduce the risk of rushed or non-compliant processes.
- Standardised Contract Documentation: using approved templates that include legally reviewed terms and conditions to ensure consistency and reduce contractual ambiguity.
- Securities: requiring appropriate security deposits such as bank guarantees to protect against supplier non-performance or contract default.
- Due Diligence Checks: undertaking financial and reference checks on new and existing suppliers, with periodic reviews as needed to ensure ongoing capability and compliance.
- Subject Matter Expert input: referring complex or technical specifications to qualified internal or external subject matter experts to ensure clarity, feasibility, and risk mitigation.
- Contract Execution before Commencement: ensuring that all contracts are fully executed and documented before any goods are delivered, services commenced, or payments issued.
- Standards and Compliance: incorporating relevant Australian Standards, legislative requirements, and industry best practices into specifications and contract terms.
- Ongoing Contract Management: requiring contract managers to actively monitor contractor performance, deliverables, and compliance throughout the contract term, with issues documented and addressed promptly.
- All procurement decisions incorporate structured and proportionate risk assessments against defined criteria. This assists to protect Council from financial, operational, reputational, and legal exposure.
- Insurance Requirements: In order to minimise Council's risk exposure, Council will ensure that engaged suppliers, contractors and consultants have appropriate insurances in place and that the insurance remains valid throughout the entire life of awarded contracts, including any defects liability period for the Goods, Services or Works.

Council will maintain a register of suppliers', contractors' and consultants' insurance details in a manner that will ensure that certificates can be easily reviewed for currency and for updates to be requested as required.

These practices are consistent with the Local Government Best Practice Procurement Guidelines 2024, which emphasises proactive risk planning, transparency, and strong governance as essential to achieving Value for Money and ensuring public confidence in procurement outcomes.

Procurement Policy		Document Number:	
Date Approved:		Version Number:	13
Document Owner:	Chief Finance Officer	Next Review Date:	

5. Council Policy

5.1 Procurement Structure, Processes, Procedures and Systems

Council maintains a procurement function responsible for:

- Maintaining the Policy and associated guidelines, processes and procedures.
- Maintaining appropriate purchasing, procurement, and contract management systems and tools.
- Providing procurement-related advice and support to the organisation as required.
- Building organisational procurement and contract management capability (including delivery of training and provision of guidance materials).
- Promoting awareness and monitoring of compliance with this Policy.
- Ensuring legislation is followed, reporting breaches and corrective actions in a timely manner.
- Collaborating with other Councils and organisations to identify best practice in and achieving better value from procurement.

Council will maintain internal procurement control documents detailing the processes, procedures and systems related to procurement including maintaining details of tendered contracts.

5.2 Procurement Methods

The standard methods for procurement activities are:

- Verbal or written quote.
- Corporate card.
- Purchase Order (preferred method).
- Request for Quotation (RFQ) process, followed by a Contract (if applicable) and Purchase Order.
- Request for Tender (RFT) process, followed by a Contract (if applicable) and Purchase Order.
- Approved Purchasing Schemes or Panel Contracts.
- Council may also consider alternative procurement methods, such as partnership models, where these are demonstrated to achieve best value and are consistent with probity requirements.

All procurement activities must:

- Be supported by identified and available funding
- Be authorised in accordance with Council's approved financial delegations and thresholds
- Involve more than one person with appropriate documentation and approvals to ensure transparency and accountability

All Public Requests for Tender (RFT), Requests for Quotation (RFQ) and Expressions of Interest (EOI) must be published on Council's online tendering portal. RFTs and EOIs may also be advertised through additional channels such as state or local newspapers, industry publications, and web-based forums depending on the scale and audience of the procurement.

In accordance with the Act, Council must publish details of awarded tenders that meet or exceed prescribed thresholds on its public website to ensure legislative compliance, transparency, and community awareness.

5.3 Expressions of Interest (Eoi)

Expressions of Interest may be used where:

- Multiple suppliers are likely.
- Full tendering is burdensome, or procurement is complex.
- Vendor interest or capability is uncertain.
- Council seeks preliminary advice from the market.

5.4 Alternative Approaches Following an Unsuccessful Tender Process

If a public tender process concludes with no submissions or no acceptable submissions received, Council may consider alternative procurement approaches, including:

- Reissuing the tender in its original form.
- Revising the scope or requirements and reissuing the tender.
- Inviting a limited number of suitable suppliers to submit proposals (Select Sourcing).
- Entering direct negotiations with a supplier (Sole Sourcing).
- In-house delivery.

Any alternative procurement approach must be:

- Supported by documented market analysis and a clear rationale for the selected approach.
- Demonstrated to achieve Value for Money, fairness, and probity, in line with the Act, this Policy, and best practice procurement principles.

5.5 Collaborative Procurement

In accordance with Section 108 (c) of the Act, Council will actively seek opportunities to collaborate with other Councils and public bodies in the procurement of goods, services or works, where such collaboration can deliver economies of scale, improved value for money, or other strategic benefits.

Council officers must give due consideration to collaborative procurement opportunities as part of the planning phase for all procurement activities.

Where a procurement recommendation is brought before the Council, the accompanying report must include:

- an outline of any potential collaborative procurement opportunities identified, including the public bodies or councils involved; and
- a statement explaining why Council did, or did not, pursue the identified opportunities for collaboration in relation to that procurement process.

Procurement Policy	Document Number:
Date Approved:	Version Number: 13
Document Owner: Chief Finance Officer	Next Review Date:

5.6 Tender Evaluation

Council is committed to ensuring a fair, consistent, and transparent approach to the evaluation of tenders. To uphold these principles:

- Late tenders will not be accepted, unless Council is satisfied that an event of exceptional circumstances caused a tender to be lodged after the advertised closing time, to ensure procedural fairness and integrity.
- Tender evaluation criteria and weightings will be documented and approved prior to issuing any tender to ensure transparency and consistency in assessment.
- An Evaluation Panel comprising appropriately qualified and briefed members will be established for each tender process. The panel will assess submissions objectively against the pre-determined criteria.
- Where beneficial, external representatives with relevant expertise may be included on the Evaluation Panel or engaged as advisors to enhance capability and ensure appropriate oversight.
- All panel members must complete a Conflict-of-Interest declaration before commencing any evaluation activities. Identified conflicts must be managed in accordance with any relevant policies and procedures.
- The evaluation process will be conducted in a manner that is robust, unbiased, and able to withstand internal and external scrutiny.
- A Probity Advisor should be engaged, and a Probity Plan developed for complex, high-value or high-risk procurements, including all those exceeding \$2 million.

5.6.1 Tender Evaluation Criteria

Council may include the following evaluation criteria categories to determine whether a proposed contract provides Value for Money:

- Mandatory or Compliance criteria (e.g. ABN registration, OH&S, *Fair Work Act*).
- Tendered price.
- Capacity of the Tenderer to provide the Goods and/or Services and/or Works.
- Capability of the Tenderer to provide the Goods and/or Services and/or Works.
- Risk, security and safety considerations.
- Social procurement (including supporting Indigenous Business).
- Sustainability and Environment – mandatory minimum weighting of 5% which may be increased if the particular Tender process may benefit from the increased weighting, and such increased weighting is approved by the relevant General Manager.
- Local Content – mandatory minimum weighting of 5% which may be increased if the particular Tender process may benefit from the increased weighting, and such increased weighting is approved by the relevant General Manager.
- Any other criteria relevant to the Goods and/or Services and/or Works being procured.

5.6.2 Contract Negotiations and Best and Final Offer (BAFO) Process

To ensure the best value outcome for the Council, contract negotiations may be conducted with one or more shortlisted tenders, provided such negotiations remain consistent with the original scope, intent and probity principles of the tender process.

Council may also implement a shortlisting process as part of the evaluation. Where appropriate, shortlisted tenderers may be invited to submit a BAFO to allow Council to clarify, refine, or enhance proposals prior to final contract award.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 10 of 31

Any negotiation or BAFO process will be conducted in a fair, transparent, and equitable manner, in line with The Act, relevant procurement best practice guidelines and Council's procurement Procedure.

5.7 Procurement Exemptions and Sole Sourcing

Council recognises that in defined and limited circumstances, procurement activities may be exempt from the standard requirements to seek tenders, quotations or expressions of interest.

Sole sourcing is the engagement of a single supplier without seeking competitive offers and is considered a procurement exemption under this policy. It is permitted only in exceptional circumstances where:

- The market is restricted (e.g. licensing, software, intellectual property rights, regulatory exclusivity).
- Council has jointly developed or co-owns the relevant intellectual property.
- There is urgent public interest or emergency requiring immediate procurement.
- A thorough market analysis has demonstrated no viable alternatives exist or that a prior public tender process was unsuccessful and Council proceeds to an alternative sourcing approach, in accordance with [Section 5.4](#).
- A previous public expression of interest has been conducted which shortlisted an EOI respondent for a future tender process.
- Several defined procurement exemption justifications have been identified and are detailed in [Section 13.3 Appendix 3](#) of this Policy.

A number of defined procurement exemption justifications have been identified and are detailed in [Section 13.3](#) of this policy. All exemptions must be:

- Endorsed in accordance with the Financial Delegations in [Section 13.2](#).
- Justified and documented using the approved Exemption Justification form or process for monitoring, reporting and auditing purposes.
- Approved by the financial delegate one level higher than the standard delegation applicable to the contract value.

5.8 Select Sourcing and Panel Arrangements

Council may, in specific circumstances, engage a limited number of suppliers without conducting a full public tendering process. This select sourcing approach is permitted under this Policy where it is appropriate to the procurement's value, risk and complexity, and where one or more of the following conditions apply:

- Suppliers are pre-qualified under a panel contract, approved purchasing scheme or collaborative contract (e.g. MAV, Procurement Australia, State Purchase Contracts);
- The market is limited in capacity, expertise or geographical reach (e.g. niche categories or regional delivery constraints);
- An existing agreement provides clear rationale for continued engagement within defined parameters;
- The procurement risk, value, and complexity are proportionate to a streamlined sourcing approach, supported by a documented rationale;
- A previous public expression of interest has been conducted which shortlisted EOI respondents for a future tender process; or
- A previous public tender process was unsuccessful, and Council proceeds to a limited sourcing approach in accordance with [Section 5.4](#).

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 11 of 31

Where Council has established an internal panel or is accessing a collaborative panel contract or approved purchasing scheme, the following provisions apply:

- Council may approve alternate procurement thresholds and sourcing methodologies specific to the panel;
- These must be documented at the time of panel formation (e.g. Panel Award Report or relevant process per Procurement Procedure), approval is sought by the appropriate Financial Delegate, and sourcing methodologies for the panel are documented;
- Once endorsed, these thresholds override the standard thresholds set out in Section **Error! Reference source not found.** Appendix 1 for all procurement conducted under the panel; and
- All procurement activities must align with the panel's scope, terms of use, use approved templates and processes in accordance with Council's Procurement Procedure.
- Council reserves the right to reopen Panels or add Panel members in specific and limited circumstances in line with the procurement's value, risk and complexity. Council may only reopen Panels or add new Panel Members in accordance with the Procurement Procedure.

A procurement exemption may be required only where the procurement exceeds the Panel's approved scope or deviates from usage rules.

5.9 Lobbying and Communication Protocols

To uphold the integrity and probity of the Council's procurement processes, strict controls apply to all communications during tender and quotation processes.

5.9.1 Prohibition on Lobbying

Tenderers, potential suppliers, their representatives or any related third parties must not engage in lobbying, canvassing, or any attempt to influence Councillors, Council officers, contractors or consultants engaged by Council in relation to a current or upcoming procurement process. Any such actions may lead to the immediate disqualification of the tender or quotation submission.

5.9.2 Communication Protocol

All communication regarding a procurement process must be directed exclusively to the nominated Procurement Contact Officer as identified in the tender or quotation documentation. Contacting other Council officers, consultants or Councillors regarding a procurement process is strictly prohibited and may result in exclusion from the process.

5.10 Conflict of Interest Declarations

Councillors and Council Staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council officers involved in the procurement process, in particular preparing tender documentation, including writing tender specifications and tender evaluation panels, must:

- Avoid conflicts, whether actual, potential or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council Staff, plus their relatives and close associates.
- Declare that there is no conflict of interest. Where future conflicts, or relevant private interests arise Council Staff must complete an Employee Declaration and Management of Conflict of Interest Form, make their Manager, or the chairperson of the relevant tender assessment panel or board aware and allow them to decide whether the officer should continue to be involved in the specific Procurement exercise.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 12 of 31

- Observe prevailing Council and Local Government Victoria guidelines (in particular the Staff Code of Conduct and the Governance Rules) on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

All Council officers, external consultants, and evaluation panel members involved in a procurement process must declare any actual, potential or perceived conflict of interest.

Tenderers must disclose any existing or prior relationships or communications with Council representatives that could be perceived as an attempt to influence the process.

5.10.1 Probity and Reporting

Any attempts at lobbying, inappropriate communications, or breaches of this policy must be reported to the Chief Finance Officer, General Manager Business Excellence (or delegated probity advisor).

Breaches may result in exclusion from the procurement process and may be referred to the Independent Broad-based Anti-corruption Commission (IBAC) or other relevant authorities.

6. Roles and Responsibilities

The following teams or positions have direct and/or supporting responsibilities associated with this Policy:

Position/Team	Responsibilities
Councilors	Prepare and adopt the Policy under s108 of the <i>Local Government Act 2020</i> , setting out the principles and processes for purchasing goods, services and works.
Chief Executive Officer	Ensuring the overall organisational compliance with this Procurement Policy.
General Managers	Ensuring compliance with this Policy by all Council officers under their supervision.
General Manager Business Excellence	Holds overall responsibility for this Policy implementation and compliance.
Chief Finance Officer	Responsible for reviewing, updating and implementing the Policy.
Procurement Team	Primary source for procurement advice, training and guidance.
Managers	Ensuring compliance with the Policy by all Council officers under their supervision.
All Staff/Council Officers	Ensure compliance with the Policy at all times.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 13 of 31

7. Definitions

Term	Meaning
Aggregate Purchasing	Is the strategic consolidation of procurement activities for identical or similar goods, services, or works across multiple departments, projects, or entities. This approach is intended to optimise Value for Money by leveraging combined purchasing power, improving contract outcomes, and reducing duplication of effort.
Alternative Tender	An alternative tender is a bid submitted in response to a procurement process that does not comply with certain requirements of the RFx, but would only require minor adjustments to become a Compliant Tender. It includes a bid covering only some of the Goods and/or Services and/or Works or providing the requirement in an innovative way. If a Tenderer wishes to submit an Alternative Tender it must comply with the Conditions of Tender advertised by Council for that process, including submitting a Compliant Tender.
Authorised Agent	A person or organisation formally empowered to act on behalf of the Council in relation to procurement activities.
Best Practice	As defined in the Local Government Best Practice Procurement Guidelines or any other document specified by Council.
Collaborative Procurement – also known as Approved Purchasing Scheme	Refers to a pre-established arrangement with a panel of suppliers or contractors, formed through a public tender process in accordance with the Act, associated regulations and relevant procurement thresholds. These arrangements may be established by: <ul style="list-style-type: none"> • Individual Councils; • A group of Councils or public bodies working collaboratively; or • Recognised external agents such as Procurement Australia, Municipal Association of Victoria or State Government Agencies. Collaborative procurement Councils to procure goods, services, or works without undertaking a full tender process, provided the engagement complies with the scheme's terms and conditions.
Commercial in Confidence	Information that, if released, may prejudice the business dealings or commercial interests of the Council or another party (e.g. prices, discounts, rebates, profits, methodologies, and process information etc.).
Conflict of Interest	Any general or material conflict as defined in sections 127–128 of the Act; where personal, professional or financial interests may, or may appear to, influence impartial decision-making. In accordance with the Act, Conflicts of Interest must be disclosed in the manner set out in Council's Governance Rules.
Compliant Tender	A compliant tender is a bid submitted in response to a procurement process that fully meets all the mandatory requirements and conditions set out in the tender documentation.
Contract Management	The process that ensures all parties to a contract fully meet their respective obligations as efficiently and effectively as possible, to deliver the contract objectives and provide Value for Money.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 14 of 31

Term	Meaning
Contract Variation	A Contract Variation refers to any modification made to the original terms and conditions of an executed contract. Variations may be financial or non-financial in nature and must be managed transparently, appropriately documented and assessed to ensure they do not undermine the principles of value for money, probity, equity, or open and fair competition.
Contract Variation - Financial	A variation that alters the contract's monetary value. This includes: <ul style="list-style-type: none"> Increases or decreases in contract cost, Whether within or exceeding approved contingencies, Subject to approval in line with Council's financial delegation limits and governance requirements.
Contract Variation - Non-Financial	A variation that does not result in a financial adjustment but alters other contractual parameters, such as: <ul style="list-style-type: none"> Project timelines or milestones; Scope, specifications or design details; Working hours or access arrangements; Location or quantity changes; or Any other aspect of the contract provided it doesn't impact cost.
Council	Means East Gippsland Shire Council
Council Staff/Officer	Any Council employee, contractor or consultant authorised to act on behalf of the Council, including Councillors in their official capacity.
Emergency	<p>The actual or imminent occurrence of an event which in any way endangers or threatens to endanger the safety or health of any person in Victoria or which destroys or damages, or threatens to destroy or damage, any property in Victoria or endangers or threatens to endanger the environment or an element of the environment in Victoria including, without limiting the generality of the foregoing:</p> <ul style="list-style-type: none"> a. an earthquake, flood, windstorm or other natural event; and b. a fire; and c. an explosion; and d. a road accident or any other accident; and e. a plague or an epidemic or contamination; and f. a warlike act or act of terrorism, whether directed at Victoria or a part of Victoria or at any other State or Territory of the Commonwealth; g. a hi-jack, siege or riot; or h. a disruption to an essential service for example, waste, transport and road access. <p><i>Emergency Management Act 2013 part 1 section 3</i></p>
Indigenous Business	A business at least 50% owned by Aboriginal or Torres Strait Islander persons or employing Indigenous persons, as defined by Supply Nation.
LGBPP Guidelines	Local Government Best Practice Procurement Guidelines 2024.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 15 of 31

Term	Meaning
Local Supplier	Is defined as a commercial business that meets at least one of the following criteria: <ul style="list-style-type: none"> • Maintains an operational premises that is physically located within the municipal boundaries of Council; or • Delivers, sources or undertakes the majority of their goods, services or works within the Council area; or • is located within East Gippsland Shire where geographic proximity clearly contributes to local, economic, social or community outcomes.
Material breach	Any breach of this Policy that may also represent a breach of legislation such as procurement thresholds, fraud or corruption, and occupational health and safety.
Modern Slavery Risk	The risk of modern slavery (e.g., forced labour, trafficking) occurring in the supply chain. Procurement must apply due diligence under the <i>Modern Slavery Act 2018</i> (Cth).
Non-Compliant Tender	A non-compliant tender is a bid that fails to meet one or more of the mandatory requirements or conditions outlined in the tender documentation (but is not an Alternative Tender). It may only be considered if: <ul style="list-style-type: none"> • The non-compliance is minor or procedural. The Procurement Policy allows for discretionary acceptance under certain conditions that are documented in the tender conditions (e.g. public interest or clarification doesn't alter the tender substance).
Panel Contract	A panel contract (or standing offer arrangement) is a procurement method where a Council selects multiple suppliers through a tender process for works, goods and services on a regular basis over a specified time. They allow Council staff to purchase from these panel suppliers without a public procurement process for each individual purchase. Refer to the Rules of Use/ Buyers Guide for each panel contract or Council's Procurement Procedure, whichever is relevant. Panel contracts cannot be used to purchase works, goods or services that fall outside the scope of the original arrangement. Any other service outside of the original scope would need to be procured via a different procurement process.
Probity	Probity is the evidence of ethical behaviour, and can be defined as complete and confirmed integrity, uprightness, and honesty in a particular process. Probity is a defensible process which can withstand internal and external scrutiny, which achieves both accountability and transparency, providing respondents with fair and equitable treatment.
Procurement	Refers to the end-to-end process of acquiring external goods, services, and works. It encompasses the entire lifecycle, from initial planning and concept development through to contract completion, asset disposal, or the conclusion of a service. Procurement also includes the organisational structures, governance, and compliance frameworks that support and guide procurement activities within the Council operations.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 16 of 31

Term	Meaning
Procurement Procedure	A procedural document that outlines the operational processes, tools, and templates used to implement the Policy, including guidance on planning, market engagement, evaluation, and contract management. It outlines the "how to" for undertaking procurement activities in a compliant, efficient, and consistent manner across the organisation.
Purchase Order	A form of contract, which is an official document used to authorise and record the purchase of goods or services or works by a buyer. It is the prime reference confirming the contractual situation between the buyer and supplier. A purchase order may be used in conjunction with an agreement for the supply of goods, services or works, or to instigate supply against an agreement.
Social Procurement	Using procurement to deliver positive social outcomes, such as employment for disadvantaged groups or engaging social enterprises and Indigenous businesses.
Strategic Procurement	A procurement process endorsed by the relevant General Manager and Procurement Team that deviates from standard policy to achieve value for money, innovation, or unique benefits.
Sustainable Procurement	Procurement that minimises environmental impact and enhances social and economic sustainability throughout the lifecycle of the goods, services, or works.
Total Contract Sum	The potential total value of the contract including: <ul style="list-style-type: none"> • costs for the full term of the contract, including any options for either party to extend the contract • applicable goods and services tax (GST) • anticipated contingency allowances or variations • all other known, anticipated and reasonably foreseeable costs.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 17 of 31

8. Procurement Monitoring, Reporting and Non-Compliance

The Council is committed to transparency, accountability, and continuous improvement in all procurement activities.

The Procurement Team is responsible for monitoring procurement performance and compliance with this policy. This includes oversight of

- Procurement activities and trends.
- Use of Procurement exemptions.
- Alignment with procurement thresholds and financial delegations.
- Documentation and record keeping practices.

Non-compliance Management:

- Minor or administrative non-compliance will be addressed by relevant Council staff in leadership positions, with a focus on education and corrective action.
- Serious or repeated breaches, or matters involving probity, integrity, or public interest concerns, will be escalated as appropriate to the Audit and Risk Committee or Executive Leadership Team and reported to Council where required.

Any breach of this Policy may be considered a breach of organisational policy and could result in disciplinary action. Breaches will be assessed in accordance with relevant internal policies and frameworks, including those governing:

- Staff and Councillor conduct.
- Fraud and corruption prevention.
- Ethical and accountable behaviour.

Fraud Prevention

Council is committed to the prevention of fraud and as part of the requirements under this Policy Council will support a fraud-resistance culture by:

- Reporting breaches of the Procurement Process to the General Manager Business Excellence and the Chief Finance Officer.
- Reporting material breaches of the Procurement process to the Audit and Risk Committee.
- Investigating potential breaches of the Policy.
- Requiring all Tender Evaluation panel members to sign conflict of interest declarations prior to evaluating any tenders.

Reporting Fraud and Complaints

Council regards all the allegations of improper conduct and complaints about the procurement process as serious and is committed to handling such disclosures in a sensitive and confidential manner.

Feedback or general complaints about procurement processes and procedures should be directed to the Procurement Coordinator and/or Chief Finance Officer.

Procurement Policy	Document Number:
Date Approved:	Version Number: 13
Document Owner: Chief Finance Officer	Next Review Date:

This document is uncontrolled when printed

Page 18 of 31

Members of the public, suppliers and Council staff are encouraged to report allegations of improper or corrupt conduct by a public officer involved in any Council procurement process. A disclosure relating to alleged improper or corrupt conduct of a public officer of Council can be made in person, via phone, in writing (letter or email) or anonymously.

A public interest disclosure relating to a Councillor must be made to the Independent Broad-based Anticorruption Commission (IBAC) or the Ombudsman:

Contact details:

IBAC

Level 1, North Tower

459 Collins Street, MELBOURNE VIC 3000

Postal: GPO Box 24234, MELBOURNE VIC 3001

Website: www.ibac.vic.gov.au

Telephone: 1300 735 135

See Ombudsman website for details of how to make a Disclosure to the Ombudsman:

<https://www.ombudsman.vic.gov.au/reporting-improper-conduct/>

A public interest disclosure relating to Council staff should be made to the:

- Chief Executive Officer: Email: whistleblowers1@egipps.vic.gov.au
- Manager Governance and Regulatory Services: Email: whistleblowers2@egipps.vic.gov.au
- Governance and Risk Coordinator: Email: whistleblowers3@egipps.vic.gov.au

Ongoing Review and Reporting

Detailed reporting and monitoring provisions, including documentation standards and escalation protocols, are provided in the appendices to this Policy and further supported by the Procurement Procedure.

These processes will be reviewed periodically to ensure they remain aligned with legislative obligations and sector best practice.

9. 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.

10. Gender Equality

This Policy has had an Equity Impact Assessment (EIA) completed and is compliant with the objectives of the *Gender Equality Act 2020*.

Procurement Policy

Date Approved:

Document Owner: Chief Finance Officer

Document Number:

Version Number: 13

Next Review Date:

This document is uncontrolled when printed

Page 19 of 31

11. Risk Reference

This Policy is implemented as a control to mitigate risks in the following categories:

Risk Category		Risk Category	
Community		Governance and Reputation	
Financial		Environment	
People and Property		Service Delivery and Projects	

12. References and Supporting Documents

Council’s procurement activities shall be undertaken to a high professional standard and in full compliance with the Act, associated regulations, and all applicable internal and external policies, procedures, and codes of conduct.

All Council procurement must also be consistent with Council’s broader policy framework and strategic plans. This Policy has clear linkages to a range of legislation, standards, and strategic documents including:

12.1 Legislation and Guidelines

Building & Construction Industry Security of Payment Act 2002;
Charter of Human Rights and Responsibilities Act 2006 (Vic);
Relevant provisions of the Competition and Consumer Act 2010 (Cth);
Freedom of Information Act 1982;
Gender Equality Act 2020;
Local Government Act 2020;
Local Government Best Practice Procurement Guidelines 2024;
Local Government (Governance and Integrity) Regulations 2020;
Local Government (Planning and Reporting) Regulations 2020;
Modern Slavery Act 2018 (Cth);
Occupational Health and Safety Act 2004;
Privacy and Data Protection Act 2014;
Public Records Act 1973;Working with Children Act 2005;
Working with Children Regulation 2016; and
Other relevant Australian Standards or legislation.

Procurement Policy		Document Number:	
Date Approved:		Version Number:	13
Document Owner:	Chief Finance Officer	Next Review Date:	

12.2 Applicable Policy and Procedure:

- Asset Management Policy
- Cash Handling Policy
- Council Plan, Annual Budget and Long-Term Financial Plan
- Credit Card Procedure
- Fraud and Corruption Control Policy
- Gifts, Benefits and Hospitality Policy
- Procurement Procedure
- Risk Management Policy

12.3 Supporting Documents:

- Governance Rules
- Model Councillor Code of Conduct
- S7 Instrument of Sub-Delegation by the Chief Executive Officer
- Staff Code of Conduct

Procurement Policy	Document Number:	
Date Approved:	Version Number:	13
Document Owner: Chief Finance Officer	Next Review Date:	

This document is uncontrolled when printed

Page 21 of 31

13. APPENDICES

All Policy requirements contained within these Appendices are only applicable to East Gippsland Shire Council and are to be reviewed and updated in line with internal governance and legislative obligations.

13.1 Appendix 1 - Procurement Thresholds

Estimated Contract Value (Exc GST)	Minimum Procurement Requirement	Additional Guidance (Methodologies)
\$0 - \$10,000	One (1) verbal quote or written quote (preferred), to be obtained	Use standard purchase order or purchase card. Council Officers are encouraged to consider local or pre-approved suppliers where practical.
\$10,001 - \$15,000	Minimum one (1) written quote	Retain quotation evidence in the Records Management System and attach to the purchase order within the finance system
\$15,001 - \$50,000	Minimum two (2) written quotes	At least one quote should be sought from a local supplier where available. Documentation to be retained in accordance with records and auditing requirements
\$50,001 - \$300,000	Minimum three (3) written quotes or Public Request for Quotation (RFQ)	Quotes must be sought using an approved procurement platform (e.g. Vendor Panel). A local supplier must be included where possible and all documentation retained in accordance with records and auditing requirements
Over \$300,001	Public Tender required	A publicly advertised open tender process must be undertaken, unless procurement is conducted through an existing panel, collaborative arrangement, or exemption has been approved.

General principles

- Thresholds refer to the total contract sum, including extension options and recurrent spend with the same supplier.
- Thresholds represent the minimum standards – Council officers may choose a more rigorous approach if it is in the best interests of Council.
- Procurement transactions must not be split to circumvent the above thresholds.
- Where Council has established panels, alternate thresholds and methodologies may apply as approved at the time of panel formation.
- In circumstances where sufficient quotations cannot be reasonably sourced (such as limited supplier markets or specialised service requirements), a Procurement Exemption is to be sought in accordance with Sections [5.7](#) and [13.1](#).

13.1.1 Purchase Order Requirement “No Purchase Order or Claim, No Payment” Policy

Council operates under a strict “No Purchase Order (PO) or Claim, No Payment” policy. A Council PO or correct claim must be created and provided to a supplier before commencement of any engagement for the supply of goods, services or works. Council will not be able to pay suppliers if they do not have a PO. This policy ensures financial control, transparency, and compliance with procurement and budgetary requirements.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 22 of 31

13.2 Appendix 2 – Financial Delegations

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotations, tenders and contractual processes without prior referral to the Council. The delegations table below is an extract of the **S7 Instrument of Sub-Delegation** and are repeated here so officers can clearly align the authorised delegations. If the s7 Instrument is changed the table will be updated in this Policy.

This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity. Procurement delegations ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level.

The S7 Instrument of Sub-Delegation by Chief Executive Officer (CEO) identifies Council Staff authorised to make procurement commitments in respect of goods, services and works on behalf of the Council.

Delegation Limit (Exc GST)	Position Title	Procurement Activities / Additional Guidance and Conditions
Up to \$10,000 #	Supervisors Community Facilities Maintenance Officer Business Systems Analyst – Finance System Implementation	<ul style="list-style-type: none"> Purchase Orders
Up to \$30,000 #	Project Supervisors: - <ul style="list-style-type: none"> Project Planning and Design Capital Works Structural and Civil Projects Project Delivery Capital Works Roads Project Planning and Design Project Engineer Senior Project Development Officer 	<ul style="list-style-type: none"> Purchase Orders
Up to \$50,000 #	Coordinators Technical Officer - Facilities	<ul style="list-style-type: none"> Purchase Orders Contract Variations: up to 5% of contract award amount (Maximum \$25,000 *cumulative), All expenditure including contract variations must be within the approved budget The combined value of the initial contract and any variations must not exceed the approver's financial delegation.
Up to \$100,000	All other Managers Senior Works Coordinator Civil Infrastructure Coordinator	<ul style="list-style-type: none"> Purchase Orders Contracts Procurement Exemptions Contract Variations: up to 10% of contract award amount (Maximum \$50,000 *cumulative), then escalate All expenditure including contract variations must be within the approved budget The combined value of the initial contract and any variations must not exceed the approver's financial delegation.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 23 of 31

Delegation Limit (Exc GST)	Position Title	Procurement Activities / Additional Guidance and Conditions
Up to \$150,000	Manager Infrastructure Projects Manager Infrastructure and Open Space	<ul style="list-style-type: none"> • Purchase Orders • Contracts • Procurement Exemptions • Contract Variations: (up to 10% of the contract award amount (Maximum \$75,000 *cumulative delegation) • All expenditure including contract variations must be within the approved budget • The combined value of the initial contract and any variations must not exceed the approver's financial delegation.
Up to \$300,000	General Managers	<ul style="list-style-type: none"> • Purchase Orders • Contracts • Procurement Exemptions • Contract Variations: (up to 10% of the contract award amount (Maximum \$100,000 – *cumulative*)) • All expenditure including contract variations must be within the approved budget • The combined value of the initial contract and any variations must not exceed the approver's financial delegation.
Up to \$500,000	Chief Executive Officer	<ul style="list-style-type: none"> • Purchase Orders • Procurement Exemptions • Contracts • Contract Variations: up to 15% of the contract award amount (Maximum \$500,000 *cumulative*) • The combined value of the initial contract and any variations must not exceed the approver's financial delegation.
Unlimited Authority	Elected Council	<ul style="list-style-type: none"> • Procurement Exemptions • Contracts • Contract Variations

excludes the approval of exemptions

* cumulative means the total value of all contract variations against a contract

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 24 of 31

13.3 Appendix 3 – Procurement Exemption Justifications

Exemption Name	Explanation, limitations, responsibilities and approvals	Approval By
Genuine Emergency or Hardship	Allows a contract to be entered into where the CEO or an internally delegated officer considers it necessary because of an emergency including immediate response to a natural disaster, declared emergency, public health, security or safety as a result of an unforeseen event or occurrence.	Approved by the CEO up to approved Financial Delegation Approval by Council when above the CEO Financial Delegation - unless a state of emergency/disaster/pandemic Event is in place within Victoria, then this exemption can be approved by the CEO
Collaborative Arrangements	Where a competitive process has been undertaken as part of a collaborative procurement arrangement (including through third party organisations e.g., MAV Procurement, Procurement Australia or State Government).	Approved by the CEO up to approved Financial Delegation Approval by Council when above the CEO Financial Delegation
Extension of contracts while Council is at market to ensure continuation of supply of goods, services and works	Allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the tender process or negotiations will take or are taking longer than expected. This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.	Approved by the CEO up to approved Financial Delegation Approval by Council when above the CEO Financial Delegation
Professional Services unsuitable for tendering	For the procurement of Legal services, Utilities, Purchase of Land, external audit fees, vehicle registrations, memberships and subscriptions, committee member sitting fees.	Approved in accordance with section 13.2 Financial Delegations table Approval by Council when above the CEO Financial Delegation
Insurance	Where Council must take out specific insurance requirements specified by law or other instrument table (e.g. WorkCover, motor vehicle compulsory third party) or where insurance products are sourced through the use of brokerage services.	Approved in accordance with section 13.2 Financial Delegations table Approval by Council when above the CEO Financial Delegation
Novated Contract	Where the initial contract was entered into in compliance with the Act and due diligence has been undertaken in respect to the new party.	Approved by the CEO up to approved Financial Delegation Approval by Council when above the CEO Financial Delegation

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 25 of 31

Exemption Name	Explanation, limitations, responsibilities and approvals	Approval By
Information technology resellers and software developers	<p>Software licences and maintenance renewals: These may be exempt when renewal is necessary to support existing and/or integrated systems.</p> <p>Mandated or sole suppliers: In cases where a supplier is required by legislation or the only one capable of providing goods or services (e.g., proprietary systems).</p>	<p>Approved in accordance with section 13.2 Financial Delegations table</p> <p>Approval by Council when above the CEO Financial Delegation</p>
Operating Leases	Where a lessor leases an asset (generally a vehicle or plant and equipment) to the Council and assumes the residual value risk of the vehicle	<p>Approved in accordance with section 13.2 Financial Delegations table</p> <p>Approval by Council when above the CEO Financial Delegation</p>
Sole sourcing	<p>The engagement of a single supplier without seeking competitive offers, permitted only in defined and exceptional circumstances such as where:</p> <ul style="list-style-type: none"> •The market is restricted (e.g. licensing, software, intellectual property rights, regulatory exclusivity). •Council has jointly developed or co-owns the relevant intellectual property. •There is urgent public interest or emergency requiring immediate procurement. •A thorough market analysis has demonstrated no viable alternatives exist or that a prior public tender process was unsuccessful and Council proceeds to an alternative sourcing approach, in accordance with Section 5.3.1. •A previous public expression of interest has been conducted which shortlisted an EOI respondent for a future tender process. <p>Sole sourcing must be approved in line with Council's Financial Delegations, fully documented, and demonstrate alignment with value for money, probity, and public interest.</p>	<p>Approved in accordance with section 13.2 Financial Delegations table</p> <p>Approval by Council when above the CEO Financial Delegation</p>

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 26 of 31

Exemption Name	Explanation, limitations, responsibilities and approvals	Approval By
Select sourcing and panel arrangements	<p>The engagement of a limited number of suppliers without conducting a full public tender process, permitted only in defined and exceptional circumstances such as where:</p> <ul style="list-style-type: none"> Suppliers are pre-qualified under a panel contract, approved purchasing scheme or collaborative contract (e.g. MAV, Procurement Australia, State Purchase Contracts); The market is limited in capacity, expertise or geographical reach (e.g. niche categories or regional delivery constraints); An existing agreement provides clear rationale for continued engagement within defined parameters; The procurement risk, value, and complexity are proportionate to a streamlined sourcing approach, supported by a documented rationale; A previous public expression of interest has been conducted which shortlisted EOI respondents for a future tender process; or A previous public tender process was unsuccessful, and Council proceeds to a limited sourcing approach in accordance with Section 5.3.1. 	<p>Approved in accordance with section 13.2 Financial Delegations table</p> <p>Approval by Council when above the CEO Financial Delegation</p>
Social procurement	<p>Engagement of a supplier that supports the delivery of the Council Plan and social outcomes including:</p> <ul style="list-style-type: none"> Promote diversity, equity, and inclusion across supply chains. Support Indigenous-owned businesses, disability enterprises, and certified social benefit suppliers. Provide employment and training opportunities for disadvantaged or marginalised groups. <p>Social procurement must be approved in line with Council's Financial Delegations, fully documented, and demonstrate alignment with value for money, probity, and public interest.</p>	Approval by Council only
Procurement Policy Date Approved: Document Owner: Chief Finance Officer		Document Number: Version Number: 13 Next Review Date:

This document is uncontrolled when printed

Page 27 of 31

Exemption Name	Explanation, limitations, responsibilities and approvals	Approval By
Other specific Council exemptions	- Additional delivery of goods, services and works that are intended either as replacement parts, extensions or continuing services for existing equipment	Approved in accordance with section 13.2 Financial Delegations table Approval by Council when above the CEO Financial Delegation

- Emergency events and post-emergency procurement activities should meet all requirements of the Disaster Recovery Funding Arrangements. In addition, the Value for Money principles will still be applicable.
- Where Council expenditure is funded from State or Federal Government grant monies the requirement to comply with Division 2 Section 108 of the Act remains unless there are grant conditions which provide alternative arrangements.
- Should the nature of the requirement and the characteristics of the market be such that it is considered a public tender process is not possible, an exemption as outlined in Section 108 3 (d) of the Act may be sought from Council.
- If a state of emergency/disaster/pandemic Event is in place within Victoria, this exemption can be approved by the CEO.

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 28 of 31

13.4 Appendix 4 - Procurement Performance Indicators

Council will seek to improve its procurement performance by measuring, analysing, and reporting procurement activity against the below key performance indicators (or other indicators as endorsed by the Executive Leadership Team). Performance will be monitored annually and used to inform procurement planning, capability development, and continuous improvement initiatives.

Category	Key Performance Indicators Examples
Procurement Performance and Efficiency These indicators measure the overall effectiveness, efficiency, and compliance of the procurement function.	<ul style="list-style-type: none">Level of compliance with the PolicyPurchase Order Compliance - % of invoices without a purchase order
Local Economic Development These indicators track the extent to which Council is supporting local businesses and the regional economy.	<ul style="list-style-type: none">Number of local suppliers engaged through procurement processesProportion (%) of total procurement spend with local businesses

14. Review and Revision History

Version Number	Date Approved	Approved By	Review Summary
1	06/10/09	Council	
2	05/06/12	Council	
3	19/11/13	Council	
4	16/12/14	Council	
5	15/12/15	Council	
6	13/12/16	Council	
7	12/12/17	Council	Update to market engagement method table, procurement and variation thresholds. Inclusion of Multiuser List clause. Removal of Purchase card procurement method.
8	13/11/18	Council	Full rewrite of policy.
9	23/06/20	Council	Minor revisions to record keeping requirements, inclusion of insurance requirements, removal of Supplier Register, minor revision to Support for Local Content, inclusion of Support for Sustainability and Environment, minor revisions due to changes in organisational structure.
10	14/09/21	Council	Complete rewrite of the Procurement Policy to align with the <i>Local Government Act 2020</i> . Revisions to procurement thresholds and requirements including the introduction of a Strategic Procurement framework.
11	26/10/23	GM Business Excellence	Administrative updates to financial delegations
12	22/11/24	Manager Governance	Administrative updates to financial delegations
13		Council	

Procurement Policy

Date Approved:
Document Owner: Chief Finance Officer

Document Number:
Version Number: 13
Next Review Date:

This document is uncontrolled when printed

Page 30 of 31

14.1 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.

This includes updates to all Appendices attached to the Policy. As these Appendices are intended to provide operational guidance, procedural detail, or supporting information, they may be amended as needed to reflect current practices, legislative changes, or administrative improvements. These amendments do not require Council endorsement and will be approved by the Chief Executive Officer (CEO) as the delegated authority.

14.2 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.

Procurement Policy		Document Number:	
Date Approved:		Version Number:	13
Document Owner:	Chief Finance Officer	Next Review Date:	

*This document is uncontrolled when printed**Page 31 of 31*

5.3.2 Audit and Risk Committee Matters

Authorised by General Manager Business Excellence

Confidentiality Notice

The information contained in **Confidential Attachment 4** to this report is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (f) Personal Information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

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 would unreasonably disclose personal information of applicants for the East Gippsland Shire Council Audit and Risk Committee.

Purpose

This report seeks Council's noting of the Councillors and Audit and Risk Committee (the Committee) Annual Joint Meeting notes of 7 October 2025 and endorsement of:

- the proposed changes to the Committee Charter; and
- the preferred candidates for appointment to the positions of Independent Chair and Independent Member of the Committee.

Key Points

Audit and Risk Committee

The Committee is an independent advisory committee to Council established under section 53 of the *Local Government Act 2020* (Act). The Committee does not have any delegated powers, including executive powers, management functions or delegated responsibility. The Committee meets quarterly, and its role is to monitor, review and advise Council on the standard of its financial control, risk management and corporate governance.

Meeting Notes

This report presents the confirmed notes of the Councillors and Audit and Risk Committee Annual Joint Meeting held Tuesday 7 October 2025 for noting, as provided at **Attachment 1**.

Charter Review

Under section 54(1) of the Act, Council must adopt a Charter that specifies the functions and responsibilities of the Committee. Section 1.6(m) of the Charter requires that the Charter be formally reviewed within 12 months of a general election or as otherwise required.

Following several vacancies in the number of Independent Members of the Committee, it is timely for Council to review the Committee Charter to ensure it remains fit for purpose and aligned with best-practice governance.

In anticipation of the recruitment process to fill two vacancies, Council requested amendments to the Committee composition to include three independent members, one Councillor member, and the Mayor as ex-officio. These changes strengthen the Committee's independence and oversight capacity.

Feedback from the Committee's 2024/25 Annual Performance Review has also informed the proposed amendments. The review highlighted opportunities to enhance the Committee's effectiveness, independence, and alignment with good governance principles. Key themes included the need for clearer appointment processes, strengthened independence, improved recognition of member responsibilities, and the removal of outdated or unnecessary Charter references.

Other key amendments to the Charter include:

- establishing a Recruitment Panel comprising the Mayor, Chief Executive Officer, and a Councillor member of the Committee;
- clarifying that the Independent Chair is appointed by Council;
- converting annual joint meeting with Councillors to a special committee meeting only; and
- formalising the practice of providing the Committee's notes to Council for noting, enhancing transparency and community understanding of Council's governance processes.

The revised Charter is provided at **Attachment 2** (clean version), with a tracked-changes version included at **Attachment 3**.

Recruitment

With consideration to the revised Committee structure, Council has undertaken two public Expressions of Interest (EOIs) processes to fill the positions of Independent Chair and Independent Member.

EOIs for membership on the Committee closed on 3 November 2025, with 40 applications received by the deadline. A Recruitment Panel was convened to assess the EOIs, comprising:

- Fiona Weigall, Chief Executive Officer
- Cr John White (Mayor, ex-officio at the time of the Recruitment Panel)
- Cr Jodie Ashworth (Councillor at the time of the Recruitment Panel; currently Mayor)

Following a review of all EOIs, shortlisted candidates were interviewed, and the panel identified preferred appointees for the roles of Independent Chair and Independent Member. The panel's recommendations are provided at **Confidential Attachment 4**.

Having completed the EOI processes, including public advertising, assessment, and interviews, Council is now in a position to formally appoint the Independent Chair and Independent Member to the Committee.

Recommendation

That Council:

- 1. notes the confirmed Notes of the Councillors and Audit and Risk Committee Annual Joint Meeting held 7 October 2025 as provided at Attachment 1;***
- 2. endorses the revised Audit and Risk Committee Charter, provided at Attachment 2;***
- 3. determines the Sitting Fees payable to Independent Members of the Committee be set as follows:***
 - a. \$1,100 per Audit and Risk Committee Meeting for the Chair; and***
 - b. \$850 per Audit and Risk Committee Meeting for each Independent Member; and***
- 4. approves an annual adjustment in Sitting Fees commencing in 2027, calculated in accordance with the Consumer Price Index for the preceding twelve-month period;***
- 5. appoints the preferred candidates as the Independent Chair and Independent Member of the East Gippsland Shire Council Audit and Risk as detailed in Confidential Attachment 4;***
- 6. authorises the Chief Executive Officer, or delegate, to advise all candidates of the outcome of their Expressions of Interest;***
- 7. resolves that the outcome of the appointments be made public following notification of candidates in accordance with Recommendation 4; and***
- 8. resolves that Confidential Attachment 4, and all discussions relating to the appointment of the Audit and Risk Committee members, remain confidential.***

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

Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Consultation/Community Engagement/Impacts

The Committee operates as an advisory committee of Council and meetings are not open to the public. However, its function plays a vital role in supporting Council's transparency, accountability, and governance practices, which are of direct interest to the community. The recent review and proposed amendments to the Committee Charter, including changes to membership composition, recruitment processes, and sitting fees, reflect Council's commitment to best practice governance and continuous improvement.

Opportunities and Risks

The review of the Committee Charter and appointment of new Independent members presents an opportunity to strengthen Council's governance, risk management, and financial oversight, while enhancing transparency and accountability through the formal release of Committee minutes. Clarifying roles, establishing a Recruitment Panel, and increasing sitting fees are likely to attract highly skilled candidates and align Council's practices with best practice governance standards.

However, there are risks, including potential delays in filling vacant positions if suitable candidates are limited, temporary disruption to continuity and organisational knowledge during the transition, and possible public scrutiny regarding remuneration or perceived conflicts of interest. These risks can be mitigated through careful planning, clear communication, and structured expression of interest processes, ensuring that the benefits of improved governance and oversight outweigh the challenges.

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. Annual Joint Meeting Notes (Audit and Risk Committee and Councillors) [5.3.2.1 - 7 pages]
2. Audit and Risk Committee Charter DRAFT - Clean Version [5.3.2.2 - 18 pages]
3. Audit and Risk Committee Charter DRAFT - Tracked Changes Version [5.3.2.3 - 21 pages]
4. CONFIDENTIAL - Recruitment Panel Recommendations [5.3.2.4 - 9 pages]



Confirmed Notes

Councillors and Audit and Risk Committee Annual Joint Meeting

Tuesday 7 October 2025 at 10:30 AM

Microsoft Teams Meeting

Index

1 Procedural.....3

1.1 Recognition of Traditional Custodians 3

1.2 In Attendance..... 3

1.3 Apologies 3

1.4 Confirmation of Notes 4

1.5 Declaration of Conflict of Interest 4

2 Reports 5

2.1 Annual Financial Statement 2024/25 and Performance Statement 2024/25 5

2.2 Opportunity for discussion between Councillors, Audit and Risk Committee members
and External Auditor..... 7

3 Close of Meeting 7

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 In Attendance

Committee Members

Celeste Gregory, Chair
 Susan Lloyd
 Jason Hellyer
 Councillor John White, Mayor
 Councillor Jodie Ashworth
 Councillor Joanne Eastman

In Attendance – Councillors who do not sit on the Audit and Risk Committee

Councillor Arthur Allen
 Councillor Sonia Buckley, Deputy Mayor
 Councillor Tom Crook
 Councillor Barry Davis
 Councillor Bernie Farquhar
 Councillor Ian Trevaskis

Officers in Attendance

Fiona Weigall, Chief Executive Officer
 Sarah Johnston, General Manager Business Excellence
 Stuart McConnell, General Manager Assets and Environment
 Ernest Mhande, Chief Finance Officer
 Janelle Skipworth, Manager Governance and Regulatory Services
 Vanessa Hack, Acting Governance and Risk Coordinator

External Auditor

Nick Bell, RSD Audit
 Tyson Holt, RSD Audit

1.3 Apologies

Claudia Goldsmith

1.4 Confirmation of Notes

That the notes of the Joint Meeting of East Gippsland Shire Councillors and Audit and Risk Committee Members held on 24 September 2024 be confirmed.

ACCEPTED

1.5 Declaration of Conflict of Interest

Nil

2 Reports

2.1 Annual Financial Statement 2024/25 and Performance Statement 2024/25

Presented by Ernest Mhande Chief Finance Officer
Sarah Johnston General Manager Business Excellence

In Attendance Nick Bell, RSD Audit (Council's external Auditor)
Tyson Holt, RSD Audit (Council's external Auditor)

Purpose

The purpose of this brief is to:

- present the Draft Annual Financial Statements and Performance Statement for 2024/25;
- to convey the Audit and Risk Committee's (Committee) recommendation that Council grants 'in principle' approval to both documents;
- note the Auditor's draft Closing Report for 2024/25; and
- note the Auditor's Final Management Letter.

Points of Discussion

- The closing report summarised key audit risks and confirmed no material changes or issues were found in the main areas of focus. All numbers in the financial statements were supported, and there were no errors or changes required.
- The only outstanding audit matter (VAGO's review) has since been resolved, and the accounts are cleared for signing.
- One new audit issue was identified for 2025, relating to capital grant recognition. This was resolved by adjusting revenue recognition timing, with no material impact on the accounts. Management agreed to implement the recommended process for future grant revenue recognition.
- One unresolved sector-wide issue remains regarding collaboration on developer contributions, but it is not significant for this Council. All other previous recommendations have been cleared.
- The \$3.55 million shortfall compared to budget was mainly due to higher staff costs and other expense variances, with some costs offset by reductions elsewhere.
- The impact of a \$31.1 million reduction in cash reserves was raised and noted that the cash reserves are allocated for restricted purposes and capital works, and liquidity remains sound to deliver planned programs. The financial statements and accompanying notes detail capital program delivery, project carry-forwards, and asset class allocations, with further detail available in the covering Council report.
- A concern was raised about a note indicating Councillors' awareness of increased staffing costs. It was noted that the notes are management's responsibility, are not material to the audit, and can be revised if needed. Nick Bell confirmed that the management comment can be changed without affecting the audit or signing timeline.
- General Manager Business Excellence advised that it is proposed to adjust Note 2.1 Performance against budget variation 9. Employee costs.

Current comment:

9. *Employee costs*

Employee Costs were \$4.493 million over budget for the 2024/25 financial year, a variance that was consistently reported in the quarterly budget updates to Council from the first quarter. Several key factors contributed to this overspend:

- Carry-forward of Bushfire Support Roles: An additional \$1.023 million in employee costs was incurred due to the extension of bushfire recovery programs. These roles, which were fully grant-funded, continued into 2024/25 to ensure program completion*
- Casual Wages: Casual staff costs exceeded the budget by \$1.949 million. This was largely driven by the need to maintain service delivery across various areas where permanent staff were on leave, particularly sick leave.*

The majority of this overspend relates to backfilling staff absences to ensure continuity of service.

Sick Leave costs totalled \$1.261 million. As these costs are typically not included in the operating budget, they significantly impacted the overall employee cost variance. The high level of sick leave also contributed to the increased use of casual staff. Other employee related costs account for the remaining \$260,000.

Amendment:

9. *Employee costs*

Employee Costs were \$4.493 million over budget for the 2024/25 financial year. Several key factors contributed to this overspend:

- Carry-forward of Bushfire Support Roles: An additional \$1.023 million in employee costs was incurred due to the extension of bushfire recovery programs. These roles, which were fully grant-funded, continued into 2024/25 to ensure program completion*
- Casual Wages: Casual staff costs exceeded the budget by \$1.949 million. This was largely driven by the need to maintain service delivery across various areas where permanent staff were on leave, particularly sick leave.*

The majority of this overspend relates to backfilling staff absences to ensure continuity of service.

Sick Leave costs totalled \$1.261 million. As these costs are typically not included in the operating budget, they significantly impacted the overall employee cost variance. The high level of sick leave also contributed to the increased use of casual staff. Other employee related costs account for the remaining \$260,000.

Recommendation

The Audit and Risk Committee recommends that Council:

- 1. provides 'in principle' approval of the Annual Financial Statements 2024/25 as provided at Attachment 1 of 2.1.1 Attachment with adjustment to note relating to Employee Costs, subject to the Auditor General's review;**
- 2. provides 'in principle' approval of the Performance Statement 2024/25 as provided at Attachment 2 of 2.1.1 Attachment, subject to the Auditor General's review; and**
- 3. appoints two Councillors to certify the Annual Financial Statements 2024/25 and the Performance Statement 2024/25 in their final form.**

ACCEPTED

Procedural Note:

Management left the meeting at 10.56 am.

2.2 Opportunity for discussion between Councillors, Audit and Risk Committee members and External Auditor

In Attendance:

Councillors
 Audit and Risk Committee members
 Nick Bell, RSD Audit (Council's external Auditor)
 Tyson Holt, RSD Audit (Council's external Auditor)

Procedural Note:

Management joined the meeting at 11.12 am.

Acknowledgement of Jason Hellyer

Celeste Gregory advised that this was Jason's last meeting as an independent member of the Committee. Celeste Gregory, Committee Chair and Fiona Weigall, Chief Executive Officer formally acknowledged Jason's service and contributions as an independent member and former Chair of the Audit and Risk Committee, expressing appreciation for his input and wishing him success in the future.

3 Close of Meeting

There being no further business, the meeting closed at 11.15 am.



Audit and Risk Committee Charter

TABLE OF CONTENTS

1. Purpose	3
2. Scope	3
3. Context	3
4. Statement	4
4.1 Authority	4
4.2 Objectives	4
4.3 Membership	5
4.4 Chair	7
4.5 Principles	7
4.6 Charter and Duties	9
4.7 Meetings.....	11
4.8 Internal Control and Internal Audit.....	12
4.9 General and Legal Advice	12
5. Roles and Responsibilities	12
6. References and Supporting Documents	15
6.1 Applicable Legislation	15
6.2 Supporting Documents.....	15
7. Privacy and Human Rights Consideration	15
8. Definitions	16
9. Review and Revision History	17

1. Purpose

The Audit and Risk Committee Charter (the Charter) outlines the functions and responsibilities of the Audit and Risk Committee (the Committee) in assisting the East Gippsland Shire Council (Council) fulfil its oversight and corporate governance responsibilities. The Charter provides for the structure and operation of the Committee.

The Committee is an independent advisory committee to Council established under section 53 of the *Local Government Act 2020* (the Act). The Committee does not have any delegated powers, including executive powers, management functions or delegated responsibility.

The Committee's role is to monitor, review and advise Council on the standard of its financial control, risk management and corporate governance.

2. Scope

This Charter applies to all Committee members, Councillors who are members of the Committee, the Internal and External auditors and relevant Council Officers as defined in the Roles and Responsibilities section.

3. Context

The Committee has been established pursuant to section 53 of the Act. Council is required, under section 54 of the Act, to adopt a Charter that specifies the functions and responsibilities of the Committee as including:

- a) monitoring compliance of Council policies and procedures with the overarching governance principles¹, the Act and regulations and any Ministerial directions;
- b) monitoring Council financial and performance reporting;
- c) monitoring and providing advice on risk management and fraud prevention systems and controls; and
- d) overseeing internal and external audit functions.

The Charter has been developed having regard to Victorian Auditor General's report 'Audit Committee Governance' of August 2016 (including Standing Directions of the Minister for Finance 2016).

¹ Section 9 of the *Local Government Act 2020* included in the definitions.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

3

4. Statement

4.1 Authority

The Committee is an advisory committee and does not have any delegated powers, executive powers, management functions, or delegated financial responsibility.

The Act states that the Committee is not a delegated committee as per the provisions under section 53(2) of the Act.

Council authorises the Committee, within its functions and responsibilities to:

- endorse key documents and reports that must be approved by Council, including annual financial reports, annual performance statements;
- monitor policies and procedures compliance with the overarching governance principles in the Act and regulations and any ministerial directions;
- oversee internal and external audit plans, including internal audit plans with an outlook of greater than one year;
- provide advice and make recommendations to Council on matters within its areas of responsibility;
- retain counsel of relevant independent experts where it considers that it is necessary in order to execute its responsibilities, subject to prior agreement with the Chief Executive Officer;
- seek any relevant information it requires from Council, Council Officers and external parties; and
- meet with Council Officers, internal and external auditors and other parties as required to discharge its responsibilities.

4.2 Objectives

The Committee's primary role is to provide oversight, advice and guidance on Council's frameworks, systems and controls relating to:

- legislative and good governance compliance;
- financial and performance reporting;
- risk management with a focus on strategic risks; and
- internal and external audit.

The purpose of the Charter is to guide the operation of the Committee.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

4

4.3 Membership

- a) The Committee will comprise of five members: three independent members - one of whom will be appointed by Council as Chair²; the Mayor of the day; and one other Councillor appointed annually by Council. The majority of Committee members must be independent members (as per section 53(3)(b) of the Act). The Committee must not include any person who is a member of Council staff.³
- b) Independent members will be sought by way of public advertisement seeking expressions of interest.

Appointment of independent members will be by Council resolution following receipt of a recommendation from a panel comprising the Chief Executive Officer (or delegate), the Mayor (or Deputy Mayor, if the Mayor is unavailable), and the Councillor Committee Member. If the Councillor Committee Member is unavailable, a substitute Councillor may be nominated by the Mayor, in consultation with the Chief Executive Officer.

The Panel will evaluate candidates based on their expertise and experience and demonstrated ability to apply appropriate analytical and strategic management skills, as well as the alignment of their skills with the overall skillset of the Committee.

Having regard to Council's Workforce Plan, the Diversity and Inclusion Statement is relevant for all Committees of Council:

East Gippsland Shire Council is committed to promoting and supporting diversity in the workplace and recognises that our success depends upon our people with their diverse views, abilities, skills, languages, cultures, and backgrounds, as well as differences in race, religion and/or belief, gender and sexual orientation. We respect, value, and encourage diversity in the workplace. We are an inclusive organisation that values fairness, respect, equity, and diversity consistent with our policies and the Gender Equality Act 2020.

As part of an induction process, newly appointed members will meet with the Mayor and Chief Executive Officer to discuss the functions of the Committee including coverage of the Charter, the Committee's Annual Work Plan and Annual Performance Review.

- c) Terms for independent members will be up to a maximum of three years. However, members may re-apply at the end of their term and may be re-appointed for further terms. The position must be advertised after an independent member has completed six years on the Committee. The independent member may apply as part of the competitive process.
- d) Terms of appointment will be arranged to ensure an orderly rotation and continuity of membership, and will remain in effect regardless of changes to Council's elected representatives.
- e) The Act, under section 53(3)(b) specifies that independent Committee members must collectively possess expertise in financial management and risk, and experience in public sector management.

Further, the Committee should collectively possess sufficient knowledge and strategic skills in audit, governance, control and compliance.

² The chairperson of an Audit and Risk Committee must not be a Councillor of the Council (s53(4) of the *Local Government Act 2020*)

³ Section 53(3)(c) of the *Local Government Act 2020*

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

5

It is preferable that at least one of the independent members is a member of CPA Australia (CPA status), the Institute of Chartered Accountants Australia (CA status) and/or the Institute of Internal Auditors.

As the focus and responsibilities of the Committee respond to emerging needs and regulatory, economic, and reporting developments, members' competencies and the overall balance of skills on the Committee will be re-evaluated in the appointment of new and returning members.

- f) Members of the Committee will be covered by Council's professional indemnity insurance for the service they undertake on the Committee.
- g) The independent members of the Committee will be remunerated for the performance of their duties at Committee meetings in accordance with the rate determined by Council from time to time, indexed annually. The independent members will be remunerated for attendance at additional meetings such as workshops at 50% of the rate.
- h) An independent member may resign or retire before the expiry of their term by notifying Council of their intention in writing.

In the event of an independent member resigning or retiring before the expiry of their term, the vacancy will be filled at the discretion of Council provided the composition requirements of the Committee can be met.

If the resignation and/or retirement of two or more of the independent members coincide, Council may extend one sitting independent member's term by one year to provide a level of continuity on the Committee.

- i) The Committee may make a recommendation to Council to terminate an independent member's appointment. The recommendation must be accompanied by specific rationale that may include that the independent member:
 - failed to comply with the provisions of the Act;
 - has not upheld the intent of this Charter and its Principles;
 - failed to comply with Council's Values and expectations of conduct;
 - has been absent from three consecutive meetings without notification of leave of absence.

If Council decides to progress with the termination of an independent Committee member prior to the expiry of their term, the following steps must occur:

- **consultation with the Chair of the Committee (where appropriate);**
- **the independent Committee member will be provided with written notice; and**
- **the independent Committee member will be given the opportunity to be heard at a meeting of Councillors.**

Council will then make a final determination based on the outcomes of the aforementioned steps. A Council resolution will be required if the termination of an independent Committee member is to proceed.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

6

4.4 Chair

- a) The Chair of the Committee must be an independent member (section 53(4) of the Act) and will be directly appointed by Council.
- b) In the absence of the Chair, the Committee will elect another independent member in attendance as Acting Chair.

4.5 Principles

4.5.1 Values

The Committee will conduct itself in accordance with Council's organisational values:

Respect – We treat all with courtesy and dignity.

Collaboration – We build and maintain productive relationships.

Integrity – we focus on taking the correct course of action.

Accountability – We are responsible for our actions and outcomes.

4.5.2 All Committee Members will:

- strive to attend all meetings, sending apologies to the Chair for necessary absences;
- prepare for the meeting by reading the agenda papers and any emails before the meeting;
- talk to the Chair before the meeting if you need to clarify anything;
- arrive on time. Stay to the end;
- participate fully in the meeting;
- listen to what others have to say and keep an open mind;
- contribute positively to the discussions;
- try to be concise and avoid long drawn-out explanations;
- help others concentrate on the meeting. Discourage side conversations;
- have the best interests of the organisation/beneficiaries in mind at all times;
- draw attention to any potential conflicts of interest that may arise in the meeting;
- fulfil any responsibilities assigned to you at the meeting and be prepared to report back on your progress at the next meeting;
- direct all questions through the Chair;
- direct any requests for Council Officers to provide information or perform an action through the Chair to the Chief Executive Officer;
- treat all Committee Members and Council Officers with respect and courtesy at all times;
- not interrupt or speak over another person speaking;
- not criticise, chastise or insult an officer or the Council during the meeting; and
- provide constructive feedback which will not offend, imply incompetence of an officer or humiliate an officer attending the meeting.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

7

4.5.3 Conflict of Interest

In accordance with section 130 of the Act (Disclosure of Conflict of Interest) and Council's Governance Rules, Committee members must make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen.

It is the responsibility of a Committee member to make their own determination about whether to declare a conflict of interest, consistent with the Definitions outlined in section 126, General Conflict of Interest in section 127, Material Conflict of Interest in section 128 and the exemptions in section 129 of the Act.

Further, having declared such a conflict on a matter, the Committee member must exclude themselves from all discussions in relation to the matter.⁴

4.5.4 Misuse of Position

The provisions of section 123 of the Act in relation to the misuse of position apply to Committee members. Members must not intentionally misuse their position to gain or attempt to gain directly or indirectly, an advantage for themselves or for any other person, or cause, or attempt to cause, detriment to Council or another person.

The misuse of position provisions include:

- making improper use of information;
- disclosing information that is confidential information;
- exercising or performing (purporting to) a power, duty or function that the Committee member is not authorised to exercise or perform; and
- participating in a decision on a matter in which the Committee member has a conflict of interest.

4.5.5 Confidentiality

Confidential information is defined in section 3 of the Act.

Committee members must comply with the requirements of sections 53(5) and 125 of the Act in relation to confidential information.

Committee members must not intentionally or recklessly disclose information that they know, or should reasonably know, is confidential information and commit to ensuring the safekeeping and disposal of confidential information.

Independent members will be required to sign a Confidentially Agreement upon commencement of their initial term.

Failure to comply with the provisions of the Act and this Charter with regard to confidentiality, may result in prosecution and the Committee member's appointment being terminated by Council.

⁴ As per Section 130 (2) (b) of the Act

4.6 Charter and Duties

The Committee is required to adopt an annual work program⁵. The work program will include activities that will assist the Committee to meet its objectives and responsibilities as defined in this Charter.

The Committee will oversee the implementation and ongoing review of early warning systems for financial risk management, ensuring timely identification and escalation of emerging risks.

Recommendations addressing risk and control deficiencies should be evidence-based, actionable, and include clear rationale and expected outcomes. The Committee will periodically review the quality and impact of its recommendations.

The following activities are to be included in the work program:

- a) Review Council's draft financial report and performance statement on an annual basis and:
 - in consultation with the external auditor, consider whether they are complete and consistent with information known to Committee members, and reflect appropriate accounting principles; and
 - if appropriate, recommend approval *in principle* to Council.
- b) Review the external auditor's Final Management Letter (annual audit report) with the external auditor and management and if appropriate, frame recommendations for Council's consideration.
- c) Review annually, the framework in place to ensure Council's risk exposure is managed appropriately. As a minimum, this will include:
 - a review of Council's risk management policies and procedures;
 - review of Council's risk registers in accordance with the reporting regimen documented in Council's Risk Management Policy, and consideration of the adequacy of actions taken to mitigate Council's risk; and
 - monitor and provide advice on risk management prevention systems and controls.
- d) Review Council's Fraud and Corruption Control System and fraud awareness programs annually, this will include:
 - receiving reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event;
 - reviewing reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies; and
 - monitor and provide advice on fraud prevention systems and controls.
- e) Review Council's reporting against the Local Government Performance Reporting Framework. The Committee is responsible for:
 - receiving and considering performance reports;
 - annually reviewing draft service performance indicators and other performance information disclosures and consider the results in the context of the reports received throughout the year, challenging any unusual or unexpected results;
 - reviewing the internal control framework and level of assurance received around the accuracy and completeness of the information reported; and

⁵ Section 54(3) of the *Local Government Act 2020*

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

9

- providing a recommendation to Council.⁶
- f) In respect of Council policies and procedures:
 - review annually, the systems and processes in place to ensure Council policies and procedures comply with the overarching governance principles, the Act and regulations, and Ministerial directions (e.g. in respect of risk, finance, business continuity, delegation, equal employment opportunity, workplace health and safety, privacy, etc.); and
 - receive reports from the Chief Executive Officer and other Council Officers relevant to Council's compliance with relevant legislation, policies and procedures and if appropriate, make recommendations for Council's consideration.
- g) Through a process of mapping against Council's risk registers, endorse a draft three year Internal Audit Plan, and:
 - annually review the delivery of the Internal Audit Plan and if required, make a recommendation to management on any amendments;
 - review and endorse the proposed scope of each Internal Audit to ensure it is appropriately focused, aligned with strategic and operational risks, and capable of delivering meaningful insights. Provide recommendations to strengthen the scope where necessary;
 - review internal audit reports and monitor progress on actions required to achieve rectification of any identified issues; and
 - review internal audit recommendations outstanding for more than two to ensure ongoing relevance and alignment with current organisational priorities.
- h) Review written reports on significant insurance and legal claims that may impact on Council's financial performance or otherwise expose Council to a high or extreme degree of risk, and mitigation action being taken in response.
- i) Where such matters fall within the Committee's Charter:
 - receive reports on specific projects and investigations deemed necessary by the Chief Executive Officer and/or Council, including suspected or actual cases of fraud or any corrupt activity by Council Officers or others having business with Council, and if deemed appropriate make recommendations for Council's consideration; and
 - address issues referred for the attention of the Committee, including requests from Council for advice.
- j) Conduct an annual performance evaluation of the Committee, with all members required to participate. This evaluation includes a review of the adequacy of the Charter and, where appropriate, recommendations for amendment to be provided to the Chief Executive Officer for tabling at the next Council meeting.⁷
- k) Review management's responses to any findings identified in the investigation reports of regulatory agencies (e.g. Independent Broad-Based Anti-Corruption Commission (IBAC), Local Government Inspectorate, Victorian Auditor-General's Office, Victorian Ombudsman's Office) and monitor any management actions arising from those reports.

⁶ Included as per Audit Committee Minutes Dec 17: The Roles and Responsibilities of the East Gippsland Shire Council Audit Committee referenced at p4-5 of the draft Local Government Performance Reporting Framework Policy and derived from p 11 of the extract (provided as Attachment 3) of the Local Government Better Practice Guide 2016-17 Performance Statement be incorporated in the next iteration of the Audit Committee Terms of Reference.

⁷ Section 54(4)(b) of the *Local Government Act 2020*

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

10

- l) Review quarterly, a management report detailing the expenses and reimbursement of out-of-pocket expenses of Councillors and members of delegated committees⁸ (where established) and if appropriate, make recommendations for Council's consideration.
- m) Prepare a report to Council on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, such a report indicating how the Committee has discharged its responsibilities as set out in the Charter for the previous year.

4.7 Meetings

- a) The Committee will hold an ordinary meeting once each quarter.
- b) A special meeting will be held in September or October each year to discuss Council's audited draft financial report and performance statement; the Committee's performance evaluation for the previous financial year and any other matters identified by the Mayor and/or Committee Chair following consultation with the Chief Executive Officer.
- c) Additional meetings may be convened at the discretion of the Chief Executive Officer or at the written request of any member of the Committee, the external auditor, or the internal auditor.
- d) A quorum will exist if three or more Committee members are present and the number of independent members present is equal to or greater than the number of Councillor members present.
- e) The Committee will make every effort to arrive at its decisions by consensus. If consensus is not possible, matters will be resolved by a majority of votes cast by members in attendance. The Chair will have the casting vote if the votes are equal.
- f) Councillors who are not members of the Committee may attend meetings of the Committee as observers..
- g) The external auditor, internal auditor, General Manager Business Excellence and Chief Executive Officer will endeavour to attend all meetings of the Committee. Other members of Council staff may be invited to attend at the discretion of the Committee to provide advice and information when required.
- h) As the Committee is an advisory committee of Council, meetings are not open to the public.
- i) Prior to each meeting, Committee members may participate in an in-camera pre-meeting to advise the Chair of key focus areas within the agenda, assisting with the flow and effectiveness of the meeting. In-camera meetings may also be convened at the request of any Committee member, the auditors, or the CEO to discuss specific matters.
- j) If any matters are discussed in a Members-Only session, the Chair will report those matters at the subsequent full Committee meeting, ensuring they are appropriately recorded in the minutes to maintain transparency and accountability.

⁸ Section 40(2) of the *Local Government Act 2020*

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

11

4.8 Internal Control and Internal Audit

Where appropriate, the Committee and Council will actively support the work of the contract internal auditor. Line managers are responsible for managing the internal control processes in their respective departments, as recommended by the internal auditor, and will report to the Chief Executive Officer about compliance with internal control measures.

4.9 General and Legal Advice

Through the Chief Executive Officer, the Committee may obtain information and advice on any Council matter that falls within the Committee's Charter.

5. Roles and Responsibilities

Roles and responsibilities with respect to the Committee's function, as well as the implementation, communication and compliance monitoring of this Charter, are as follows:

Party / Parties	Roles and Responsibilities
Chief Executive Officer	<p>Overall responsibility for Charter implementation and compliance by all Audit and Risk Committee members. While not a member of the Committee, attend all meetings of the Committee and provide guidance and advice.</p> <p>Will also:</p> <ul style="list-style-type: none"> • ensure that an appropriate agenda is formulated for Committee meetings and circulated to Committee members in a timely fashion; • facilitate meetings by arranging for members of management, auditors or others to attend to provide pertinent information, as necessary; • provide secretariat services in respect of matters before the Committee; • after meetings of the Committee, ensure that a report describing the activities of the Committee and explaining any recommendations or key findings is tabled at the next Council meeting; • table other reports of the Committee at Council meetings when required by the Act and when requested by the Committee; • ensure that accurate minutes of scheduled Committee meetings are taken, circulated to Committee members, Councillors and others as determined by the Committee in a timely fashion and once confirmed, stored securely in Council's electronic document record management system; • coordinate the selection process for independent Committee members and together with the Mayor and Councillor member of the Committee, comprise the interview panel for these positions; and • together with the Committee Chair, address any matters of concern arising in respect of a Committee member's performance or conduct.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

12

Party / Parties	Roles and Responsibilities
Chair	<p>Conduct meetings efficiently to ensure all matters listed for consideration are afforded appropriate time and attention.</p> <p>Exercise a casting vote where:</p> <ul style="list-style-type: none"> (a) consensus cannot be reached; (b) a formal vote is required to resolve the matter; and (c) voting numbers are equal. <ul style="list-style-type: none"> • Approve the unconfirmed minutes of each meeting for circulation to Committee members, Councillors and others as determined by the Committee. • Together with the Mayor and the Chief Executive Officer, participate in the selection process for independent Committee members. • Together with the Chief Executive Officer, address any matters of concern arising in respect of a Committee member's performance or conduct.
Committee Members	<ul style="list-style-type: none"> • Actively participate in and contribute to the work of the Committee as outlined in clause 4.6 Charter and Duties. • Participating in the annual performance survey and contribute actively to the evaluation of the performance of the Committee against the Committee Charter. • When completing self-assessment surveys and performance evaluations, members are encouraged to provide qualitative feedback to support continuous improvement and deeper understanding of Committee performance. • Make every effort to attend meetings of the Committee. • In accordance with section 130 of the Act (Disclosure of Conflict of Interest), make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen. Further, having declared such a conflict, Members must exit the online meeting and remain absent from the virtual platform, including any live stream or chat accessible to other participants, until the matter has been concluded. • As prescribed by section 123 of the Act, members must not misuse their position on the Committee to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or cause, or attempt to cause, detriment to Council or any person. • In accordance with section 125 of the Act (Confidential Information) members must not intentionally or recklessly disclose information that the person knows or should reasonably know to be confidential.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

13

Party / Parties	Roles and Responsibilities
Internal Auditor	<p>Under contract to Council, the internal auditor reports to the Committee on a quarterly basis on the outcomes of a range of audits of Council's operations including:</p> <ul style="list-style-type: none"> • internal control systems, policies and procedures and their effectiveness; • compliance with Council policies and procedures and any relevant government legislation; • financial systems and processes; • areas of risk exposure and the way in which these are managed; and • special investigations or assignments as requested by the Committee. • The focus of audits undertaken will be documented in a three year internal Audit Plan. The plan will be formulated through a consultative process involving (as a minimum) the internal auditor, the Committee and management. • At least annually, an opportunity will be provided for the internal auditor to meet with the Committee without management being present, to discuss any issues arising from internal audits carried out during the year. • The role of the internal auditor is independent of and separate to that of the external auditor.
External Auditor	<ul style="list-style-type: none"> • As an agent of the Victorian Government Auditor-General, the external auditor forms an opinion on Council's financial report and performance statement and provides a copy of their Final Management Letter (audit report) to Council and the responsible Minister. • The external auditor reports to the Committee annually on the completed draft financial report and performance statements for that year. At this meeting the findings of the external audit are discussed with the external auditor, focusing on issues such as: <ul style="list-style-type: none"> ○ any major issues that arose during the audit; ○ any accounting and audit judgements; and ○ levels of errors identified during the audit. • At least annually, an opportunity will be provided for the external auditor to meet with the Committee without management being present, to discuss their remit and any other relevant issues. • The Committee may request a meeting with the external auditor at any other time during the year, as/if required. • From time to time the external auditor may request and will be provided with copies of final reports prepared by the internal auditor.
Mayor	<p>Together with the Committee Chair and the Chief Executive Officer, participate in the selection process for independent Committee members.</p>

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

14

Party / Parties	Roles and Responsibilities
Officers in Attendance	<ul style="list-style-type: none"> General Manager and/or Manager responsible for corporate governance and risk and Manager responsible for finance will attend all meetings of the Committee where practicable and appropriate. Other members of Council's staff will attend Committee meetings from time to time to present a range of recurring and one-off reports and when requested to do so by the Committee Chair, provide advice and information.

