



Victorian Environmental Assessment Council
ANNUAL REPORT 2009



Victorian
Environmental
Assessment
Council

www.veac.vic.gov.au



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This report outlines the activities of the
Victorian Environmental Assessment Council
for the period 1 July 2008 to 30 June 2009.

Mr Gavin Jennings MLC
Minister for Environment and Climate Change
Parliament House
Melbourne 3002

Dear Minister

In accordance with the requirements of Section 14(1) of the *Victorian Environmental Assessment Council Act 2001*, the Victorian Environmental Assessment Council is pleased to submit to you its eighth Annual Report, covering our activities for the period 1 July 2008 to 30 June 2009.



DUNCAN MALCOLM
Chairperson
Victorian Environmental Assessment Council
1 October 2009

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VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL

OUR PURPOSE

The Victorian Environmental Assessment Council was established under Section 4 of the *Victorian Environmental Assessment Council Act 2001* (the VEAC Act) to provide independent and strategic advice to the Victorian Government on matters relating to the protection and ecologically sustainable management of the environment and natural resources of Victoria's public land (refer to Section 5 of the VEAC Act).

OUR VALUES

Our organisational values reflect our attitude to the public land estate, our community and our environment. We:

- seek to understand and meet community needs from public land
- are committed to excellence and continuous improvement
- value ethical, accountable, transparent and responsible behaviour
- encourage public consultation and input into the planning process.

OUR FUNCTIONS

We:

- carry out investigations that are requested by the Minister on matters relating to the protection and ecologically sustainable management of the environment and natural resources of public land
- carry out any other functions that are conferred on the Council by the VEAC Act or any other Act (refer to Section 6 of the VEAC Act).

In carrying out investigations and making recommendations, Section 18 of the VEAC Act requires the Council to have regard to:

- the principles of ecologically sustainable development
- the need to conserve and protect biological diversity
- the need to conserve and protect any areas which have ecological, natural, landscape or cultural interest or significance, recreational value or geological or geomorphological significance
- the need to provide for the creation and preservation of a comprehensive, adequate and representative system of parks and reserves within the State of Victoria
- the existence of any international treaty ratified by the Commonwealth of Australia which is relevant to the investigation
- any agreement at a national, inter-state or local government level into which the Government of Victoria has entered, or under which the Government of Victoria has undertaken any obligation in conjunction with the Commonwealth, a State, Territory, or municipal council, which relates to the subject matter of the investigation
- the potential environmental, social and economic consequences of implementing the proposed recommendations
- any existing or proposed use of the environment or natural resources.

Powers held by the Council include the ability to appoint committees and, with the consent of the relevant Minister, make use of the services of any person employed in the Department (refer to Section 7 of the VEAC Act).

A website containing general information about the Council's role, operation and current and past investigations is available at www.veac.vic.gov.au The site also contains links to past investigations and studies conducted by the Environment Conservation Council (ECC) and the Land Conservation Council (LCC).

COUNCIL MEMBERSHIP

Members of the Victorian Environmental Assessment Council are appointed under the provisions of the *Victorian Environmental Assessment Council Act 2001*. Current members are Mr Duncan Malcolm AM (Chairperson), Mr Barry Clugston, Mr Ian Harris, Mr Ian Munro PSM and Dr Airlie Worrall. All members were appointed on 5 May 2009 for three years. From 1 July 2008 to 5 December 2008, Council members were Mr Duncan Malcolm AM (Chairperson), Assoc. Professor David Mercer, Professor Barry Hart, Ms Jan Macpherson and Ms Jill McFarlane. From 6 December 2008 to 4 May 2009, there were no members of Council.

