



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

Council Meeting Agenda

Meeting to be held at

Port Of Sale Civic Centre

Foster Street, Sale

Tuesday 15 July 2014, commencing at 6pm

**or join Wellington on the Web:
www.wellington.vic.gov.au**

ORDINARY MEETING OF COUNCIL – 15 JULY 2014
AGENDA & TABLE OF CONTENTS

	ITEM	PAGE NUMBER
A	PROCEDURAL	
A1	STATEMENT OF ACKNOWLEDGEMENT AND PRAYER	
A2	APOLOGIES	
A3	DECLARATION OF CONFLICT/S OF INTEREST	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	7
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S	9
A6	ACCEPTANCE OF LATE ITEMS	10
A7	NOTICES OF AMENDMENT OR RESCISSION	11
A8	NOTICES OF MOTION	12
A9	RECEIVING OF PETITIONS OR JOINT LETTERS	13
	Item A9(1) Outstanding Petitions	14
	Item A9(2) Petition: Closure of the Sale Transfer Station	15
A10	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS	19
A11	GALLERY COMMENTS	20
A12	QUESTIONS ON NOTICE	21
	Item 12(1) Outstanding Questions on Notice	22
	Item 12(2) Response to Question on Notice – Gippsland Water – Regional Outfall System	23
	Item 12(3) Response to Question on Notice – Federal Assistance Grants	31
A13	MAYOR'S REPORT	33
A14	YOUTH COUNCIL REPORT	36
B	REPORT OF DELEGATES	
C	OFFICERS' REPORT	
	C1 CHIEF EXECUTIVE OFFICER	
	ITEM C1.1 CHIEF EXECUTIVE OFFICER'S REPORT	40
	C2 GENERAL MANAGER GOVERNANCE	
	ITEM C2.1 ASSEMBLY OF COUNCILLORS	52
	ITEM C2.2 WELLINGTON COMMUNITY FUND	50

	ITEM	PAGE NUMBER
	C3 GENERAL MANAGER DEVELOPMENT	
	ITEM C3.1 STRATEGIC LAND USE PLANNING PROJECTS REVIEW GROUP MINUTES	54
	ITEM C3.2 NINETY MILE BEACH PLAN PROGRESS REPORT	56
	ITEM C3.3 AMENDMENT C86 ROSEDALE STRUCTURE PLAN IMPLEMENTATION	68
	ITEM C3.4 AMENDMENT C82 – REZONING OF LAND IN LONGFORD	155
	ITEM C3.5 AMENDMENT C72 HEYFIELD STRUCTURE PLAN IMPLEMENTATION – CONSIDERATION OF PANEL REPORT AND ADOPTION	267
	ITEM C3.6 AMENDMENT C83 AND COMBINED PLANNING PERMIT APPLICATION P370/2012 – REZONING AND SUBDIVISION OF LAND IN LONGFORD	407
	C4 GENERAL MANAGER BUILT & NATURAL ENVIRONMENT	
	ITEM C4.1 APPLICATION FOR REVOCATION OF PART OF AN UNUSED ROAD LICENCE – PART OF GOVERNMENT ROAD (BILLABONG ROAD)- SOUTH OF CA 10 SECTION D - PARISH OF WURRUK WURRUK	499
	ITEM C4.2 CONTRACT 2013-041 YARRAM RECREATION RESERVE PAVILION	503
	ITEM C4.3 GIPPSLAND WASTE RESOURCE AND RECOVERY GROUPS – CALL FOR OFFICER ADVISORY MEMBER REPRESENTATION NOMINATION	506
	ITEM C4.4 CIVIC ACCOMMODATION ELECTRICAL WORKS CONTRACT NO 2013 - 064	508
	C5 GENERAL MANAGER LIVEABILITY	
	ITEM C5.1 GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES	512
	ITEM C5.2 MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES	518
D	URGENT BUSINESS	525
E	FURTHER GALLERY AND CHAT ROOM COMMENTS	525
F	CONFIDENTIAL ATTACHMENTS	
	ITEM F.1. STRATEGIC LAND USE PLANNING PROJECTS REVIEW GROUP MINUTES	
	ITEM F1.2 CONTRACT 2013-041 YARRAM RECREATION RESERVE PAVILION	
G	IN CLOSED SESSION	



Council Meeting Information

Members of the Public Gallery should note that the Council records and publishes Council meetings via Webcast to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.

Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the webcasting chat room should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.

Please could gallery visitors and Councillors ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.



A - PROCEDURAL



STATEMENT OF ACKNOWLEDGEMENT

***“We acknowledge the traditional custodians
of this land the Gunaikurnai people,
and pay respects to their elders past and present”***



PRAYER

***“Almighty God, we ask your blessing upon the Wellington
Shire Council, its Councillors, officers, staff and their families.
We pray for your guidance in our decisions so that the
true good of the Wellington Shire Council may result to
the benefit of all residents and community groups.”***

Amen



A - PROCEDURAL

A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

ITEM A4**ADOPTION OF MINUTES OF PREVIOUS MEETING/S**

ACTION OFFICER:

GENERAL MANAGER GOVERNANCE

DATE:

15 JULY 2014

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 1 July 2014 as tabled.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 July 2014 as tabled.



A - PROCEDURAL

A5 BUSINESS ARISING FROM PREVIOUS MEETING/S

ITEM A5

BUSINESS ARISING FROM PREVIOUS MEETING/S

ACTION OFFICER

CHIEF EXECUTIVE OFFICER

DATE:

15 JULY 2014

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			



A - PROCEDURAL

A6 ACCEPTANCE OF LATE ITEMS



A - PROCEDURAL

A7 NOTICE/S OF AMENDMENT OR RESCISSION



A - PROCEDURAL

A8 NOTICE/S OF MOTION



A - PROCEDURAL

A9 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A9(1)

OUTSTANDING PETITIONS

ACTION OFFICER

GOVERNANCE

DATE:

15 JULY 2014

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			

ITEM A9(2)**RECEIPT OF PETITION: CLOSURE OF THE SALE TRANSFER STATION**

DIVISION: BUILT & NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER NATURAL ENVIRONMENT & PARKS
 DATE: 15 JULY 2014

Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓							

OBJECTIVE

To present Council with a petition in relation to the closure of the Sale Transfer Station.

BACKGROUND

A petition containing 80 signatures has been received by Council.

A copy of the petition is attached for Council information.

LEGISLATIVE IMPACT

Section L6.59 of Wellington Shire Council Processes of Municipal Government (Meetings and Common Seal) Local Law No 1 provides for petitions and joint letters:

“A petition or joint letter presented to the Council must lay on the table for a period determined by the Council but not exceeding the next two Council Meetings. No motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council unanimously agrees to deal with it earlier.”

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION**

That Council receive the attached petition relating to the closure of the Sale Transfer Station.



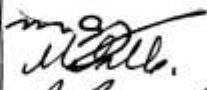

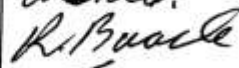
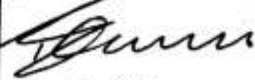


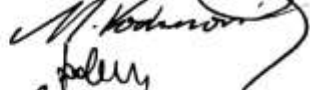
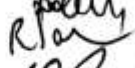

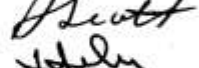




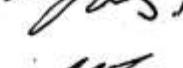





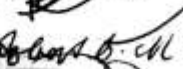

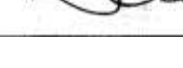


PETITION

LACEY ST - SALE.

PLEASE SAVE OUR SALE TRANSFER STATION

NAME	ADDRESS	SIGN.
IAN COOK	8 W11	Jan Cook
ISABEL SAHLSTRA		J. Sahlstrom
ISABEL SAHLSTRA		[Signature]
E. THORNE		B.H. Robinson
B. ROBERTSON		L. Hocken
L. HOCKEN		[Signature]
LEN COLLIER		[Signature]
Des Graupner		Des Graupner
J. W. STANSE		[Signature]
J. HAWKING		[Signature]
B. ELLIMAN		[Signature]
Rayel Maith		[Signature]
Jerry Swarski		[Signature]
MRS WHITE		[Signature]
[Signature]		[Signature]
P. Broadhear		[Signature]
Neer Akors		[Signature]
Reggie de Vries		[Signature]
Jean Boulter		[Signature]
Jody Chann		[Signature]
Donna Arganton		[Signature]
Sh. org. J. Lent		[Signature]
MICHAEL PRESTNEY		[Signature]
Janette Prestney		[Signature]
Lauren Perillo		[Signature]
James Prestney		[Signature]

SAVE TRANSFER STATION.

NAME	ADDRESS	SIGN
BRAD STOKELL		
CHRIS HAMES		
GARY WATSON		
PAUL LAMBERT		
MARTIN TANZER		
Bob & Mary Mason		
Ken Paule		
TIM CLEMENS		
R CLARK		
M. Kincaid		
M. VODANOVICH		
M. Dobrzanski		
R. Salisbury		
W. Anderson		
D Scott		
S. JOLI		
M. Hannington		
TOM HALL		
ben lucas		
R. J. BLOINK		
DUNCAN DUNN		
AL TREW		
MATT JADSON		
Sara Demerai		
JOHN MASTER		
G. Van Putter		
Luke Harris		
BOB MCKAY		
Royce Curke		

RESOLUTION

PLEASE SAVE OUR TRANSFER STATION

X NAME	ADDRESS	LACEY ST. SALE	WED. SIGN
DOUG NEAL			<i>Doug Neale</i>
GRAHAM ROBERTS			<i>Graham Roberts</i>
NEVILLE JACKSON			<i>Neville Jackson</i>
KEVIN ROBERTS			<i>Kevin Roberts</i>
KATH VINCIGUERRA			<i>Kath Vinciguerra</i>
FRANK VINCIGUERRA			<i>Frank Vinciguerra</i>
RUSSELL STEVEN			<i>Russell Steven</i>
RICH OSBOURNE			<i>Rich Osbourne</i>
MARTY HELLING			<i>M. Helling</i>
GARY CAMPBELL			<i>Gary Campbell</i>
KEVIN GIACCI			<i>Kevin Giacci</i>
JO JOHNSON			<i>Jo Johnson</i>
DAVE REILLY			<i>Dave Reilly</i>
SHANE DICKERLY			<i>Shane Dickery</i>
MARY HARGREAVES			<i>Mary Hargreaves</i>
BRIAN DAVENPORT			<i>Brian Davenport</i>
JO MACTIER			<i>Jo Mactier</i>
RAY HANLEY			<i>Ray Hanley</i>
ANDY BYE			<i>Andy Bye</i>
JOHN HOPKINSON			<i>J. Hopkins</i>
BRIAN HALL			<i>B. Hall</i>
COT. A. VINCO			<i>C. Vinco</i>
GARY MASON			<i>G. Mason</i>
G. P. HALL			<i>G.P. Hall</i>

NAME	TRANSFER STATION CLOSURE	SIGNATURE
KATHY MARINOVIK	ST	<i>Kathy Killen</i>



A - PROCEDURAL

A10 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

ITEM A11

GALLERY COMMENTS

DIVISION:

CHIEF EXECUTIVE OFFICER

ACTION OFFICER:

CHIEF EXECUTIVE OFFICER

DATE:

15 JULY 2014



A - PROCEDURAL

A12 QUESTIONS ON NOTICE

ITEM A12(1)**OUTSTANDING QUESTIONS ON NOTICE**

ACTION OFFICER

CHIEF EXECUTIVE OFFICER

DATE:

15 JULY 2014

ITEM	FROM MEETING	COMMENTS	ACTION BY
<p>Question on Notice: <i>That, in response to the Gippsland Water media releases presented in attachments 1 and 2 (10 February and 11 April, 2014) regarding their Regional Outfall System (ROS) industrial wastewater release, could the Chief Executive Officer write to Gippsland Water asking what contingencies they have in place for continued operation of the Water Factory in the case of extended power outages?</i></p>	20 May 2014	<p>A response will be provided at the next Council Meeting of 17 June 2014.</p> <p><u>17 June 2014</u> A letter has been sent to the Chief Executive Officer of Gippsland Water with regard to this Question Notice. Once a reply is received a response will be provided to this Question on Notice.</p> <p><u>15 July 2014</u> A comprehensive response has been received from Gippsland Water. A copy of the letter is provided at Attachment 3.</p>	Chief Executive Officer

ITEM A12(2)**QUESTION ON NOTICE**

OFFICER:

COUNCILLOR BOB WENGER

DATE:

20 MAY 2014

Background

The Gippsland Water Factory project was completed in 2011 with a final capital cost to Gippsland Water of \$230M. This followed over a decade of research, planning and development to address a long standing environmental issue.