6. References and Supporting Documents

6.1 Applicable Legislation

Local Government Act 2020

Local Government (Planning and Reporting) Regulations 2020

6.2 Supporting Documents

Conflict of Interest - A Guide for Members of Council Committees, October 2020

Audit Committee Governance, August 2016 (Victorian Auditor-General's Office Report)

7. Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council relating to the work of the Audit and Risk Committee will be handled in accordance with all applicable privacy legislation and will be used only for investigating audit matters.

The Audit and Risk Committee Charter has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

15

8. Definitions

Term	Meaning
Chief Executive Officer	Person appointed by Council to the position of Chief Executive Officer.
Committee Member	Member of East Gippsland Shire Council Audit and Risk Committee.
Conflict of Interest	As defined in Part 6 Division 2 of the <i>Local Government Act 2020</i> (sections 126-131).
Councillor	Person who has been elected to the office of Councillor of East Gippsland Shire Council.
Council officer	A current member of East Gippsland Shire Council staff with the authority to engage in activities on behalf of Council.
External Auditor	Audit professional appointed by the Victorian Auditor-General who performs an audit in accordance with specific laws or rules on the financial statements of a company, government entity, other legal entity or organisation, and who is independent of the entity being audited.
Internal Auditor	A company (or its representative) charged with providing independent and objective evaluations of Council's financial and operational business activities, including its corporate governance.
Mayor	Councillor elected by Councillors to the role of Mayor.
Officers in Attendance	Council Officers attending Audit and Risk Committee meetings to provide information or respond to queries. Officers do not hold membership of the Committee.
Overarching governance principles	<p>Overarching governance principles outlined in section 9(2) of the <i>Local Government Act 2020</i> are:</p> <ul style="list-style-type: none"> a) Council decisions are to be made and actions taken in accordance with the relevant law; b) priority is to be given to achieving the best outcomes for the municipal community, including future generations; c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risk, is to be promoted; d) the municipal community is to be engaged in strategic planning and strategic decision making; e) innovation and continuous improvement is to be pursued; f) collaboration with other Councils and Governments and statutory bodies is to be sought; g) the ongoing financial viability of the Council is to be ensured; h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making; i) the transparency of Council decisions, actions and information is to be ensured. <p>Section 9(3) requires in giving effect to the overarching governance principles Councils must take into account the following supporting principles:</p> <ul style="list-style-type: none"> a) the community engagement principles; b) the public transparency principles;

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

16

Term	Meaning
	c) the strategic planning principles; d) the financial management principles; the service performance principles.
Responsible Officer	An officer of East Gippsland Shire Council who has responsibility for the general area/subject matter to which a record pertains.
Risk Management	The culture, process and structures that are directed towards realising potential opportunities while managing adverse effects. (AS/NZS ISO 31000:2018).
Shire	The geographic area of East Gippsland Shire Council.
Sitting Fees	Sitting Fees are payments authorised under section 53(6) of the <i>Local Government Act 2020</i> for Independent Members of the Audit and Risk Committee who are not Councillors, acknowledging their attendance, participation and professional contribution to the Committee. Council last considered and set the applicable sitting fee amounts at its Meeting held on 16 December 2025.
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees, labour hire agency staff.

9. Review and Revision History

Version Control	Approved Amended Rescinded	Date Effective	Approved By	Summary of Changes
1	Approved	12/11/2003	Council	New Charter
2	Approved	02/11/2007	Management	Periodic Review
3	Approved	03/2011	Council	Periodic Review
4	Approved	07/2011	Council	Periodic Review
5	Approved	07/2013	Council	Periodic Review
6	Approved	05/05/2015	Council	Periodic Review
7	Approved	10/05/2016	Council	Periodic Review
8	Approved	05/06/2018	Council	Periodic Review
9	Approved	18/02/2020	Council	Converted to new template. Inclusion of provisions for election of Chair, maximum terms for Chair and independent members; recognition of specific obligations proposed by Local Government Bill 2018 Exposure Draft; administrative updates for clarity and readability.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

17

Version Control	Approved Amended Rescinded	Date Effective	Approved By	Summary of Changes
10	Approved	25/08/2020	Council	Updated to reflect the requirements of the <i>Local Government Act 2020</i> . Under the Act the Charter has to be adopted by Council prior to 1 September 2020. Included a change to two consecutive terms as a member.
11	Approved	16/08/2022	Council	Updated to reflect feedback received by the Audit and Risk Committee members as part of the review of the Charter.
12	Approved	16/04/2025	Council	2025 Committee Review undertaken. Recommendation to remove section 1.4(b).
13				Updated to reflect feedback received by the Audit and Risk Committee members as part of the review of the Charter. Included a change to the committee and recruitment panel composition and sitting fees.

Audit and Risk Committee Charter

Date Approved:

Document Owner: Manager Governance and Regulatory Services

Version number: 13

Next review date:

This document is uncontrolled when printed

18



Audit and Risk Committee Charter

TABLE OF CONTENTS

1.	Purpose	4
2.	Scope.....	4
3.	Policy Context	4
4.	Statement	4
	4.1 Authority	4
	4.2 Objectives	6
	4.3 Membership	6
	4.4 Chair	9
	4.5 Principles	10
	4.5.1 Values	10
	4.5.4 Misuse of Position	11
	4.5.5 Confidentiality	11
	4.6 Charter and Duties	12
	4.7 Meetings	15
	4.8 Internal Control and Internal Audit	16
	4.9 General and Legal Advice	16
5.	Roles and Responsibilities.....	17
6.	References and Supporting Documents.....	20
	Applicable Legislation:	20
	Supporting Documents:	20
7.	Privacy and Human Rights Consideration.....	20
8.	Definitions	20
9.	Revision History and Review	22

1. Purpose

The Audit and Risk Committee Charter (the Charter) outlines the functions and responsibilities of the Audit and Risk Committee (the Committee) in assisting the East Gippsland Shire Council (~~the~~ Council) fulfil its oversight and corporate governance responsibilities. The Charter provides for the structure and operation of the Committee.

The Committee is an independent advisory committee to Council established under section 53 of the *Local Government Act 2020* (the Act). The Committee does not have any delegated powers, including executive powers, management functions or delegated responsibility.

The Committee's role is to monitor, review and advise Council on the standard of its financial control, risk management and corporate governance.

2. Scope

This ~~policy~~Charter applies to all ~~Audit and Risk~~ Committee members, Councillors who are members of the Committee, the Internal and External auditors and relevant Council ~~officers~~Officers as defined in ~~the~~ Roles and Responsibilities section.

3. Policy Context

The Committee has been established pursuant to section 53 of the ~~Local Government Act 2020 (the Act)~~. The Act. Council is required, under section 54 of the Act, to adopt a Charter that specifies the functions and responsibilities of the Committee as including:

- a) monitoring compliance of Council policies and procedures with the overarching governance principles¹, the Act and regulations and any Ministerial directions;
- b) monitoring Council financial and performance reporting;
- c) monitoring and providing advice on risk management and fraud prevention systems and controls; and
- d) overseeing internal and external audit functions.

~~The Audit and Risk Committee~~The Charter has been developed having regard to Victorian Auditor General's report 'Audit Committee Governance' of August 2016 (including Standing Directions of the Minister for Finance 2016).

4. Policy Statement

4.1 Authority

The Committee is an advisory committee and does not have any delegated powers, executive powers, management functions, or delegated financial responsibility.

The Act states that the ~~Audit and Risk~~ Committee is not a delegated committee as per the provisions under section 53(2) of the Act.

¹ Section 9 of the *Local Government Act 2020* included in the definitions.

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:

Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~4213~~

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

3

| The East Gippsland Shire

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:
Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~12~~13
Next review date: ~~by October 2029~~

This document is uncontrolled when printed

Council authorises the Committee, within its functions and responsibilities to:

- endorse key documents and reports that must be approved by Council, including annual financial reports, annual performance statements;
- monitor policies and procedures compliance with the overarching governance principles in the Act, ~~the Act~~ and regulations and any ministerial directions;
- oversee internal and external audit plans, including internal audit plans with an outlook of greater than one year;
- provide advice and make recommendations to Council on matters within its areas of responsibility;
- retain counsel of relevant independent experts where it considers that it is necessary in order to execute its responsibilities, subject to prior agreement with the Chief Executive Officer;
- seek any relevant information it requires from Council, Council ~~officers~~Officers and external parties; and
- meet with Council Officers, internal and external auditors and other parties as required to discharge its responsibilities.

14.2 Objectives

The ~~Audit and Risk~~ Committee's primary role is to provide oversight, advice and guidance on Council's frameworks, systems and controls relating to:

- legislative and good governance compliance;
- financial and performance reporting;
- risk management with a focus on strategic risks; and
- internal and external audit.

The ~~purposes~~purpose of the Charter is to guide the operation of the Committee.

14.3 Membership

- (a) The Committee will comprise ~~seven of five~~ members: ~~four~~three independent members - one of whom will be appointed by Council as Chair²; the Mayor of the day; and ~~two~~one other ~~councillors~~Councillor appointed annually by Council. The majority of Committee members must be independent members (as per section 53(3)(b) of the Act). The Committee must not include any person who is a member of ~~East Gippsland Shire Council's~~Council staff.³
- (b) Independent ~~external~~ members will be sought by way of public advertisement seeking expressions of interest.

Appointment of ~~external~~ independent members will be by Council resolution following receipt of a recommendation from a panel comprising the ~~Audit and Risk Committee Chair (Or Committee member), the Mayor (or Committee Councillor) and the Chief Executive Officer (or delegate).~~ Chief Executive Officer (or delegate), the Mayor (or Deputy Mayor, if the Mayor is unavailable), and the Councillor Committee Member. If the Councillor Committee Member is unavailable, a substitute Councillor may be nominated by the Mayor, in consultation with the Chief Executive Officer.

² The chairperson of an Audit and Risk Committee must not be a Councillor of the Council (s53(4) of the *Local Government Act 2020*)

³ Section 53(3)(c) of the *Local Government Act 2020*

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:

Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~4213~~

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

5

The Panel will evaluate candidates ~~based on the basis of~~ their expertise and experience and ~~likely their demonstrated~~ ability to apply appropriate analytical and strategic management skills, as well as the ~~'fit'~~ alignment of their skills ~~within~~ with the overall skillset of the Committee.

Having regard to Council's Workforce Plan ~~2021-2025~~, the Diversity and Inclusion Statement is relevant for all Committees of Council:

East Gippsland Shire Council is committed to promoting and supporting diversity in the workplace and recognises that our success depends upon our people with their diverse views, abilities, skills, languages, cultures, and backgrounds, as well as differences in race, religion and/or belief, gender and sexual orientation. We respect, value, and encourage diversity in the workplace. We are an inclusive organisation that values fairness, respect, equity, and diversity consistent with our policies and the Gender Equality Act 2020.

As part of an induction process, newly appointed members will meet with the ~~Audit and Risk Committee Chair~~, Mayor, and Chief Executive Officer to discuss the functions of the Committee including coverage of the Charter, ~~Council Governance Rules~~, the Committee's ~~annual work plan~~ Annual Work Plan and Annual Performance Review.

- (c) Terms for independent members will be up to a maximum of three years; ~~however~~. However, members may re-apply at the end of their term and may be re-appointed for further terms ~~up to a maximum of two (2), three-year terms (i.e. no more than six years in total)~~. The position must be advertised after an independent member has completed ~~two consecutive terms~~ six years on the Committee. The independent member may apply as part of the competitive process.
- (d) Terms of appointment will be arranged to ensure an orderly rotation and continuity of membership, and will ~~be made despite~~ remain in effect regardless of changes to Council's elected representatives.
- (e) The Act, under section 53(3)(b) specifies that independent Committee members ~~have, must~~ collectively, possess expertise in financial management and risk, and experience in public sector management.

Further, the Committee should, collectively, possess sufficient knowledge and strategic skills in ~~the areas of:~~ audit, governance, control and compliance.

- ~~Audit~~
- ~~Governance~~
- ~~Control~~
- ~~Compliance~~

It is preferable that at least one of the independent members ~~should be~~ is a member of CPA Australia (CPA status), the Institute of Chartered Accountants Australia (CA status) and/or the Institute of Internal Auditors.

As the focus and responsibilities of the Committee respond to emerging needs and regulatory, economic, and reporting developments, members' competencies and the overall balance of skills on the Committee will be re-evaluated in the appointment of new and returning members.

Audit and Risk Committee Charter

Date ~~approved:~~ 16 April 2025 Approved:

Document ~~owner~~ Owner: Manager Governance and Regulatory Services

Version number: 4213

Next review date: by October 2029

This document is uncontrolled when printed

6

- (f) Members of the Committee will be covered by Council's professional indemnity insurance for the service they undertake on the Committee.

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:
Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~12~~13
Next review date: ~~by October 2029~~

This document is uncontrolled when printed

- (g) The ~~four external~~ independent members of the ~~Audit and Risk~~ Committee will be remunerated for the performance of their duties at Committee meetings in accordance with the rate determined by Council from time to time, indexed annually. The ~~four external~~ independent members will be remunerated for attendance at additional meetings such as workshops at 50% of the rate.
- (h) An independent member may resign or retire before the expiry of their term by notifying Council of their intention in writing.

In the event of an independent member resigning or retiring before the expiry of their term, the vacancy will be filled at the discretion of ~~the~~ Council provided the composition requirements of the Committee can be met.

If the resignation and/or retirement of two or more of the independent members coincide, ~~the~~ Council may extend one sitting independent member's term by one year to provide a level of continuity on the Committee.

- (i) The Committee may make a recommendation to Council to terminate aan independent member's appointment. The recommendation must be accompanied by specific rationale that may include that the independent member:
- failed to comply with the provisions of the Act;
 - has not upheld the intent of this Charter and its Principles;
 - failed to comply with Council's Values, ~~Governance Rules~~ and expectations of conduct;
 - has been absent from three consecutive meetings without notification of leave of absence.

If Council decides to progress with the termination of aan independent Committee member prior to the expiry of their term, the following steps must occur:

- consultation with the Chair of the Committee; (where appropriate);
- the independent Committee member will be provided with written notice; and
- the independent Committee member will be given the opportunity to be heard at a meeting of Councillors.

Council will then make a final determination based on the outcomes of the aforementioned steps. A Council resolution will be required if the termination of aan independent Committee member is to proceed.

14.4 Chair

- (a) The Chair of the Committee must be an independent member (section 53(4) of the Act). ~~The Chair is appointed annually at the Committee's February meeting. At that meeting the Chief Executive Officer will open the meeting, assume the Chair) and ask for nominations from among the four independent members. If there is only one nomination, that member will be declared elected. If there is more than one nomination the Chief Executive Officer will ask for a show of hands, with a simple majority of members present determining the result. The member newly elected as Chair will assume the Chair immediately, directly appointed by Council.~~
- (b) In the absence of the Chair, the Committee will elect another independent member in attendance as Acting Chair.

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~ Approved:

Document ~~owner~~ Owner: Manager Governance and Regulatory Services

Version number: 4213

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

8

14.5 Principles

14.5.1 Values

The Committee will conduct itself in accordance with Council's organisational values:

Respect – We treat all with courtesy and dignity.

Collaboration – We build and maintain productive relationships.

Integrity – we focus on taking the correct ~~the~~ course of action.

Accountability – We are responsible for our actions and outcomes.

14.5.2 ~~Members of the Audit and Risk~~ All Committee Members will:

- ~~Strive~~strive to attend all meetings, sending apologies to the Chair for necessary absences;
- ~~Prepare~~prepare for the meeting by reading the agenda, papers and any emails before the meeting;
- ~~Talk~~talk to the Chair before the meeting if you need to clarify anything;
- ~~Arrive~~arrive on time. Stay to the end;
- ~~Participate~~participate fully in the meeting;
- ~~Listen~~listen to what others have to say and keep an open mind;
- ~~Contribute~~contribute positively to the discussions;
- ~~Try~~try to be concise and avoid long drawn-out explanations;
- ~~Help~~help others concentrate on the meeting. Discourage side conversations;
- ~~Have~~have the best interests of the organisation/beneficiaries in mind at all times;
- ~~Draw~~draw attention to any potential conflicts of interest that may arise in the meeting;
- ~~Fulfil~~fulfil any responsibilities assigned to you at the meeting and be prepared to report back on your progress at the next meeting;
- 1. ~~Treat all Committee Members and Council officers with respect and courtesy at all times;~~
- 2. ~~Not interrupt or speak over another person speaking;~~
- ~~Direct~~direct all questions through the Chair;
- ~~Direct~~direct any requests for Council ~~officers~~Officers to provide information or perform an action through the Chair to the ~~CEO~~Chief Executive Officer;
- ~~Not treat all Committee Members and Council Officers with respect and courtesy at all times;~~
- ~~not interrupt or speak over another person speaking;~~
- ~~not~~ criticise, chastise or insult an officer or the Council during the meeting; and
- ~~Provide~~provide constructive feedback which will not offend, imply incompetence of an officer or humiliate an officer attending the meeting.

14.5.3 Conflict of Interest

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:

Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~4213~~

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

9

In accordance with section 130 of the Act (Disclosure of Conflict of Interest) and Council's Governance Rules, Committee members must make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen.

It is the responsibility of a Committee member to make their own determination about whether to declare a conflict of interest, consistent with the Definitions outlined in section 126, General Conflict of Interest in section 127, Material Conflict of Interest in section 128 and the exemptions in section 129 of the Act.

Further, having declared such a conflict on a matter, the ~~committee~~Committee member must exclude themselves from ~~the decision-making process in relation to the matter, including any discussion or vote on the matter, and any action~~all discussions in relation to the matter.⁴

14.5.4 Misuse of Position

The provisions of section 123 of the Act in relation to the misuse of position apply to Committee members. Members must not intentionally misuse their position to gain or attempt to gain directly or indirectly, an advantage for themselves or for any other person, or cause, or attempt to cause, detriment to Council or another person.

The misuse of position provisions include:

- ~~Making~~making improper use of information;
- ~~Disclosing~~disclosing information that is confidential information;
- ~~Exercising~~exercising or performing (purporting to) a power, duty or function that the Committee member is not authorised to exercise or perform; and
- ~~Participating~~participating in a decision on a matter in which the Committee member has a conflict of interest.

14.5.5 Confidentiality

Confidential information is defined in section 3 of the Act.

Committee members must comply with the requirements of sections 53(~~5~~) and 125 of the Act in relation to confidential information.

Committee members must not intentionally or recklessly disclose information that they know, or should reasonably know, is confidential information and commit to ensuring the safekeeping and disposal of confidential information.

Independent members will be required to sign a Confidentially Agreement upon commencement of their initial term.

Failure to comply with the provisions of the Act and this Charter with regard to confidentiality, may result in prosecution and the Committee member's appointment being terminated by Council.

⁴ As per Section 130 (2) (b) of the Act

1.5.6 Governance Rules

~~Committee members must be familiar with and comply with the provisions of Council's Governance Rules in their conduct at Committee meetings and all other meetings that Committee members may attend from time to time.~~

4

4.6 Charter and Duties

The Committee is required to adopt an annual work program⁵. The work program will include activities that will assist the Committee to meet its objectives and responsibilities as defined in this Charter.

The Committee will oversee the implementation and ongoing review of early warning systems for financial risk management, ensuring timely identification and escalation of emerging risks.

Recommendations addressing risk and control deficiencies should be evidence-based, actionable, and include clear rationale and expected outcomes. The Committee will periodically review the quality and impact of its recommendations.

The following activities are to be included in the work program:

- (a) Review Council's draft financial report and performance statement on an annual basis and:
 - in consultation with the external auditor, consider whether they are complete and consistent with information known to Committee members, and reflect appropriate accounting principles; and
 - if appropriate, recommend approval *in principle* to Council.
- (b) Review the external auditor's Final Management Letter (annual audit report) with the external auditor and management and if appropriate, frame recommendations for Council's consideration.
- (c) Review annually, the framework in place to ensure Council's risk exposure is managed appropriately. As a minimum, this will include:
 - a review of Council's risk management policies and procedures;
 - review of Council's risk registers in accordance with the reporting regimen documented in ~~the Council's~~ Risk Management Policy, and consideration of the adequacy of actions taken to mitigate Council's risk; and
 - monitor and provide advice on risk management prevention systems and controls.
- (d) Review Council's Fraud ~~Prevention policies~~ and ~~controls, including the Fraud~~Corruption Control ~~Plan~~System and fraud awareness programs ~~at least every two years~~annually, this will include:
 - receiving reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event;
 - reviewing reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies; and
 - monitor and provide advice on fraud prevention systems and controls.

⁵ Section 54(3) of the Local Government Act 2020

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:

Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~4213~~

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

11

- (e) Review Council's reporting against the Local Government Performance Reporting Framework. The ~~Audit and Risk~~ Committee is responsible ~~to~~for:
- ~~receive~~receiving and ~~consider~~considering performance reports;
 - annually ~~review~~reviewing draft service performance indicators and other performance information disclosures and consider the results in the context of the reports received throughout the year, challenging any unusual or unexpected results;
 - ~~review~~reviewing the internal control framework and level of assurance received around the accuracy and completeness of the information reported; and
 - ~~provide~~providing a recommendation to Council.⁶
- (f) In respect of Council policies and procedures:
- review annually, the systems and processes in place to ensure Council policies and procedures comply with the overarching governance principles, the Act and regulations, and Ministerial directions (e.g. in respect of risk, finance, business continuity, delegation, equal employment opportunity, workplace health and safety, privacy, etc.); and
 - receive reports from the Chief Executive Officer and other Council ~~officers~~Officers relevant to Council's compliance with relevant legislation, policies and procedures and if appropriate, make recommendations for Council's consideration.
- (g) ~~In consultation with the internal auditor and management:~~Through a process of mapping against Council's risk registers, endorse a draft three year Internal Audit Plan, and:
- ~~through a process of mapping against Council's risk registers, prepare a draft three to five year Internal Audit Plan for consideration by Council;~~
 - annually review the delivery of the Internal Audit Plan and if required, make a recommendation to Council on any ~~amendments~~management on any amendments; and
 - ~~review and endorse the proposed scope of each Internal Audit to ensure it is appropriately focused, aligned with strategic and operational risks, and capable of delivering meaningful insights. Provide recommendations to strengthen the scope where necessary;~~
 - review internal audit reports and monitor progress on actions required to achieve rectification of any identified issues; and
 - ~~review internal audit recommendations outstanding for more than two to ensure ongoing relevance and alignment with current organisational priorities.~~
- (h) Review written reports on significant insurance and legal claims that may impact on Council's financial performance or otherwise expose Council to a high or extreme degree of risk, and mitigation action being taken in response.
- (i) Where such matters fall within the Committee's Charter:
- receive reports on specific projects and investigations deemed necessary by the Chief Executive Officer and/or Council, including suspected or actual cases of

⁶ Included as per Audit Committee Minutes Dec 17: The Roles and Responsibilities of the East Gippsland Shire Council Audit Committee referenced at p4-5 of the draft Local Government Performance Reporting Framework Policy and derived from p 11 of the extract (provided as Attachment 3) of the Local Government Better Practice Guide 2016-17 Performance Statement be incorporated in the next iteration of the Audit Committee Terms of Reference.

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:

Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~4213~~

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

12

fraud or any corrupt activity by Council ~~officers~~Officers or others having business with Council, and if deemed appropriate make recommendations for Council's consideration; and

- address issues referred for the attention of the Committee, including requests from Council for advice.
- (j) Conduct ~~annually,~~ an annual performance evaluation of the ~~performance of the Audit and Risk Committee against, with all members required to participate. This evaluation includes a review of the adequacy of the Audit and Risk Committee Charter⁷ and provide an assessment and, where appropriate, recommendations for amendment to be provided~~ to the Chief Executive Officer for tabling at the next Council meeting.⁸
- (k) Review management's responses to any findings identified in the investigation reports of regulatory agencies (e.g. Independent Broad-Based Anti-Corruption Commission (IBAC), Local Government Inspectorate, Victorian Auditor-General's Office, Victorian Ombudsman's Office) and monitor any management actions arising from those reports.
- (l) Review quarterly, a management report detailing the expenses and reimbursement of out-of-pocket expenses of Councillors and members of delegated committees⁹ (where established) and if appropriate, make recommendations for Council's consideration.

⁷ ~~Section 54(4)(a) of the Local Government Act 2020~~

⁸ Section 54(4)(b) of the Local Government Act 2020

⁹ Section 40(2) of the Local Government Act 2020

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:

Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~12~~13

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

13

~~(m) Review and assess the adequacy of the Audit and Risk Committee Charter and if appropriate, present recommendations to Council for amendment. As a minimum, this review to occur once every four years, within 12 months after a general municipal election or otherwise is required.~~

~~(n)~~(m) Prepare a report to Council on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, such a report indicating how the Committee has discharged its responsibilities as set out in the Charter for the previous year.

14.7 Meetings

~~(a) The Council's Governance Rules will apply to the conduct of meetings unless alternate procedures are stipulated in this Charter.~~

~~(b)~~(a) The Committee will hold an ordinary ~~committee~~ meeting once each quarter.

~~(c)~~(b) A ~~joint~~special meeting ~~with East Gippsland Shire Councillors~~ will be held in September ~~or October~~ each year to discuss Council's audited draft financial report and performance statement; the Committee's performance evaluation for the previous financial year and any other matters identified by the Mayor and/or Committee Chair following consultation with the Chief Executive Officer.

~~(d)~~(c) Additional meetings may be convened at the discretion of the Chief Executive Officer or at the written request of any member of the Committee, the external auditor, or the internal auditor.

~~(e)~~(d) A quorum will exist if ~~four~~three or more Committee members are present and the number of ~~external~~ independent members present is equal to or greater than the number of ~~internal~~ Councillor members present.

~~(f)~~(e) The Committee will make every effort to arrive at its decisions by consensus. If consensus is not possible, matters will be resolved by a majority of votes cast by members in attendance. The Chair will have the casting vote if the votes are equal.

~~(g)~~(f) Councillors who are not members of the Committee may attend meetings of the Committee as observers. ~~Through the Chair, non-member Councillors may ask questions in relation to matters listed on the agenda but may not participate in discussion.~~

~~(h)~~(g) The external auditor, internal auditor, General Manager Business Excellence and Chief Executive Officer will, ~~when practicable and appropriate, endeavour to~~ attend all meetings of the Committee. Other members of Council staff may be invited to attend at the discretion of the Committee to provide advice and information when required.

~~(i)~~(h) As the ~~Audit and Risk~~ Committee is an advisory committee of Council, meetings are not open to the public.

(i) Prior to each meeting, Committee members may participate in an in-camera pre-meeting to advise the Chair of key focus areas within the agenda, assisting with the flow and effectiveness of the meeting. In-camera meetings may also be convened at the request of any Committee member, the auditors, or the CEO to discuss specific matters.

(j) If any matters are discussed in a Members-Only session, the Chair will report those matters at the subsequent full Committee meeting, ensuring they are appropriately recorded in the minutes to maintain transparency and accountability.

Audit and Risk Committee Charter

Date approved: 16 April 2025

Document owner: Manager Governance and Regulatory Services

Version number: 4213

Next review date: by October 2029

This document is uncontrolled when printed

14

4.8 Internal Control and Internal Audit

Where appropriate, the ~~Audit and Risk~~ Committee and Council will actively support the work of the contract internal auditor. Line managers are responsible for managing the internal control processes in their respective departments, as recommended by the internal auditor, and will report to the Chief Executive Officer about compliance with internal control measures.

14.9 General and Legal Advice

Through the Chief Executive Officer, the Committee may obtain information and advice on any Council matter that falls within the Committee's Charter.

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~
Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~12~~13
Next review date: ~~by October 2029~~

This document is uncontrolled when printed

5. Roles and Responsibilities

Roles and responsibilities with respect to ~~Committee~~the Committee's function, as well as the implementation, communication and compliance monitoring of this Charter, are as follows:

Party / Parties:	Roles and responsibilities:
Chief Executive Officer	<p>Overall responsibility for policyCharter implementation and compliance.</p> <p>Ensure compliance with the Charter by all Audit and Risk Committee members.</p> <p>While not a member of the Committee, when practicable and appropriate will attend all meetings of the Committee and provide guidance and advice.</p> <p>Will also:</p> <ul style="list-style-type: none"> ensure that an appropriate agenda is formulated for scheduled Committee meetings and circulated to <u>Committee</u> members in a timely fashion; facilitate meetings by arranging for members of management, auditors or others to attend to provide pertinent information, as necessary; provide secretariat services in respect of matters before the Committee; after meetings of the Committee, ensure that a report describing the activities of the Committee and explaining any recommendations or key findings is tabled at the next Council meeting; table other reports of the Committee at <u>Council</u> meetings of the Council when required by the Act and when requested by the Committee; ensure that accurate minutes of scheduled Committee meetings are taken, circulated to Committee members, Councillors and others <u>as determined by the Committee</u> in a timely fashion and once confirmed, stored securely in Council's electronic document record management system; coordinate the selection process for independent external Committee members and together with the <u>Mayor and Councillor member of the</u> Committee Chair and the Mayor, comprise the interview panel for these positions; and together with the Committee Chair, address any matters of concern arising in respect of a Committee member's performance or conduct.
General Manager Business Excellence	Responsible for review, updating and implementing the Charter.
Chair	<p>Conduct meetings efficiently to ensure all matters listed for consideration are afforded appropriate time and attention.</p> <p>Exercise a casting vote where:</p> <p>(a) consensus cannot be reached;</p> <p>(b) a formal vote is required to resolve the matter; and</p> <p>(c) voting numbers are equal.</p> <ul style="list-style-type: none"> Approve the unconfirmed minutes of each meeting for circulation to Committee members, Councillors and others as determined by the Committee. Together with the Mayor and the CEOChief Executive Officer, participate in the selection process for independent external

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~Approved:

Document ~~owner~~Owner: Manager Governance and Regulatory Services

Version number: ~~4213~~

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

16

Party / Parties:	Roles and responsibilities:
	<p>Committee members.</p> <ul style="list-style-type: none"> Together with the Chief Executive Officer, address any matters of concern arising in respect of a Committee member's performance or conduct.
Committee Members	<ul style="list-style-type: none"> Actively participate in and contribute to the work of the Committee as outlined in clause 4.54.6 Charter and Duties. Complete a self-assessmentParticipating in the annual performance survey and contribute actively to the annual evaluation of the performance of the Audit and Risk Committee against the Committee Charter. When completing self-assessment surveys and performance evaluations, members are encouraged to provide qualitative feedback to support continuous improvement and deeper understanding of Committee performance. Make every effort to attend scheduled meetings of the Committee. In accordance with section 130 of the Act (Disclosure of Conflict of Interest), make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen. Further, having declared such a conflict, leaveMembers must exit the roomonline meeting and remain outsideabsent from the room andvirtual platform, including any gallerylive stream or chat accessible to other area in view or hearing of the roomparticipants, until the matter has been concluded. As prescribed by section 123 of the Act, members must not misuse their position on the Committee to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or cause, or attempt to cause, detriment to Council or any person. In accordance with section 125 of the Act (Confidential Information) members must not intentionally or recklessly disclose information that the person knows or should reasonably know to be confidential.
Internal Auditor	<p>Under contract to Council, the internal auditor reports to the Committee on a quarterly basis on the outcomes of a range of audits of Council's operations including:</p> <ul style="list-style-type: none"> internal control systems, policies and procedures and their effectiveness; compliance with Council policies and procedures and any relevant government legislation; financial systems and processes; areas of risk exposure and the way in which these are managed; and special investigations or assignments as requested by the Committee. The focus of audits undertaken will be documented in a three to five-year internal Audit Plan adopted by Council. The plan will be formulated through a consultative process involving (as a minimum) the internal auditor, the Committee and management.

Audit and Risk Committee CharterDate ~~approved: 16 April 2025~~**Approved:**Document ~~owner~~**Owner:** Manager Governance and Regulatory ServicesVersion number: ~~4213~~Next review date: ~~by October 2029~~*This document is uncontrolled when printed*

17

Party / Parties:	Roles and responsibilities:
	<ul style="list-style-type: none"> At least annually, an opportunity will be provided for the internal auditor will to meet with the Committee at least once a year without management being present, to discuss any issues arising from internal audits carried out during the year. Unless determined otherwise by the Committee, this will occur at the meeting at which the Committee reviews the Internal Audit Plan for the coming year (April). The role of the internal auditor is independent of and separate to that of the external auditor.
External Auditor	<ul style="list-style-type: none"> As an agent of the Victorian Government Auditor-General, the external auditor forms an opinion on Council's financial report and performance statement and provides a copy of their Final Management Letter (audit report) to Council and the responsible Minister. The external auditor reports to a joint meeting of Council and Audit and Riskthe Committee annually on the completed draft financial report and performance statements for that year. At this meeting the findings of the external audit are discussed with the external auditor, focusing on issues such as: <ul style="list-style-type: none"> any major issues that arose during the audit; any accounting and audit judgements; and levels of errors identified during the audit. At least annually, an opportunity will be provided for the external auditor to meet with the Committee without management being present, to discuss their remit and any other relevant issues. The Committee may request a meeting with the external auditor at any other time during the year, as/if required. From time to time the external auditor may request and will be provided with copies of final reports prepared by the internal auditor.
Mayor	Together with the Committee Chair and the Chief Executive Officer, participate in the selection process for independent external Committee members.
Officers in Attendance	<ul style="list-style-type: none"> General Manager and/or Manager responsible for corporate governance, and risk and Manager responsible for finance and Manager responsible for risk will attend all meetings of the Committee where practicable and appropriate. Other members of Council's staff will attend Committee meetings from time to time to present a range of recurring and one-off reports and when requested to do so by the Committee Chair, provide advice and information.

Audit and Risk Committee CharterDate ~~approved: 16 April 2025~~Approved:Document ~~owner~~Owner: Manager Governance and Regulatory ServicesVersion number: ~~4213~~Next review date: ~~by October 2029~~*This document is uncontrolled when printed*

18

6. References and Supporting Documents

Applicable Legislation:

Local Government Act 2020

~~*Local Government Amendment (Performance and Reporting Accountability) Act 2014 and Local Government (Planning and Reporting) Regulations 2014—prescribes financial and non-financial reporting required of Local Government 2020*~~

Supporting Documents:

Conflict of Interest - A Guide for Members of Council Committees, October 2020

Audit Committee Governance, August 2016 (Victorian Auditor-General's Office Report)

7. Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council relating to the work of the Audit and Risk Committee will be handled in accordance with all applicable privacy legislation and will be used only for investigating audit matters.

The Audit and Risk Committee Charter has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

8. Definitions

Term:	Meaning:
Chief Executive Officer	Person appointed by Council to the position of Chief Executive Officer.
Committee Member	Member of East Gippsland Shire Council Audit and Risk Committee.
Conflict of Interest	As defined in Part 6 Division 2 of the <i>Local Government Act 2020</i> (sections 126-131).
Councillor	Person who has been elected to the office of Councillor of East Gippsland Shire Council.
Council officer	A current member of East Gippsland Shire Council staff with the authority to engage in activities on behalf of Council.
External Auditor	Audit professional appointed by the Victorian Auditor-General who performs an audit in accordance with specific laws or rules on the financial statements of a company, government entity, other legal entity or organisation, and who is independent of the entity being audited.
Internal Auditor	A company (or its representative) charged with providing independent and objective evaluations of Council's financial and operational business activities, including its corporate governance.
Mayor	Councillor elected by Councillors to the role of Mayor.
Officers in Attendance	Council officers Officers attending Audit and Risk Committee meetings to provide information or respond to queries. Officers do not hold membership of the Committee.
Overarching governance principles	Overarching governance principles outlined in section 9(2) of the <i>Local Government Act 2020</i> are: a) Council decisions are to be made and actions taken in accordance with the relevant law; b) priority is to be given to achieving the best outcomes for the

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~**Approved:**

Document ~~owner~~**Owner:** Manager Governance and Regulatory Services

Version number: ~~4213~~

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

19

Term:	Meaning:
	<p>municipal community, including future generations;</p> <p>c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risk, is to be promoted;</p> <p>d) the municipal community is to be engaged in strategic planning and strategic decision making;</p> <p>e) innovation and continuous improvement is to be pursued;</p> <p>f) collaboration with other Councils and Governments and statutory bodies is to be sought;</p> <p>g) the ongoing financial viability of the Council is to be ensured;</p> <p>h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;</p> <p>i) the transparency of Council decisions, actions and information is to be ensured.</p> <p>Section 9(3) requires in giving effect to the overarching governance principles Councils must take into account the following supporting principles:</p> <p>a) the community engagement principles;</p> <p>b) the public transparency principles;</p> <p>c) the strategic planning principles;</p> <p>d) the financial management principles;</p> <p>e) the service performance principles.</p>
Responsible Officer	An officer of East Gippsland Shire Council who has responsibility for the general area/subject matter to which a record pertains.
Risk Management	The culture, process and structures that are directed towards realising potential opportunities while managing adverse effects. (AS/NZS ISO 31000:2018)).
Shire	The geographic area of East Gippsland Shire Council.
<u>Sitting Fees</u>	<u>Sitting Fees are payments authorised under section 53(6) of the Local Government Act 2020 for Independent Members of the Audit and Risk Committee who are not Councillors, acknowledging their attendance, participation and professional contribution to the Committee. Council last considered and set the applicable sitting fee amounts at its Meeting held on 16 December 2025.</u>
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees, labour hire agency staff.

Audit and Risk Committee CharterDate ~~approved: 16 April 2025~~ **Approved:**Document ~~owner~~ **Owner:** Manager Governance and Regulatory ServicesVersion number: ~~4213~~Next review date: ~~by October 2029~~*This document is uncontrolled when printed*

20

9. Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	Summary of Changes
1	Approved	12/11/2003	Council	New Charter
2	Approved	02/11/2007	Management	Periodic Review
3	Approved	03/2011	Council	Periodic Review
4	Approved	07/2011	Council	Periodic Review
5	Approved	07/2013	Council	Periodic Review
6	Approved	05/05/2015	Council	Periodic Review
7	Approved	10/05/2016	Council	Periodic Review
8	Approved	05/06/2018	Council	Periodic Review
9	Approved	18/02/2020	Council	Converted to new template. Inclusion of provisions for election of Chair, maximum terms for Chair and independent members; recognition of specific obligations proposed by Local Government Bill 2018 Exposure Draft; administrative updates for clarity and readability.
10	Approved	25/08/2020	Council	Updated to reflect the requirements of the <i>Local Government Act 2020</i> . Under the Act the Charter has to be adopted by Council prior to 1 September 2020. Included a change to two consecutive terms as a member.
11	Approved	16/08/2022	Council	Updated to reflect feedback received by the Audit and Risk Committee members as part of the review of the Charter.
12	Approved	16/04/2025	Council	2025 Committee Review undertaken. Recommendation to remove section 1.4(b).
<u>13</u>				<u>Updated to reflect feedback received by the Audit and Risk Committee members as part of the review of the Charter. Included a change to the committee and recruitment panel composition and sitting fees.</u>

Audit and Risk Committee Charter

Date ~~approved: 16 April 2025~~ Approved:

Document ~~owner~~ Owner: Manager Governance and Regulatory Services

Version number: 4213

Next review date: ~~by October 2029~~

This document is uncontrolled when printed

21

5.4 Place and Community

5.4.1 Use and Development of Land for Timber Production and the Removal of Native Vegetation at 400, 400A and 580 Aitkens Road, Bengworden

Authorised by General Manager Place and Community

Purpose

The purpose of this report is to seek Council's endorsement of a submission to the Minister for Planning in relation to the proposed Sumitomo 'Gracemere' timber plantation at Aitkens Road, Bengworden.

Key Points

On 22 October 2025, Council was provided with notice of a planning application for use and development of land for timber production and the removal of native vegetation at 400, 400A & 580 Aitkens Road, Bengworden (application reference PA2503991). The Minister for Planning is the Responsible Authority for this planning application. Council can prepare a submission to the Minister in relation to the proposal.

The submission at **Attachment 1** has been prepared with regard to the following Council strategies:

- Relevant policy direction set out in the East Gippsland Planning Scheme.
- East Gippsland Rural Land Use Strategy (2023).
- Environmental Sustainability Strategy (2022-2032).
- Economic Development Strategy (2022-2032).

These Strategies provide in principle support for the use and development of land for timber production in East Gippsland. In assessing the planning application documentation, however, officers have identified concerns in relation to the impact of the proposal on environmental values of the site and surrounding area. Technical reports submitted in support of the proposal have not fully addressed planning scheme requirements to protect and enhance biodiversity.

Council officers were provided with documentation regarding the proposal as part of a pre-application referral from the Department of Transport and Planning (DTP) on 13 August 2025. This informal referral sought an initial response on the documentation and was marked as confidential and not to be made publicly available. The officer response to the pre-application referral is provided at **Attachment 2**.

The submission proposed for Council endorsement makes the following recommendations to the Minister for Planning:

1. That the Minister for Planning seek further information from the proponent to address deficiencies with the planning application. This relates to:
 - a) Appropriate buffer areas and habitat connectivity between areas of environmental significance.
 - b) Protection and enhancement of biodiversity values of the Gippsland Lakes and fringing wetlands and waterways.
 - c) The planning application response to an endorsed Cultural Heritage Management Plan.
 - d) The planning application response to emerging planning policy contained in planning scheme amendment C169egip.

Note: At the request of DTP, Council officers provided the above further information request to DTP, indicating it is subject to Council endorsement. This was to ensure the request is before the Minister if a decision is made prior to the Council meeting. The applicant has provided additional information in response to the matters raised by Council which is provided at **Attachment 4**. Officers have reviewed the additional information and do not consider that it is adequate to change the content of the submission.

2. Appropriate planning permit conditions (if a planning permit is issued) to require the following:
 - a) Pest Plant and Feral Animal Management Plan
 - b) Bushfire Management Plan
 - c) Community Engagement Plan
 - d) Local Economic Benefit Plan
 - e) Compliance monitoring is undertaken by the plantation operator
 - f) Access arrangements in accordance with Council's Infrastructure Design Manual (IDM)

Council officers have received several recent enquiries regarding prospective timber production (plantation) facilities in East Gippsland. It is anticipated that Council will receive further planning applications in the future where the Minister for Planning or Council will be the Responsible Authority. It is therefore recommended that Council prepare a Position Paper on timber plantation establishment and operation to inform a consistent position on submissions or Council decisions regarding these operations.

Recommendation

That Council:

- 1. endorses the submission in relation to the use and development of land for timber production and the removal of native vegetation at 400, 400A and 580 Aitkens Road, Bengworden (application reference PA2503991), as provided at Attachment 1;***
- 2. authorises the Chief Executive Officer or delegate to lodge the submission on behalf of Council; and***
- 3. requests the Chief Executive Officer or delegate to prepare a Position Paper on Timber Plantation Establishment and Management in East Gippsland for presentation at a future Council meeting.***

Strategic Alignment

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 Minister for Planning is the Responsible Authority for the assessment of this planning application, including notice (advertising) requirements.

Whilst Council has no direct responsibility for providing notice of the planning application, it has circulated information regarding the planning application to Council's Agricultural Sector Advisory Committee (ASAC) to assist in Council's decision. Some comments have been received and are reflected in the submission.

Comments have also been received from the East Gippsland Catchment Management Authority (who are represented on ASAC) which are provided at **Attachment 3**.

The applicant organised a community drop-in session which was held in Bairnsdale on 27 and 28 November 2025. The applicant has advised that 30 invitations were issued, and six parties attended, being five residents and one forestry stakeholder representative. The applicant has advised that the themes raised by attendees included fire risk, weed and pest management and traffic considerations.

Opportunities and Risks

The submission provides the Minister for Planning with a local perspective on the proposed use and development for timber production and removal of native vegetation. This includes the management of potential impacts and opportunities to optimise community and economic benefits associated with the project.

A submission to the planning application is not compulsory. The Minister for Planning's assessment must be in accordance with the East Gippsland Planning Scheme, which provides an appropriate policy context to manage any risks associated with the proposal.

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

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. Gracemere Plantation Draft Submission Dec 25 [**5.4.1.1** - 18 pages]
2. Initial Council officer response to DTP [**5.4.1.2** - 3 pages]
3. CMA Feedback on the Sumitomo Gracemere Plantation docx [**5.4.1.3** - 5 pages]
4. Additional information from project applicant - December 2025 [**5.4.1.4** - 5 pages]



Submission to the Minister for Planning

**Use and development of land for timber production and
the removal of native vegetation at 400, 400A & 580
Aitkens Road, Bengworden**

December 2025

Contents

Executive Summary.....3

1. Introduction4

2. Proposal.....6

3. Policy Context9

4. Local concerns11

5. Key issues for consideration13

 a) Environmental values, amenity and cultural heritage13

 b) Monitoring and compliance reporting16

 c) Community input and economic benefit.....16

6. Conclusion and recommendations.....17

Executive Summary

Council has been provided with notice of a planning application to use and develop land for timber production and the removal of native vegetation at 400, 400A & 580 Aitkens Road, Bengworden.

The Minister for Planning is the Responsible Authority. This submission to the Minister for Planning includes:

- An outline of the policy context, including reference to the East Gippsland Planning Scheme, East Gippsland Rural Land Use Strategy and Council's adopted Environmental Sustainability and Economic Development Strategies.
- A summary of community and agency concerns which have been conveyed to Council.
- A request for detailed consideration and responses to specific key issues as part of the planning application assessment process.
- Recommendations for matters that should be considered in any conditions of approval, should a permit be issued.

Council notes in making this submission that its role under Section 8(1) of the *Local Government Act 2020* is: *"...to provide good governance in its municipal district for the benefit and wellbeing of the municipal community."*

This role includes making representations to government on behalf of the community.

Councillors were briefed by the proponent regarding the proposal on 6 November 2025. The proposal has also been circulated to Council's Agricultural Sector Advisory Committee (ASAC) for comment.

Nearby landowners have expressed concerns regarding the potential impact of the proposal. Council has encouraged these parties to make formal submissions to the Minister for Planning to outline their objections in detail.

Council expects that the Minister will take full consideration of those concerns and this submission to effectively discharge the role of the responsible authority to:

"... integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations..." (Clause 71.02-3 Integrated decision making).

There are a range of issues arising from the use and development of land for timber production and vegetation removal that are causing concern to the East Gippsland community. Council considers that in balancing the environmental, social and economic challenges and opportunities of the proposal, all efforts should be made to avoid, minimise and/or mitigate the impacts associated with timber production at a local level.

1. Introduction

On 22 October 2025, Council was provided with notice of a planning application for use and development of land for timber production and the removal of native vegetation at 400, 400A & 580 Aitkens Road, Bengworden (application reference PA2503991).

The planning application was made to the Minister for Planning under the provisions of clause 53.22 – ‘Significant Economic Development’ and the associated clause 72.01-1 – ‘Minister is the Responsible Authority’ of the East Gippsland Planning Scheme.

Clause 53.22 seeks to prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria’s economy and provide substantial public benefit, including jobs for Victorians. In short, this is a fast track assessment process for significant economic development. The proposal qualifies as a significant economic development (category 3) as the Minister for Planning has advised that they are satisfied the proposed use and development of land is of significance having regard to the:

- Purpose of clause 53.22
- Estimated cost of development
- Extent to which the development supports or implements planning policy.

Clause 72.01 states that the Minister for Planning is the responsible authority for matters in relation to the use and development of land to which clause 53.22 applies. This includes undertaking the notice requirements of the *Planning and Environment Act 1987* (the Act), receiving submissions and assessing them.

Council has had limited time to consider the application or to hear community opinion on the proposal. A written request was made to DTP on 27 October 2025 seeking an extension of time for Council to consider the proposal. In response, DTP advised that Council “...may need to provide a response to DTP under delegation as it will be difficult to take a matter to a council meeting within the timeframes enabled under the process.” At the time of preparing this submission, officers have not been advised of a decision on the planning application.

This submission to the Minister for Planning requests consideration of key issues as part of the planning application assessment process.

In preparing this submission, Council officers have reviewed the following reports:

- Planning Report (Contour, August 2025)
- Land use plans (Landform Architects, 2025)
- Ecology Report (Biosis, August 2025)
- Economic Impact Assessment (Sumitomo Forestry Australia, August 2025)
- Landscape Visual Impact Assessment (Landform Architects, October 2025)
- Bushfire Risk Assessment (Fire Risk Consultants, March 2025)
- Transport Engineering Report (Ratio, July 2025)
- Letter from former landowner Rick Robertson describing cropping and sowing farming activities (August 2025)
- Landair Survey (September 2024)
- Agricultural Loss Assessment (RMCG, July 2025)

- Surface Water Runoff Report (RMCG, July 2025)
- Soil and Groundwater Impact Assessment (RMCG, August 2025)

As Council is not the responsible authority for decision making for this planning application, the preparation of this submission has not included a detailed technical assessment of the documents outlined above. This is the role of the Minister for Planning in conjunction with the Department of Transport and Planning (DTP) and relevant agencies. The scope of this submission is therefore based on:

- Relevant policy direction set out in the East Gippsland Planning Scheme.
- East Gippsland Rural Land Use Strategy (2023).
- Environmental Sustainability Strategy (2022-2032).
- Economic Development Strategy (2022-2032).

At the Ordinary Meeting on 16 December 2025, Council resolved as follows:

That Council:

Insert Council Resolution

2. Proposal

The proposed timber production use, development and vegetation removal is located at 400, 400A & 580 Aitkens Road, Bengworden, approximately 22km to the southwest of Bairnsdale.

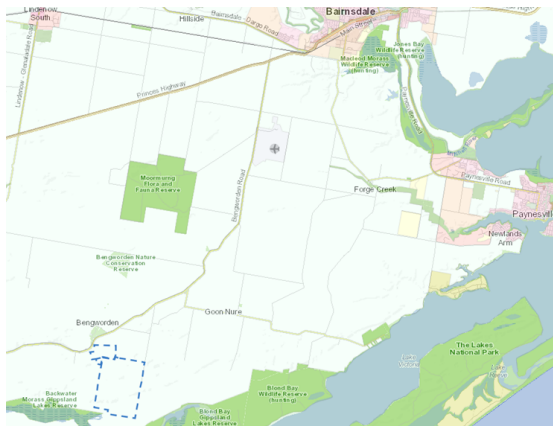


Figure 1 – Subject site (outlined blue)



Figure 2 – Site plan

Key features of the subject site and surrounding area are summarised below:

- Site area of approximately 800ha.
- Predominantly cleared agricultural and grazing land, with small existing pine and eucalypt plantations interspersed around the site
- Existing dwelling and outbuildings are located to the east of the site, adjacent to Aitkens Road.
- Land to the north of the site at 1815 Bengworden Road is owned by the applicant, Sumitomo Forestry Australia and comprises a 91ha Radiata Pine softwood plantation of approximately 89,000 seedlings (see figure 3 below).
- Surrounding land use is predominantly cleared grazing land with several dwellings with associated outbuildings.
- The Backwater Morass Gippsland Lakes Reserve is a wetland/creek conservation reserve located to the south of the subject land.



Figure 3 – Existing plantation at 1815 Bengworden Road

The application seeks a planning permit for the use and development of the land for timber production and the removal of native vegetation. The proposed plantation area is approximately 503ha (of a total 800ha) comprising approximately 513,000 seedlings.

Site preparation works include:

- Removal of specified vegetation.
- Pre plant herbicide spray.
- Disc ploughing and mounding of earth.
- Hand planting of radiata seedlings at 1,000 stems per ha.
- Hand fertilizing and weed control (post planting).
- Ongoing management of the plantation until the felling commences under a Timber Harvesting Plan.

Thinning of trees is required throughout the life of the plantation. This will take place at year 15 when 40% of the trees are removed; year 21 when a further 40% of the remaining trees are removed; and clear felling occurs in year 27. When the site is cleared it will be prepared for the next rotation of timber production.

Vehicle access to the site is via Aitkens Road. Access tracks will be constructed within the site for maintenance, operational and emergency vehicles. No buildings and works are proposed within the site. The existing dwelling and associated outbuildings will be used as a site management office by contractors. Informal parking is available adjacent to the site office.

A planning permit is required for the removal of native vegetation as follows:

- 25 hectares of Plains Grassy Woodland;
- 0.05 hectares of Swamp Scrub; and
- 0.4 hectares of scattered trees.

The layout of the plantation, areas for vegetation retention and areas for vegetation removal are set out in figure 4 below. Figure 4 also shows the location of existing dwelling surrounding the subject site.

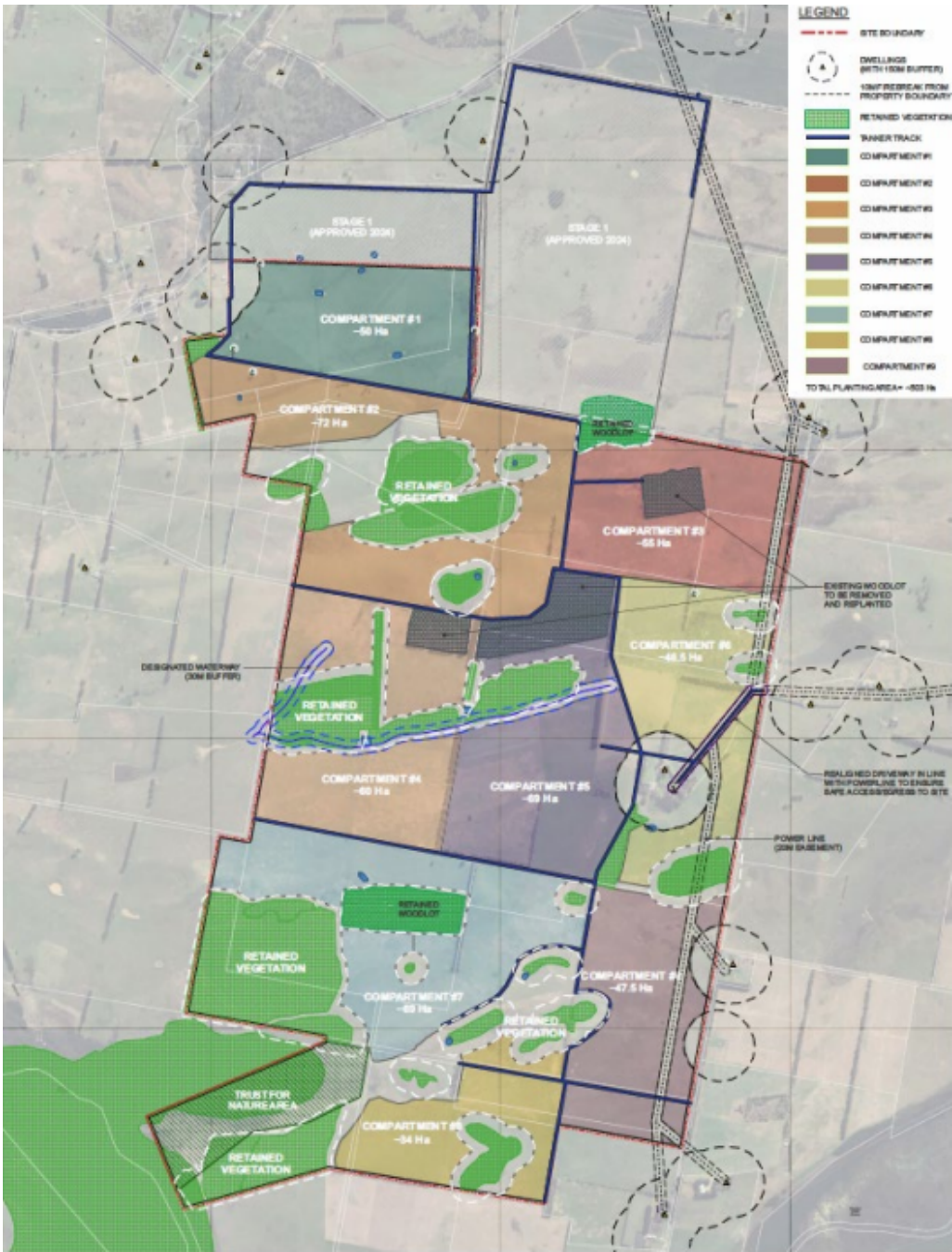


Figure 4 – Proposed Plantation Plan

3. Policy Context

This submission has been informed by the policy considerations of the East Gippsland Planning Scheme, East Gippsland Rural Land Use Strategy 2023, East Gippsland Environmental Sustainability Strategy 2022-2032 and East Gippsland Economic Development Strategy 2022-2032.

East Gippsland Planning Scheme

A planning permit is required for the use and development of land for timber production and removal of vegetation in accordance with the following requirements of the East Gippsland Planning Scheme:

- Clause 35.07 - Farming Zone Schedule 1 (FZ1). Use of land for timber production and building or works associated with timber production.
- Clause 52.17 – Native Vegetation. Removal of native vegetation

The Town Planning Report (Contour, August 2025) identifies the relevant policy considerations of the Municipal Planning Statement (MPS) and Planning Policy Framework (PPF), zone, overlay and particular provisions relating to the proposed use, development and vegetation removal. These are not repeated as part of this submission.

Council is currently updating its MPS and PPF via implementation of key plans and strategies as part of planning scheme amendment C169egip. This is a seriously entertained planning scheme amendment which has been exhibited and is currently awaiting approval by the Minister for Planning. The Town Planning Report in support of the planning application has failed to address the proposed updated policy requirements set out in the planning scheme amendment (despite written advice from Council advising of amendment C169egip in August 2025).

This is an oversight that should be rectified prior to a decision being made on the planning application. Amendment C169egip provides an updated policy environment in relation to Environmental and Landscape Values; Environmental Risks and Amenity; and Economic Development.

It is strongly recommended that the Town Planning Report be updated to reference amendment C169egip, and that an updated and balanced assessment of the emerging policy context is undertaken by the applicant and the Minister for Planning as the Responsible Authority.

Clauses 53.22 and 72.01 of the Planning Scheme remove the ability of Council to act as the responsible authority for certain applications and has relegated Council to the status of submitter to the process. The effects of these provisions include:

- A reduction in the opportunity to fully engage with affected community members prior to a decision being made.
- A reduced ability to ensure proponents are engaging effectively with affected community members and groups to ensure community concerns are captured and adequately addressed.

In making a decision on this proposal, the Minister is requested to give full consideration to the views of affected community members and to avoid, minimise or mitigate any adverse impacts of the proposal.

East Gippsland Rural Land Use Strategy (2023)

The Rural Land Use Strategy (RLUS) was adopted by Council in 2023 and provides a planning vision and framework to support agriculture and rural industries, promote opportunities in rural tourism, and recognise and protect important environmental, cultural and landscape values. The strategy applies to all privately owned rural land in East Gippsland.

The RLUS identifies rural industries, including timber production and harvesting, as offering economic and employment opportunities. It seeks to ensure rural industry land and assets are not encroached by sensitive uses, including dwellings, to protect their long term viability. It also identifies the importance of balancing the economic and social benefits arising from rural industries with the protection of productive farmland, farmland of strategic significance, significant landscape and environmental values and the amenity of the Shire's rural areas.

The RLUS is proposed to be implemented into the East Gippsland Planning Scheme via planning scheme amendment C170egip. The Minister for Planning authorised the amendment to be prepared and exhibited on 2 October 2024. The amendment is yet to be exhibited.

East Gippsland Environmental Sustainability Strategy 2022-2032,

The Environmental Sustainability Strategy includes the following goals:

Goal 1 – Conservation of the natural environment and biodiversity. Recognises the need to identify critical habitats across the shire, including private land, and prioritise the protection of these areas of existing habitat and/or habitat restoration activities, particularly those under the most pressure from land-use change.

Goal 2 – Sustainable management of natural resources. Recognises the importance of the primary production sector to our regional economy and commits to support our agricultural sector to adapt to a changing climate and ensure agricultural activity is enhanced and not compromised through land-use decisions made today.

Goal 4 - Respect and alignment with the rights of Traditional Owner Groups. Seeks to include Traditional Owners in the decision making processes that Council can directly influence. Indigenous viewpoints need to be heard when Council and the community are considering controversial land management decisions.

Goal 5 – Environmental sustainability supports sustainable economic growth and new job opportunities. Supporting consumers and businesses to make procurement and investment decisions that support environmentally sustainable outcomes.

East Gippsland Economic Development Strategy 2022-2032

The Economic Development Strategy sets the following transformational ambition:

The Shire exports high quality food and fibre products generating income and employment through an industry that is innovative, diverse, regenerative and climate-adaptive. (Focus 2).

Actions to achieve this ambition include increasing and protecting the productivity of agriculture; and supporting a sustainable forestry and timber processing sector.

4. Local concerns

Council has been in communication with Council's Agriculture Sector Advisory Committee (ASAC) and local community members regarding the proposal and expects that formal submissions will be made to the Minister for Planning. As part of the ASAC, the East Gippsland Catchment Management Authority (EGCMA) has provided feedback on the proposal which is set out at **Attachment 2**.

A summary of concerns from stakeholders and community members is set out in the following table:

Issue	Comments
Bushfire risk	<ul style="list-style-type: none"> Only two fire fighting appliances within 24km of the proposed plantation. Risk to life, property and livestock associated with a bushfire event.
Environmental impact	<ul style="list-style-type: none"> Impact on fauna species identified on the property, including the Australian burrowing crayfish, bare nosed wombats, echidnas and copperhead snakes. Impact on water and soil quality including downstream impacts on the Gippsland Lakes. Impact to local biodiversity associated with a monoculture plantation (radiata pine). Erosion risk associated with harvesting practices leading to sedimentation of waterways and loss of soil fertility. Long term impact on agricultural productivity from soil nutrient depletion associated with radiata pine plantations. Concerns regarding the need to rehabilitate land for productive agriculture when timber production activities have ended.
Invasive plant species and feral animal management	<ul style="list-style-type: none"> The proposal requires consideration of the spread of feral animals and invasive plant species. A plan is required to control threats to environmental values and agricultural land management.
Amenity and financial impact	<ul style="list-style-type: none"> Amenity impacts from machinery associated with timber plantation operations. Increased insurance premiums and reduction in property value.
Flooding	<ul style="list-style-type: none"> The LSIO does not include any allowance for increased flood levels associated with climate change.
Waterways	<ul style="list-style-type: none"> The Surface Water Runoff Considerations report (RMCG, July 2025) identifies that there "...<i>may be an impact on the small watercourse which runs through the property.</i>" No quantitative assessment has been provided to demonstrate the extent of the predicted impact on hydrology, meaning that any potential ecological impact cannot be assessed. There is no indication in the report that future changes to rainfall associated with climate change have been considered in the review.

	<ul style="list-style-type: none"> The report does not provide any quantification or commentary on the potential impact to downstream private landholders between the plantation and Backwater Morass. Aerial imagery identifies two large dams on the waterway downstream of the property, which are likely to supply stock and domestic water. Potential impacts on downstream properties must be identified and addressed.
Wetlands	<ul style="list-style-type: none"> A wetland buffer area should be created for low lying areas in the low lying areas in the south west of the property. These areas should be revegetated to allow the wetland to naturally adapt to climate change impacts associated with increased sea (and therefore lake) levels and changes to hydrology and salinity. Biosis APEM Group mapping (Ecological features within the study area, 8 August 2025) identifies a small area of Seasonal Herbaceous Wetland north of the waterway. This is a critically endangered EPBC-listed community. The wetland will be retained, however, isolated from nearby waterways by plantation use. Without direct connectivity through a corridor of native vegetation, the ecological value of the wetland and its ability to support biodiversity is greatly reduced.
Groundwater and Groundwater dependent ecosystems	<ul style="list-style-type: none"> The potential impact of timber plantation establishment on local shallow groundwater has not been quantified. The establishment of the plantation is likely to result in shallow aquifer drawdown, which may have unacceptable impacts on groundwater dependent ecosystems in the south west wetland and Toms Creek areas. Southern Rural Water should be contacted to identify any existing bore owners in the vicinity of the plantation, as the proposed plantation establishment may impact on these existing water users.
Native vegetation removal	<ul style="list-style-type: none"> Concerns regarding removal of significant areas of Ecological Vegetation Class (EVC) 55 (Plains Grassy Woodland). Land clearing and fragmentation have led to significant losses of EVC 55 from the Red Gum Plains, which is recognised in the East Gippsland Regional Catchment Strategy (RCS). The proposed removal of native grassland is not in accordance with these agreed regional targets in the RCS and will further increase fragmentation of remnant vegetation by retaining isolated patches surrounded by pine plantation.

Council expects that the Minister will ensure a detailed consideration of community and stakeholder objections to ensure that any potential impacts on the amenity, environment and livelihood of nearby landowners and residents are assessed and appropriately addressed through avoidance, minimisation or meaningful mitigation.

5. Key issues for consideration

Council acknowledges that the proposed use and development of land is generally consistent with the policy requirements of the East Gippsland Planning Scheme. The Municipal Planning Strategy (MPS) seeks to provide opportunities for timber processing and value adding (clause 02.03); and the Planning Policy Framework (PPF) facilitates the establishment, management and harvesting of plantations in suitable locations (clause 14.01-3S). These policy positions are reinforced as part of planning scheme amendment C169egip.

Timber production is defined as an agricultural activity (crop raising) and the purpose of the Farming Zone includes providing for the use of land for agriculture (clause 35.07).

Specific requirements for timber production use and development are also identified at clause 53.11 – Timber Production, including the need to comply with the *Code of Practice for Timber Production 2014* (as amended 2022).

The proposal is also generally consistent with Council's Environmental Sustainability and Economic Development Strategies which recognise the need to protect and support agricultural activities, including support for sustainable timber production.

In assessing the technical documentation associated with the planning application there are several key issues that require careful consideration. Council recommends that the Minister for Planning provides robust consideration of local issues relating to the proposed use, development and vegetation removal to ensure:

- Any adverse environmental or amenity impacts are avoided, minimised or mitigated.
- Environmental values on and surrounding the subject site are protected enhanced throughout the life of the project and after plantation activities have ended.
- Appropriate, meaningful and ongoing community engagement, including with traditional owners and neighbouring landholders and residents, is maintained throughout the life of the project.
- The project delivers local economic benefits.

a) Environmental values, amenity and cultural heritage

Environmental Values

Council acknowledges the detailed assessment of environmental values and landscape quality of the subject site undertaken as part of this proposal. Plantation design features recognise areas of environmental significance and seek to avoid or minimise impacts associated with plantation use. Where vegetation removal is proposed, offsets are proposed in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025).

Council shares the concerns raised by EGCMA in relation to the impacts of the proposed plantation on areas of environmental significance (particularly wetlands and waterways) and recommends that further information is required to ensure any impact is minimised. Council's concerns primarily relate to the adequacy of proposed 'buffer' areas and habitat connectivity and potential impacts of the plantation operations on low lying, sensitive environmental areas to the south of the subject site.

The Flora and Fauna Assessment Report (Biosis September 2025) highlights: "*The plantation is likely*

to fragment habitat, particularly for species relying on open areas for movement and foraging. Dense pine growth and loss of native vegetation may isolate small wetlands and soaks, reducing fauna movement and connectivity between habitat patches, with potential long-term effects on local biodiversity.” (page 111).

Whilst the Flora and Fauna Assessment Report states that methods will be adopted and implemented to connect fauna movement corridors in line with EGCMA guidelines and best practice standards, it does not elaborate on what the methods are, how they will be delivered or the implications for the overall plantation design. Further information is required to secure habitat connectivity and appropriate buffers, which may result in changes to the plantation design and operational requirements.

This request is consistent with the objective to protect biodiversity set out in clause 12.01-1S of the East Gippsland Planning Scheme, which is: “*To protect and enhance Victoria’s biodiversity*” (emphasis added). Strategies to achieve this objective include: “*Ensure that decision making takes into account the impacts of land use and development on Victoria’s biodiversity, including consideration of: Fragmentation of habitat.*”

It is not appropriate to simply identify isolated pockets of environmental significance and implement measures to protect those areas. The Planning Scheme requires that use and development also enhance these environmental values which is yet to be demonstrated as part of the proposal.

Pest plant and feral animal control

Agricultural operators with detailed knowledge of the local area have raised concerns regarding the potential for the plantation activities to introduce pest plant species and exacerbate feral animal issues. This may result in environmental degradation of the subject site and land management practices of surrounding agricultural operations.

A principle of the *Code of Practice for Timber Production 2014 (as amended 2022)* is to ensure: “*Forest ecosystem health and vitality is monitored and managed to reduce pest and weed impacts.*” To achieve this principle, operators are required to monitor and maintain forest health by employing appropriate preventative, protective and remedial measures. Council has been unable to identify any specific assessment of this issue as part of the planning application documentation. In order to address local risks associated with pest plant species and feral animals, it is recommended that a planning permit condition (if a permit is issued) be prepared to require the development of a Pest Plant and Feral Animal Management Plan. This Plan should be prepared in collaboration with local farming operators to ensure known risks are appropriately identified and managed.

Groundwater

Clause 53.11-4 – ‘Timber Production’ sets out decision guidelines for the assessment of timber production proposals. The guidelines require that the responsible authority must consider the role of plantations in:

- Preventing land degradation, including soil erosion, salinisation and water logging.
- Preventing adverse effects on groundwater recharge.

The planning application documentation includes a Soil Impact Assessment (RMCG, August 2025) which focuses on Coastal Acid Sulfate Soils and salinity. The report concludes that as the areas

affected by CASS and salinity are outside the plantation area, the proposal will have no impact on these environmental risks.

As identified in feedback from EGCMA, the proposal has not quantified the impact of the plantation on groundwater recharge and the habitats and ecosystems that depend on groundwater to maintain their health. Further information is required to fully assess the impact of the plantation on groundwater levels in accordance with clause 53.11-4 of the Planning Scheme. Areas of particular concern identified by EGCMA include Toms Creek and its fringing wetlands.

Bushfire risk

Council is cognisant of community concerns across East Gippsland in relation to proposed use and development that has the potential to increase the risk of bushfire. This reflects the history of bushfire activity in East Gippsland and its impact on our community. We have reviewed the Bushfire Risk Assessment (Fire Risk Consultants, March 2025) and note the conclusion that design and operational strategies: *“...ensure compliance with relevant bushfire planning provisions and prioritise the safety of the plantation, workers, and neighbouring communities.”*

Council does not retain bushfire management expertise and is not able to critique the recommendations of the Bushfire Risk Assessment. Given the fast track assessment pathway for this application, we also do not have the time or funding to seek a peer review of the report to ensure community concerns are addressed as part of the assessment process. Council therefore requests that the Minister for Planning undertake a detailed review of the Bushfire Risk Assessment in conjunction with the CFA and ensure that appropriate planning permit conditions are applied to protect life and property from bushfire risk (if a planning permit is issued).

Amenity impacts

Use and development for timber production at the subject site represents a significant change in the agricultural use of the land. This will include a change in land management practices that may impact upon the amenity of nearby residents. Council acknowledges that timber production is a legitimate use in the Farming Zone. Policy direction in the Planning Scheme and Rural Land Use Strategy seeks to protect and support the use of agricultural land for productive agricultural purposes. This may result in some activities that are not commensurate with residential amenity standards that may be expected in an urban location.

Council also understands that the timber production industry must work in accordance with the requirements of the *Code of Practice for Timber Production 2014 (as amended 2022)*. Council requests that planning permit conditions be imposed (if a planning permit is issued) that ensure timber production practices are conducted in accordance with the Code and take into account the amenity of nearby residents.

To ensure the amenity and safety of the surrounding road network is not adversely impacted, it is requested that planning permit conditions require all access points to the subject land be constructed in accordance with Council's Infrastructure Design Manual (IDM).

Cultural heritage

The Town Planning Report (Contour, August 2025) states that a Cultural Heritage Management Plan (CHMP) is required for the project as a high impact activity in an area of cultural heritage sensitivity.

Whilst Council is not aware of the progress of this report, we note Planning Practice Note 45 - The Aboriginal Heritage Act and the Planning Permit Process (May 2023) clearly states that: *"If a management plan is required, the responsible authority cannot issue a planning permit until it receives a copy of the approved management plan from the applicant."*

It is assumed that the determination of this planning application will be in accordance with PPN45. If the CHMP requires any amendment to the proposed use and development or native vegetation removal, Council requests that amended plans be circulated for review and comment.

b) Monitoring and compliance reporting

If a planning permit is issued, where conditions are proposed to avoid or mitigate environmental or amenity impacts, or to provide for ongoing operating arrangements of the plantation, there should also be a mechanism in place requiring the proponent to monitor, appropriately respond to, and report on compliance with any conditions of approval.

Council should not be imposed with the burden of providing ongoing compliance monitoring. Rather there should be a requirement for the proponent to provide regular compliance audit reports, including in relation to complaints and grievances, to Council's satisfaction. Reports should be prepared by an independent and suitably qualified person, to demonstrate appropriate monitoring of operating requirements and to ensure compliance with the *Code of Practice for Timber Production 2014 (as amended 2022)* and all conditions of approval.

c) Community input and economic benefit

Community input

Council is concerned about the lack of appropriate community engagement associated with the assessment of this planning application. A community 'open day' was organised by the proponent on 28 November, with notification only to adjoining landowners. Further, planning application documents were not made available for public viewing via the DTP website until 20 November 2025. This has not allowed community members or organisations an adequate opportunity to review or comment on the proposal. It is recommended that the process for assessment be reviewed and adequate time allowed for all parties to contribute to the decision making process.

It is also considered that community engagement activities should not be limited to the assessment of the planning application only. Ongoing community engagement requirements via a Community Engagement Plan should be secured via a planning permit condition, if approved. The Strategy should ensure that the community is informed throughout the life of the project regarding planned activities, particularly for activities that may have an impact on amenity.

Economic benefit opportunities

It is recommended that the proponent commit to the development and implementation of an Economic Benefit Plan that includes, but is not limited to, local employment, local procurement processes, and local education and workforce training. The Economic Benefit Plan should be a requirement of planning permit condition, if approved.

6. Conclusion and recommendations

Council has no in principle objection to the use and development of the subject land for timber production. This is generally consistent with the policy direction of the East Gippsland Planning Scheme, Rural Land Use Strategy and Council's Environmental Sustainability and Economic Development Strategies.

We retain concerns, however, in relation to the impact of the proposal on the environmental values of the site and surrounding area. Technical reports submitted in support of the proposal have failed to fully address planning scheme requirements to protect and enhance biodiversity. Council respectfully recommends the following actions in relation to the assessment and determination of the planning application:

1. The Responsible Authority seeks further information from the proponent to address:
 - a) How the proposal addresses clause 12.01-1S of the East Gippsland Planning Scheme to protect and enhance Victoria's biodiversity. The proposal must demonstrate appropriate 'buffer' areas and habitat connectivity between areas of environmental significance.
 - b) How the proposal addresses Clause 53.11-4 relating to groundwater recharge. The proposal must demonstrate protection and enhancement of biodiversity values of the Gippsland Lakes and fringing wetlands and waterways.
 - c) How the planning application responds to the endorsed Cultural Heritage Management Plan.
 - d) How the proposal responds to emerging planning policy contained in planning scheme amendment C169egip.

Additional information provided by the proponent regarding the matters outlined above should be secured via appropriate planning permit conditions.

2. If a planning permit is issued, the Responsible Authority implements appropriate planning permit conditions to require the following:
 - a) Pest Plant and Feral Animal Management Plan to be prepared in collaboration with local landowners.
 - b) Bushfire Management Plan to be prepared in collaboration with the CFA.
 - c) Community Engagement Plan to ensure the community is informed throughout the life of the project.
 - d) Local Economic Benefit Plan that secures opportunities for local employment, local procurement processes, and local education and workforce training.
 - e) Monitoring and reporting of compliance with planning permit conditions be the responsibility of the plantation operator. Technical reports should be prepared by an independent, suitably qualified person in accordance with the *Code of Practice for Timber Production*.
 - f) All access points to the subject land be constructed in accordance with Council's Infrastructure Design Manual (IDM).