Brief biographies of current Council members follow:



Mr Duncan Malcolm AM, Chairperson –

Duncan Malcolm is a former dairy farmer and horticulturalist from east Gippsland, and has extensive experience in natural resource management. He is the immediate past Chairperson of the Gippsland Coastal Board, member of the Gippsland Lakes Task Force, trustee of the Australian Landscape Trust and, amongst other roles, a member of the Monash University Gippsland Campus Advisory Board. He has chaired many natural resource management bodies including Lakes and Wilderness Tourism, Watermark Inc., the Irrigation Association of Australia Ltd and the East Gippsland Catchment Management Authority. With extensive experience in the water sector at state and national level Duncan was for eleven years a board member of the

Rural Water Commission of Victoria and its successor body, the Rural Water Corporation of Victoria. Duncan was awarded the Order of Australia in 2007 for service to conservation and the environment through executive roles with a range of natural resource management organisations, and to the community of East Gippsland.



Mr Barry Clugston –

Barry Clugston is a farmer from Stawell in western Victoria, with extensive experience as a land manager with farms and natural ecosystems, particularly relating to biodiversity, salinity and Landcare. Barry is Chairman of Grampians Wimmera Mallee Water Corporation and a former board member of the Wimmera Catchment Management Authority and Wimmera Leadership. He is an exhibiting artist and heavily involved in community affairs. Barry is a naturalist who for many years presented a regular wildlife program on ABC radio.

COUNCIL MEMBERSHIP



Mr Ian Harris –

Ian Harris has had over 30 years experience in the planning and management of land for public use and conservation at both state and local government levels. His career has involved responsibilities for on the ground land management in regional Victoria and urban Melbourne as well as state-wide policy development and program implementation for national parks and flora and fauna protection. More recently Ian has been responsible for the management of the City of Melbourne's world class urban parks, street trees and recreational centres, based on long term sustainability principles. Ian has extensive experience in effectively engaging the community in decision-making relating to the management of public land, has presented courses on the planning of urban open space at RMIT University, and has prepared open space plans for local government. Ian currently chairs the Victorian National Parks Advisory Council, the Reference Areas Advisory Committee and is a director of the Parks Forum, the peak body for park management agencies across Australia and New Zealand.



Mr Ian Munro PSM –

Ian Munro is a consultant for the Department of Innovation, Industry and Regional Development (DIIRD), a board member of the Growth Areas Authority and the former Deputy Secretary and CEO, Invest Assist for DIIRD. Ian has a comprehensive knowledge of government across areas including regional development, infrastructure, technology, the environment, and has chaired or been a member of numerous government expert committees and policy review committees. He has extensive experience of natural resources and flora and fauna issues on public land across Victoria. Ian was awarded the Public Service Medal in 2007 for outstanding public service, particularly in the provision of an investment facilitation model and in the continued economic development of Victoria.



Dr Airlie Worrall –

Airlie Worrall is a policy analyst by profession and a historian by training. She specialises in rural industry and community policy development and is currently Executive Manager Commodities at the Victorian Farmers Federation, responsible for the operations and policy development work of the grains, livestock, dairy, horticulture and intensive industries sections of the VFF. Airlie trained in Australian history at Melbourne University, doing research into 19th century land reform movements and the Victorian wool textiles industry. She has been an academic and an industrial heritage consultant, serving on the National Trust and the Victorian Historic Buildings Council classifications committees. As a policy analyst, she has worked in the Victorian food, textile, wool processing and timber harvesting industries and served as Senior Adviser to several Agriculture Ministers.

MINISTERIAL RESPONSIBILITY

Mr Gavin Jennings MLC, Minister for Environment and Climate Change was the Minister responsible for administering the *Victorian Environmental Assessment Act 2001* from 1 July 2008 to 30 June 2009.

COUNCIL ACTIVITIES

The Council met formally four times during the 2008–2009 financial year. Councillors also attended one River Red Gum Forests Investigation Community Reference Group meeting.