The Gippsland Water Factory project has removed raw waste from, and addressed the odour previously generated in, the open channel that forms part of the Regional Outfall System.

The main treatment plant, located at Maryvale, treats up to 35 million litres of wastewater daily from over 19,000 properties in nine central Gippsland towns and Australian Paper's Maryvale Mill.

The Gippsland Water Factory project also delivered 78 kilometres of new pipeline, including a new pipeline from Sale to Dutson Downs. Three new pump stations were commissioned along with five pump station upgrades.

The project has also delivered recycled water benefits to the Gippsland region. The main treatment plant at Maryvale has the capacity to recycle water for industrial use. Up to 3,000 million litres of recycled water per year can be produced for industry, (the equivalent of 1,200 Olympic-size swimming pools) should the need arise in the future.

Media releases from Gippsland Water presented in attachments 1 and 2 (10 February and 11 April, 2014), highlights issues with power availability and the subsequent release of untreated industrial wastewater into the ROS.

In the past Gippsland Water would provide technical data in relation to untreated waste via the (G.W. Coastal Agencies Committee).

These power outages were relatively short however the length of wastewater release extends beyond the power outage period.

Councillor Wenger asked the following question:

That, in response to the Gippsland Water media releases presented in attachments 1 and 2 (10 February and 11 April, 2014) regarding their Regional Outfall System (ROS) industrial wastewater release, could the Chief Executive Officer write to Gippsland Water asking what contingencies they have in place for continued operation of the Water Factory in the case of extended power outages?

3 Jun 2014

A response will be provided at the next Council Meeting of 17 June 2014.

17 June 2014

The following information is supplied in response:

A letter has been sent to the Chief Executive Officer of Gippsland Water with regard to this Question Notice. Once a reply is received a response will be provided to this Question on Notice.

15 July 2014

A comprehensive response has been received from Gippsland Water. A copy of the letter is provided at Attachment 3.

Attachment 1



MEDIA RELEASE

Power outage leads to waste treatment issues

10 February 2014

All media enquiries: Gerard Callinan 5177 4793 or 0448 905 833

Gippsland Water will be discharging untreated industrial trade waste into the regional outfall sewer system following power outages at its Gippsland Water Factory treatment plant, caused by the recent fires that have impacted the central Gippsland region.

The long power outage meant that large volumes of industrial trade waste could not be treated at the Gippsland Water Factory treatment plant in Maryvale.

Releasing this untreated wastewater may result in odours in areas close to the regional outfall sewer system; which runs for 87kms from Maryvale through to Dutton Downs outside of Sale. Part of this system is an open channel.

This will continue for a short period until power is restored to the treatment plant.

The Gippsland Water Factory treats up to 35 million litres of wastewater from homes and businesses in Traralgon, Morwell, Yallourn North, Boolarra, Toongabbie, Glengarry, Rosedale, Yinnar and Churchill and trade waste produced at Australian Paper's Maryvale Mill.

Gippsland Water would like to thank the community for their patience during this time.



Media Release

ROS Wastewater Release

11 April 2014

All media enquiries:
Gerard Callinan 5177 4793
or 0448 905 833

Several recent extended power interruptions have required Gippsland Water to release a backlog of untreated industrial waste from the Gippsland Water Factory to the Regional Outfall System (ROS).

As a consequence of extended power outages due to the electrical explosion at the Morwell Terminal Station last Friday (4 April) and its subsequent repair, the Gippsland Water Factory's ability to treat incoming industrial waste from Australian Paper has been significantly reduced, resulting in a storage capacity challenge.

This means that untreated industrial wastewater will be released to the ROS until mid-next week.

Gippsland Water acknowledges that the unscheduled release of untreated industrial wastewater may impact on residents in the Wellington Shire who live or travel in the vicinity of the ROS, where odours may be detectable. Although the odour will not return to the pre-Gippsland Water Factory level, it may be more noticeable than it has been in recent months.

Contingency plans to manage odour issues have now been put in place which consists of monitoring the volume of untreated industrial waste discharged and applying pH correction at several locations along the ROS.

Gippsland Water has communicated with community members who live near the ROS to advise them of the changed conditions in their area.

1



Gippsland Water supplies fresh clean drinking water and wastewater services to more than 60,000 customers across an area of more than 5,000 square kilometres. It maintains a \$1 billion infrastructure network, which includes more than 2,000 kilometres of water mains, 15 water treatment plants, over 1,500 kilometres of sewer mains and 14 wastewater treatment plants.

Attachment

30 June 2014

Our reference:
Your reference:

03/07/78
SM:DM
ECM 1957996



Hazelwood Road
PO Box 348
Traralgon Victoria 3844
Telephone: (03) 5177 4600
Facsimile: (03) 5174 0103
contactus@gippswater.com.au
www.gippswater.com.au

Mr David Morecom
Chief Executive Officer
Wellington Shire Council
PO Box 506
SALE VIC 3850



Dear David

Re: Question on Notice – Contingencies in place for continued operation of the Gippsland Water Factory

Thank you for your letter dated 2 June 2014 (SM:DM ECM1957996) in which you have requested an understanding of the contingencies Gippsland Water has in place for the continued operation of the Gippsland Water Factory in the case of extended power outages.

As you are aware the Gippsland Water Factory (GWF) project was completed in December 2010, and comprises a 35 million litre per day (approximately 15 Olympic size swimming pools) wastewater treatment plant. The primary driver of the GWF project was to reduce offensive odour emissions from the Regional Outfall Sewer (ROS).

The GWF treats municipal wastewater from nine central Gippsland towns and industrial tradewaste from Australian Papers Maryvale Mill. A unique feature of the GWF project is that it is effectively two separate wastewater treatment plants sharing common infrastructure and which also incorporates water recycling capability as part of its treatment processes.

Commissioning of the GWF replaced the previous lagoon based treatment system at Dutson Downs, accelerating the treatment process from up to 120 days to 3 days. Like the majority of tertiary wastewater treatment plants the GWF relies significantly on biological processes to achieve its treatment objectives and optimum performance occurs when inflows and loads are relatively uniform and stable.

A further feature of the GWF / ROS system is that the Dutson Downs treatment lagoons have been retained, which provide for a full 100% treatment redundancy should treatment performance at the GWF be compromised, and thus ensures that no untreated wastewater is ever discharged to the

environment. It is Gippsland Water's current understanding that no other wastewater treatment plant in Australia has this level of treatment redundancy.

As you are no doubt aware, wastewater inflows are anything but uniform, being influenced by:

- time of day (inflows are at their highest early in the morning and early in the evening);
- wet weather events (infiltration into the sewer as a consequence of stormwater overflow and illegal connections of stormwater drainage to the sewer network); and
- Australian Paper's daily manufacturing status.

In order to balance these highly variable wastewater inflows into the GWF a range of storages exist within the collection systems to retain peak inflows and regulate the return to the GWF for treatment during times of lesser inflows. These storages also feature some redundant retention capacity to assist manage inflows at times when the GWF may be offline due to a process interruption, which could be caused for example by:

- A biological upset;
- A loss of power;
- Unscheduled maintenance activities; or
- An extreme wet weather event.

In the unlikely event that such an event occurs when the storages are relatively full, or the event is prolonged to the point that the storages are approaching their capacity the operating response is to bypass the GWF and to utilise the ROS as a transport mechanism to convey untreated wastewater to Dutson Downs for treatment in its lagoon system prior to discharge to Bass Strait.

The most recent example of such an event was as a direct consequence of the electrical explosion at the Morwell Terminal Station on the 4 April 2014. The immediate consequence of this explosion was a widespread power outage across the Gippsland Region. SPAusnet's response to this explosion was to rapidly return to service those feeders that had tripped off as a consequence of the explosion, thus electricity customers experienced a wide range of impacts as a direct consequence of this event with a majority only being without supply for one to two hours, whereas some were off supply for up to eight to twelve hours on the day.

For the GWF the impact was significantly greater than that observed by the general public. The supply feeder to the GWF whilst not directly impacted by the explosion happened to travel underneath the transmission line that exploded. Whilst the GWF feeder was not significantly damaged, SPAusnet isolated the GWF feeder in order to provide a safe working environment for employees and contractors responsible for repairing the damage to the transmission line. The isolation was in place for approximately 50 hours throughout this week, to enable SP Ausnet to safely reinstate the damaged transmission line and to execute necessary minor repairs to the GWF feeder. For the same period, Australian Paper, were only off line for approximately 8 hours, meaning that emergency storage

capacity for industrial wastewater was rapidly compromised as its production continued at full load.

Gippsland Water when it is forced by emergency circumstances to release untreated wastewater to the ROS considers in its decision making many variables which include – current and predicted wastewater inflows, wastewater treatment performance at the GWF, current wastewater volumes held within emergency storages, hydraulic capacity to transfer untreated wastewater away from the GWF, potential odour impacts for stakeholders along the ROS channel, and forecast rainfall events. This data is then utilised to determine the most appropriate discharge rate in which to minimise potential odour impacts, the length of untreated wastewater discharge and to maximise the response to the emergency at hand. This is a very complex hydraulic equation and as a consequence it sometimes appears that the release of untreated wastewater to the ROS occurs for a longer timeframe than the initial event that triggered the event in the first instance. However, I can assure you that Gippsland Water at all times aims to minimise the amount of untreated wastewater discharged to the ROS despite being licenced by the EPA to do so.

Since the commissioning of the GWF in 2010, Gippsland Water has continued to invest in improving the GWF collection and treatment system to improve the resilience of the wastewater collection systems capability of coping with a wider range of process interruption implications in order to minimise the requirement to revert to discharging untreated wastewater to the ROS. To this end the following projects have been undertaken, or are planned for the near future to improve system capability:-

1. Addressed tradewaste influent quality with Australian Paper to improve biological performance (2010/11)
2. Increased focus on managing Commercial Tradewaste and illegal discharges to municipal sewers to improve biological performance (2011/12)
3. 100% increase in the dewatering capability of the GWF to improve biological performance (2012/13)
4. Addressed stormwater infiltration in Traralgon to decrease inflows into the wastewater network to improve emergency storage capacity (completed 2012/13)
5. Increased municipal emergency storage capacity by 110 Million Litres (2013/14)
6. Increase industrial emergency storage capacity by 55 Million Litres (planned for 2014/15)
7. Double the hydraulic transfer capacity between Australian Paper and GWF to improve emergency storage capacity (planned for 2014/15)
8. Purchase an additional standby generator to double the capacity of emergency onsite generation (planned for 2014/15)
9. 5% increase in filtration capacity at the GWF to increase production throughput (planned for 2015/16)
10. Retrofit the membrane operating system at the GWF with a more energy efficient agitation system, to reduce electrical demand on emergency generators to increase production throughput during times of power outages. (planned for 2015/16).

As an independent exercise, Gippsland Water has jointly investigated with SPAusnet the provision of an alternative electricity feeder to the GWF and has determined that the technical challenges and cost of such an option outweigh the benefits gained by this level of electrical supply security.

I trust the above provides some comfort that Gippsland Water does not treat the decisions it has been forced to make with regard to releasing untreated wastewater to the ROS lightly and that through the above suite of projects that Gippsland Water has demonstrated a systematic and economically responsible approach to addressing the issue you have raised.

If you require further information or clarification on the above matters, please contact Mr. Peter Skeels, General Manager Operations on 5177 4623.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Mawer', written in a cursive style.

David Mawer
MANAGING DIRECTOR

ITEM A12(3)**QUESTION ON NOTICE**

OFFICER:

COUNCILLOR DARREN McCubbin

DATE:

15 JULY 2014

COUNCILLOR McCUBBIN

When the 2014/15 Federal budget was announced it was revealed that indexation of Federal Assistance Grants would be 'paused' for three years. This announcement has resulted in a shortfall in funding for the Wellington Shire of \$420,000 for 2014/15 with the cumulative effect of 'freezing' the grant at 2013/14 levels over the four years of the Strategic Resource Plan being a loss of approximately \$3.6 million in revenue for local infrastructure projects.

Because the minimum general purpose grant allocated to the inner Melbourne Councils is provided as of right, the effect of this "pause" on their budgets is negligible. As a result, the impact of the federal government indexation freeze is being most felt by regional and rural Councils that have the greatest need.