Attachments

1. EGSC Response to Pre Application Advice request

2. Submission from East Gippsland Catchment Management Authority via Council's Agricultural Sector Advisory Committee. 18 November 2025

Contact: Martin Richardson
Telephone No: (03) 5153 9500
Email: feedback@egipps.vic.gov.au

28 August 2025

Corporate Centre
273 Main Street (PO Box 1618)
Bairnsdale Victoria 3875
Telephone: (03) 5153 9500
National Relay Service: 133 677
Facsimile: (03) 5153 9576
Email: feedback@egipps.vic.gov.au
ABN 81 957 967 765

Adam Williams
Development Facilitation
Department of Transport and Planning

By email - adam.j.williams@transport.vic.gov.au

Dear Adam

**Pre-application response to proposed use and development of land for timber production
400 Aitkens Road, Bengworden**

Thank you for the opportunity to review and provide feedback regarding the proposed use and development of land for timber production at the above property. Please see information below in response to your email correspondence dated 14 August 2025.

1. Information relevant to the site and/or proposal

The subject site is located within the Farming Zone and is affected by a suite of overlay controls. These are appropriately identified in the Town Planning Report (Contour, August 2025). Council also notes the following strategy and two planning scheme amendments that are relevant to the subject site and proposal.

East Gippsland Rural Land Use Strategy (2023)

The Rural Land Use Strategy (RLUS) was adopted by Council in 2023 and provides a planning vision and framework to support agriculture and rural industries, promote opportunities in rural tourism, and recognise and protect important environmental, cultural and landscape values. The strategy applies to all privately owned rural land in East Gippsland.

The RLUS identifies rural industries, including timber production and harvesting, as offering economic and employment opportunities. It seeks to ensure rural industry land and assets are not encroached by sensitive uses, including dwellings, to protect their long term viability. It also identifies the importance of balancing the economic and social benefits arising from rural industries with the protection of productive farmland, farmland of strategic significance, significant landscape and environmental values and the amenity of the Shire's rural areas.

The RLUS can be viewed here: [Rural Land Use Strategy](#)

Amendment C170egip

This amendment implements the key recommendations of the RLUS. The Minister for Planning authorised the amendment to be prepared and exhibited on 2 October 2024. The amendment is yet to be exhibited. Amendment documentation can be viewed here: [Council Meeting - Tuesday 16 July 2024](#) Refer Agenda item 5.1.5 - page 904 to page 1137.

Amendment C169egip

This amendment updates the Municipal Planning Strategy (MPS), the local planning policy content within the Planning Policy Framework (PPF) and various operational provisions of the East Gippsland Planning Scheme in accordance with adopted Council plans and strategies.

The amendment was placed on exhibition, ending on 30 May 2025. Submissions to the amendment were considered by Council at their ordinary meeting on 19 August 2025. Council have adopted post exhibition changes to address submissions (where relevant) and submitted the amendment to the Minister for Planning for approval. Amendment documentation can be viewed here: [C169egip](#)

2. Any advice previously provided regarding this proposal

As set out in the Town Planning Report (Contour, August 2025), Council has previously provided written advice to the proponent confirming that no planning permit was required for the use of land for timber production on land under 100ha (1815 Bengworden Road). Council has not provided any advice regarding the current proposal.

Council has received correspondence from an adjoining landowner raising concerns regarding the proposal. The concerns are summarised below:

Issue	Comments
Bushfire risk	<ul style="list-style-type: none"> Only two firefighting appliances within 24km of the proposed plantation. Risk to life, property and livestock associated with a bushfire event.
Environmental impact	<ul style="list-style-type: none"> Impact on fauna species identified on the property, including the Australian burrowing crayfish, bare nosed wombats, echidnas and copperhead snakes. Impact on water and soil quality including downstream impacts on the Gippsland Lakes. Impact to local biodiversity associated with a monoculture plantation (radiata pine). Erosion risk associated with harvesting practices leading to sedimentation of waterways and loss of soil fertility. Long term impact on agricultural productivity from soil nutrient depletion associated with radiata pine plantations.
Amenity and financial impact	<ul style="list-style-type: none"> Amenity impacts from machinery associated with timber plantation operations. Increased insurance premiums and reduction in property value.

Council understands that the landowner has also raised these concerns directly with the member for Gippsland East, The Hon. Tim Bull.

Council provided a written response to the landowner advising that if and when a planning application is lodged with the responsible authority it would be subject to notice requirements that will provide an opportunity for a formal objection to be made. Council also indicated that it would encourage the proponent to meet with local community members to respond to concerns.

3. Any draft planning permit conditions

Given the volume of technical reports provided with the request for pre-application feedback from Council, we have been unable to prepare detailed draft planning permit conditions.

If the planning permit application is accepted through the Development Facilitation Program (DFP), Council anticipates that a detailed assessment of technical issues will be undertaken by the relevant responsible authority. There are several key issues that we would expect to be addressed as part of planning permit conditions (if a planning permit was to be issued) including, but not limited to:

- Bushfire management
- Environmental impact
 - Protection of significant vegetation
 - Soil quality, including costal acid sulfate soils
 - Water quality, including consideration of runoff into the Gippsland Lakes
 - Fauna and habitat impact
- Landscape impact
- Operational management of the plantation
 - Amenity impacts during timber harvesting activities
 - Traffic and transport impact (asset maintenance and road safety)
- Cultural heritage considerations

In conjunction with these matters, Council considers it appropriate that any planning permit should also consider the local community impact and economic opportunities. To facilitate a strong social license for the proposal, we request consideration of planning permit conditions to secure:

- Ongoing community engagement throughout the life of the project.
- Appropriate complaints handling procedure.
- Procurement opportunities for local businesses.

If the proposal progresses to a full planning application through the Development Facilitation Program, we will elaborate on these matters as part of a formal referral response.

We would be happy to discuss the proposal and this pre-application response in greater detail if required.

Yours sincerely



MARTIN RICHARDSON
Manager Planning and Development

From: CEO <ceo@egcma.com.au>
Sent: Tuesday, 18 November 2025 2:37 PM
To: Martin Richardson <MartinR@egipps.vic.gov.au>
Cc: Prue McTaggart <PrueM@egipps.vic.gov.au>; Chris Stephenson <ChrisS@egipps.vic.gov.au>; Chris Wightman <ChrisWi@egipps.vic.gov.au>; Kaylene Wickham <KayleneWi@egipps.vic.gov.au>; Sean Phillipson <SPhillipson@egcma.com.au>
Subject: FW: [SEC=OFFICIAL] FOR REVIEW and SUBMISSION: Feedback on the Sumitomo 'Gracemere' Plantation
Importance: High

OFFICIAL

Hi Martin,

Thank you for the opportunity to provide comment on the relevant documents. We have reviewed the documents and provide the following comments:

Flooding

Flood mapping available to the Authority in this area is from the Gippsland Lakes Flood Level Modelling Project (2004). This flood study mapped the 1% Annual Exceedance Probability (AEP) flood event (commonly known as the 1 in 100 year flood) which is shown in Figure 1.

The figure shows that:

- The majority of the property is likely to remain flood free under current and future climatic conditions. Flooding will be limited to the southern portion of the property adjacent to Toms Creek.
- The depth of flooding during a 1% AEP flood under current climatic conditions is likely to reach up to 1.8 metres in the wetland area in the southeast corner.

The 1% AEP flood level under current climatic conditions is 2.0 metres Australian Height Datum (AHD). Under future climatic conditions this level increases to 2.8 metres AHD.

We note from the plans provided (Suggested planting areas and planning overlays (Landform Architects, 1 August 2025)) that the areas within the Land Subject to Inundation Overlay (LSIO) are proposed to be excluded from the plantation area. It is important to note that the LSIO has not been updated to reflect the latest available flood information. While the LSIO extent generally aligns with the expected 1% AEP flood extent under current climatic conditions, the LSIO does not include any allowance for increased flood levels associated with climate change. Figure 1 above shows the likely extent of a 1% AEP flood event under future (year 2100) climatic conditions. It is understood that the plantation has a proposed life of 27 years.

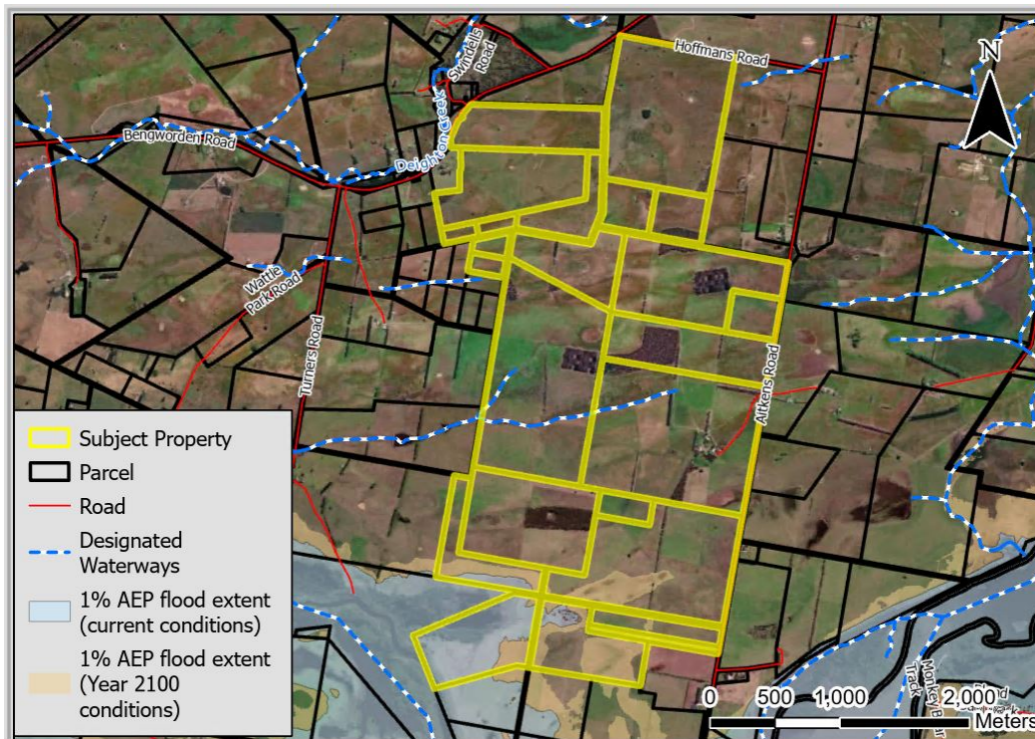


Figure 1 – Designated waterways and 1% AEP flood extent

Waterways

The property contains a designated waterway, which flows from east to west through the centre of the property. In accordance with clauses 12.03-1S and 14.02-1S of the Planning Policy Framework, the Authority will seek protection of this waterway through the creation of a vegetated buffer zone at least 30 metres wide on either side of the waterway. We note that this buffer zone has been identified and excluded from the plantation area. The Authority will require that this buffer zone be revegetated in accordance with the relevant Ecological Vegetation Class for the area.

The creation of a revegetated buffer zone will support improved water quality of any runoff from the property by trapping any nutrient and sediment runoff that would otherwise flow directly to the internationally significant Gippsland Lakes. Reducing nutrient and sediment load into the Gippsland Lakes is a priority in the *Gippsland Lakes Ramsar Site Management Plan* (EGCMA, 2024).

The Authority has reviewed the *Surface Water Runoff Considerations* report (RMCG, July 2025) and notes the conclusion that there “may be an impact on the small watercourse which runs through the property.” No quantitative assessment has been provided to

demonstrate the extent of the predicted impact on hydrology, meaning that any potential ecological impact cannot be assessed. There is no indication in the report that future changes to rainfall associated with climate change have been considered in the review. Additionally, the report does not provide any quantification or commentary on the potential impact to downstream private landholders between the plantation and Backwater Morass. Aerial imagery identifies two large dams on the waterway downstream of the property, which are likely to supply stock and domestic water. Potential impacts on downstream properties must be identified and addressed.

Wetlands

It is noted that the wetland and associated low lying areas in the southwest corner of the property have been excluded from the plantation area. There is no indication in the plans as to how these excluded areas will be treated. The Authority recommends that a wetland buffer area be created and revegetated to allow the wetland to naturally adapt to climate change impacts associated with increased sea (and therefore lake) levels and changes to hydrology and salinity.

The mapping from Biosis APEM Group (*Ecological features within the study area*, 8 August 2025) identifies a small area of Seasonal Herbaceous Wetland north of the waterway. This is a critically endangered EPBC-listed community.

While we note that this wetland area will be retained, the plans demonstrate that the wetland will be surrounded by pine plantation and isolated from nearby waterways. Without direct connectivity through a corridor of native vegetation, the ecological value of the wetland and its ability to support biodiversity is greatly reduced. The East Gippsland Regional Catchment Strategy identified habitat fragmentation as a major threat to the Red Gum Plains Local Area. The *Gippsland Lakes Ramsar Site Management Plan* (EGCMA, 2024) identified wetlands fringing the Gippsland Lakes as critical in supporting values within and adjoining the Ramsar site.

Groundwater and Groundwater Dependent Ecosystems

The wetland in the southwest corner of the property is mapped as part of a groundwater dependent ecosystem, which means that it is connected to, and relies on, groundwater to maintain its health. Toms Creek and its fringing wetlands are critical drought refuges in times of low rainfall and provide significant freshwater habitat.

Several other areas of the property have been mapped as groundwater dependent ecosystems as shown in Figure 2. These areas correlate with low-lying land in the swale of the ancient sand dune systems that created the current landscape.

We note that these areas have largely been excluded from the planting area, however the Authority is concerned that the potential impact of timber plantation establishment on local shallow groundwater has not been quantified. The establishment of the plantation is likely to result in shallow aquifer drawdown, which may have unacceptable impacts on groundwater dependent ecosystems.

A detailed assessment is required to quantify what, if any, impact the establishment of a pine plantation would have on local groundwater levels, and therefore the groundwater dependent ecosystems in the vicinity of the plantation. Through this investigation, appropriate buffer zones can be established.

Additionally, the Authority recommends that Southern Rural Water be contacted to identify any existing bore owners in the vicinity of the plantation, as the proposed plantation establishment may impact on these existing water users.

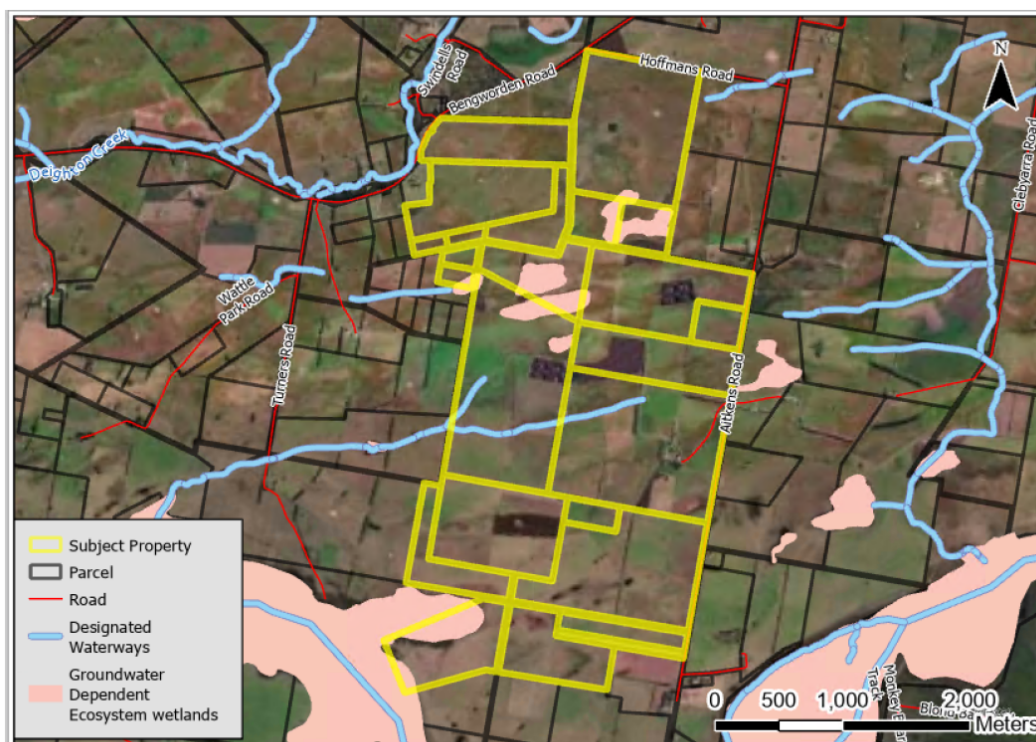


Figure 2 – Groundwater Dependent Ecosystem wetlands

Removal of Native Vegetation

The Authority is concerned about the significant areas of Ecological Vegetation Class (EVC) 55 (Plains Grassy Woodland) proposed to be removed to enable establishment of the pine plantation. Land clearing and fragmentation have led to significant losses of EVC 55 from the Red Gum Plains, which is recognised in the East Gippsland Regional Catchment Strategy (RCS). The RCS includes the following objectives for the Red Gum Plains:

- By 2040, protect and enhance the condition of the high and medium quality threatened vegetation communities (Gippsland Red Gum Grassy Woodland and

Associated Native Grassland and Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains.

Specific outcomes identified for 2027 include:

- Maintain, and where possible improve, the condition of Gippsland Plains Grassy woodland, increase extent by 30%.
- Increase the area of native vegetation under permanent protection.
- There will be no reduction in known threatened plant species populations.

The proposed removal of native grassland is not in accordance with these agreed regional targets in the RCS and will further increase fragmentation of remnant vegetation by retaining isolated patches surrounded by pine plantation.

Long Term Land Use

The Authority requires further information about the longer-term future of the property, particularly regarding management of changes to soil acidity levels and the potential impact on the ability to rehabilitate the land post-forestry.

If you would like to discuss any of our comments, please get in contact.

Thanks,
Bec



Bec Hemming | CEO
East Gippsland Catchment Management Authority
M: 0438 510 190 | E: ceo@egcma.com.au
75 Macleod Street (PO Box 1012) Bairnsdale VIC 3875



#2658

1 Dec 2025

Konrad Bruhn, Associate
Contour Consultants
kbruhn@contour.net.au

Dear Konrad

EGSC request on 400, 400A & 580 Aitkens Road, Bengworden

I have reviewed the request from council for additional information on groundwater impacts from the project and provide the following advice.

Council request: Item 2

How the proposal addresses Clause 53.11-4 relating to groundwater recharge. The planning application has not quantified the impact of the plantation on groundwater recharge and the habitats and ecosystems that depend on groundwater to maintain their health. Areas of particular concern include Toms Creek and its fringing wetlands. The proposal must demonstrate protection and enhancement of biodiversity values of the Gippsland Lakes and fringing wetlands and waterways.

Clause 53.11-4 requires consideration of how a plantation might influence groundwater recharge.

This matter has been addressed in the reports provided by looking at two factors:

1. The connection between groundwater and habitats and ecosystems found on the site, and
2. Potential impacts on the Gippsland Lakes and fringing wetlands and waterways.

The relevant findings from the reports are summarised below.

1. 'Habitats and ecosystems that depend on groundwater'

The site-specific data collected via the recent drilling and bore installation was conducted to clarify the extent the extent to which ecological communities mapped as wetlands in the northern section of the property interact with groundwater. The bore analysis found that the groundwater in this area is at a depth of over 18 metres and appears to be confined (i.e. does not move up in the soil profile).

This analysis (along with previous desktop assessments of available data) shows that there is unlikely to be a connection between the groundwater and these wetlands.

4/9 Napier Street, Warragul Victoria 3820 — (03) 5611 0536
rmcg.com.au — ABN 73 613 135 247 — RM Consulting Group Pty Ltd
Victoria — Tasmania — New South Wales — Queensland



This means that the plantation will not have any significant impact on groundwater and that the habitats and ecosystems in the area are not connected to or dependent on groundwater. This is why there is no quantification of any such impacts.

2. Toms Creek and fringing wetlands

The findings regarding groundwater depth and connections to surface also apply to Toms Creek and the fringing wetlands. In the northern sections of Toms Creek, it is unlikely that there is any connection to groundwater due to the depth.

In the southern part of the site, closer to Backwater Morass, it is possible that the groundwater levels are closer to the surface. There are signs in this area of surface salinity and the presence of acid sulfate soils indicates a saturated soil layer. The areas where there is a risk of acid sulfate soils have been excluded from the plantation to avoid any interactions with acid sulfate soils.

The extent to which the plantation could affect surface water yields to waterways like Toms Creek was also examined. The Toms Creek-Emu Creek catchment is approximately 252km². The gross area of the plantation (including the 2024 planted areas) that falls within this catchment is approximately 168ha, meaning the plantation represents 0.7% of the area of the catchment, which is well under the area that would be expected to affect surface water yields, and therefore any impacts on Toms Creek and fringing wetlands.

In conclusion, the analysis that has been completed demonstrates that the plantation will not have groundwater or surface water impacts on the Gippsland Lakes and its fringing wetlands.

Kind regards



Shayne Annett
PRINCIPAL



Date

1 December 2025

To

Chris Wightman
Statutory Planning

Address

East Gippsland Shire Council
PO Box 1618
Bairnsdale VIC 3875

Sent

Via email to: chriswi@egipps.vic.gov.au

Cc: taylor.alley@transport.vic.gov.au

Dear Chris,

EGSC Referral response

PA2503991 - 400, 400A & 580 Aitkens Road Bengworden

We continue to act for SFA Nature Based Solutions Unit Trust and refer to East Gippsland Shire Council's request for further information received via the Department of Transport and Planning on the 27th of November 2025.

We have carefully considered the queries in conjunction with specialist consultants and provide the following responses to each matter:

Item	Council Request:	Response:
1.	How the proposal addresses clause 12.01-1S of the East Gippsland Planning Scheme to protect and enhance Victoria's biodiversity (emphasis added). Whilst the Flora and Fauna Assessment Report (Biosis, September 2025) states that methods will be adopted and implemented to connect fauna movement corridors in line with EGCMA guidelines and best practice standards, it does not elaborate on what the methods are, how they will be delivered or the implications for the overall plantation design. Further information is required to demonstrate appropriate 'buffer' areas and habitat connectivity between areas of environmental significance. This information may result in changes to the plantation design and operational requirements.	<p>In the context of this planning permit application, the operation of the biodiversity policies is confined to native vegetation that triggers a planning permit for its removal, and to native vegetation that would otherwise require a planning permit and is proposed to be retained as part of the development.</p> <p>The plantation layout has been designed to protect the most important biodiversity values in accordance with the requirements of clause 12.01 of the East Gippsland Planning Scheme. The site has been highly modified due to land clearing and agricultural use and the remanent vegetation is highly degraded.</p> <p>As required by the planning scheme, the plantation design avoids impacts to the highest value biodiversity areas. The Flora and Fauna Guarantee Act (FFG Act) listed threatened ecological community – Forest Red Gum Grassy Woodland community that is also listed under the Commonwealth Environment Protection and</p>



Item	Council Request:	Response:
		<p>Biodiversity Conservation Act is all proposed for retention.</p> <p>The proposed fauna habitat linkages connect the most important low-lying areas in the dune swales which will allow fauna species to access and colonise habitat that will improve over time as it is retired from grazing. Threats from weeds in these areas will be managed in accordance with the Operation Environmental Management Plan to be endorsed with the permit</p> <p>Proposed buffers have been developed using the Commonwealth Government's conservation advice for the threatened ecological communities. Chapter 6, Appendix 6 and Figure 5 of the Flora and Fauna Assessment show the buffers and provide a detailed explanation of the buffers provided between the areas to the environmental values to be retained and the plantation. All potential vegetation losses within the buffer areas have been assumed to be lost and included in the calculation of offset requirements in accordance with the Guidelines for the removal, destruction or lopping of native vegetation.</p>
2.	<p>How the proposal addresses Clause 53.11-4 relating to groundwater recharge. The planning application has not quantified the impact of the plantation on groundwater recharge and the habitats and ecosystems that depend on groundwater to maintain their health. Areas of particular concern include Toms Creek and its fringing wetlands. The proposal must demonstrate protection and enhancement of biodiversity values of the Gippsland Lakes and fringing wetlands and waterways.</p>	<p>Please refer to the enclosed response prepared by RMCG.</p>



Item	Council Request:	Response:
3.	How the planning application responds to an endorsed Cultural Heritage Management Plan. The Town Planning Report (Contour, August 2025) states that a Cultural Heritage Management Plan (CHMP) is required for the project as a high impact activity in an area of cultural heritage sensitivity. It goes on to state that the CHMP is yet to be endorsed. Planning Practice Note 45 - The Aboriginal Heritage Act and the Planning Permit Process (May 2023) clearly states that: "If a management plan is required, the responsible authority cannot issue a planning permit until it receives a copy of the approved management plan from the applicant." The CHMP may require the proposed use, development, and vegetation removal to be amended. It is premature to assess the planning application until this information is available.	<p>A CHMP for the proposed development has been in preparation for over 12 months and is in the final stages of the process, with approval expected imminently.</p> <p>Archaeological testing has been completed, and the findings of the assessment has informed the plantation layout. Notably, area of high cultural heritage sensitivity based on the assessment Tardis has undertaken have been excluded from the plantation area and will not be disturbed.</p>
4.	How the proposal responds to emerging planning policy contained in planning scheme amendment C169egip. Council is currently updating its MPS and PPF via implementation of key plans and strategies as part of planning scheme amendment C169egip. This is a seriously entertained planning scheme amendment which has been exhibited and is currently awaiting approval by the Minister for Planning. The Town Planning Report (Contour, August 2025) has failed to address the proposed updated policy requirements.	<p>We do not consider that Amendment c169egip introduces any consequential policy considerations that have not already been addressed in response the MPS and PPF in their current format.</p> <p>There remains support for the proposal in the draft MPS having regard to:</p> <ul style="list-style-type: none"> • Employment growth in forestry, timber and agriculture industries. • The avoidance and minimisation of native vegetation and ongoing management of retained native vegetation • Providing opportunities to add value to agricultural and timber products <p>The proposal is also highly consistent with draft policies in the PPF, in particularly Clauses 12.01-1L and 12.01-2L as demonstrated in the Flora and Fauna Assessment prepared by Biosis and the response to item 1 above.</p>

We trust the enclosed material is to Council's satisfaction. Should you have any questions, please don't hesitate to contact me.

Yours sincerely,

Konrad Bruhn
Associate

Contour Consultants Australia Pty Ltd

5.4.2 Open Space Strategy 2025-2035

Authorised by General Manager Place and Community

Purpose

The purpose of this report is to present the Draft East Gippsland Shire Council Open Space Strategy 2025-2035 to Council for formal consideration.

Key Points

The aim of the Open Space Strategy is to establish a strategic vision and provide a high-level overarching long-term framework to guide the future planning, development, provision, and management of open space within East Gippsland.

Open Space, for the purpose of the strategy is defined as: 'All freely accessible land owned and managed by East Gippsland Shire Council used for active, passive, and conservation purposes.

The framework established through the adoption of this Open Space Strategy will support East Gippsland Shire Council in effectively managing and servicing existing public open space whilst guiding future development. The end point will be a fiscally responsible and efficient approach to management of a public open space network that meets community needs.

Recommendation

That Council adopts the East Gippsland Shire Council Open Space Strategy 2025-2035 as presented at Attachment 1.

Background

Council commenced development of a Public Open Space Strategy some time ago with a significant amount of background work completed. The Strategy was effectively at first draft stage, however for a number of reasons did not progress for several years.

In late 2023, the completion of this Strategy was once again prioritised. Noting that there was an existing draft that was well progressed, but also being conscious that it had been some time since Council or the broader community had provided input into the Strategy, Officers considered both reviewing the existing draft strategy or recommencing the process from the beginning.

The risk with reviewing the existing Strategy, given the time since this work was completed, is that it may be viewed that the draft has been produced with limited engagement with the community and Council. However, the content of the draft Strategy was considered sound and well aligned with current legislation, guiding principles, and the Council Plan. The decision was made to undertake a thorough review of the existing strategy, and to mitigate against concerns about engagement by ensuring there was a high-level engagement with both the community and Council.

Emerge Associates were engaged in 2023 to review the existing work (previously undertaken internally but not endorsed by Council), conduct community engagement and complete this Open Space Strategy (OSS) for East Gippsland.

This thorough literature/historical review was conducted to produce an Open Space Discussion Paper, provided as **Attachment 2**. A range of community engagement activities were conducted as outlined further in this report, and draft Open Space Strategy developed.

This Draft Strategy was presented to Council at the 2 September Council Briefing, prior to being advertised to the community via Council's Your Say page,

The Strategy is to provide the Council with key principles and guidelines through:

- ***Key Directions***
- ***Planning Tools incl: - Guiding Principles, Service Framework, and Service Objectives.***
- ***Action Plan***
- ***Appendices incl: - Improvement Service Standards, Performance Assessment Criteria and Community Engagement Results Summary.***

The following stakeholders, Parks Victoria, Department of Energy, Environment and Climate, Actions (DEECA), East Gippsland Catchment Management Authority (EGMA) and Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) were invited to provide feedback throughout the strategies progression.

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 connected and inclusive community, where no one is left behind

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

Outcome – Our cultural heritage is managed and preserved

Outcome – Our assets are well maintained, utilised and meet community needs

Theme 4: Managing Council well

Outcome – Council operates transparently and effectively with public trust

Consultation/Community Engagement/Impacts

A review was conducted of historical open space strategy work as well as current Council strategies and policies to inform the development of an *OSS Engagement Discussion Paper (Attachment 2)*.

The principles were tested with Council via a briefing session and then released for community feedback through Council's Your Say Page.

Between 5 September and 1 October 2025, community engagement was conducted via Your Say East Gippsland to gather feedback on key directions, planning tools, and service frameworks proposed in the strategy.

A total of **312 visits** were recorded, with **191** 'aware' participants, 140 'informed', and 9 'engaged'. The survey received 11 submissions from 9 contributors, with feedback ranging from strategic suggestions to specific local improvements.

At the conclusion of the engagement period, Councillor and community feedback was considered and used to amend the final draft Plan. Pedestrian connectivity within streetscapes and emphasising the open space functionality of the street was a key theme. This is supported and it is believed this is already captured within the Strategy within Guiding Principle 4.1, and Coordinate Action 3.6.

Opportunities and Risks

The East Gippsland Shire Council Open Space Strategy will provide strong guidance for Council's management and planning of our open space.

This strategic guidance will support future development, priority work and actions, and to support external funding opportunities.

It is noted that the strategy is relatively high level and identifies a number of actions that will be incorporated into future revisions of the Strategy.

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:

Category

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

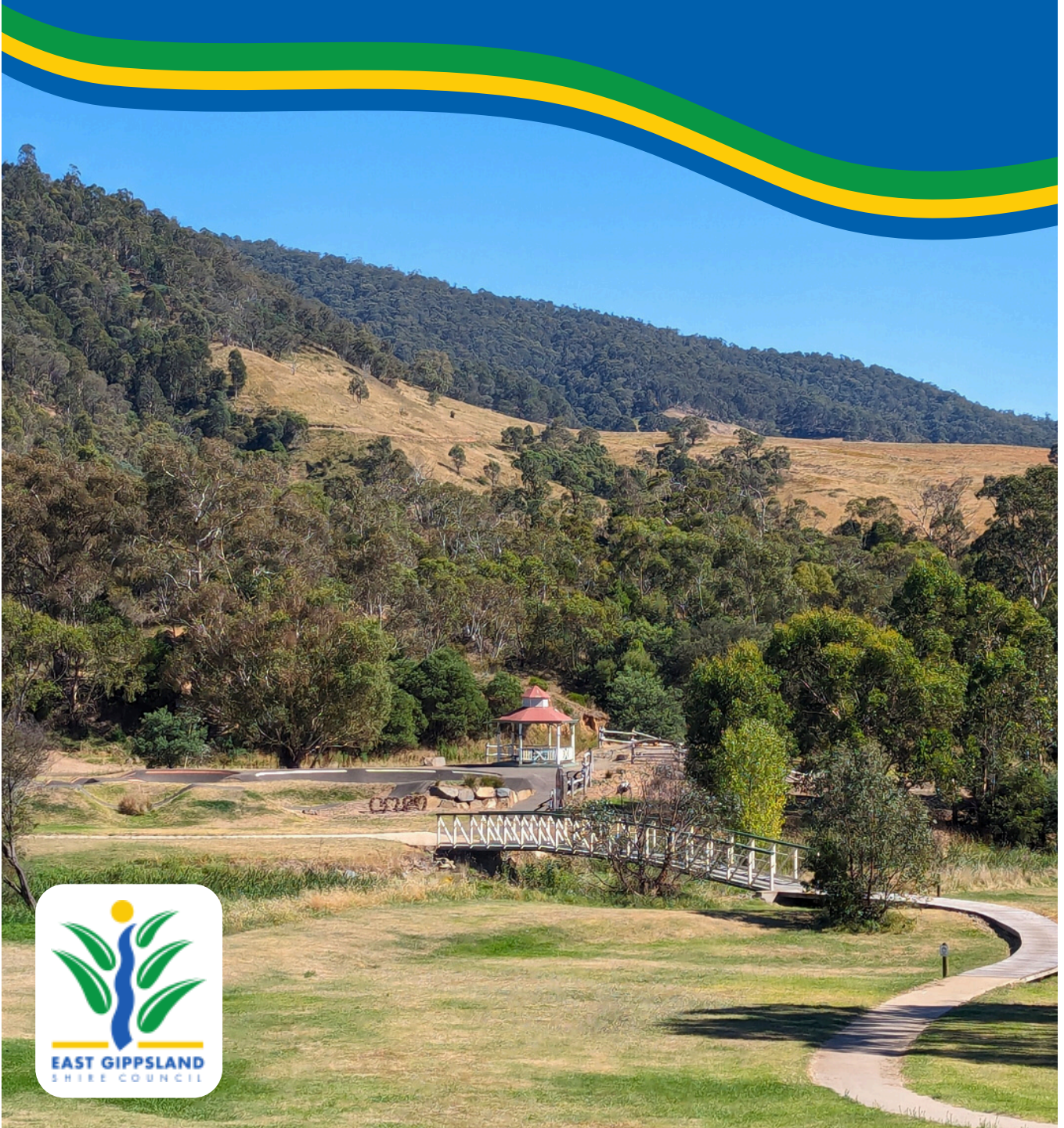
Conflicts of Interest

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

Attachments

1. Draft Open Space Strategy 2025-2035 [**5.4.2.1** - 50 pages]
2. Open Space Strategy Engagement Discussion Paper [**5.4.2.2** - 6 pages]

East Gippsland Shire Council Open Space Strategy DRAFT 2025-2035





Acknowledgement of Country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country.

The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

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

CONTENTS

1. Introduction	4
1.1 Strategy Scope	5
1.2 Context	6
1.3 Current State	10
2. Vision	11
3. Key Directions	12
3.1 OPTIMISE: How we provide open space	13
• Key Issue	
• Direction	
• Long Term Outcome	
3.2 ENABLE: How we fund open space projects	14
• Key Issue	
• Direction	
• Long Term Outcome	
3.3 COORDINATE: How we look after open space	15
• Key Issue	
• Direction	
• Long Term Outcome	
4. Planning Tools	16
4.1 Guiding Principles	17
4.2 Service Framework	18
4.3 Service Objectives	20
5. Action Plan	22
5.1 OPTIMISE: Distribution that meets needs	23
5.2 ENABLE: Coordinated investment	25
5.3 COORDINATE: Coordinated management	26

Appendices

1	Improvement Service Standards
2	Performance Assessment Criteria
3	Community Engagement Results Summary

Prepared for: East Gippsland Shire Council
By Project Consultants: Emerge Associates

Acknowledgements

Thank you to the East Gippsland community, stakeholders, and Council staff for their valuable input. This Strategy reflects local priorities and has been shaped by evidence and engagement.

Disclaimer

This report was prepared in good faith with East Gippsland Shire Council and is based on available data, previous strategies, stakeholder input, and supporting documents. Information is current as of the dates stated and may change over time.

Illustrations and concepts are indicative only. All recommendations are subject to further planning, design, costing, consultation, and approval.

This document is for East Gippsland Shire Council's use only and should not be relied on by others. Unauthorised use or reproduction is prohibited.



1. Introduction



1.1 STRATEGY SCOPE

Why do we need an Open Space Strategy?

East Gippsland Shire Council (Council) was established in 1994 through the amalgamation of six individual local government areas. With this consolidation of local government administration, came an abundance of land, property and infrastructure assets to be managed and maintained. This includes open space.

Public open space is crucial for the wellbeing of towns and their communities. High-quality open spaces offer numerous benefits, including environmental, social, cultural, and economic advantages. They support residents' recreational activities, serve as venues for social interactions, enhance the character of urban areas, and improve the aesthetic appeal of streetscapes.

The Open Space Strategy ('the Strategy') provides a strategic and long-term framework for the provision, characteristics and standards for public open space in East Gippsland Shire.

By having a framework in place, East Gippsland Shire Council can effectively manage and service existing public open space whilst guiding future development to adequately reduce current or projected supply shortfalls, if applicable. The end point will be a fiscally responsible and efficient approach to management of the public open space network. The Strategy will be incorporated into the Planning Scheme and used as a daily decision-making tool.

What is Open Space?

Open space is defined as:

"Public land and waters that provide for one or more of these purposes:

- *Outdoor recreation*
- *Leisure*
- *Environmental, social and cultural benefits*
- *Visual amenity and off-road active transport"*

Source: Open Space for Everyone - Melbourne Open Space Strategy, Department of Energy, Environment and Climate Action, Victoria

How has the Open Space Strategy been developed?

The strategy has been developed from extensive internal engagement with Council, external engagement with the community and best practice peer review.

A working group of key Council staff has helped to shape the structure and direction of the strategy along each of the key milestones of the project.

Initial community engagement for the Open Space Strategy was carried out via an online survey. Engagement undertaken for other strategies and masterplans has helped to further inform open space priorities such as:

- Community Vision
- Council Plan
- Draft Coastal and Marine Management Plan
- Environmental Sustainability Strategy
- Bairnsdale and East Gippsland Sporting Facilities Plan
- Sporting Reserve upgrades and masterplans
- Park upgrades and masterplans
- Playspace upgrades and concept plans
- Trail improvements and plans

Further community engagement has been undertaken to directly shape the key directions and vision of the strategy.

What we heard

The following priorities emerged from the combined engagement efforts:

- Improve existing facilities, including playgrounds, and updating them more regularly
- Increase the activation and appeal of open spaces
- More "community hub" spaces which offer a high-quality experience which are flexible and offer something for all ages
- A greater level of consistency in open spaces and infrastructure quality
- Improved maintenance of existing open spaces
- More proactive management of activities that have potential for conflict and environmental harm (i.e. MTB, motor cross, horse riding)
- Improve connections and linkages between open spaces

In general, the community recognises the benefits of leisure, recreation and open space in contributing to the culture, lifestyle and character of the region.

The open space network facilitates a high level of participation in a range of physical activities, including aquatic sports, informal recreation, environmental appreciation and a range of traditional formal sports.

Please see **Appendix 3 - Community Engagement Results Summary** for more information

1.2 CONTEXT

Our Landscape



FIGURE 1 - Location of East Gippsland Shire

East Gippsland Shire ('the Shire') is located in Eastern Victoria approximately 270 kilometres from Melbourne. The Shire is 21,000 square kilometres which is equivalent to 10% of Victoria's total geographic area.

East Gippsland Shire is renowned for its remarkable diversity and beauty of its natural environment. It has the largest navigable lakes system in Australia. Extensive and undisturbed natural areas include coasts and forests; national parks (including marine parks); and wilderness areas.

East Gippsland is covered by a vast Crown Land estate contributing to almost 80% of the total land area. Of the East Gippsland Shire landscape, less than 1% of the area is under Council ownership.

There are 171 localities across East Gippsland. Only 64 square kilometres (or 0.12%) of land within the Shire is classified as urban, concentrated in the towns of Bairnsdale and Lakes Entrance and townships of Orbost, Paynesville, Metung, Omeo and Mallacoota. There are also 35 smaller towns and rural localities.

The number of localities, and vast distances between them (e.g. 236km from Bairnsdale to Mallacoota) creates an enormous challenge in providing all residents equitable access to assets, and for efficient maintenance of those assets.

East Gippsland services 12 districts and many localities within each district, currently maintaining:

- 68 playgrounds (3 regional level)
- 19 sporting recreation reserves (2 regional level)
- 39 sports courts
- 10 skate parks
- 31 boat ramps
- 74 km of walking tracks

Our People

"East Gippsland is a large and vibrant region in a beautiful natural setting, home to proud and involved communities that embrace and encourage self-reliance, responsibility and new ideas." - Advocacy Strategy 2024

Traditional Owners

Gunaikurnai, Monero and the Bidjawal people are the Traditional Custodians of East Gippsland Shire. Their enduring relationship with country has cared and nurtured East Gippsland for tens of thousands of years and continues to do so. 3.2% of population identified as Aboriginal in 2021. *Source: ABS & .id Forecast*

Population

The East Gippsland Shire population is 48,715 (2021) dispersed across 171 localities and towns across 13 districts.

The population forecast for 2031 is 54,481 and 60,271 for 2041 which is an approximate increase of 11,500 people close to a 24% increase or 1.1% average annual growth.

The locations that are forecast to experience the greatest amount of growth are: *Source: ABS & .id Forecast*

- Paynesville (2.1% annual growth rate)
- Twin Rivers (1.5%)
- Metung (1.3%)
- Bairnsdale (1.3%)

Visitors

There was a total of 2.5m domestic visitors to the East Gippsland Region in 2022 which was an increase of 11% on the previous year. The tourism sector contributes 6.7% of total employment and 211.8m in gross regional product. *(Source: Economic Development Strategy 2022-2032)*

Health

In East Gippsland, 49% of the adult population meets the physical activity guidelines, slightly lower than the state average of 51% in Victoria.

There is a lower proportion of adults engaging in regular walking for at least 10 minutes, at least four times per week, with only 11% in East Gippsland compared to 18% in Victoria. *(Source: Health and Wellbeing Plan 2021-2025)*

Many residents acknowledge the importance of preserving and enhancing local ecosystems and wildlife habitats to maintain biodiversity for ecological health and population health outcomes.

Older Population

The Shire has a lower proportion of children under 18 (18%) and a higher proportion of persons aged 60 or older (29%) than Regional Victoria on average. *Source: ABS & .id Forecast*

1.2 CONTEXT

Challenges & Opportunities

East Gippsland is a large Local Government Area (LGA) in Victoria, covering about 22,100 square kilometers, or 10% of the state's area. Unlike many large regional councils with one or two major population centers, East Gippsland consists of numerous small communities with low populations (200-1000). The main towns—Bairnsdale (17,468 people), Lakes Entrance (8,534), and Paynesville (6,387) are located in the west, leaving many smaller communities distant from service centres.

This geographic and demographic distribution poses significant challenges for providing public open space. Many small communities need facilities like sports fields, parks, and playgrounds, requiring East Gippsland Shire Council to maintain a higher number of facilities and assets than other councils with similar populations but fewer small communities.

Due to the distribution of the community in smaller settlements across vast distances, it is not feasible for Council to concentrate investment only in areas of higher density where multiple recreation groups can share assets.

The resources required to maintain and eventually replace these assets are far greater than for a more centralised LGA. Additionally, with a relatively centralised maintenance team, travel time and expenses further increase costs.

Although, the scattered population distribution poses challenges for the Shire when providing township open spaces, the extensive network of national parks and natural reserves significantly alleviates the pressure on the Shire to provide additional open spaces for recreational activities such as hiking, walking, cycling, and nature appreciation.

The region's national parks, including the iconic Alpine National Park, Snowy River National Park, and Croajingolong National Park, offer diverse landscapes ranging from rugged mountains and dense forests to pristine coastlines and river systems.

These parks provide unlimited opportunities for the community to explore and enjoy nature, with a wide array of trails and paths available for various activities.

Open space provision in townships therefore needs to respond to the unique qualities of the Shire which is dominated by large areas of national parks with small communities scattered throughout.

The Strategy identifies the need to maintain and upgrade parks in appropriate township locations with a sustainable population and catchments to attract sufficient use for activities that are not available in the extensive national parks such as sport, playgrounds and community event spaces.

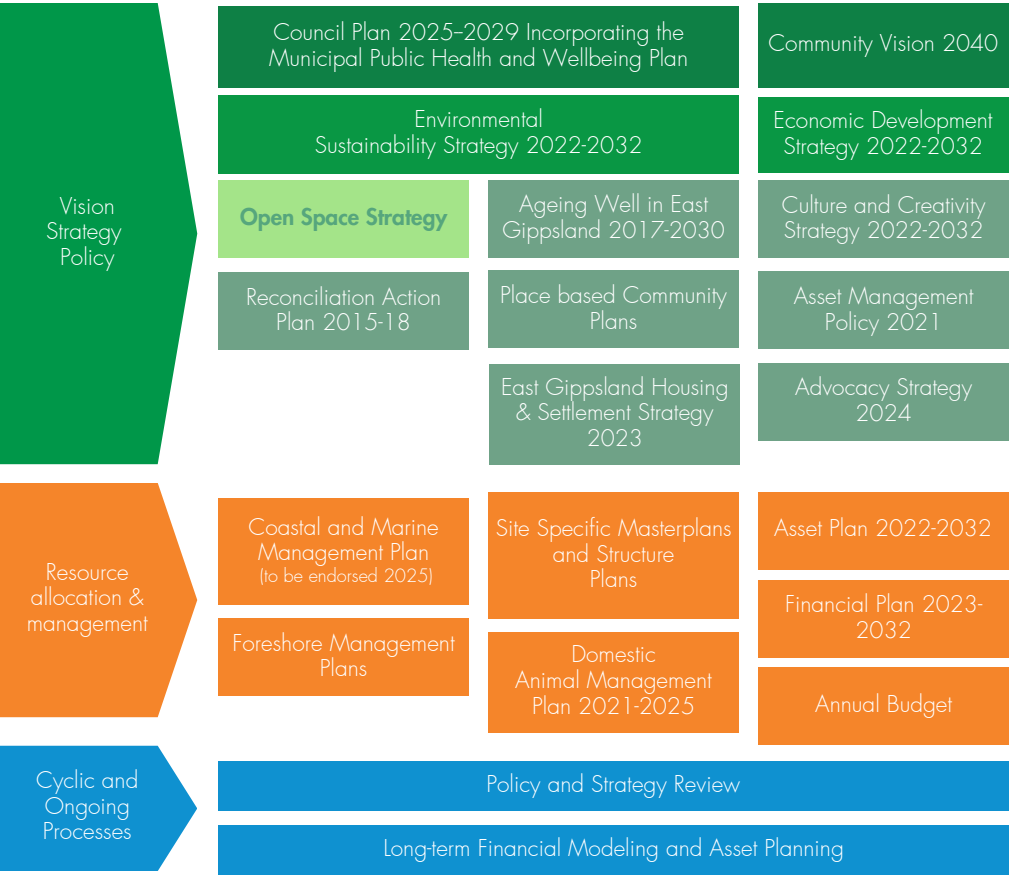
The service framework (pg. 18-21) responds to these unique characteristics and provides guidance for open space provision in East Gippsland.



Strategic Alignment

There is a suite of legislative and strategic documents that mandates and guides East Gippsland Shire Council’s commitment and responsibilities to public open space planning and provision.

FIGURE 2 - Policy Map showing strategic alignment with the Open Space Strategy



Council Plan 2025- 2029

Council is committed, through its key strategic plan, East Gippsland Shire Council Plan 2025 to 2029, to fostering inclusive, connected communities and places where all East Gippslanders prosper, without leaving anyone behind.

By 2040, our people, place, environment and economy will be inclusive, connected, sustainable and resilient, supporting the growth and wellbeing of our unique and diverse communities.

To achieve this, Council will provide services and infrastructure that support residents and visitors at each stage of their life, while protecting the natural environment, building economic resilience and ensuring effective governance.

The Open Space Strategy aligns with the themes, outcomes and priorities of the Council Plan, as outlined.

Theme 1: Community Wellbeing and Social Responsibility

Outcome - A connected and inclusive community where no one is left behind.

Relevant Priorities:

- Work with local communities to deliver a shared future.
- Support participation in recreation and physical activity for all ages.
- Implement the Public Open Space Strategy and manage recreation facilities, parks and open spaces to meet community expectations.
- Enhance accessibility through active transport projects that promote health and wellbeing.
- Provide inclusive and equitable access to services and facilities.
- Deliver the Reconciliation Action Plan and Closing the Gap obligations.

Theme 2: Prosperity

Outcome - Thriving, self-sufficient communities with strong local businesses and social enterprises.

Relevant Priorities:

- Plan and develop infrastructure to support business and tourism growth, including open spaces that enhance the visitor experience.
- Advance planning for cultural and civic hubs that celebrate heritage and support community activities.
- Promote East Gippsland's landscapes and recreational assets to attract visitors, investment and a skilled workforce.

Theme 3: Making the Most of What We Have

Outcome - Natural assets are well-managed and protected, and assets meet community needs.

Relevant Priorities:

- Invest in Council's natural areas to protect biodiversity and encourage nature based recreation.
- Review aquatic and recreation facility assets to ensure safe, reliable and cost effective operation.
- Manage open space and recreation assets for long term sustainability, prioritising renewal and shared use.
- Foster community participation in environmental conservation and education.

Theme 4: Managing Council Well

Outcome - Council operates transparently and efficiently, with services that respond to community needs.

Relevant Priorities:

- Enhance engagement so the community's voice informs open space planning and delivery.
- Apply service planning and asset management frameworks to prioritise resources for the highest community benefit.
- Seek external funding for priority open space and recreation projects.

1.3 CURRENT STATE

Open Space Provision

Across East Gippsland Shire residents and visitors have access to an array of open spaces, a total of more than 1.6 million hectares. Of this, 4,242 hectares (0.2%) is owned or managed by East Gippsland Shire Council. The remaining majority is Crown Land including National and State parks, managed by the Victorian Government through Parks Victoria and the Department of Energy, Environment and Climate Action (DEECA).

The open space owned or managed by Council equates to 93ha per 1000 people (based on a 2021 population of 48,715).

This is an extremely high level of provision, which reflects the geographic nature of the shire where open space provision is dominated by foreshore and waterway open space (as shown in Figure 3, below).

Approximately 82% of open space owned and managed by East Gippsland Shire is currently categorised as environmental conservation, which is vital for preserving biodiversity, mitigating climate change, maintaining water quality, supporting cultural and recreational values, boosting the local economy through ecotourism, and enhancing resilience to natural disasters.

Funding Open Space

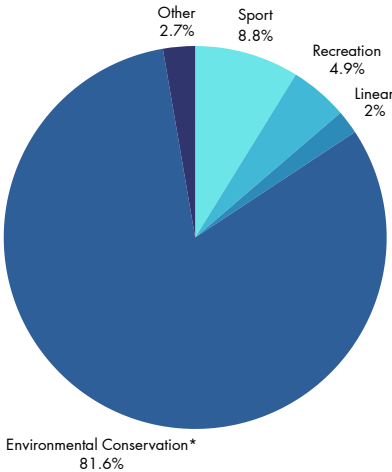
Funding for new and upgraded open space is typically achieved via a combination of Council capital works budgets, government grants and open space contributions via development of land (which is legislated through the Subdivision Act).

Grants are a key mechanism for funding open space improvements in regional areas however they are not always reliable as they are highly competitive and irregular.

The Subdivision Act requires a contribution of open space, and/or the equivalent cash contribution, when land is subdivided for development. Council are able to specify a specific contribution rate up to 5% within the Planning Scheme (clause 53.01).

Land for open space contributions should be unencumbered from uses such as drainage or landforms which are difficult to develop to ensure it is usable for the community. Open space contributions guidelines or policy can be used by Council to set these expectations.

FIGURE 3 - Approximate proportions of open space types - East Gippsland Shire Council open space land, based on size (ha).



*includes foreshore, waterways and environmental conservation reserves.

Definitions of these open space functional types is provided in the Service Framework (Section 4.2)

2. Vision

"East Gippsland Shire Council will plan, provide and manage a diverse range of attractive, appealing and sustainable public open spaces that protect and enhance sensitive environments, support a range of physical activity participation opportunities and enhance the character of townships and neighbourhoods."



3. Key Directions



3.1 OPTIMISE



How we provide open space

Strengths

Abundant space and spectacular landscapes (trails, lakes, foreshores, mountains, wildlife) offer a huge variety of opportunities.

Most open spaces in East Gippsland are natural places that require minimal infrastructure to be safe and functional.

Challenges

There is a lot of open space with large distances between places, so you usually have to drive to a park or reserve, and some places are quiet and can feel isolated.

Some open space is overused and is becoming degraded. For example, foreshore open space during peak season.

The vast rural geography of the East Gippsland, with populations distributed throughout 171 localities means that provision of services throughout the shire is not equal. Travel time to and between towns must be acknowledged in the planning for provision and maintenance of open space. For example, in some localities, assets are required not because of population size, but rather because of relative isolation with the expectation that residents in surrounding rural areas will drive to them.

Key Issue

Some sport and recreation open spaces are overused, causing degradation and maintenance concerns, while others are under-utilised.

An even spread of investment in infrastructure across all spaces in the shire would not be possible, sustainable or meet community needs.

Direction #1

"Optimise open space by providing high quality, central, multifunctional open spaces which bring people together to connect and be active, along with a network of natural areas with less infrastructure, to enhance the environment and provide opportunities to get outside"

Implementation

Multifunctional open spaces in each district will resemble a central gathering place in each town with flexible, high-quality experiences for all ages. This is supported by a network of open spaces which provide recreational, physical activity and access to nature opportunities with functional, minimal infrastructure. This framework is described in the Service Objectives (in Section 4.3). The Action Plan (Section 5.1) outlines steps to map existing provision which will support community planning in each District to fulfill the objectives.

Some spaces may not be providing value to the community and not be important from an ecological or environmental perspective. By working with the community to determine current use and options for future use for these sites we could reduce the management burden. This collaborative investigation is outlined in the Action Plan (Section 5.1)

The Service Framework (described in Section 4.2) will help communicate the primary function, uses, anticipated infrastructure, and maintenance needs, which will guide investment decisions.

Ideal Long Term Outcome

The location, design and infrastructure in open spaces is optimised to provide a variety of opportunities, activated spaces, sustainably.

3.2 ENABLE



How we fund open space projects

Strengths

Council's existing commitment to improving open space for new and renewed open space is approximately \$4-5 million annually.

This investment has been further supported by state and federal government grants, enabling Council to enhance open space and recreational facilities across the municipality.

Challenges

In comparison to other regional LGAs in Victoria, Council has the second largest land area (twice the area of the 3rd largest), an extremely low population density (approximately 2.3 people per square km) and a large number of towns (over 60 not including small settlements). These demographics, place Council in a very challenging position when planning for open space infrastructure as it is impractical, unsustainable and unaffordable to provide high level facilities within a short car trip (less than 30mins) for all residents. In addition, some existing masterplans for parks/reserves may exceed reasonable expenditure when taking into consideration the total budget available for open space assets across this vast area.

The effects of climate change such as increased coastal erosion, storm surges and flooding will continue to cause damage to open spaces, resulting in rising maintenance and upgrade costs.

Council must compete for grant funding, and success is not guaranteed. Identifying "grant ready" projects can improve success. Additionally, maintenance activities cannot be funded by grants so cost efficient asset management is critical.

The Asset Plan 2022-2032 provides a planned approach to asset acquisition, maintenance, upgrade and disposal of assets, however, without detailed open space asset information, this Plan can only be used as a general guide.

Key Issue

Financial burden of open space provision is growing and will become unsustainable if not managed.

Identification of clear asset/upgrade priorities that reflect community needs, a comprehensive understanding of asset condition and risk, and consolidation of some asset management programs are critical in supporting a sustainable asset management approach.

Direction #2

"Enable smart investment in open space by clarifying priorities, utilising external funding opportunities and collecting more information to inform asset planning"

Implementation

Guiding Principles reflecting community needs and expectations (described in Section 4.1) and the aligned prioritisation tool (Section 4.4) will guide investment decisions to ensure that resources are directed to where communities will benefit most.

Asset management will be improved with more accurate information about current condition, performance, and risk of damage such as via climate change impacts. This approach is outlined in the Action Plan (Section 5.2) and supported by Monitoring and Assessment Criteria (Appendix 2).

The design and delivery of new open spaces provided by developers will be facilitated by guidelines and policy which will help ensure that the needs of new residents are met. Steps to develop these guidelines are outlined in Section 5.2 and will be based on the Service Objectives (in Section 4.3).

Ideal Long Term Outcome

Open spaces are funded via a comprehensive, prioritised and sustainable model for investment.

3.3 COORDINATE



How we look after open space

Strengths

The community has strong social connections. Popular community activities include men's sheds, community markets and events.

East Gippsland has a network of volunteer committees of management who care for and manage significant areas of open space. There are also a number of community groups including Friends of Parks as well as Landcare groups who volunteer their time to protect environmental and cultural heritage qualities of East Gippsland. The Shire has the longest continuous indigenous connection to Country.

The Shire is an attractive destination for tourists and is popular for events with local community members being involved in local events such as markets and festivals. These events do engender community ownership and responsibility for reserves.

Challenges

East Gippsland services a high quantity of public open spaces and associated assets. This results in high upgrade and maintenance costs which are increasing in line with growing community expectations of park quality and asset provision.

There are many land managers throughout East Gippsland* each with their own approaches and policies. Management responsibilities and expectations

East Gippsland, is fortunate to have a very vibrant and visible Aboriginal and Torres Strait Islander community that provides a depth of cultural and community diversity and is committed to working towards improving practices and relationships with Traditional Owner groups through targeted engagement, education and collaborative projects. Open space planning provides an opportunity to take on this challenge.

Key Issue

Roles and responsibilities for different land managers can be unclear resulting in inefficiencies and missed opportunities to empower the local community

Lack of clarity can cause confusion amongst community groups / members and discourage proactive involvement in open space management and improvement.

*Parks Victoria, Department of Environment, Energy and Climate Action, Gunaikurnai Land and Waters Aboriginal Corporation & committees of management

Direction #3

"Coordinate open space management by establishing shared values and expectations, strong relationships with land management partners and through reciprocal learning and respectful relationships with Traditional Owners"

Implementation

Clarification and communication of land manager roles, responsibilities, expectations, agreements, and policy would encourage a consistent approach to open space management.

Protection of open space for environmental outcomes to be incorporated into the planning framework with sites to be classified as 'Environmental Conservation: Protected sites to enhance biodiversity and ecological processes' in line with Natural Resource Management Plan.

This approach will be based on the Guiding Principles (Section 4.1) and Service Framework (Section 4.2).

Council recognises that Traditional Owners' skills and knowledge in managing Country are understood, actively sought and respected. Traditional Owners are equal partners in the planning of spaces. Ongoing efforts to build strong relationships to learn and share in different ways will pave the way to a better outcome for the landscape, ecosystems, and culture in the future. This approach is outlined in the Action Plan (Section 5.3).

Ideal Long Term Outcome

Local communities including Traditional Owners feel informed and empowered to advocate and participate in open space planning and management

4. Planning Tools



4.1 GUIDING PRINCIPLES

When the opportunity of planning for, upgrading or developing public open space arises, East Gippsland Shire Council will carefully consider each of the following guiding principles.

Projects, resources and actions will be prioritised where it advances multiple priorities.

TABLE 1 - Guiding Principles and Priorities

GUIDING PRINCIPLE		PRIORITIES
Connected and Active	All residents should have access to strategically planned network of open spaces that facilitate participation, healthy lifestyles, and adventure in nature.	Creating a network of open spaces to provide opportunities for recreational, physical activity and access to nature with functional, minimal infrastructure.
Multifunctional and Social	Investment in central, multifunctional open space should attract people from throughout the district to gather for sport, events and community connectedness. Spaces that are multifunctional are flexible to different uses and opportunities. This will ensure spaces can adapt and respond to unique and changing demographics, economies, needs and climate.	Identifying and optimising multifunctional open spaces in each district as a central gathering place in each town with flexible, high-quality experiences for all ages.
Protected and Resilient	The natural environment, habitat and landscape features of the shire should be valued and protected. Complementing and enhancing the East Gippsland uniqueness including the Gippsland Lakes, marine coastline, heritage rivers and high country.	Protecting and enhancing biodiversity and ecosystem health throughout the open space network.
	Open space planning and management to recognise and reflect cultural values and sites for protection.	Engage with the cultural landscape and influence of Traditional Owners in line with the Gunaikurnai Whole of Country Plan
Safe and Comfortable	Open spaces should feel safe and comfortable for people of all ages, genders, cultural backgrounds and abilities.	Reducing barriers to access to open space through design of open spaces.
Sustainably Managed	Effective and efficient management of open space by prioritising maintenance resources and reducing maintenance needs where possible.	Sustainable asset management approaches.
	Strong partnerships with key agencies, land managers, volunteer groups, developers and committees of management ensure coordinated, high quality outcomes.	Coordination with land management partners (key agencies, land managers, volunteer groups, developers and committees of management)

4.2 SERVICE FRAMEWORK

Open Space Classification

In order to identify gaps and plan for future open space it is first necessary to identify the types of open space and where each are provided throughout the shire.

To achieve this each space has been categorised based on the way that it is used and its physical form. Differentiating the types of open spaces allows for analysis of the services they provide, what we need more of, and how best to provide them.

Functional Types of Open Space

Function refers to the physical form and intended use of an open space. Many open spaces serve or host multiple functions.

For example, many sites within the shire have important ecological, conservation or cultural values while also serving sporting or recreation purposes. This system allows multiple uses of a open space to be described which assists in communication and management.

Hierarchy of Open Spaces (Sport and Recreation Function)

In order to provide a sustainable basis for open space provision and operational management it is appropriate to establish a hierarchical approach to open space provision.

The hierarchical approach recognises that not all reserves can, or should, be developed to the same standard and that it is desirable to provide a selection of higher quality parks and reserves that provide an enhanced level of amenity, appeal and infrastructure available for community use.

The service catchment identifies the typical distance people would be willing to travel to reach the open space. People are typically willing to travel further to a large district open space with high quality amenities than a local open space with a single playground. However, embellishing all open spaces at a high level would be a poor use of resources.

Hierarchy has been applied only to sites with a sport and recreation function in East Gippsland as these functions are most likely to need distinction between the hierarchy levels to best coordinate their design and management. In contrast, functions such as linking and drainage do not require the same level of distinction as all typically receive similar levels of embellishment and maintenance.

- The 'function' of the space refers to the:
- Intended use or purpose
 - Expected activities within the site
 - Anticipated benefits that people may seek from the space

TABLE 2 - Functional type classifications, summary

FUNCTIONAL TYPES OF OPEN SPACE	
Sport	Sites designed for structured, organised sporting use and recreation activities
Recreation	Sites which accommodate a wide range of outdoor leisure or recreational activities including events, playgrounds, picnics, walking, fishing, hunting etc.
Environment Conservation	Protected sites to enhance biodiversity and ecological processes
Linking	Narrow sites that primarily provide a link or movement corridor for pedestrians or cyclists
Drainage	Drainage sites primarily for the retention, storage and drainage of stormwater
Other	Sites which do not fit into any of the categories above but still have aspects of open space
Restricted	Sites that are restricted to public access, permanently or at certain times. i.e. schools, golf courses

Source: adapted for East Gippsland from classifications described in Parks and Community Facilities Australia (2023). A National Hierarchy Classification Framework for Public Open Green Spaces. The Australian Urban Design Research Centre, University of Western Australia. www.pacf.com.au and Planning Practice Note 70, DEECA

The 'hierarchy' of a open space responds to anticipated length of stay, distance travelled and 'quality' of experience.

This approach helps to describe the types, number, and quality of amenities you might expect to find at a open space.

The Service Objectives, described on the next page, utilise the hierarchy approach to guide council in open space provision and informs equitable and reasonable distribution within districts and across the shire.

The service objectives for each town, utilising the Housing and Settlement Strategy categorisation structure is provided in Table 3, below.

Appendix 1 - Improvement Service Standards provides an overview of the expected assets provided at each type and hierarchy of open space.

TABLE 3 - Summary of open space hierarchy characteristics

OPEN SPACE HIERARCHY				
	Local	Neighbourhood	District	Regional
Description	<p>These spaces contribute aesthetically to the landscape and are typically used for daily recreational activities like walking the dog or playing on a playground after school. They are not designed to host gatherings or events, are intended for short stays (an hour or less), and to cater for low levels of use.</p> <p>Local parks are designed and managed to cater for residents who live within a short distance. This category of park typically has few assets, made of robust materials and simple designs which is typically therefore not as demanding for ongoing maintenance.</p>	<p>Neighbourhood parks provide space for social gatherings and activities and will likely have BBQs facilities and public toilets. They may offer some elements which are intended to meet the needs of a portion of a district.</p> <p>Recreational spaces large enough to accommodate multiple users and a variety of recreational activities that can occur simultaneously. They typically have a mix of facilities and amenities such as seats, play equipment, picnic areas, bins and space for informal play.</p> <p>Neighbourhood sport sites have facilities for one sport, such as one oval.</p>	<p>District open spaces are large spaces designed to attract a wide range of user groups for different purposes and activities from the entire district.</p> <p>These, generally larger spaces, provide a greater diversity of facilities to support longer stays and encourage social gatherings and visitor numbers.</p> <p>District sport sites are destinations with two or more sport facilities (may be for the same sport) such as two ovals, or an oval and courts for example. They typically contains significant infrastructure such as clubrooms, floodlights, pavilions, changing rooms, storage, lighting and carparking.</p>	<p>Regional open space are large and accommodate a wide range of sport, leisure, event and recreation activities and can accommodate simultaneous users by larger numbers of people.</p> <p>These spaces attract visitors from across the district and beyond.</p> <p>Regional sport sites are large scale sporting destinations with facilities for three or more different sports, accommodating competition play and community events.</p>
Length of Stay	up to 1 hr	1-2 hrs	2 hrs +	2 hrs +
Service Catchment	400m	A portion of the district	Entire district	Surrounding districts
Level of Use	Low	Med-high	High	Very High
Mode of Transport	Walk	Walk or Drive	Drive	Drive

Source: adapted for East Gippsland from classifications described in Parks and Community Facilities Australia (2023). A National Hierarchy Classification Framework for Public Open Green Spaces. The Australian Urban Design Research Centre, University of Western Australia. www.pacf.com.au and Planning Practice Note 70, DEECA

4.3 SERVICE OBJECTIVES

The Open Space Strategy sets service objectives for how and where the different types of open space will be managed and improved throughout the shire.

The objectives reflect the three strategy directions:

- Optimise - seeking to create a high quality, central, multifunctional open spaces which bring people together to connect and be active, along with a network of natural areas with less infrastructure, to enhance the environment and provide opportunities to get outside
- Enable - recommending a service level which is sustainable to ensure ongoing resourcing for maintenance and renewal of infrastructure
- Coordinate - identifying the role of open spaces as a part of the wider district network to allow for coordinated communication and management

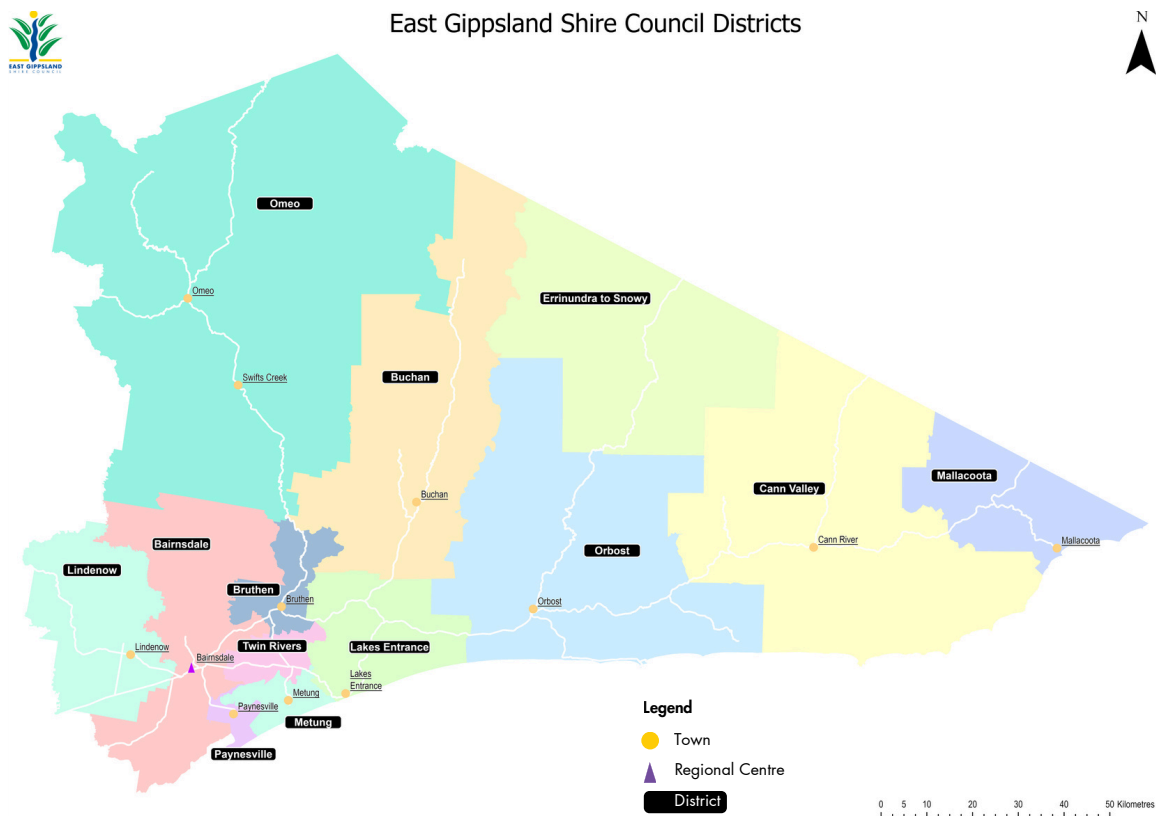
As described in the Council Plan, place based planning and working with our local communities is a key Council focus, with the Shire reflected as 13 separate districts, with many localities within each place (see Figure 4 below).

The desired distribution for open space within each district is as follows:

- Urbanised residential areas should have access to open space within a short walk (approx. 400-500 metres) which is a part of a network of spaces offering a variety of functions.
- Each district should have a large, high quality, multifunctional open space, with a sport or recreation primary function, which serves the entire district
- Regional centres should provide a regional multifunctional open space, with a sport or recreation primary function, to serve the district and surrounding district

Each of the Shire's 13 districts has unique open space needs, the service objectives below are intended to provide a consistent approach throughout the Shire for detailed application via community planning processes.