Council members' attendance at Council meetings from 1 July 2008 to 5 December 2008

Name	Attendance (number of meetings)
Duncan Malcolm	2 of 3
David Mercer	3 of 3
Barry Hart	2 of 3
Jan Macpherson	3 of 3
Jill McFarlane	3 of 3

Council members' attendance at Council meetings from 5 May 2009 to 30 June 2009

Name	Attendance (number of meetings)
Duncan Malcolm	1 of 1
Barry Clugston	1 of 1
Ian Munro	1 of 1
Ian Harris	1 of 1
Airlie Worrall	1 of 1

RIVER RED GUM FORESTS INVESTIGATION

The final report for the River Red Gum Forests Investigation was presented to the Minister for Environment and Climate Change on 18 July 2008. The report was publicly released on 25 July 2009, tabled in Parliament on 9 September 2008. The 3½ year-long investigation began in April 2005, following a formal request to VEAC from the Minister for Environment. The terms of reference for the investigation are presented below. The investigation included public land along the River Murray from Lake Hume to the South Australian border and included the lower reaches of the Avoca, Loddon, Campaspe, Goulburn, King, Ovens and Kiewa Rivers.

The final report contained recommendations for more than 5,000 parcels of public land in the investigation area, as well as general recommendations applicable across larger areas of public land or the entire investigation area. Over the course of the investigation, approximately 9000 written submissions were received in three formal public consultation periods. Council members and VEAC staff attended scores of meetings with organisations and the community, meeting face to face with thousands of individuals in the investigation area, including in Mildura, Echuca, Shepparton, Wangaratta, Cohuna, Swan Hill and Nathalia. The views and comments expressed in consultations were carefully considered in formulating the final recommendations, and changes were made in the areas of environmental water, recreation, parks and conservation reserves, domestic firewood, grazing and Indigenous involvement.

The Community Reference Group for the investigation and the Indigenous Steering Committee met once in Shepparton, immediately prior to the public release of the final report.

A comprehensive program of briefings was implemented in July and August 2009 to inform government, stakeholders, media and the general community of the details of the final report. A summary brochure and fact sheets on key topics were prepared and widely distributed. Council members and staff conducted a comprehensive investigation review in September 2009, to learn from the successes and shortcomings of the investigation, and to build on our capability to run successful investigations in the future.

The submission of the final report to the Minister and its public release in July 2008 signalled the end of VEAC's formal role in the investigation. On 10 March 2009, the government response to VEAC's recommendations was tabled in Parliament.

Expenditure, including salaries and on-costs, for the River Red Gum Forests Investigation for the 2008–2009 financial year was \$219,531.

The Terms of Reference for the VEAC River Red Gum Forests Investigation are contained in the following box:

TERMS OF REFERENCE

Pursuant to Section 15 of the *Victorian Environmental Assessment Council Act 2001* the Minister for Environment hereby requests the Council to carry out an investigation of public land within the area shown on the accompanying plan.

The purposes of the investigation are to:

- a** Identify and evaluate the extent, condition, values, management, resources and uses of riverine red gum forests and associated fauna, wetlands, floodplain ecosystems and vegetation communities¹; and
- b** Make recommendations relating to the conservation, protection and ecological sustainable use of public land as specified in Section 18 of the *Victorian Environmental Assessment Council Act 2001*.

In addition to the considerations specified in Section 18 of the *Victorian Environmental Assessment Council Act 2001*, the Council must also take into consideration the following matters:

- Policies, programs and reports, as well as obligations, resulting from International, Commonwealth-State and Interstate agreements or arrangements, as they relate to the investigation;
- Existing State Government policies, programs, strategies and Ministerial Statements, as they relate to the investigation;

- Regional programs, strategies and plans, as they relate to the investigation;
- Possible opportunities for indigenous management involvement;
- The Yorta Yorta Co-operative Management Agreement;
- Appropriate access for commercial opportunities (eg timber, grazing, apiaries, and other resource industries), for appropriate recreation activities, and for community values and uses;
- Nationally agreed criteria for a comprehensive, adequate and representative reserve system, and;
- Opportunities for a joint management regime with the New South Wales Government for the Murray River and public land on its floodplains.