In the Gippsland Times of Friday 27 June 2014, Gippsland MHR Darren Chester was quoted as saying "that the Government had committed to a significant boost in roads funding to help local Government deliver large and small scale roads projects which was expected to offset the indexation pause for Regional Councils".

Can the CEO please explain what additional funding in Federal Road Funding is expected over the life of the Strategic Resource Plan and what, if any, are the conditions on accessing these additional funds?

A response will be provided at a future Council Meeting.



A - PROCEDURAL

A13 MAYOR'S REPORT

ITEM A13**MAYOR'S REPORT**

OFFICER:

COUNCILLOR ROSSETTI

DATE:

15 JULY 2014

National General Assembly of Local Government

Accompanied by Councillor Hole and the Chief Executive Officer, I attended last month's National General Assembly of Local Government in Canberra. The Assembly provides opportunity for councils from across the country to come together and discuss issues which affect us all. We heard from political leaders, we heard from experts and prominent members of the local government sector. Events such as these are also extremely valuable networking opportunities enabling us to advocate on a number of matters pertinent to our Shire.

Central Gippsland Foodmap Evening

The Central Gippsland Foodmap was launched in front of a sizeable crowd at the Tinamba Hotel on Monday 30 June. Foodmap, when established, will provide an online interactive directory of local food producers and providers and offer up-to-date accessible information for our community about the availability and origin of local food.

It will promote transparency in the food system, giving farmers and food businesses a platform to share their passion for local produce, supporting the local economy and encouraging healthy communities. It will also assist producers and providers to promote their products and grow their businesses. Foodmap raises the profile of farming and food production as a valued livelihood, showcasing the food experience opportunities in the region for locals, tourists and potential new residents and businesses.

Thomson River Caravan Park

Thomson River Caravan Park ceased operation on Monday 30 June 2014. Closing the Thomson River Caravan Park was not a decision that Council took lightly. We recognised the Park's ongoing serious issues regarding public health and safety over many years and sought an outcome which would ensure for the wellbeing of the park's residents and tenants.

This has been an exemplary exercise in partnerships. Council officers have worked hand in hand with representatives from Department of Human Services, UnitingCare Gippsland, Centrelink, Quantum, Community Housing Limited and the Salvation Army to achieve a successful outcome. Former park residents have been enabled access to more appropriate housing without the looming threat of frequent flooding. I thank all agencies and staff involved in this exercise.

Council will, over the coming months, work to transform the area back into public open space for our community to enjoy.

Additional Bus Services

This past month we have welcomed news that four new weekday daily public buses have been added to the Bairnsdale service. Wellington residents have long sought additional services to and from Melbourne. The addition particularly of a service that enables our residents to arrive in the city before 9.00am will be of great benefit. I thank the State Government for their support in advocating for these services and encourage residents to make the most of them. In making use of these services, we further highlight the significant need in Gippsland for ongoing enhancements and improvements to public transport services in our region.

Community Satisfaction Survey

We have recently received the results of the 2014 Local Government Community Satisfaction Survey. Council is pleased with the results, which demonstrate how the community perceives our performance, telling us what we're doing well and guiding the areas in which there is room for improvement.

Wellington Shire Council's overall performance is above both the state-wide average and above the average of other large rural shires. Results show that the community believes that Council has a strong direction and engages well on issues. As in previous years, results tell us that road maintenance remains one of the greatest elements for concern among our residents. I would like to thank those residents who responded to the survey, your input is extremely valuable for us and will assist us in continuing to improve the service the organisation provides for our entire community.

Councillor Scott Rossetti
MAYOR

RECOMMENDATION

That the Mayor's report be noted.



A - PROCEDURAL

A14 YOUTH COUNCIL REPORT

ITEM A14**YOUTH COUNCIL REPORT**

OFFICER:

YOUTH MAYOR, ADAM DOUTHAT

DATE:

15 JULY 2014

Youth Council has focused its time on planning for the last quarter, which will be busy with school visits, FReeZA events, various community events and meetings. Our members raised the issue that we need to consider exams when planning events and committing to requests from the community or other agencies. This hasn't been considered before so we have now started to work on process and planning check lists to help us be more organised.

Youth Council have been challenged as a group, as we have had to learn to work together, this has been hard at times with all the different personalities and opinions. There has been both personal and group development which has been necessary for us to move forward and stay focused on our Action Plan.

The Youth Council Facebook page has been another turning point for the group; now we have the page, we realise the responsibilities involved in managing the page and have put our governance and media training into action. Members understand that they will be held accountable for their actions and will have to explain their decisions when required. We have had to consider content and watch how our posts are received by our followers. Again it has taken some time to agree on the direction and approach we have taken. The Facebook page is now an important part of Youth Council and we have approximately '450' users who like our page. One of our posts reached over 1,500 people and was 'shared' 18 times.

In a nutshell we understand the importance of planning and processes and how having these in place makes it easier for the group to understand what is happening and why. Our decisions and approach do matter; we need to manage the time we spend as Youth Councillors efficiently and realistically.

This year's Youth Parliament team have been working hard and preparing for their week in Parliament. This year they have chosen to present a Bill with the topic 'Mandatory 100 Voluntary Hours for all Secondary Students'. Preparation for this event has been a major priority to the Youth Councillors involved and has required a great deal of commitment, including the opportunity to present the Bill to the Minister for Youth Affairs, Ryan Smith MP and Greens MP Colleen Hartland.

The 2014 Wellington Youth Art Prize has now closed and is in the judging stages. The Art Prize has been well received by young local artists this year, evident by the number of entries we have received.

Youth Council have also been continuing to provide support to Monday Tucker and volunteer on a rotating roster. The program currently serves approximately 70 people each week.

This quarter has really been a learning curve initiated by Council giving us more responsibility with our Youth Council Facebook page. We have learnt through our actions that things take time and good planning and clear processes are essential to help everyone understand what's happening.

ADAM DOUTHAT
Youth Mayor

RECOMMENDATION

That Council receive the Youth Mayor's quarterly report for the period ending June 2014.



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

ITEM C1.1**CHIEF EXECUTIVE OFFICER'S REPORT**

OFFICER:

CHIEF EXECUTIVE OFFICER

DATE:

15 JULY 2014

19 June	Regional Development Australia Gippsland Committee Meeting, Traralgon.
20 June	Gippsland Local Government Network CEO's Forum, Melbourne.
23 June	Meeting with Alan Lewis and the Mayor, Sale. Discussions included progress of Sale Heritage Cruises, Seaspray Surf Life Saving Club and several other projects. Meeting with Inspector Shane Smith from Victoria Police, Sale. Discussed a broad range of issues including graffiti, the impact of the drug 'ice' in Wellington, and traffic black spots.
24 June	Meeting with Peter Mowbray (and others from the organising committee) at Sale Memorial Hall to discuss the Big Blokes BBQ Fundraiser.
26 June	Meeting with Cr Hole, Heyfield to discuss several matters happening in and around Heyfield. Meeting with David Wilson, Sale Turf Club.
27 June	Meeting with Jack Vardy, Maffra to walk the hallowed ground at the Maffra Footy oval/recreation reserve and to hear the Committee's vision for the precinct. Meeting with David Barnes from the Mental Illness Fellowship.
4 July	Royal Flying Doctor Service Funding Announcement by The Hon Peter Ryan MLA, attended with Deputy Mayor Mclvor, Cr Wenger, Glenys Butler General Manager Liveability and several other staff who have been involved with this project.
9 July	Meeting with Karen Evans from Insync and Glenys Butler General Manager Livability to discuss costs and explore alternate service delivery models around some community facilities.
16 – 18 July	Local Government Chief Officers Group Forum, Townsville

RECOMMENDATION***That the Chief Executive Officer's Report be received.***



C2 - REPORT

GENERAL MANAGER GOVERNANCE

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION:

GOVERNANCE

ACTION OFFICER:

GENERAL MANAGER GOVERNANCE

DATE:

15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓		✓					

OBJECTIVE

To report on all assemblies of Councillors records received during the period 19 June 2014 to 1 July 2014.

BACKGROUND

Section 80A of the *Local Government Act 1989* requires a written record to be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillors records received during the period 19 June 2014 to July 2014.

Assembly of Councillors summary of reports received between 19 June 2014 to 1 July 2014		
Date	Matters considered	Councillors and officers in attendance
19 June 2014	1. Defence Project AIR 5428 2. Small Business Festival Gippsland 3. Small Business Day 2014 4. Timber Education Precinct Roundtable 5. Regional Living Expo 2014 6. Yarram VIC 7 Day trading 7. Central Gippsland Foodmap 8. Agriculture Position Paper 9. Parks Victoria – Camping 10. ECDEV Strategy	Councillors Crossley, Davine, Wenger John Websdale, General Manager Development Sharyn Bolitho, Manager Economic Development Ian Campbell, Senior Economic Development Officer Frank Norden, Tourism Development Officer Mark Coleman, Economic Development Officer
19 June 2014	1. Sale Livestock Exchange	Councillor McIvor Chris Hastie, General Manager Built & Natural Environment John Tattersson, Manager Built Environment Denis Murphy, Commercial Property Officer Daniel Gall, Coordinator Commercial Facilities Management
24 June 2014	1. Pre Special Council Meeting Agenda review	Councillors Rossetti, Davine, Cleary, Crossley, McIvor, Wenger, McCubbin, Hole

Assembly of Councillors summary of reports received between 19 June 2014 to 1 July 2014		
Date	Matters considered	Councillors and officers in attendance
		David Morcom, Chief Executive Officer Chris Hastie, General Manager Built & Natural Environment Liz Collins, General Manager Governance Glenys Butler, General Manager Liveability John Websdale, General Manager Development
1 July 2014	1. Councillors Diary	Councillors Rossetti, Davine, Cleary, Crossley, McIvor, Wenger, McCubbin, Hole David Morcom, Chief Executive Officer Gail Hogben Sarah Churchill
1 July 2014	1. Pre Council Meeting Agenda review (10.05am to 10.30am) 2. Open Space Plan (10.30am to 11.10am) 3. Clean Coal Victoria (11.40am to 12.15pm) 4. Community Satisfaction Survey (1.05pm to 1.30pm) 5. Wellington Community Fund (1.30pm to 1.40pm)	Councillors Rossetti, Davine, Cleary, Crossley, McIvor, Wenger, McCubbin, Hole David Morcom, Chief Executive Officer Chris Hastie, General Manager Built & Natural Environment Liz Collins, General Manager Governance John Websdale, General Manager Development Raelene Bowman, Governance Officer (Item 1) Tim Rowe, Manager Natural Environment & Parks (Item 2) Martin Norris, Coordinator Open Space Planning & Support (Item 2) Frances Ford, Manager Community Wellbeing (Item 4)

OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records.

PROPOSAL

That Council note and receive the attached assembly of Councillors records received during the period 19 June 2014 to 1 July 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complies with Section 80A of the *Local Government Act 1989*.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

“An organisation that is responsive, flexible, honest, accountable and consistent.”

Strategy 2.3

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached assembly of Councillors records received during the period 19 June 2014 to 1 July 2014.

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

17/06/2014

2. ATTENDEES:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley	✓		Cr McCubbin		✓
Cr Rossetti		✓	Cr Mclvor		✓
Cr Cleary		✓	Cr Wenger	✓	
Cr Davine	✓		Cr Hole		✓
Cr Duncan		✓			✓

Officers In Attendance:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO			G Butler, GML		
L Collins, GMG			J Websdale, GMD	✓	
C Hastie, GMB&NE					

Others in attendance: (list names and item in attendance for)

Name	Item No.	Name	Item No.
S Bolitho, MED	✓		
I Campbell, SEDO	✓		
F Norden, TDO	✓		
M Coleman, EDO	✓		

3. Matters/Items considered at the meeting (list):

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Defence Project AIR5428 3. Small Business Day 2014 5. Regional Living Expo 2014 7. Central Gippsland Foodmap 9. Parks Victoria - Camping | <ol style="list-style-type: none"> 2. Small Business Festival Gippsland 4. Timber Education Precinct Roundtable 6. Yarram VIC 7 Day Trading 8. Agriculture Position Paper 10. ECDEV Strategy |
|---|---|

4. Conflict of Interest disclosures made by Councillors:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

19/06/2014

**2. ATTENDEES:
Councillors**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley		✓	Cr McCubbin		✓
Cr Rossetti		✓	Cr Mclvor	✓	
Cr Cleary		✓	Cr Wenger		✓
Cr Davine		✓	Cr Hole		✓
Cr Duncan		✓			

Officers In Attendance

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO			G Butler, GML		
L Collins, GMG			J Websdale, GMD		
C Hastie, GMB&NE	✓				

Others in attendance

Name	Item No.	Name	Item No.
John Tatterson	1		
Denis Murphy	1		
Daniel Gall	1		

3. Matters/Items considered at the meeting (list):

1. Sale Livestock Exchange

4. Conflict of Interest disclosures made by Councillors:

NIL

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

24/06/2014

2. ATTENDEES:

Councillors

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Rossetti	✓		Cr McCubbin	✓	
Cr Davine	✓		Cr Mclvor	✓	
Cr Cleary	✓		Cr Wenger	✓	
Cr Crossley	✓		Cr Hole	✓	
Cr Duncan		✓			

Officers In Attendance

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D. Morcom CEO	✓		G Butler, GML	✓	
L Collins, GMG	✓		J Websdale, GMD	✓	
C Hastie, GMB&NE	✓				

Others in attendance (list names and item in attendance for)

Name	Item No.	Name	Item No.