FIGURE 4 - East Gippsland Shire Council Districts [Source: Council Plan 2021-2025]



Service Objectives

TABLE 4 - Open Space Strategy Service Objectives

HOUSING AND SETTLEMENT STRATEGY TOWN CATEGORIES 2023		PROVISION SERVICE OBJECTIVE
Regional Centre	Bairnsdale including Eastwood, Lucknow, Wy Yung and East Bairnsdale)	<ul style="list-style-type: none"> One multifunctional (sport or recreation primary function) regional open space One multifunctional neighborhood open space and a network of local open space per area (to be determined by Bairnsdale 2050) Open spaces along waterways and to support protection of cultural and/or environmentally sensitive/significant areas where possible
Service Towns - Coastal	Lakes Entrance Paynesville	<ul style="list-style-type: none"> One regional recreation function, foreshore open space One multifunctional district open space (with sport or recreation primary function) A network of local open spaces Open spaces along waterways and to support protection of cultural and/or environmentally sensitive/significant areas where possible
Service Towns - Inland	Orbost Omeo	<ul style="list-style-type: none"> One multifunctional district open space (with sport or recreation primary function) A network of local open spaces Open spaces along waterways and to support protection of cultural and/or environmentally sensitive/significant areas where possible
Towns	Eagle Point, Buchan, Metung, Lindenow, Bruthen, Swan Reach, Johnsonville, Nicholson, Newmerella, Marlo, Cann River, Mallacoota.	<ul style="list-style-type: none"> One multifunctional district open space with sport or recreation primary function (refer page 19 for definition) where the town is the highest category in the district and the district population is over 1000. These include: <ul style="list-style-type: none"> Metung Lindenow Bruthen Mallacoota Swan Reach / Nicholson * A network of local open spaces Open spaces along waterways and to support protection of cultural and/or environmentally sensitive/significant areas where possible <p><i>*District open space shared across both towns in Twin Rivers District</i></p>
Rural Towns	Raymond Island, Newlands Arm, Nungurner, Swifts Creek, Bemm River, Ensay, Nowa Nowa, Lake Tyers Beach	<ul style="list-style-type: none"> One multifunctional neighborhood open space (with sport or recreation primary function) A network of local open spaces Open spaces along waterways and to support protection of cultural and/or environmentally sensitive/significant areas where possible
Remote Settlements and Rural Districts	Including places such as: Club Terrace Bonang Bendoc Cabbage Tree Creek Tambo Upper	<ul style="list-style-type: none"> Open spaces along waterways and to support protection of cultural and/or environmentally sensitive/significant areas where possible

5. Action Plan



5.1 OPTIMISE ACTIONS

Short Term (0-5 Years)

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
1.1	Strategic Open Space Provision in Key Towns	<p>Recognise the importance of well-designed, multifunctional open spaces in strategically located towns to maximise community benefit, acknowledging East Gippsland's dispersed population and resource constraints.</p> <ul style="list-style-type: none"> Identify key open spaces that require upgrades or planning to fulfil this role, prioritising those already highlighted in existing masterplans. Continue to implement priority projects from the Bairnsdale Sporting Infrastructure Plan, the East Gippsland Sporting Infrastructure Plan, and associated Masterplans for key reserves and townships. Identify key sporting reserves not identified in existing sporting infrastructure plans and prepare detailed masterplans that align with the Sporting Infrastructure Plan and this Open Space Strategy to guide future use, upgrades, and community benefit. Where other open space and recreation gaps exist, develop new masterplans or management plans, particularly for primary open spaces with conflicting uses or competing demands, to guide future improvements, respond to local needs, and ensure equitable, sustainable and coordinated use of open space assets. All plans to include implementation priorities, maintenance responsibilities, and funding requirements over the full life-cycle. 	Open Space Planning Framework, Sporting Infrastructure Plans & Masterplans
1.2	Communicate strategic priorities to the community	Develop a communication strategy that clearly explains the open space hierarchy, service levels, and provision expectations, aligned with the service framework and East Gippsland's Settlement Strategy. The strategy should communicate that settlement size influences the level of provision, and that service standards are necessary to ensure a sustainable and equitable approach to open space planning and ongoing management.	Open Space Planning Framework
1.3	Improve the design of open space	Create clear design guidelines that show what different types of open spaces should look like and include. These will help make sure open spaces meet local community needs, reflect local character, and are developed in a consistent and sustainable way.	Design Guidelines*
1.4	Rationalise Open Space	Develop a clear and transparent process to assess underused open spaces and explore options to improve them, combine them with other spaces, use them differently, or consider disposal ensuring decisions reflect community needs and Council priorities and follow the Guiding Principles outlined in this Strategy (Refer 4.1).	Open Space Planning Framework
1.5	Off-Leash Dog Park Provision Framework	Develop and adopt a clear position supporting the Domestic Animal Management Plan that guides the provision and distribution of off-leash dog parks across the municipality, taking into account community demand, proximity to residential areas, potential conflicts with other open space users, and alignment with broader open space and animal management objectives.	Domestic Animal Management Plan
1.6	Outdoor Fitness Equipment Provision Guidelines	Establish a consistent position on the location, purpose, and design of outdoor fitness equipment in open spaces, considering community health outcomes, user demand, demographic suitability, and maintenance implications. Refer to Improvement Service Standards (Refer Appendix 1) and incorporate into Design Guidelines.	Improvement Service Standards & Design Guidelines

*Not yet developed

5.1 OPTIMISE ACTIONS

Medium Term (5-10years)

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
1.7	Improve Biodiversity in Open Space	Support the development and implementation of the Bushland and Environmental Reserves Management Strategy by recognising these reserves as vital components of East Gippsland's open space network. Ensure open space planning reflects their biodiversity, habitat, and passive recreation values, and prioritise protection, access management, and investment in line with the reserve hierarchy established through the strategy.	Bushland and Environmental Reserves Management Strategy

Ongoing

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
1.8	Improve Existing Open Spaces	Enhance the appeal and functionality of existing open spaces for all age groups and user needs by developing design guidelines and masterplans that identify and implement opportunities for improvement. These may include multi-use half courts, seating, drinking fountains, shade and shelter, accessible public toilets, and informal gathering spaces, tailored to the context and needs of each location to better serve children, young people, families, older adults, and people with disabilities.	Design Guidelines* & masterplans*
1.9	Universal Design for Inclusive Open Spaces	Apply Universal Design checklists to guide the planning, design and renewal of open spaces and supporting infrastructure such as paths, seating, play spaces and amenities, in alignment with the Victorian Government Universal Design Policy to ensure accessibility and inclusion for all users	Victorian Government Universal Design Policy

*Not yet developed

5.2 ENABLE ACTIONS

Short Term (0-5 Years)

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
2.1	Open Space Mapping and Classification	Undertake a comprehensive review and mapping of all Council-managed open space, categorising each site based on its function, community value, and required service standard. Align this categorisation with the Natural Resource Management (NRM) values identified in the East Gippsland Shire Council–Managed Lands Prioritisation Plan and the open space service framework to support consistent planning, prioritisation, and resource allocation.	East Gippsland Shire Council–Managed Lands Prioritisation Plan & Open Space Service Framework
2.2	Open Space Condition and Performance Assessment & Data Collection	Create a complete and up-to-date dataset capturing the condition and performance of all open spaces across the municipality. Assess each open space against defined performance criteria (as per Appendix 2) and integrate performance scores to inform evidence-based asset management, prioritisation of upgrades, and long-term investment planning. <ul style="list-style-type: none"> Build on the Performance Assessment dataset by collecting and analysing information on open space usage (e.g., levels of visitation), environmental values (e.g., tree canopy, biodiversity). Use these insights to establish a performance monitoring framework to continuously evaluate open space outcomes. 	Performance Assessment Criteria
2.3	Establish Capital Works Priorities	Integrate high-priority projects into the Capital Works Plan, Annual Budget, and Work Plans: <ul style="list-style-type: none"> Compile previous open space recommendations from masterplans and strategies, identify top priorities, and assess them for inclusion in the capital works program. Establish transparent decision-making processes to support this prioritisation using the Planning Tools as a guide (Refer Section 4) 	Capital Works Plan, Annual Budget & Open Space Planning Tools
2.4	Streamline and improve effectiveness of Public Open Space Contributions	Develop a Public Open Space Contributions Policy and supporting Developer Contributions Guidelines to provide consistent and transparent guidance for the design, delivery, and funding of open space in new development areas. The policy will implement service standards, including hierarchy and function, clarify the treatment of encumbered land, and establish criteria for assessing land contributions, determining when cash or land is preferred, and guiding the strategic use of collected funds in line with the Open Space Strategy. <ul style="list-style-type: none"> Undertake a review of historical open space contributions and project future income to the Open Space Reserve Fund. Use this analysis to assist in the development of the Public Open Space Contributions Policy (Refer Action) 	Public Open Space Contributions Policy* & East Gippsland Planning Scheme

Medium Term (5 -10years)

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
2.5	Improved Asset Management	Update Open Space Asset Management Plan with comprehensive data on spaces and assets to support lifecycle planning, maintenance, and long-term investment decisions.	Asset Management Plan

Ongoing

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
2.6	Funding Priorities and External Grant Opportunities	Identify and promote funding priorities. This is to include identification of a series of 'grant ready' projects ready for potential external funding opportunities <ul style="list-style-type: none"> Actively pursue external funding opportunities that may support physical activity programming and activation of open spaces (e.g. Vic Health, Sport Recreation Victoria). 	State and Federal Government Funding Guidelines

*Not yet developed

5.3 COORDINATE ACTIONS

Short Term (0-5 Years)

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
3.1	Incorporate Open Space Strategy into the Planning Scheme	Recognise the Open Space Strategy within the East Gippsland Shire Council Planning Scheme as a Background Document to incorporate its vision and guide decision-making on matters such as open space contributions, the protection of open space land, vegetation and assets, and responses to a changing climate.	East Gippsland Planning Scheme
3.2	Transparent Land Management Information on Council Website	Provide clear and accessible information on Council's website identifying land management responsibilities for all open space areas. Include maps, descriptions, and contact points to help the community understand who manages specific sites and how to direct open space-related enquiries or maintenance requests.	Council's Website
3.3	Implement Marine and Coastal Management Plan to Protect Coastal Open Spaces	Support the implementation of the Marine and Coastal Management Plan (2024) to protect environmentally sensitive coastal areas, manage the impacts of coastal erosion and sea level rise, and enhance the resilience of adjacent open space and parkland. Prioritise actions that safeguard ecological values, maintain public access where appropriate, and support climate-adaptive land management practices.	Marine and Coastal Management Plan (2024)
3.4	Finalise strategies supporting infrastructure in open space	Finalise Draft Playground Strategy and Draft Toilet Strategy to prioritise infrastructure improvements in open spaces in line with Improvement Service Standards.	East Gippsland Draft Playground Strategy & Draft Toilet Strategy*
3.5	Review and Update Pathways, Tracks and Trails Strategy	Review the municipal-wide Pathways, Tracks and Trails Strategy to guide investment in local and regional trail networks, with a focus on improving access to and through open spaces. The updated strategy will identify infrastructure requirements, gaps and opportunities, and support advocacy for funding and implementation.	East Gippsland Pathways, Tracks and Trails Strategy
3.6	Develop Active Transport Strategy to Connect Open Spaces and Communities	Develop an Active Transport Strategy to improve connections between open spaces, residential areas, schools, and activity centres. The strategy should prioritise safe, accessible walking and cycling routes and identify opportunities to enhance the active transport network through future open space planning.	East Gippsland Active Transport Strategy*

Medium Term (5-10years)

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
3.7	Sustainable Event and Commercial Use of Open Space	Incorporate open space access, protection, and restoration principles into the review of the Event Planning Guide to ensure events are managed sustainably across all open space types. The updated guide should clearly outline expectations, approval processes, site-specific conditions, and post-event requirements to minimise impacts and maintain the quality and function of open spaces. <ul style="list-style-type: none"> Develop guidelines to manage commercial activities on public land, ensuring such use enhances public access, enjoyment, and aligns with community values. 	Event Planning Guide & Commercial Activities in Open Space Guidelines*
3.8	Reduce Encroachment to Protect Community Use of Open Space	Develop and implement a policy to address encroachments such as private structures, gardens, storage, and rubbish on public open space. The policy should: <ul style="list-style-type: none"> Define encroachment types and their impacts. Establish a consistent, risk-based approach to identifying and responding to encroachments. Promote responsible community use and awareness. Prioritise enforcement where impacts on access, amenity, or environmental values are significant. 	Encroachment Management Policy*

*Not yet developed

5.3 COORDINATE ACTIONS

Ongoing

ACTION		DESCRIPTION	PARTNER STRATEGY OR PLANNING TOOL
3.9	Update Management and Master Plans to Align with Strategic Priorities	Review and update existing Management / Master Plans to ensure alignment with current strategic directions, service agreements, and Council priorities. Coordinate with Committees of Management where applicable.	Management Plans, Masterplans and MOUs
3.10	Partner with Traditional Owners for Culturally-Informed Open Space Management	Establish and sustain collaborative partnerships with Traditional Owners to ensure cultural heritage, knowledge systems, and land management practices are meaningfully integrated into all aspects of open space planning, design, and management. This approach recognises the cultural significance of the landscape and aligns with the Gunaikurnai Country Plan, supporting shared stewardship and respectful engagement.	Gunaikurnai Country Plan
3.11	Protect Open Space with accurate planning zones	Review existing Planning Scheme zones for all sites identified as public open space and rezone as appropriate to reflect their primary role/purpose (i.e. PPRZ or PCRZ)	East Gippsland Planning Scheme
3.12	Proactively manage conflicting activities in open space	Proactively manage activities in open space that have potential for conflict and environmental harm (such as MTB, motor cross, horse riding) via management plans and utilising the Open Space Strategy Service Framework (Section 4.2)	Open Space Strategy Service Framework (Section 4.2)
3.13	Align Open Space Improvements with Council Strategies and Plans	Ensure open space network improvement priorities align with related Council strategies and plans including the Coastal and Marine Management Plan (CMMP), Stormwater Management Plan, and other infrastructure and environmental frameworks.	Coastal and Marine Management Plan (CMMP), Stormwater Management Plan, and other infrastructure and environmental frameworks.
3.14	Continue to Undertake Place-Based Engagement to Inform Open Space Planning	Continue to build on the dataset and analysis by undertaking place-based community engagement, in line with Council's engagement policy, engaging with local communities at township or neighbourhood levels to understand their unique needs, priorities, and opportunities for open space provision, access, and improvements.	East Gippsland Engagement Policy



This strategy was developed by Emerge Associates
on behalf of East Gippsland Shire Council.

East Gippsland Open Space Strategy: Appendix 1 - Improvement Service Standards



INTRODUCTION

The amenities provided at an open space should match the expected level of use, mode of transport, and length of stay of its typical visitors. For example, if most people drive then car parking is required and if picnic facilities are provided to accommodate people staying for more than two hours, then bathrooms are required.

What are Improvement Standards?

Improvement standards set out the assets expected, required or considered not appropriate in open space, depending on the hierarchy and primary function of the site. This terminology is described in the Service Framework (Section 4.2).

They provide clarity regarding the expected infrastructure, minimise unnecessary investment, support equity across the shire, and ensure a sustainable asset management approach.

They are designed to help implement the Service Objectives in Section 4.3 of the Open Space Strategy, describing ideal open space hierarchy distribution.

The following symbols are used in the standards to denote the level of provision expected:

KEY

OO	Must Have
O	Might have (consider if there is a space of a higher hierarchy available to provide these assets)
X	Shouldn't have
XX	Must not have

How are the Improvement Standards used?

Development standards are helpful in communicating what is reasonable to expect at an open space. They are particularly useful in conversation with the community when requests for new amenities are received.

Council should utilise these standards when commencing park master planning projects to ensure that amenities considered are appropriate for the site.

New amenities proposed on parks may have the effect of lifting a site up in the hierarchy, for example BBQs are not permitted at local recreation sites so if they are installed the site will become a neighbourhood park and will therefore require all the other standard amenities as shown. This is an important consideration from an equity perspective. If all open spaces of a similar type are provided with the same scale of amenities then communities will feel more equally serviced.

New parks in growth areas provided by developers should be in alignment with these standards. It is not acceptable for parks to have amenities which are not permitted in similar parks in other Shire areas. Not only does this impact equitable service provision throughout the Shire, it also results in ongoing maintenance costs beyond what is planned by Council.

These standards should be implemented in alignment with topic specific policy and strategy where possible and utilised in development of new strategy, policy and guidelines.

OPEN SPACE IMPROVEMENT STANDARDS									
Primary Function >	Sport				Recreation				Environmental Conservation
	Neigh.	District	Regional	Local	Neigh.	District	Regional		
Shade planting/ shade structure/ natural shade	O	OO	OO	O	OO	OO	OO		O
Landscape/ formal planting (including garden beds)	O	OO	OO	O	OO	OO	OO		X
Fencing - reserve/ boundary/ safety	X	O	OO	XX	X	O	O		O
Play equipment	O	OO	OO	O	OO	OO	OO		X
Open turf areas (informal play)	O	OO	OO	O	OO	OO	OO		X
Basketball ring/ hitting wall	X	O	O	O	O	OO	OO		XX
Skate park/ pump track	X	O	O	X	O	O	O		XX
Fitness equipment	X	O	O	X	O	O	O		X
Turf sports playing area (1,2, 3+)	1	1-2	3+	-	-	-	-		XX
Cricket wicket (T:turf; S:synthetic)	S	S/T	T	-	-	-	-		XX
Training fields/ cricket nets	O	O	O	-	-	-	-		XX
Sports field lighting	O	OO	OO	-	-	-	-		XX
Playing field fencing	O	OO	OO	-	-	-	-		XX
Scoreboard/ time keepers box	O	OO	OO	-	-	-	-		XX
Coaches box	O	OO	OO	-	-	-	-		XX
Spectator seating/shelter	O	OO	OO	-	-	-	-		XX
Courts - tennis/netball/multi-use	O	O	O	-	-	-	-		XX
Pathways - possible circuit	O	OO	OO	O	OO	OO	OO		O
Car parking (S:sealed; U:unsealed)	O	OO	OO	X	O(U)	OO(S)	OO(S)		O
Accessible car parking for people with disabilities*	OO	OO	OO	X	O	OO	OO		O
Seating	O	OO	OO	O	OO	OO	OO		O
Picnic tables	X	O	OO	O	OO	OO	OO		O
Rubbish bin	O	OO	OO	O	OO	OO	OO		X
Bike racks	O	OO	OO	O	OO	OO	OO		X
Barbecues	X	O	OO	X	O	O	OO		X
Drinking fountain	O	OO	OO	O	OO	OO	OO		X
Information signage	O	OO	OO	O	OO	OO	OO		O
Directional signage	O	OO	OO	O	OO	OO	OO		O
Pavilion/change rooms	O	OO	OO	XX	XX	O	O		XX
Water feature - informal/formal	X	X	O	X	X	O	O		XX
Public toilets	O	OO	OO	X	O	OO	OO		O
Lighting - security/amenity	X	O	OO	X	O	O	OO		X
Artwork/sculpture	O	O	OO	X	O	O	OO		XX

*NB: If a dedicated car park is constructed for a park of any hierarchy, compliance with DDA requirements, including the provision of accessible parking, would be required.

East Gippsland Open Space Strategy: Appendix 2 - Performance Assessment Criteria



INTRODUCTION

This assessment is designed to collect information about the quality of recreation and sport type open spaces.

Assessment of the quality of experience provided at an open space is subjective, however this information is important to understand performance of existing open spaces and the demand for changes or upgrades.

Objectives:

- Establish a consistent data set regarding the quality of open spaces by undertaking assessment against a set of established criteria.
- Create a process which can be replicated on an ongoing basis.
- To help identify opportunities to improve the quality of an open space, or to measure the impact of upgrades on overall performance.
- Calculate an overall performance score by combining individual scores, to compare sites across the Shire, and to determine averages across districts, towns and suburbs.

This document describes rationale, process and guidance to support undertaking performance assessments.

How to Conduct a Performance Assessment

1. Read through all of the criteria and considerations (contained in this document).
2. Visit the park site and walk around it, observing thoroughly. You may need to walk around multiple times as you answer the questions and work through the considerations for each.
3. Assign a score against each criterion, take notes and photos to illustrate your findings.

Scores should be chosen using your best possible understanding of the situation based on what you can see on the day you are there. Consider evidence of use and make assumptions as a member of the public would. The scale is intended to allow some flexibility and show "in a general sense" how the site is performing. It is not intended to be a precise measurement.

Score Calculation

Overall Performance Score - combine all 5 numbered criteria (2-6) and express as % of 25.

Comfort Score - combine scores for criteria 5 and 6, express as a % of 10.

CRITERIA AND CONSIDERATIONS

Criteria 1 - Opportunities

Check all of the “experiences” offered or available at the site:

- Small playground (2-3 pieces of equipment)
- Medium playground (5-10 pieces of equipment)
- Large playground (10+ pieces of equipment)
- Natural area (bushland, beach or creek line without a fence around it)
- Grass area (mown, "kick about space")
- Casual sport/physical activity amenities (e.g. half court, hit up wall, climbing wall, track, outdoor exercise equipment (nothing that could host competitive sport))
- BBQ or picnic area (minimum 3 picnic tables in the same general area)
- Path or trail that is connected, forms a loop or links elements of the park
- Sport (fields, courts, ovals of a size which hosts organised games)
- Off-leash dog areas

This question will identify the predominant experiences at the park. The outcomes can be used to map access to these experiences and identify gaps in availability, or to sort performance scores by interest area (e.g. parks with playgrounds).

Criteria 2 - Play

This section considers the playable elements of the park. It is not anticipated that this only relates to built playgrounds, rather it is intended to address all landscape features which could provide a place to play.

Play elements to look for:

- Nature: Can you access any bushland or creek lines to play in? Are there climbing trees? Look for: where the landscape contributes heavily to playfulness and comfort i.e. climbing trees / rolling hills / shade trees.
- Social: Features that allows multiple children/people to use it simultaneously. e.g. basket swing, climbing nets, courts, kick about spaces.
- All ages: Are there options for older kids (12 plus) and/or adults? Look for: Basketball hoop, climbing, parkour, hang out spaces, skate amenities (not necessarily an entire skate park - skateable elements), kick about space etc.
- Developmental play activities: Equipment that supports children to explore new movements or abilities (e.g. sliding, swinging, balancing)

	DESCRIPTION	SCORE
VERY GOOD	All four elements and/or particularly interesting, fun, well designed.	5
GOOD	Multiple elements represented, 1 or 2 done particularly well	4
AVERAGE	Multiple elements represented	3
POOR	At least one of the play elements	2
VERY POOR	None of the play elements represented	1

Criteria 3 - Sense of Place

Does the site respond to the local geography, features, cultural heritage, townships, and community?

Consider

- Is the site interesting, different, or fun in a way that makes it a unique experience?
- Does the design integrate existing mature trees?
- Does the park make the most of its location?
- Is there anything unique or informative that represents the local community or environment? – Community art? Local heritage or history?
- Does the site demonstrate good design? E.g., are sloped sites designed to make the most of level changes?

	DESCRIPTION	SCORE
VERY GOOD	The site is unique and has many features that connect the site to the local environment and the community	5
GOOD	The site has a couple of features that connect the site to the local environment and the community	4
AVERAGE	The site has a minor connection to the local environment and the community ie local indigenous plants	3
POOR	The site feels generic and with no obvious connection to the local environment and the community	2
VERY POOR	The site is boring and bland with no distinguishing features at all	1

Criteria 4 - Design

Are appropriate park assets/infrastructure provided that are functional and well located?

Score the functionality of the design and assets provided at the site, considering:

- Design and material choices as well as provision of furniture, equipment, paths, carparking, shade etc.
- Is the embellishment of the site appropriate for its capacity and utilisation?
- Does the layout make sense and seem functional?

	DESCRIPTION	SCORE
VERY GOOD	Assets are ideal for the site and provided in sufficient quantity. The quality, type, layout and design of assets is excellent. The layout and design encourage and inspire an appropriate level of use	5
GOOD	Assets are appropriate for the site and provided in sufficient quantity. The quality, type, layout and/or design of assets is good. The layout and design encourage and inspire an appropriate level of use	4
AVERAGE	Assets are ok and are appropriately sited however the quality, type, layout and/or design could be improved to inspire an appropriate level of use	3
POOR	Assets are inappropriate, insufficient, or poorly sited. The type, quality, layout, and design of assets does not encourage or inspire an appropriate level of use	2
VERY POOR	Assets are inappropriate, insufficient, and/or very poorly sited. The type, quality, layout, and design of assets is very poor and does not encourage or inspire an appropriate level of use	1

Criteria 5 - Accessibility

Is the site and supporting infrastructure (e.g. gates, paths, playground, toilet and picnic facilities) accessible by all through design and inclusive of people with impaired mobility?

Consider

- Do pathways provide an unobstructed route through the site and to all major features?
- Accessible car parking
- Accessible entry/exit points
- Access into and through playgrounds
- Access to seating
- Accessible seating (with back and arm rests)
- Accessible picnic facilities

	DESCRIPTION	SCORE
VERY GOOD	3+ examples of tactile surfaces, disabled toilets, car parking or accessible picnic table or bbq	5
GOOD	2 examples of tactile surfaces, disabled toilets, car parking or accessible picnic table or bbq	4
AVERAGE	1 examples of tactile surfaces, disabled toilets, car parking or accessible picnic table or bbq	3
POOR	Pathways are sealed (semi accessible), no other amenities specifically for people with mobility challenges	2
VERY POOR	None of assets are accessible, no sealed pathways	1

Criteria 6 - Comfort

Does the site present as a safe and comfortable place to recreate, safety hazards are mitigated through design and maintenance?

Consider

- Does the site look cared for?
- Are there clear sightlines?
- Are there dark corners or areas that feel unsafe?
- Are there places to sit comfortably with shade?
- Does the site feel exposed or windy?
- Does the site cater equally to a diverse cross section of the community?
- Does the park attract people from diverse backgrounds?
- Do you feel safe at the site as a female? (Could older children visit on their own?)

	DESCRIPTION	SCORE
VERY GOOD	Site feels very comfortable, safe and welcoming	5
GOOD	Site feels comfortable, safe and/or welcoming	4
AVERAGE	Site has a couple of inviting features or areas	3
POOR	This site is not inviting, safe and/or comfortable	2
VERY POOR	The site does not feel inviting, safe or comfortable	1

East Gippsland Open Space Strategy: Appendix 3 - Engagement Summary



HOW DID WE ENGAGE?

Previous engagement for the open space strategy involved broad and targeted engagement around open space preferences and issues for East Gippsland residents in line with the development of the first draft of the strategy. This included:

- Community drop in sessions
- Online survey
- Workshops with key stakeholders

In addition, a number of engagement activities have been undertaken in the past few years which consulted on issues around open space for strategies and plans such as:

- Coastal and Marine Management Plan, 2023
- Environmental Sustainability Strategy, 2021
- Making Bairnsdale City Oval Female Friendly, 2022
- Eagle Point Shared Trail, 2023
- Various playground and park upgrades

With the information from these engagement activities and research on open space provision over the past 5 years some draft key issues were developed which this round of engagement has consulted on in the form of a survey.

Discussion Paper

A discussion paper supported the community engagement by outlining the key issues, challenges opportunities facing the future of open space in East Gippsland.



Who did we hear from?

The survey received 74 responses. Only one of these respondents was a registered respondent, therefore information is unavailable about demographics.

What did we ask?

For each key issue the survey asked:

"Do you agree that this issue is reflective of open spaces in East Gippsland at the moment?"

For each key direction the survey asked:

"Do you agree with the key direction proposed in response to Issue #1?"

For each of the proposed actions the survey asked:

"Please select the actions below which you believe Council should explore to respond to issue..."

For the proposed principles the survey asked:

*When **prioritising** open space upgrades, which **principles** do you value most? (pick top 3)*

Finally, on the draft vision the survey asked:

Do you support this draft vision for the future of open space in East Gippsland?





How we provide open space

KEY ISSUE #1

Some parks and reserves are overused, causing degradation and maintenance concerns, while others are under-utilised and can feel isolated. An even spread of investment across all spaces in the shire would not be sustainable or meet community needs.

43% of respondents either disagreed or strongly disagreed that issue 1 reflected open space in the Shire. The main underlying sentiment being that underutilised parks would be better used if they were better maintained and had more basic infrastructure. Other respondents suggested that looking at the value of parks only through human use neglected the natural and biodiversity value of these spaces.

Proposed Strategy Direction #1

Optimise open space by providing high quality, central, multifunctional open spaces which bring people together to connect and be active along with a network of less developed parks and reserves providing low key, quieter places to get outside.

The proposed key direction was viewed more favourably by respondents with 65% agreeing with the direction as a response to Issue #1.

Figure 2: Survey responses to “Do you agree with the key direction proposed in response to Issue #1?”

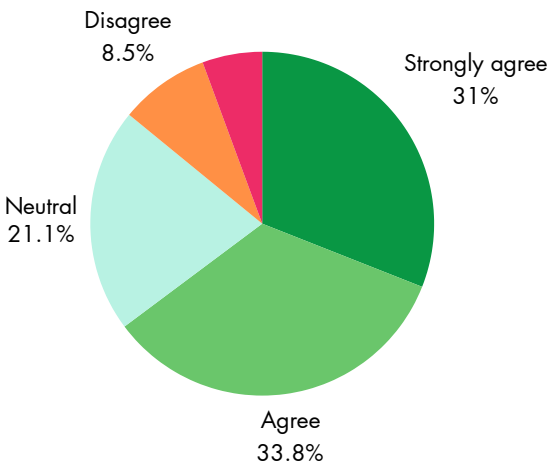
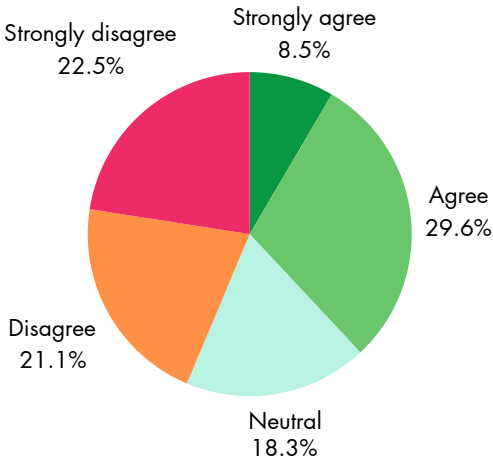


Figure 1: Survey responses to “Do you agree that this issue is reflective of open spaces in East Gippsland at the moment?”



Proposed Opportunities in Response to Issue #1

Of the three proposed actions for Council to explore in response to Issue #1, the a network approach to open space was the most popular. Identification of spaces not providing community value was the least popular opportunity.

The community suggested actions to improve quality and maintenance of existing open space (this is explored further in Issue #3).

Figure 3: Actions proposed in order of most identified by respondents as actions that Council should explore to respond to Issue #1

1	Provide a network of open spaces which provide recreation/physical activity opportunities with functional, minimal infrastructure. (72% said Council should explore)
2	Identify a central high-use, park per township to provide a multi-use, high quality gathering place for the community. (44% said Council should explore)
3	Identify open space parcels that are not providing value to the community or environment and work with the community to determine disposal options. (25% said Council should explore)

How we fund open space projects

KEY ISSUE #2

Investment in open space could be better aligned with clear priorities that reflect community needs along with a sustainable asset management approach.

56% of respondents agreed that the issue reflected open space in East Gippsland. An above average (30%) percentage of respondents selected 'neutral' which may reflect that the issue and direction were difficult to appreciate.

Proposed Strategy Direction #2

Enable smart investment in open space by clarifying priorities, utilising external funding opportunities and collecting more information to inform asset planning.

62% of respondents agreed with the proposed direction in response to Issue #2.

Figure 5: Survey responses to "Do you agree with the key direction proposed in response to Issue #2?"

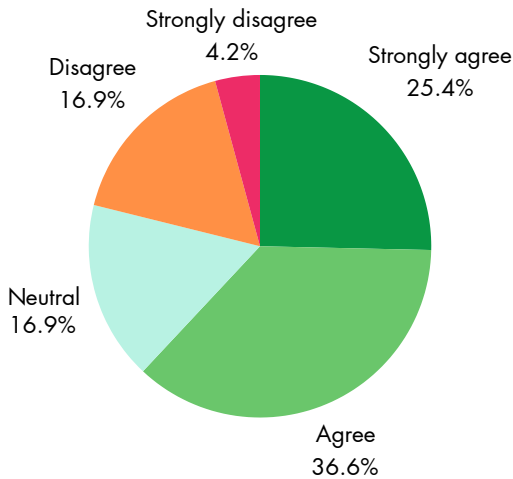
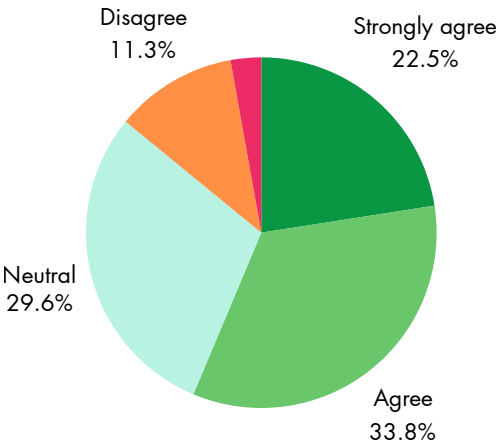


Figure 4: Survey responses to "Do you agree that this issue is reflective of open spaces in East Gippsland at the moment?"



Proposed Opportunities in Response to Issue #2

The response to the proposed opportunities was mostly strong except for investment in data collection which only received support from 14% of respondents.

Figure 6: Actions proposed in order of most identified by respondents as actions that Council should explore to respond to Issue #2

1	Identify a series of "grant ready" projects to be prepared for potential external funding opportunities (65% said Council should explore)
2	Provide policy and guidelines for the design and delivery of open spaces in new development areas. (59% said Council should explore)
3	Set clear priorities which are used to make decisions about asset replacement priorities and other investments. (57% said Council should explore)
4	Invest in data collection to inform asset management. (14% said Council should explore)



How we look after open space

KEY ISSUE #3

Open space management processes and coordination could be improved so that parks and reserves are more consistently cared for and maintained to a similar level across the Shire.

Over 70% of respondents agree that Issue 3 is reflective of Open Space in East Gippsland.

Proposed Strategy Direction #3

Coordinate open space management by establishing shared values and expectations, strong relationships with land management partners and through reciprocal learning and respectful relationships with Traditional Owners.

66% of respondents agreed that the strategy direction responds to issue #3.

Figure 8: Survey responses to “Do you agree with the key direction proposed in response to Issue #3?”

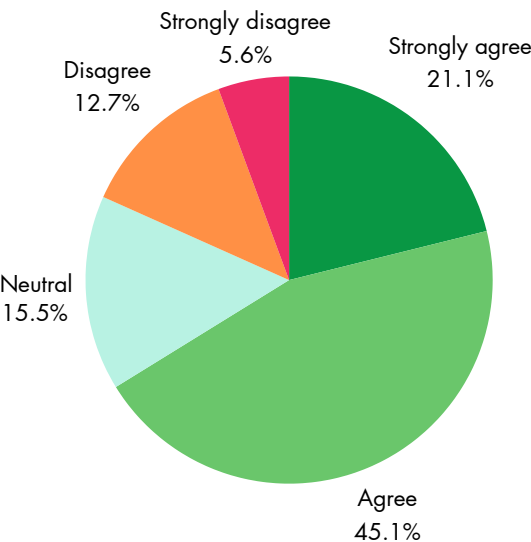
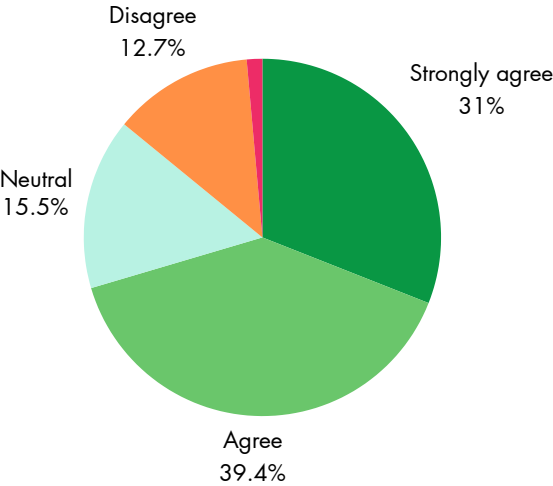


Figure 7: Survey responses to “Do you agree that this issue is reflective of open spaces in East Gippsland at the moment?”



Proposed Opportunities in Response to Issue #3

All proposed opportunities to respond to Issue 3 where identified as worth considering by respondents. Additional suggestions were closely related to the proposed opportunities.

Figure 9: Actions proposed in order of most identified by respondents as actions that Council should explore to respond to Issue #3

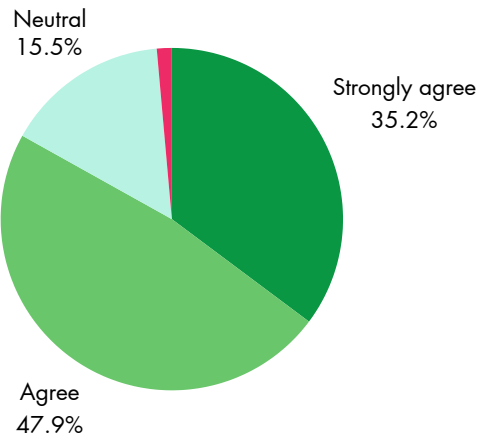
1	Utilise standards that set the expected quality, facilities, amenities, and maintenance levels of parks depending on their size and use levels (86% said Council should explore)
2	Proactive management of activities that have potential for conflict and environmental harm (such as MTB, motor cross, horse riding) (54% said Council should explore)
3	Actively recognise the importance of the cultural landscape and influence of Traditional Owners (53% said Council should explore)

DRAFT VISION

“East Gippsland Shire Council will plan, provide and manage a diverse range of attractive, appealing and sustainable public open spaces that protect and enhance sensitive environments, support a range of physical activity participation opportunities and enhance the character of townships and neighbourhoods.”

The draft vision for the future of open space received 83.1% support.

Figure 10: Survey responses to “Do you support this draft vision for the future of open space in East Gippsland?”



PRIORITISATION PRINCIPLES

Figure 11: Actions proposed in order of most identified by respondents in response to “When prioritising open space upgrades, which principles do you value most? (pick top 3)”

52 people selected	Accessible and equitable: all residents should have equal access to strategically planned, appropriately designed and located open space that facilitate participation, healthy lifestyles, community connectedness and social inclusion.
42 people selected	Environmental Protection and Sustainability/Climate Resilience: open space will complement and enhance the East Gippsland uniqueness including the Gippsland Lakes, marine coastline, heritage rivers and high country.
33 people selected	High Quality and Amenity: Open space will be designed and maintained to a quality that encourages maximum use and increases value by the community.
28 people selected	Multifunctional and Adaptable: Council will ensure a provision of open space that offers a diversity of appropriateness of use and a fit for purpose primary function.
14 people selected	Cultural Landscape: Open space design to complement and include cultural references and protection.
13 people selected	Supply: The provision of an appropriate range of open space outcomes consistent with a hierarchical approach that recognises different standards may be required to support various levels of participation and/or catchments.
10 people selected	Management: Council will manage the open space network effectively and efficiently with resources being allocated in a hierarchal manner

SUGGESTED OPPORTUNITIES

Survey respondents were asked to identify any other opportunities that Council could consider in response to the key issues raised. The ideas did not neatly align to each of the three focus areas so have been compiled here for ease of review.

The most common responses related to improve maintenance and quality. Each of the suggested opportunities are provided on the next page.

Figure 12: Suggestions for actions which Council could consider in response to the key issues, in order of frequency (all three focus areas combined).

5 people want	Improve the maintenance of existing open space
5 people want	Improve the quality of existing open space
4 people want	Better play opportunities including traditional playgrounds, skate infrastructure and multipurpose courts
4 people want	Protect and recognise natural areas for their environmental value beyond level of human use
3 people want	Maintain existing open space without consolidation of the existing network
2 people want	Better coordination with committees of management to look after open space
2 people want	More focus on climate change mitigation and adaption

Suggested Opportunity	Council Reponse
<i>Provide more family friendly options that family's are screaming for, eg. splash water zone, kids pump track - especially In lakes entrance where people with young kids desperately need</i>	Anticipated outcome of Direction #1 - community hubs can accommodate high quality, destination type play spaces such as this.
<i>Investigate further development of these spaces including improved maintenance regime, outdoor performance spaces</i>	Anticipated outcome of Direction #3 and for development of maintenance standards (identified opportunity/action)
<i>Swan Reach , riverside, near bridge. Swan Reach area opposite general store.</i>	Comment unclear
<i>Council should meet with people living in said areas and discuss what their needs are regarding vacant land and listen to suggestions rather than just disposing of said land. Sometimes park land needs some development of pathways, seating or playground equipment for people to be able to use. Also the land needs to be maintained regularly ie grass cut more than once a year. These discussion need to happen. Often the land is left unmowed for a year, the grass grows long and snake infested making it a danger to use. The land has not been levelled so is full of ditches and holes also making it accident prone when you can't see what is beneath the grass. When land like this is set aside for a park it should be developed as a park not left as a paddock!</i>	Noted. Will ensure that proposed opportunity in response to Direction #1 emphasizes involvement of community.
<i>Maintain what you already have. Upgrade and improve as you can. Do not allow self serving lobby groups and elected council to downgrade or sell off community treasures. Avoid short term thinking.</i>	Anticipated outcome of Direction #1 - sustainable and balanced approach is expected to achieve this outcome.
<i>Habitat areas for wildlife should be included with track (if necessary) for people to quietly pass through. Open space with bushland protection should be left for wildlife in every municipality. Community groups would be more than able to protect from weed invasion and revegetate where necessary. From a person who lives in the suburbs in Melbourne I can't begin to explain how important it is to hear and see a variety of birds and native animals going about their business. Please please protect natural areas of importance.</i>	Anticipated outcome of Direction #1 - network of open spaces.
<i>Need to easily identify who is owner/manager of open space.</i>	Anticipated outcome of Direction #3 - Identifying sites with management contention will be a key action of the strategy.
<i>I would like to see a seat and rocks similar to what has been done at Shaving point for plaques to be put on when you scatter loved ones' ashes on Tambo Bay Foreshore</i>	Noted. This is beyond the scope of the OSS but could be considered in future work.
<i>In Metung we have some great open space areas in the village but do not have a multifunctional hub - like a hall where we can have public meetings, under cover activities, events etc. This is a huge need for Metung. The council land on cnr Stirling & Park Rd would suit for this facility.</i>	Indoor spaces are not within the scope of this strategy.

Suggested Opportunity	Council Response
<i>Enhance existing spaces. The botanical gardens in Bairnsdale are under used and not well looked after by council. Would also love to see a sound shell for events and public use. Next to the skate would be a great place</i>	Anticipated outcome of Direction #1 - This is a key direction of the strategy to focus on improving community hub type open spaces.
<i>Explore the current and future uses of the open spaces in terms of climate change impacts, environmental support and re-greening. NOT just facilities and human use!!!! NO such thing as unused open space - consider other uses by flora and fauna, flood mitigation, food production for the future (community gardens, individual or group allotments, Consider this - once sold never recovered. My personal experience of other open space planning by other councils who disposed ie sold their land assets. Much regretted now.</i>	The protection of the natural environment is the key purpose of the Environmental Sustainability Strategy. The OSS will be designed to support and work in conjunction with this strategy but focus more on the use of open space from a recreational standpoint. Any developed procedure for identifying land for disposal would take into account its environmental value.
<i>Summertime water Park.</i>	Anticipated outcome of Direction #1 - community hubs can accommodate high quality, destination type play spaces such as this.
<i>Beware the multi-functional concept leading to conflict of use types and leading to dissuading of potential users. e.g. Omeo free camping and parking for MTB Park users and endangering MTB riders by traffic of large RV's & caravans along Creek Street</i>	Noted. This is an important consideration.
<i>Increase maintenance budget on existing facilities to maintain them, to current standards, ensure and encourage committee of management are meeting obligations and talk directly to them to get a understanding of current needs and improvements</i>	Anticipated outcome of Direction #3 - better coordination with partner land managers (such as committees of management)
<i>Ensure the open space strategy utilises the place based approach, understands social capital at place for each community, uses data to inform the social problem with open spaces through surveys, interviews etc, then bring this all together with the Community Vision, community plans (and community planning processes), with the Council Plan and strategic planning position to address the issue in a planned and effective manner.</i>	Noted. Development of the OSS has adopted this approach. The draft OSS will include strategic and policy context.
<i>When land is put aside on plan for a park to be developed within an estate, it should be developed when the roads and lots are developed. It should not be left as a paddock unusable for people. This gives an excuse for the council to dispose of the land because it is 'not being used'. People on an estate need park land as a place to go for kids to run, and for dogs to be walked. People need park land for mental health. Earmarking park land and then doing nothing with it, is frustrating for residents. Maybe if the land is going to be an ongoing cost of maintenance to the council, there should be discussion with the residents as to how this can be achieved. Like allowing residents to have a community garden of which they maintain themselves.</i>	Anticipated outcome of Direction #2 - ensuring new open spaces provided in development areas are built to defined standards.
<i>Clear thinking, clear communication and honest dealing are important attributes of a governing body. Do your job properly. Avoid spin, gobbledegook and misinformation.</i>	Anticipated outcome of Direction #2 - clarity of priorities, and evidence/data collection to support decision making.

Suggested Opportunity	Council Reponse
<i>Language used here seems confusing what are you trying to say!!!</i>	Noted. The engagement discussion document might provide some clarification if it was not read in conjunction with the survey. Will seek to clarify within the draft OSS.
<i>Need a SWOT analysis of what is out there and what is missing for each town.</i>	Anticipated action in response to Direction #1. Draft levels of service delivered as part of the strategy will help to provide a framework for comparing what should be available across the Shire compared to what already exists.
<i>I reject the idea that Open spaces Not used BY 'LARGE NUMBERS' (DEFINE PLEASE!) of the public are disposable. This agenda is not looking at the use of open spaces for environmental reasons - habitat, climate change, future use in climate change impacted events and disasters - flood mitigation, food production. Open space as defined by parks and sports facilities is a narrow focus and needs to be widened on the specifications for assessments. e.g. playing areas/parks as flood mitigation water retainment. Other public space e.g. verges need to be included in this assessment as they provide a huge potential for greening the cities and providing habitat.</i>	Intention of Direction #1 appears misunderstood. The proposed issue, direction and opportunity does not indicate this sentiment. Environmental uses and benefits of open space are well established and covered in existing strategies, the OSS aims to provide guidance on areas which are not as well. However, this important role of open space will be made clearer in the draft OSS.
<i>'Open spaces' include roadside vegetation. Include nature strips in this management Especially verge gardens and community supported open spaces (e.g. volunteer replanting and re greening of parks, small space areas , linked with the Environmental Sustainability Strategy (work actively with community groups) and 6.2 Environmental Strategy Aspiration. The response of this open spaces planning exercise ignores climate change dictates around the reduction of fossil fuels as a basis of future actions., which maintains local facilities promote neighbourhood connection and resilience. I cannot support the idea of grant ready projects without seeing the full details of each project. I suspect the grants will be directed to building or renovating existing facilities which may not be fully community approved or wanted, and do not have details about their position in the Environmental Sustainability Strategy 2022-2023 e.g. opportunities to reduce fossil fuel use by ensuring all building are using alternative fuels, their overall carbon footprint (removing trees and other vegetation habitat_ sustainable design.</i>	Anticipated outcome of Direction #2 - clarifying community priorities and values, and identifying project for potential grant funding which align with these. Environmental priorities for projects within open space are well established and covered in existing strategies, the OSS aims to provide guidance on areas which are not as well.
<i>Outdoor basketball court.</i>	Noted. Play and sport needs to be considered as part of the strategy implementation.
<i>Monitor existing open space infrastructure to ensure adequate maintenance to reduce longer term replacement/maintenance costs, e.g leaking roofs, weathering weatherboards blocked drains. Ask the local clubs that are users of the infrastructure of maintenance issues on a regular basis.</i>	Indoor spaces are not within the scope of this strategy.
<i>All facilities have a committee of management council needs to engage these councils and discuss items of need and priorities budgets</i>	Anticipated outcome of Direction #3 - better coordination with partner land managers (such as committees of management)
<i>Citizen Assembly gathered from the community to make these decisions not Local Government Officers</i>	Noted. Deliberative engagement and community panels can be considered as part planning individual projects.

Suggested Opportunity	Council Reponse
Sorry, but this is all bureaucratic gobble d gook. Unless Council has the means and the intention to maintain to a VERY high level the infrastructure it already has, don't build new things ! Nothing more depressing than seeing run down public infrastructure because bureaucrats have moved on to the next shiny new thing.	Anticipated outcome of Direction #1- focus on providing centralised, high quality open spaces which already exist supported by a network of less developed parks and reserves. The aim of this direction is to put less strain on Council to maintain the entire open space network to the same level. This is supported by anticipated outcomes of Direction #2 - seeking funding to maintain and renew infrastructure in a sustainable, prioritised manner.
Explore internally. What have you already got that could be repurposed.	Noted.
Same as last suggestion	Noted.
"Land Management Partners"? I wonder who they would be. Would you give some examples?	These include Parks Victoria, Committees of Management and community stewardship groups. Please see the community engagement discussion paper on the "Have Your Say" page for some examples.
Create a Reference Group of representatives of all land managers in East Gippsland. Land management priorities is very fragmented!	Noted. Potential action to implement Direction #3.
Base all decisions on the inclusion of climate change impacts in all actions. This should be basic criteria of all Council actions.	Noted. This is a potential priority/value for implementation of Direction #3.
I'd like to see massacre sites across East Gippsland formally recognised. Some of these are in/near our public spaces. For example, Boxes (Butchers) Creek.	Noted. This is beyond the scope of the OSS but could be considered in future work.
Basing maintenance levels on levels of use will negatively affect smaller communities with lower populations therefore cannot determine the standard. An equitable approach to the provision of open spaces must be based on geography rather than number of users.	Anticipated outcome of Direction #1 - equitable distribution of quality, central spaces.
Plus include community residents at a locals, include verges as open space especially with the view of verge gardens as part of the potential to create huge habitat corridors and have climate change impacts in every town and locality. Recognize and engage with residents and land managers in this context of future planning for our cities environment. Recognise the economic, community and health benefits of this engagement. e.g. low economic areas and areas for low education standards have low numbers of street trees compared to more affluent areas. Research shows there is a direct correlation here between positive management of verge spaces and health and neighbourhood connections, So much to say about this important topic. Can't confine the open space planning to buildings and facilities.	Anticipated outcome of Direction #3 - coordinated and consistent approach throughout the shire.
Beach volleyball court	Noted. Play and sport needs to be considered as part of the strategy implementation.
Restrict and police use of open areas for dog walking and commercial activities	Anticipated outcome of Direction #3 - coordinated and consistent approach throughout the shire.

PREVIOUS ENGAGEMENT UNDERTAKEN

What we did

The draft directions in the Strategy respond to community priorities and perspectives gathered recently, including initial engagement for the open space strategy and engagement for other strategies and masterplans such as:

- Community Vision
- Council Plan
- Coastal and Marine Management Plan
- Environmental Sustainability Strategy
- Sporting Facilities Plan
- Sporting Reserve upgrades and masterplans
- Park upgrades upgrades and masterplans
- Playspace upgrades and concept plans
- Trail improvements and plans

Engagement for the initial strategy included the following in :

- Government agency workshop with Department of Sustainability and Environment (now DEECA), Gippsland Ports, Department of Environment and Primary Industries (now DEECA), Sport & Recreation Victoria, Parks Victoria and East Gippsland Catchment Management Authority
- 4 Community drop in sessions in Bairnsdale, Orbost, Mallacoota and Lakes Entrance
- Online community survey

The 2013 online survey asked the following questions:

- Do you currently use or visit open space parks or reserves in East Gippsland Shire?
- If you do not currently use or visit open space parks or reserves in East Gippsland Shire, why not?
- What type of open spaces do you usually use?
- What activities do you usually do when visiting parks and reserves in East Gippsland Shire?
- How often do you usually visit parks and reserves in East Gippsland Shire?

What we heard

Previous engagement undertaken for the draft strategy has been gathered into similar topics and includes the results from all previous engagement efforts.

Working Well

- The community highly value the existing public open space. Elements that are considered to be working well include:
 - Overall distribution of open space.
 - Informal recreation opportunities and open spaces associated with water ways and foreshore areas.
 - Good quality boat ramps and access to waterways.
 - Rest stops and picnic areas in smaller settlements.
 - Cross-agency collaboration to deliver a range of infrastructure improvements and asset developments.
 - The development of landscape concept plans up-front as part of subdivision planning process to agree on development requirements and vision for new sites.
 - The contribution of open space to the character and livability of the region.

What we heard (continued)

Planning

- The importance of strategic open space planning was recognised by the community and stakeholders alike. Future planning outcomes should be driven by a desire to:
 - Preserve / protect what we already have.
 - Enhance what we have.
 - Establish clear guidelines for open space acquisition and development.
 - Address site /topic specific planning gaps (e.g. regional equestrian facility, synthetic hockey, soccer, park Master Plans, Tracks and Trails Strategy, MTB activities, etc).
- There is a need to establish detailed Asset Management Plans for various classes of open space assets and infrastructure to guide resource allocation and operational management.
- Seek to enhance integrated planning and coordination between land based open space, water based infrastructure and high use coastal/waterway reserves.
- Climate change responses, coastal inundation and flood impacts may require relocation of selected activities, uses, or infrastructure, including car parking, from sensitive foreshore areas.
- Future development of public assets within designated floodplains will need to be carefully considered, including Developer Contributions.

Enhance what we already have

- A key theme represented in the consultation was a desire to improve and enhance what we already have, specifically in relation to:
 - Improve the appeal of existing sites.
 - Upgrade / replace ageing infrastructure (Asset Mgt Plans).
 - Increase the diversity in options for formal sport (i.e. playing fields).
 - Limit the duplication of facilities within individual reserves (e.g. Club rooms) i.e. maximise opportunities for multi-use community hubs.
 - Address inadequate footpaths, linkages and connections to/from points of interest and open spaces.
 - Limited variety in playgrounds and limited play value/appeal.
 - Lack of site specific Master Plans or precinct (place-based) planning (e.g. Mallacoota).
 - Lack of consistency in asset classes e.g. park furniture.
 - Need for removal of disused or redundant infrastructure throughout reserves.
 - Need to review quality, standard, appeal and functionality of fencing in/around recreation reserves. Rationalise fencing where possible.
 - Significant differences in facility standards between Council and DSE controlled reserves (a key issue for Council is the inability to capitalise asset investment on DSE/DEPI controlled land).
 - Dominance of single oval sites, which limits overall usage flexibility.
 - Underutilised skate and BMX facilities offering limited appeal.
- There is also a strong desire to encourage more use and appreciation of what we already have. This relates to marketing, promotion and community pride, however it also relates to activation of spaces through:
 - Enhanced design (walkability, landscaping, maintenance, appeal, visibility, safety, etc),
 - Core infrastructure including paths, seating, drinking taps, fitness stations, way finding signage, interpretive information etc.
 - Facilitation of physical activity programming and activation of open spaces for community events, markets and activities.

What we heard (continued)

Community use and benefits

- Open spaces are recognised as vital in facilitating community interaction, social inclusion and community health and well being.
- Facilities and settings used most frequently by the community include (in order):
 - Walking tracks and trails.
 - Lakes, waterways and coastal areas.
 - Local parks and playgrounds.
 - Sports grounds and sport venues.
 - State and National parks.
- Community access to foreshore open space is often constrained/restricted during peak tourism seasons. Options to reduce impacts and enhance the legacy from tourism activities conducted on public open space may need to be explored.
- Improve information and material promoting existing sport, recreation and open space opportunities.
- Increase support for community recreation programs and encouraging physical activity participation in parks.

Linkages and connections

- Maximising linkages and connections has emerged as a major theme. This relates not only to paths and trails within reserves, but more importantly the capacity to utilise open space corridors to connect neighborhoods, suburbs, points of interests and common destinations.
- The appeal, safety and usability of a number of existing open space corridors could be enhanced.
- There are gaps in open space connections and linkages.
- There may be a need to establish a Tracks, Trail and Pathway Strategy for the Shire (including consideration of trails available in State and National Parks) in order to confirm network gaps, priorities and scope indicative implementation costs.

Open space settings and functions

- Consultation results highlighted the importance of ensuing variety in open space settings and functions, ranging from bush/conservation areas through to active sport reserves.
- Whilst formal sports clubs and recreation activities were acknowledged as significant users of open space, it was stressed that the majority of users are individuals and families participating in informal, non-organised activities.
- Future open space acquisition and enhancement activities must reflect the need for a variety of functions, settings and development standards for open space across the Shire.

East Gippsland Open Space Strategy: Your Say



Council are developing an open space strategy to guide the future planning, development, provision and management of open space across East Gippsland.

A set of draft directions for the strategy have been developed based on extensive engagement, in-depth research and analysis. We are seeking your feedback on these draft directions which will help to shape the final strategy.

Previous engagement

The draft directions respond to community priorities and perspectives gathered recently, including initial engagement for the open space strategy and engagement for other strategies and masterplans such as:

- Community Vision
- Council Plan
- Coastal and Marine Management Plan
- Environmental Sustainability Strategy
- Sporting Facilities Plan
- Sporting Reserve upgrades and masterplans
- Park upgrades upgrades and masterplans
- Playspace upgrades and concept plans
- Trail improvements and plans

What have we heard so far?



The community recognises the benefits of leisure, recreation and open space in contributing to the culture, lifestyle and character of the region.



Community priorities:

- Improve existing facilities, including playgrounds, and them being updated more regularly
- Increase the activation and appeal of open spaces
- More “community hub” spaces which offer a high-quality experience which are flexible and offer something for all ages
- A greater level of consistency in open spaces and infrastructure quality
- More proactive management of activities that have potential for conflict and environmental harm (ie MTB, motor cross, horse riding)
- Improve connections and linkages between open spaces



The natural environment facilitates a high level of participation in a range of physical activities, including aquatic sports, informal recreation, environmental appreciation and a range of traditional formal sports.





How we provide open space



Key Issue

Some parks and reserves are overused, causing degradation and maintenance concerns, while others are under-utilised and can feel isolated. An even spread of investment across all spaces in the shire would not be sustainable or meet community needs

Strengths

Abundant space and spectacular landscapes (trails, lakes, foreshores, mountains, wildlife) offer a huge variety of opportunities.

Most open spaces in East Gippsland are natural places that require minimal infrastructure to be safe and functional.

Challenges

There is a lot of open space with large distances between places, so you usually have to drive to a park or reserve, and some places are quiet, isolated, and could sometimes feel dangerous.

Some open space is overused and is becoming degraded. For example, foreshore open space during peak season.

Opportunities

Multifunctional "community hub" spaces could be a central gathering place in each town with flexible, high-quality experiences for all ages.

Some spaces may not be providing value to the community or environment. By working with the community to determine future options for these sites we could reduce the management burden.

A classification system for open space can help communicate the primary function, uses, anticipated infrastructure, and maintenance needs, to guide investment decisions.

Proposed Strategy Direction

Optimise open space by providing high quality, central, multifunctional open spaces which bring people together to connect and be active along with a network of less developed parks and reserves providing low key, quieter places to get outside.

What do you think?



How we fund open space projects



Key Issue

Investment in open space could be better aligned with clear priorities that reflect community needs along with a sustainable asset management approach.

Strengths

Council's existing commitment to improving open space for new and renewed open space is approx. \$4-5 million annually.

This investment is boosted by government grants with an additional \$7million plus awarded in 2023 to EGSC to improve open space and recreation facilities.

Challenges

Council funds for open space renewal is limited. There is a lot of existing infrastructure in open spaces throughout the shire, and it will need to be replaced eventually.

Climate changes like increased coastal erosion, storm surges and flooding will continue to cause damage to open spaces.

Council must compete for grant funding, and success is not guaranteed. Identifying "grant ready" projects can improve success.

Opportunities

Clear priorities to guide investment decisions which reflect community needs and expectations can ensure that resources are directed where communities will benefit most.

Asset management could be improved with more accurate information about current condition, performance, and risk of damage including climate change impacts.

Clear policy and guidelines for the design and delivery of new open spaces provided by developers can ensure new spaces meet the needs of the new community.

Proposed Strategy Direction

Enable smart investment in open space by clarifying priorities, utilising external funding opportunities and collecting more information to inform asset planning.

What do you think?



How we look after open space



Key Issue

Open space management processes and coordination could be improved so that parks and reserves are more consistently cared for and maintained to a similar level across the Shire.

Strengths

The community has strong social connections. Popular community activities include men's sheds, community markets and events.

East Gippsland has a strong network of volunteer committees of management who care for and manage significant areas of open space.

The Shire is an attractive destination for tourists and is popular for events.

Challenges

The Shire has a large amount of open space. Maintenance of open space is under-resourced and costs are rapidly increasing.

There are many land managers throughout East Gippsland* each with their own approaches and policies. Management responsibilities and expectations are currently unclear.

**Parks Victoria, Department of Environment, Energy and Climate Action, Gunaikurnai Land and Waters Aboriginal Corporation & committees of management*

Opportunities

Clarification and communication of land manager roles, responsibilities, expectations, agreements, and policy would encourage a consistent approach to open space management.

Recognise the importance of the cultural landscape and influence of Traditional Owners. Build strong relationships to learn and share in different ways in the future, for a better outcome for the landscape, ecosystems, and culture.

Proposed Strategy Direction

Coordinate open space management by establishing shared values and expectations, strong relationships with land management partners and through reciprocal learning and respectful relationships with Traditional Owners.

What do you think?



Proposed Vision and Principles

Proposed Vision

"East Gippsland Shire Council will plan, provide and manage a diverse range of attractive, appealing and sustainable public open spaces that protect and enhance sensitive environments, support a range of physical activity participation opportunities and enhance the character of townships and neighbourhoods"

Proposed Directions



Optimise



Enable



Coordinate

Open Space Prioritisation Principles

- **Accessible and equitable:** all residents should have equal access to parks and reserves that are appropriately designed and located to facilitate participation, healthy lifestyles, community connectedness and social inclusion.
- **Protected and resilient:** natural environment, habitat and landscape features should be valued and protected.
- **Sustainably managed:** effective and efficient management of open space with resources being prioritised in a coordinated, systematic and transparent manner.
- **Multifunctional and adaptable:** open space that is fit for purpose but also offers flexible use opportunities which can adapt and respond to changing demographics, economies, needs and climate.
- **Site specific:** open space planning and design will respond to the needs of the local community and consider the local character and landscape.
- **Culturally valued:** Open space planning and management to recognise and reflect cultural values and sites for protection.
- **Safe:** Open spaces should feel safe and comfortable for people of all ages, genders, cultural backgrounds and abilities.



We want to hear from you

Our previous consultation activities have given us a clear picture of how people use open space.

This round of community engagement is focused on checking in on how we're tracking with developing the key directions for the strategy based on community feedback to date.

Complete the online survey!

We want to hear what you think about the key issues and directions outlined in this document and whether they reflect open space in East Gippsland at the moment. We also want to know what you think about the action Council could explore to address these issues.

Please complete the survey and share the opportunity with family, friends and colleagues who live or visit the Shire.



Next Steps



5.4.3

Community Grants Impact 2025/26

Authorised by General Manager Place and Community

Confidentiality Notice

The information contained in **Confidential Attachment 1 and 2** 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 undermine the integrity and fairness of the assessment process and compromise Council's ability to manage funding allocations transparently.

Purpose

This report seeks Council approval of the recommended applications for the 2025/26 Community Impact Grants, as listed in **Confidential Attachment 1**.

Key Points

Council's Community Grants Program 2025- 2026 (Program) provides funding opportunities for East Gippsland-based community groups and organisations. Through this Program, Council supports a wide range of projects that strengthen our communities, encourages environmental sustainability, social connection, health and well-being and social inclusion.

The Program objective is to provide organisations the opportunity to access funding for a variety of needs and initiatives in a manner that is open, transparent, and accountable. The Guidelines, which are publicly available via Council's website provide information on the Program and guidance for applicants.

One of the categories of grants in this Program is the *Community Impact Grants* (CIGs) for initiatives between \$3,001 and \$20,000. These are offered once a year, with a 2025/26 total of \$80,000 available to be allocated to eligible applicants across two streams:

- A. Environmental Sustainability
- B. Facilities and Place.

In addition to the CIGs budget, Environmental Sustainability funding budgets have augmented the budget by \$40,000.00 and supported additional recommended projects this year, as indicated in **Confidential Attachment 2**.

This year the CIGs were open for applications from 1 October to 31 October 2025. Thirty-six (36) applications were submitted requesting Council funding contribution totalling \$461,595.55 to support projects with an overall delivery value of \$811,594.55. All applications were assessed in accordance with the Guidelines, with fifteen (15) applications recommended for Council funding contribution, totalling \$135,308.05 towards projects, with an overall delivery value of \$283,956.05.

Assessments:

The assessment panel was made up of Council's Open Space Officer, Sustainability Officer and Community Futures Coordinator. The panel met on Monday 10 November 2025. A declaration of Conflict of Interest was mandatory to allow progression of full assessment of applications. Initial assessments were made by officers independently prior to panel review and recommendations.

Initial eligibility was confirmed for each project, with a scoring based on (5: Excellent, 4: Good, 3: Satisfactory, 2: Weak, 1: Unsatisfactory) for the criteria below.

- Project Detail (20%): To what extent is the project meeting a community need? Benefits (health, wellbeing, inclusion, accessibility), target beneficiaries, fairness, community support, impact assessment, and consultation.
- Strategic Alignment (20%): Alignment with Council's Funding Priorities
- Project Planning (20%): Is the project well-described, cover all activities, logical sequence, realistic timeframes, task delivery, compliance, required skills, and community collaboration. To what extent is there opportunity for the community to be involved in the project? In the planning, delivery or attendance? Or all?
- Realistic Budget (20%): Applicant contributions, other funding sources, financially viable project, budgeted expenditure, current and reasonable costs, in-kind contributions, future costs, current quotes, and funding history. Does the budget balance?
- Risk consideration (10%): Identify permits, permissions, risks, and risk management plans, including approvals, delays, community involvement, stakeholder resistance, and backup plans. To what extent has the applicant listed achievable outcomes and outlined how the impacts will continue once the project/funding ends?
- Disadvantage (10%):

Included within the scoring assessment were recommendations by assessors based on the numerical scoring and individual officer assessment of Strongly Recommend, Somewhat Recommend or Do Not Recommend.

Part Funding

A number of recommendations have been made for part funding of projects, an offer of a lower amount than applied for. Projects being offered part funding were assessed to ensure individual elements could be delivered within the project, or the project could be delivered with a reduced budget meaning this should not jeopardise delivery of the project. Part funding has been recommended where the panel believed:

- There were components of the project that should be resourced in other ways, e.g. project management costs (for volunteer projects).
- The scale of the project could be reduced without major implications. e.g. purchase of multiple items of equipment where fewer items will still provide strong benefit.

These part funding offers serve two purposes. They allow good projects to be funded even where there are components that do not align well with the guidelines (or outcomes can be achieved through a reduced scope) and allows the program to fund greater number of community projects overall.

Applicants may choose to not accept the reduced offer. If any grant offers are turned down by applicants (full or partial), it is proposed that this amount be carried forward to the 2026/27 grants program.

Although not part of assessment, it is worth noting that there is a broad coverage throughout the regions of successful full or part funding for projects - including Omeo, Newlands Arm, Bairnsdale, Mallacoota, Genoa, Swifts Creek, Lakes Entrance, Tambo Valley, Sarsfield, Paynesville and Noorinbee.

Support for unsuccessful applications

Feedback will be provided to unsuccessful applicants to support potential future applications. In addition, unsuccessful applications will be circulated to relevant business units for consideration of funding and opportunities through alternative streams.

Recommendation

That Council:

- 1. approves the 15 applications for funding through the East Gippsland Shire Council Community Impact Grants Program, as provided at Confidential Attachment 1, to the value of \$135,308.05;***
- 2. authorises the Chief Executive Officer or delegate to advise all applicants the outcome of this funding round and publicise the results on Council's website and via media release; and***
- 3. resolves that all attachments to this report and any discussions relating to them remain confidential.***

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 connected and inclusive community, where no one is left behind

Outcome – A stronger collaborative community that is actively engaged and supported

Theme 2: Prosperity

Outcome – Thriving, self-sufficient communities with strong local businesses and social enterprises.

Theme 3: Making the most of what we've got

Outcome – Natural assets are well-managed and protected

Outcome – Our cultural heritage is managed and preserved

Theme 4: Managing Council well

Outcome – Council operates transparently and effectively with public trust

Consultation/Community Engagement/Impacts

The Community Impact Grants 2025/26 opening was advertised on the Council website in October 2025. Notifications were published in local community newspapers and Council's Community Facebook page over the four-week application opening period.

Email notification advertising funding round were sent utilising existing community and sector networks. A media release was published plus Shire adverts during this four-week period.

Applicants were invited to contact Council Officer for further information and support regarding their application. Support and feedback will be offered to applicants who are eligible but have not been successful to assist them to further develop their projects and to make submission to future Council funding rounds or seek other external funding opportunities.

Opportunities and Risks

The risks of this proposal have been considered as minimal impact. Management through Officer support to address community dissatisfaction are in place and messaged through communication platforms.

Conflicts of Interest

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

Attachments

1. CONFIDENTIAL - Community Impact Grants Panel Assessments for Recommendation [5.4.3.1 - 2 pages]
2. CONFIDENTIAL - Community Impact Grants Panel Assessment 2 [5.4.3.2 - 5 pages]

5.4.4 Seeking further Direction on Planning Scheme Amendment C170egip

Authorised by Chief Executive Officer

Purpose

This report is brought forward at Councillors request to seek Council direction on Planning Scheme Amendment C170egip (the Amendment), which seeks to implement the key land use recommendations of the East Gippsland Rural Land Use Strategy (2023) (Strategy) into the East Gippsland Planning Scheme (the Scheme).

Key Points

In July 2024, Council resolved to seek authorisation from the Minister for Planning to prepare an Amendment to the Scheme to introduce components of the RLUS into the Scheme. The report presented to the July 2024 Council Meeting is provided as **Attachment 1**. The Planning Scheme Amendment is referred to as C170egip.

Authorisation was granted by the Minister for Planning on 2 October 2024, but the Amendment did not proceed to exhibition due to the 2024 caretaker period pertaining to the Local Government election cycle wherein Council is unable to undertake any public engagement.

Since the July 2024 Council resolution, a new Council has been elected. The new Council requested a briefing prior to proceeding to exhibition. Councillors have been briefed on this matter twice since their appointment. However, permission to proceed with the exhibition has not been granted. Furthermore, during the most recent briefing, there has been no clear direction provided to Officers on how the Councillor group wishes to progress C170egip.

Based on the Briefings and the desire of some of the Councillor group to bring C170egip to the December Council meeting for direction, this report has been prepared as requested. Given the short notice, there has been no recent engagement with Council's Agricultural Sector Advisory Committee on this matter.

It remains Officers' view that it is preferable that there is more discussion on this matter before proceeding to formal consideration.

Recommendation

Four alternate Options are provided for Council consideration:

Option 1

That Council defers any further formal action on Planning Scheme Amendment C170egip to allow time for further consideration of the drivers and implications of any future course of action.

OR

Option 2

That Council reconfirms the direction of the Council Resolution of item 5.1.5 on 16 July 2024 and authorises the commencement of public exhibition of Planning Scheme Amendment C170egip in 2026 in accordance with the Ministerial authorisation;

OR

Option 3

That Councils seeks to have changes made to C170egip, noting that this will require a further report to Council to seek re-authorisation of the amended Planning Scheme Amendment from the Minister for Planning prior to exhibition;

OR

Option 4

That Council abandons Planning Scheme Amendment C170egips and advises the Minister for Planning of this decision.

Background

The East Gippsland Rural Land Use Strategy (Strategy) was developed by council to support a diversity of agricultural enterprises of various scales, promotes emerging opportunities for rural industries, boutique farming, rural tourism, and recognises and protects important environmental and landscape values. The Strategy is designed to:

- protect land for agricultural production and to encourage agri-industry, business and tourism, where appropriate;
- provide greater clarity and certainty for protection of agricultural land in accordance with existing State policy provisions of the Planning Scheme; and
- recognise that agriculture is fundamental to our economy and needs a contemporary approach to planning.

The key components of the Strategy are:

- a Strategic Framework comprising a vision, principles, framework plan and strategic directions for rural land; and
- an Implementation Plan including recommendations for changes to Scheme and further strategic work

After a lengthy development process, the Strategy was adopted by Council at the Council Meeting on 25 July 2023. Whilst the Strategy made a range of recommendations for changes to the Scheme, these recommendations can only be given effect via a Planning Scheme Amendment.

At its meeting of 16 July 2024, Council resolved to seek authorisation from the Minister for Planning to prepare the Amendment to the Scheme to introduce the recommendations from the Strategy into the Scheme. The resolution was as follows:

That Council:

1. *receives and notes this report and all attachments pertaining to this report;*
2. *seeks authorisation from the Minister for Planning to prepare a Planning Scheme Amendment C170egip to the East Gippsland Planning Scheme generally in accordance with the draft planning scheme documentation shown at Attachment 1, Attachment 2, Attachment 3 and Attachment 4;*
3. *commences the public exhibition of Planning Scheme Amendment C170egip in accordance with Ministerial authorisation; and*
4. *notes that the Planning Scheme Amendment C170egip will be subject to further Council review and assessment by an independent Planning Panel, if required, following the completion of the public exhibition.*

Authorisation was received from the Minister for Planning to proceed to exhibition of the Amendment in October 2024. However, exhibition has yet to occur.

If progressed, the Amendment will be subject to a formal public exhibition notice period to inform affected landowners, agency stakeholders and the broader community. The outcomes of the public exhibition notice period will be presented for Council consideration at a future Council meeting.

Council is required to review and update its Planning Scheme in accordance with section 12b of the *Planning and Environment Act 1987*. An independent review of the Planning Scheme (the review) was endorsed by Council in April 2022 and submitted to the Minister for Planning. The review recommended the completion and implementation of key strategic planning projects to address policy gaps in the Scheme.

The Strategy was one of those projects. The Strategy was prepared and adopted by Council in July 2023. Implementation of the Strategy is the key next step in the process.

The Amendment comprises the following elements:

- Introduces new local policies into the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) to guide land use, subdivision and development in rural areas of East Gippsland.
- Updates schedules to the Farming Zone, Rural Living Zone and Rural Conservation Zone to protect rural areas for farming activities and streamline statutory planning decision making processes.
- Introduces the Rural Activity Zone to recognise opportunities for nature based and rural tourism.
- Updates the Environmental Significance Overlay to identify and protect Farmland of Strategic Significance.

The Amendment has been prepared in draft form and was presented in full to Council at the meeting of 16 July 2024.

Given the passage of time, the change of Council and the current uncertainty around proposed changes to the *Planning and Environment Act 1987* which may impact future Planning Scheme Amendments, further direction is being sought from Council.

Strategic Alignment

This report has been prepared and aligned with the following themes 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 Strategy has been informed by extensive community and stakeholder engagement over several years, most recently between 16 November 2022 and 3 February 2023. Previous community engagement was reported to Council in July 2023.

There has been no consultation to date on the content of the C170egips amendment. The Amendment if progressed, will be subject to a minimum one calendar month statutory public exhibition notice period, including:

- direct notice to landowners affected by the Amendment;
- In person engagement sessions;
- publishing a notice of preparation of the Amendment in the Government Gazette advising of the preparation of the Amendment, inviting review and submissions;
- publishing a notice in the local newspapers advising of the preparation of the Amendment, inviting review and submissions; and
- making a copy of the Amendment documentation available on the Department of Transport and Planning and Council websites.

If submissions are received in response to the public exhibition notice period, Council will be required to consider the issues and has the opportunity to modify (but not transform) the Amendment, to address the issues.

The Amendment process allows Council to refer unresolved matters to an independent planning panel appointed by the Minister for Planning. Submitters can present their submissions verbally at a Panel Hearing or have their written submission considered by the planning panel.

Opportunities and Risks

The options before Council are to:

1. Defers formal consideration of Planning Scheme Amendment C170egip until the Councillor group have provided further feedback on the amendment and fully discussed the full suite of options available to them; or
2. Continue with the exhibition of C170egips as resolved by Council on 16 July 2024 and authorised by the Minister for Planning; or
3. Seek changes to C170egip amendment documentation, prior to proceeding to exhibition. This option would then require further formal Council consideration, and we would need to seek re-authorisation from the Minister for Planning prior to proceeding to exhibition (if re-authorised); or
4. Abandon Planning Scheme Amendment C170egips prior to exhibition.

Option 1 is recommended by Officers as this provides further time for the Councillors to fully consider all the options and implications and explore the opportunity to amend both C170egips and the supporting Rural Land Use Strategy.

Option 3 is also supported by Officers, as this option allows Councillors the opportunity to amend the work developed to date and progress some elements to exhibition with the intent of modifying the Planning Scheme to incorporate elements of the RLU Strategy. At present Council's planning considerations for use and development in the Farm Zone are largely reliant on the State provisions incorporated into the Scheme.

Officers also support Option 2 as this is a procedural step in the implementation of the Strategy into statutory policy. This option still provides Council with the opportunity to listen to a full range of community views via the exhibition process. After exhibition, Council may decide to suggest changes and/or appoint an independent Planning Panel to consider the submissions and make recommendations to Council. Council can also abandon the Amendment at the conclusion of exhibition.

Option 4 to abandon C170egips at this point in time is the Officers least preferred option, as it means that the opportunity to finesse the planning scheme to support Agriculture is not pursued

Council may also wish to consider options around the status of the Rural Land Use Strategy itself. However, these options are not included in this report.

Risk

The risks of exhibiting, amending or abandoning the C170egip Amendment have been considered. The Officer Recommendation relates to the undertaking of the Amendment exhibition process only, where risks will be managed via the appropriate delivery of this Amendment in accordance with the *Planning and Environment Act 1987*.

Consultation on the Strategy during the preparation of the strategy demonstrated a range of views about the proposed changes. If the amendment is exhibited, there is likely to be a range of views presented, and potentially some reputational damage to Council if the Amendment is exhibited. Similarly, if the amendment is not exhibited and abandoned, there could also be reputational damage.

A further risk identified is the absence of recent engagement with the newly appointed members of Council's Agricultural Sector Advisory Committee prior to making final considerations. This group is considered a key stakeholder.

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

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

A copy of the 16 July 2024 Council Report seeking approval from Council to seek Ministerial Authorisation to commence exhibition will also be attached to this report.

1. Council Report 16 July 2024 [5.4.4.1 - 233 pages]

5.1.5 Seeking Authorisation and Public Notice of Planning Scheme Amendment (C170egip) - Implementation of Rural Land Use Strategy

Authorised by Acting General Manager Place and Community

Conflict of Interest

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

Executive Summary

The purpose of this report is to seek Council's approval to request authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C170egip (the Amendment) to implement the key land use recommendations of the East Gippsland Rural Land Use Strategy (2023) (RLUS) into the East Gippsland Planning Scheme (the Scheme).

The Amendment comprises the following elements:

- Introduces new local policies into the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) to guide land use, subdivision and development in rural areas of East Gippsland.
- Updates schedules to the Farming Zone, Rural Living Zone and Rural Conservation Zone to protect rural areas for farming activities and streamline statutory planning decision making processes.
- Introduces the Rural Activity Zone to recognise opportunities for nature based and rural tourism.
- Updates the Environmental Significance Overlay to identify and protect Farmland of Strategic Significance.

The Amendment has been prepared in draft form and is set out at **Attachment 1** (Explanatory Report), **Attachment 2** (Instruction Sheet), **Attachment 3** (Ordinance tracked changes version) and **Attachment 4** (Maps). **Attachment 5** is a clean copy of the Ordinance for information and readability only.

The RLUS was adopted by Council at the Ordinary Meeting on 25 July 2023. This report provides an overview of how the RLUS recommendations are proposed to be translated into Planning Scheme policy, zone and overlay controls, and commences the first stage of the planning scheme amendment process. This report does not affect the strategic planning policy direction of the RLUS.

The Amendment will be subject to a formal public exhibition notice period to inform affected landowners, agency stakeholders and the broader community. This will be conducted in accordance with Council's Election Period Policy and direction from the Minister for Planning. The outcomes of the public exhibition notice period will be presented for Council consideration at a future Council meeting.

The officer recommendation is to seek authorisation to prepare and exhibit this Amendment generally, in accordance with the Amendment documentation at **Attachment 1** (Explanatory Report), **Attachment 2** (Instruction Sheet), **Attachment 3** (Ordinance tracked changes version) and **Attachment 4** (Maps).

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;**
- 2. seeks authorisation from the Minister for Planning to prepare a Planning Scheme Amendment C170egip to the East Gippsland Planning Scheme generally in accordance with the draft planning scheme documentation shown at Attachment 1, Attachment 2, Attachment 3 and Attachment 4;**
- 3. commences the public exhibition of Planning Scheme Amendment C170egip in accordance with Ministerial authorisation; and**
- 4. notes that the Planning Scheme Amendment C170egip will be subject to further Council review and assessment by an independent Planning Panel, if required, following the completion of the public exhibition.**

Background

Council is required to review and update its Planning Scheme in accordance with section 12b of the *Planning and Environment Act 1987*. An independent review of the Planning Scheme (the review) was endorsed by Council in April 2022 and submitted to the Minister for Planning. The review recommended the completion and implementation of key strategic planning projects to address policy gaps in the Planning Scheme. The RLUS was one of those projects.