The Council is required to release a Discussion Paper, a Draft Proposals Paper, and submit a Final Report on the results of its investigation. The Final Report must be submitted by 31 July 2008.²

¹ This includes all Ecological Vegetation Classes (EVCs) occurring within the study area boundary.

² Originally 1 February 2008

REMNANT NATIVE VEGETATION INVESTIGATION

The Remnant Native Vegetation Investigation began in July 2008, following a formal request to VEAC from the Minister for Environment and Climate Change. The terms of reference for the investigation are presented below. The investigation area includes public land outside Victoria's 'largely intact' landscapes. Land (both public and private) outside largely-intact landscapes accounts for about 79 percent of the total area of Victoria, of which approximately one fifth is public land.

VEAC commenced work on the investigation in 2008. A business plan and proposed budget was submitted to the Minister in August 2008 as required under the Victorian Environmental Assessment Council Act 2001 (the VEAC Act). The notice of the investigation and the request for submissions were published in Statewide newspapers on 25 February 2008. The first formal submission period closed in May 2009. Seventy-three written submissions were received.

The work program for the 2008-2009 year focused on convening and supporting a Scientific Advisory Committee established under Section 12 of the VEAC Act, initial spatial analysis of fragmentation and connectivity of native vegetation across Victoria, and analysis of written submissions from the community.

In June 2009 the Minister granted an extension of time to complete the investigation under Section 24 (3) of the VEAC Act. The final report is now due to be submitted to the Minister in March 2011.

Expenditure, including salaries and on-costs, for the Remnant Native Vegetation Investigation for the 2008-2009 financial year was \$355,007.

The Terms of Reference for the VEAC Remnant Native Vegetation Investigation are contained in the following box:

TERMS OF REFERENCE

Pursuant to section 15 of the Victorian Environmental Assessment Council Act 2001 the Minister for Environment and Climate Change hereby requests the Council to carry out an investigation of remnant native vegetation on Crown land and public authority land outside of largely-intact landscapes¹ across Victoria to identify opportunities for ecological linkages.

The purposes of the investigation are to:

- a** identify and evaluate the condition, values, resources and uses of these areas of remnant native vegetation and associated fauna outside largely intact landscapes;
- b** assess these areas for their connectivity and contribution to sustainable landscapes in relation to climate change;
- c** report on the contribution of these areas of remnant native vegetation to biodiversity conservation, recreation activities, community uses, commercial opportunities, services and utilities in the context of improving connectivity with largely-intact landscapes and freehold land; and
- d** report on opportunities for management to achieve improved ecological connectivity.

In addition to the considerations specified in Section 18 of the VEAC Act, the Council must also take into consideration relevant State Government policies, programs, strategies and Ministerial Statements, and relevant regional programs, strategies and plans.

The Council is required to consult the community in accordance with the VEAC Act, to release a Discussion Paper, and to submit a Final Report on the results of its investigation. The Final Report must be submitted by March 2011².

¹ Largely-Intact landscapes have been defined for the purposes of Net Gain Accounting for the Native Vegetation Management Framework as 'contiguous areas of native vegetation greater than 20,000 ha, with high Landscape Context scores and Site Condition scores that are high (or if scores are not high, this is primarily due to natural or semi-natural disturbances)'

² Originally March 2010.

METROPOLITAN MELBOURNE INVESTIGATION

The Metropolitan Melbourne Investigation began in July 2008, following a formal request to VEAC from the Minister for Environment and Climate Change. The terms of reference for the investigation are presented below. The investigation area includes public land within 29 municipalities of metropolitan Melbourne.