3. Matters/Items considered at the meeting (list):

1. Pre Special Council Meeting Agenda review (5.30pm to 5.40pm)

4. Conflict of Interest disclosures made by Councillors and Officers:

No Conflicts of Interests were declared.

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

01/07/2014

2. ATTENDEES:

Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley	✓		Cr McCubbin	✓	
Cr Rossetti	✓		Cr Mclvor	✓	
Cr Cleary	✓		Cr Wenger	✓	
Cr Davine	✓		Cr Hole	✓	
Cr Duncan		✓			

Officers In Attendance:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		G Butler, GML		
L Collins, GMG			J Websdale, GMD		
C Hastie, GMB&NE					

Others in attendance: (list names and item in attendance for)

Name	Item No.	Name	Item No.
Gail Hogben	1		
Sarah Churchill	1		

3. Matters/Items considered at the meeting (list):

1. Councillor Diary Meeting

4. Conflict of Interest disclosures made by Councillors:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

01/07/2014

2. ATTENDEES:

Councillors

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Rossetti(Not 2 and part 3-in attendance from 12.05pm)	✓		Cr McCubbin	✓	
Cr Davine	✓		Cr Mclvor	✓	
Cr Cleary	✓		Cr Wenger	✓	
Cr Crossley	✓		Cr Hole	✓	
Cr Duncan		✓			

Officers In Attendance

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D. Morcom CEO	✓		G Butler, GML		✓
L Collins, GMG	✓		J Websdale, GMD	✓	
C Hastie, GMB&NE	✓				

Others in attendance (list names and item in attendance for)

Name	Item No.	Name	Item No.
Raelene Bowman, Governance Officer	1	Martin Norris, Coord Open Space Planning & Support	2
Tim Rowe, Manager Natural Environment & Parks	2	Frances Ford, Manager Community Wellbeing	4

3. Matters/Items considered at the meeting (list):

6. Pre Council Meeting Agenda review (10.05am to 10.30am)
7. Open Space Plan (10.30am to 11.10am)
8. Clean Coal Victoria (11.40am to 12.15pm)
9. Community Satisfaction Survey (1.05pm to 1.30pm)
10. Wellington Community Fund (1.30pm to 1.40pm)

4. Conflict of Interest disclosures made by Councillors and Officers:

No Conflicts of Interests were declared.

ITEM C2.2**WELLINGTON COMMUNITY FUND**

DIVISION: GOVERNANCE
 ACTION OFFICER: GENERAL MANAGER GOVERNANCE
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
				✓					

OBJECTIVE

To approve a grant recommendation request to the Melbourne Community Foundation for \$3,000 from the Wellington Community sub-fund to a complying local organisation.

BACKGROUND

The Melbourne Community Foundation (MCF) is an independent, not for profit charitable foundation established in 1997 and was the first community foundation set up in Australia. A community foundation is an independent public foundation that offers individuals, families, groups, corporations and charitable organisations a different way of giving something real back to the community. MCF is governed by a voluntary Board of Trustees, with a wide range of skills and experience and an extensive knowledge of the community.

In 1998 former Wellington Shire Councillor, Mr John Jago, advocated for Council to establish the WCF as a sub fund of the MCF. This was approved by Council and subsequently a small amount of only a few thousand dollars was used to establish two sub funds with MCF for the purpose of benefiting the community of Wellington. It was also Council's intention to appoint members to an interim Advisory Board for the purpose of promoting the WCF and raise further funds as well as providing advice to the MCF for distribution of grants to appropriate causes in the Wellington community. It was envisaged that the Advisory Board would be headed by an independent community representative with other community members as well as Councillors involved.

Former Councillor John Jago was the driving force behind the vision for the WCF but unfortunately due to health issues his ability to be more involved in progressing the aims of the WCF were diminished. There have been several attempts over the years to recruit interested members of the community for the purpose of forming an Advisory Board, but lack of interest has not seen this progress.

Since the establishment of the WCF in 1999 there have been no additional donations towards the fund with interest on the original sum, less administrative costs, being the only change in the financial status of the WCF. Additionally the amount available for distribution to approved community projects is limited to 80% of the accumulated net income (excluding capital gains/losses) for the previous three years, less grants made for the previous three years. As the two sub funds that make up the WCF only total approximately \$6,500 the net earnings are small and the amount available for distribution in total is therefore very small.

The two sub funds set up as the WCF have different characteristics as follows:

- Wellington Community Fund – donations are fully tax deductible, but any approved grants made from the fund must be to organisations that also have a deductible gift recipient 1 status and be a tax concession charity, and

- Wellington Community Extension Fund – allows for donations to be made to organisations and individuals for general charitable purposes, allowing for more flexible giving.

In order for the WCF to achieve its original intention there would need to be a significant increase in the amount of funds held. To do this would require a commitment to proactively campaign and advocate on behalf of the WCF through a joint effort of Council and the community. The community generally would be unaware of the MCF or the WCF, their purpose, how they operate and the potential benefits to the Wellington community through the use of such a fund for various approved community purposes.

The MCF have advised that they will be closing the sub fund accounts due to the low balances, they now require a minimum starting contribution of \$20,000 for this type of fund, and if Council does not submit a grant request by 31 July 2014 the sub-funds will be transferred to the MCF Community Fund. All the funds will be used to provide grants from the Trustee to community projects addressing social needs. MCF have advised that only one grant application can be made to a maximum of \$3,000 to allow Council to make a decision regarding a donation to a local Wellington complying charity. Given the balance of the Wellington Community sub-fund is approximately \$4,000 it is suggested that a grant request application be submitted for making a donation to a local complying charity from this sub-fund. The Extension sub fund has a current balance of just over \$2,000 so a grant application for this sub-fund would be less than the allowable \$3,000.

Regardless of whether Council makes a grant application or not, any funds in both the sub-funds as at 31 July 2014 will be rolled into the MCF Fund.

If Council wishes to make a grant request then it must be to a complying charity. Council has in the past supported the Five Star Project that has been fundraising and using those funds in our local community over many years. It should be noted that only one grant request can be made. Council cannot request two grants of say \$1,500 each, it is only a single request of up to \$3,000.

OPTIONS

Council has the following options:

1. Submit a grant recommendation request of \$3,000 from the sub-fund for a complying local organisation, noting that the balance of both sub-funds then rolls into the MCF Fund; or
2. Let both sub-funds roll into the MCF Fund without making a grant recommendation request.

PROPOSAL

That Council submit a grant recommendation request to the Melbourne Community Foundation for \$3,000 from the Wellington Community Fund sub-fund to the Five Start Project, noting that the balance of both Wellington Community Fund sub-funds then rolls into the Melbourne Community Foundation Fund.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this Report have declared a Conflict of Interest.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

“An organisation that is responsive, flexible, honest, accountable and consistent.”

Strategy 2.3

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council submit a grant recommendation request to the Melbourne Community Foundation for \$3,000 from the Wellington Community Fund sub-fund to the Five Star Project, noting that the balance of both Wellington Community Fund sub-funds then rolls into the Melbourne Community Foundation Fund.



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1**STRATEGIC LAND USE PLANNING PROJECTS REVIEW GROUP MINUTES**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER LAND USE PLANNING
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
	✓	✓		✓					

OBJECTIVE

To receive the minutes of the Strategic Land Use Planning Projects Review Group (Review Group) meeting of 10 June 2014.

BACKGROUND

The Review Group was appointed by Council at the Ordinary Council meeting of 6 November 2013, which considered the appointment of committees and delegates. The Review Group comprises Councillor McCubbin, Councillor Wenger, Councillor McIvor, General Manager Development, Manager Land Use Planning, Coordinator Strategic Planning, two Strategic Planners, General Manager Built and Natural Environment, Manager Assets & Projects, Coordinator Infrastructure Development and Manager Economic Development. The purpose is to provide Councillors with an update on a range of current strategic planning projects.

The Review Group meets bi-monthly and the last meeting was held on 10 June 2014 and the minutes are attached. Due to the confidential nature of many project proposals the minutes are provided as a confidential attachment.

OPTIONS

Council has the following options:

1. Receive the minutes from the Strategic Land Use Planning Projects Review Group meeting; or
2. Does not receive the minutes from the Strategic Land Use Planning Projects Review Group meeting and seeks further information for consideration at a future Council meeting.

PROPOSAL

To receive the minutes of the Review Group meeting of 10 June 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COMMUNICATION

The minutes of the Review Group meeting have been designated to be confidential information under Section 77 Clause (2)(c) of the *Local Government Act 1989*.

LEGISLATIVE IMPACT

All Review Group matters are considered in accordance with the *Local Government Act 1989*, *Planning and Environment Act 1987* and/or any relevant legislation.

COUNCIL PLAN IMPACT

Projects presented to the Review Group are consistent with the Council Plan 2013 - 2017, and in particular the Strategic Objective which seeks to achieve:

Strategic Objective

"Appropriate and forward looking land use planning that incorporates sustainable growth and development."

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council receive the minutes of the Strategic Land Use Planning Projects Review Group meeting of 10 June 2014 at confidential attachment F1.1; and***
- 2. The information contained in the confidential document Item F1.1 Strategic Land Use Planning Projects Review Group Minutes of this Council Meeting Agenda be designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Development on 25 June 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989; e) proposed developments, be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.***

ITEM C3.2**NINETY MILE BEACH PLAN PROGRESS REPORT**

DIVISION: DEVELOPMENT

ACTION OFFICER: MAJOR LAND USE PLANNING PROJECTS COORDINATOR

DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓	✓	✓	✓	✓	✓	✓	

OBJECTIVE

That Council authorise the Chief Executive Officer to seek an extension of time and variation to the Wellington Coast Subdivisions funding agreement with the State Government to provide for the continued implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions based on the following principles in summary:

1. No increase in the funding quantum or change in timing of the payment;
2. An extension of time of 6 years from 1 July 2015 to 30 June 2021 to deliver all funding outcomes;
3. Continue to implement the transfer to Council of undevelopable land in the “between settlements area”;
4. Include the “Inappropriate Subdivision Areas Subject to Inundation” in a Voluntary Transfer Scheme subject to no payment offer being made to landowners (approximately 2,800 lots);
5. Include the “Coastal Dunes” areas in a Voluntary Assistance Scheme subject to a voluntary assistance payment offer being made to landowners (approximately 270 lots);
6. Provide for administrative processes to achieve the transfer of undevelopable land to Council in the above 3 areas for land owned by willing owners unable to participate in a Voluntary Assistance Scheme or Voluntary Transfer Scheme and land owned by owners that cannot be contacted (address unknowns).

BACKGROUNDBackground decisions and reports:

On 20 September 2005 Council adopted the Wellington Coast Subdivision Strategy (The Honeysuckles to Paradise Beach) and the preferred settlement structure of urban nodes for the Ninety Mile Beach coastal area. The preferred settlement structure plan adopted by Council showed the urban nodes of Paradise/Golden Beaches and The Honeysuckles and identified the “between settlements” area as “Rural Conservation” with some variations at Glomar Beach and the plan also identified land subject to flood inundation areas and coastal dunes.

Following the consideration of a detailed 2008 Land Capability Assessment, on 21 April 2009, Council adopted a recommendation to endorse the Wellington Coast Subdivisions Implementation package for delivery over six years subject to formal State Government agreement and comprising a number of elements. These elements included rezoning of the “between settlements area” (Firefly Road, Golden Beach to Acrux Way, Glomar Beach) to Rural Conservation Zone and apply a revised Restructure Overlay and an offer to purchase all undeveloped private properties in the same area. Council also resolved to seek State Government funding.