The RLUS was prepared and adopted by Council in July 2023. Implementation of the RLUS is the key next step in the process.

Planning Scheme Amendment C170egip

The translation of the RLUS into the Scheme must be consistent with State Planning Policy and must be in the format prescribed by *Ministerial Direction – The Form and Content of Planning Schemes*. It is not possible to add elements to the Scheme other than specified in the Ministerial Direction.

The Amendment translates the RLUS recommendations into the relevant sections of the Scheme, as set out below.

Municipal Planning Strategy

- The MPS is updated at clause 02.03-4 (Natural Resource Management) to highlight the challenges and opportunities facing rural areas in East Gippsland and provide high level direction to manage land use, subdivision and development.
- A new Rural Framework Plan is introduced at clause 02.04.

Planning Policy Framework

- Updates Clause 11 - *Settlement* to ensure settlement policy is consistent with policy direction for dwelling development in rural areas.
- Updates Clause 14 – *Natural Resource Management* to implement the following policy direction:
 - Protect Farmland of Strategic Significance (FSS) in the Lindenow Valley, Tambo River Valley and Snowy River Valley and introduce policy to manage the use and development of land within 500 metres of FSS areas.

- Discourage uses and development, including dwellings, which are not directly related to agriculture, may have an adverse impact on agricultural operations or introduce conflict with agriculture.
- Provide criteria to guide dwelling development and subdivision in rural areas.
- Provide criteria to identify circumstances where dwelling development will be supported where it is not directly related to agriculture, as follows:
 - A previous planning permit for subdivision facilitates the future use and development of a dwelling.
 - On land within 5 km of a Remote Settlement or Rural District that is more than 50 km from Bairnsdale, Lakes Entrance or Orbost; where it can be demonstrated that the dwelling will support the viability of a settlement.
 - On land that presents established environmental qualities that would be protected and enhanced by the use and development of a dwelling.
- Provide strategic direction on the use, development (including dwellings) and subdivision of land in the Rural Activity Zone, particularly as it relates to rural or nature-based tourism.
- Encourage innovation and diversification of farming activities and promote sustainable land management practices.
- Encourage high quality, low volume native timber harvesting where biodiversity is protected.
- Protect water supply catchment areas.
- Updates Clause 17 – *Economic Development* to encourage an increase in the number and range of employment opportunities in the food and fibre sector; and encourage rural and nature-based tourism use and development, including criteria for large scale tourism activities in rural areas.

Zone controls

- Amends Schedules 1, 2, 3, 4 and 5 to Clause 35.03 Rural Living Zone (RLZ1,2,3,4,5) to remove unnecessary permit triggers for dwelling extensions and outbuildings.
- Amends Schedules 1, 2, and 3 to Clause 35.06 Rural Conservation Zone (RCZ1,2,3) to remove unnecessary permit triggers for dwelling extensions and outbuildings.
- Amends Schedule 1 to Clause 35.07 Farming Zone (FZ1) regarding planning permit trigger requirements to:
 - Increase the minimum area for which no permit is required to use the land for a dwelling from 40 hectares to 80 hectares.
 - Remove unnecessary permit triggers for dwelling extensions and outbuildings on private land.
- Amends Schedule 3 to Clause 35.07 Farming Zone (FZ3) to remove unnecessary planning permit triggers for dwelling extensions and outbuildings.
- Amends Schedule 4 to Clause 35.07 Farming Zone (FZ4) regarding planning permit trigger requirements to:
 - Increase the minimum subdivision area from 1 hectare to 10 hectares.
 - Increase the minimum area for which no permit is required to use the land for a dwelling from 10 hectares to 40 hectares.
 - Remove unnecessary permit triggers for dwelling extensions and outbuildings.
- Inserts a new Schedule 1 to Clause 35.08 Rural Activity Zone (RAZ1) to guide use, development and subdivision of land in the Twin Rivers and Bruthen rural hinterland area, particularly as it relates to rural or nature-based tourism.

Overlay controls

- Amends Schedule 2 to Clause 42.01 Environmental Significance Overlay (Farmland of Strategic Significance) to identify and protect FSS areas in the Lindenow Valley, Tambo River and Snowy River flood plains.

Planning Scheme mapping is proposed to be updated commensurate with the RLUS recommendations and associated changes to zone and overlay controls.

Details of the updated Scheme ordinance and mapping can be seen in the Amendment documentation at **Attachment 1**, **Attachment 2**, **Attachment 3** and **Attachment 4**.

Legislation

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

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

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

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

Collaborative Procurement

Not applicable.

Council Plan

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

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

Strategic Objective 4: 4.6 East Gippsland's natural strengths in agriculture and natural resource-based industries are enhanced to increase value, employment, sustainability and resilience.

Council Policy

Relevant Council Policies have been considered as part of the preparation of the Amendment documentation and this report.

Options

The options are:

1. Approve the request for authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C170egip to the Scheme generally, in accordance with the the Scheme documentation shown at **Attachment 1**, **Attachment 2**, **Attachment 3** and **Attachment 4 (preferred)**; or

2. Not approve the request for authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C170egip to the Scheme; or
3. Delay the request for authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C170egip to the Scheme and specify direction regarding implementation of the RLUS.

Option 1 is recommended as it is a procedural step in the implementation of the RLUS into statutory policy.

Resourcing

Financial

The preparation and exhibition of a planning scheme amendment has costs in relation to preparation of amendment documentation, administration, public exhibition, statutory fees and potential costs associated with an independent Planning Panel, if required. The Amendment costs will be funded via the operational budget for the Planning Business Unit.

An independent Planning Panel, if required, will be approximately \$10,000 per day, which will be a Council expense.

Plant and equipment

Not applicable.

Human Resources

The human resource implications of this proposal have been considered and there are no additional human resource implications directly as a result of adopting the recommendations. The Amendment will be delivered by resources available within the Planning Business Unit.

Risk

The risks of this proposal have been considered. The officer recommendation relates to the commencement of the planning scheme amendment process only, where risks will be managed via the appropriate delivery of this Amendment in accordance with the *Planning and Environment Act 1987*.

Economic

The Amendment proposes land use planning policy that is anticipated to offer economic benefits for the East Gippsland community. Clear articulation of policies to guide the future use, development and subdivision of land will minimise the potential for land use conflict and optimise certainty for investment in sustainable rural activities.

Social

Farming activities and rural industries have historically supported the viability of rural settlements and provided opportunities for social connection for dispersed rural communities.

This amendment seeks to achieve an appropriate balance to protect the long-term viability of rural land for rural activities, whilst also supporting the viability of rural settlements, with associated social benefits for the community.

Gender Impact Statement

There is no requirement to prepare a Gender Impact Assessment in relation to this matter.

Environmental

The Amendment has considered the potential environmental effects of proposed changes to policy, zone and overlay controls in the Scheme. Amendments to the MPS, PPF, zone schedules and the proposed Rural Activity Zone provide land use planning policy aimed at enhancing environmental outcomes for rural areas of East Gippsland.

Climate change

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

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

Engagement

The RLUS has been informed by extensive community and stakeholder engagement over several years, most recently between 16 November 2022 and 3 February 2023. Previous community engagement was reported to Council in July 2023.

The amendment will be subject to a minimum 28-day statutory public exhibition notice period, including:

- direct notice to landowners affected by the Amendment.
- publishing a notice of preparation of the Amendment in the Government Gazette advising of the preparation of the Amendment, inviting review and submissions.
- publishing a notice in the local newspapers advising of the preparation of the Amendment, inviting review and submissions; and
- making a copy of the Amendment documentation available on the Department of Transport and Planning and Council websites.

If submissions are received in response to the public exhibition notice period, Council will be required to consider the issues and has the opportunity to modify (but not transform) the Amendment, to address the issues.

The Amendment process allows Council to refer unresolved matters to an independent planning panel appointed by the Minister for Planning. Submitters can present their submissions verbally at a Panel Hearing or have their written submission considered by the planning panel.

Attachments

1. C170egip Explanatory Report [5.1.5.1 - 19 pages]
2. C170egip Instruction Sheet [5.1.5.2 - 2 pages]
3. C170egip Ordinance (tracked) [5.1.5.3 - 98 pages]
4. C170egip Planning Scheme Maps [5.1.5.4 - 12 pages]
5. C170egip Ordinance (clean) [5.1.5.5 - 96 pages]

Planning and Environment Act 1987

EAST GIPPSLAND PLANNING SCHEME

AMENDMENT C170egip

EXPLANATORY REPORT

Overview

This amendment proposes to implement the East Gippsland Rural Land Use Strategy (RLUS)(RMCG, July 2023) by introducing new local strategies into the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) to guide land use, subdivision and development in rural areas of East Gippsland.

The Amendment updates schedules to rural zones, introduces the Rural Activity Zone (RAZ) and updates the Environmental Significance Overlay to recognise opportunities for nature based and rural tourism identify and to protect Farmland of Strategic Significance.

Where you may inspect this amendment

The amendment can be inspected free of charge at the [East Gippsland Shire Council](http://www.eastgippsland.vic.gov.au) website at www.eastgippsland.vic.gov.au.

The amendment is available for public inspection, free of charge, during office hours (9am to 5pm unless specified below) at the following places:

- Corporate Centre, 273 Main Street, Bairnsdale VIC 3875
- Service Centre, 18 Mechanics Lane, Lakes Entrance VIC 3909
- Service Centre, 70 Maurice Avenue, Mallacoota VIC 3892 (Monday-Tuesday 10am-2pm and Wednesday-Friday 2pm-5pm)
- Service Centre, 179 Day Avenue, Omeo VIC 3898 (closed 12.30-1.30pm)
- Service Centre, 1 Ruskin Street, Orbost VIC 3888
- Service Centre, 55 The Esplanade, Paynesville VIC 3880
- Bendoc Outreach Centre, 18 Dowling Street, Bendoc, VIC 3888 (Monday-Tuesday 8.30am - 3.00pm and every second Wednesday 8.30am-3.00pm).
- Buchan Neighbourhood House, 6 Centre Road, Buchan, VIC 3885 (9.00am - 4.30pm).
- Cann River Community Centre, Princes Highway, Cann River, VIC 3890 (Monday-Friday 10.00am - 4.30pm and Saturday-Sunday 10.00am-2.00pm)

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the

Attachment 5.1.5.1

amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by [insert submissions due date].

A submission must be sent to:

- Strategic Planning Team, East Gippsland Shire Council:
In person: Any Council Service Centre (see details above)
By post: PO Box 1618, Bairnsdale VIC 3875
By Email: planning@egipps.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: [insert directions hearing date]
- Panel hearing: [insert panel hearing date]

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the East Gippsland Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of East Gippsland Shire Council.

Land affected by the amendment

The amendment applies to all land contained within the rural zones in the municipality, as set out in Figure 1 and Figure 2.

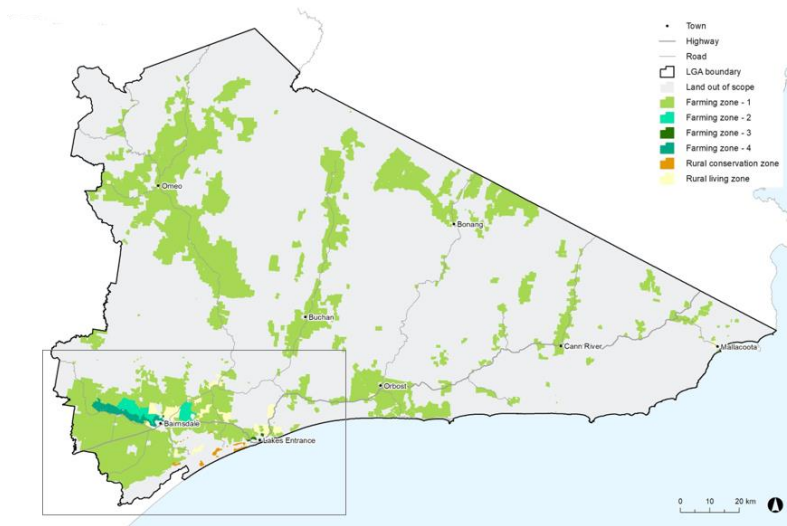


Figure 1. Rural Zones in East Gippsland

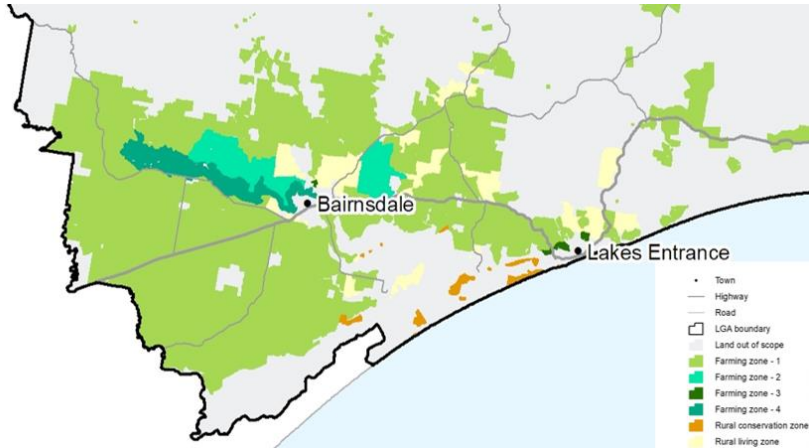


Figure 2. Rural Zones in East Gippsland (inset)

What the amendment does

The amendment implements the East Gippsland Rural Land Use Strategy (RMCG, July 2023) (RLUS) by introducing new local strategies into the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) to guide land use, subdivision and development in rural areas of East Gippsland.

The Amendment introduces the Rural Activity Zone (RAZ) to recognise opportunities for nature based and rural tourism, updates the Environmental Significance Overlay

Attachment 5.1.5.1

to identify and protect Farmland of Strategic Significance, and updates permit trigger requirements relating to the subdivision and development of land in rural zones.

Specifically, the amendment makes the following changes:

Municipal Planning Strategy

- Amends Clause 02.03-4 and 02.03-6 to update strategic direction for agriculture; forestry and timber production; water, earth and energy resources; and rural and nature based tourism.
- Inserts the East Gippsland Rural Framework Plan at Clause 02.04.

Planning Policy Framework

- Updates Clause 11.01-1L-03 (Omeo) to ensure consistency with policy direction for dwelling development in rural areas.
- Updates Clause 14.01-1L-01 (Protection of agricultural land) to identify and protect rural land for agricultural purposes.
- Deletes Clause 14.01-1L-02 (High quality soils) and relocates strategies to Clause 14.01-1L-01.
- Deletes Clause 14.01-1L-03 (Rural dwellings).
- Deletes Clause 14.01-1L-04 (Small lot subdivisions).
- Inserts Clause 14.01-1L-02 (Dwellings and subdivision in rural areas) to provide strategic direction on the use, development and subdivision of land, particularly as it relates to dwelling development in rural areas.
- Inserts Clause 14.01-1L-03 (Land use and development in the Rural Activity Zone) to provide strategic direction on the use, development and subdivision of land in the Rural Activity Zone, particularly as it relates to rural or nature based tourism.
- Amends clause 14.01-2L (Sustainable agricultural land use) to encourage innovation and diversification of farming activities and support good land management practices.
- Inserts Clause 14.01-3L (Forestry and timber production) to support timber production where biodiversity is protected.
- Amends Clause 17.01-1L (Diversified economy) to encourage an increase in the number and range of employment opportunities in the food and fibre industry sector.
- Amends Clause 17.04-1L (Tourism – East Gippsland) to insert rural tourism strategies, including criteria for large scale tourism activities in rural areas.
- Amends Clause 19.02-2L (Education facilities) to support environmental and outdoor education activities on Banksia Peninsula.

Attachment 5.1.5.1

Zone Schedules

- Amends Schedules 1, 2, 3, 4 and 5 to Clause 35.03 Rural Living Zone (RLZ1,2,3,4,5) to specify the maximum floor area at 250 square metres for which no permit is required to alter or extend an existing dwelling; or alter or extend an out-building associated with an existing dwelling.
- Amends Schedules 1, 2, and 3 to Clause 35.06 Rural Conservation Zone (RCZ1,2,3) to specify the maximum floor area at 200 square metres for which no permit is required to alter or extend an existing dwelling; and at 150 square metres for which no permit is required to alter or extend an out-building associated with an existing dwelling.
- Amends Schedule 1 to Clause 35.07 Farming Zone (FZ1) regarding specified permit trigger requirements for the following:
 - Minimum area for which no permit is required to use the land for a dwelling increased from 40 hectares to 80 hectares.
 - Delete maximum floor area for which no permit is required to alter or extend an existing dwelling;
 - Delete maximum floor area for which no permit is required to alter or extend an out-building associated with an existing dwelling;
 - Delete minimum setback from a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, transport for Victoria is the acquiring authority; and the purpose of the acquisition is for a road.
- Deletes Schedule 2 to Clause 35.07 Farming Zone (FZ2).
- Amends Schedule 3 to Clause 35.07 Farming Zone (FZ3) regarding specified permit trigger requirements for the following:
 - Delete maximum floor area for which no permit is required to alter or extend an existing dwelling;
 - Delete maximum floor area for which no permit is required to alter or extend an out-building associated with an existing dwelling;
 - Delete minimum setback from a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, transport for Victoria is the acquiring authority; and the purpose of the acquisition is for a road.
- Amends Schedule 4 to Clause 35.07 Farming Zone (FZ4) regarding specified permit trigger requirements for the following:
 - Minimum subdivision areas increased from 1 hectare to 10 hectares.
 - Minimum area for which no permit is required to use the land for a dwelling increased from 10 hectares to 40 hectares.
 - Delete maximum floor area for which no permit is required to alter or extend an existing dwelling;
 - Delete maximum floor area for which no permit is required to alter or

Attachment 5.1.5.1

- extend an out-building associated with an existing dwelling;
- Delete minimum setback from a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, transport for Victoria is the acquiring authority; and the purpose of the acquisition is for a road
- Inserts a new Schedule 1 to Clause 35.08 Rural Activity Zone (RAZ1) to guide use, development and subdivision of land in the Twin Rivers and Bruthen rural hinterland area.

Zoning Maps

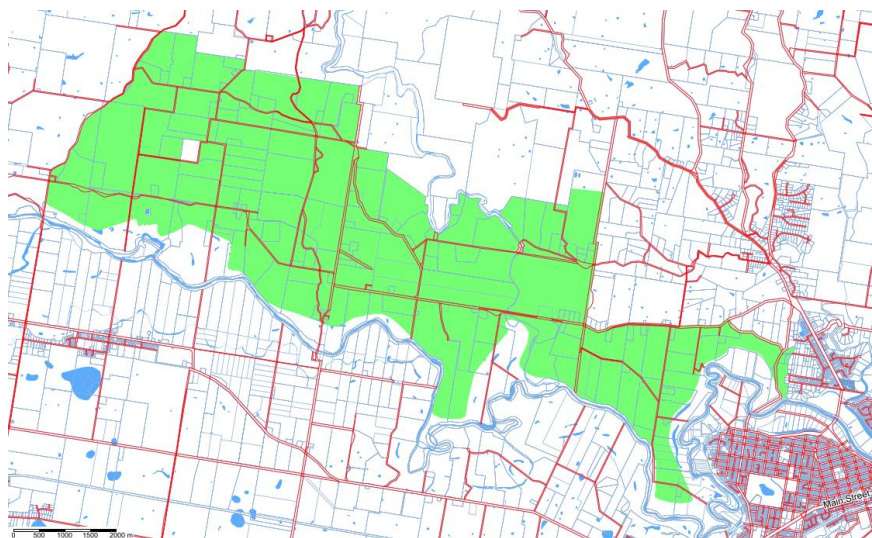
- Rezones land in the Twin Rivers and Bruthen rural hinterland from Farming Zone Schedules 1 and 2 to Rural Activity Zone Schedule 1, as set out below:

Figure 3. Proposed Rural Activity Zone Schedule 1.



- Rezones land to the west of Bairnsdale from Farming Zone Schedule 2 to Farming Zone Schedule 1, as set out below:

Figure 4. Proposed rezoning of land from Farming Zone 2 to Farming Zone 1 (highlighted green)



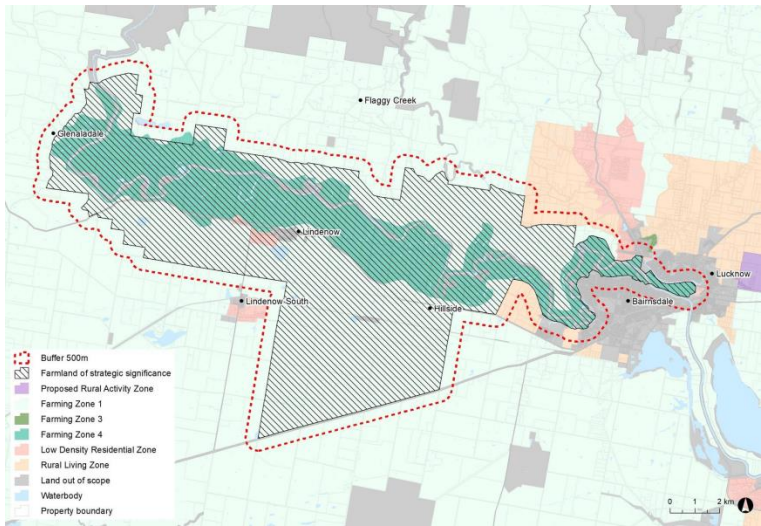
Overlay Schedules

- Amends Schedule 2 to Clause 42.01 Environmental Significance Overlay (Farmland of Strategic Significance) to identify and protect farmland of strategic significance in the Lindenow Valley, Tambo River and Snowy River flood plains.

Overlay Maps

- Update Environmental Significance Overlay Schedule 2 (Farmland of Strategic Significance) to land within the Lindenow Valley floodplain by:
 - Extending the coverage of the existing ESO2 generally in accordance with Figure 5 below;
 - Deleting areas of existing ESO2 from public land (Public Park and Recreation Zone and Public Conservation and Resource Zone); and
 - Deleting areas of existing ESO2 from land affected by ESO1 (East Gippsland sites of biological significance) to ensure clear direction for environmental outcomes in these areas.

Figure 5. Proposed ESO2 in the Lindenow Valley



- Apply Environmental Significance Overlay Schedule 2 (Farmland of Strategic Significance) to land within the Tambo River and Snowy River floodplains generally in accordance with Figures 6 and 7 below:

Figure 6. Proposed ESO2 in the Tambo River floodplain

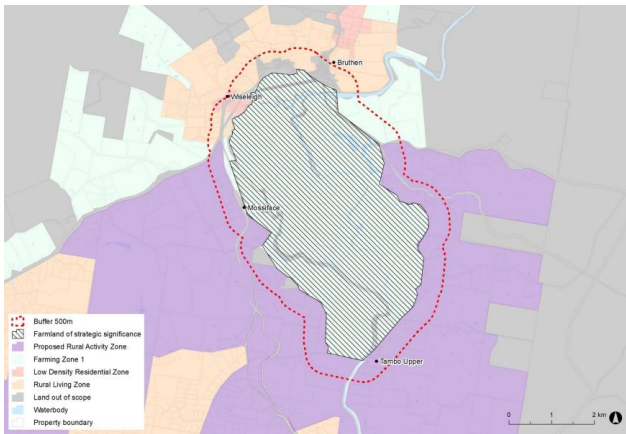
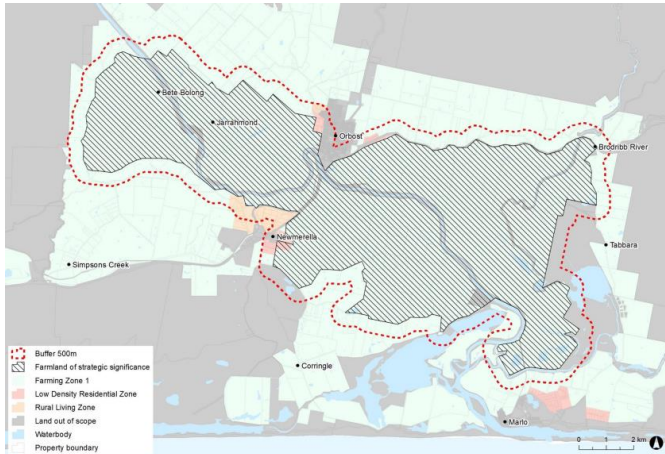


Figure 7. Proposed ESO2 in the Snowy River floodplain



Operational Provisions

- Amends the Schedule to Clause 72.03 (What does this planning scheme consist of?) to update map references.
- Amends the Schedule to Clause 72.08 (Background documents) to insert the following document: *East Gippsland Rural Land Use Strategy* (RMCG, July 2023).
- Amends the Schedule to Clause 74.02 (Further Strategic Work) to remove reference to the preparation and implementation of the Rural Land Use Strategy.

This amendment forms part of a suite of planning scheme amendments being delivered concurrently by East Gippsland Shire Council. This includes Amendment C169egipp which proposes to update the East Gippsland Planning Scheme Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF). Subject to the timing of assessment of the suite of Planning Scheme Amendments, the proposed changes to clause reference numbers contained within the MPS and PPF may vary, however, the policy intent will remain the same.

Strategic assessment of the amendment

Why is the amendment required?

The Amendment is required to introduce the key recommendations of the RLUS (RMCG, July 2023). The RLUS provides a vision, principles, framework plan and strategic directions for rural land in East Gippsland and makes recommendations for implementation of key recommendations via a planning scheme amendment.

Attachment 5.1.5.1

The RLUS is the first of its kind for East Gippsland. An absence of clear rural policy has historically impacted land use, subdivision and development outcomes in rural areas, with productive agricultural land becoming fragmented, lost from agricultural production and increasingly affected by land use conflict. The completion and implementation of the RLUS was therefore identified as a high priority action for Council as part of the independent review of the East Gippsland Planning Scheme (Michael Kirsch and John Keaney, April 2022). The RLUS has been prepared with the benefit of extensive community and stakeholder consultation.

The RLUS identifies five strategic directions:

1. *Food and Fibre*. Support growth of food and fibre production, processing and manufacturing that adds value to primary production by protecting productive farmland and farmland of strategic significance.
2. *Rural Tourism*. Encourage rural and nature-based tourism opportunities in appropriate locations.
3. *Rural Industries*. Encourage sustainable development of rural industries in appropriate locations.
4. *Environment, Landscape, Catchments and Natural Hazards*. Recognise, protect and enhance East Gippsland's environmental and landscape values. Appropriately manage natural hazards in rural areas and prioritise the protection of human life in relation to use and development of rural land.
5. *Rural Housing*. Protect rural areas from inappropriate subdivision and dwelling development. Support population retention in rural settlements and address legacy subdivisions.

To deliver the planning outcomes identified within these strategic directions, the RLUS recommends a range of amendments to local policy, zones and overlays within the East Gippsland Planning Scheme, summarised below:

- Implement policy to discourage uses and development, including subdivision and dwellings in rural areas which are not directly related to agriculture, that may have an adverse impact on agricultural operations or introduce conflict with agricultural activities.
- Reinforce the nexus between dwelling use and development and farming activities by increasing the minimum area for which no permit is required to use land for a dwelling from 40 hectares to 80 hectares in the Farming Zone Schedule 1; and from 10 hectares to 40 hectares in the Farming Zone Schedule 4.
- Identify and protect areas of Farmland of Strategic Significance by updating the ordinance and spatial coverage of ESO2 to identify and protect established agricultural industry clusters, particularly based around horticulture.
- Support the provision of rural infrastructure that specifically supports the agricultural sector and adds value to primary produce.

Attachment 5.1.5.1

- Encourage food and fibre processing and manufacturing that has the potential to generate local employment both on farm and across the value chain.
- Identify circumstances where use, development and subdivision of land associated with dwellings may be appropriate in rural areas.
- Identify opportunities for dwelling development to support the viability of small rural settlements.
- Encourage rural and nature-based tourism, building on the Shire's strengths in agriculture and environmental values.
- Introduce the Rural Activity Zone (RAZ) to the Twin Rivers and Bruthen rural hinterland area to support the mix of agriculture, rural lifestyle, hobby farming and rural based tourism uses.
- Protect rural landscapes and environmental values to ensure that development complements established rural character and has regard to environmental risks.

The amendment also proposes a range of minor alterations to the schedules of the Farming Zone, Rural Conservation Zone and Rural Living Zone. These changes are intended to achieve efficiencies in the East Gippsland Planning Scheme by removing unnecessary planning permit triggers. The proposed changes are supported by the 'Planning Permit Trigger Report' (Veris, April 2023) which was prepared in collaboration with the Department of Transport and Planning (DTP) Regional Planning Partnerships Team.

How does the amendment implement the objectives of planning in Victoria?

The objectives of planning in Victoria, contained in Section 4(1) of the Planning and Environment Act 1987, include:

- a) To provide for the fair, orderly, economic and sustainable use and development of land.
- b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- d) To facilitate development in accordance with the objectives set out in Section 4(1).
- e) To balance the present and future interests of all Victorians.

The amendment implements these objectives by reinforcing Council's commitment to expanding economic opportunities in the rural sector, minimising rural land use conflicts, growing prosperous and sustainable rural communities and protecting the environmental values, landscape and character that underpin the qualities of rural areas.

Attachment 5.1.5.1

How does the amendment address any environmental, social and economic effects?*Environmental Effects*

The amendment has considered the potential environmental effects of proposed changes to policy, zone and overlay controls. Amendments to the Planning Policy Framework, zone schedules and the proposed Rural Activity Zone introduce a range of policy considerations aimed at enhancing environmental outcomes for rural areas of East Gippsland, including:

- Protection of rural landscapes and environmental values by discouraging use, development and subdivision where there may be an impact on the environment or landscape.
- Consideration of the use and development of a dwelling where this would enhance established environmental qualities.
- Promoting community understanding and connection to the environment by facilitating access to rural areas and areas of environmental significance via rural and nature based tourism opportunities of an appropriate scale and in appropriate locations.
- Encouraging good land management practices such as the fencing of waterways, revegetation of degraded areas, enhancement of remnant vegetation, weed control and nutrient management.
- Ensuring use, development and subdivision of land has regard to natural hazards.
- Encouraging high quality, low volume native timber harvesting where biodiversity is protected.
- Protecting land in water supply catchment areas from inappropriate use, development and subdivision.

Social Effects

The geographic circumstance of East Gippsland sees many rural settlements being separated by extensive tracts of public land and farming areas. Farming activities and rural industries have historically supported the viability of rural settlements and provided opportunities for social connection for dispersed rural communities.

The viability of settlements in rural areas has been challenged by the evolving nature of agricultural production (with larger, more mechanised farming practices) and the decline of some rural industries such as the timber industry. This amendment seeks to achieve an appropriate balance to protect the long term viability of rural land for rural activities, whilst also supporting the viability of rural settlements, with associated social benefits for the community. This is achieved via:

- Encouraging food and fibre processing and manufacturing that has the potential to generate local employment both on farm and across the value chain.

Attachment 5.1.5.1

- Support for the diversification of farming activities to retain population in rural areas.
- Support for the use and development of dwellings where this can be demonstrated to support the long term viability of rural settlements.

Economic Effects

The amendment proposes land use planning policy that is anticipated to offer economic benefits for the East Gippsland community. Clear articulation of policies to guide the future use, development and subdivision of land will minimise the potential for land use conflict and optimise certainty for investment in sustainable rural activities.

The primacy of agriculture in the rural areas is maintained by the amendment. The growth of sustainable agricultural industries and related infrastructure is supported whilst at the same time providing new opportunities for diversification, particularly for rural and nature based tourism in appropriate locations. Maintaining and supporting a diverse agricultural sector will contribute to the growth and prosperity of the rural economy and rural communities.

Does the amendment address relevant bushfire risk?

The amendment addresses bushfire policy in Clause 13.02 of the Planning Scheme as follows:

- The primary use of land in rural areas for agricultural purposes is not affected by the amendment.
- Proposed changes to planning policy, zone and overlay schedules reinforces the provisions of Clause 13.02 by minimising the proliferation of development in rural areas, particularly dwellings, that are not associated with farming activities.
- The RLUS is consistent with the adopted East Gippsland Housing and Settlement Strategy (SGS Economics and Planning, 2023) which directs rural residential development opportunities to appropriate zones within or in proximity to established settlements where community safety and resilience can be strengthened.

The views of the Country Fire Authority (CFA) were sought throughout the development of the RLUS.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with the *Ministerial Direction – The Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987*.

The amendment is also consistent with the following Ministerial Directions:

- *Ministerial Direction 11 - Strategic Assessment of Amendments*

Attachment 5.1.5.1

The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

Ministerial Direction No. 15 – the planning scheme amendment process

Steps in the planning scheme amendment process will be undertaken within the set timeframes, unless an exemption from the need to comply is granted by the Minister for Planning.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment directly supports the following Clauses of the Planning Policy Framework:

Clause 11 – Settlement

Clause 11.01-1S (Settlement), Clause 11.01-1R (Settlement – Gippsland) and Clause 11.01-1L-01 (East Gippsland settlements). Promote sustainable growth and development and deliver choice and opportunity through a network of settlements.

The amendment reinforces the role of settlements in East Gippsland by introducing policy to minimise the proliferation of dwellings in rural areas and protecting rural land for rural activities. The amendment also recognises the need to support long term sustainability of small rural settlements by policy that allows consideration of dwelling development where it can be demonstrated that it supports their viability.

Clause 12 – Environmental and Landscape Values

Clause 12.01-1S (Protection of biodiversity) and Clause 12.01-2S (Native vegetation management). Protect and conserve Victoria's biodiversity and native vegetation.

Clause 12.03-1S (River corridors, waterways, lakes and wetlands), Clause 12.03.1R (High value water body assets – Gippsland) and 12.03-1L (Waterways). Protect and enhance river corridors waterways, lakes and wetlands.

Clause 12.05-1S (Environmentally sensitive areas) and Clause 12.05-1L (Landscapes). Protect, conserve and enhance environmentally sensitive areas, landscapes and open spaces.

The amendment supports the relevant policies at Clause 12 by introducing policy that requires the use, development and subdivision of land to protect and enhance biodiversity, environmental and landscape values; encourage good land management practices; protect water supply catchment areas; and promote community understanding and connection to the environment by facilitating access to rural areas and areas of environmental significance via rural and nature based tourism opportunities.

Attachment 5.1.5.1

Clause 13 - Environmental Risks and Amenity

Clause 13.01-S (Natural hazards and climate change). Minimise the impact of natural hazards and adapt to climate change risks.

Clause 13.02-1S (Bushfire planning). Strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The Amendment supports the relevant strategies at Clause 13 by implementing policy direction that minimises uses and development not associated with rural activities away from rural areas and areas known to be affected by natural hazards, in particular bushfire risk. The amendment acknowledges the impact of climate change on agricultural practices and encourages diversification and innovation to maintain a sustainable rural economy and viable rural communities.

Clause 14 - Natural Resource Management

Clause 14.01-1S (Protection of agricultural land). Protect the state's agricultural base by preserving productive farmland.

Clause 14.01-2S (Sustainable agricultural land use). Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

Clause 14.01-3S (Forestry and timber production). To facilitate the establishment, management and harvesting of plantations and the harvesting of timber from native forests

Clause 14.02-1S (Catchment planning and management). Protect and restore catchments, water bodies, groundwater, and the marine environment.

Clause 14.03-1S (Resource exploration and extraction). To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards.

The amendment supports the relevant strategies at Clause 14 by introducing local planning policy that complements State planning policy and provides clear direction for the future use, development and subdivision of land in rural areas. The proposed policy identifies and protects productive agricultural land and farmland of strategic significance to secure a sustainable future for the rural economy.

In particular, the amendment provides clarity regarding the use and development of dwellings in rural areas. It also reflects specific local circumstances to identify opportunities for dwelling development to enhance established environmental values; and support the viability of small rural communities.

Opportunities for diverse rural land use and development are identified with local policy supporting rural and nature based tourism throughout rural areas (and in particular the Rural Activity Zone), encouraging sustainable forestry and timber harvesting, and supporting rural industries in appropriate locations.

Attachment 5.1.5.1

Clause 15 - Built Environment and Heritage

Clause 15.01-6S (Design for rural areas). To ensure development respects valued areas of rural character.

The amendment supports the relevant strategies at Clause 15 by introducing policy to discourage small lot residential subdivision where it impacts landscape values or environmental features.

Clause 16 – Housing

Clause 16.01-3S (Rural residential development) and Clause 16.01-3L-01 (Rural living). Identify land suitable for rural residential development.

The amendment protects productive farmland and farmland of strategic significance by discouraging dwelling development in rural areas that is not related to commercial farming activities. The amendment is also consistent with the adopted East Gippsland Housing and Settlement Strategy (SGS Economics and Planning, 2023) which directs rural residential development opportunities to appropriate zones within or in proximity to established settlements.

Clause 17 - Economic Development

Clause 17.01-1S (Diversified economy) and Clause 17.01-1R (Diversified economy – Gippsland). To strengthen and diversify the economy. Support production and processing facilities that add value to local agricultural, forestry and fisheries products.

Clause 17.04-1S (Tourism). Encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

The amendment supports the relevant strategies at Clause 17 by identifying and supporting opportunities for diversification, innovation and the adoption of new technology in agriculture, rural and nature based tourism and rural industries. In particular this relates to food and fibre processing and manufacturing and the opportunity to increase the number and range of employment opportunities.

The amendment provides a range of strategies to guide rural and nature based tourism use and development, including requirements for large scale rural tourism opportunities in rural areas.

How does the amendment support or implement the Municipal Planning Strategy?

The Amendment seeks to update the MPS by implementing key recommendations of the RLUS. Proposed Clause 02.03-4 (Natural resource management) and 02.03-6 (Economic Development) identify the importance of agriculture and rural and nature based tourism for the East Gippsland economy and the challenges/ opportunities facing the sector. This provides a clear policy statement for the management of land

Attachment 5.1.5.1

in rural areas to achieve long term sustainability for the rural environment, economy and communities.

The policy approach for rural areas is consistent with the vision and principles for East Gippsland set out at Clause 02.02 relating to liveability, sustainability and productivity.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by updating and amending the MPS and PPF to implement objectives and strategies to achieve the strategic directions set out in the RLUS.

The proposed updates to the PPF are complemented by:

- Applying the Rural Activity Zone to the Twin Rivers and Bruthen rural hinterland, where opportunities for small scale tourism development alongside agricultural activities are supported.
- Updating the ESO2 (Farmland of strategic significance) to protect areas of established agricultural industry clusters.
- Updates to the schedules of rural zones to improve the efficiency and effectiveness of the Planning Scheme as part of the decision making process.

The amendment has been prepared with reference to Planning Practice Note 42 - Applying the Rural Zones.

How does the amendment address the views of any relevant agency?

The following agencies were consulted during the preparation of the RLUS and the preparation of this planning scheme amendment:

- Department of Transport and Planning
- Department of Environment, Land, Water and Planning.
- Department of Energy, Environment and Climate Action.
- Department of Transport (Regional Roads Victoria).
- Country Fire Authority.
- East Gippsland Catchment Management Authority.
- East Gippsland Water.
- Agriculture Victoria.
- Murray Goulburn Water.
- Southern Rural Water.

Feedback from agencies was considered and, where relevant, the RLUS was

Attachment 5.1.5.1

updated to reflect proposed changes. The views of relevant authorities will again be sought as part of the formal exhibition process for this amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not expected to have any significant impact of the transport system as defined by section 3 of the Transport Integration Act 2010.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The Amendment will have a negligible impact on East Gippsland Shire Council's resource and administrative costs. Changes to zone and overlay provisions will enhance the efficiency of decision making processes.

Attachment 1 – Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
East Gippsland	All land in FZ2 to the west of Bairnsdale	C170egip Map Nos. 28ZN and 30ZN	Numerous	Rezone from FZ2 to FZ1		
East Gippsland	All land in FZ2 to the east of Bairnsdale	C170egip Map No. 31ZN	Numerous	Rezone from FZ2 to RAZ		
East Gippsland	All land in the FZ1 in the Twin Rivers and Bruthen Rural Hinterland	C170egip Map Nos. 31ZN, 32ZN, 33ZN, 34ZN, 35ZN, 36ZN.	Numerous	Rezone from FZ1 to RAZ		
East Gippsland	Farmland of Strategic Significance in the Lindenow Valley, Tambo River Floodplain and Snowy River Floodplain	C170egip Map Nos. 27ESO, 28ESO, 29ESO, 30ESO, 33ESO, 34ESO, 35ESO, 40ESO, 41ESO, 42ESO, 49ESO.	Numerous		ESO Schedule 2	D-ESO Schedule 2

Planning and Environment Act 1987**EAST GIPPSLAND PLANNING SCHEME****AMENDMENT C170egipp****INSTRUCTION SHEET**

The planning authority for this amendment is East Gippsland Shire Council.
The East Gippsland Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 19 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map Nos. 28ZN, 30ZN, 31ZN, 32ZN, 33ZN, 34ZN, 35ZN, 36ZN in the manner shown on the 8 attached maps marked "East Gippsland Planning Scheme, Amendment C170egipp".

Overlay Maps

2. Amend Planning Scheme Map No. 27ESO, 28ESO, 29ESO, 30ESO, 33ESO, 34ESO, 35ESO, 40ESO, 41ESO, 42ESO, 49ESO in the manner shown on the 11 attached maps marked "East Gippsland Planning Scheme, Amendment C170egipp".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In **Purpose and Vision** – replace Clause 02.03-4 with a new Clause 02.03-4 in the form of the attached document.
4. In **Purpose and Vision** – replace Clause 02.03-6 with a new Clause 02.03-6 in the form of the attached document.
5. In **Purpose and Vision** – replace Clause 02.04 with a new Clause 02.04 in the form of the attached document.
6. In **Planning Policy Framework** - replace Clause 11.01-1L-03 with a new Clause 11.01-1L-03 in the form of the attached document.
7. In **Planning Policy Framework** - replace Clause 14.01-1L-01 with a new Clause 14.01-1L-01 in the form of the attached document.
8. In **Planning Policy Framework** – delete Clause 14.01-1L-02, 14.01-1L-03 and 14.01-1L-04.
9. In **Planning Policy Framework** - insert new Clause 14.01-1L-02 in the form of the attached document.

Attachment 5.1.5.2

10. In **Planning Policy Framework** - insert new Clause 14.01-1L-03 in the form of the attached document.
11. In **Planning Policy Framework** - replace Clause 14.01-2L with a new Clause 14.01-2L in the form of the attached document.
12. In **Planning Policy Framework** - replace Clause 14.01-3L with a new Clause 14.01-3L in the form of the attached document.
13. In **Planning Policy Framework** - replace Clause 17.01-1L with a new Clause 17.01-1L in the form of the attached document
14. In **Planning Policy Framework** - replace Clause 17.04-1L with a new Clause 17.04-1L in the form of the attached document
15. In **Planning Policy Framework** - replace Clause 19.02-2L with a new Clause 19.02-2L in the form of the attached document
16. In **Zones** – Clause 35.03, replace Schedule 1, 2, 3, 4 and 5 with a new Schedule 1, 2, 3, 4 and 5 in the form of the attached document.
17. In **Zones** – Clause 35.06, replace Schedule 1, 2 and 3 with a new Schedule 1, 2 and 3 in the form of the attached document.
18. In **Zones** – Clause 35.07, replace Schedule 1 with a new Schedule 1 in the form of the attached document.
19. In **Zones** – Clause 35.07, delete Schedule 2.
20. In **Zones** – Clause 35.07, replace Schedule 3 with a new Schedule 3 in the form of the attached document.
21. In **Zones** – Clause 35.07, replace Schedule 4 with a new Schedule 4 in the form of the attached document.
22. In **Zones** – insert Clause 35.08, in the form of the attached document.
23. In **Zones** – Clause 35.08, insert Schedule 1 in the form of the attached document.
24. In **Overlays** – Clause 42.01, replace Schedule 2 with a new Schedule 2 in the form of the attached document.
25. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.
26. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.
27. In **Operational Provisions** – Clause 74.02, replace the Schedule with a new Schedule in the form of the attached document.

End of document

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

02.03

25/11/2022
C162egip

02.03-1

25/11/2022
C162egip

STRATEGIC DIRECTIONS

Settlement and housing

Growth area towns

Bairnsdale is the gateway to East Gippsland and is the largest town in the Shire providing major commercial, retail, educational and public-sector services. **Paynesville**, located approximately 16 kilometres south of Bairnsdale, has grown rapidly in recent times, as a 'dormitory' town and a retirement area. It is a service centre supporting the local community as well as the neighbouring settlements of Eagle Point and Raymond Island. **Lakes Entrance** is a major tourist and retirement destination, which has a strong commercial fishing industry and significant land for future development.

Council's strategic directions for the growth area towns are:

- Encouraging population growth and development on fully serviced residential land in the growth area towns.
- Encouraging a range of housing types and styles including higher density dwellings in town centres.
- Encouraging development of East Gippsland as a retirement destination.
- Reinforcing **Bairnsdale** as the main commercial, retail and service centre for East Gippsland.
- Expanding **Paynesville** as a residential and business centre focused around boating, tourism and healthy living, with access to walking and riding trails, passive and active recreation.
- Enhancing **Lakes Entrance's** role as the largest coastal town in the Gippsland area, with a focus on tourism, commercial fishing and recreational boating activities.

Coastal settlements

The *Coastal Towns Design Framework (2007)* provided a strategic approach to managing development in 13 coastal settlements based on the protection of high value environmental resources within or adjoining settlements, the nature and protection of local character and the capacity of infrastructure.

Lake Tyers Beach is an attractive coastal community with high environmental values providing for permanent residents and holiday makers.

Eagle Point is a small consolidated town distinct from Paynesville, with a permanent resident settlement and a holiday recreation destination.

Mallacoota, in the far east of the Shire, is a very popular holiday location and a retirement area, a base for eco-tourism and the centre of the abalone industry in eastern Victoria.

Marlo is a seaside holiday town looking out towards the river and ocean.

The coastal resort town of **Nungurner** is a small residential lakeside hamlet closely related to, but distinctly separate from Metung.

Metung is a key destination for visitors to the Gippsland Lakes system and a significant boating hub with a strong residential community.

Tambo Bluff is a low density residential area.

Raymond Island is a unique village and rural residential locality set within the heart of the Gippsland Lakes.

Newlands Arm is a small consolidated town distinct from, and dependant on Paynesville for most local services and, serving as both a permanent resident settlement and a holiday recreation destination.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Gipsy Point is a small bushland retreat with a residential community and some visitor accommodation.

Bemm River is a remote fishing hamlet, bordered by public parks and with access to Sydenham Inlet.

Council's strategic directions for Coastal settlements are:

- Providing significant expansion of existing areas in Paynesville, Lake Tyers Beach and Eagle Point.
- Providing minor expansion of existing areas in Lakes Entrance, Mallacoota, Marlo and Nungurner.
- Expanding settlement within existing areas of Metung, Tambo Bluff, Raymond Island, Newlands Arm, Gipsy Point and Bemm River.

Rural settlements

East Bairnsdale - Lucknow is a residential community, a significant employment and industry area and a complementary activity area to Bairnsdale's central business district.

Orbost is a large rural service centre, with a population of 2,150 located on the Snowy River.

Omeo is service town in the Highland sub-region, with a population of about 250 providing retail, administration, tourist services for a large rural area.

Lindenow is a rural township located west of Bairnsdale, with a population of around 300 and a district population of about 3000.

Bruthen is ideally located for rural-residential living, being 25 kilometres north-east of Bairnsdale and 30 kilometres north west of Lakes Entrance.

Mossiface and **Sarsfield** are small settlements near Bruthen, which contain a range of facilities, including the historic Mossiface Hop kilns.

Buchan is a small town located approximately 30 kilometres north of Nowa Nowa with an economy that depends on timber mills, the tourist industry, limestone quarrying and pastoral activities.

The Twin Rivers region is located to the east of Bairnsdale and includes the three small towns of **Nicholson**, **Johnsonville** and **Swan Reach**. The smaller settlements of **Bumberrah** and **Tambo Upper** also sit within the Twin Rivers region.

Ocean Grange is a small settlement on the Barrier south of Paynesville. There are also several other small clusters of dwellings along the Barrier between Ocean Grange and the Entrance.

Tambo Bay is a small residential community situated at the mouth of the Tambo River with full reticulated services.

Mosquito Point is a small holiday settlement on the Boole Poole Peninsula on the eastern and southern shores of Bancroft Bay.

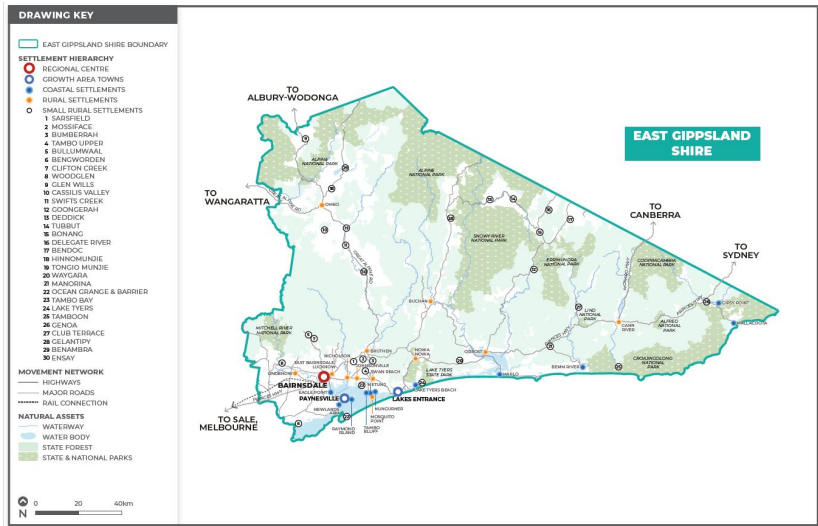
Lake Tyers Aboriginal Trust occupies a peninsula in Lake Tyers and is managed on a co-operative basis by the Aboriginal community.

Council's strategic directions for rural settlements are:

- Consolidating development within existing town boundaries, using infill development, before further expansion of the towns.
- Providing for further subdivision where the land has capacity to absorb wastes, native vegetation is protected, and minimal impact is made on adjoining public land.
- Preserving the separation between Nicholson, Johnsonville and Swan Reach.

East Gippsland Settlement Hierarchy Plan

EAST GIPPSLAND PLANNING SCHEME



02.03-2
25/11/2022
C162egip

Environmental and landscape values

East Gippsland is a reservoir of biodiversity in south eastern Australia, due to the relatively unspoilt nature of its native vegetation. It is the only place in temperate mainland Australia where large tracts of native vegetation are intact from the Alps to the ocean. Council has an important custodial role in relation to East Gippsland’s unique biodiversity and large tracts of intact native vegetation.

Large areas of East Gippsland, including Gippsland Lakes and surrounds, are classified by the National Trust as landscapes of special regional significance. Bruthen and its surrounds are of high cultural landscape significance and the area is currently being assessed by the National Trust of Australia (Victoria).

The Colquhoun area is significant because of the remnant vegetation types existing throughout, particularly along the lower slopes and valley bottoms where extensive lines of Warm Temperate Rainforest remain. The remnant vegetation provides important refuge and habitat areas for fauna and provides good corridor habitat for wildlife. The remnant vegetation also plays a key role in minimising erosion.

Council’s strategic directions for environmental and landscape values are:

- Restoring and maintaining the biodiversity of our rivers, waterways, lakes and wetlands.
- Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River; the Tambo River; Princes Highway; ridgelines and roadside vegetation.
- Balancing residential, business and tourist development with wildlife corridors and areas of rural or natural landscape.
- Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.

02.03-3
25/11/2022
C162egip

Environmental risks and amenity

Council plays an important role in managing and mitigating the environmental risks associated with flood plains, erosion, bushfire and salinity. The extent of forested areas and the species composition of forests leads to particularly high risks of bushfire, relative to many other areas of Victoria.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

The impacts of climate-induced sea level rise, combined with more severe storm surges is likely to be significant for coastal communities.

Councils strategic directions for environmental risk are:

- Prioritising the planning and management responses and adaptation strategies to vulnerable areas, such as protect, redesign, rebuild, elevate, relocate and retreat.
- Assessing the impacts of climate-induced sea level rise, combined with more severe storm surges.
- Minimising land degradation and tree decline in some rural areas.
- Using geotechnical risk assessments in evaluating proposals for use and development in erosion risk areas.

02.03-4

Natural resource management

25/11/2022
C162egip Proposed C170egip

Agriculture

East Gippsland's economy is underpinned by highly productive agricultural land, including the rich floodplains of the Lindenow Valley, Snowy River and Tambo River valleys.

A range of factors are affecting agricultural areas, including:

- Pressure from rural residential development.
- The increasing scale, intensification, and mechanisation of agriculture.
- The emergence of new rural industries such as renewable energy generation.
- The impact of climate change.

Considerable opportunities exist to diversify the rural economy and support value adding opportunities for primary production such as food and fibre processing and manufacturing. Agricultural areas must be carefully managed to ensure these opportunities are realised.

Council seeks to carefully manage rural areas to deliver sustainable opportunities for agriculture, rural communities, agricultural operations and rural industries by:

- Protecting and enhancing productive farmland and farmland of strategic significance to support food and fibre production.
- Facilitating innovation and growth of the agricultural sector to leverage competitive advantages and strengthen the economy.
- Encouraging rural and nature based tourism to augment and diversify the Shire's agricultural and environmental values.
- Protecting and enhancing environmental values including biodiversity, landscapes and water quality.
- Challenging the legacy of dwelling development and fragmentation of land in productive farming areas.
- Supporting population retention for a sustainable and prosperous future in rural communities.

Forestry and timber production

The native timber industry is an integral part of the history and identity of many East Gippsland communities.

Council seeks to manage forestry and timber production by:

~~The region's considerable natural resources include agriculture, forestry and timber, water and minerals.~~

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

- Encouraging the protection of biodiversity and the use of forests by a range of users including timber harvesting, tourism and recreation.
- Supporting high quality, low-volume silviculture timber harvesting to maintain forest health and reduce vulnerability to bushfire.

Water

~~Special~~The Shire contains a number of Proclaimed Water Supply Catchments for domestic water supply on the southern side of the Great Dividing Range have been identified and need to be protected with significant value as a source of water supply for agriculture and domestic use. These water assets make an important contribution to the economy, biodiversity, liveability and tourism.

Earth and energy resources

The Lindenow district covers some of the most productive agricultural land in East Gippsland and sustains a very diverse agricultural industry. Lindenow is recognised for producing top quality vegetables for the local and national market as well as high grade fine wool and dairy products. Mining and renewable energy activities provide opportunities for employment and diversification of the economy. Extractive industries are also important sources of affordable construction and road base material.

The Mitchell River flats have a small minimum lot size for subdivision, in order to facilitate restructuring of holdings for agricultural purposes. Development of dwellings will generally require a permit, to minimise the impact of non-agricultural uses on valuable land and the operations being carried out on it economic and social benefits arising from new rural industries such as mining and renewable energy generation need to be balanced with the protection of productive agricultural land, landscape and environmental values and amenity of rural areas.

Council's strategic directions for natural resource management are: Council seeks to manage earth and energy resources by:

- Protecting water quality and quantity, particularly in water catchments used for domestic supply.
- Providing opportunities to add value to agricultural and timber products.
- Protecting high quality agricultural land from inappropriate development.
- Avoiding small lot subdivision of rural land.
- Providing for small lots where there is a lack of availability of undeveloped lots of the proposed size range in the area.
- Encouraging rural industries that leverage strengths in mining and renewable energy generation in appropriate areas.
- Controlling the release of small lot rural land and rezoning at a rate that ensures that land released does not compete with fully serviced lots in urban centres.
- Supporting the exploration of long-term renewable energy solutions in appropriate areas.
- Encouraging exploration for and development of mineral resources in appropriate areas.

02.03-5
25/11/2022
C162eglp

Built environment and heritage

East Gippsland is renowned for its natural beauty that will be linked to the built environment. There are a number of buildings and places of potential heritage significance throughout the municipality.

Council's strategic directions for built environment and heritage are:

- Protecting natural and cultural heritage.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

- Maintaining the human scale, village feel and character of Paynesville, particularly in the town centre.
- Upgrading the townscapes of Lakes Entrance and Paynesville.

02.03-6

Economic development

25/11/2022
G462egip

Proposed C170egip

Bairnsdale is the main commercial, retail and public-sector administration centre for East Gippsland. The core retail centre from Wood Street to Pyke Street (between Macleod and Riverine Streets) is the major regional commercial centre. The Paynesville Town Centre is the focus of a village like coastal settlement.

Traditional major industries within the region include agriculture, forestry, tourism, hospitality, fishing, timber, education and health care services. Emerging industries are food manufacturing and processing based on dairy, vegetables and meat production. The region is also recognised as having significant mining potential.

~~The tourism industry attracted over 1.3 million visitors in 2017-18, contributing over \$325 million to the regional economy. East Gippsland is seen as a region with great tourism potential based on its nature-based experiences.~~

Councils strategic directions for economic development are:

- Enhancing Bairnsdale's role as the principal commercial and retail centre and as the regional centre for public sector administration.
- Consolidating and expanding diverse retail, commercial and community activities in the Paynesville town centre.
- Supporting timber processing and value adding.
- Supporting furniture manufacturers locating in East Gippsland.
- ~~Providing sites for nature-based tourism development to complement opportunities in the parks.~~
- Protecting the natural environment while utilising timber resources.

Tourism

East Gippsland has long been a popular destination for visitors, attracting over one million visitors per year. While the tourism industry is well established, there are significant opportunities for growth.

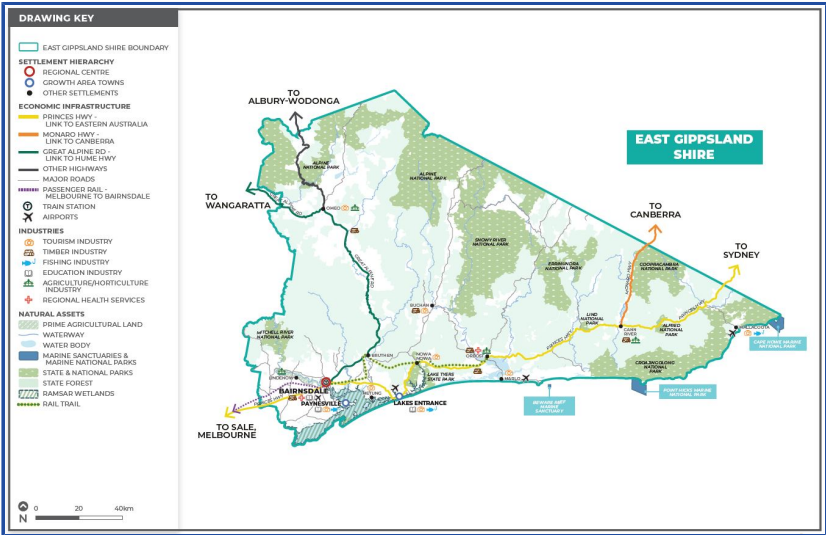
High quality tourism opportunities are encouraged on public and private land in appropriate locations across East Gippsland to facilitate enhanced visitor experiences.

Council seeks to support tourism by:

- Encouraging agri-tourism land uses that do not impact the operation of agriculture or other rural industries.
- Encouraging tourism development that leverages environmental, landscape and cultural values.
- Supporting increased and diverse accommodation for tourism in appropriate locations.
- Supporting nature-based tourism development that preserves and enhances environmental and landscape values.

EAST GIPPSLAND PLANNING SCHEME

East Gippsland Economic Strategy Plan



02.03-7
25/11/2022
C162egip

Transport and infrastructure

Council shares responsibility for the management, maintenance and development of its road system, ports and airport with the Victorian Government.


The construction, maintenance and upgrade of Council infrastructure is necessary for the provision of health, community, environment and general public services. Innovative land-use planning and high quality public infrastructure and open spaces are essential to growing the region as the most liveable in Australia while retaining its enviable lifestyle and unique natural environment.

Council's strategic directions for transport and infrastructure are:

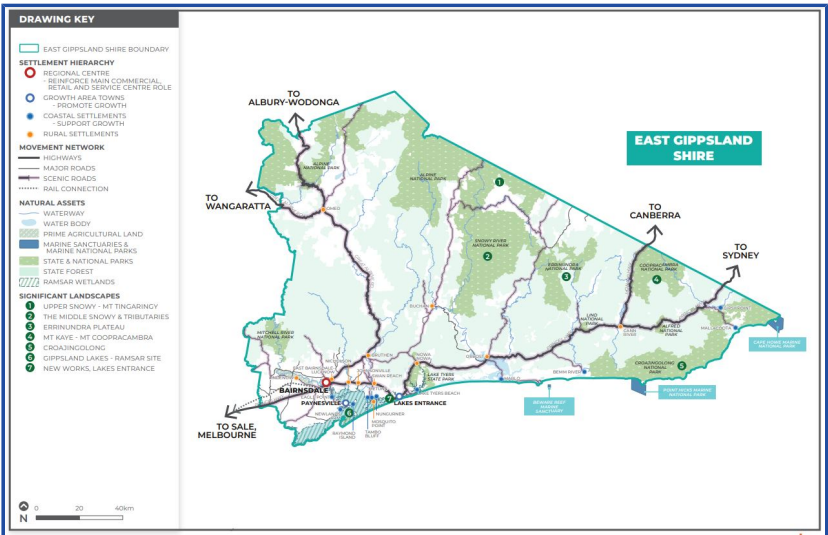
- Encouraging a range of education and health options in the region.
- Supporting provision of reticulated sewerage in un-serviced towns.
- Providing for an aging population.
- Maintaining and extending community services, cultural and recreation facilities.

EAST GIPPSLAND PLANNING SCHEME

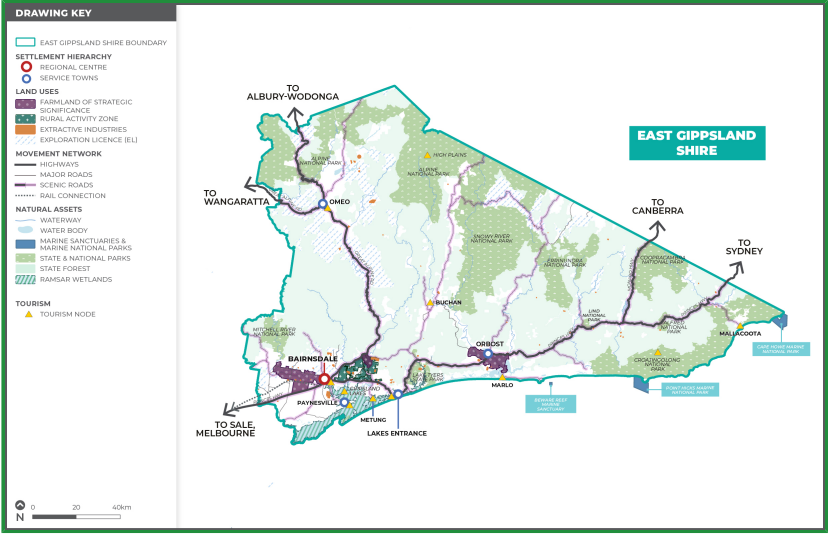
02.04 STRATEGIC FRAMEWORK PLAN

25/11/2022
6162egipProposed C170egip
The plan contained in Clause 02.04 is to be read in conjunction with the strategic directions in  Clause 02.03.

East Gippsland strategic framework plan



East Gippsland rural framework plan



EAST GIPPSLAND PLANNING SCHEME

11.01
31/07/2018
VC148

VICTORIA

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

11.01-1S

10/06/2022
VC216**Settlement****Objective**

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.
- Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

- Minimising exposure to natural hazards, including increased risks due to climate change.
- Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.

Encourage a form and density of settlements that supports healthy, active and sustainable transport.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

Support metropolitan and regional climate change adaption and mitigation measures.

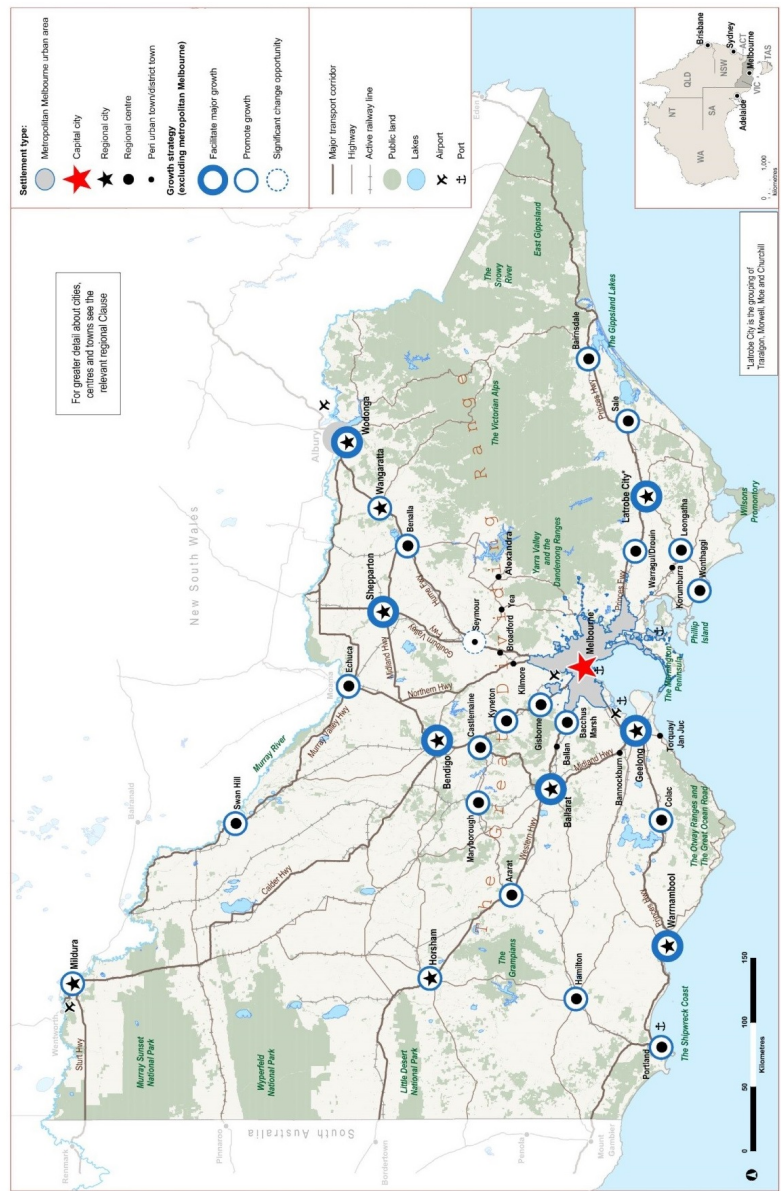
Policy documents

Consider as relevant:

- *Central Highlands Regional Growth Plan* (Victorian Government, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Hume Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014)
- *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014)
- *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land, Water and Planning, 2017)
- *Plan Melbourne 2017-2050: Addendum 2019* (Department of Environment, Land, Water and Planning, 2019)

EAST GIPPSLAND PLANNING SCHEME

Victoria Settlement Framework



EAST GIPPSLAND PLANNING SCHEME

11.01-1R Settlement - Gippsland
31/07/2018
VC148

Strategies

Support urban growth in Latrobe City as Gippsland’s regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

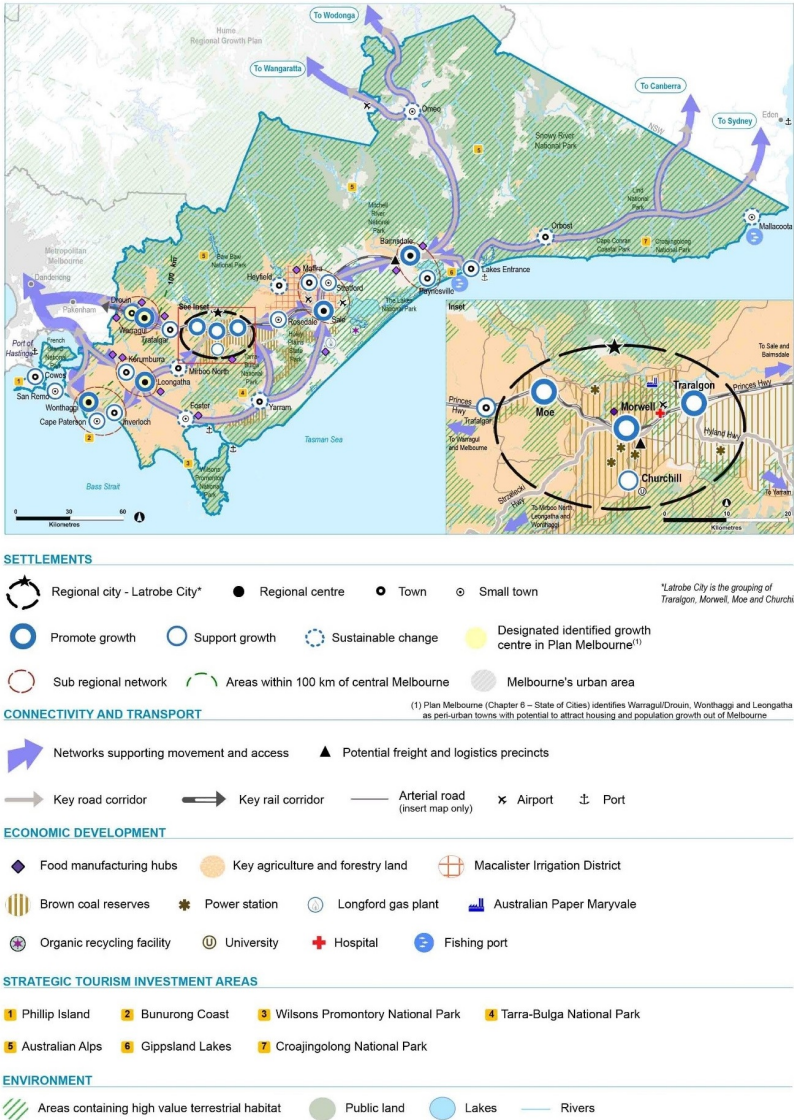
Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Provide regional social infrastructure in the regional city and regional centres.

Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.

EAST GIPPSLAND PLANNING SCHEME

Gippsland Regional Growth Plan



EAST GIPPSLAND PLANNING SCHEME

11.01-1L-01 East Gippsland settlements

25/11/2022
C162egip

Strategies

Encourage infill or incremental development of existing towns in preference to dispersed development.

Encourage the consolidation of existing township areas through the development and subdivision of existing lots.

Allow limited infill development in townships where lots are capable of retaining wastewater.

Design new subdivision within or adjacent to unsewered towns to have lot sizes appropriate for on-site treatment and disposal of wastewater.

Support residential infill development within existing residential zones.

Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.

Support medium density development for tourist and residential use in residential zones.

Preserve intervening areas of rural or natural landscapes to protect the separation between settlements.

Provide any new lot created in the Township Zone or Low Density Residential Zone with urban infrastructure.

Encourage development of township centres through consolidation of retail and commercial areas.

Encourage retail and commercial uses requiring larger sites to locate adjacent to the central commercial areas, rather than in free-standing sites on the outskirts of towns.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

11.01-1L-02 Growth area towns

25/11/2022
C162egip**Bairnsdale****Policy application**

This policy applies to all land in the Bairnsdale Framework Plan and the East Bairnsdale – Lucknow Precinct Plan to this clause.

Strategies - Bairnsdale

Support infill medium density housing close to Bairnsdale CBD to provide greater housing choices.

Facilitate urban development for Bairnsdale within the existing town boundary.

Encourage residential development in Brookfield Lakes and Shannon Waters Estate.

Encourage infill industrial activity on serviced industrial land.

Encourage industrial expansion around the Bosworth Rd-Holloway-Kyle Street area.

Avoid further linear expansion of commercial development and activities adjacent to the Princes Highway outside the town boundary.

Enhance the Mitchell River corridor, restoration of the Port of Bairnsdale and development of a Botanical Gardens in the area between Clifton Creek backwater and the Mitchell River.

Facilitate development of 26 Phillips Lane, Lucknow in accordance with the *Site Specific Control – 26 Phillips Lane, Lucknow* (May 2012) Incorporated Document.

Facilitate development of 870 Princes Highway, Hillside in accordance with the *Specific Control for Land at 1015 Bairnsdale-Dargo Road, Hillside* (October 2010) Incorporated Document.

Encourage light industry, motels, take-away food premises and service stations in the Mixed-Use Zone north of the Princes Highway.

Encourage transport businesses and light industry in the Mixed-Use Zone south of the Princes Highway.

Encourage medical related uses and offices in the Mixed-Use Zone at Main Street / Gould Street.

Encourage motels, medical centres and small offices in the Mixed-Use Zone at Main Street / Macleod.

Encourage residential development fronting Wood Street and a mix of residential and service industrial type uses fronting Macleod Street in the Mixed-Use Zone at Macleod Street (east of Wood Street).

Protect Macleods Morass from adverse impacts of urban uses and facility operations.

Strategies – East Bairnsdale

Facilitate the East Bairnsdale – Lucknow precinct for urban growth with a mix of activities including residential, local area commercial and industrial.

Provide roads within the precinct for connectivity, efficient access and dispersal of traffic.

Ensure the future Princes Highway diversion is not compromised.

Design road layout, open space and lots in residential subdivisions as a buffer from industrial activity.

Plan for community and recreation infrastructure, including a multipurpose space in East Bairnsdale.

Preserve remnant vegetation and incorporate it into public open spaces.

Design development along Princes Highway at the eastern gateway as an attractive entrance to Bairnsdale.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Design drainage in subdivisions to support water management plans.

Provide urban infrastructure to support new residential and business development.

Support residential development in East Bairnsdale provided that it minimises amenity impacts and protects existing rights of local industry.

Consolidate employment opportunities in planned industrial and commercial land use activities.

Avoid land uses that adversely impact on the industrial activities in the precinct.

Policy guideline – East Bairnsdale

Consider as relevant:

- Whether to specify community and development infrastructure in a Section 173 agreement under the Planning and Environment Act 1987 implementing the *East Bairnsdale - Lucknow Precinct Structure Plan*.

Paynesville**Policy application**

This policy applies to all land in the Paynesville Framework Plan to this clause.

Strategies - Paynesville

Provide a variety of housing types and styles that add to the special character of Paynesville.

Provide linkages between residential, commercial, recreation, town centre activity areas, the foreshore, the waterfront and the hinterland.

Develop tourism opportunities and event spaces that facilitate an all year-round destination.

Encourage the maritime industry (including marinas and workshop facilities) and service industry in the Industrial 3 Zone at Slip Road.

Discourage industry that is not reliant on access to water in the Industrial 3 Zone on Slip Road.

Expand the town westwards generally between Waratah Avenue and Grandview Road.

Contain urban development within the area to the east of Grandview Road.

Promote higher densities in the redevelopment of existing areas.

Provide a distinct separation of Eagle Point and Paynesville incorporating extensive open space areas.

Provide expansive green edges to abut entry roads to maintain the sense of country atmosphere to the arrival experience.

Encourage development of a variety of tourist accommodation options within Paynesville, particularly in the town centre or close to the canals.

Encourage the use of the site adjoining the coast north-west of Paynesville, to be developed for resort development or for urban/residential use.

Plan any resort development as an integrated development that does not include land uses that would be prejudicial to the primacy of the Paynesville activity centre.

Policy guideline - Paynesville

Consider as relevant:

- Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Lakes Entrance**Policy application**

This policy applies to all land in the Lakes Entrance Framework Plan to this clause and Rural Living Zones in the Colquhoun area.

Strategies - Lakes Entrance

Restrict development outside the Lakes Entrance settlement boundary.

Protect vegetated areas, particularly in vulnerable undeveloped areas within the town boundary as part of the subdivision process.

Provide additional industrial land in Lakes Entrance as identified on the Lakes Entrance Framework Plan.

Support development of the Colquhoun land north of Lakes Entrance for rural living.

Limit the adverse impacts of subdivision, use and residential development in environmentally sensitive areas in the Colquhoun area.

Improve the town entry by the creation of a new gateway landscape.

Improve linkages between the town centre and Kalimna residential area.