VEAC commenced work on the investigation in 2008. A business plan and proposed budget was submitted to the Minister in August 2008 as required under the Victorian Environmental Assessment Council Act 2001 (the VEAC Act). The notice of the investigation and the request for submissions were published in Statewide newspapers on 3 December 2008 and in local papers throughout the investigation area during the following week. The first formal submission period closed in March 2009. One hundred and eighty-nine written submissions were received.

The work program for the 2008-2009 year focused on compilation of the public land data base for the investigation area, analysis of submissions from the community, commissioning background reports to inform the discussion paper, and initial engagement with local governments and with State government agencies.

In June 2009 the Minister granted an extension of time to complete the investigation under Section 24 (3) of the VEAC Act. The final report is now due to be submitted to the Minister in May 2011.

Expenditure, including salaries and on-costs, for the Metropolitan Melbourne Investigation for the 2008-2009 financial year was \$511,001.

The Terms of Reference for the VEAC Metropolitan Melbourne Investigation are contained in the following box:

TERMS OF REFERENCE

Pursuant to section 15 of the Victorian Environmental Assessment Council Act 2001 the Minister for Environment and Climate Change hereby requests the Council to carry out an investigation of Crown land and public authority land in the cities constituting metropolitan Melbourne¹, and the Shire of Cardinia.

The purposes of the metropolitan Melbourne investigation are to:

- a** systematically identify and assess the uses, resources, condition, values and management of Crown land, and public authority land in metropolitan Melbourne;
- b** assess values of Crown land, and public authority land for areas not committed to a specific use, and report on appropriate future uses relevant to Melbourne's liveability and natural values; and
- c** report on the contribution of Crown land, and public authority land to Melbourne's liveability and opportunities for enhancement of this contribution.

In addition to the considerations specified in section 18 of the VEAC Act, the Council would need to take into account the following matters:

- relevant State Government policies, programs, strategies and Ministerial Statements relating to the use of open space in Melbourne, including Melbourne 2030 and Planning for all of Melbourne and Linking People & Spaces;

- public authority plans and strategies such as the Port Phillip Catchment Management Authority Regional Catchment Strategy and Native Vegetation Plan; and
- land required by transport and other utilities for their functions and appropriate access for social, recreational and community activities.

The Council is required to consult with the community in accordance with the VEAC Act, to release a Discussion Paper, and to submit a Final Report on the results of its investigation.

The Final Report must be submitted by May 2011².

¹ Cities of Banyule, Bayside, Boroondara, Brimbank, Casey, Dandenong, Darebin, Frankston, Glen Eira, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Nillumbik, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra, Melbourne Docklands

² Originally May 2010

OTHER ACTIVITIES

Large-scale digital public land use mapping

Public land managers, other agencies using public land, local government, industry, consultants and other land users increasingly need large-scale (at least 1:25,000 scale) mapping of public land categories, to clarify boundaries and appropriate uses. The VEACRECS25 dataset provides accurate digital mapping of Government-approved VEAC, ECC, and LCC recommendations for such purposes.

For this project DSE staff initially compile information using the VicMap digital parcel layer. VEAC staff validate and confirm or correct the public land use for each parcel, providing detailed boundaries using VEAC, ECC and LCC records and digital aerial imagery, as required.

Provisional data has been compiled for 73,860 Crown land parcels, including those in the Metropolitan Melbourne Investigation municipalities. This represents 96 per cent of all parcels in Victoria. Completed VEACRECS25 data for 34,060 parcels in 50 municipalities – this year including Macedon Ranges Shire and 29 Metropolitan Melbourne Investigation municipalities – have been returned for loading into the Department's MapShare Intranet website. Numerous amendments have also been processed to maintain the data. This mapping and associated data are available for all DSE staff.

A major project this year has been the compilation of, digital data creation for, and public land use resolution for 34,390 public authority land parcels in the Metropolitan Melbourne Investigation area. These are additional to the Crown land parcels above.

ADMINISTRATION

The Victorian Environmental Assessment Council office is located on Level 6, 8 Nicholson St, East Melbourne, 3002.