Subsequent discussions with State Government resulted in support for the implementation package, provided titles were voluntarily surrendered to Council and not the Crown.

On 7 June 2011, Council adopted a recommendation to endorse the implementation of a voluntary assistance scheme to commence after State Government approval of Planning Scheme Amendment C66 (Interim Planning Controls) and subject to State Government funding. Assistance payments of \$1,500 per single lot were to be made and a higher amount for completed restructure lots based on valuation advice with rates in arrears to be deducted from all payments.

In a separate report also on 7 June 2011, Council resolved to request the approval of Amendment C66 (Interim Planning Controls) and to request authorisation to prepare Planning Scheme Amendment C71 (Permanent Planning Controls). Amendment C66 came into operation on 30 June 2011, rezoning land in the “between settlements area” to Rural Conservation Zone and revising the Restructure Overlay to prohibit development on vacant land with some exceptions in Glomar Beach. Amendment C71, which mirrored C66, came into operation on 30 May 2013 following an extensive public exhibition, submission and independent planning panel and Council process. The change to planning controls in the “between settlements area” as originally proposed in the September 2005, April 2009 and June 2011 Council reports is now completed.

The policy plan introduced by the Amendments in Clause 22.08 of the Wellington Planning Scheme sets out the areas included in settlements, the “between settlements area” is shown as Rural Conservation and the areas subject to inundation and coastal dunes are identified (Refer Attachment 1: Ninety Mile Beach Policy Plan – 3 sheets). The Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach, February 2007, is a reference document at Clause 21.20 of the Wellington Planning Scheme and is also referred to in Clause 22.08 Ninety Mile Beach Policy, which includes the statement that “this policy forms the basis for the long term land use and development intentions for the Ninety Mile Beach”.

On 29 June 2011, Council entered into a funding agreement with State Government to provide funding support to assist Council with its voluntary assistance scheme for the proposed long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions. The agreement included payments in instalments totalling \$6 million commencing on 30 June 2011 over 4 years, with the last payment due on 30 June 2015. The voluntary assistance scheme was set up with the first transfers and payments to landowners commencing in January 2012. The assistance scheme is still in progress.

On 18 March 2014, Council was briefed on the progress of the Ninety Mile Beach Plan project in a workshop session, and future options were discussed. Officers reported that due to a number of factors, that more time would be needed for Council to fulfil its obligation to continue the implementation of the resolution to the Ninety Mile Beach subdivisions and to resolve issues that have been identified during the operation of the scheme. It was proposed to report to Council formally once further information had been obtained. Officers have been advised that a formal request is required to be made to State Government to seek an extension of time and variation to the funding agreement with the State Government.

Issues arising during implementation of the Ninety Mile Beach Voluntary Assistance Scheme:

The main issues that have arisen revolve around the projected expenditure of the funding which is expected to be significantly lower than originally anticipated when the funding agreement was approved. It has been projected that of the total funding of \$6 million, an amount from \$2.3 to \$2.8 million will not be fully expended by 30 June 2015. The reduced expenditure has been the result of a combination of factors:

- Cost savings and efficiencies in the operation of the voluntary assistance scheme have significantly reduced the costs of implementing the scheme. Instead of employing/engaging a conveyancer for all transfers, the majority of the transfers have been carried out using internal staff resources and Land Victoria transfer fees have been exempted for this project.
- More than 660 owners (or around 20%) cannot be contacted because their address is unknown;

- Around 500 owners (less than 20%) have not yet replied to various mail-outs or have not yet completed transfer of land paperwork;
- Around 250 owners (or around 8%) are unwilling to transfer their land;

It should be noted that more than 52% of the land is now in public ownership, the majority of which is in Council ownership and there is a small area owned by Gippsland Water as part of the Dutson Downs outfall sewer easement.

In addition to not expending all of the funding, if all vacant private land is not transferred to Council in the “between settlements area”, then the result will be a mosaic of private and Council owned lots in this stretch of coastline. This will hamper the development and implementation of future public land management strategies including closure of unused roads, native vegetation protection and fire management operations conducted in conjunction with Parks Victoria and the CFA. Possible future fire management strategies aimed at the reduction in bushfire risk and protection of the local communities of Golden and Paradise Beach and The Honeysuckles would also be restricted.

The other issues that have arisen during the process of engagement with the land owners in the “between settlements area” is that many of these owners also own other nearby inappropriately subdivided lots, that are flood prone (approximately 2,800 lots) or in the coastal dunes areas (approximately 270 lots), where land is also zoned Rural Conservation Zone and development has not been permitted since 1979. Many of the owners in these areas also contact Council officers on receipt of rate notices and other correspondence from Council and have heard about the voluntary assistance scheme and seek to participate. These areas are not part of the current voluntary assistance scheme and funding agreement.

Flood prone lots (Paradise Beach North, near Golden Beach, Lake Reeve Islands & adjacent to and north of The Honeysuckles) (approximately 2,800 lots)

Owners of these lots were notified in writing in 1978 by the State Government and Rosedale Shire Council of the category of their land, that development was prohibited and that a study would determine whether there should be any compensation for a “bad investment”. Initially the properties were reduced in value to \$20 and from 1979 rate notices were not sent out for more than 25 years. Following legal advice in 2006, rate notices were resumed and this has resulted in some landowner concern and confusion. The properties are now typically valued at \$100 and now that there is a fire services property levy of \$100, the total rates and charges exceed the property value.

Council has in place an adopted policy to not recover debt on these flood prone lots and where an owner has an original title and the correct documentation they can transfer the title to Council in lieu of outstanding rates and charges however no payment is made to the rated owner. Council pays for the transfer costs in these circumstances. Not all owners who are willing to transfer their land to Council are able to avail themselves of this option as they do not have a title or the legal paperwork for a deceased estate. In this situation the owners are unable to transfer their land to Council even if they are willing to do so.

Whilst it is accepted that it is inappropriate to offer a payment in exchange for a flood prone lot, all owners in this area could still be offered the transfer process and assistance currently available to owners in the between settlements areas. This would involve an extension of the current assistance offered by the Project Coordinator and Land Victoria/Titles Office to process these transfers through the Ninety Mile Beach Plan project rather than through a conveyancer and would result in a small saving in the Rates annual budget.

Beach/coastal dune lots (approximately 270 lots)

There are approximately 270 on the primary dunes adjacent to the coastal park and adjacent to stages 7-22 of the between settlements area. These lots still remain in private ownership following the ending of the State Government beach dune buy back scheme more than a decade ago where owners were offered \$700 to transfer their land to the Crown. There is a mosaic of private and Crown lots along the primary dune system. The private lots are currently typically valued \$1,000 in the rates system. It appears that some of the earlier transfers did not proceed due to insufficient documentation, or they were address unknowns or because owners were unwilling to transfer.

These lots are not flood prone but they are in an environmentally sensitive location and there are strong arguments in favour of offering another opportunity for a voluntary assistance payment in exchange for a title and to reactivate a transfer process and also to eventually compulsorily acquire any remaining land.

Options after 30 June 2015:

The following are options that are recommended to ensure an increase in the transfer of inappropriately subdivided and undevelopable vacant private lots on the Ninety Mile Beach to Council, and to resolve a majority of the identified issues and also make appropriate use of the available funding. It has been estimated that an additional 6 years would be required after 30 June 2015 to implement these options and to expend the current total \$6 million funding package.

The options include an expansion of the geographic area of the current Ninety Mile Beach Plan area from the “between settlements area” to include all undevelopable vacant private lots in the Ninety Mile Beach subdivisions that are outside of the settlements of Golden Beach/Paradise Beach and The Honeysuckles. (The settlements are shown as “Urban Node” on the attached Ninety Mile Beach Policy Plan).

The options also include administrative processes to locate the owners where the address of the owner is unknown through the engagement of a contractor to conduct searches. If owners are located then the owner would be offered the opportunity to participate in the voluntary assistance scheme. If not, the land would be able to be transferred to Council through an administrative process under the *Land Acquisition and Compensation Act 1986*. Council has an existing authority issued in 1988 pursuant to section 172(2) of the *Planning and Environment Act 1987* to allow Council to acquire land in the restructured subdivision area and Council has obtained legal advice that this Governor in Council declaration can still be relied on. This process could also be used in the case where an owner is willing to transfer their land but is unable due to incomplete documentation for deceased estates or title is not in the name of the rated owner. There are currently less than 10 rated owners in this situation however they are currently unable to transfer their land to Council.

1. Between settlements area: (Estimated 1 year)

Continue to implement the transfer to Council of undevelopable land in the “between settlements area” as shown as “Rural Conservation” on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme as part of the Voluntary Assistance Scheme. Whilst the majority of the voluntary transfers will have occurred before 30 June 2015, a continuation of the scheme beyond that date will allow for any final remaining lots to be voluntarily transferred, especially those identified through formal searches for owners that currently cannot be contacted.

Provide for administrative processes, to achieve the transfer of undevelopable land to Council in the “Rural Conservation” areas for land owned by willing owners unable to participate in a Voluntary Assistance Scheme and land owned by owners that cannot be contacted (address unknowns).

2. Beach/coastal dune lots (Estimated 1 year and 6 months)

Include the “Coastal Dunes” areas as shown on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme in a Voluntary Assistance Scheme subject to a voluntary assistance payment offer being made to landowners (approximately 270 lots). This scheme would operate using a similar process to the voluntary assistance scheme for the “between settlements area”.

This would be followed by administrative processes, to achieve the transfer of undevelopable land to Council in the “Coastal Dunes” areas for land owned by willing owners unable to participate in a Voluntary Assistance Scheme and land owned by owners that cannot be contacted (address unknowns). This process could be separated from the voluntary stage to avoid any landowner confusion.

3. Flood prone lots (Estimated total 3 years and 6 months)

Include the “Inappropriate Subdivision Areas Subject to Inundation” as shown on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme in a Voluntary Transfer Scheme subject to no payment offer being made to landowners (approximately 2,800 lots). Due to the significantly large number of lots involved, the voluntary process would need to be staged and is expected to take two and a half years to complete, based on the experience with the current scheme for the between settlements area.

This would be followed by administrative processes, to achieve the transfer of undevelopable land to Council in the “Inappropriate Subdivision Areas Subject to Inundation” areas for land owned by willing owners unable to participate in a Voluntary Transfer Scheme and land owned by owners that cannot be contacted (address unknowns). This process would take a further year and could be separated from the voluntary stage to avoid any landowner confusion.

Conclusion

In a total timeline of 6 years (after 30 June 2015) it is estimated that the above processes would expend all the available funding remaining from the \$6 million package and result in the maximum transfer of inappropriate and undevelopable land owned by willing owners and address unknowns.

It should be noted that the current funding agreement does not provide for any compulsory acquisition processes and only applies to a voluntary assistance scheme. The proposed options listed above do not include processes to compulsory acquire land owned by unwilling owners who have registered in writing that they do not wish to transfer their land to Council.

It is considered that the legal and other related costs involved in compulsory acquisition of land owned by unwilling owners would be significant and would not be a cost effective option for the use of the funding for a relatively small percentage of lots. Therefore the recommendations to Council do not include an option to compulsory acquire land owned by unwilling owners.

OPTIONS

Council has the following options:

1. Council could seek an extension of time and variation to the funding agreement with the State Government for 6 years from 1 July 2015 to 30 June 2021 to allow sufficient time to fulfil its obligations to provide for the maximum transfer of inappropriate and undevelopable land to Council as part of the implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions; or

2. Council could allow the Voluntary Assistance Scheme for the between settlements area to end on 30 June 2015 when the current funding agreement ends, leaving a mosaic of private and Council owned lots and related land management issues and an incomplete resolution to the Wellington Coast (Ninety Mile Beach) subdivisions.