Develop the large rural holding north of Kalimna, adjoining North Arm, either for a resort-style development or an integrated residential development with recreational/tourist components.

Improve pedestrian connections across The Esplanade between the commercial edge and foreshore in particular adjacent to the Tourist Precinct and the Civic/Village Precinct.

Improve pedestrian access in the retail centre, particularly to the rear of The Esplanade in the vicinity of Church Street and along the foreshore.

Protect and maximise foreshore views along The Esplanade through building design.

Focus recreational and tourism uses within the Tourist Precinct and along the foreshore opposite the Tourist Precinct and the Civic/Village Precinct.

Locate recreational and tourist opportunities in the western portion of Bullock Island.

Integrate Bullock Island into the town's recreation/tourism attractions, in particular those located within the Tourist Precinct.

Provide improved linkages between the two nodes of Lakes Entrance and Bullock Island.

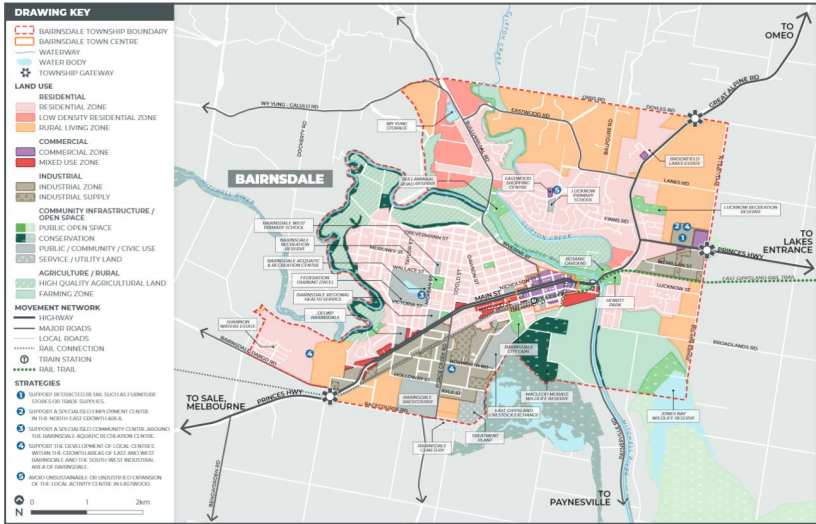
Policy guideline - Lakes Entrance

Consider as relevant:

- Providing urban infrastructure, open space and community facilities in accordance with the *Lakes Entrance Northern Growth Area Development Contributions Plan* (August, 2012) when subdividing any land included in the Outline Development Plan.
- Preserving environmental values through planting revegetation, rehabilitation or fencing on Rural Residential Zoned land in the Colquhoun area.
- The need for an agreement under Section 173 of the Planning and Environment Act 1987 to implement or control future use and maintenance of the rural residential land in the Colquhoun area.

EAST GIPPSLAND PLANNING SCHEME

Bairnsdale Framework Plan

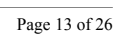


East Bairnsdale – Lucknow Precinct Plan

EAST GIPPSLAND PLANNING SCHEME

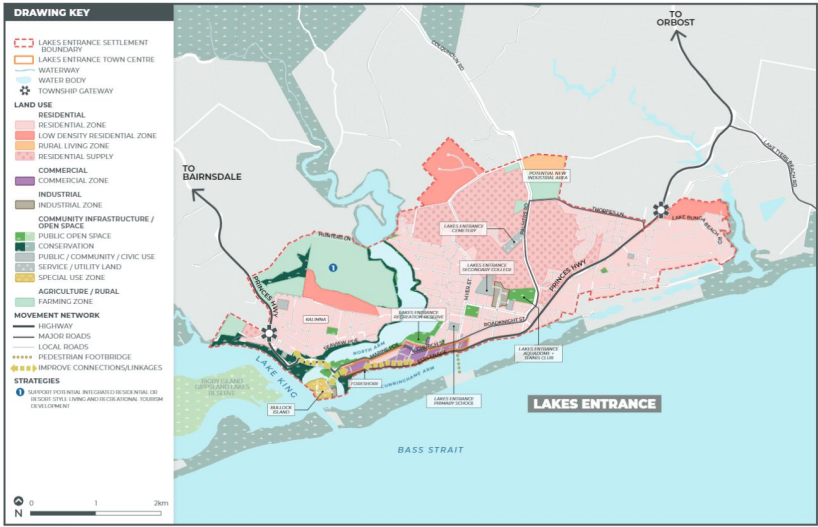


Paynesville Framework Plan



EAST GIPPSLAND PLANNING SCHEME

Lakes Entrance Framework Plan



Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

11.01-1L-03 Rural settlements

25/11/2022
 6162egip Proposed C170egip
 Twin River towns

**Policy application**

This policy applies to all land in the Nicholson, Johnsonville and Swan Reach framework plans to this clause.

Strategies

Manage township growth to protect and enhance environmental and landscape values.

Preserve the separation between Nicholson, Johnsonville and Swan Reach.

Consolidate the existing undeveloped and underutilised Township Zone.

Encourage development of the undeveloped Low Density and Rural Living Zone land.

Encourage the development of infill commercial and tourism opportunities on sites with frontage to the Princes Highway.

Provide tourist accommodation in the Comprehensive Development Zone to the south east of the Nicholson township.

Direct township growth to the north of the existing Township Zone at 100 Nicholson Sarsfield Road.

Improve pedestrian connectivity between the Township Zone areas on either side of the Rivers.

Improve pedestrian connections adjacent to the Princes Highway including connections between Nicholson and settlement areas east of the Nicholson River, including the Nicholson Primary School, and between Johnsonville and Swan Reach.

Improve pedestrian and cycle connections between Nicholson, Johnsonville and the Rail Trail.

Improve entry treatments adjacent to the Princes Highway.

Improve linkages between the Rail Trail and townships.

Protect corridors of roadside vegetation, streamlines and habitat corridors including on the Princes Highway, Bumberrah Road and the Tambo River.

Protect the Princes Highway corridor and river corridor from inappropriate development.

Protect roadside vegetation, waterways and habitat corridors near the Tambo River, Princes Highway, Mossiface Swan Reach Road, Cunningham Road and Old Orbost Road.

Policy documents

Consider as relevant:

- *Twin Rivers Land Use Plan* (Meinhardt Infrastructure and Environment and Essential Economics, 2012)

Nowa Nowa**Policy application**

This policy applies to all land in the Nowa Nowa township.

Strategies

Support Nowa Nowa's roles as a local retail and highway service centre and significant timber industry location.

Encourage retail and commercial activities on the Princes Highway and the Nowa Nowa-Bruthen Road.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Encourage value-adding in timber industry, on or adjacent to sites occupied by existing timber enterprises.

Encourage tourist facilities, subject to servicing being provided by the developer.

Lindenow**Policy application**

This policy applies to all land in the Lindenow Framework Plan to this clause.

Strategies

Support development in the Lindenow local centre.

Encourage land uses that facilitate vegetable processing and dairy products.

Omeo**Policy application**

This policy applies to all land in the Omeo Framework Plan to this clause.

Strategies

Support Omeo as a district centre for the north west and a centre for pastoral industry.

~~Ensure development along the Great Alpine Road between Omeo and Dinner Plain provides attractive environments for tourism or permanent living.~~

Prevent ribbon development and adverse effects on the environment or landscape of the area.

Preserve and enhance the cultural heritage of the Omeo and its environs.

Improve linkages between the town and Livingstone Creek.

Orbost**Policy application**

This policy applies to all land in the Orbost Framework Plan to this clause.

Strategies

Support Orbost as a district centre for the timber, dairying and vegetable industries.

Avoid long term expansion east of Arnold Street until existing infill opportunities are taken up and reticulated sewerage and drainage services are able to be connected.

Accommodate smaller industrial activities on existing industrial zoned land including the Rifle Range.

Cann River**Policy application**

This policy applies to all land in the Cann River township.

Strategies

Support Cann River as a local retail and highway service centre, timber industry location and access point for National Parks.

Encourage new value-adding timber processing industry.

Enhance Cann River as a base for nature-based tourism.

Encourage small-scale value-adding to dairy produce.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Encourage retail / commercial development to concentrate along the Princes and Monaro Highways, unless specific needs make another site more appropriate.

Encourage value-adding activities on the sawmill sites to the east of the town, in preference to the low-lying area near the river.

Mosquito Point

Policy application

This policy applies to all land in the Mosquito Point township.

Strategies

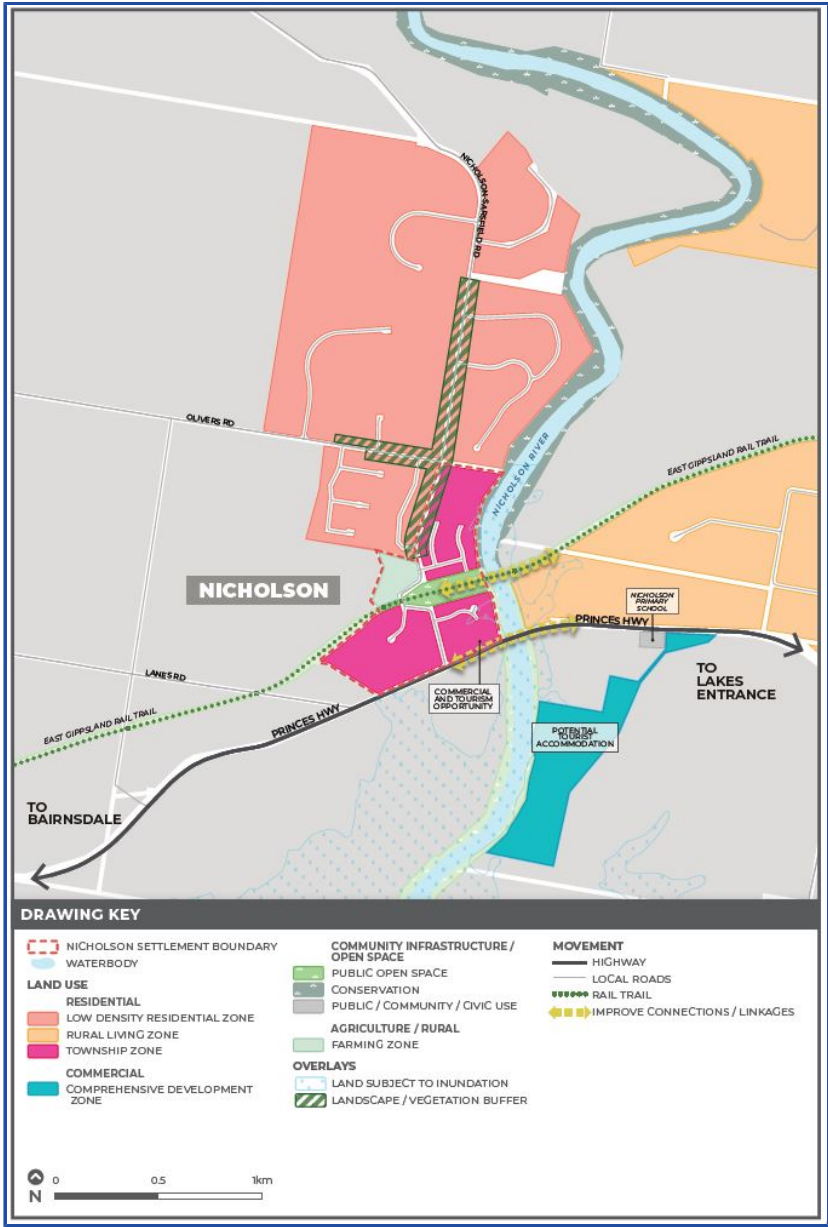
Support the existing role of Mosquito Point as a small holiday residential community.

Strictly limit further development in Mosquito Point.

Discourage development of more than one dwelling on any lot unless the environmental qualities of the area will not be adversely affected.

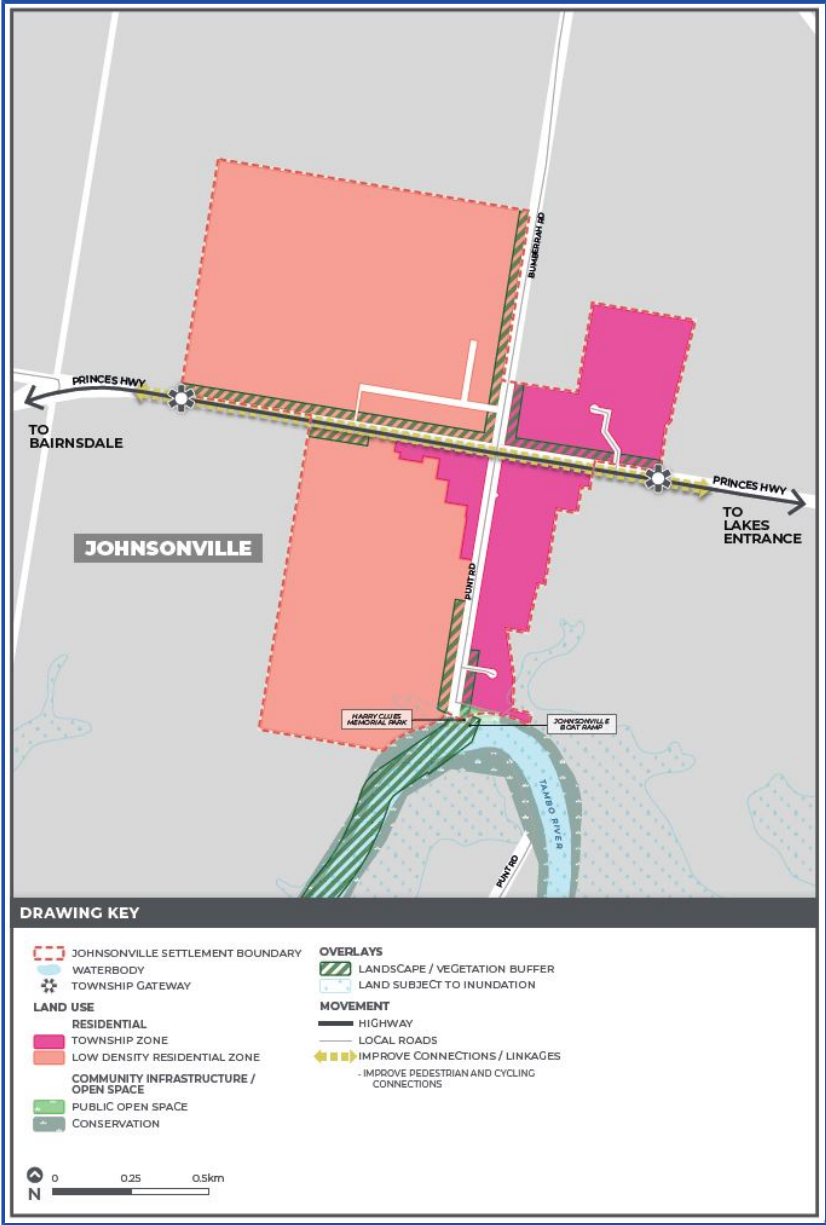
EAST GIPPSLAND PLANNING SCHEME

Nicholson Framework Plan



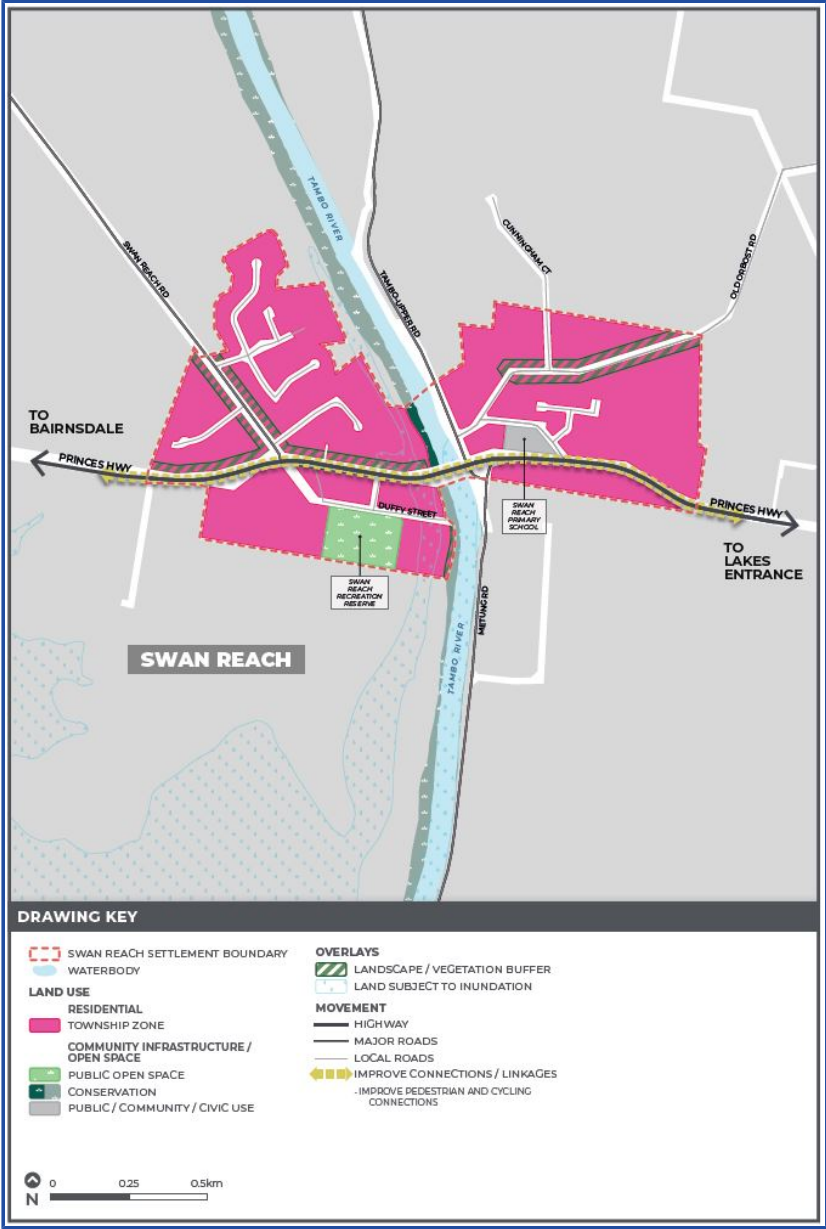
EAST GIPPSLAND PLANNING SCHEME

Johnsonville Framework Plan



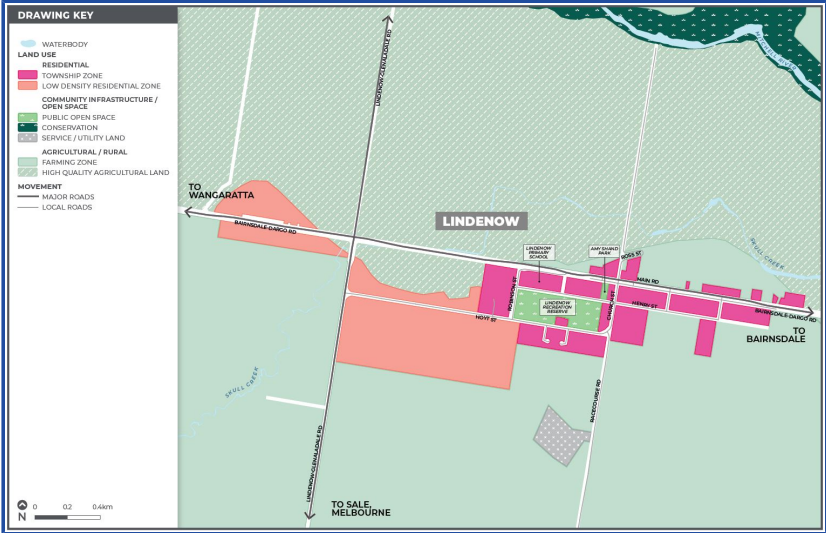
EAST GIPPSLAND PLANNING SCHEME

Swan Reach Framework Plan



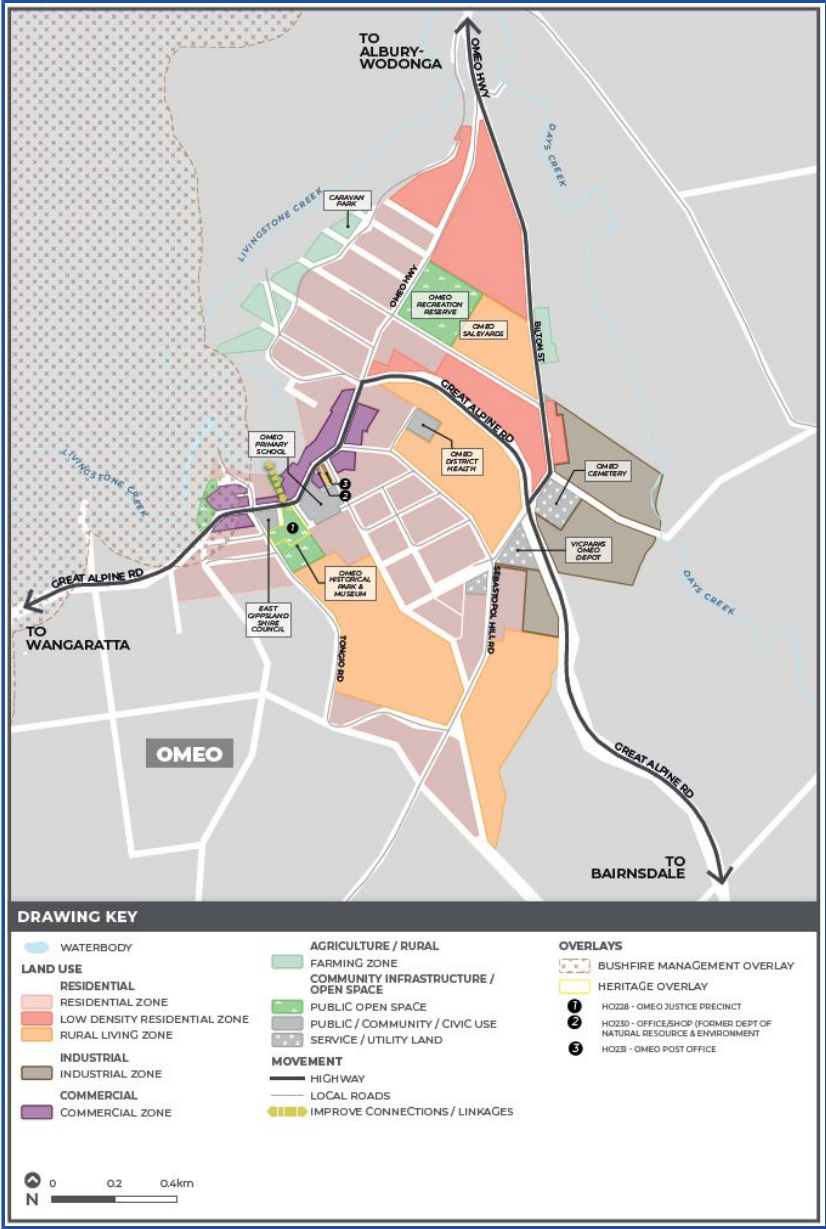
EAST GIPPSLAND PLANNING SCHEME

Lindenow Framework Plan



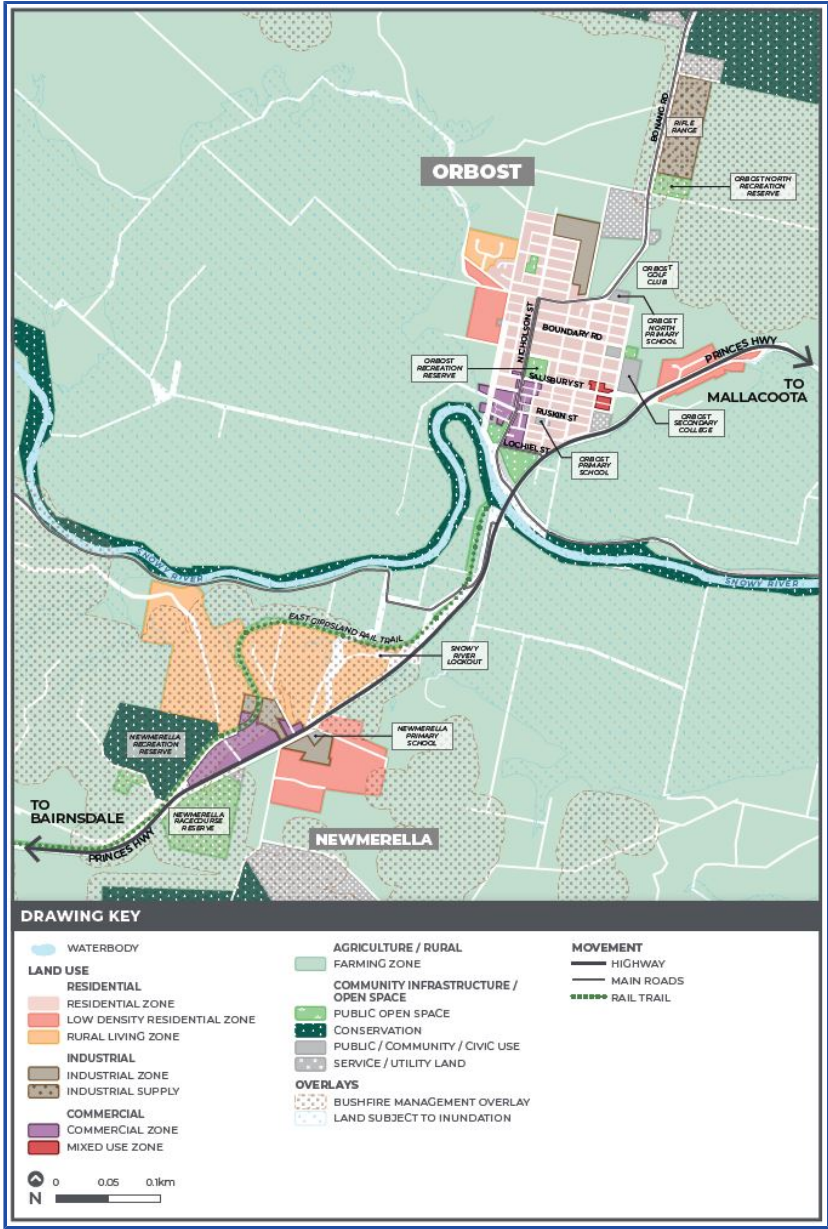
EAST GIPPSLAND PLANNING SCHEME

Omeo Framework Plan



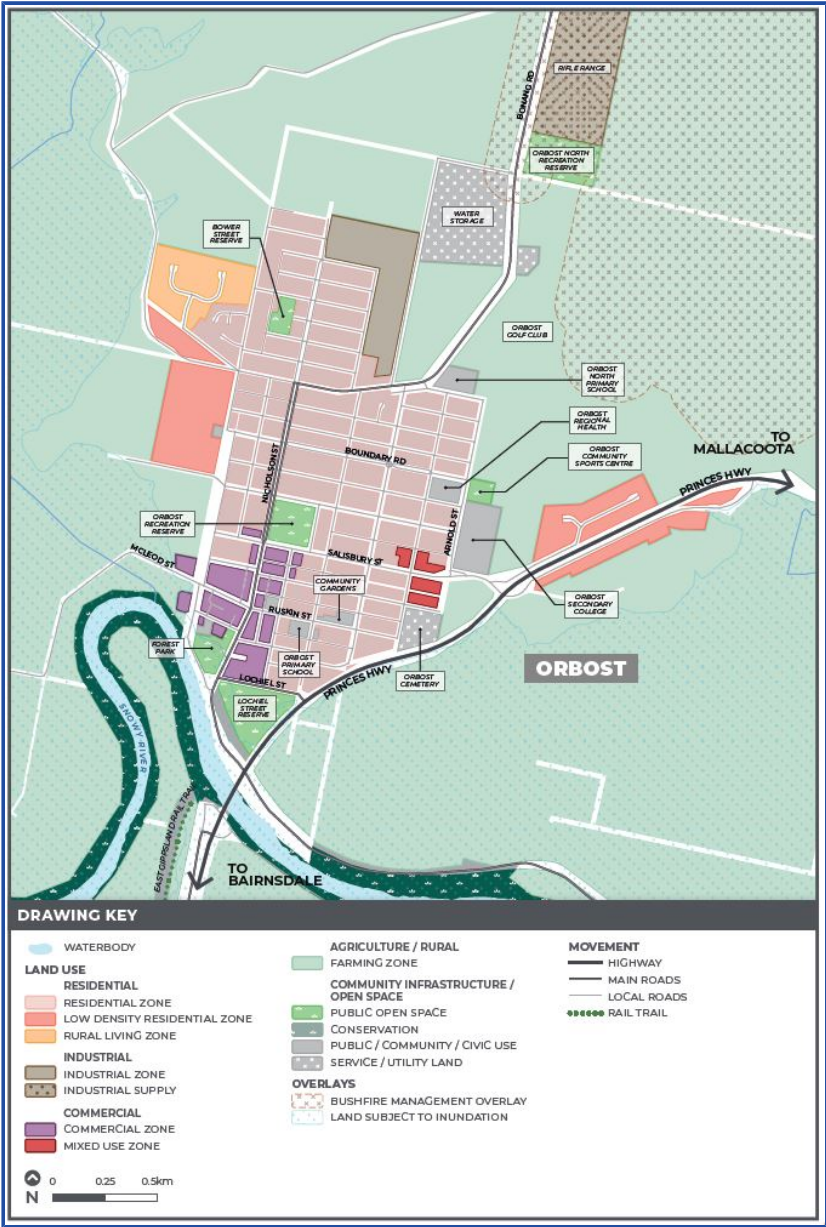
EAST GIPPSLAND PLANNING SCHEME

Orbost Newmerella Framework Plan



Orbost Framework Plan

EAST GIPPSLAND PLANNING SCHEME



Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

11.01-1L-04 Smaller rural settlements25/11/2022
C162egip**Policy application**

This policy applies to the smaller rural settlements identified on the Strategic Framework Plan at Clause 02.04.

Strategies

Restructure Fernbank to reduce the potential development density.

Discourage lots being subdivided in Bullumwaal below a size that is environmentally capable of sustaining development.

Encourage the establishment of a major sporting facility in Bengworden.

Encourage agricultural intensification in Bengworden.

Encourage small scale tourist developments in rural areas at Clifton Creek and Woodglen.

Encourage Glen Wills to be restructured for low-density development.

Determine the environmental/ land use capability of the Cassilis Valley.

Retain large parcels of rural land at Swifts Creek for pastoral uses.

Support a range of small-scale tourist enterprises at Swifts Creek.

Encourage value-adding to timber products at Swifts Creek, subject to maintenance of buffer distances for air and noise emissions between the mill site and sensitive uses such as the schools and residences.

Encourage small scale tourist developments in rural areas at Goongerah.

Encourage Deddick, Tubbut, Bonang, Delegate River and Bendoc to develop their potential for nature-based tourism.

Encourage value-adding in timber industry, particularly at Bendoc.

Encourage plantation development on appropriate sites at Deddick, Tubbut, Bonang, Delegate River and Bendoc where these do not impact adversely on the community or adjoining owners and where appropriate road and bridge infrastructure can be guaranteed.

Encourage small scale tourist developments in Tubbut rural areas.

Develop Bonang, Delegate River and Bendoc as a base for nature-based tourism.

Encourage value-adding in timber industry at Bendoc.

Avoid residential or other urban development at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara unless specific studies find the area to be suitable.

Ensure consolidation of lots at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara.

Limit development on Ocean Grange and Barrier to protect the environmental qualities of the area and the ability of the land to absorb wastes.

Encourage enhanced river and lake frontages at Tambo Bay, protecting the quality of natural environment.

Encourage opportunities for cultural and nature-based tourism at Lake Tyers.

Avoid intensification of development, including more than one dwelling on a lot or the extension of the Tamboon and Tamboon South settlements.

Develop Genoa as the Eastern 'Gateway' with opportunities for small-scale tourist or commercial uses in association with rural activities.

Retain large rural lot sizes in Genoa.

Page 25 of 26

EAST GIPPSLAND PLANNING SCHEME

Encourage the retail, commercial and tourism role of Bruthen including small-scale tourist accommodation.

Support Buchan as a local retail centre and for tourism, the timber industry, mining and quarrying.

Encourage small scale tourist developments in rural areas near Tambo Upper.

EAST GIPPSLAND PLANNING SCHEME

14.01

31/07/2018
VC148

AGRICULTURE

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

14.01-1S

20/03/2023
VC229**Protection of agricultural land****Objective**

To protect the state's agricultural base by preserving productive farmland.

Strategies

Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context.

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas.

Protect strategically important agricultural and primary production land from incompatible uses.

Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Identify areas of productive agricultural land by consulting with the Department of Energy, Environment and Climate Action and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

EAST GIPPSLAND PLANNING SCHEME

14.01-1R **Protection of agricultural land - Gippsland**
31/07/2018
VC148

Strategy

Protect productive land and irrigation assets, including the Macalister Irrigation District, that help grow the state as an important food bowl for Australia and Asia.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

14.01-1L-01 Protection of agricultural land

25/11/2022
6162egip
Proposed C170egip

Policy application

This policy applies to all land within the Farming Zone ~~(Schedules 1,2,3 and 4)~~ Rural Activity Zone and Rural Conservation Zone.

Strategies

~~Limit subdivision outside those areas defined as being suitable for rural residential development to the lot sizes shown in Schedules 2, 3 and 4 to the Farming Zone~~ Protect productive farmland and Farmland of Strategic Significance identified on the East Gippsland Strategic Framework Plan at Clause 02.04.

~~Adopt cluster housing arrangements where the balance of the land is under unified management for agricultural, pastoral or conservation purposes~~ Ensure use or development of land within 500 metres of Farmland of Strategic Significance (identified on the Strategic Framework Plan at Clause 02.04) is sited and designed to minimise land use conflict.

~~Support tourist-related or other economic development in non-urban areas, where it maintains environmental protection and the rural character of the area~~ Strongly discourage use, development and subdivision that would reduce the area of Farmland of Strategic Significance available for agricultural production.

~~Restrict subdivision at W-Tree and Gelantipy unless road access and the retention of treated sewage on-site can be provided to all new lots~~ Discourage fragmentation of land due to subdivision, including dwelling excisions.

~~Support subdivision that prohibits or limits the development of farming land for dwellings~~ Minimise impacts on existing and potential agricultural operations and on the rural landscape through appropriate siting and design.

EAST GIPPSLAND PLANNING SCHEME

14.01-1L-02 ~~High quality soils~~Dwellings and subdivision in rural areas

~~25/11/2022~~
~~6162egip~~~~Proposed C170egip~~

Policy application

This policy applies to all land within ~~ES01~~the Farming Zone and Rural Conservation Zone.

Objective

To protect and increase the sustainable productivity of soils in East Gippsland.

StrategyStrategies

Protect high quality agricultural land from:

- Fragmentation.
- Development that may reduce its productive potential.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

44.01-4L-03 Rural dwellings25/11/2022
G162egip**Policy application**

~~This policy applies to all applications for a dwelling in the Farming Zone. Encourage dwellings and subdivision, including house lot excisions and boundary realignments, where all of the following requirements are met:~~

Strategies

~~Site rural dwellings on land adjoining Crown land to include buffer and fire protection zones.~~

~~Site rural dwellings on land to minimise impacts on environmental and other values of public land.~~

~~Discourage a second or subsequent dwelling on a single lot unless it is required for farming? activities to be carried out on the land.~~

- ~~It is necessary for the operation of a commercial agricultural use conducted on the land.~~
- ~~It supports the ongoing protection and viability of agricultural landholdings.~~
- ~~It facilitates a clear improvement in farming efficiency and sustainable land management practices.~~
- ~~It does not prejudice existing or potential agricultural activities on surrounding land.~~

~~Where the above requirements cannot be met, only support the use and development of land for a dwelling that is not associated with the agricultural use of the land where any of the following apply:~~

- ~~A previous planning permit for subdivision facilitates the future use and development of a dwelling.~~
- ~~The dwelling is:

 - ~~Demonstrated to support the long term viability of the settlement.~~
 - ~~On land within 5 km of a Remote Settlement or Rural District (as defined in the Settlement Framework Plan at clause 02.04) that is more than 50 km from Bairnsdale, Lakes Entrance or Orbost; and~~
 - ~~The land presents established environmental qualities that would be protected and enhanced by the use and development of a dwelling.~~~~

~~Discourage the subdivision of land to create small lots for rural residential development and the use and development of land for dwellings:~~

- ~~Where it will lead to a concentration of small, rural residential lots and change the use or character of the area.~~
- ~~Where there is an impact on Proclaimed Water Supply Catchment Areas.~~
- ~~Where there is likely to be an impact on landscape values or significant environmental features such as remnant vegetation, wetlands, coastal reserves and waterways.~~
- ~~In areas remote from physical and community infrastructure and/or with road infrastructure not suitable for emergency vehicles.~~
- ~~On Crown Allotments.~~
- ~~To address farm succession or farm viability issues.~~

~~Site second or subsequent dwellings in a way that provides legal road access to each dwelling. Ensure the subdivision of land or the use and development of land for a dwelling is justified by the preparation of a Farm Management Plan.~~

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

~~Consider the distance of a proposed dwelling not related to farming from the community centre and whether its development is likely to place unreasonable demands on services.~~ Ensure that where land is subdivided (including by boundary realignment or to excise an existing dwelling) the residual lot is at least the area specified in a schedule to the relevant zone.

~~Discourage rural dwellings where wastewater needs to be treated and retained on-site.~~ Support the use and development of second dwellings (not including small second dwellings) on a lot and rural workers accommodation where they are necessary for the operation of commercial agricultural activities.

Policy ~~guideline~~ guidelines

Consider as relevant:

The need for a legal agreement under Section 173 of the Planning and Environment Act 1987 is applied that prevents:

- The construction of a dwelling on a residual lot.
- ~~Discouraging rural dwellings where the watertable is within 1.0 metre of the surface or on land subject to flooding.~~
The further subdivision of any lot created other than for consolidation purposes or in accordance with the minimum lot size for subdivision in the zone.

14.01-1L-0403 ~~Small lot subdivisions~~ Land use and development in the Rural Activity Zone

25/11/2022
G162egip Proposed C170egip

Policy application

This policy applies to all applications for a subdivision of a size less than the minimum area specified in the schedule to the Farming land within the Rural Activity Zone.

Objective

To encourage use and development that is compatible with rural and nature based tourism, agricultural production and the environmental attributes of the area.

Strategies

~~Discourage subdivision for smaller lots except where it will facilitate more effective use of the land for agricultural or related purposes.~~ Support the use and development of land for a dwelling only where it supports agriculture or rural or nature based tourism activities.

~~Discourage subdivision for rural living in agricultural areas.~~

~~Assess small lots against any need for additional smaller lots as a consequence of new or innovative agricultural or pastoral development.~~

~~Assess small lots against proposed tourism enterprises or rural service businesses.~~

Ensure subdivisions for the creation of small lots and any associated development:

- ~~Protects areas with special values from adverse impacts.~~
- ~~Limits risks of degradation in areas with development constraints, including bushfire, high environmental values, water catchments, aquifer recharge areas, flooding, erosion, adjoining scenic roads and areas of high landscape quality.~~

~~Discourage fragmentation of land due to subdivision, including dwelling excisions.~~

~~Provide for separation between subdivided lot(s) and~~ Encourage rural and nature based tourism land uses and development that build on the Shire's strengths in agriculture or leverages environmental, landscape and cultural values.

- ~~Prime or high quality agricultural land.~~
- ~~High bushfire risk areas.~~

EAST GIPPSLAND PLANNING SCHEME

- Urban waterways.
- Areas of high environmental significance.
- Foreshores, lakes and river frontages.

Policy guidelines

Consider as relevant:

The need to ensure the use of subdivided land is consistent with the purpose of the Farming Zone through a whole farm management plan for each relevant lot, including establishing:

- The proposed range of uses.
- Any native vegetation on the lots that is proposed to be cleared as a consequence of the development.
- How the development and use of the land will address any constraints or special values identified.
- How the agricultural use of the land will be managed to minimise impacts on dwellings or potential dwellings on adjoining lots.
- Limiting the lot size resulting from the excision of an existing dwelling to a minimum of 2 hectares for the lot that contains the dwelling.
- Limiting dwellings excision subdivisions to existing dwellings that are in a habitable condition.
- An excision of an existing dwelling would leave a balance area which is smaller than the minimum lot size for the zone.
- Encouraging the consolidation of the balance of the lot, as part of a dwelling excision subdivision, with an adjoining lot or lots.

EAST GIPPSLAND PLANNING SCHEME

Support low impact rural or nature based tourism land uses that are of an appropriate scale and do not impact conflict with agriculture or other rural industry.

14.01-2S

21/09/2018
VC150

Sustainable agricultural land use**Objective**

To encourage sustainable agricultural land use.

Strategies

Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.

Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.

Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.

Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

Support agricultural investment through the protection and enhancement of appropriate infrastructure.

Facilitate ongoing productivity and investment in high value agriculture.

Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.

Policy documents

Consider as relevant:

- *Victorian Code for Cattle Feedlots* (Department of Agriculture, Energy and Minerals, 1995)
- *Victorian Code for Broiler Farms* (Department of Primary Industries, 2009, plus 2018 amendments)
- *Apiary Code of Practice* (Department of Planning and Community Development, 2011)
- *Planning Guidelines for Land Based Aquaculture in Victoria* (Department of Primary Industries, No. 21, 2005)
- *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
- *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)

EAST GIPPSLAND PLANNING SCHEME

14.01-2L Sustainable agricultural land use

25/11/2022
G162egipProposed C170egip

Policy application

This policy applies to all land within the Farming Zone ~~(Schedules 1, 2, 3 and 4).~~

Strategies

Encourage innovation and adoption of new technology in the agricultural sector and adaptation to a changing climate.

Support rural infrastructure and workers accommodation that supports and adds value to the agricultural sector.

Encourage farm diversification including agritourism and nature based tourism activities.

~~Support alternative agricultural and horticultural crops and pastoral industries including organic farming~~ Encourage land management practices such as the fencing of waterways, revegetation of degraded areas, enhancement of remnant vegetation, weed control and nutrient management to improve environmental values.

Support ~~value-adding primary produce and resource processing industries~~ the consolidation of rural lots to support viable and sustainable farming systems and operations.

EAST GIPPSLAND PLANNING SCHEME

14.01-3S
20/03/2023
VC229

Forestry and timber production

Objective

To facilitate the establishment, management and harvesting of plantations and the harvesting of timber from native forests.

Strategies

- Identify areas that may be suitably used and developed for plantation timber production.
- Promote the establishment of softwood and hardwood plantations on predominantly cleared land, as well as other areas that are subject to or contributing to land and water degradation.
- Ensure protection of water quality and soil.
- Ensure timber production in native forests is conducted in a sustainable manner.
- Conduct timber production (except agroforestry, windbreaks and commercial plantations of 5 hectares or less) in accordance with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022).
- Ensure Victoria’s greenhouse sinks are protected and enhanced by controlling land clearing, containing the growth of urban areas and supporting revegetation programs.

Policy documents

- Consider as relevant:
- *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022)

14.01-3L

Proposed C170egip

Forestry and timber production

Encourage high quality, low volume native timber harvesting on private land where biodiversity is protected.

EAST GIPPSLAND PLANNING SCHEME

14.02 **WATER**
31/07/2018
VC148

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

14.02-1S

06/09/2021
VC171**Catchment planning and management****Objective**

To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Strategies

Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.

Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.

Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:

- Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,
- Minimise erosion of stream banks and verges, and
- Reduce polluted surface runoff from adjacent land uses.

Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas.

Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.

Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.

Ensure land use and development minimises nutrient contributions to water bodies and the potential for the development of algal blooms.

Require appropriate measures to restrict sediment discharges from construction sites.

Ensure planning is coordinated with the activities of catchment management authorities.

Ensure that water quality infrastructure is designed to minimise risk of harm to surface waters and groundwater.

Policy guidelines

Consider as relevant:

- Any regional catchment strategy and related plans approved under the *Catchment and Land Protection Act 1994*.
- Any applicable implementation strategy approved by a catchment management authority or waterway management authority.
- Any special area or management plan under the *Heritage Rivers Act 1992*.
- Any action statement or management plan prepared under the *Flora and Fauna Guarantee Act 1988*.

Policy documents

Consider as relevant:

- *Murray River Regional Environmental Plan No 2 (REP2) of New South Wales*
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)

EAST GIPPSLAND PLANNING SCHEME

- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)
- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)

EAST GIPPSLAND PLANNING SCHEME

14.02-1L Catchment management

25/11/2022
6162egip
Proposed C170egip
Policy application

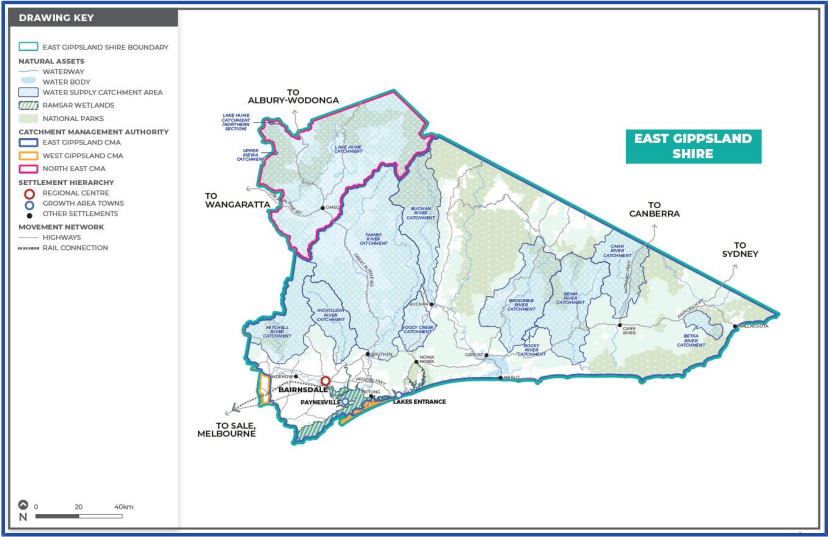
This policy applies to Water Supply Catchment Areas in the map attached to this clause.

Strategies

Discourage the following Manage use and development in water supply catchments, especially in the lower areas of water supply catchments near take off points: to protect the quality of water flowing into these storages.

- Subdivision.
- Intensive farming activities.

Water Catchment Plan



EAST GIPPSLAND PLANNING SCHEME

14.02-2S
20/03/2023
VC229

Water quality

Objective

To protect water quality.

Strategies

Protect reservoirs, water mains and local storage facilities from potential contamination.

Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.

Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.

Use the mapped information available from the Department of Energy, Environment and Climate Action to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources from proposed land use or development.

Policy documents

Consider as relevant:

- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020)
- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

14.02-3S

28/10/2022
VC224**Protection of declared irrigation districts****Objective**

To plan and manage for sustainable change within irrigation districts declared under Part 6A of the *Water Act 1989*.

Strategies

Identify and plan for the future needs of communities to adapt and adjust to strategic land use change within an irrigation district.

Ensure the future viability of an irrigation district by preventing non-agricultural use of land in a declared irrigation district where the land is serviced, or was serviced as at 17 September 2019, by rural water corporation irrigation infrastructure, unless the rural water corporation infrastructure has been, or is planned to be, decommissioned.

Ensure non-agricultural land use does not undermine the integrity of irrigation infrastructure and complements existing and future agricultural production.

Ensure land use change within an irrigation district does not negate the potential opportunities for a rural water corporation to make adjustments to the footprint of an irrigation district that are identified under an approved plan or strategy.

Ensure land use change does not limit the ability of future investment in irrigation infrastructure that achieves the intended benefits of minimising water loss, and improved irrigation service efficiency to the farm gate and overall agricultural production.

Policy documents

Consider as relevant:

- *Water for Victoria* (Department of Environment, Land, Water and Planning, 2016)
- *Gippsland Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Western Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Northern Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2009)
- *Central Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2006)
- *Victorian Government White Paper, Securing Our Water Future Together – Our Water, Our Future* (Department of Sustainability and Environment, 2004)

EAST GIPPSLAND PLANNING SCHEME

17.01
31/07/2018
VC148

EMPLOYMENT

EAST GIPPSLAND PLANNING SCHEME

17.01-1S
31/07/2018
VC148

Diversified economy

Objective

To strengthen and diversify the economy.

Strategies

Protect and strengthen existing and planned employment areas and plan for new employment areas.

Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

EAST GIPPSLAND PLANNING SCHEME

17.01-1R Diversified economy - Gippsland

31/07/2018
VC148

Strategies

- Support production and processing facilities that add value to local agricultural, forestry and fisheries products.
- Support the development of industry sectors focussed on growing Asian and other international markets.
- Support development of coal-to-products industries such as diesel, fertiliser and gas, for both domestic and export markets.
- Improve Gippsland’s capacity in advanced manufacturing and engineering with particular reference to Latrobe Valley industries.
- Support Gippsland’s fishing industry by maintaining ports and enabling development of fishing operations at Lakes Entrance, Mallacoota, Port Welshpool, San Remo, Port Franklin and Port Albert.
- Facilitate opportunities within aviation-related industries.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

17.01-1L Diversified economy

25/11/2022
6162egip
Proposed C170egip

Strategies

- Encourage new and emerging ~~business~~ businesses including home based businesses that provide local employment opportunities.
- Encourage development of recreational and personal services, ‘lifestyle’ industries and other niche market opportunities targeting active retirees. ...
- ~~Expand the number and range of~~ Support an increase in employment opportunities in rural industries.
- Encourage ~~renewable power generation projects in appropriate locations~~ rural industries that leverage strengths in renewable energy generation and extractive industries.
- Encourage food and fibre processing and manufacturing that has the potential to generate local employment both on farm and across the value chain.
- Support the ~~existing offshore~~ fishing industry and encourage its expansion on an ecologically sustainable basis.
- Support the ~~abalone fishery off Mollacoota~~ timber industry for employment and sustainable land management.
- Encourage value-adding in the timber industry on or adjacent to sites occupied by existing timber enterprise subject to maintenance of buffer distances for air and noise emissions between the timber activities and sensitive uses.

EAST GIPPSLAND PLANNING SCHEME

17.01-2S
04/10/2018
VC149

Innovation and research

Objective

To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.

Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area's public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.

Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.

Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth.

Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Improve access to community-based information and training through further developing libraries as community learning centres.

EAST GIPPSLAND PLANNING SCHEME

17.01-2R **Innovation and Research - Gippsland**
31/07/2018
VC148

Strategies

Facilitate opportunities for innovation and industry development arising from climate change and initiatives to reduce greenhouse gas emissions.

Support development of the region’s research and development capacity in places with an established presence including Churchill and Ellinbank.

EAST GIPPSLAND PLANNING SCHEME

17.04

31/07/2018
VC148

TOURISM

EAST GIPPSLAND PLANNING SCHEME

17.04-1S
31/07/2018
VC148

Facilitating tourism

Objective

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Strategies

Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.

Seek to ensure that tourism facilities have access to suitable transport.

Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

Policy guidelines

Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents

Consider as relevant:

- *Tourism Investment Guidelines – Your Guide to Tourism Investment in Victoria* (Tourism Victoria, 2008)

EAST GIPPSLAND PLANNING SCHEME

17.04-1R
31/07/2018
VC148

Tourism - Gippsland

Strategies

Facilitate tourism in strategic tourism investment areas shown on the Gippsland Regional Growth Plan.

Facilitate tourism development in existing urban settlements to maximise access to infrastructure, services and labour and to minimise impacts on the environment and exposure to natural hazards.

Support nature-based tourism proposals that complement and are compatible with the region’s environment and landscape attractions or are close to identified strategic tourism investment areas.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

17.04-1L Tourism - ~~Shire~~East Gippsland25/11/2022
6162egipProposed C170egip

Objective

To develop and promote East Gippsland as a major tourist destination.

Strategies

~~Encourage accommodation and camping facilities adjacent to Errinundra and Snowy River National Parks.~~

~~Encourage nature based tourism in the Shire.~~

~~Encourage the tourism potential of public land including National Parks and reserves.~~

Encourage tourist accommodation including 'bed and breakfast', self-contained units or cottages, farm stay accommodation.

~~Design tourist facilities in keeping with the landscape, environment and the character of the area.~~

~~Support 'freestanding' tourist developments on undeveloped land that is environmentally and aesthetically responsive and capable of supporting development and able to be serviced.~~

~~Avoid private residential development especially involving subdivision of land for detached dwellings in tourist projects outside existing urban areas.~~

~~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.~~

~~Encourage tourist-oriented facilities or small-scale retail in association with horticultural or pastoral activities, such as vineyards.~~

Promote recreation and tourist-focused uses within each town.

Encourage the clustering of commercial areas for local convenience and tourism related uses, including visitor accommodation, food and wine tourism, or other nature-based tourism based activities.

Promote tourist development adjacent to Princes Highway tourist route.

Rural tourism strategies

~~Encourage low impact accommodation and camping facilities in proximity to National Parks.~~

~~Encourage nature based and eco-tourism development in locations that leverage environmental, landscape and cultural values.~~

~~Encourage small scale agri-tourism and nature based tourism development, including tourist accommodation, that enhances environmental values, landscape qualities and does not adversely impact the operation of agriculture or rural industry.~~

~~Encourage agri-tourism use and development including farm produce, wineries and cellar doors which leverage off the Shire's strengths in agriculture.~~

~~Encourage large scale tourism use and development in rural areas that meet all of the following requirements:~~

- ~~■ Demonstrated regional significance and requires a rural location.~~
- ~~■ Contributes to the tourism economy of the region.~~
- ~~■ Strategically located with respect to tourist routes, tourist attractions and other infrastructure.~~
- ~~...~~
- ~~■ Has access to all relevant servicing infrastructure.~~
- ~~■ Avoids adverse impact on environmental values, landscape qualities, farmland of strategic significance, farming operations or rural industry.~~
- ~~■ Does not contribute to the urbanisation of the area.~~

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

17.04-2S

20/03/2023
VC229**Coastal and maritime tourism and recreation****Objective**

To encourage a diverse range of strategically located and well-designed coastal and maritime tourism and recreational opportunities that strengthen people's connection with the marine and coastal environment.

Strategies

Support safe and sustainable recreation and tourism development including ecotourism, tourism and major maritime events that:

- Responds to identified demand.
- Minimises impact on environmental and cultural values.
- Minimises impact on other users.
- Minimises direct and cumulative impacts.
- Maintains public safety.
- Responds to the carrying capacity of the site.
- Minimises exposure to coastal hazard risks and risks posed by climate change.

Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.

Ensure sites and facilities are accessible to all.

Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.

Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.

Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.

Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.

Support a sustainable network of facilities for recreational boating and water-based activities that respond to:

- Identified demand.
- Use and safety considerations.
- The carrying capacity of the location.
- Coastal processes.
- Environmental values.

Strategically plan and operate ports to complement each other in the context of the broader economy, transport networks and the maritime and coastal environments within which they are regulated.

Provide public access to recreational facilities and activities on land and water.

Policy guidelines

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)
- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*

EAST GIPPSLAND PLANNING SCHEME

- *Recreational Boating Facilities Framework July 2014 - Central Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

Policy documents

Consider as relevant:

- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

EAST GIPPSLAND PLANNING SCHEME

19.02
31/07/2018
VC148

COMMUNITY INFRASTRUCTURE

EAST GIPPSLAND PLANNING SCHEME

19.02-1S **Health facilities**
31/07/2018
VC148

Objective

To assist the integration of health facilities with local and regional communities.

Strategies

- Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.
- Plan public and private developments together, where possible, including some degree of flexibility in use.
- Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.
- Provide adequate car parking for staff and visitors of health facilities.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

19.02-2S29/09/2022
VC222**Education facilities****Objective**

To assist the integration of education and early childhood facilities with local and regional communities.

Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

Co-locate a kindergarten facility with all new Victorian Government primary schools.

EAST GIPPSLAND PLANNING SCHEME

19.02-2L Education facilities
25/11/2022-1/1/2023
6162egipProposed C170egip
Strategies



Support the development of TAFE campuses and services.

EAST GIPPSLAND PLANNING SCHEME

19.02-3S
31/07/2018
VC148

Cultural facilities

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.

EAST GIPPSLAND PLANNING SCHEME

19.02-4S
31/07/2018
VC148

Social and cultural infrastructure

Objective

To provide fairer distribution of and access to, social and cultural infrastructure.

Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

EAST GIPPSLAND PLANNING SCHEME

19.02-5S
31/07/2018
VC148

Emergency services

Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

19.02-6S

31/07/2018
VC148**Open space****Objective**

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

EAST GIPPSLAND PLANNING SCHEME

35.08
31/07/2018
VC148

RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.

To ensure that use and development does not adversely affect surrounding land uses.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

To protect and enhance natural resources and the biodiversity of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

35.08-1
01/01/2024
VC250

Table of uses

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Cattle feedlot	Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the <i>Catchment and Land Protection Act 1994</i> . The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 5 animals.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Use	Condition
Grazing animal production	
Home based business	
Informal outdoor recreation	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.
Racing dog husbandry	Must be no more than 5 animals.
Railway	
Rural industry (other than Abattoir and Sawmill)	Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone and Rural Living Zone: <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10.
Rural store	Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling. Must meet the requirements of Clause 35.08-2. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Timber production	Must meet the requirements of Clause 53.11. The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area. The plantation must not be within 100 metres of:

Page 2 of 8

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Use	Condition
	<ul style="list-style-type: none"> Any dwelling in separate ownership. Any land zoned for residential, commercial or industrial use. Any site specified on a permit which is in force which permits a dwelling to be constructed. <p>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</p>
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Section 2 - Permit required	
Use	Condition
Abattoir	
Animal production (other than Cattle feedlot, Grazing animal production and Poultry farm)	
Bar	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must meet the requirements of Clause 53.09.
Camping and caravan park	
Cattle feedlot - if the Section 1 condition is not met	<p>Must meet the requirements of Clause 53.08.</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.</p>
Convenience shop	The site must not have direct access to a rural freeway.
Domestic animal boarding	
Dwelling (other than Bed and breakfast)	Must meet the requirements of Clause 35.08-2.
Freeway service centre	Must meet the requirements of Clause 53.05.
Group accommodation	
Hotel	
Host farm	
Landscape gardening supplies	
Leisure and recreation (other than Informal outdoor recreation)	

Page 3 of 8

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Use	Condition
Market	
Manufacturing sales	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)	
Racing dog husbandry - if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Restaurant	
Residential hotel	
Rice growing	
Sawmill	
Service station	The site must not have direct access to a rural freeway.
Trade supplies	
Timber production - if the Section 1 condition is not met	Must meet the requirements of Clause 53.11.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Rural store)	
Any other use not in Section 1 or 3	
Section 3 - Prohibited	
Use	
Accommodation (other than Backpackers' lodge, Bed and breakfast, Camping and caravan park, Dwelling, Group accommodation, Host farm, Residential hotel and Small second dwelling)	
Amusement parlour	
Child care centre	
Cinema based entertainment facility	
Industry (other than Automated collection point and Rural industry)	
Nightclub	
Office	
Retail premises (other than Bar, Market, Convenience shop, Equestrian supplies, Hotel, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade Supplies)	
Transport terminal	
Small second dwelling – if the Section 1 condition is not met	

35.08-2

14/12/2023
VC253**Use of land for a dwelling or small second dwelling**

A lot used for a dwelling or small second dwelling must meet the following requirements:

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

- Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

35.08-3
14/12/2023
VC253

Subdivision

A permit is required to subdivide land.
Each lot must be at least the area specified for the land in a schedule to this zone.
A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision and one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone. At least one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none">▪ Each new lot is at least the area specified for the land in the zone or the schedule to the zone.▪ The area of either lot is reduced by less than 15 percent.▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.	Clause 59.12

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

35.08-4
14/12/2023
VC253

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.08-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
 - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
 - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
 - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road specified in a schedule to this zone or, if no setback is specified, 50 metres.
 - The setback from any other road or boundary specified in a schedule to this zone.
 - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
 - 100 metres from a small second dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
 - A waterway wetland or designated flood plain.
 - A dwelling or small second dwelling not in the same ownership.
 - A residential or urban growth zone.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to \$500,000.	Clause 59.13

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Class of application	Information requirements and decision guidelines
Any works must not be earthworks specified in the schedule to the zone.	
Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to \$500,000 where:	Clause 59.13
<ul style="list-style-type: none"> The land is not used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. The land is not within 30 metres of land (not a road) which is in a residential zone. The building or works are not associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>. 	
Any works must not be earthworks specified in the schedule to the zone.	

35.08-5

22/03/2022
VC219**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use and development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues

- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Accommodation issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

Page 7 of 8

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

35.08-631/07/2018
VC148**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as RLZ1.

1.0

Subdivision and other requirements

10/10/2019
C153egip
Proposed C170egip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	2 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	1 hectare
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None-specified250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	None-specified250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	All land	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	Sites up to 2 hectares Sites between 2-4 hectares Sites exceeding 4 hectares	40 metres 60 metres 100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary See 35.03-4 for relevant provisions	None specified
Earthworks which increase the discharge of saline groundwater See 35.03-4 for relevant provisions	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ1**.

CONSERVATION VALUES

To ensure that the land use or development occurs in a manner which does not adversely impact on the important environmental characteristics of an area.

1.0

Subdivision and other requirements

16/10/2019
C153egip
Proposed C170egip

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	10 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specifiedAll land	None specified200 square metres
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specifiedAll land	None specified150 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as FZ1.

1.0

Subdivision and other requirements

20/04/2022
V6296Proposed C170egip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	40 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	40 80 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250-square-metres-gross floor-area None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	250-square-metres-gross floor-area None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> The Head, Transport for Victoria is the acquiring authority; and The purpose of the acquisition is for a road. 	100-metres None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> The Head, Transport for Victoria is not the acquiring authority; and The purpose of the acquisition is for a road. 	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

Proposed C170egip

SCHEDULE 1 TO CLAUSE 35.08 RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ**.

Purpose

To recognise the established lot configuration in the Twin Rivers and Bruthen rural hinterland and discourage the fragmentation of land due to subdivision.

To protect and enhance biodiversity, native vegetation and significant landscapes including views to and from key tourist destinations, viewing points and touring routes.

To support the current mix of agriculture, rural lifestyle, hobby farming and rural based tourism uses.

To encourage low impact agri-tourism and nature based tourism uses and development.

To ensure use or development is compatible with environmental values, landscape qualities, adjoining agricultural activities and farmland of strategic significance.

1.0

Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	30 hectares
Minimum area for which no permit is required to use land for timber production (hectares)	All land	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250 square metres gross floor area
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	250 square metres gross floor area
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	None specified
Minimum setback from a road (metres).	All land	None specified
Minimum setback from a boundary (metres).	All land	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	All land	100 metres
Minimum setback from a waterway, wetlands or designated flood plain (metres).	All land	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 2 TO CLAUSE 35.03 RURAL LIVING ZONE
Shown on the planning scheme map as RLZ2.

1.0 Subdivision and other requirements

10/10/2019
C153egip
Proposed C170egip

	Land	Area/Dimensions/Distance	
Minimum subdivision area (hectares)	All land	4 hectares	
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	1 hectare	
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None specified 250 square metres	I
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	None specified 250 square metres	I
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	All land None specified	None specified	I
Minimum setback from a road (metres)	All land	20 metres	
Minimum setback from a boundary (metres)	All land	10 metres	
Minimum setback from a dwelling not in the same ownership (metres)	Sites up to 2 hectares	40 metres	
	Sites between 2-4 hectares	60 metres	
	Sites exceeding 4 hectares	100 metres	

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ2**.

CONSERVATION VALUES

To ensure that the land use or development occurs in a manner which does not adversely impact on the important environmental characteristics of an area.

1.0

Subdivision and other requirements

16/10/2019
C153egip
Proposed C170egip

	Land	Area/Dimensions/Number	
Minimum subdivision area (hectares)	All land	50 hectares	
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specifiedAll land	None specified200 square metres	
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specifiedAll land	None specified150 square metres	
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified	

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

HIGH QUALITY AGRICULTURAL LAND FARMLAND OF STRATEGIC SIGNIFICANCE**1.0 Statement of environmental significance**

~~10/10/2019~~
~~E153egip~~ ~~Proposed C170egip~~ Prime agricultural land Farmland of strategic significance is an important economic resource at both the resource which supports established agricultural industry clusters that make an economic contribution of regional and state levels significance. The area identified as prime agricultural land is areas identified as farmland of strategic significance are the Mitchell River flood plain, Tambo River and Snowy River flood plains. This land is characterised by well-drained, stable structure soils and is free from salinity and has a high water table. It is naturally fertile and has access to water for supplementary irrigation.

2.0 Environmental objective to be achieved

~~10/10/2019~~
~~E153egip~~ ~~Proposed C170egip~~ To preserve areas of high inherent agricultural productivity and versatility for agricultural production:
To ensure that areas of sufficient size for sustainable agricultural production are maintained:
To discourage other uses, housing and buildings and works, even if associated with agriculture, that removes prime agricultural land protect farmland of strategic significance by discouraging development that removes farmland of strategic significance from agricultural production or may adversely impact on agricultural activities undertaken on farmland of strategic significance.
To allow small lot subdivision for agricultural purposes provided no house entitlement is created.

3.0 Permit requirement

~~10/10/2019~~
~~E153egip~~ ~~Proposed C170egip~~ A permit is required in accordance with Clause 42.01-2. This does not apply not required to:

- ~~For alterations or extensions to existing buildings~~ Alter or extend an existing building.
- ~~For Undertake~~ agricultural activities such as ploughing, grazing and slashing of cleared areas maintained for pasture or cropping.
- ~~For the removal, destruction or lopping of~~ Remove, destroy or lop the minimum extent of vegetation necessary for the establishment and maintenance of farm fences.
- ~~To construct~~ Construct a dam less than 1000 cubic metres in volume, unless it is located on or diverts water away from a permanent waterway.
- If the works are to be carried out by or on behalf of a public authority, government department or municipal council.
- ~~For Conduct~~ activities conducted on public land by or on behalf of the Department of Environment, Land, Water and Planning Energy, Environment and Climate Action, under the relevant provisions of the Reference Areas Act 1978, National Parks Act 1975, Fisheries Act 1995, Wildlife Act 1975, Land Act 1958, Crown Land (Reserves) Act 1978 or the Forests Act 1958.

4.0 Application requirements

~~10/10/2019~~
~~E153egip~~ ~~Proposed C170egip~~ None specified. The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An assessment of any risk that development may have on agricultural activities and the measures proposed to mitigate any identified risk, including siting of development and use of bunding or vegetation screens.

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

5.0 Decision guidelines

~~16/10/2019~~
~~6159egip~~
~~Proposed C170egip~~
The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

~~Before deciding on an application, the responsible authority must consider the need:~~

- ~~To The need to preserve areas of high inherent agricultural productivity and versatility for~~
~~Whether the proposal adversely impacts on farmland of strategic significance and its agricultural~~
~~production.~~
- ~~The need too ensure that areas of sufficient size for sustainable agricultural production are~~
~~maintained.~~
~~The appropriateness of any proposed mitigation measures and their effectiveness in mitigating~~
~~the impacts on farmland of strategic significance and its agricultural production.~~

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 3 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as RLZ3.

1.0 Subdivision and other requirements

10/10/2019
C153egip
Proposed C170egip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	8 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	8 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None-specified250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	None-specified250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	All-land None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	All land	100 meters

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ3**.

CONSERVATION VALUES

To ensure that the land use or development occurs in a manner which does not adversely impact on the important environmental characteristics of an area.

1.0

Subdivision and other requirements

16/16/2019
E153egipProposed C170egip

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None-specifiedAll land	None-specified200 square metres
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None-specifiedAll land	None-specified150 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 3 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as FZ3.

1.0

Subdivision and other requirements

20/04/2022
V6296Proposed C170egip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	15 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	15 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250-square-metres-gross floor-area None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	250-square-metres-gross floor-area None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> The Head, Transport for Victoria is the acquiring authority; and The purpose of the acquisition is for a road. 	100-metres None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> The Head, Transport for Victoria is not the acquiring authority; and The purpose of the acquisition is for a road. 	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 4 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as RLZ4.

1.0 Subdivision and other requirements

10/10/2019
C153egip
Proposed C170egip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	15 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	15 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None specified 250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	None specified 250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	All land None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	All land	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 4 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as FZ4.

1.0

Subdivision and other requirements

20/04/2022
V6296Proposed C170egip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	1 hectare
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	10 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250-square-metres-gross floor-area None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	250-square-metres-gross floor-area None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> The Head, Transport for Victoria is the acquiring authority; and The purpose of the acquisition is for a road. 	100-metres None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> The Head, Transport for Victoria is not the acquiring authority; and The purpose of the acquisition is for a road. 	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

22/06/2017
C136

SCHEDULE 5 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as RLZ5.

1.0

Subdivision and other requirements

22/06/2017
C136
Proposed C170
Egip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	0.4 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	0.4 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified All land	None specified 250 square metres
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified All land	None specified 250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	All land	20 metres
Permit requirement for earthworks		Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified	
Earthworks which increase the discharge of saline groundwater	None specified	

EAST GIPPSLAND PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

27/08/2024
C170
C154
Proposed
C170
C154
Proposed

- 1, 1EMO 1ESO1, 1HO, 1RO, 1BMO
- 2, 2EMO, 2ESO1, 2BMO
- 3, 3EMO, 3ESO1
- 4, 4EMO, 4ESO1, 4BMO
- 5, 5EMO, 5ESO1, 5BMO
- 6, 6DDO, 6EMO, 6ESO1, 6HO, 6BMO
- 7, 7DDO, 7EMO, 7HO, 7BMO
- 8, 8DDO, 8EMO, 8ESO1, 8HO, 8BMO
- 9, 9EMO, 9ESO1, 9VPO, 9BMO
- 10, 10EMO, 10ESO1, 10ESO3, 10BMO
- 11, 11EMO, 11ESO1, 11HO, 11BMO
- 12, 12EMO, 12ESO1, 12HO, 12 BMO
- 13, 13EMO, 13BMO
- 14, 14EMO, 14ESO1, 14HO, 14VPO, 14BMO
- 15, 15DDO, 15EMO, 15ESO1, 15HO, 15VPO, 15BMO
- 16, 16EMO, 16ESO1, 16VPO, 16BMO
- 17, 17EMO, 17ESO1, 17ESO3, 17LSIO, 17BMO
- 18, 18DDO, 18EMO, 18ESO1, 18HO, 18BMO
- 19, 19DDO, 19EMO, 19ESO1, 19BMO
- 20, 20DDO, 20BMO
- 21, 21DDO, 21EMO, 21ESO1, 21HO, 21SLO, 21BMO
- 22, 22DDO, 22ESO1, 22HO, 22BMO
- 23, 23DDO, 23EMO, 23EAO, 23SLO, 23VPO, 23BMO
- 24, 24ESO1, 24ESO3, 24BMO
- 25, 25VPO, 25BMO
- 26, 26EMO, 26VPO, 26BMO
- 27, 27EMO, 27ESO1, 27ESO2, 27LSIO, 27VPO, 27BMO
- 28, 28DDO, 28DPO, 28EMO, 28ESO1, 28ESO2, 28HO, 28LSIO, 28SMO, 28VPO, 28BMO
- 29, 29EMO, 29ESO1, 29ESO2, 29LSIO, 29VPO
- 30, 30DDO, 30DPO, 30EMO, 30ESO1, 30ESO2, 30HO, 30LSIO, 30SCO, 30SMO, 30VPO
- 31, 31DDO, 31DPO, 31EMO, 31ESO1, 31ESO3, 31LSIO, 31SCO, 31SLO, 31SMO, 31VPO, 31BMO
- 32, 32DDO, 32EMO, 32ESO1, 32SMO, 32VPO, 32BMO
- 33, 33DDO, 33DPO, 33EMO, 33ESO1, 33ESO2, 33HO, 33LSIO, 33PAO, 33SCO, 33SLO, 33SMO, 33VPO



Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

- 34, 34DDO, 34EAO, 34EMO, 34ESO1, 34ESO2, 34ESO3, 34HO, 34LSIO, 34SLO, 34SMO, 34VPO, 34BMO
- 35, 35DDO, 35EMO, 35ESO1, 35ESO2, 35VPO, 35BMO
- 36, 36DDO, 36EMO, 36ESO1, 36LSIO, 36VPO, 36BMO
- 37, 37DDO, 37DPO, 37EMO, 37ESO1, 37HO, 37SLO, 37VPO, 37BMO
- 38, 38DDO, 38EMO, 38BMO, 38PAO
- 39, 39DDO, 39EMO, 39ESO1, 39BMO
- 40, 40DDO, 40EMO, 40ESO1, 40ESO2, 40LSIO, 40SLO, 40BMO
- 41, 41DDO, 41ESO2, 41LSIO, 41SLO, 41BMO
- 42, 42DDO, 42EMO, 42ESO1, 42ESO2, 42ESO3, 42LSIO, 42RO, 42SLO, 42BMO
- 43, 43DDO, 43DPO, 43ESO1, 43LSIO, 43SLO, 43BMO
- 44, 44DDO, 44EMO, 44ESO1, 44BMO
- 45, 45DDO, 45EMO, 45BMO
- 46, 46ESO1, 46HO, 46BMO
- 47, 47BMO
- 48, 48DDO, 48EMO, 48ESO1, 48ESO3, 48LSIO, 48RO, 48SMO, 48VPO, 48BMO
- 49, 49DDO, 49EMO, 49ESO1, 49ESO2, 49ESO3, 49LSIO, 49SMO, 49VPO, 49BMO
- 50, 50DDO, 50EAO, 50EMO, 50ESO1, 50LSIO, 50SLO, 50SMO, 50VPO, 50BMO
- 51, 51DDO, 51EMO, 51ESO1, 51HO, 51LSIO, 51RO, 51SLO, 51VPO, 51BMO
- 52, 52DDO, 52EMO, 52ESO1, 52LSIO, 52SLO, 52VPO, 52BMO
- 53, 53DDO, 53EMO, 53ESO1, 53IPO, 53LSIO, 53RO, 53SLO, 53VPO, 53PAO, 53BMO
- 54, 54DDO, 54DPO, 54EMO, 54ESO1, 54ESO3, 54HO, 54LSIO, 54VPO, 54BMO
- 55, 55DDO, 55DPO, 55DCPO, 55EMO, 55EMO, 55ESO1, 55LSIO, 55PAO, 55VPO, 55BMO
- 56, 56DDO, 56EMO, 56ESO1, 56SLO, 56VPO, 56BMO,
- 57, 57DDO, 57EMO, 57ESO1, 57SLO, 57VPO, 57BMO
- 58, 58LSIO, 58SMO
- 59, 59DDO, 59EMO, 59ESO1, 59BMO

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

20/04/2020
GC112

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Background documents

25/11/2022
6162egipProposed C170egip

Name of background document	Amendment number - clause reference
<i>A Land Capability Study of the Cassilis Valley, Swifts Creek. Technical Report No. 27, Centre for Land Protection Research, D. M. Rees (Department of Conservation and Natural Resources, Victoria, 1995).</i>	Clause 44.01s
<i>Draft East Gippsland Native Vegetation Plan (Government of Victoria and East Gippsland Catchment Management Authority, 2000)</i>	Clause 42.02s8
<i>East Gippsland Rural Land Use Strategy (RMCG, July 2023)</i>	Clause 11.01-1L-03 Clause 14.01-1L-01/02/03 Clause 14.01-2L Clause 14.01-3L Clause 14.02-1L Clause 17.01-1L Clause 17.04-1L Clause 19.02-2L
<i>East Gippsland Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study (Planisphere, 2006)</i>	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
<i>East Gippsland Sites of Biological Significance, (Department of Natural Resources and Environment, 1997)</i>	Clause 42.01
<i>East Gippsland Soil Erosion Management Plan (Department of Primary Industries, 2009)</i>	Clause 44.01s
<i>Erosion Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1 & 2) (Department of Conservation and Natural Resources, Victoria, 1992)</i>	Clause 44.01s
<i>Gippsland Lakes Coastal Action Plan (Gippsland Coastal Board, 1999)</i>	Clause 42.02s2 Clause 42.02s4 Clause 42.02s5 Clause 42.02s6
<i>Gippsland Lakes Environs Survey. D. F. Howe and T. Poutsma (Department of Conservation, Forests and Lands, unpublished)</i>	Clause 44.01s
<i>Infrastructure Design Manual (2020, Local Government Infrastructure Design Association)</i>	GC112 - Clause 21.11-6
<i>Input to Twin Rivers Land Use Plan – Economic Assessment of Future land Requirements (Essential Economics Pty Ltd, August 2011)</i>	Clause 43.04s9
<i>Lakes Entrance Northern Growth Area Social Impact Assessment (East Gippsland Shire Council, August 2012)</i>	Clause 43.04s8

Page 1 of 2

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Lakes Entrance Urban Design Framework</i> (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s13
<i>Mallacoota Urban Design Framework</i> (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s12
North Arm Action Plan. Friends of North Arm (East Gippsland Shire and Department of Natural Resources and Environment, 1996)	Clause 42.02s7
<i>Northern Growth Area Lakes Entrance Development Concept Plan Hydrology, Water Technology</i> (Water Technology Pty Ltd, October 2013)	Clause 43.04s8
<i>Paynesville Urban Design Framework</i> (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s14
<i>Raymond Island Strategy</i> (Shire of Bairnsdale, 1992)	Clause 42.02s2
<i>Revegetation Planting Standards</i>	Clause 43.04s4 Clause 43.04s7
<i>Roadside Management Plan</i> (East Gippsland Shire Council, 1995)	Clause 42.02s1
<i>Salinity Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1 & 2)</i> (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.02s
<i>The Siting and Design Guidelines for Structures on the Victorian Coast</i> (Victorian Coastal Council, 1998)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
<i>State Overview Report, Coastal Spaces Landscape Assessment Study</i> (Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
Twin Rivers Land Use Plan – Final Report (<i>Meinhardt Infrastructure & Environment Pty Ltd, May 2012</i>)	Clause 43.04s9
Twin Rivers Land Use Plan, Nicholson – Options for future Township Zone growth Desktop Analysis – 2012, Meinhardt	Clause 43.04s9
<i>Victoria's Native Vegetation Management – A Framework for Action</i>	Clause 43.04s3 Clause 43.04s4 Clause 43.04s7
<i>Urban Design Frameworks for Bemm River, Eagle Point, Gipsy Point, Lake Tyers Beach, Marlo, Metung, Newlands Arm, Nungurner, Raymond Island and Tambo Bluff</i> (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s11
Urban Waterway Guidelines (<i>East Gippsland Shire Council, March 2013</i>)	Clause 43.04s9

Attachment 5.1.5.3

EAST GIPPSLAND PLANNING SCHEME

25/11/2022
C162egip

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0

Further strategic work

25/11/2022
C162egip

Proposed C170egip

Review of the Coastal Settlements Design and Development Overlays.