Telephone (03) 9637 9902

Fax (03) 9637 8024

Toll Free Number 1800 134 803

E-mail veac@dse.vic.gov.au

Website www.veac.vic.gov.au

Chief Executive Officer Ms Joan Phillips

The Chief Executive Officer is responsible for managing the office and staff.

CONSULTANCIES

A consultancy has been defined as an arrangement where an individual or organisation is engaged:

- to provide expert analysis and advice which facilitates decision making
- to perform a specific, one-off task or set of tasks
- to perform a task involving skills or perspectives which would not normally be expected to reside within the agency.

No consultancies for amounts greater than \$100,000 were entered into during 2008-2009. VEAC engaged five consultants during 2008-2009 for the Metropolitan Melbourne and Remnant Native Vegetation Investigations, at a total cost of \$91,085 (excludes GST).

COMMITTEES

VEAC is required to establish a Community Reference Group to provide advice in respect of each investigation. The Council may also appoint any committees that it considers necessary to assist with conduct of investigations. Membership of committees is not restricted to members of the Council. Community Reference Groups for the

Remnant Native Vegetation and Metropolitan Melbourne investigations were not established during 2008–2009.

One meeting of the River Red Gum Forests Investigation Community Reference Group was held during 2008–2009. The group of 24 members represented a wide range of stakeholder interests, as follows:

Organisation represented	Membership* as at 1 July 2008
Barmah Forest Cattlemen's Association	Mr Kelvin Trickey
Barmah Forest Preservation League	Mr Stan Vale
Birds Australia	Mr Chris Tzaros
Bush Walking Victoria	Dr Phillip Brotchie
Confederation of Australian Motor Sport, Victoria	Mr Ian Crook
Country Fire Authority	Ms Rachel Rogers
Environment Victoria	Mr Rod Orr
Four Wheel Drive Victoria	Mr Zac Powell
Friends of Nyah Vinifera Forest	Mr Joe Blake
Gannawarra Shire Council	Cr Neville Goulding
Goulburn Valley Environment Group	Ms Louise Anderson
Horse Riding Clubs Association of Victoria	Ms Debbie Warne
Mildura Rural City Council	Tom Crouch
Minerals Councils of Australia, Victorian Division	Ms Laura Chibnall, Mr Trevor Shard, Jeff Dunwoodie
Moira Shire Council	Cr David McKenzie
Murray Lower Darling Rivers Indigenous Nations	Mr Wayne Webster
Shire of Campaspe	Cr Neil Repacholi
Sporting Shooters' Association of Victoria	Mr Colin Wood
Timber Communities Australia	Ms Faye Ashwin
Tourism Alliance, Victoria	Mr Nicholas Hunt
Victorian Association of Forest Industries	Mr Paul Madden
Victorian Farmers' Federation	Mr Ian Lobban
Victorian National Parks Association	Mr Nick Roberts
VRFish	Mr John Corbett

*Meetings were also attended by proxies and other guests

An Indigenous Steering Committee for the River Red Gum Forests Investigation was appointed in December 2006. The group met once during 2008–2009. The membership of the group was as follows on 1 July 2008:

River Red Gum Forests Investigation Indigenous Steering Committee Members*

Henry Atkinson
 John (Sandy) Atkinson
 Rose Kirby
 Sam Morgan
 Gary Murray
 Bobby Nicholls
 Darren Perry
 Sissy Pettit-Havea
 Ken Stewart
 Wayne Webster (Co-Chairperson)

*Meetings were also attended by other Indigenous community members and other guests.

A Scientific Advisory Group for the Remnant Native Vegetation Investigation was appointed in December 2008. The group met three times during 2008–2009. The membership of the group was as follows during 2008–2009:

Remnant Native Vegetation Investigation Scientific Advisory Group Members

Rod Gowans, PSM (Chair)
 Professor Andrew Bennett
 Dr Sue McIntyre
 Dr Denis A Saunders, AM

DECLARATION OF INTERESTS

The Chairperson and all members completed Declarations of Interest, which were forwarded to the Minister.