PROPOSAL

That Council authorise the Chief Executive Officer to seek an extension of time and variation to the Wellington Coast Subdivisions funding agreement with the State Government to provide for the continued implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions based on the following principles:

1. No increase in the funding quantum or change in timing of the payment;
2. An extension of time of 6 years from 1 July 2015 to 30 June 2021 to allow Council sufficient time to fulfil its obligations to continue the transfer of undeveloped land to Council as part of the implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions;
3. Continue to implement the transfer to Council of undevelopable land in the “between settlements area” as shown as “Rural Conservation” on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme as part of the Voluntary Assistance Scheme;
4. Include the “Inappropriate Subdivision Areas Subject to Inundation” as shown on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme in a Voluntary Transfer Scheme subject to no payment offer being made to landowners (approximately 2,800 lots);
5. Include the “Coastal Dunes” areas as shown on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme in a Voluntary Assistance Scheme subject to a voluntary assistance payment offer being made to landowners (approximately 270 lots); and
6. Provide for administrative processes to achieve the transfer of undevelopable land to Council in the “Rural Conservation”, “Inappropriate Subdivision Areas Subject to Inundation” and “Coastal Dunes” areas for land owned by willing owners unable to participate in a Voluntary Assistance Scheme or Voluntary Transfer Scheme and land owned by owners that cannot be contacted (address unknowns).

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

In June 2011, Council entered into a funding agreement with State Government to provide funding support to assist Council with its voluntary assistance scheme for the proposed long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions. The agreement included payments in instalments totalling \$6 million commencing on 30 June 2011 over 4 years, with the last payment due on 30 June 2015. Council administers the voluntary assistance scheme using internal staff resources. The costs associated with the transfer of other land in the Ninety Mile Beach area currently not included in the voluntary assistance scheme (flood prone and coastal dune lots) are provided for in a separate rates budget and the adoption of the recommendation would result in a small budget saving associated with these other transfers from 1 July 2015.

COMMUNICATION IMPACT

The proposal to seek a variation and extension of the funding agreement to include flood affected and coastal beach dune lots, and to provide administrative processes for all those landowners currently willing to transfer their land to Council but unable to do so is likely to have positive outcomes for the affected landowners. A communication plan that will use various communication methods, including direct mail-outs to affected landowners will be developed and implemented at the relevant stage in the process.

LEGISLATIVE IMPACT

The proposal includes administrative processes to achieve the transfer of undevelopable land to Council for land owned by willing owners unable to participate in a Voluntary Assistance Scheme or Voluntary Transfer Scheme and land owned by owners that cannot be contacted (address unknowns) under the *Land Acquisition and Compensation Act 1986*. Council has an existing authority issued in 1988 pursuant to section 172(2) of the *Planning and Environment Act 1987* to allow Council to acquire land in the restructured subdivision area and Council has obtained legal advice that this Governor in Council declaration can still be relied on.

COUNCIL POLICY IMPACT

According to Policy Number 2.2.4: "Debt collection and interest charging – rates, charges and fire services property levy" Council does not charge interest or instigate debt collection action on vacant land in the Ninety Mile Beach inappropriate subdivisions in the Rural Conservation (between the settlements of Golden and Glomar Beach– except completed restructures at Glomar Beach) and in the land subject to inundation and coastal dune areas. No change is proposed to this policy.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

"Appropriate and forward looking land use planning that incorporates sustainable growth and development."

Strategy 5.1

"Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development."

This report supports the above Council Plan strategic objective and strategy.

PLANNING POLICY IMPACT

The recommendation refers to the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme (Refer to attachment for Plan). The areas designated on the plan as "Rural Conservation", "Inappropriate Subdivision Areas Subject to Inundation" and "Coastal Dunes" are referred to in the recommendation. The Ninety Mile Beach Policy refers to and implements The Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach, February 2007 and includes the statement that "this policy forms the basis for the long term land use and development intentions for the Ninety Mile Beach".

RESOURCES AND STAFF IMPACT

It is proposed that if the recommendation is adopted, Council would continue to administer the voluntary assistance scheme using internal staff resources.

COMMUNITY IMPACT

As well as having a positive impact on those landowners of flood affected and coastal beach dune land currently willing but unable to transfer their land to Council as noted under communication impact, there could be a wider community benefit if the recommendation is adopted. Adoption of the recommendation would result in an increase in vacant private land transferred to Council in the between settlements area and in the land subject to inundation and coastal dunes areas, and there would be a lesser number of private lots remaining. This will benefit the general community as it will improve the ability of Council to develop and implement future public land management strategies in conjunction with Parks Victoria, the Country Fire Authority and other relevant agencies and government departments including closure of unused roads, native vegetation protection and future fire management strategies aimed at the reduction in bushfire risk and protection of the local communities of Golden and Paradise Beach and The Honeysuckles.

ENVIRONMENTAL IMPACT

Adoption of the recommendation would result in an increase in vacant private land transferred to Council in the between settlements area and in the land subject to inundation and coastal dunes areas, and therefore assist in further protection of the fragile nature of the Ninety Mile Beach dunes and lakes environment from further inappropriate development and native vegetation removal.

CONSULTATION IMPACT

During the process of engagement with the land owners in the “between settlements area” since 2011, many other owners of land in surrounding flood prone and coastal dune areas have contacted Council after hearing about the voluntary assistance scheme and seek to participate. However, these other areas are currently not part of the current voluntary assistance scheme and funding agreement.

Officers have consulted State Government representatives and have been advised that a formal request is required to be made to State Government to seek an extension of time and variation to the funding agreement with the State Government. If the recommendation is adopted, further consultation will be carried out.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

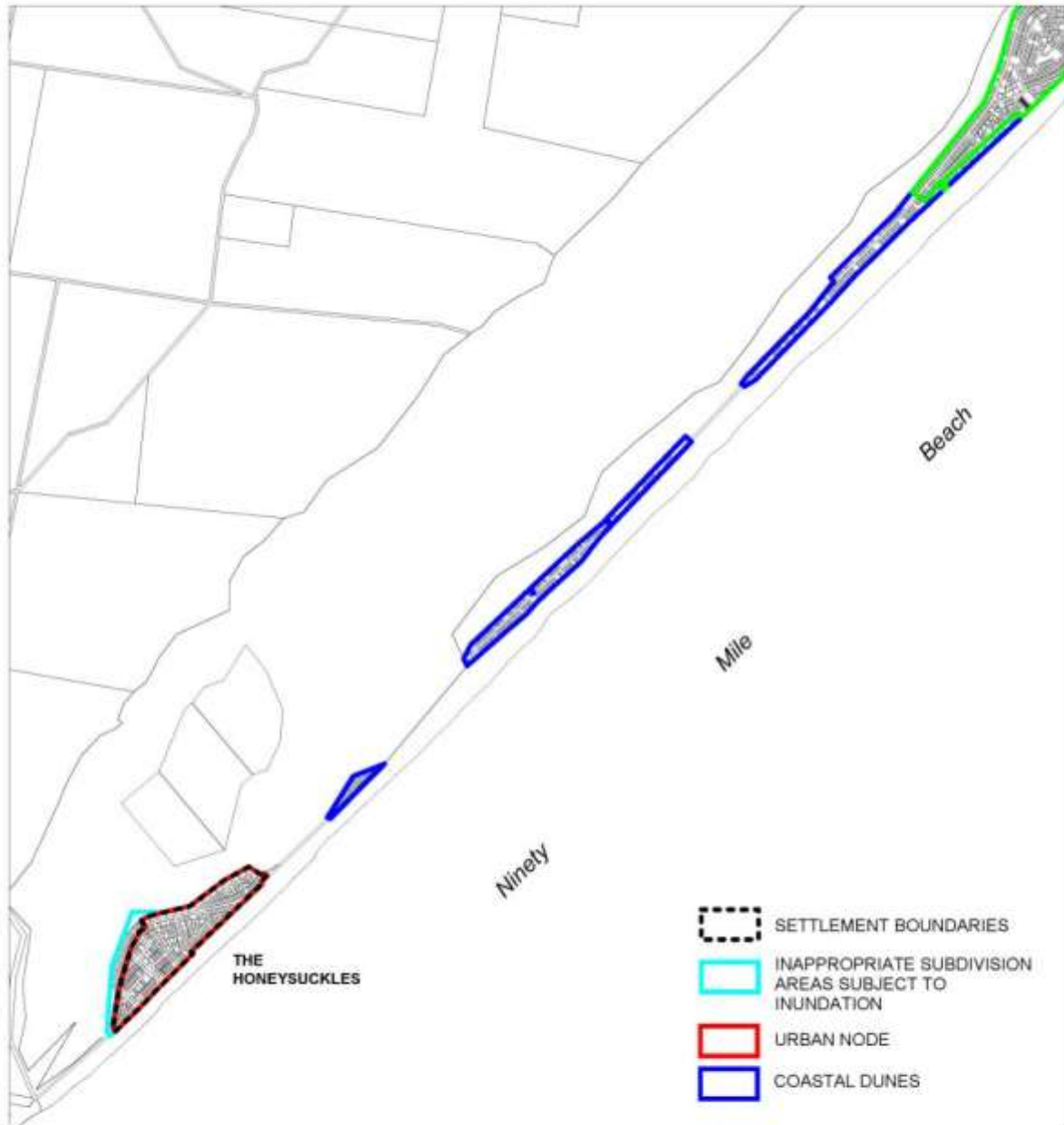
RECOMMENDATION

That Council authorise the Chief Executive Officer to seek an extension of time and variation to the Wellington Coast Subdivisions funding agreement with the State Government to provide for the continued implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions based on the following principles:

- 1. No increase in the funding quantum or change in timing of the payment;***

- 2. An extension of time of 6 years from 1 July 2015 to 30 June 2021 to allow Council sufficient time to fulfil its obligations to continue the transfer of undeveloped land to Council as part of the implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions;**
- 3. Continue to implement the transfer to Council of undevelopable land in the “between settlements area” as shown as “Rural Conservation” on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme as part of the Voluntary Assistance Scheme;**
- 4. Include the “Inappropriate Subdivision Areas Subject to Inundation” as shown on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme in a Voluntary Transfer Scheme subject to no payment offer being made to landowners (approximately 2,800 lots);**
- 5. Include the “Coastal Dunes” areas as shown on the Ninety Mile Beach Policy Plan in Clause 22.08 of the Wellington Planning Scheme in a Voluntary Assistance Scheme subject to a voluntary assistance payment offer being made to landowners (approximately 270 lots); and**
- 6. Provide for administrative processes to achieve the transfer of undevelopable land to Council in the “Rural Conservation”, “Inappropriate Subdivision Areas Subject to Inundation” and “Coastal Dunes” areas for land owned by willing owners unable to participate in a Voluntary Assistance Scheme or Voluntary Transfer Scheme and land owned by owners that cannot be contacted (address unknowns).**

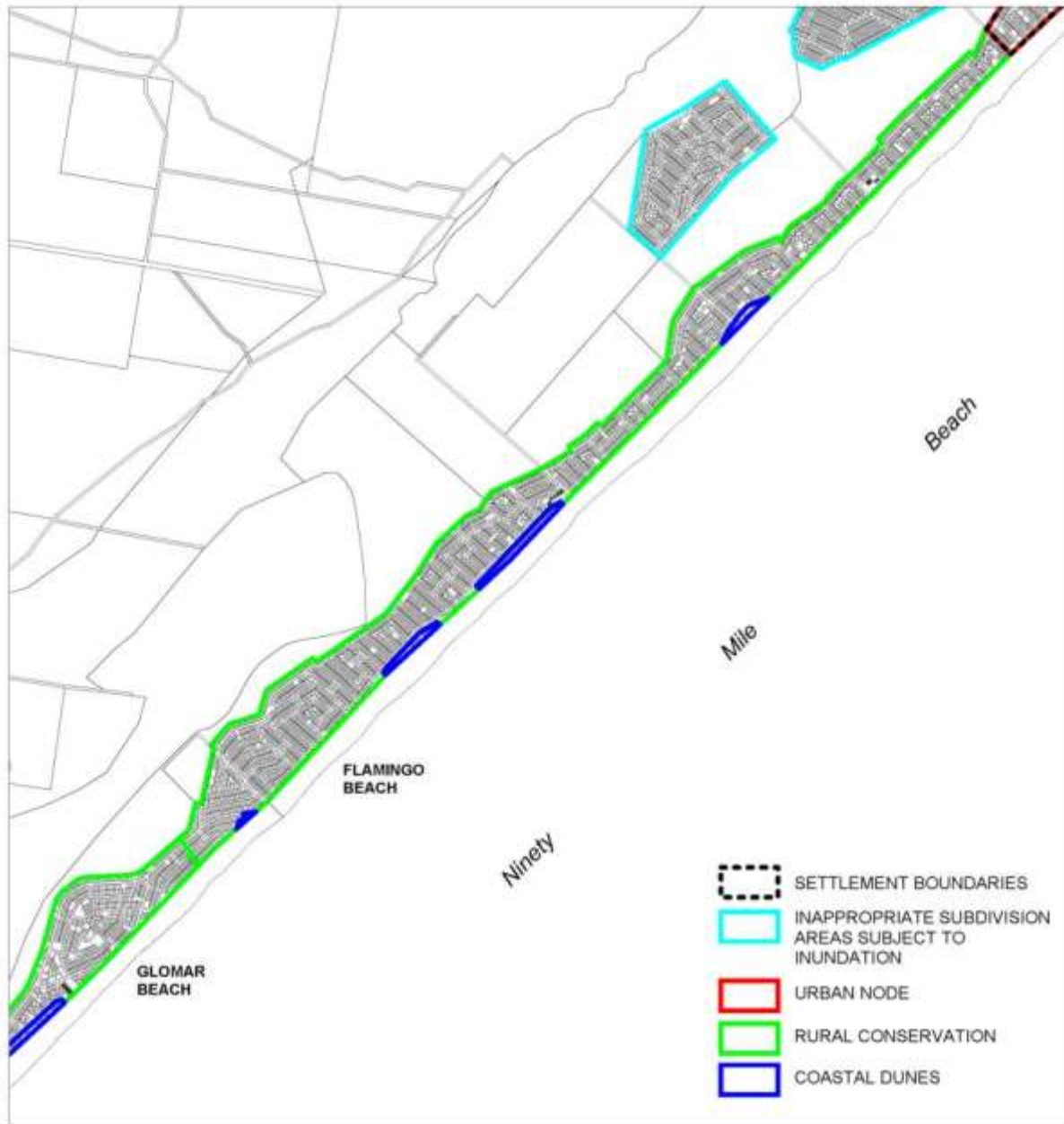
ATTACHMENT 1: NINETY MILE BEACH POLICY PLAN – 3 SHEETS