Prepare a planning scheme amendment to update municipal planning statement, including a municipal overview and integration of the Council Plan 2021-2025.

Review Heritage Gap Study, prepare local planning policy and update schedule to the Heritage Overlay.

Undertake a five year review of the existing and emerging extent of Farmland of Strategic Significance and update mapping and schedules, as required.

~~Prepare and implement into the planning scheme~~ Develop guidelines for the assessment of subdivision and dwelling development in the Farming Zone and Rural Activity Zone in accordance with the Rural Land Use Strategy (2023).

Undertake a review of the land demand and supply for rural living.

Prepare and implement into the planning scheme the Settlement and Housing Strategy.

Prepare a land supply and demand analysis for residential land at a municipal wide level.

Review Coastal Inundation and Erosion Policy as part of the Update to the flooding mapping, policy and schedules.

Prepare a Planning Scheme Amendment to implement planning controls to protect landfill and water infrastructure.

Prepare Planning Scheme Amendment to implement the Paynesville Growth Area Structure Plan (PGASP).

Prepare Planning Scheme Amendment to implement the Eagle Point Structure Plan.

Review and update Bairnsdale Growth Strategy.

Prepare a land demand and supply analysis for industrial land at a municipal wide level.

Prepare a Structure Plan for Lindenow.

Review and update the Erosion Management Overlay mapping, schedules and local policy.

Review and update the Flooding mapping, schedules and planning policy.

Consider planning policy implications of climate change, sea level rise and coastal inundation as part of the update of the planning scheme flooding controls.

Review and update the Bushfire Management mapping, schedules, planning policy and develop schedules for strategically identified townships.

Prepare an Industrial land demand and supply analysis.

Review and update the mapping and schedule to the Environmental Significance Overlay.

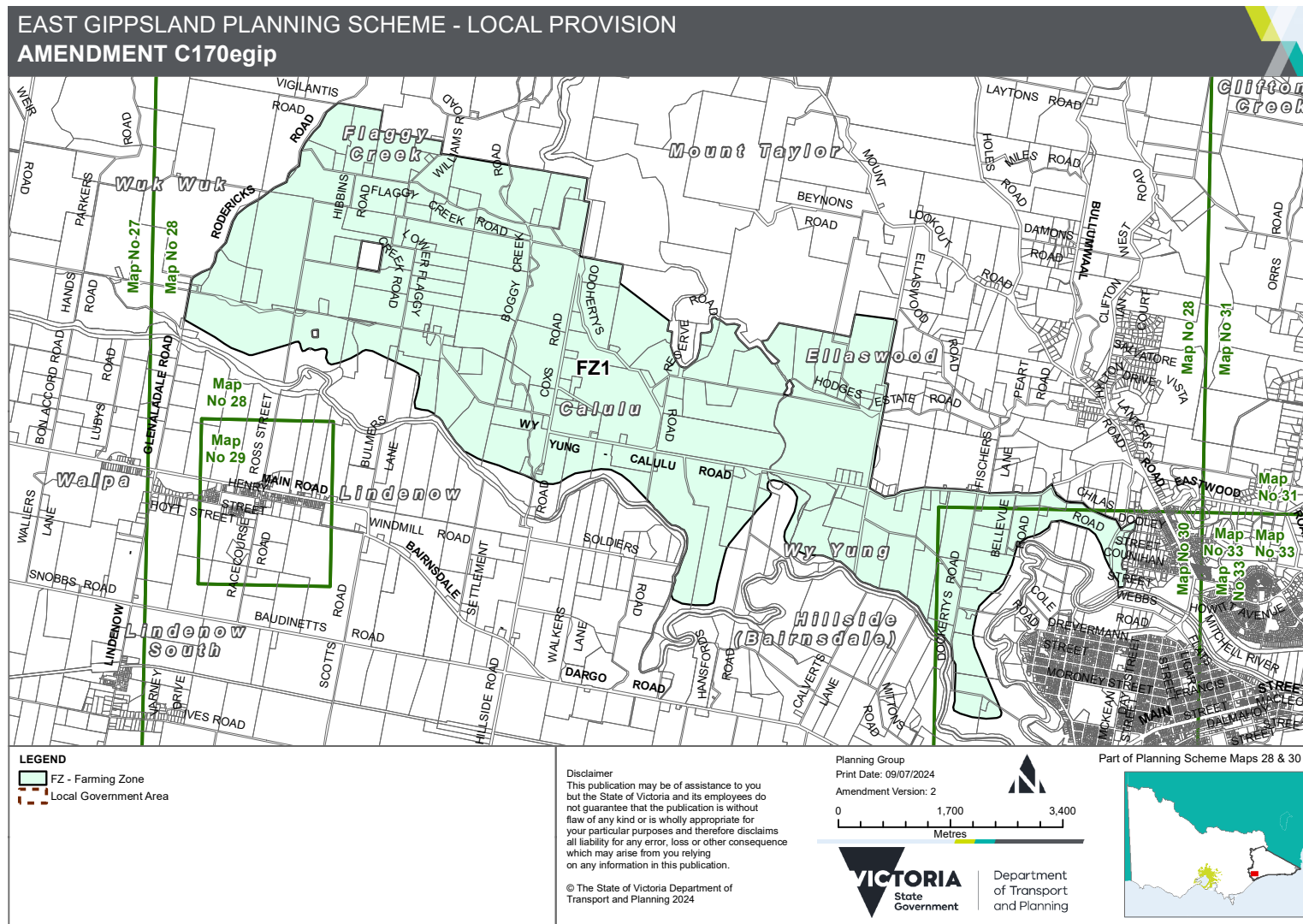
Review and update the development contributions plans for Lakes Entrance Northern Growth Area.

Prepare a Planning Scheme Amendment to update planning policy, zoning review and residential land supply for Omeo.

Prepare an Open Space Strategy.

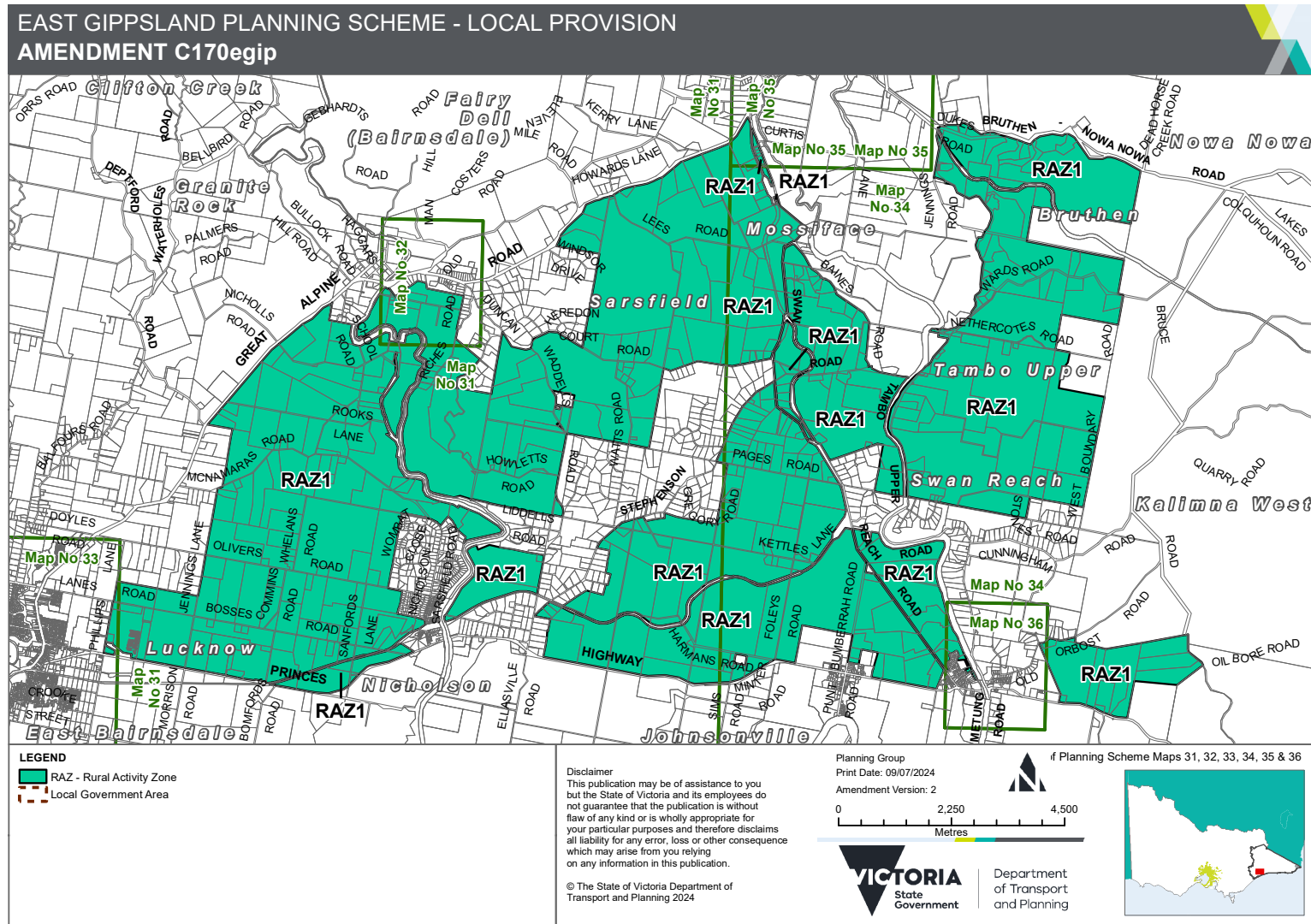
Work with the landowner to prepare a Structure Plan for Lake Tyers Beach.

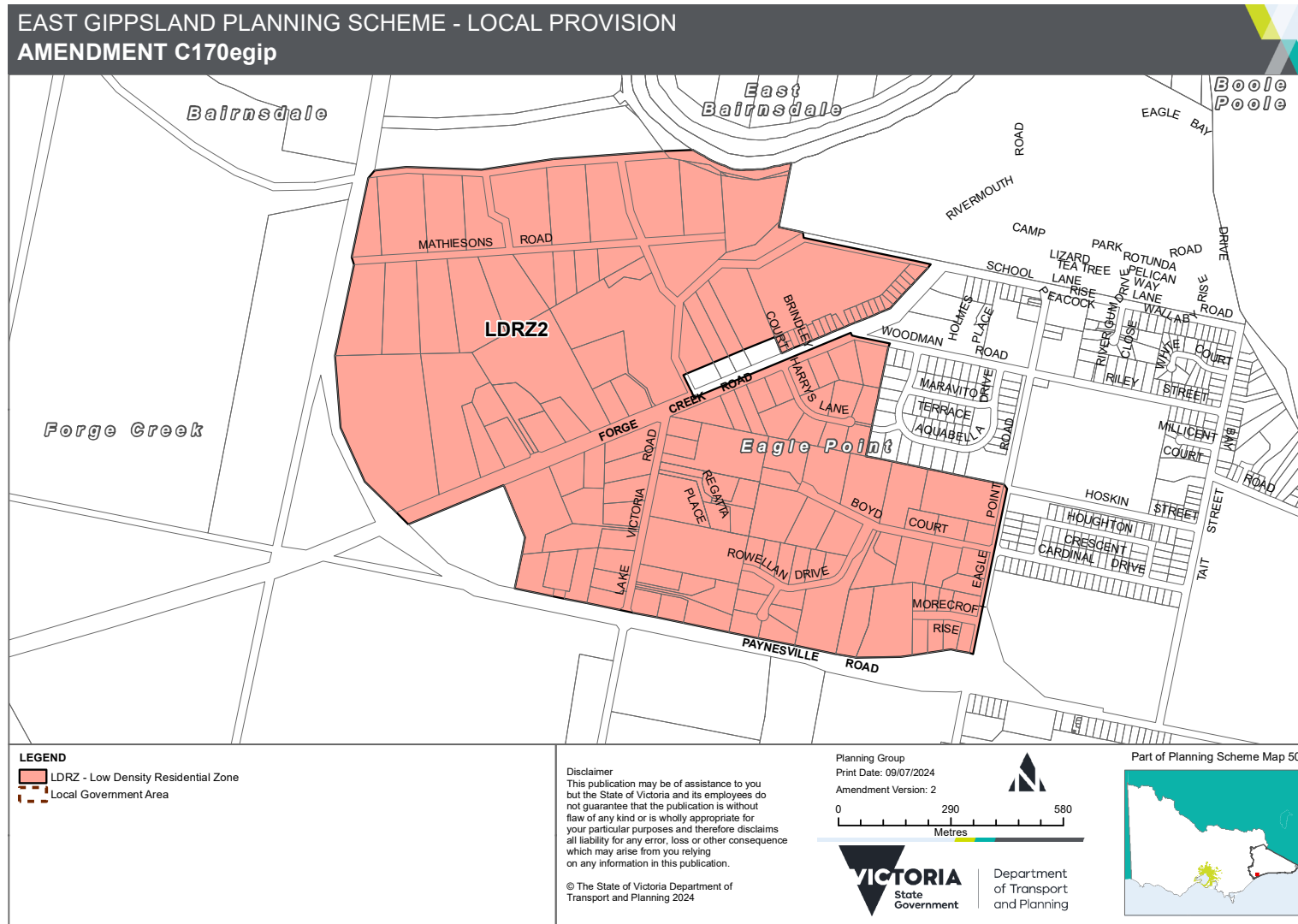
Review Master Plans contained in the Urban Design Frameworks on a township and needs basis as part of the review and preparation of structure plans.

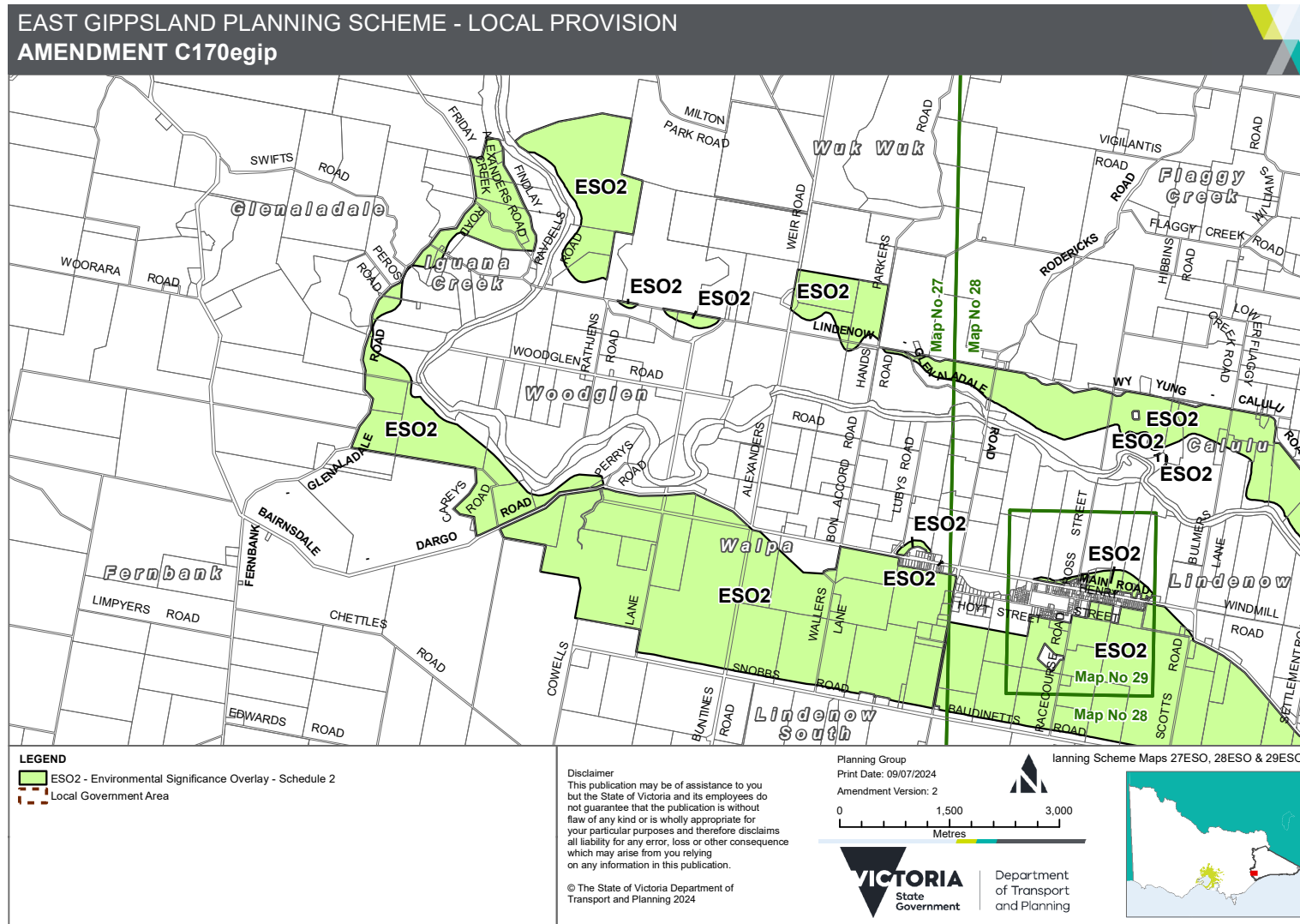


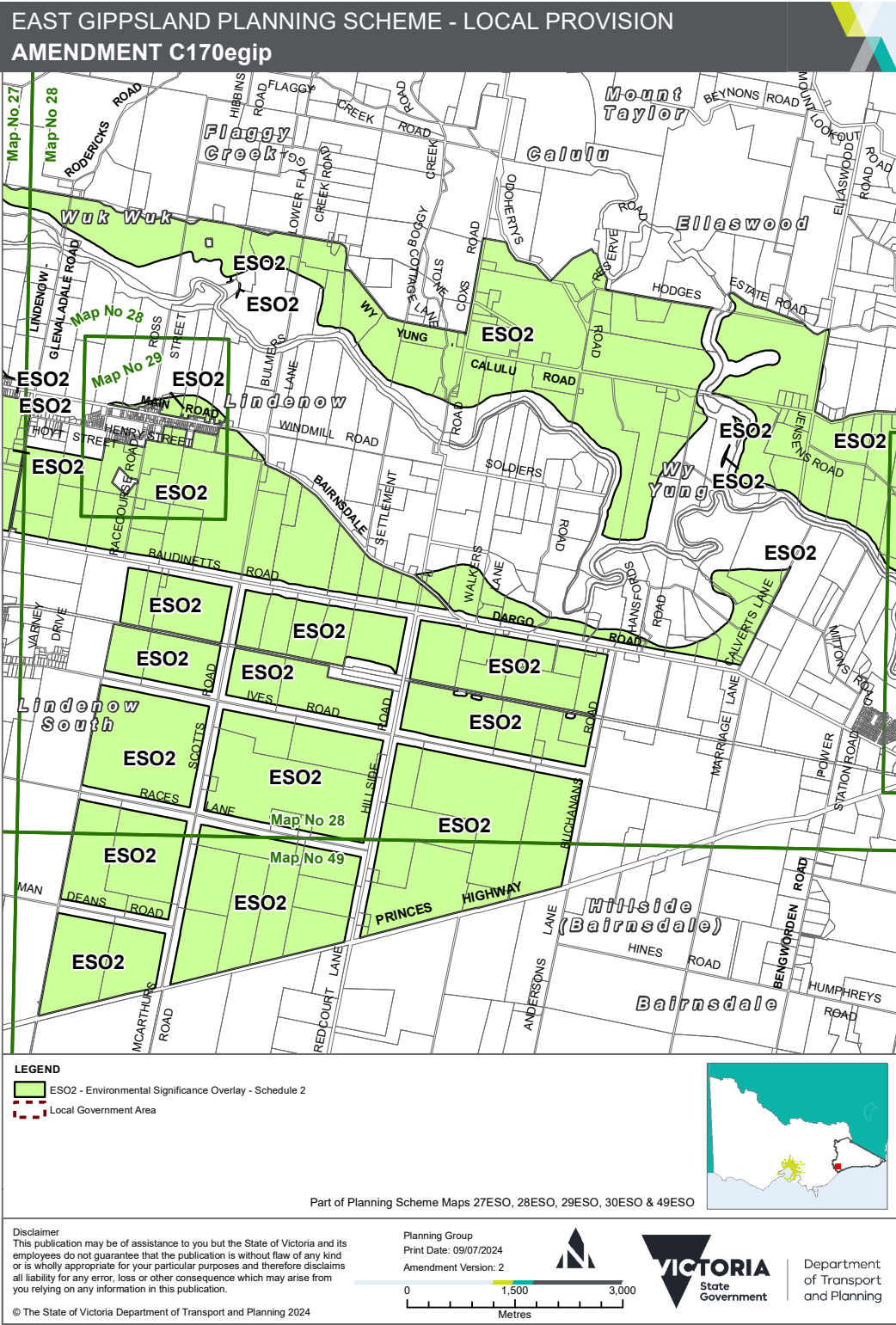
East Gippsland Shire Council - Agenda
Council Meeting - Tuesday 16 July 2024

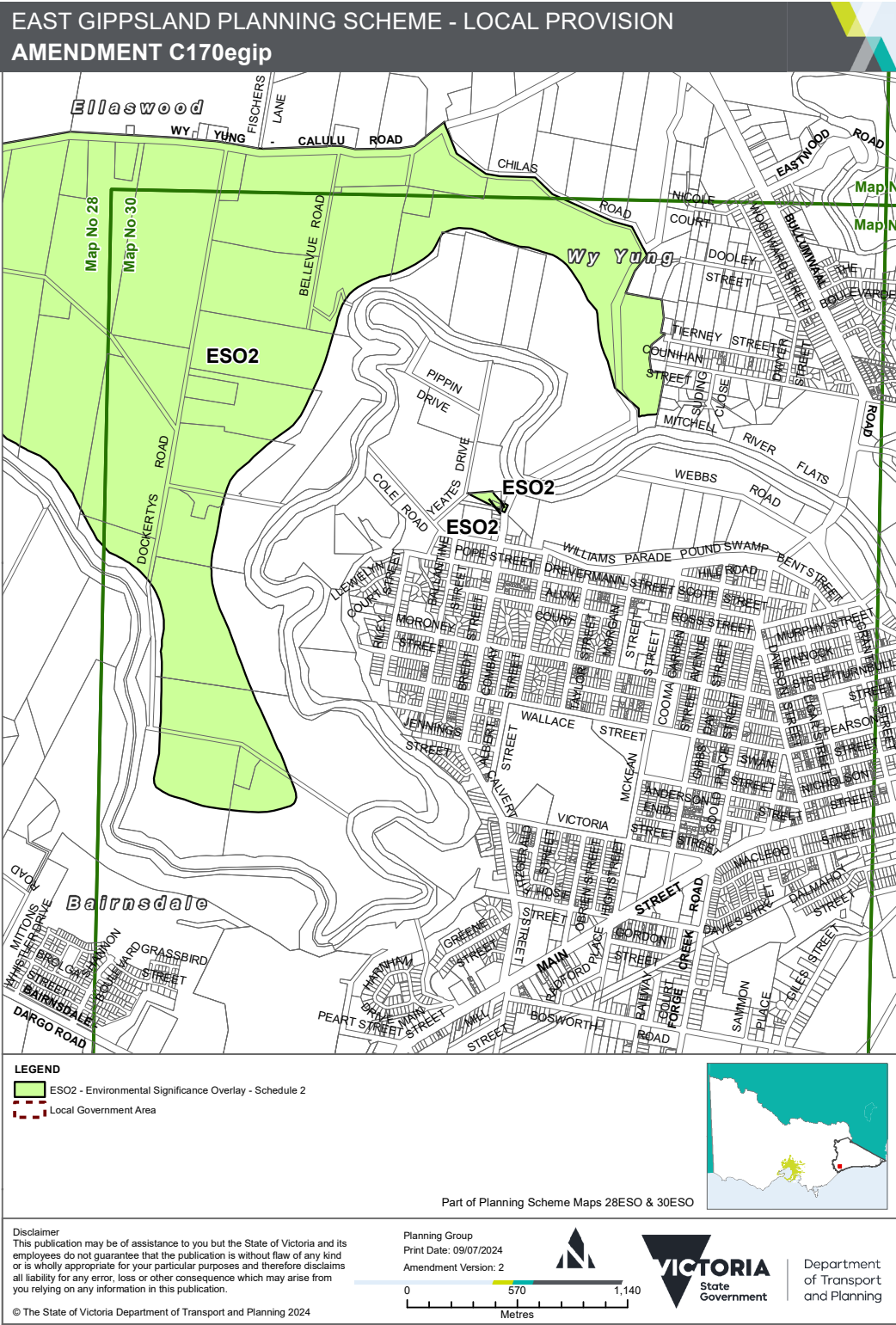
126 of 233

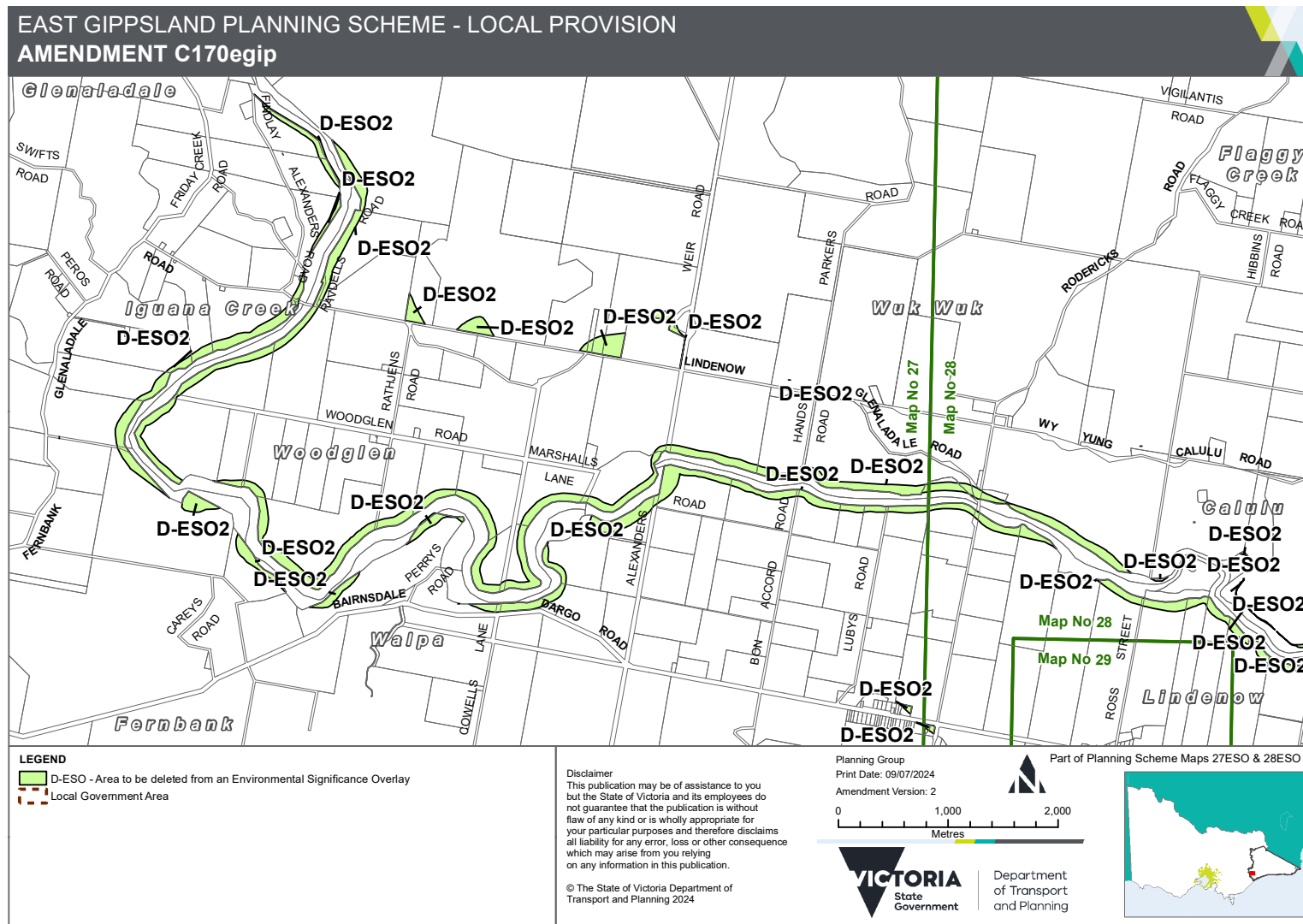


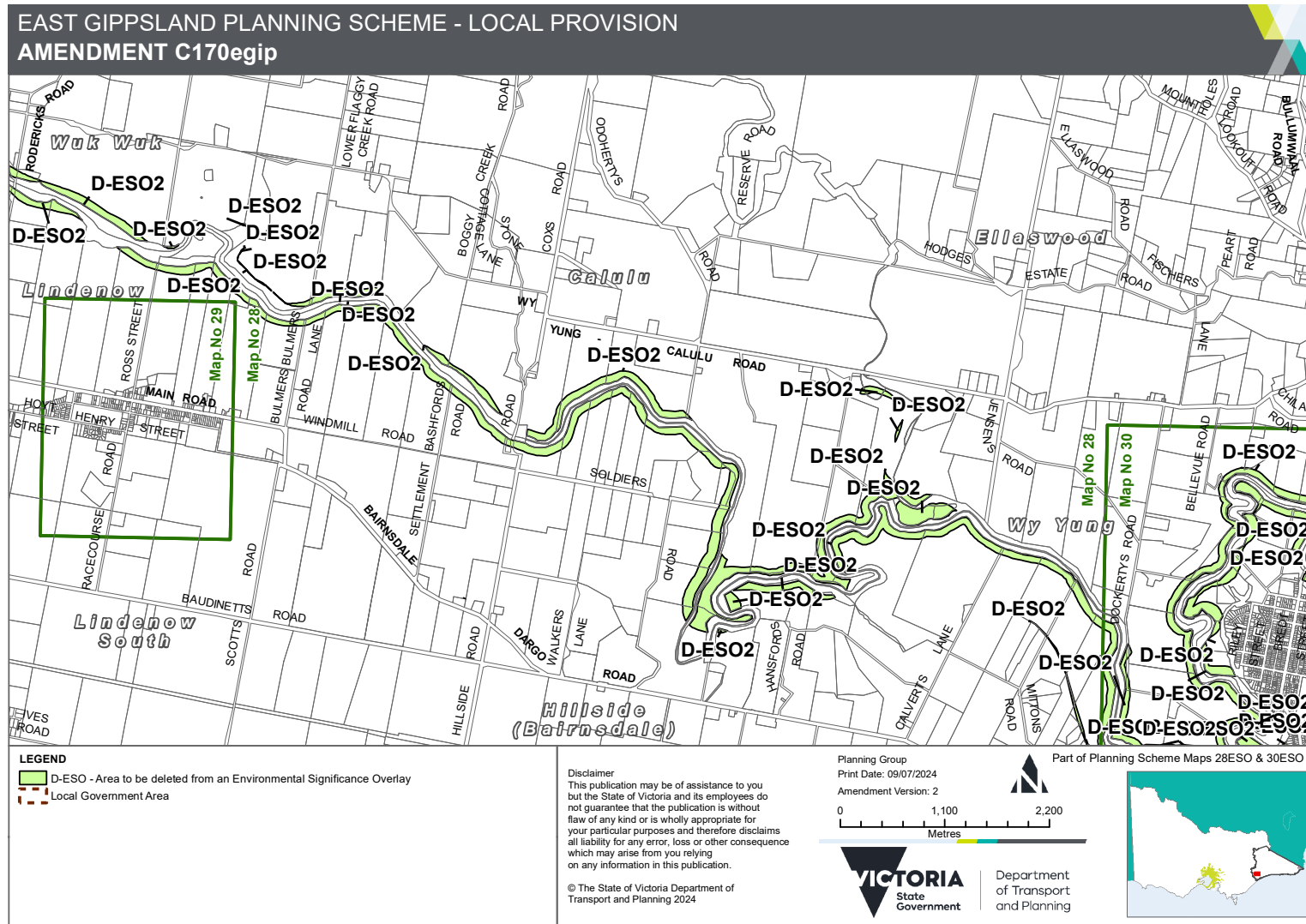






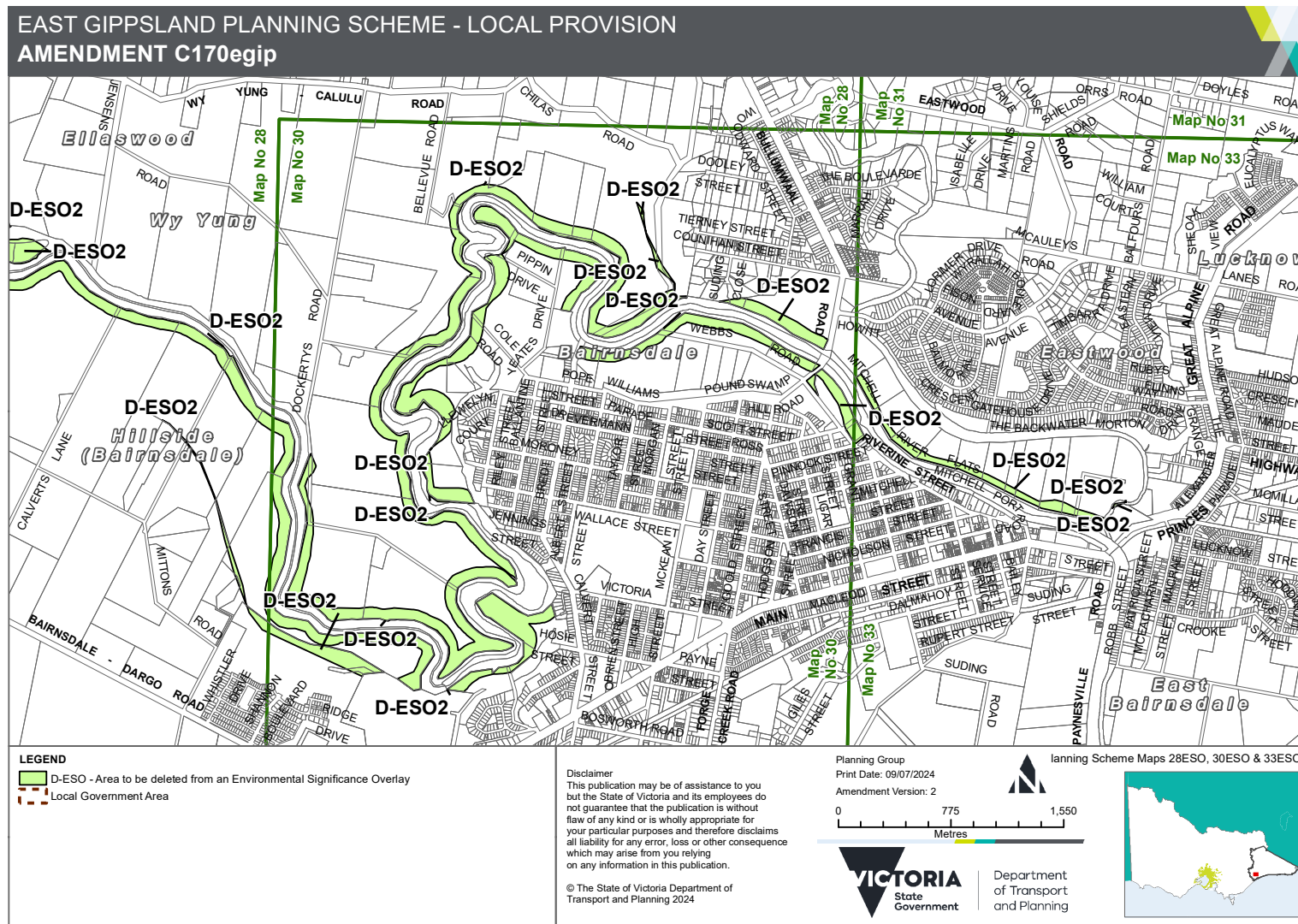


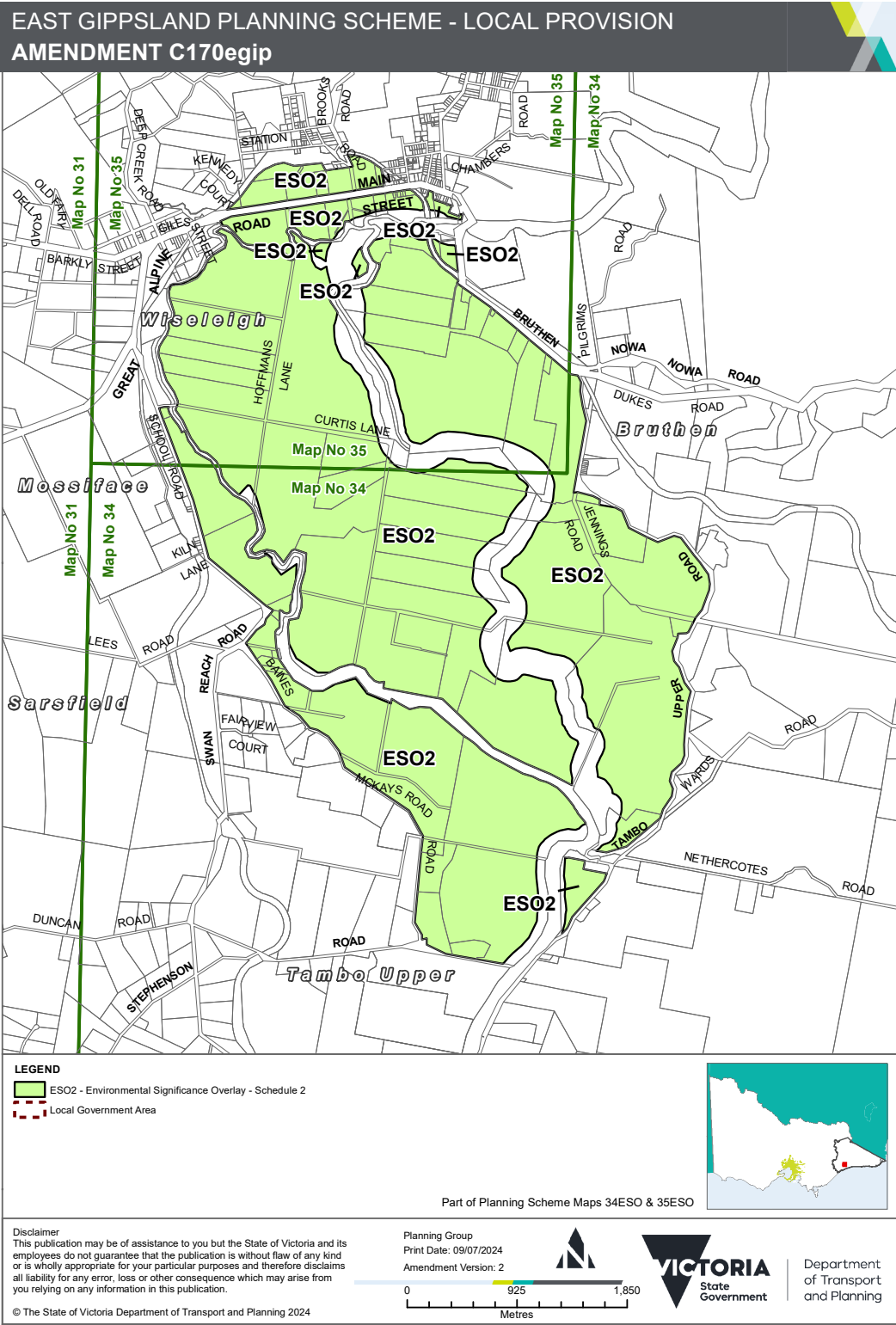


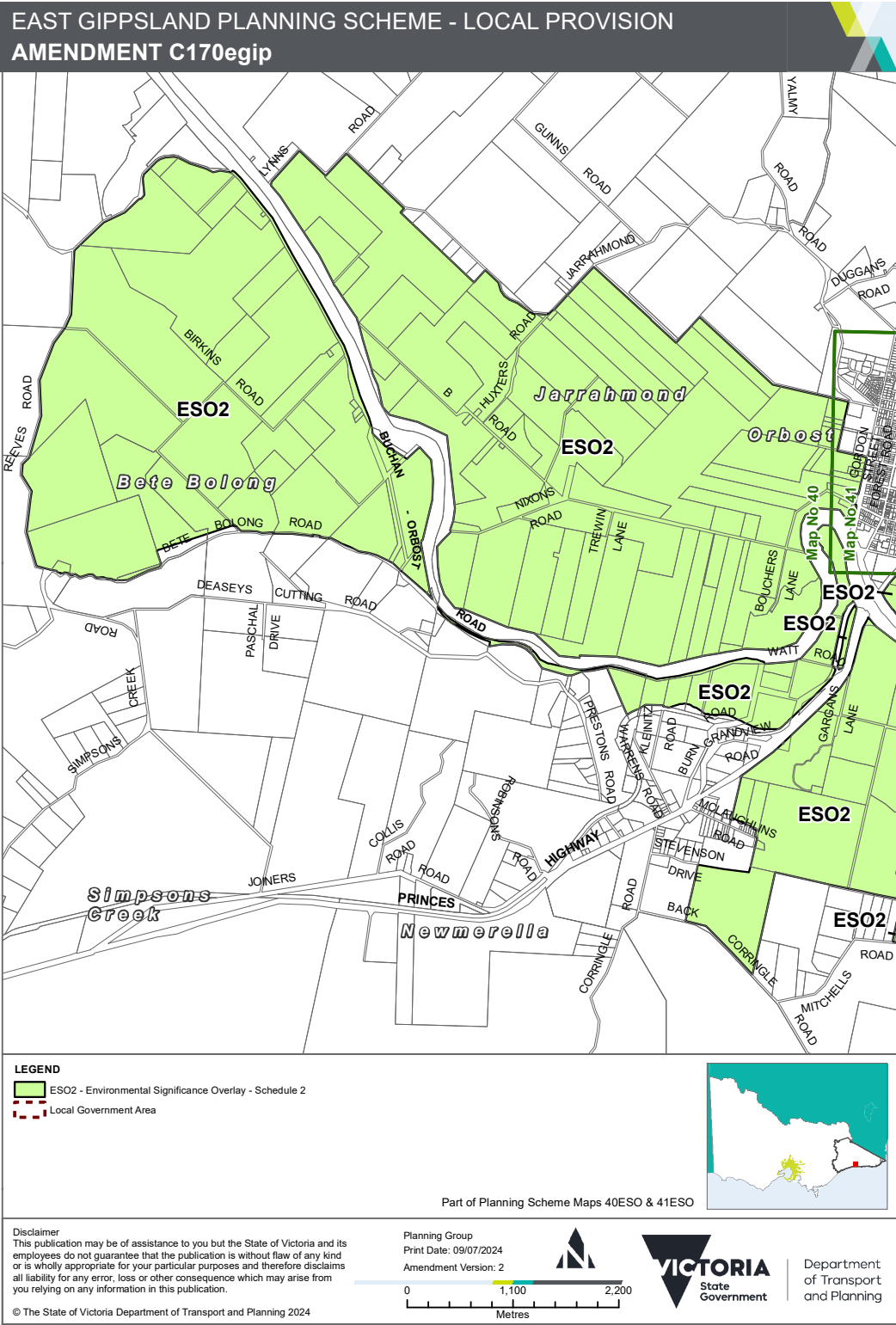


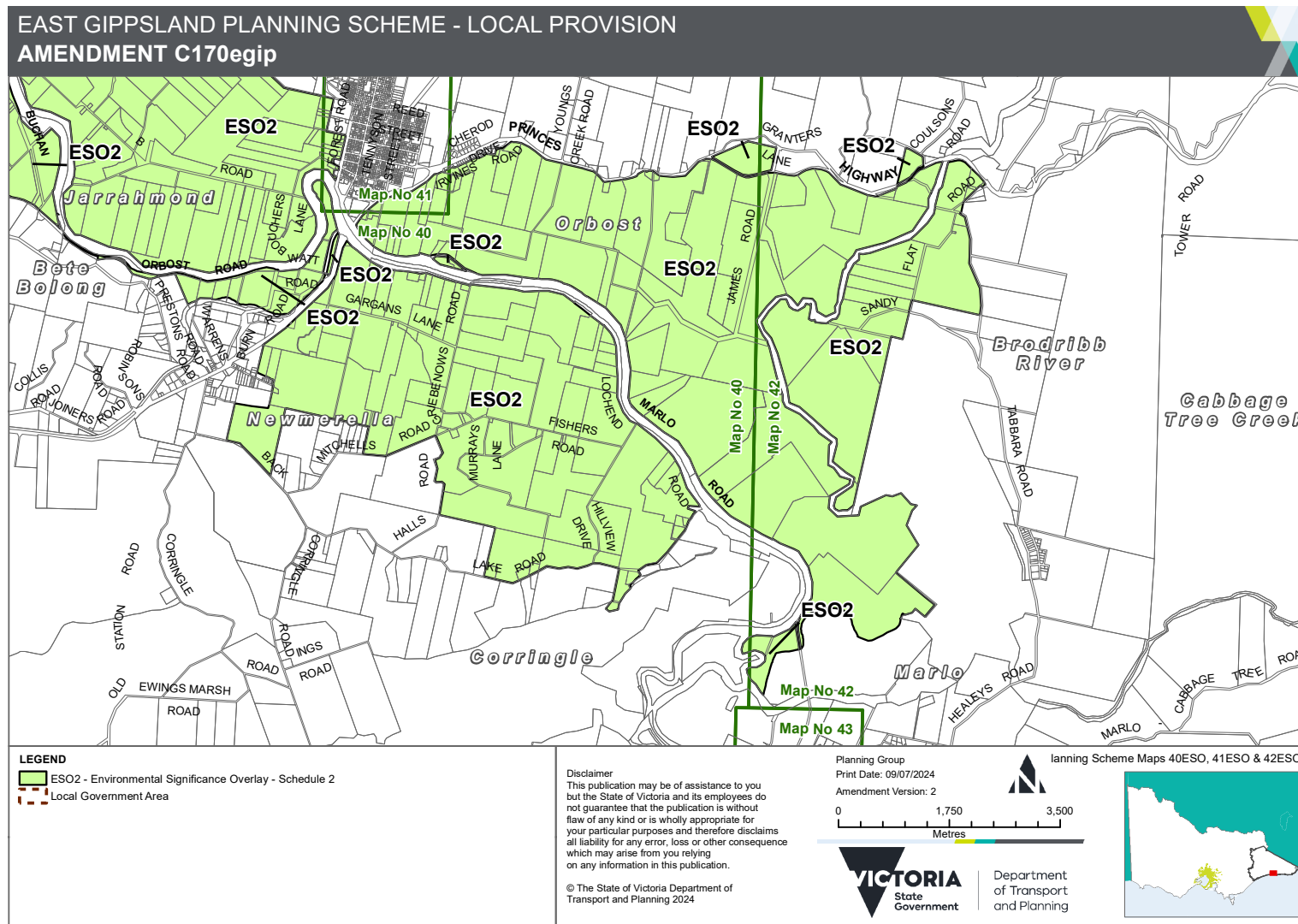
East Gippsland Shire Council - Agenda
Council Meeting - Tuesday 16 July 2024

133 of 233









EAST GIPPSLAND PLANNING SCHEME

02.03

25/11/2022
C162egip

02.03-1

25/11/2022
C162egip

STRATEGIC DIRECTIONS

Settlement and housing

Growth area towns

Bairnsdale is the gateway to East Gippsland and is the largest town in the Shire providing major commercial, retail, educational and public-sector services. **Paynesville**, located approximately 16 kilometres south of Bairnsdale, has grown rapidly in recent times, as a 'dormitory' town and a retirement area. It is a service centre supporting the local community as well as the neighbouring settlements of Eagle Point and Raymond Island. **Lakes Entrance** is a major tourist and retirement destination, which has a strong commercial fishing industry and significant land for future development.

Council's strategic directions for the growth area towns are:

- Encouraging population growth and development on fully serviced residential land in the growth area towns.
- Encouraging a range of housing types and styles including higher density dwellings in town centres.
- Encouraging development of East Gippsland as a retirement destination.
- Reinforcing **Bairnsdale** as the main commercial, retail and service centre for East Gippsland.
- Expanding **Paynesville** as a residential and business centre focused around boating, tourism and healthy living, with access to walking and riding trails, passive and active recreation.
- Enhancing **Lakes Entrance's** role as the largest coastal town in the Gippsland area, with a focus on tourism, commercial fishing and recreational boating activities.

Coastal settlements

The *Coastal Towns Design Framework (2007)* provided a strategic approach to managing development in 13 coastal settlements based on the protection of high value environmental resources within or adjoining settlements, the nature and protection of local character and the capacity of infrastructure.

Lake Tyers Beach is an attractive coastal community with high environmental values providing for permanent residents and holiday makers.

Eagle Point is a small consolidated town distinct from Paynesville, with a permanent resident settlement and a holiday recreation destination.

Mallacoota, in the far east of the Shire, is a very popular holiday location and a retirement area, a base for eco-tourism and the centre of the abalone industry in eastern Victoria.

Marlo is a seaside holiday town looking out towards the river and ocean.

The coastal resort town of **Nungurner** is a small residential lakeside hamlet closely related to, but distinctly separate from Metung.

Metung is a key destination for visitors to the Gippsland Lakes system and a significant boating hub with a strong residential community.

Tambo Bluff is a low density residential area.

Raymond Island is a unique village and rural residential locality set within the heart of the Gippsland Lakes.

Newlands Arm is a small consolidated town distinct from, and dependant on Paynesville for most local services and, serving as both a permanent resident settlement and a holiday recreation destination.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Gipsy Point is a small bushland retreat with a residential community and some visitor accommodation.

Bemm River is a remote fishing hamlet, bordered by public parks and with access to Sydenham Inlet.

Council's strategic directions for Coastal settlements are:

- Providing significant expansion of existing areas in Paynesville, Lake Tyers Beach and Eagle Point.
- Providing minor expansion of existing areas in Lakes Entrance, Mallacoota, Marlo and Nungurner.
- Expanding settlement within existing areas of Metung, Tambo Bluff, Raymond Island, Newlands Arm, Gipsy Point and Bemm River.

Rural settlements

East Bairnsdale - Lucknow is a residential community, a significant employment and industry area and a complementary activity area to Bairnsdale's central business district.

Orbost is a large rural service centre, with a population of 2,150 located on the Snowy River.

Omeo is service town in the Highland sub-region, with a population of about 250 providing retail, administration, tourist services for a large rural area.

Lindenow is a rural township located west of Bairnsdale, with a population of around 300 and a district population of about 3000.

Bruthen is ideally located for rural-residential living, being 25 kilometres north-east of Bairnsdale and 30 kilometres north west of Lakes Entrance.

Mossiface and **Sarsfield** are small settlements near Bruthen, which contain a range of facilities, including the historic Mossiface Hop kilns.

Buchan is a small town located approximately 30 kilometres north of Nowa Nowa with an economy that depends on timber mills, the tourist industry, limestone quarrying and pastoral activities.

The Twin Rivers region is located to the east of Bairnsdale and includes the three small towns of **Nicholson**, **Johnsonville** and **Swan Reach**. The smaller settlements of **Bumberrah** and **Tambo Upper** also sit within the Twin Rivers region.

Ocean Grange is a small settlement on the Barrier south of Paynesville. There are also several other small clusters of dwellings along the Barrier between Ocean Grange and the Entrance.

Tambo Bay is a small residential community situated at the mouth of the Tambo River with full reticulated services.

Mosquito Point is a small holiday settlement on the Boole Poole Peninsula on the eastern and southern shores of Bancroft Bay.

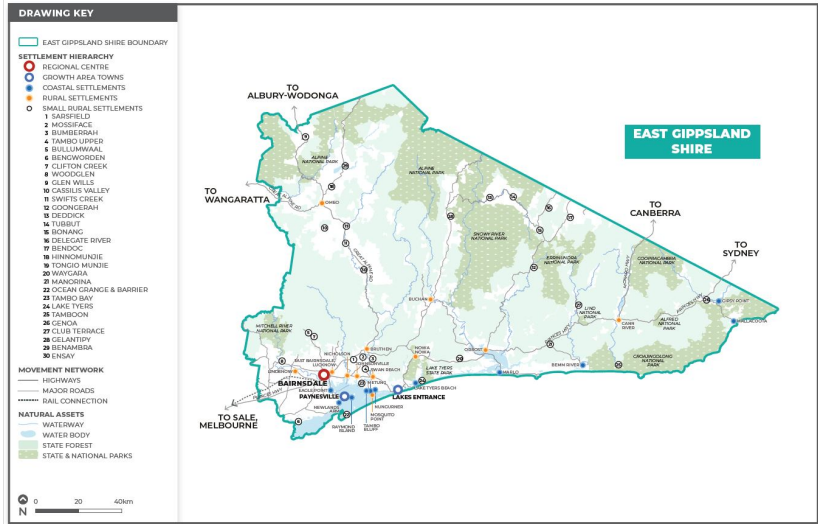
Lake Tyers Aboriginal Trust occupies a peninsula in Lake Tyers and is managed on a co-operative basis by the Aboriginal community.

Council's strategic directions for rural settlements are:

- Consolidating development within existing town boundaries, using infill development, before further expansion of the towns.
- Providing for further subdivision where the land has capacity to absorb wastes, native vegetation is protected, and minimal impact is made on adjoining public land.
- Preserving the separation between Nicholson, Johnsonville and Swan Reach.

East Gippsland Settlement Hierarchy Plan

EAST GIPPSLAND PLANNING SCHEME



02.03-2
25/11/2022
C162egip

Environmental and landscape values

East Gippsland is a reservoir of biodiversity in south eastern Australia, due to the relatively unspoilt nature of its native vegetation. It is the only place in temperate mainland Australia where large tracts of native vegetation are intact from the Alps to the ocean. Council has an important custodial role in relation to East Gippsland’s unique biodiversity and large tracts of intact native vegetation.

Large areas of East Gippsland, including Gippsland Lakes and surrounds, are classified by the National Trust as landscapes of special regional significance. Bruthen and its surrounds are of high cultural landscape significance and the area is currently being assessed by the National Trust of Australia (Victoria).

The Colquhoun area is significant because of the remnant vegetation types existing throughout, particularly along the lower slopes and valley bottoms where extensive lines of Warm Temperate Rainforest remain. The remnant vegetation provides important refuge and habitat areas for fauna and provides good corridor habitat for wildlife. The remnant vegetation also plays a key role in minimising erosion.

Council’s strategic directions for environmental and landscape values are:

- Restoring and maintaining the biodiversity of our rivers, waterways, lakes and wetlands.
- Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River; the Tambo River; Princes Highway; ridgelines and roadside vegetation.
- Balancing residential, business and tourist development with wildlife corridors and areas of rural or natural landscape.
- Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.

02.03-3
25/11/2022
C162egip

Environmental risks and amenity

Council plays an important role in managing and mitigating the environmental risks associated with flood plains, erosion, bushfire and salinity. The extent of forested areas and the species composition of forests leads to particularly high risks of bushfire, relative to many other areas of Victoria.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

The impacts of climate-induced sea level rise, combined with more severe storm surges is likely to be significant for coastal communities.

Councils strategic directions for environmental risk are:

- Prioritising the planning and management responses and adaptation strategies to vulnerable areas, such as protect, redesign, rebuild, elevate, relocate and retreat.
- Assessing the impacts of climate-induced sea level rise, combined with more severe storm surges.
- Minimising land degradation and tree decline in some rural areas.
- Using geotechnical risk assessments in evaluating proposals for use and development in erosion risk areas.

02.03-4

Proposed C170egip

Natural resource management**Agriculture**

East Gippsland's economy is underpinned by highly productive agricultural land, including the rich floodplains of the Lindenow Valley, Snowy River and Tambo River valleys.

A range of factors are affecting agricultural areas, including:

- Pressure from rural residential development.
- The increasing scale, intensification, and mechanisation of agriculture.
- The emergence of new rural industries such as renewable energy generation.
- The impact of climate change.

Considerable opportunities exist to diversify the rural economy and support value adding opportunities for primary production such as food and fibre processing and manufacturing. Agricultural areas must be carefully managed to ensure these opportunities are realised.

Council seeks to carefully manage rural areas to deliver sustainable opportunities for agriculture, rural communities, agricultural operations and rural industries by:

- Protecting and enhancing productive farmland and farmland of strategic significance to support food and fibre production.
- Facilitating innovation and growth of the agricultural sector to leverage competitive advantages and strengthen the economy.
- Encouraging rural and nature based tourism to augment and diversify the Shire's agricultural and environmental values.
- Protecting and enhancing environmental values including biodiversity, landscapes and water quality.
- Challenging the legacy of dwelling development and fragmentation of land in productive farming areas.
- Supporting population retention for a sustainable and prosperous future in rural communities.

Forestry and timber production

The native timber industry is an integral part of the history and identity of many East Gippsland communities.

Council seeks to manage forestry and timber production by:

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

- Encouraging the protection of biodiversity and the use of forests by a range of users including timber harvesting, tourism and recreation.
- Supporting high quality, low-volume silviculture timber harvesting to maintain forest health and reduce vulnerability to bushfire.

Water

The Shire contains a number of Proclaimed Water Supply Catchments with significant value as a source of water supply for agriculture and domestic use. These water assets make an important contribution to the economy, biodiversity, liveability and tourism.

Earth and energy resources

Mining and renewable energy activities provide opportunities for employment and diversification of the economy. Extractive industries are also important sources of affordable construction and road base material.

The economic and social benefits arising from new rural industries such as mining and renewable energy generation need to be balanced with the protection of productive agricultural land, landscape and environmental values and amenity of rural areas.

Council seeks to manage earth and energy resources by:

- Encouraging rural industries that leverage strengths in mining and renewable energy generation in appropriate areas.
- Supporting the exploration of long-term renewable energy solutions in appropriate areas.

02.03-5

25/11/2022
C162egip

Built environment and heritage

East Gippsland is renowned for its natural beauty that will be linked to the built environment. There are a number of buildings and places of potential heritage significance throughout the municipality.

Council's strategic directions for built environment and heritage are:

- Protecting natural and cultural heritage.
- Maintaining the human scale, village feel and character of Paynesville, particularly in the town centre.
- Upgrading the townscapes of Lakes Entrance and Paynesville.

02.03-6

Proposed C170egip

Economic development

Bairnsdale is the main commercial, retail and public-sector administration centre for East Gippsland. The core retail centre from Wood Street to Pyke Street (between Macleod and Riverine Streets) is the major regional commercial centre. The Paynesville Town Centre is the focus of a village like coastal settlement.

Traditional major industries within the region include agriculture, forestry, tourism, hospitality, fishing, timber, education and health care services. Emerging industries are food manufacturing and processing based on dairy, vegetables and meat production. The region is also recognised as having significant mining potential.

Council's strategic directions for economic development are:

- Enhancing Bairnsdale's role as the principal commercial and retail centre and as the regional centre for public sector administration.
- Consolidating and expanding diverse retail, commercial and community activities in the Paynesville town centre.
- Supporting timber processing and value adding.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

- Supporting furniture manufacturers locating in East Gippsland.
- Protecting the natural environment while utilising timber resources.

Tourism

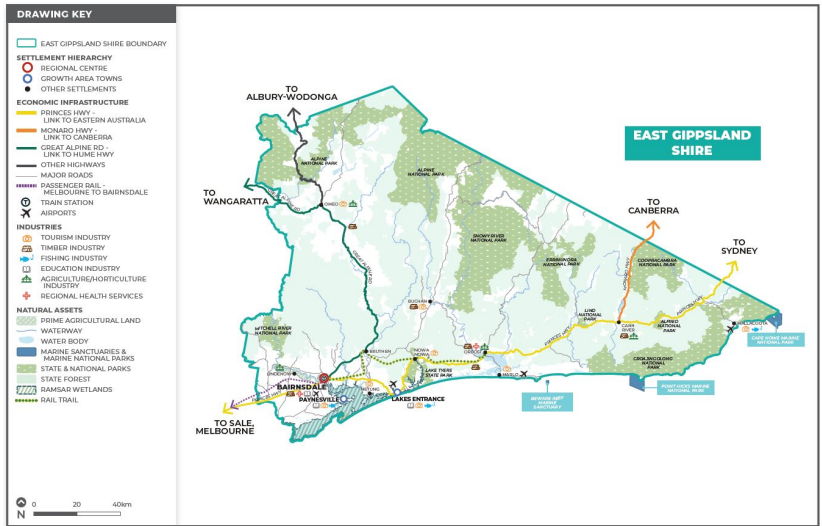
East Gippsland has long been a popular destination for visitors, attracting over one million visitors per year. While the tourism industry is well established, there are significant opportunities for growth.

High quality tourism opportunities are encouraged on public and private land in appropriate locations across East Gippsland to facilitate enhanced visitor experiences.

Council seeks to support tourism by:

- Encouraging agri-tourism land uses that do not impact the operation of agriculture or other rural industries.
- Encouraging tourism development that leverages environmental, landscape and cultural values.
- Supporting increased and diverse accommodation for tourism in appropriate locations.
- Supporting nature-based tourism development that preserves and enhances environmental and landscape values.

East Gippsland Economic Strategy Plan



02.03-7
25/11/2022
C162egip

Transport and infrastructure

Council shares responsibility for the management, maintenance and development of its road system, ports and airport with the Victorian Government.

The construction, maintenance and upgrade of Council infrastructure is necessary for the provision of health, community, environment and general public services. Innovative land-use planning and high quality public infrastructure and open spaces are essential to growing the region as the most liveable in Australia while retaining its enviable lifestyle and unique natural environment.

Council's strategic directions for transport and infrastructure are:

- Encouraging a range of education and health options in the region.

EAST GIPPSLAND PLANNING SCHEME

- Supporting provision of reticulated sewerage in un-serviced towns.
- Providing for an aging population.
- Maintaining and extending community services, cultural and recreation facilities.

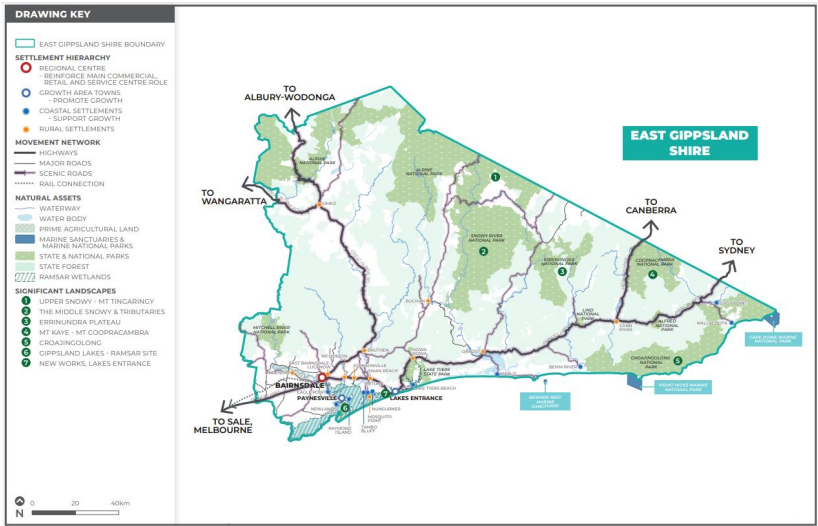
EAST GIPPSLAND PLANNING SCHEME

02.04 STRATEGIC FRAMEWORK PLAN

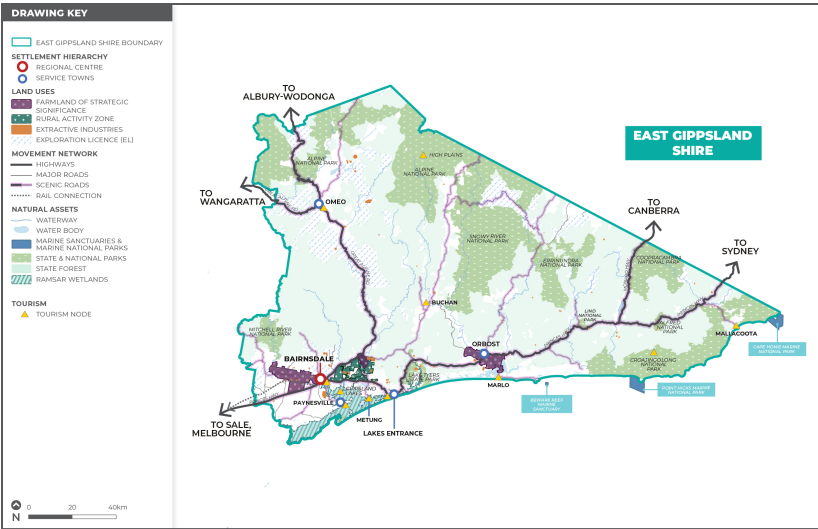
Proposed C170egip

The plan contained in Clause 02.04 is to be read in conjunction with the strategic directions in Clause 02.03.

East Gippsland strategic framework plan



East Gippsland rural framework plan



EAST GIPPSLAND PLANNING SCHEME

11.01
31/07/2018
VC148

VICTORIA

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

11.01-1S

10/06/2022
VC216**Settlement****Objective**

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.
- Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

- Minimising exposure to natural hazards, including increased risks due to climate change.
- Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.

Encourage a form and density of settlements that supports healthy, active and sustainable transport.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

Support metropolitan and regional climate change adaption and mitigation measures.

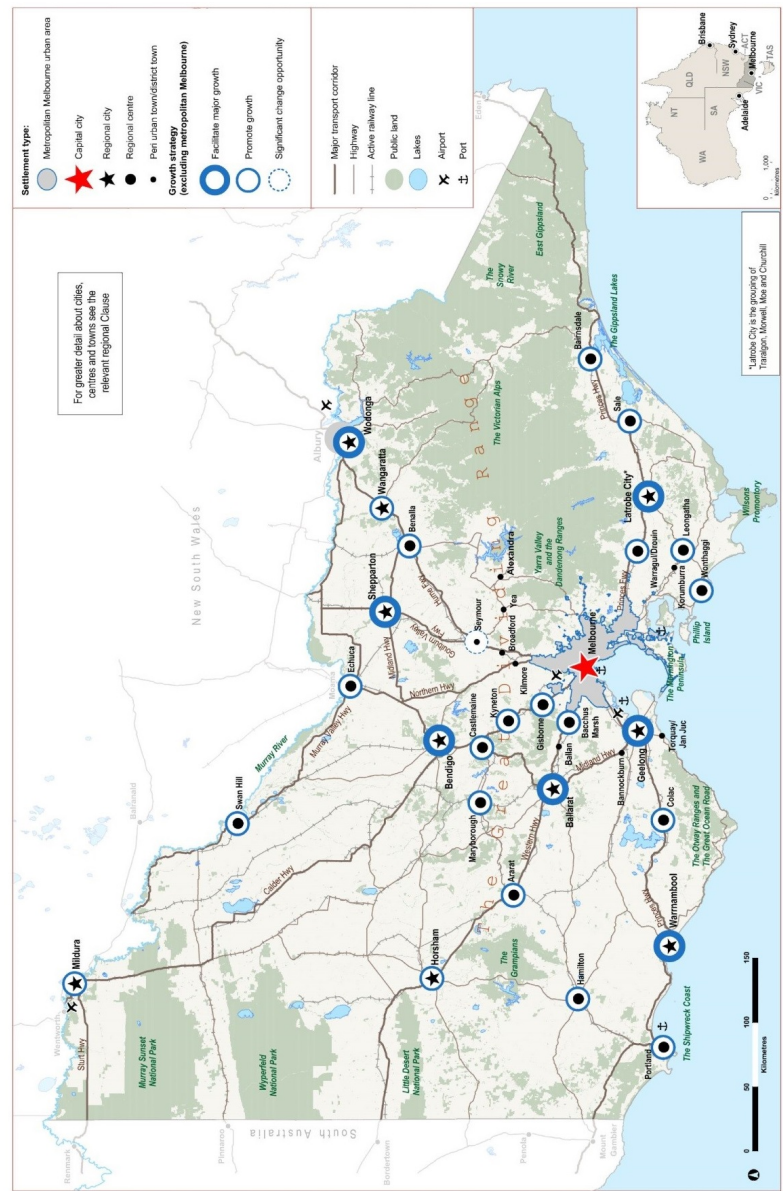
Policy documents

Consider as relevant:

- *Central Highlands Regional Growth Plan* (Victorian Government, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Hume Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014)
- *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014)
- *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014)
- *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* (Department of Environment, Land, Water and Planning, 2017)
- *Plan Melbourne 2017-2050: Addendum 2019* (Department of Environment, Land, Water and Planning, 2019)

EAST GIPPSLAND PLANNING SCHEME

Victoria Settlement Framework



EAST GIPPSLAND PLANNING SCHEME

11.01-1R Settlement - Gippsland
31/07/2018
VC148

Strategies

Support urban growth in Latrobe City as Gippsland’s regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.

Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

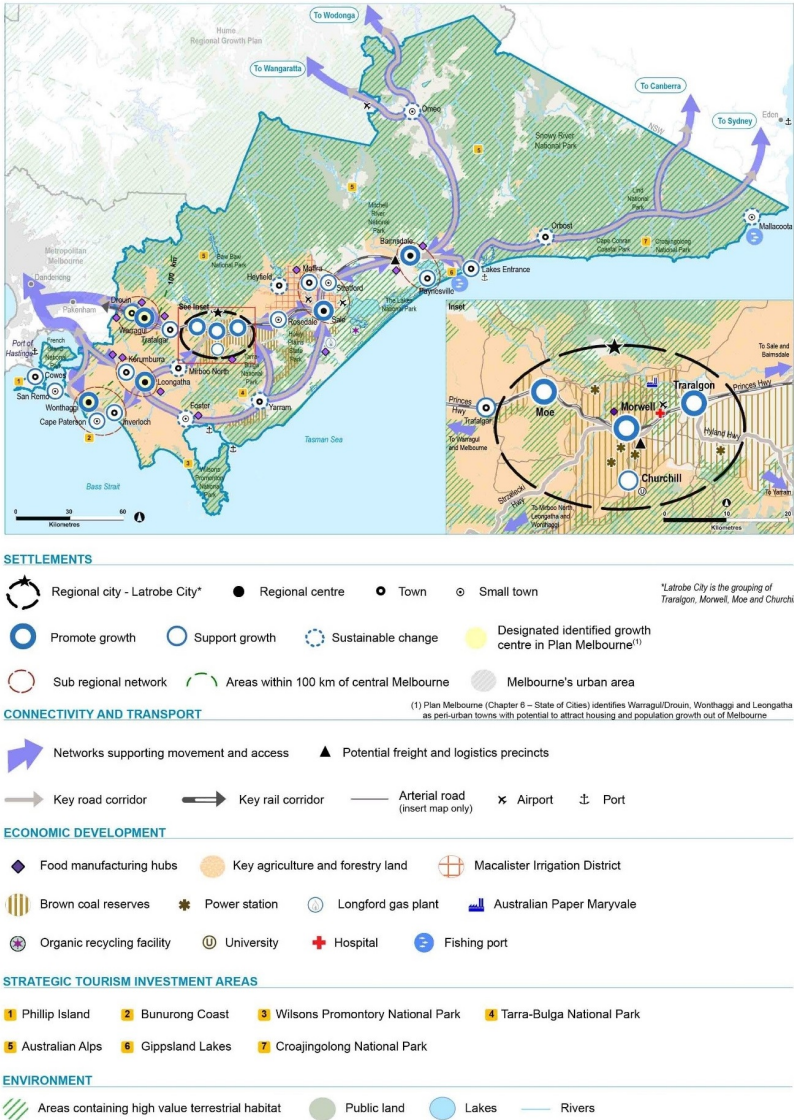
Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Provide regional social infrastructure in the regional city and regional centres.

Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership.

EAST GIPPSLAND PLANNING SCHEME

Gippsland Regional Growth Plan



EAST GIPPSLAND PLANNING SCHEME

11.01-1L-01 East Gippsland settlements

25/11/2022
C162egip

Strategies

Encourage infill or incremental development of existing towns in preference to dispersed development.

Encourage the consolidation of existing township areas through the development and subdivision of existing lots.

Allow limited infill development in townships where lots are capable of retaining wastewater.

Design new subdivision within or adjacent to unsewered towns to have lot sizes appropriate for on-site treatment and disposal of wastewater.

Support residential infill development within existing residential zones.

Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.

Support medium density development for tourist and residential use in residential zones.

Preserve intervening areas of rural or natural landscapes to protect the separation between settlements.

Provide any new lot created in the Township Zone or Low Density Residential Zone with urban infrastructure.

Encourage development of township centres through consolidation of retail and commercial areas.

Encourage retail and commercial uses requiring larger sites to locate adjacent to the central commercial areas, rather than in free-standing sites on the outskirts of towns.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

11.01-1L-02 Growth area towns

25/11/2022
C162egip**Bairnsdale****Policy application**

This policy applies to all land in the Bairnsdale Framework Plan and the East Bairnsdale – Lucknow Precinct Plan to this clause.

Strategies - Bairnsdale

Support infill medium density housing close to Bairnsdale CBD to provide greater housing choices.

Facilitate urban development for Bairnsdale within the existing town boundary.

Encourage residential development in Brookfield Lakes and Shannon Waters Estate.

Encourage infill industrial activity on serviced industrial land.

Encourage industrial expansion around the Bosworth Rd-Holloway-Kyle Street area.

Avoid further linear expansion of commercial development and activities adjacent to the Princes Highway outside the town boundary.