Chief Executive Officer Ms Joan Phillips completed a declaration which has been forwarded to the Minister.

All returns are confidential.

FINANCIAL INFORMATION

Council's operating funds were provided as a part of recurrent funds appropriated to the Department of Sustainability and Environment.

The financial operations of the Council have not been separately audited. Audited statements are incorporated into the overall Financial Statements of the Department of Sustainability and Environment Annual Report for the year ended 30 June 2009. The table below shows expenditure incurred.

Expenses	2008-2009	2007-2008	2006-2007	2005-2006	2004-2005
Salaries and oncosts	960,229	798,952	945,685	974,151	845,969
Operating	683,096	736,485	1,044,810	489,489	576,524
Total	1,643,326	1,535,438	1,990,495	1,463,640	1,422,493

There were no significant changes in financial position during the year.

STAFFING

Employment Type	2009 (a)			2008 (b)		
	Male	Female	Total staff	Male	Female	Total staff
Ongoing	2	2	4	3	4	7
Fixed term	0	5	5	0	1	1
Temporary or contract employees	2	3	5	1	2	3
Total	4	10	14	4	17	11

Notes:

- a** Relates to payroll and contract staff as at 30 June 2009
- b** Relates to payroll and contract staff as at 30 June 2008

Note: VEAC staff are also included in employment statistics for the Department of Sustainability and Environment

ORGANISATION CHART



As at 30 June 2009.

MERIT AND EQUITY

Victorian Public Service merit and equity principles are applied in the appointment and management of staff. VEAC follows the merit and equity principles used by DSE, in accordance with Government directives and the *Public Administration Act 2004*.

Three primary goals have been assumed by VEAC with regard to people management practices:

- develop and sustain an organisational culture in which policies, practices and services are adapted to the needs of the community
- ensure a workplace free from policies and practices that discriminate against staff or potential staff
- ensure that staff have access to a fair, efficient grievance review process to resolve perceived breaches of merit and equity.

COMPLIANCE

- The Council adheres to the principles of the National Competition Policy (NCP) to ensure that any business competition with private entities takes place in an environment where the Council has no unfair competitive advantages.
- During the year the Council did not enter into any contracts to which the *Victorian Industry Participation Policy* applied.
- The Council uses Department of Sustainability and Environment facilities.
- The Council utilises Department of Sustainability and Environment Occupational Health and Safety policies and procedures.
- There were no major changes or factors affecting performance.
- The Council is committed to the requirements of the Premier's Circular 2006/1, in relation to community inclusiveness, and applies these requirements in its operations where possible.

FREEDOM OF INFORMATION

The *Freedom of Information Act 1982* allows the public a right of access to documents held by the Council.

Freedom of Information requests are made in writing describing the documents requested and including payment of the \$23.40 application fee. Further charges may be payable. Freedom of Information fees and charges are not subject to GST. Requests to the Council should be sent to the authorised Freedom of Information Officer. The telephone contact number is (03) 9637 9902 or enquiries can be e-mailed to rebecca.hartnett@dse.vic.gov.au. The mailing address is: 8 Nicholson St, East Melbourne 3002.

Principal Officer
Mr Duncan Malcolm, Chairperson

Authorised Officer
Ms Rebecca Hartnett,
Senior Administrative Officer

Operations
For the 12 months ending 30 June 2009, there were no valid requests. There were no requests outstanding as at 30 June 2009.

WHISTLEBLOWERS PROTECTION ACT

The *Whistleblowers Protection Act 2001* is designed to protect people who disclose information about serious wrongdoing within the Victorian Public Sector and to provide a framework for the investigation of these matters.