Date: May 2011

		<p>0 0.4 0.8 1.2 1.6 Kilometres Scale: 1:40,000 @ A4</p>	<p>WELLINGTON PLANNING SCHEME - LOCAL PROVISION NINETY MILE BEACH POLICY PLAN</p>	<p>SHEET 1</p>
--	--	--	--	-----------------------

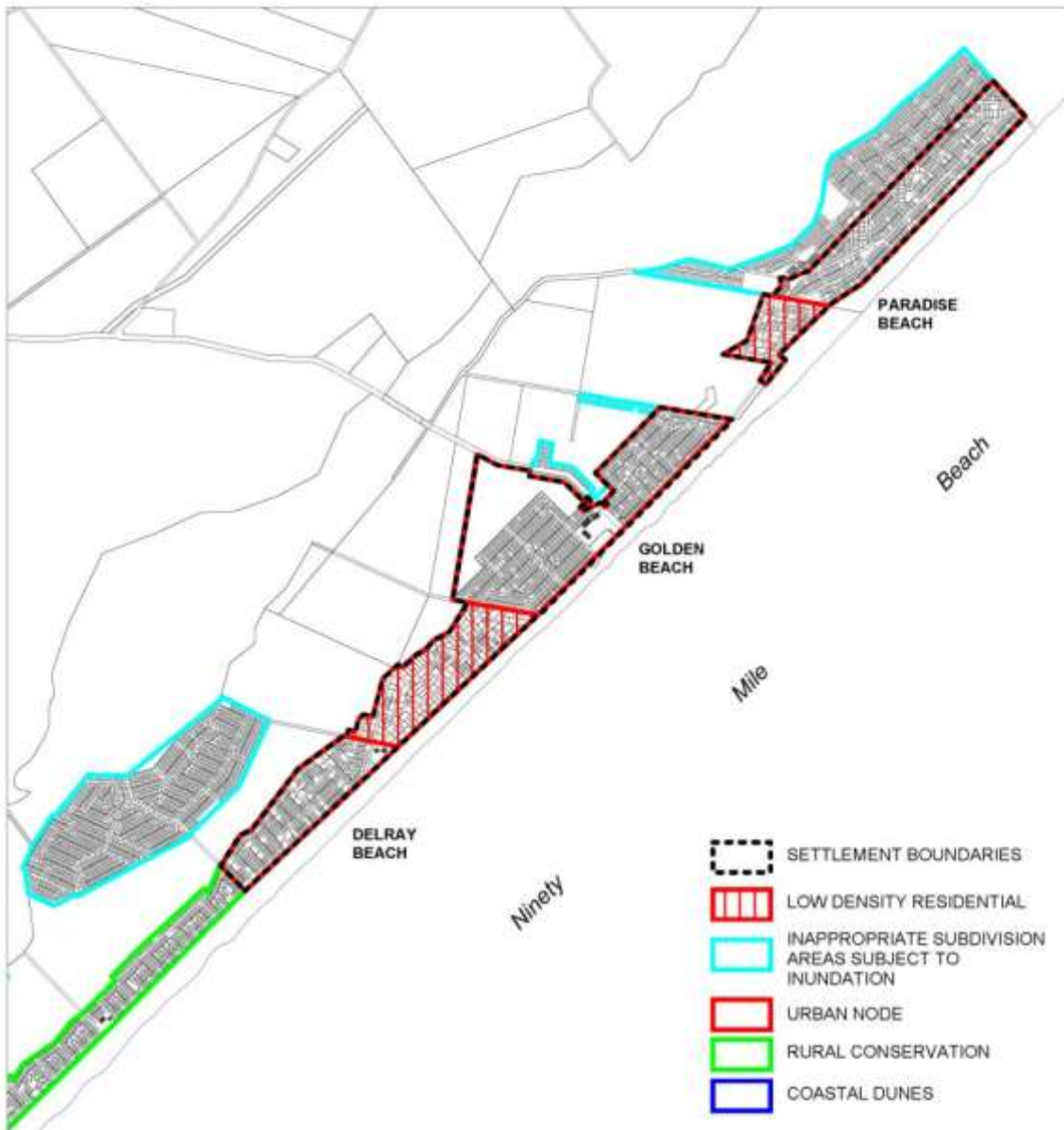
31.27586/20287/CADD/IG/IS/Projects/Ninety Mile Beach Strategy/Policy Plans



Date: May 2011

		<p>0 0.4 0.8 1.2 1.6 Kilometres Scale: 1:40,000 @ A4</p>	<p>WELLINGTON PLANNING SCHEME - LOCAL PROVISION NINETY MILE BEACH POLICY PLAN</p>	<p>SHEET 2</p>
---	---	--	---	----------------

31/27586/20287/CADD/GIS/Projects/Ninety Mile Beach Strategy/Policy Plans



Date: May 2011

		<p>0 0.4 0.8 1.2 1.6 Kilometres Scale: 1:40,000 @ A4</p>	<p>WELLINGTON PLANNING SCHEME - LOCAL PROVISION NINETY MILE BEACH POLICY PLAN</p>	<p>SHEET 3</p>
--	--	--	---	----------------

31/27566/20287/CADD/GIS/Projects/Ninety Mile Beach Strategy/Policy Plans

ITEM C3.3**AMENDMENT C86 ROSEDALE STRUCTURE PLAN IMPLEMENTATION**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER LAND USE PLANNING
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓		✓	✓	✓	✓		✓	✓	

OBJECTIVE

To request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C86 (Rosedale Structure Plan implementation) pursuant to Section 8A of the *Planning and Environment Act 1987* and once Authorisation is granted, proceed to exhibit Amendment C86.

BACKGROUND

Council formally adopted the Rosedale Structure Plan in August 2012 after extensive consultation with the community. The Structure Plan serves as a tool to facilitate growth and development in Rosedale by guiding future land use and development.

Copies of the Rosedale Structure Plan can be found on Council's website; www.wellington.vic.gov.au.

Amendment C86 seeks to implement and incorporate a number of the recommendations identified in the Rosedale Structure Plan into the Wellington Planning Scheme.

The draft explanatory report, which provides the strategic planning context for the Amendment, can be found in Attachment 1 to this report.

Most of the recommendations will be given effect through the Municipal Strategic Statement (MSS), which provides the (written) local planning policy aspirations of the Planning Scheme. This particular section provides a statement of the key strategic land use planning and development objectives for Rosedale and the strategies and actions for achieving those objectives.

It defines the preferred future strategic growth directions for the town and aims to reflect the objectives identified within the Structure Plan. The objectives, strategies and long-term growth opportunities identified in the Structure Plan will be reflected in Clause 21.10 – 'Rosedale Strategic Framework'. These are:

- To maintain Rosedale's character as a small rural town.
- To strengthen the identity as a highway town by celebrating Rosedale as the western gateway to the heart of Gippsland.
- To create a walkable community that connects key nodes with heritage, cultural and landscape assets.
- To strengthen the local economy and create a vibrant town centre with a unique sense of place.
- To improve housing choice and diversity.

Clause 21.10 will be supported by a new 'Rosedale Strategy Plan', which will provide a visual illustration of the Structure Plan objectives.

The Rosedale Structure Plan itself will also be included as a reference document in its own right within the Planning Scheme to provide supporting background information.

The proposed changes to the Local Planning Policy Framework can be found in Attachment 2 to this Report.

Land proposed to be rezoned

Some recommendations from the Structure Plan will be given effect by changes to the existing zones or overlays within the Planning Scheme as follows:



Creating a western town entrance:

The Structure Plan recommends improving the approaches to Rosedale. The existing industrially zoned land to the north of the highway at the western entrance to the town is identified as an opportunity to facilitate tourism uses. It is proposed to rezone land currently in the Industrial 1 Zone (as shown) to the Rural Activity Zone, which would provide an opportunity for rural based tourism uses and development, which are considered to be more compatible with the current agricultural, environmental and landscape characteristics of the area.



Creating economic opportunities within the town:

The Structure Plan identified that the Business 4 Zone (B4Z) on Prince Street, now called Commercial 2 Zone (C2Z), is not the most appropriate zone. The kinds of uses permitted i.e. offices; manufacturing and industries; and bulky goods retailing are not the kinds of uses which are most in need in this particular part of Rosedale. The Structure Plan proposes the same zoning as other businesses in the town centre to provide room for expansion and more flexible business opportunities. It is therefore proposed to rezone the C2Z to the Commercial 1 Zone.



The current Wellington Planning Scheme shows a Heritage Overlay applied to a vacant lot situated adjacent to the Mechanics Hall, which fronts the Princes Highway. On the basis that the block has no heritage value, and in view of its prime highway frontage location, it is proposed to remove the Heritage Overlay to facilitate the development of the land.

Proposed changes to zoning around the Rosedale Swimming Pool:



The Rosedale swimming pool has recently been significantly upgraded and extended along Hood Street. This extension has not yet been reflected in the Planning Scheme and as such some corrective changes are proposed. The land has become part of the swimming pool complex on Hood Street but is still included within the General Residential Zone (GRZ). On this basis it is proposed to be rezoned to Public Park and Recreation Zone (PPRZ) to better reflect its use as a public facility.

On the basis that it no longer has a public use, land at 15 Albert Street is proposed to be rezoned from the PPRZ to GRZ to reflect surrounding zonings.

Proposed changes 25 Duke Street (former CFA station):



The CFA has relocated to new premises on the Princes Highway. To better reflect the surrounding uses of the now redundant site it is proposed to rezone the land from a Public Use Zone 7 to the General Residential Zone (GRZ).

Correction to zoning in Edward Crooke Reserve:



The Edward Crook Reserve is public open space. At the corner of Hood Street and Cansick Street the land is zoned incorrectly as General Residential Zone. It is proposed to rezone this land to PPRZ to better reflect its existing use.

Creating opportunities within the Railway Precinct:



It is proposed to rezone the area within the red boundary (left) to a Mixed Use Zone (MUZ) to provide for more flexibility and adaptive reuse of the site and to accommodate a range of residential, commercial and other uses which would complement the mixed-use function of the area in general.

Creating more Rural Lifestyle opportunities to the south of Rosedale:



The land currently within the Farming Zone bound by Williams Road, Willung Road, Hoopers Road and Friends Road was identified within the Structure Plan as a 'Rural Residential Growth Area'.

On the basis of the potential waste water disposal issues and in order to retain the rural character of the surrounding area, it is proposed to rezone this land to Rural Living Zone 1, which stipulates a minimum subdivision lot size of 0.8 Ha.

A new Development Plan Overlay - Schedule 8 is also proposed to be applied to the land to ensure that an integrated approach to the development of the site is undertaken and that the rural character of the area is protected.

A draft version of Development Plan Overlay- Schedule 8 can be found in Attachment 3 to this Report.