Enhance the Mitchell River corridor, restoration of the Port of Bairnsdale and development of a Botanical Gardens in the area between Clifton Creek backwater and the Mitchell River.

Facilitate development of 26 Phillips Lane, Lucknow in accordance with the *Site Specific Control – 26 Phillips Lane, Lucknow* (May 2012) Incorporated Document.

Facilitate development of 870 Princes Highway, Hillside in accordance with the *Specific Control for Land at 1015 Bairnsdale-Dargo Road, Hillside* (October 2010) Incorporated Document.

Encourage light industry, motels, take-away food premises and service stations in the Mixed-Use Zone north of the Princes Highway.

Encourage transport businesses and light industry in the Mixed-Use Zone south of the Princes Highway.

Encourage medical related uses and offices in the Mixed-Use Zone at Main Street / Gould Street.

Encourage motels, medical centres and small offices in the Mixed-Use Zone at Main Street / Macleod.

Encourage residential development fronting Wood Street and a mix of residential and service industrial type uses fronting Macleod Street in the Mixed-Use Zone at Macleod Street (east of Wood Street).

Protect Macleods Morass from adverse impacts of urban uses and facility operations.

Strategies – East Bairnsdale

Facilitate the East Bairnsdale – Lucknow precinct for urban growth with a mix of activities including residential, local area commercial and industrial.

Provide roads within the precinct for connectivity, efficient access and dispersal of traffic.

Ensure the future Princes Highway diversion is not compromised.

Design road layout, open space and lots in residential subdivisions as a buffer from industrial activity.

Plan for community and recreation infrastructure, including a multipurpose space in East Bairnsdale.

Preserve remnant vegetation and incorporate it into public open spaces.

Design development along Princes Highway at the eastern gateway as an attractive entrance to Bairnsdale.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Design drainage in subdivisions to support water management plans.

Provide urban infrastructure to support new residential and business development.

Support residential development in East Bairnsdale provided that it minimises amenity impacts and protects existing rights of local industry.

Consolidate employment opportunities in planned industrial and commercial land use activities.

Avoid land uses that adversely impact on the industrial activities in the precinct.

Policy guideline – East Bairnsdale

Consider as relevant:

- Whether to specify community and development infrastructure in a Section 173 agreement under the Planning and Environment Act 1987 implementing the *East Bairnsdale - Lucknow Precinct Structure Plan*.

Paynesville**Policy application**

This policy applies to all land in the Paynesville Framework Plan to this clause.

Strategies - Paynesville

Provide a variety of housing types and styles that add to the special character of Paynesville.

Provide linkages between residential, commercial, recreation, town centre activity areas, the foreshore, the waterfront and the hinterland.

Develop tourism opportunities and event spaces that facilitate an all year-round destination.

Encourage the maritime industry (including marinas and workshop facilities) and service industry in the Industrial 3 Zone at Slip Road.

Discourage industry that is not reliant on access to water in the Industrial 3 Zone on Slip Road.

Expand the town westwards generally between Waratah Avenue and Grandview Road.

Contain urban development within the area to the east of Grandview Road.

Promote higher densities in the redevelopment of existing areas.

Provide a distinct separation of Eagle Point and Paynesville incorporating extensive open space areas.

Provide expansive green edges to abut entry roads to maintain the sense of country atmosphere to the arrival experience.

Encourage development of a variety of tourist accommodation options within Paynesville, particularly in the town centre or close to the canals.

Encourage the use of the site adjoining the coast north-west of Paynesville, to be developed for resort development or for urban/residential use.

Plan any resort development as an integrated development that does not include land uses that would be prejudicial to the primacy of the Paynesville activity centre.

Policy guideline - Paynesville

Consider as relevant:

- Encouraging a variety of lot sizes in new subdivisions on greenfield sites, with an average gross lot yield of 8-10 lots per hectare.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Lakes Entrance**Policy application**

This policy applies to all land in the Lakes Entrance Framework Plan to this clause and Rural Living Zones in the Colquhoun area.

Strategies - Lakes Entrance

Restrict development outside the Lakes Entrance settlement boundary.

Protect vegetated areas, particularly in vulnerable undeveloped areas within the town boundary as part of the subdivision process.

Provide additional industrial land in Lakes Entrance as identified on the Lakes Entrance Framework Plan.

Support development of the Colquhoun land north of Lakes Entrance for rural living.

Limit the adverse impacts of subdivision, use and residential development in environmentally sensitive areas in the Colquhoun area.

Improve the town entry by the creation of a new gateway landscape.

Improve linkages between the town centre and Kalimna residential area.

Develop the large rural holding north of Kalimna, adjoining North Arm, either for a resort-style development or an integrated residential development with recreational/tourist components.

Improve pedestrian connections across The Esplanade between the commercial edge and foreshore in particular adjacent to the Tourist Precinct and the Civic/Village Precinct.

Improve pedestrian access in the retail centre, particularly to the rear of The Esplanade in the vicinity of Church Street and along the foreshore.

Protect and maximise foreshore views along The Esplanade through building design.

Focus recreational and tourism uses within the Tourist Precinct and along the foreshore opposite the Tourist Precinct and the Civic/Village Precinct.

Locate recreational and tourist opportunities in the western portion of Bullock Island.

Integrate Bullock Island into the town's recreation/tourism attractions, in particular those located within the Tourist Precinct.

Provide improved linkages between the two nodes of Lakes Entrance and Bullock Island.

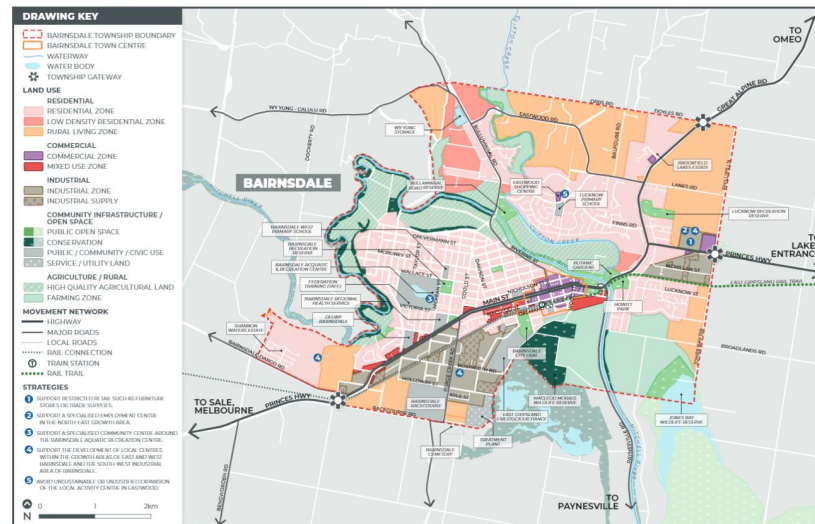
Policy guideline - Lakes Entrance

Consider as relevant:

- Providing urban infrastructure, open space and community facilities in accordance with the *Lakes Entrance Northern Growth Area Development Contributions Plan* (August, 2012) when subdividing any land included in the Outline Development Plan.
- Preserving environmental values through planting revegetation, rehabilitation or fencing on Rural Residential Zoned land in the Colquhoun area.
- The need for an agreement under Section 173 of the Planning and Environment Act 1987 to implement or control future use and maintenance of the rural residential land in the Colquhoun area.

EAST GIPPSLAND PLANNING SCHEME

Bairnsdale Framework Plan



East Bairnsdale – Lucknow Precinct Plan

EAST GIPPSLAND PLANNING SCHEME



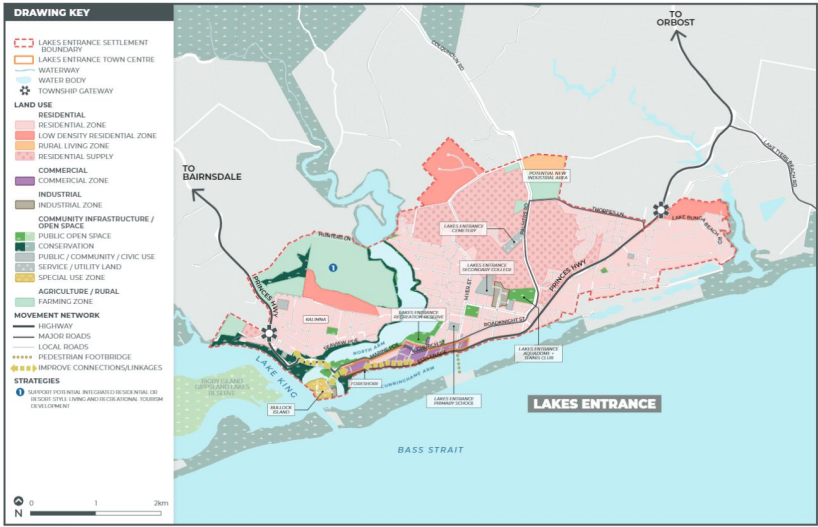
EAST GIPPSLAND PLANNING SCHEME

Paynesville Framework Plan



EAST GIPPSLAND PLANNING SCHEME

Lakes Entrance Framework Plan



Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

11.01-1L-03 Rural settlements

referred to as
Proposed C170egip

Twin River towns**Policy application**

This policy applies to all land in the Nicholson, Johnsonville and Swan Reach framework plans to this clause.

Strategies

Manage township growth to protect and enhance environmental and landscape values.

Preserve the separation between Nicholson, Johnsonville and Swan Reach.

Consolidate the existing undeveloped and underutilised Township Zone.

Encourage development of the undeveloped Low Density and Rural Living Zone land.

Encourage the development of infill commercial and tourism opportunities on sites with frontage to the Princes Highway.

Provide tourist accommodation in the Comprehensive Development Zone to the south east of the Nicholson township.

Direct township growth to the north of the existing Township Zone at 100 Nicholson Sarsfield Road.

Improve pedestrian connectivity between the Township Zone areas on either side of the Rivers.

Improve pedestrian connections adjacent to the Princes Highway including connections between Nicholson and settlement areas east of the Nicholson River, including the Nicholson Primary School, and between Johnsonville and Swan Reach.

Improve pedestrian and cycle connections between Nicholson, Johnsonville and the Rail Trail.

Improve entry treatments adjacent to the Princes Highway.

Improve linkages between the Rail Trail and townships.

Protect corridors of roadside vegetation, streamlines and habitat corridors including on the Princes Highway, Bumberrah Road and the Tambo River.

Protect the Princes Highway corridor and river corridor from inappropriate development.

Protect roadside vegetation, waterways and habitat corridors near the Tambo River, Princes Highway, Mossiface Swan Reach Road, Cunningham Road and Old Orbost Road.

Policy documents

Consider as relevant:

- *Twin Rivers Land Use Plan* (Meinhardt Infrastructure and Environment and Essential Economics, 2012)

Nowa Nowa**Policy application**

This policy applies to all land in the Nowa Nowa township.

Strategies

Support Nowa Nowa's roles as a local retail and highway service centre and significant timber industry location.

Encourage retail and commercial activities on the Princes Highway and the Nowa Nowa-Bruthen Road.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Encourage value-adding in timber industry, on or adjacent to sites occupied by existing timber enterprises.

Encourage tourist facilities, subject to servicing being provided by the developer.

Lindenow**Policy application**

This policy applies to all land in the Lindenow Framework Plan to this clause.

Strategies

Support development in the Lindenow local centre.

Encourage land uses that facilitate vegetable processing and dairy products.

Omeo**Policy application**

This policy applies to all land in the Omeo Framework Plan to this clause.

Strategies

Support Omeo as a district centre for the north west and a centre for pastoral industry.

Prevent ribbon development and adverse effects on the environment or landscape of the area.

Preserve and enhance the cultural heritage of the Omeo and its environs.

Improve linkages between the town and Livingstone Creek.

Orbost**Policy application**

This policy applies to all land in the Orbost Framework Plan to this clause.

Strategies

Support Orbost as a district centre for the timber, dairying and vegetable industries.

Avoid long term expansion east of Arnold Street until existing infill opportunities are taken up and reticulated sewerage and drainage services are able to be connected.

Accommodate smaller industrial activities on existing industrial zoned land including the Rifle Range.

Cann River**Policy application**

This policy applies to all land in the Cann River township.

Strategies

Support Cann River as a local retail and highway service centre, timber industry location and access point for National Parks.

Encourage new value-adding timber processing industry.

Enhance Cann River as a base for nature-based tourism.

Encourage small-scale value-adding to dairy produce.

Encourage retail / commercial development to concentrate along the Princes and Monaro Highways, unless specific needs make another site more appropriate.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Encourage value-adding activities on the sawmill sites to the east of the town, in preference to the low-lying area near the river.

Mosquito Point

Policy application

This policy applies to all land in the Mosquito Point township.

Strategies

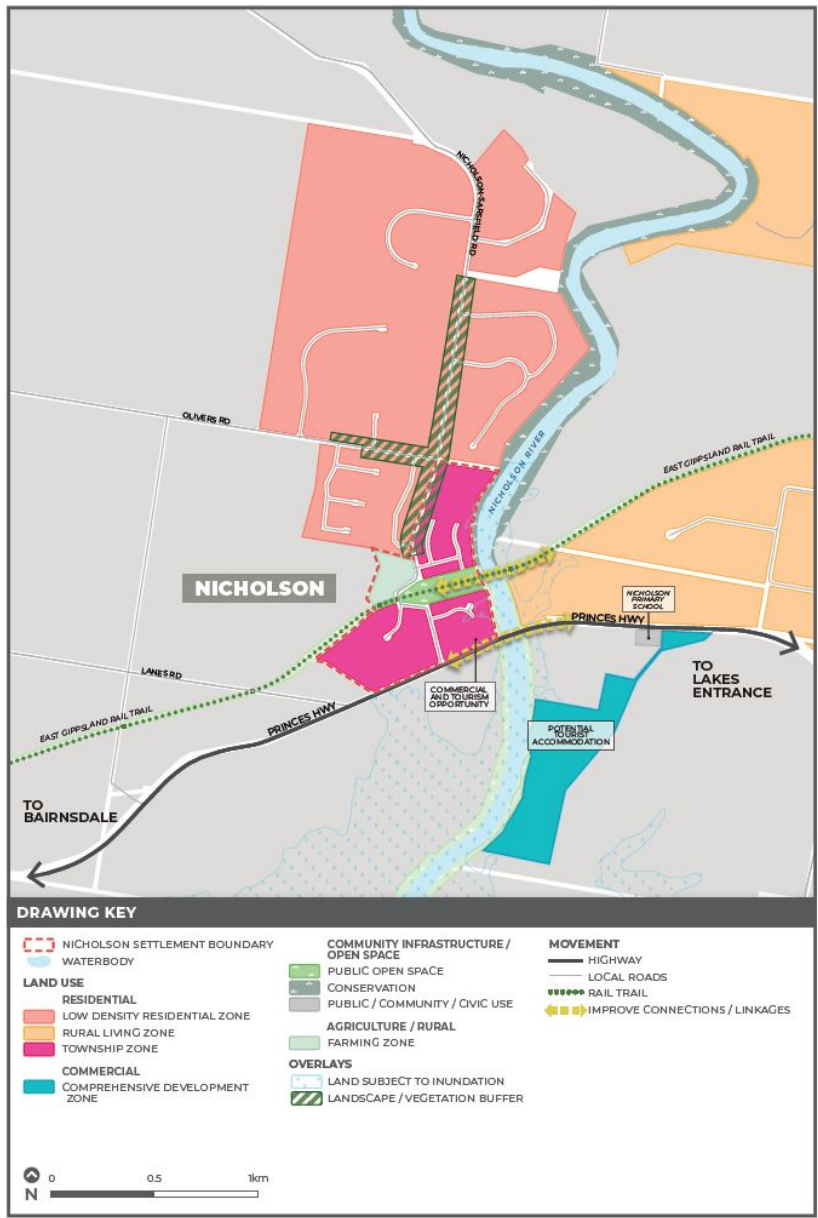
Support the existing role of Mosquito Point as a small holiday residential community.

Strictly limit further development in Mosquito Point.

Discourage development of more than one dwelling on any lot unless the environmental qualities of the area will not be adversely affected.

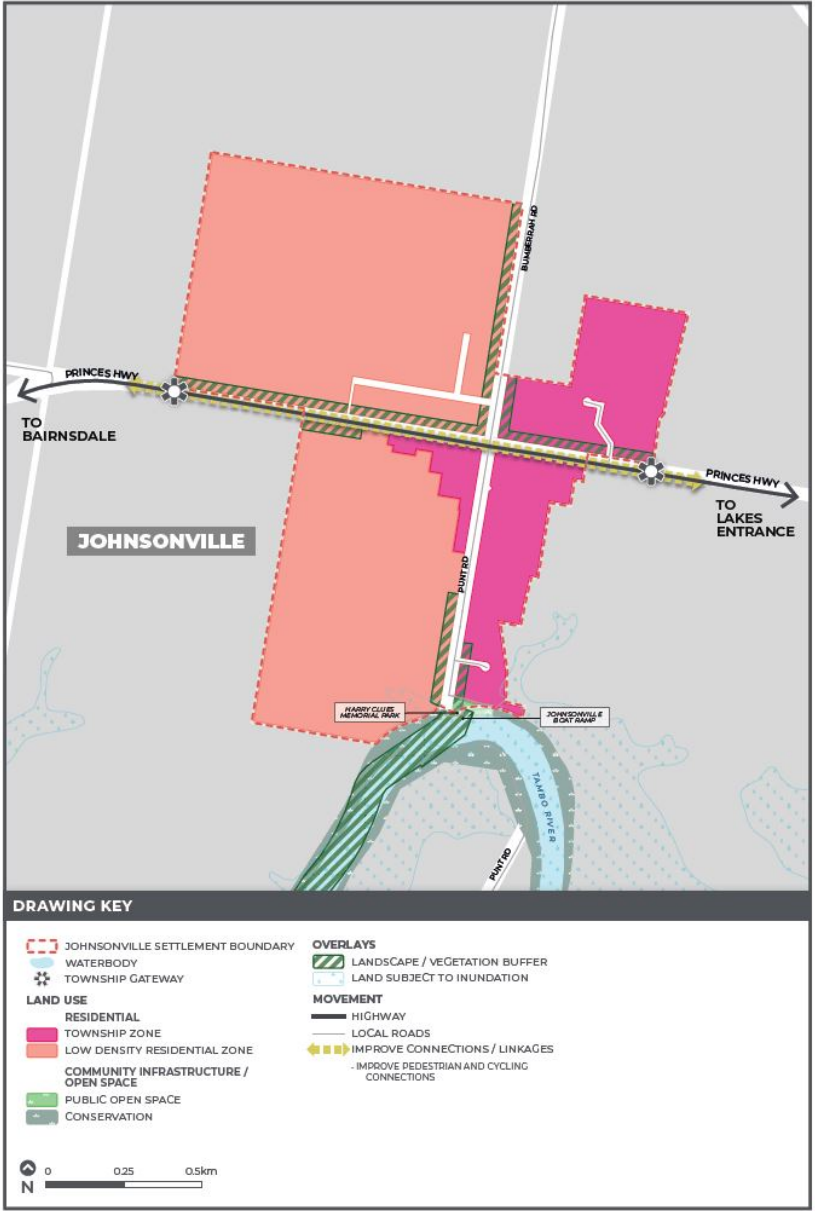
EAST GIPPSLAND PLANNING SCHEME

Nicholson Framework Plan



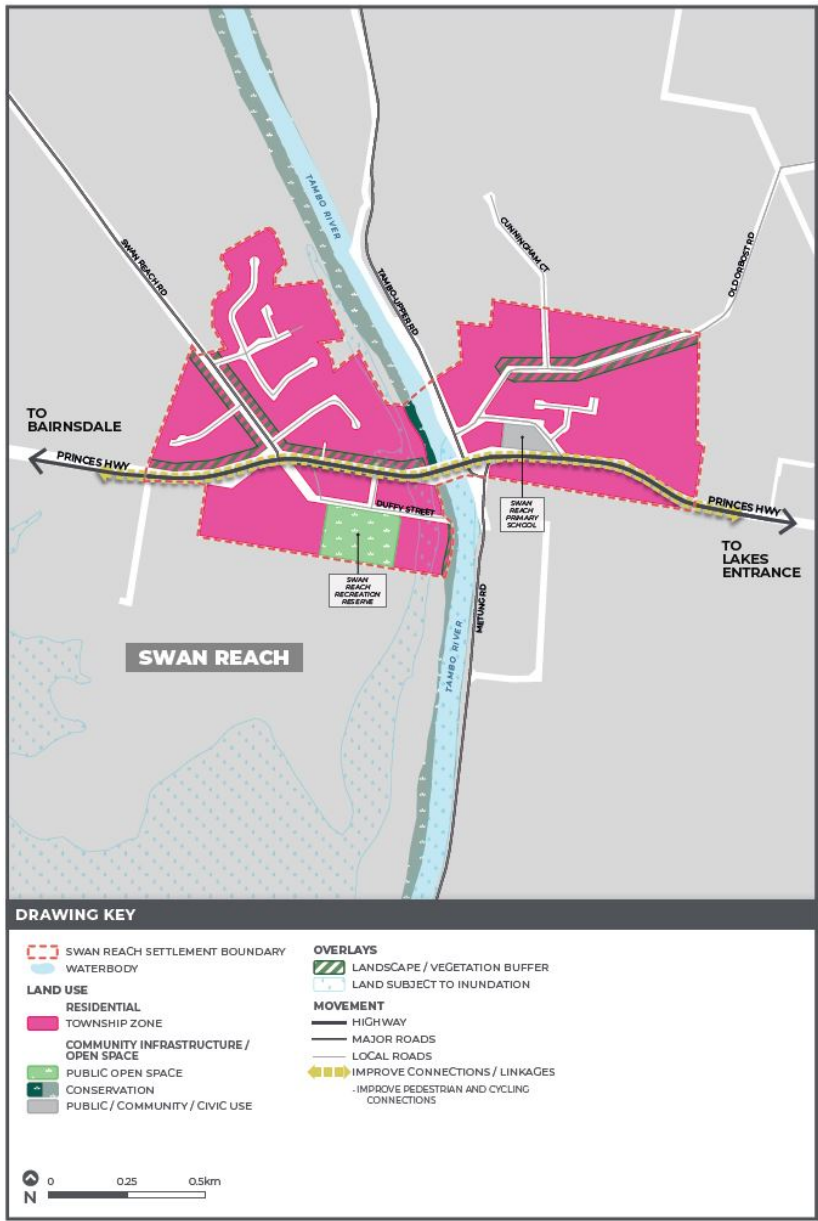
EAST GIPPSLAND PLANNING SCHEME

Johnsonville Framework Plan



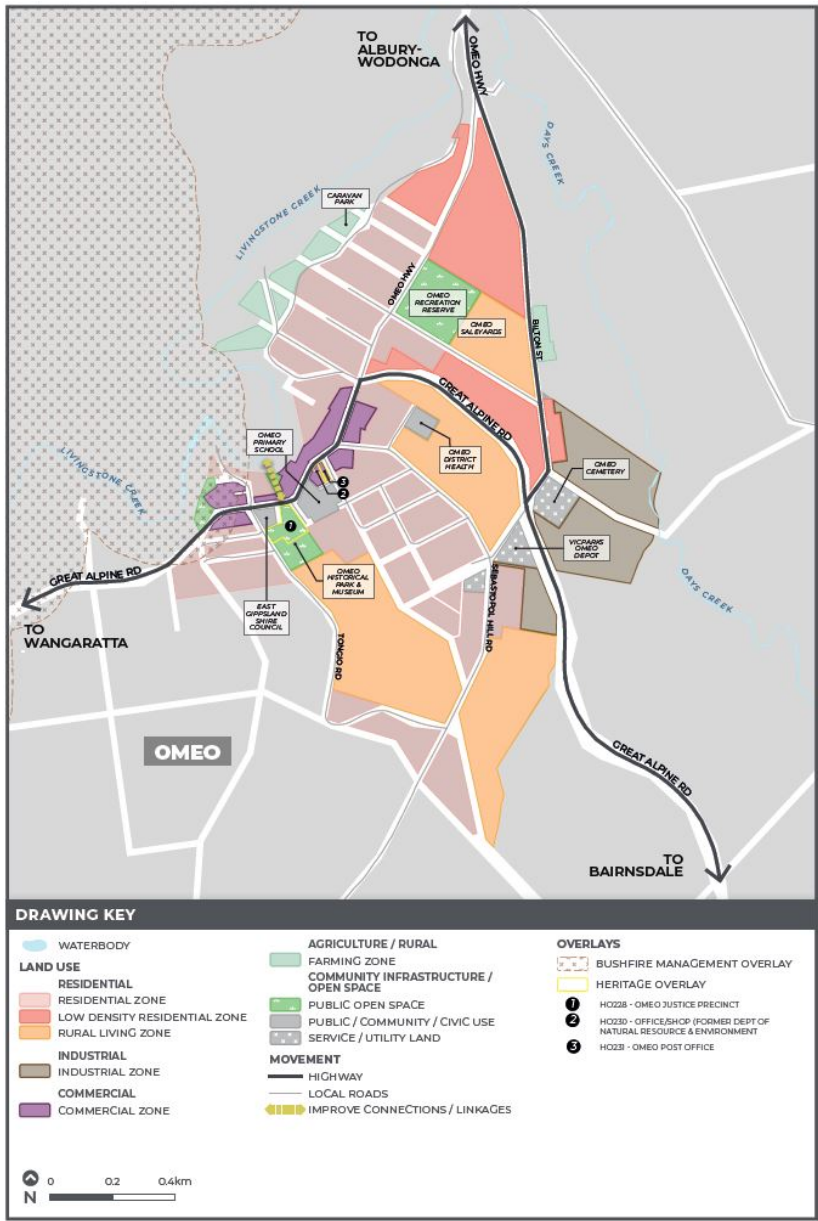
EAST GIPPSLAND PLANNING SCHEME

Swan Reach Framework Plan



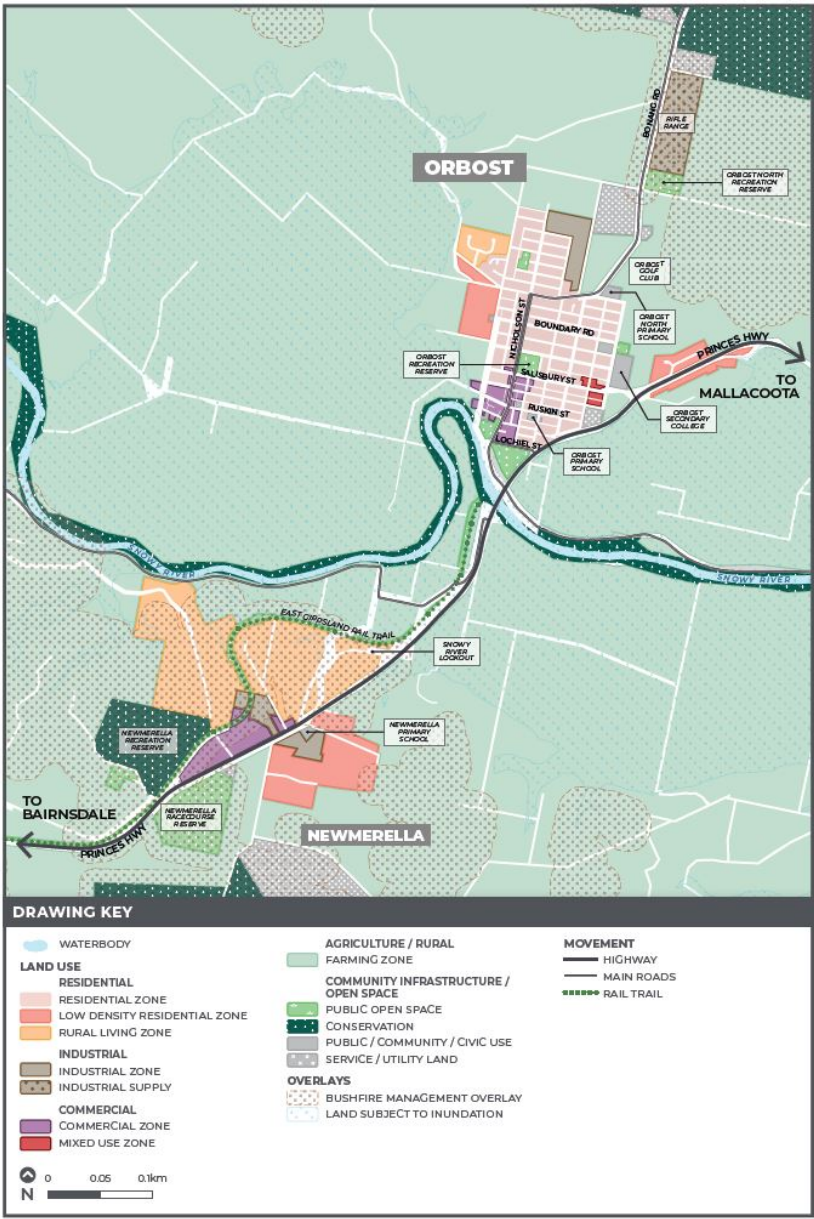
EAST GIPPSLAND PLANNING SCHEME

Omeo Framework Plan



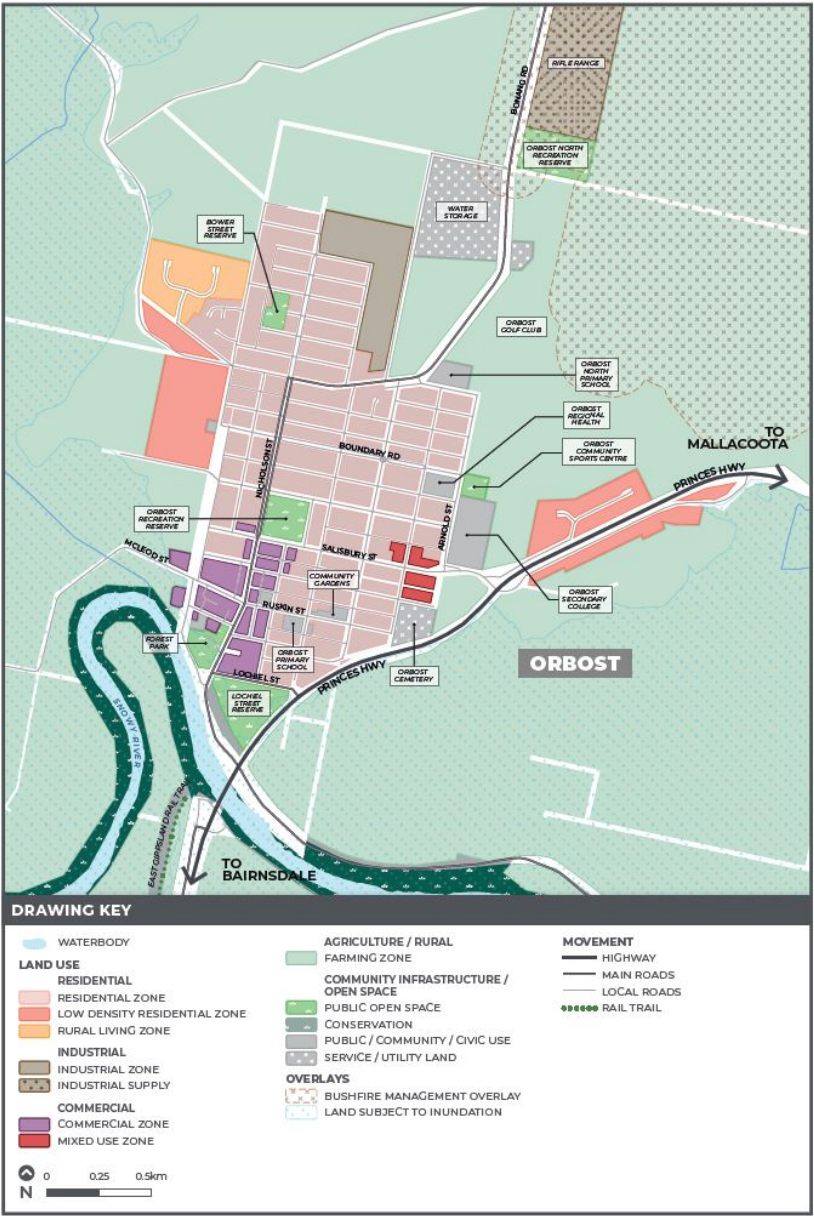
EAST GIPPSLAND PLANNING SCHEME

Orbost Newmerella Framework Plan



Orbost Framework Plan

EAST GIPPSLAND PLANNING SCHEME



Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

11.01-1L-04 Smaller rural settlements25/11/2022
C162egip**Policy application**

This policy applies to the smaller rural settlements identified on the Strategic Framework Plan at Clause 02.04.

Strategies

Restructure Fernbank to reduce the potential development density.

Discourage lots being subdivided in Bullumwaal below a size that is environmentally capable of sustaining development.

Encourage the establishment of a major sporting facility in Bengworden.

Encourage agricultural intensification in Bengworden.

Encourage small scale tourist developments in rural areas at Clifton Creek and Woodglen.

Encourage Glen Wills to be restructured for low-density development.

Determine the environmental/ land use capability of the Cassilis Valley.

Retain large parcels of rural land at Swifts Creek for pastoral uses.

Support a range of small-scale tourist enterprises at Swifts Creek.

Encourage value-adding to timber products at Swifts Creek, subject to maintenance of buffer distances for air and noise emissions between the mill site and sensitive uses such as the schools and residences.

Encourage small scale tourist developments in rural areas at Goongerah.

Encourage Deddick, Tubbut, Bonang, Delegate River and Bendoc to develop their potential for nature-based tourism.

Encourage value-adding in timber industry, particularly at Bendoc.

Encourage plantation development on appropriate sites at Deddick, Tubbut, Bonang, Delegate River and Bendoc where these do not impact adversely on the community or adjoining owners and where appropriate road and bridge infrastructure can be guaranteed.

Encourage small scale tourist developments in Tubbut rural areas.

Develop Bonang, Delegate River and Bendoc as a base for nature-based tourism.

Encourage value-adding in timber industry at Bendoc.

Avoid residential or other urban development at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara unless specific studies find the area to be suitable.

Ensure consolidation of lots at Bengworden, Hinnomunjie, Tongio Munjie, Waygara, Manorina and Tabbara.

Limit development on Ocean Grange and Barrier to protect the environmental qualities of the area and the ability of the land to absorb wastes.

Encourage enhanced river and lake frontages at Tambo Bay, protecting the quality of natural environment.

Encourage opportunities for cultural and nature-based tourism at Lake Tyers.

Avoid intensification of development, including more than one dwelling on a lot or the extension of the Tamboon and Tamboon South settlements.

Develop Genoa as the Eastern 'Gateway' with opportunities for small-scale tourist or commercial uses in association with rural activities.

Retain large rural lot sizes in Genoa.

EAST GIPPSLAND PLANNING SCHEME

Encourage the retail, commercial and tourism role of Bruthen including small-scale tourist accommodation.

Support Buchan as a local retail centre and for tourism, the timber industry, mining and quarrying.

Encourage small scale tourist developments in rural areas near Tambo Upper.

EAST GIPPSLAND PLANNING SCHEME

14.01
31/07/2018
VC148

AGRICULTURE

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

14.01-1S

20/03/2023
VC229**Protection of agricultural land****Objective**

To protect the state's agricultural base by preserving productive farmland.

Strategies

Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context.

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas.

Protect strategically important agricultural and primary production land from incompatible uses.

Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Identify areas of productive agricultural land by consulting with the Department of Energy, Environment and Climate Action and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

EAST GIPPSLAND PLANNING SCHEME

14.01-1R
31/07/2018
VC148

Protection of agricultural land - Gippsland

Strategy

Protect productive land and irrigation assets, including the Macalister Irrigation District, that help grow the state as an important food bowl for Australia and Asia.

EAST GIPPSLAND PLANNING SCHEME

14.01-1L-01 Protection of agricultural land

~~and~~
Proposed C170egip

Policy application

This policy applies to all land within the Farming Zone, Rural Activity Zone and Rural Conservation Zone.

Strategies

Protect productive farmland and Farmland of Strategic Significance identified on the East Gippsland Strategic Framework Plan at Clause 02.04.

Ensure use or development of land within 500 metres of Farmland of Strategic Significance (identified on the Strategic Framework Plan at Clause 02.04) is sited and designed to minimise land use conflict.

Strongly discourage use, development and subdivision that would reduce the area of Farmland of Strategic Significance available for agricultural production.

Discourage fragmentation of land due to subdivision, including dwelling excisions.

Minimise impacts on existing and potential agricultural operations and on the rural landscape through appropriate siting and design.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

14.01-1L-02 Dwellings and subdivision in rural areas

referred to as
Proposed C170egip

Policy application

This policy applies to all land within the Farming Zone and Rural Conservation Zone.

Strategies

Encourage dwellings and subdivision, including house lot excisions and boundary realignments, where all of the following requirements are met:

- It is necessary for the operation of a commercial agricultural use conducted on the land.
- It supports the ongoing protection and viability of agricultural landholdings.
- It facilitates a clear improvement in farming efficiency and sustainable land management practices.
- It does not prejudice existing or potential agricultural activities on surrounding land.

Where the above requirements cannot be met, only support the use and development of land for a dwelling that is not associated with the agricultural use of the land where any of the following apply:

- A previous planning permit for subdivision facilitates the future use and development of a dwelling.
- The dwelling is:
 - Demonstrated to support the long term viability of the settlement.
 - On land within 5 km of a Remote Settlement or Rural District (as defined in the Settlement Framework Plan at clause 02.04) that is more than 50 km from Bairnsdale, Lakes Entrance or Orbost; and
 - The land presents established environmental qualities that would be protected and enhanced by the use and development of a dwelling.

Discourage the subdivision of land to create small lots for rural residential development and the use and development of land for dwellings:

- Where it will lead to a concentration of small, rural residential lots and change the use or character of the area.
- Where there is an impact on Proclaimed Water Supply Catchment Areas.
- Where there is likely to be an impact on landscape values or significant environmental features such as remnant vegetation, wetlands, coastal reserves and waterways.
- In areas remote from physical and community infrastructure and/or with road infrastructure not suitable for emergency vehicles.
- On Crown Allotments.
- To address farm succession or farm viability issues.

Ensure the subdivision of land or the use and development of land for a dwelling is justified by the preparation of a Farm Management Plan.

Ensure that where land is subdivided (including by boundary realignment or to excise an existing dwelling) the residual lot is at least the area specified in a schedule to the relevant zone.

Support the use and development of second dwellings (not including small second dwellings) on a lot and rural workers accommodation where they are necessary for the operation of commercial agricultural activities.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Policy guidelines

Consider as relevant:

The need for a legal agreement under Section 173 of the Planning and Environment Act 1987 is applied that prevents:

- The construction of a dwelling on a residual lot.
- The further subdivision of any lot created other than for consolidation purposes or in accordance with the minimum lot size for subdivision in the zone.

14.01-1L-03 Land use and development in the Rural Activity Zone

21/09/2018
Proposed C170egip

Policy application

This policy applies to all land within the Rural Activity Zone.

Objective

To encourage use and development that is compatible with rural and nature based tourism, agricultural production and the environmental attributes of the area.

Strategies

Support the use and development of land for a dwelling only where it supports agriculture or rural or nature based tourism activities.

Discourage fragmentation of land due to subdivision, including dwelling excisions.

Encourage rural and nature based tourism land uses and development that build on the Shire's strengths in agriculture or leverages environmental, landscape and cultural values.

Support low impact rural or nature based tourism land uses that are of an appropriate scale and do not impact conflict with agriculture or other rural industry.

14.01-2S

21/09/2018
VC150

Sustainable agricultural land use**Objective**

To encourage sustainable agricultural land use.

Strategies

Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.

Support adaptation of the agricultural sector to respond to the potential risks arising from climate change.

Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.

Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.

Support agricultural investment through the protection and enhancement of appropriate infrastructure.

Facilitate ongoing productivity and investment in high value agriculture.

Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Ensure that the use and development of land for animal keeping or training is appropriately located and does not detrimentally impact the environment, the operation of surrounding land uses and the amenity of the surrounding area.

Policy documents

Consider as relevant:

- *Victorian Code for Cattle Feedlots* (Department of Agriculture, Energy and Minerals, 1995)
- *Victorian Code for Broiler Farms* (Department of Primary Industries, 2009, plus 2018 amendments)
- *Apiary Code of Practice* (Department of Planning and Community Development, 2011)
- *Planning Guidelines for Land Based Aquaculture in Victoria* (Department of Primary Industries, No. 21, 2005)
- *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
- *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)

EAST GIPPSLAND PLANNING SCHEME

14.01-2L Sustainable agricultural land use

Proposed C170egip

Policy application

This policy applies to all land within the Farming Zone

Strategies

Encourage innovation and adoption of new technology in the agricultural sector and adaptation to a changing climate.

Support rural infrastructure and workers accommodation that supports and adds value to the agricultural sector.

Encourage farm diversification including agritourism and nature based tourism activities.

Encourage land management practices such as the fencing of waterways, revegetation of degraded areas, enhancement of remnant vegetation, weed control and nutrient management to improve environmental values.

Support the consolidation of rural lots to support viable and sustainable farming systems and operations.

EAST GIPPSLAND PLANNING SCHEME

14.01-3S
20/03/2023
VC229

Forestry and timber production

Objective

To facilitate the establishment, management and harvesting of plantations and the harvesting of timber from native forests.

Strategies

Identify areas that may be suitably used and developed for plantation timber production.

Promote the establishment of softwood and hardwood plantations on predominantly cleared land, as well as other areas that are subject to or contributing to land and water degradation.

Ensure protection of water quality and soil.

Ensure timber production in native forests is conducted in a sustainable manner.

Conduct timber production (except agroforestry, windbreaks and commercial plantations of 5 hectares or less) in accordance with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022).

Ensure Victoria's greenhouse sinks are protected and enhanced by controlling land clearing, containing the growth of urban areas and supporting revegetation programs.

Policy documents

Consider as relevant:

- *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022)

14.01-3L

Proposed C170egip

Forestry and timber production

Encourage high quality, low volume native timber harvesting on private land where biodiversity is protected.

EAST GIPPSLAND PLANNING SCHEME

14.02

31/07/2018
VC148

WATER

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

14.02-1S

06/09/2021
VC171**Catchment planning and management****Objective**

To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Strategies

Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.

Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.

Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:

- Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,
- Minimise erosion of stream banks and verges, and
- Reduce polluted surface runoff from adjacent land uses.

Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas.

Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.

Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.

Ensure land use and development minimises nutrient contributions to water bodies and the potential for the development of algal blooms.

Require appropriate measures to restrict sediment discharges from construction sites.

Ensure planning is coordinated with the activities of catchment management authorities.

Ensure that water quality infrastructure is designed to minimise risk of harm to surface waters and groundwater.

Policy guidelines

Consider as relevant:

- Any regional catchment strategy and related plans approved under the *Catchment and Land Protection Act 1994*.
- Any applicable implementation strategy approved by a catchment management authority or waterway management authority.
- Any special area or management plan under the *Heritage Rivers Act 1992*.
- Any action statement or management plan prepared under the *Flora and Fauna Guarantee Act 1988*.

Policy documents

Consider as relevant:

- *Murray River Regional Environmental Plan No 2 (REP2) of New South Wales*
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)

EAST GIPPSLAND PLANNING SCHEME

- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)
- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)

14.02-1L Catchment management

Policy application

Strategies

Manage use and development in water supply catchments to protect the quality of water flowing into these storages.

DRAWING KEY

- EAST GIPPSLAND SHIRE BOUNDARY
- NATURAL ASSETS
 - WATERWAY
 - WATER BODY
 - WATER SUPPLY CATCHMENT AREA
 - MARSH WETLANDS
 - NATIONAL PARKS
- CATCHMENT MANAGEMENT AUTHORITY
 - EAST GIPPSLAND CMA
 - WEST GIPPSLAND CMA
 - NORTH EAST CMA
- SETTLEMENT HIERARCHY
 - GROWTH CENTRE
 - REGIONAL CENTRE
 - OTHER SETTLEMENTS
- MOVEMENT NETWORK
 - HIGHWAYS
 - RAIL CONNECTION

The map illustrates the geographical features and infrastructure of East Gippsland Shire. Key elements include:

- Boundaries:** The shire's boundary is shown in dark blue.
- Natural Assets:** Waterways are shown in light blue, water bodies in darker blue, marsh wetlands in green hatching, and national parks in yellow hatching.
- Catchment Management Authorities (CMAs):** The shire is divided into three CMAs: East Gippsland CMA (light orange), West Gippsland CMA (dark orange), and North East CMA (yellow).
- Settlement Hierarchy:** Growth centres are marked with red circles (Bairnsdale, Paynesville). Regional centres are marked with black dots (Lakes Entrance, Albury-Wodonga, Wangaratta, Sale, Melbourne, Canberra, Sydney). Other settlements are marked with small black squares.
- Movement Network:** Highways are shown as solid grey lines, and rail connections as dashed grey lines.

EAST GIPPSLAND PLANNING SCHEME

14.02-2S

20/03/2023
VC229**Water quality****Objective**

To protect water quality.

Strategies

Protect reservoirs, water mains and local storage facilities from potential contamination.

Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments.

Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.

Use the mapped information available from the Department of Energy, Environment and Climate Action to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources from proposed land use or development.

Policy documents

Consider as relevant:

- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020)
- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

14.02-3S

28/10/2022
VC224**Protection of declared irrigation districts****Objective**

To plan and manage for sustainable change within irrigation districts declared under Part 6A of the *Water Act 1989*.

Strategies

Identify and plan for the future needs of communities to adapt and adjust to strategic land use change within an irrigation district.

Ensure the future viability of an irrigation district by preventing non-agricultural use of land in a declared irrigation district where the land is serviced, or was serviced as at 17 September 2019, by rural water corporation irrigation infrastructure, unless the rural water corporation infrastructure has been, or is planned to be, decommissioned.

Ensure non-agricultural land use does not undermine the integrity of irrigation infrastructure and complements existing and future agricultural production.

Ensure land use change within an irrigation district does not negate the potential opportunities for a rural water corporation to make adjustments to the footprint of an irrigation district that are identified under an approved plan or strategy.

Ensure land use change does not limit the ability of future investment in irrigation infrastructure that achieves the intended benefits of minimising water loss, and improved irrigation service efficiency to the farm gate and overall agricultural production.

Policy documents

Consider as relevant:

- *Water for Victoria* (Department of Environment, Land, Water and Planning, 2016)
- *Gippsland Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Western Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Northern Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2009)
- *Central Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2006)
- *Victorian Government White Paper, Securing Our Water Future Together – Our Water, Our Future* (Department of Sustainability and Environment, 2004)

EAST GIPPSLAND PLANNING SCHEME

17.01
31/07/2018
VC148

EMPLOYMENT

EAST GIPPSLAND PLANNING SCHEME

17.01-1S **Diversified economy**
31/07/2018
VC148

Objective

To strengthen and diversify the economy.

Strategies

Protect and strengthen existing and planned employment areas and plan for new employment areas.

Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

EAST GIPPSLAND PLANNING SCHEME

17.01-1R Diversified economy - Gippsland

31/07/2018
VC148

Strategies

- Support production and processing facilities that add value to local agricultural, forestry and fisheries products.
- Support the development of industry sectors focussed on growing Asian and other international markets.
- Support development of coal-to-products industries such as diesel, fertiliser and gas, for both domestic and export markets.
- Improve Gippsland’s capacity in advanced manufacturing and engineering with particular reference to Latrobe Valley industries.
- Support Gippsland’s fishing industry by maintaining ports and enabling development of fishing operations at Lakes Entrance, Mallacoota, Port Welshpool, San Remo, Port Franklin and Port Albert.
- Facilitate opportunities within aviation-related industries.

EAST GIPPSLAND PLANNING SCHEME

17.01-1L Diversified economy

~~17.01-1L~~
Proposed C170egip

Strategies

- Encourage new and emerging businesses including home based businesses that provide local employment opportunities.
- Encourage development of recreational and personal services, ‘lifestyle’ industries and other niche market opportunities targeting active retirees.
- Support an increase in employment opportunities in rural industries.
- Encourage rural industries that leverage strengths in renewable energy generation and extractive industries.
- Encourage food and fibre processing and manufacturing that has the potential to generate local employment both on farm and across the value chain.
- Support the fishing industry and encourage its expansion on an ecologically sustainable basis.
- Support the timber industry for employment and sustainable land management.
- Encourage value-adding in the timber industry on or adjacent to sites occupied by existing timber enterprise subject to maintenance of buffer distances for air and noise emissions between the timber activities and sensitive uses.

EAST GIPPSLAND PLANNING SCHEME

17.01-2S **Innovation and research**
04/10/2018
VC149

Objective

To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.

Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area’s public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.

Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.

Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth.

Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Improve access to community-based information and training through further developing libraries as community learning centres.

EAST GIPPSLAND PLANNING SCHEME

17.01-2R **Innovation and Research - Gippsland**
31/07/2018
VC148

Strategies

Facilitate opportunities for innovation and industry development arising from climate change and initiatives to reduce greenhouse gas emissions.

Support development of the region’s research and development capacity in places with an established presence including Churchill and Ellinbank.

EAST GIPPSLAND PLANNING SCHEME

17.04 TOURISM
31/07/2018
VC148

EAST GIPPSLAND PLANNING SCHEME

17.04-1S
31/07/2018
VC148

Facilitating tourism

Objective

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Strategies

Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.

Seek to ensure that tourism facilities have access to suitable transport.

Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

Policy guidelines

Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents

Consider as relevant:

- *Tourism Investment Guidelines – Your Guide to Tourism Investment in Victoria* (Tourism Victoria, 2008)

EAST GIPPSLAND PLANNING SCHEME

17.04-1R **Tourism - Gippsland**
31/07/2018
VC148

Strategies

Facilitate tourism in strategic tourism investment areas shown on the Gippsland Regional Growth Plan.

Facilitate tourism development in existing urban settlements to maximise access to infrastructure, services and labour and to minimise impacts on the environment and exposure to natural hazards.

Support nature-based tourism proposals that complement and are compatible with the region’s environment and landscape attractions or are close to identified strategic tourism investment areas.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

17.04-1L Tourism - East Gippsland

Proposed C170egip

Objective

To develop and promote East Gippsland as a major tourist destination.

Strategies

Encourage tourist accommodation including 'bed and breakfast', self-contained units or cottages, farm stay accommodation.

Promote recreation and tourist-focused uses within each town.

Encourage the clustering of commercial areas for local convenience and tourism related uses, including visitor accommodation, food and wine tourism, or other nature-based tourism based activities.

Promote tourist development adjacent to Princes Highway tourist route.

Rural tourism strategies

Encourage low impact accommodation and camping facilities in proximity to National Parks.

Encourage nature based and eco-tourism development in locations that leverage environmental, landscape and cultural values.

Encourage small scale agri-tourism and nature based tourism development, including tourist accommodation, that enhances environmental values, landscape qualities and does not adversely impact the operation of agriculture or rural industry.

Encourage agri-tourism use and development including farm produce, wineries and cellar doors which leverage off the Shire's strengths in agriculture.

Encourage large scale tourism use and development in rural areas that meet all of the following requirements:

- Demonstrated regional significance and requires a rural location.
- Contributes to the tourism economy of the region.
- Strategically located with respect to tourist routes, tourist attractions and other infrastructure.
- Has access to all relevant servicing infrastructure.
- Avoids adverse impact on environmental values, landscape qualities, farmland of strategic significance, farming operations or rural industry.
- Does not contribute to the urbanisation of the area.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

17.04-2S

20/03/2023
VC229**Coastal and maritime tourism and recreation****Objective**

To encourage a diverse range of strategically located and well-designed coastal and maritime tourism and recreational opportunities that strengthen people's connection with the marine and coastal environment.

Strategies

Support safe and sustainable recreation and tourism development including ecotourism, tourism and major maritime events that:

- Responds to identified demand.
- Minimises impact on environmental and cultural values.
- Minimises impact on other users.
- Minimises direct and cumulative impacts.
- Maintains public safety.
- Responds to the carrying capacity of the site.
- Minimises exposure to coastal hazard risks and risks posed by climate change.

Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.

Ensure sites and facilities are accessible to all.

Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.

Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.

Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.

Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.

Support a sustainable network of facilities for recreational boating and water-based activities that respond to:

- Identified demand.
- Use and safety considerations.
- The carrying capacity of the location.
- Coastal processes.
- Environmental values.

Strategically plan and operate ports to complement each other in the context of the broader economy, transport networks and the maritime and coastal environments within which they are regulated.

Provide public access to recreational facilities and activities on land and water.

Policy guidelines

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)
- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*

Page 5 of 7

EAST GIPPSLAND PLANNING SCHEME

- *Recreational Boating Facilities Framework July 2014 - Central Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

Policy documents

Consider as relevant:

- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Marine and Coastal Strategy* (Department of Environment, Land, Water and Planning, 2022)
- *Siting and Design Guidelines on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)

EAST GIPPSLAND PLANNING SCHEME

19.02
31/07/2018
VC148

COMMUNITY INFRASTRUCTURE

EAST GIPPSLAND PLANNING SCHEME

19.02-1S **Health facilities**
31/07/2018
VC148

Objective

To assist the integration of health facilities with local and regional communities.

Strategies

- Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.
- Plan public and private developments together, where possible, including some degree of flexibility in use.
- Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.
- Provide adequate car parking for staff and visitors of health facilities.

EAST GIPPSLAND PLANNING SCHEME

19.02-2S
29/09/2022
VC222

Education facilities

Objective

To assist the integration of education and early childhood facilities with local and regional communities.

Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

Co-locate a kindergarten facility with all new Victorian Government primary schools.

EAST GIPPSLAND PLANNING SCHEME

19.02-2L Education facilities

~~and~~
Proposed C170egip

Strategies

Support the development of TAFE campuses and services.

EAST GIPPSLAND PLANNING SCHEME

19.02-3S
31/07/2018
VC148

Cultural facilities

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

- Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.
- Reinforce the existing major precincts for arts, sports and major events of state wide appeal.
- Establish new facilities at locations well served by public transport.

EAST GIPPSLAND PLANNING SCHEME

19.02-4S
31/07/2018
VC148

Social and cultural infrastructure

Objective

To provide fairer distribution of and access to, social and cultural infrastructure.

Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

EAST GIPPSLAND PLANNING SCHEME

19.02-5S **Emergency services**
31/07/2018
VC148

Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

19.02-6S

31/07/2018
VC148**Open space****Objective**

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

EAST GIPPSLAND PLANNING SCHEME

35.08
31/07/2018
VC148

RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.

To ensure that use and development does not adversely affect surrounding land uses.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

To protect and enhance natural resources and the biodiversity of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

35.08-1
01/01/2024
VC250

Table of uses

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Cattle feedlot	Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the <i>Catchment and Land Protection Act 1994</i> . The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 5 animals.

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Use	Condition
Grazing animal production	
Home based business	
Informal outdoor recreation	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.
Racing dog husbandry	Must be no more than 5 animals.
Railway	
Rural industry (other than Abattoir and Sawmill)	Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone and Rural Living Zone: <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10.
Rural store	Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling. Must meet the requirements of Clause 35.08-2. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Timber production	Must meet the requirements of Clause 53.11. The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area. The plantation must not be within 100 metres of:

Page 2 of 8

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Use	Condition
	<ul style="list-style-type: none"> Any dwelling in separate ownership. Any land zoned for residential, commercial or industrial use. Any site specified on a permit which is in force which permits a dwelling to be constructed. <p>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</p>
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Abattoir	
Animal production (other than Cattle feedlot, Grazing animal production and Poultry farm)	
Bar	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must meet the requirements of Clause 53.09.
Camping and caravan park	
Cattle feedlot - if the Section 1 condition is not met	<p>Must meet the requirements of Clause 53.08.</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.</p>
Convenience shop	The site must not have direct access to a rural freeway.
Domestic animal boarding	
Dwelling (other than Bed and breakfast)	Must meet the requirements of Clause 35.08-2.
Freeway service centre	Must meet the requirements of Clause 53.05.
Group accommodation	
Hotel	
Host farm	
Landscape gardening supplies	
Leisure and recreation (other than Informal outdoor recreation)	

Page 3 of 8

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Use	Condition
Market	
Manufacturing sales	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)	
Racing dog husbandry - if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Restaurant	
Residential hotel	
Rice growing	
Sawmill	
Service station	The site must not have direct access to a rural freeway.
Trade supplies	
Timber production - if the Section 1 condition is not met	Must meet the requirements of Clause 53.11.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Rural store)	
Any other use not in Section 1 or 3	
Section 3 - Prohibited	
Use	
Accommodation (other than Backpackers' lodge, Bed and breakfast, Camping and caravan park, Dwelling, Group accommodation, Host farm, Residential hotel and Small second dwelling)	
Amusement parlour	
Child care centre	
Cinema based entertainment facility	
Industry (other than Automated collection point and Rural industry)	
Nightclub	
Office	
Retail premises (other than Bar, Market, Convenience shop, Equestrian supplies, Hotel, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade Supplies)	
Transport terminal	
Small second dwelling – if the Section 1 condition is not met	

35.08-2

14/12/2023
VC253**Use of land for a dwelling or small second dwelling**

A lot used for a dwelling or small second dwelling must meet the following requirements:

EAST GIPPSLAND PLANNING SCHEME

- Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

35.08-3
14/12/2023
VC253

Subdivision

A permit is required to subdivide land.
Each lot must be at least the area specified for the land in a schedule to this zone.
A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision and one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone. At least one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none">▪ Each new lot is at least the area specified for the land in the zone or the schedule to the zone.▪ The area of either lot is reduced by less than 15 percent.▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.	Clause 59.12

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

35.08-4
14/12/2023
VC253

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.08-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
 - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
 - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
 - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road specified in a schedule to this zone or, if no setback is specified, 50 metres.
 - The setback from any other road or boundary specified in a schedule to this zone.
 - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
 - 100 metres from a small second dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
 - A waterway wetland or designated flood plain.
 - A dwelling or small second dwelling not in the same ownership.
 - A residential or urban growth zone.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to \$500,000.	Clause 59.13

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Class of application	Information requirements and decision guidelines
Any works must not be earthworks specified in the schedule to the zone.	
Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to \$500,000 where:	Clause 59.13
<ul style="list-style-type: none"> The land is not used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. The land is not within 30 metres of land (not a road) which is in a residential zone. The building or works are not associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>. 	
Any works must not be earthworks specified in the schedule to the zone.	

35.08-5

22/03/2022
VC219**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use and development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues

- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Accommodation issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

Page 7 of 8

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

35.08-631/07/2018
VC148**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ1**.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	2 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	1 hectare
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	Sites up to 2 hectares Sites between 2-4 hectares Sites exceeding 4 hectares	40 metres 60 metres 100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary See 35.03-4 for relevant provisions	None specified
Earthworks which increase the discharge of saline groundwater See 35.03-4 for relevant provisions	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ1**.

CONSERVATION VALUES

To ensure that the land use or development occurs in a manner which does not adversely impact on the important environmental characteristics of an area.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	10 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	200 square metres
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	150 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as FZ1.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	40 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	80 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none">The Head, Transport for Victoria is the acquiring authority; andThe purpose of the acquisition is for a road.	None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none">The Head, Transport for Victoria is not the acquiring authority; andThe purpose of the acquisition is for a road.	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

Proposed C170egip

SCHEDULE 1 TO CLAUSE 35.08 RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ**.

Purpose

- To recognise the established lot configuration in the Twin Rivers and Bruthen rural hinterland and discourage the fragmentation of land due to subdivision.
- To protect and enhance biodiversity, native vegetation and significant landscapes including views to and from key tourist destinations, viewing points and touring routes.
- To support the current mix of agriculture, rural lifestyle, hobby farming and rural based tourism uses.
- To encourage low impact agri-tourism and nature based tourism uses and development.
- To ensure use or development is compatible with environmental values, landscape qualities, adjoining agricultural activities and farmland of strategic significance.

1.0

Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	30 hectares
Minimum area for which no permit is required to use land for timber production (hectares)	All land	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250 square metres gross floor area
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	250 square metres gross floor area
Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	All land	None specified
Minimum setback from a road (metres).	All land	None specified
Minimum setback from a boundary (metres).	All land	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	All land	100 metres
Minimum setback from a waterway, wetlands or designated flood plain (metres).	All land	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 2 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ2**.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	4 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	1 hectare
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	Sites up to 2 hectares	40 metres
	Sites between 2-4 hectares	60 metres
	Sites exceeding 4 hectares	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ2**.

CONSERVATION VALUES

To ensure that the land use or development occurs in a manner which does not adversely impact on the important environmental characteristics of an area.

1.0
Proposed C170egip

Subdivision and other requirements

Land		Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	50 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	200 square metres
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	150 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Proposed C170egip

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

FARMLAND OF STRATEGIC SIGNIFICANCE

1.0

Statement of environmental significance

Proposed C170egip

Farmland of strategic significance is an important resource which supports established agricultural industry clusters that make an economic contribution of regional and state significance. The areas identified as farmland of strategic significance are the Mitchell River, Tambo River and Snowy River flood plains. This land is characterised by well-drained, stable structure soils, is free from salinity and has a high water table. It is naturally fertile and has access to water for supplementary irrigation.

2.0

Environmental objective to be achieved

Proposed C170egip

To protect farmland of strategic significance by discouraging development that removes farmland of strategic significance from agricultural production or may adversely impact on agricultural activities undertaken on farmland of strategic significance.

3.0

Permit requirement

Proposed C170egip

A permit is not required to:

- Alter or extend an existing building.
- Undertake agricultural activities such as ploughing, grazing and slashing of cleared areas maintained for pasture or cropping.
- Remove, destroy or lop the minimum extent of vegetation necessary for the establishment and maintenance of farm fences.
- Construct a dam less than 1000 cubic metres in volume, unless it is located on or diverts water away from a permanent waterway.
- If the works are to be carried out by or on behalf of a public authority, government department or municipal council.
- Conduct activities on public land by or on behalf of the Department of Energy, Environment and Climate Action, under the relevant provisions of the *Reference Areas Act 1978*, *National Parks Act 1975*, *Fisheries Act 1995*, *Wildlife Act 1975*, *Land Act 1958*, *Crown Land (Reserves) Act 1978* or the *Forests Act 1958*.

4.0

Application requirements

Proposed C170egip

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An assessment of any risk that development may have on agricultural activities and the measures proposed to mitigate any identified risk, including siting of development and use of bunding or vegetation screens.

5.0

Decision guidelines

Proposed C170egip

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

- Whether the proposal adversely impacts on farmland of strategic significance and its agricultural production.
- The appropriateness of any proposed mitigation measures and their effectiveness in mitigating the impacts on farmland of strategic significance and its agricultural production.

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 3 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as RLZ3.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	8 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	8 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	All land	100 meters

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ3**.

CONSERVATION VALUES

To ensure that the land use or development occurs in a manner which does not adversely impact on the important environmental characteristics of an area.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	200 square metres
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	150 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 3 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as FZ3.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	15 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	15 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none">The Head, Transport for Victoria is the acquiring authority; andThe purpose of the acquisition is for a road.	None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none">The Head, Transport for Victoria is not the acquiring authority; andThe purpose of the acquisition is for a road.	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 4 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ4**.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	15 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	15 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	All land	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

10/10/2019
C153egip

SCHEDULE 4 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as FZ4.

1.0
Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	1 hectare
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	10 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none">The Head, Transport for Victoria is the acquiring authority; andThe purpose of the acquisition is for a road.	None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none">The Head, Transport for Victoria is not the acquiring authority; andThe purpose of the acquisition is for a road.	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

22/06/2017
C136

SCHEDULE 5 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ5**.

1.0

Proposed C170egip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	0.4 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	0.4 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	All land	250 square metres
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	All land	20 metres
Minimum setback from a boundary (metres)	All land	10 metres
Minimum setback from a dwelling not in the same ownership (metres)	All land	20 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

EAST GIPPSLAND PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

~~and~~
Proposed C170egjp

Maps comprising part of this planning scheme:

- 1, 1EMO 1ESO1, 1HO, 1RO, 1BMO
- 2, 2EMO, 2ESO1, 2BMO
- 3, 3EMO, 3ESO1
- 4, 4EMO, 4ESO1, 4BMO
- 5, 5EMO, 5ESO1, 5BMO
- 6, 6DDO, 6EMO, 6ESO1, 6HO, 6BMO
- 7, 7DDO, 7EMO, 7HO, 7BMO
- 8, 8DDO, 8EMO, 8ESO1, 8HO, 8BMO
- 9, 9EMO, 9ESO1, 9VPO, 9BMO
- 10, 10EMO, 10ESO1, 10ESO3, 10BMO
- 11, 11EMO, 11ESO1, 11HO, 11BMO
- 12, 12EMO, 12ESO1, 12HO, 12 BMO
- 13, 13EMO, 13BMO
- 14, 14EMO, 14ESO1, 14HO, 14VPO, 14BMO
- 15, 15DDO, 15EMO, 15ESO1, 15HO, 15VPO, 15BMO
- 16, 16EMO, 16ESO1, 16VPO, 16BMO
- 17, 17EMO, 17ESO1, 17ESO3, 17LSIO, 17BMO
- 18, 18DDO, 18EMO, 18ESO1, 18HO, 18BMO
- 19, 19DDO, 19EMO, 19ESO1, 19BMO
- 20, 20DDO, 20BMO
- 21, 21DDO, 21EMO, 21ESO1, 21HO, 21SLO, 21BMO
- 22, 22DDO, 22ESO1, 22HO, 22BMO
- 23, 23DDO, 23EMO, 23EAO, 23SLO, 23VPO, 23BMO
- 24, 24ESO1, 24ESO3, 24BMO
- 25, 25VPO, 25BMO
- 26, 26EMO, 26VPO, 26BMO
- 27, 27EMO, 27ESO1, 27ESO2, 27LSIO, 27VPO, 27BMO
- 28, 28DDO, 28DPO, 28EMO, 28ESO1, 28ESO2, 28HO, 28LSIO, 28SMO, 28VPO, 28BMO
- 29, 29EMO, 29ESO1, 29ESO2, 29LSIO, 29VPO
- 30, 30DDO, 30DPO, 30EMO, 30ESO1, 30ESO2, 30HO, 30LSIO, 30SCO, 30SMO, 30VPO
- 31, 31DDO, 31DPO, 31EMO, 31ESO1, 31ESO3, 31LSIO, 31SCO, 31SLO, 31SMO, 31VPO, 31BMO
- 32, 32DDO, 32EMO, 32ESO1, 32SMO, 32VPO, 32BMO
- 33, 33DDO, 33DPO, 33EMO, 33ESO1, 33ESO2, 33HO, 33LSIO, 33PAO, 33SCO, 33SLO, 33SMO, 33VPO

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

- 34, 34DDO, 34EAO, 34EMO, 34ESO1, 34ESO2, 34ESO3, 34HO, 34LSIO, 34SLO, 34SMO, 34VPO, 34BMO
- 35, 35DDO, 35EMO, 35ESO1, 35ESO2, 35VPO, 35BMO
- 36, 36DDO, 36EMO, 36ESO1, 36LSIO, 36VPO, 36BMO
- 37, 37DDO, 37DPO, 37EMO, 37ESO1, 37HO, 37SLO, 37VPO, 37BMO
- 38, 38DDO, 38EMO, 38BMO, 38PAO
- 39, 39DDO, 39EMO, 39ESO1, 39BMO
- 40, 40DDO, 40EMO, 40ESO1, 40ESO2, 40LSIO, 40SLO, 40BMO
- 41, 41DDO, 41ESO2, 41LSIO, 41SLO, 41BMO
- 42, 42DDO, 42EMO, 42ESO1, 42ESO2, 42ESO3, 42LSIO, 42RO, 42SLO, 42BMO
- 43, 43DDO, 43DPO, 43ESO1, 43LSIO, 43SLO, 43BMO
- 44, 44DDO, 44EMO, 44ESO1, 44BMO
- 45, 45DDO, 45EMO, 45BMO
- 46, 46ESO1, 46HO, 46BMO
- 47, 47BMO
- 48, 48DDO, 48EMO, 48ESO1, 48ESO3, 48LSIO, 48RO, 48SMO, 48VPO, 48BMO
- 49, 49DDO, 49EMO, 49ESO1, 49ESO2, 49ESO3, 49LSIO, 49SMO, 49VPO, 49BMO
- 50, 50DDO, 50EAO, 50EMO, 50ESO1, 50LSIO, 50SLO, 50SMO, 50VPO, 50BMO
- 51, 51DDO, 51EMO, 51ESO1, 51HO, 51LSIO, 51RO, 51SLO, 51VPO, 51BMO
- 52, 52DDO, 52EMO, 52ESO1, 52LSIO, 52SLO, 52VPO, 52BMO
- 53, 53DDO, 53EMO, 53ESO1, 53IPO, 53LSIO, 53RO, 53SLO, 53VPO, 53PAO, 53BMO
- 54, 54DDO, 54DPO, 54EMO, 54ESO1, 54ESO3, 54HO, 54LSIO, 54VPO, 54BMO
- 55, 55DDO, 55DPO, 55DCPO, 55EMO, 55EMO, 55ESO1, 55LSIO, 55PAO, 55VPO, 55BMO
- 56, 56DDO, 56EMO, 56ESO1, 56SLO, 56VPO, 56BMO,
- 57, 57DDO, 57EMO, 57ESO1, 57SLO, 57VPO, 57BMO
- 58, 58LSIO, 58SMO
- 59, 59DDO, 59EMO, 59ESO1, 59BMO

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

20/04/2020
GC112

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Proposed C170egip

Background documents

Name of background document	Amendment number - clause reference
<i>A Land Capability Study of the Cassilis Valley, Swifts Creek. Technical Report No. 27, Centre for Land Protection Research, D. M. Rees (Department of Conservation and Natural Resources, Victoria, 1995).</i>	Clause 44.01s
<i>Draft East Gippsland Native Vegetation Plan (Government of Victoria and East Gippsland Catchment Management Authority, 2000)</i>	Clause 42.02s8
<i>East Gippsland Rural Land Use Strategy (RMCG, July 2023)</i>	Clause 11.01-1L-03 Clause 14.01-1L-01/02/03 Clause 14.01-2L Clause 14.01-3L Clause 14.02-1L Clause 17.01-1L Clause 17.04-1L Clause 19.02-2L
<i>East Gippsland Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study(Planisphere, 2006)</i>	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
<i>East Gippsland Sites of Biological Significance, (Department of Natural Resources and Environment, 1997)</i>	Clause 42.01
<i>East Gippsland Soil Erosion Management Plan (Department of Primary Industries, 2009)</i>	Clause 44.01s
<i>Erosion Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., 'A study of the land in the catchment of the Gippsland Lakes (Vols. 1 & 2) (Department of Conservation and Natural Resources, Victoria, 1992)</i>	Clause 44.01s
<i>Gippsland Lakes Coastal Action Plan (Gippsland Coastal Board, 1999)</i>	Clause 42.02s2 Clause 42.02s4 Clause 42.02s5 Clause 42.02s6
<i>Gippsland Lakes Environs Survey, D. F. Howe and T. Poutsma(Department of Conservation, Forests and Lands, unpublished)</i>	Clause 44.01s
<i>Infrastructure Design Manual (2020, Local Government Infrastructure Design Association)</i>	GC112 - Clause 21.11-6
<i>Input to Twin Rivers Land Use Plan – Economic Assessment of Future land Requirements (Essential Economics Pty Ltd, August 2011)</i>	Clause 43.04s9
<i>Lakes Entrance Northern Growth Area Social Impact Assessment (East Gippsland Shire Council, August 2012)</i>	Clause 43.04s8
<i>Lakes Entrance Urban Design Framework (Meinhardt Infrastructure and Environment, March 2007)</i>	Clause 43.02s13

Page 1 of 2

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Mallacoota Urban Design Framework</i> (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s12
North Arm Action Plan, Friends of North Arm (East Gippsland Shire and Department of Natural Resources and Environment, 1996)	Clause 42.02s7
<i>Northern Growth Area Lakes Entrance Development Concept Plan Hydrology, Water Technology</i> (Water Technology Pty Ltd, October 2013)	Clause 43.04s8
<i>Paynesville Urban Design Framework</i> (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s14
<i>Raymond Island Strategy</i> (Shire of Bairnsdale, 1992)	Clause 42.02s2
<i>Revegetation Planting Standards</i>	Clause 43.04s4 Clause 43.04s7
<i>Roadside Management Plan</i> (East Gippsland Shire Council, 1995)	Clause 42.02s1
<i>Salinity Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1 & 2)</i> (Department of Conservation and Natural Resources, Victoria, 1992)	Clause 44.02s
<i>The Siting and Design Guidelines for Structures on the Victorian Coast</i> (Victorian Coastal Council, 1998)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
<i>State Overview Report, Coastal Spaces Landscape Assessment Study</i> (Planisphere, 2006)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3 Clause 42.03s4 Clause 42.03s5 Clause 42.03s6
Twin Rivers Land Use Plan – Final Report (<i>Meinhardt Infrastructure & Environment Pty Ltd, May 2012</i>)	Clause 43.04s9
Twin Rivers Land Use Plan, Nicholson – Options for future Township Zone growth Desktop Analysis – 2012, Meinhardt	Clause 43.04s9
<i>Victoria's Native Vegetation Management – A Framework for Action</i>	Clause 43.04s3 Clause 43.04s4 Clause 43.04s7
<i>Urban Design Frameworks for Bemm River, Eagle Point, Gipsy Point, Lake Tyers Beach, Marlo, Metung, Newlands Arm, Nungurner, Raymond Island and Tambo Bluff</i> (Meinhardt Infrastructure and Environment, March 2007)	Clause 43.02s11
Urban Waterway Guidelines (<i>East Gippsland Shire Council, March 2013</i>)	Clause 43.04s9

Attachment 5.1.5.5

EAST GIPPSLAND PLANNING SCHEME

25/11/2022
C162egip

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0

Proposed C170egip

Further strategic work

Review of the Coastal Settlements Design and Development Overlays.

Prepare a planning scheme amendment to update municipal planning statement, including a municipal overview and integration of the Council Plan 2021-2025.

Review Heritage Gap Study, prepare local planning policy and update schedule to the Heritage Overlay.

Undertake a five year review of the existing and emerging extent of Farmland of Strategic Significance and update mapping and schedules, as required.

Develop guidelines for the assessment of subdivision and dwelling development in the Farming Zone and Rural Activity Zone in accordance with the Rural Land Use Strategy (2023).

Undertake a review of the land demand and supply for rural living.

Prepare and implement into the planning scheme the Settlement and Housing Strategy.

Prepare a land supply and demand analysis for residential land at a municipal wide level.

Review Coastal Inundation and Erosion Policy as part of the Update to the flooding mapping, policy and schedules.

Prepare a Planning Scheme Amendment to implement planning controls to protect landfill and water infrastructure.

Prepare Planning Scheme Amendment to implement the Paynesville Growth Area Structure Plan (PGASP).

Prepare Planning Scheme Amendment to implement the Eagle Point Structure Plan.

Review and update Bairnsdale Growth Strategy.

Prepare a land demand and supply analysis for industrial land at a municipal wide level.

Prepare a Structure Plan for Lindenow.

Review and update the Erosion Management Overlay mapping, schedules and local policy.

Review and update the Flooding mapping, schedules and planning policy.

Consider planning policy implications of climate change, sea level rise and coastal inundation as part of the update of the planning scheme flooding controls.

Review and update the Bushfire Management mapping, schedules, planning policy and develop schedules for strategically identified townships.

Prepare an Industrial land demand and supply analysis.

Review and update the mapping and schedule to the Environmental Significance Overlay.

Review and update the development contributions plans for Lakes Entrance Northern Growth Area.

Prepare a Planning Scheme Amendment to update planning policy, zoning review and residential land supply for Omeo.

Prepare an Open Space Strategy.

Work with the landowner to prepare a Structure Plan for Lake Tyers Beach.

Review Master Plans contained in the Urban Design Frameworks on a township and needs basis as part of the review and preparation of structure plans.

6 Urgent Business

7 Confidential Business

7.1 Property 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 may prejudice Council in commercial negotiations which have not yet commenced.

7.2 Contract Matter

The information contained in this report is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that—(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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 may result in disadvantage to the businesses involved and confidentiality is necessary to protect the legitimate commercial interests of the parties.

8 Close of Meeting