The Protected Disclosure Coordinator for the Department of Sustainability and Environment (DSE) acts as an agent for the Council to receive disclosures under the Act, and applies DSE procedures in managing disclosures. Disclosures may also be made directly to the Ombudsman.

There were no disclosures made under this Act during the year.

Disclosures of improper conduct by the Council or its employees may be made to the following:

Jennifer Berensen
Manager, Privacy
Department of Sustainability and Environment

PO Box 500, East Melbourne Vic 3002

Telephone 9637 8697

E-mail privacy.enquiries@dse.vic.gov.au

The Ombudsman Victoria

Level 9, 459 Collins Street,
Melbourne Vic 3000

Telephone 9613 6222

Toll free 1800 806 314

INFORMATION PRIVACY ACT

VEAC complies with the ten information privacy principles in place that help to form the *Information Privacy Act 2000*. This includes handling the collection of personal information in a responsible manner.

The coordinator of privacy issues for the Department of Sustainability and Environment (DSE) is:

Jennifer Berensen Manager, Privacy
Department of Sustainability and Environment
PO Box 500, East Melbourne Vic 3002

Telephone 9637 8697

E-mail privacy.enquiries@dse.vic.gov.au

RISK MANAGEMENT

While VEAC examines the risks of delivery of its particular work functions and objectives on an ongoing basis, it relies on the Department of Sustainability and Environment (DSE) risk management framework and internal audit

of financial and other administrative systems which are used by the VEAC's Secretariat. Please refer to the DSE annual report for further information.

ASSISTANCE TO COUNCIL

Council receives significant assistance from government departments and agencies, local government, private organisations, and from interested members of the community. This assistance has been an integral part of Council being able to meet its objectives for the past year.

For example, many informative and thoughtful submissions were sent to Council in response to the notices of investigation for the Metropolitan Melbourne Investigation and the Remnant Native Vegetation Investigation. VEAC understands the time and effort required in order to produce these submissions and would like to thank each person and organisation who took the time to participate in the process.

The Council would also like to acknowledge the skilled and dedicated work of VEAC's staff who contributed to the preparation of the final report for the River Red Gum Forests Investigation and delivery of the extensive communications program associated with completion of the investigation.

Department of Sustainability and Environment units such as Human Resources, Finance, Occupational Health and Safety, and Information Systems have also provided support to Council and this support is gratefully acknowledged.

APPENDIX 1: INVESTIGATIONS AND WRITTEN SUBMISSIONS

Investigation	1st submission period
Metropolitan Melbourne	189
Remnant Native Vegetation	73

Notes:

"Submissions" recorded here include letters received after the closing date.

APPENDIX 2: DISCLOSURE INDEX

The 2008–2009 Annual Report of the Victorian Environmental Assessment Council is prepared in accordance with all relevant Victorian legislation. This index has been prepared to facilitate identification of the Council's compliance with statutory disclosure requirements.

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FRD 22B	Application and operation of the Whistleblowers Protection Act 2001	21
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FRD 22B	Details of consultancies under \$100,000	15
FRD 22B	Statement of availability of other information	24
FRD 25	Victorian Industry Participation Policy disclosures	20
FRD 29	Workforce Data disclosures	19

STATEMENT OF AVAILABILITY OF OTHER INFORMATION

- Overseas travel undertaken including a summary of the objectives and outcomes of each visit – nil
- Assessments and measures undertaken to improve the Occupational Health and Safety of employees #
- Publications produced by the entity about itself, and how these can be obtained *
- A general statement on IR within the entity and details of time lost through industrial accidents and disputes – not applicable
- Major research and development activities undertaken – nil
- Major promotional, public relations and marketing activities undertaken by the to develop community awareness of the Council and its services – see Investigations
- A list of major committees sponsored by the entity, the purposes of each committee and the extent to which the purposes have been achieved - nil

See Department of Sustainability & Environment Annual Report

* This information is held by the Senior Administrative Officer and can be made available to Ministers, Members of Parliament and the public on request.