Proposed changes Public Use Zone - Willung Road

It is understood that the Public Use Zone (PUZ6) on Willung Road occupies a site that was historically used as a gravel pit and tip site. In view of this, it can be assumed that a potential for contamination exists in this area. It is therefore proposed to apply an Environmental Audit Overlay to this site.

A copy of the draft changes to the Planning Scheme Amendment maps can be found in Attachment 4 to this report.

Long-term residential growth

The long-term residential growth of the town is strongly influenced by the impact of flooding and the demand and supply of residential land. The West Gippsland Catchment Management Authority will undertake a flood study for the whole of Rosedale, which will inform and determine where it is appropriate to develop land for long term residential purposes.

Other Issues

It is noted that at the 6 May Council workshop, the option of removing the Public Acquisition Overlay (PAO2) from areas within the CBD (to create rear access to businesses) was discussed. Further investigation of the relevant issues is needed prior to removing the PAO as part of Amendment C86.

OPTIONS

Council has the following options:

1. To request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C86 (Rosedale Structure Plan implementation) pursuant to Section 8A of the *Planning and Environment Act 1987* and once Authorisation is granted, proceed to exhibit Amendment C86; or
2. To not request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C86 (Rosedale Structure Plan implementation) pursuant to Section 8A of the *Planning and Environment Act 1987* and seek further information for consideration at a future Council meeting.

PROPOSAL

To request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C86 (Rosedale Structure Plan implementation) pursuant to Section 8A of the *Planning and Environment Act 1987* and once Authorisation is granted, proceed to exhibit Amendment C86.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this Report have declared a Conflict of Interest.

FINANCIAL IMPACT

Officer time and potential Planning Panel costs have been accounted for in the Land Use Planning budget.

LEGISLATIVE IMPACT

Should Council decide to proceed with Amendment C86, it will need to seek the Minister for Planning's formal Authorisation, as stipulated by the *Planning and Environment Act 1987* prior to public exhibition.

Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and the proposed amendment to the Wellington Planning Scheme is in accordance with Council's policy commitment to uphold human rights principles.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 5 Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

"Appropriate and forward looking land use planning that incorporates sustainable growth and development."

Strategy 5.1

"Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development."

Amendment C86 supports the above Council Plan strategic objective and strategy.

PLANNING POLICY IMPACT

Amendment C86 is consistent with the State Planning Policy Framework and will amend the Rosedale Strategic Framework and Strategy Plan within the MSS of the Wellington Planning Scheme.

The Amendment seeks to give effect to the vision, objectives and strategies identified in the Structure Plan and therefore plan for development and growth in Rosedale in line with the community's aspirations.

COMMUNITY IMPACT

Amendment C86 will result in a positive impact on the Rosedale community through an updated Clause 21.10- 'Rosedale Strategic Framework', which will ensure that the town has sufficient opportunities for growth while protecting and enhancing its character as a small rural town on the highway.

ENVIRONMENTAL IMPACT

The potential impact of flooding in Rosedale is acknowledged in Clause 21.10 of the Wellington Planning Scheme. New residential development will be strongly influenced by the outcome of the impending Rosedale Flood Study being undertaken by the West Gippsland Catchment Management Authority.

The application of the Environmental Audit Overlay on the site of the former tip located on Willung Road will ensure that investigation into potential site contamination is undertaken prior to redeveloping the sites for a 'sensitive' use (i.e. residential).

CONSULTATION IMPACT

Extensive community and stakeholder consultation was undertaken as part of the preparation of the Rosedale Structure Plan in 2012. As part of the development of the Structure Plan, a Focus Group was established; this group consisted of representatives from Rosedale's community groups and key land owners.

In May 2014 the Focus Group was provided with an opportunity (at a presentation in Rosedale) to discuss the proposed Amendment and the implementation of the Structure Plan prior to the start of the Amendment process. As part of this process key landowners were also consulted.

Amendment C86 will be exhibited in accordance with the procedures required by the *Planning and Environment Act 1987*. The exhibition period is tentatively scheduled for September / October 2014. If submissions are received Council has the option to request the Minister for Planning to appoint an expert Planning Panel to consider all submissions.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C86 (Rosedale Structure Plan implementation) pursuant to Section 8A of the Planning and Environment Act 1987 and once Authorisation is granted, proceed to exhibit Amendment C86.

ITEM C3.4**AMENDMENT C82 – REZONING OF LAND IN LONGFORD**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

15 JULY 2014

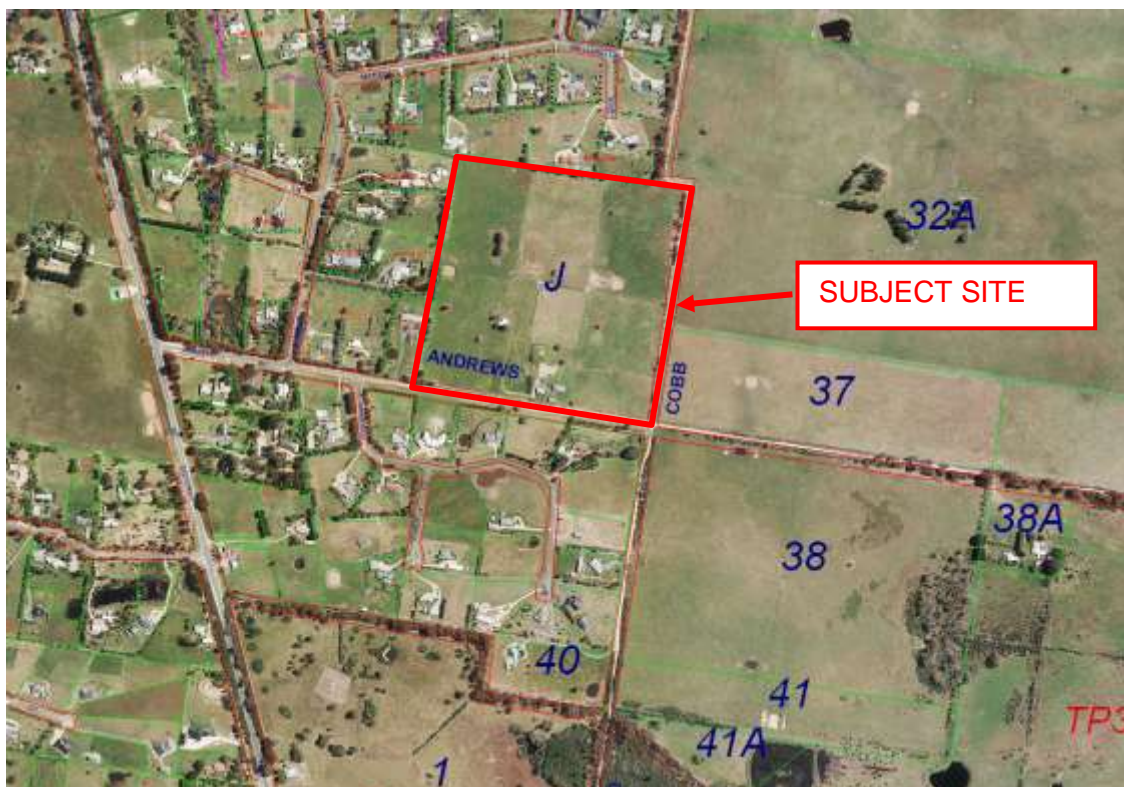
IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓		✓		✓				✓	

OBJECTIVE

To consider the Planning Panel Report for Amendment C82 to the Wellington Planning Scheme for the rezoning of land, introduction of a new Schedule 5 to the Rural Living Zone and application of a new Development Plan Overlay 6 to land at 69 Andrews Road, Longford under Section 27 of the *Planning and Environment Act 1987*; to adopt Amendment C82 under Section 29 of the *Planning and Environment Act 1987*; and to request the Minister for Planning to approve Amendment C82 under Section 31 of the *Planning and Environment Act 1987*.

BACKGROUND

Amendment C82 proposes to rezone land at 69 Andrews Road, Longford from the Farming Zone to the Rural Living Zone; introduce a new Schedule 5 to the Rural Living Zone (RLZ5) and apply a Development Plan Overlay - Schedule 6 (DPO6) (refer to locality plan below).



Locality Plan

Rezoning the land to the Rural Living Zone would allow for a residential use in a rural environment and provide for agricultural land uses which do not adversely affect the amenity of surrounding residents. RLZ5 is a new Schedule that would allow land to be subdivided to a minimum lot size of 0.6Ha (6,000m²). DPO6 would ensure that any future subdivision and development of the land occurs in accordance with the requirements set out in the provisions of the overlay, which seek to secure a high quality, integrated development.

Amendment C82 was Authorised for preparation by the Minister for Planning on 29 August 2013 and exhibited between 31 October and 16 December 2013. As a part of the exhibition process adjoining land owners and occupiers were directly notified by letter together with the relevant referral authorities and prescribed Ministers. Notices were placed in the Gippsland Times and the Government Gazette and information placed on the Wellington Shire Council website. Copies of all of the amendment documents were available to view at the Council's Civic Centre in Sale.

The exhibition process attracted a total of eight (8) submissions, three (3) of which were from statutory authorities (including a late submission from VicRoads), three (3) were in support of the Amendment and two (2) which raised a range of concerns. The submissions and officer responses were provided to Council as part of a report presented to the meeting of 4 February 2014, at which time it was resolved to request the Minister for Planning to appoint an expert Planning Panel to consider all of the submissions.

Submissions

Four (4) submissions were received from statutory authorities including: the West Gippsland Catchment Management Authority; Department of Environment and Primary Industries; the Country Fire Authority and VicRoads – all of which indicated general support for the Amendment.

A further three (3) submissions from members of the general public supported the proposal on the basis that land for rural residential purposes is difficult to source in Longford due to a lack of availability and more generally speaking, *'would add greatly to the area'*.

Two (2) submissions raised a number of concerns which include the following:

- the proposed Rural Living Zone 5 would not be consistent with the Rural Living Zone 1, which is applied to land on three sides of the subject site;
- the amenity issues associated with an increase in traffic to and from the site, and the need to seal access roads;
- the need for undergrounding of power to the subject site;
- a requirement for a covenant to be applied to the subject site to control building and design issues;
- concerns about potential erosion and landslip resulting from the development of the site;
- the potential for bushfire to become an issue;
- need for walking and cycling connections to/from the subject site;
- supply of telecommunications services, water and sewerage management; and
- drainage of the site.

The Planning Panel hearing appointed to consider the issues of concern raised by submitters to Amendment C82 was held on 28 March 2014. A copy of Council's submission to the Planning Panel can be found in Attachment 1 to this report.

The Panel Report with recommendations was received on 23 May 2014 (refer to Attachment 2) and made available to the public on 19 June 2014.

Panel Report Recommendations

In its Report, the Panel considered the range of issues that had been raised by submitters to the proposal and in broad terms commented as follows:

Appropriateness of the Rural Living Zone

In response to concerns at the application of a new Schedule to the RLZ, which would allow for lot sizes of 0.6Ha (6,000m²) that submitters contended would be at-odds with the existing character of the locality, the Panel noted that:

- there were no submissions opposing the use of the Rural Living Zone;
- similar rural residential development in the Rural Living Zone exists to the west and south of the subject land; and
- the proposed development is not inconsistent with the Purposes of the Rural Living Zone.

Whilst the Panel did consider that the application of the proposed Schedule 5 with a minimum average subdivision size of 0.6Ha would limit the likelihood of any farming activities taking place and consequently would create a strong argument to apply the Low Density Residential Zone (a “residential” zone in this case) – it accepted that, given the number of additional lots that would be created with a minimum average lot size of 0.6Ha, they would still provide for rural living on large blocks and as such supported the application of Schedule 5.

The ability to facilitate lot sizes of 0.6Ha would make more efficient use of the land and would not undermine the existing pattern of development in the locality nor jeopardise the integrity of the rural residential character currently enjoyed by existing residents. On this basis, the Panel accepted that a rezoning from Farming Zone to Rural Living Zone is satisfactory for Amendment C82.

In order to secure a subdivision layout that provides for lots averaging 0.6Ha a further dot point to the DPO6 under Land Use and Subdivision will be included to read:

‘The (development) plan must show:

The overall subdivision of the area, including the proposed lot layout sizes and density of lots which provide an average lot size of 0.6 hectares’.

The Panel supported this refinement to DPO6.

Traffic and access

As a result of the submissions regarding the potential traffic impacts of the Amendment, the Panel directed that this issue be addressed by both Council and the proponent in their submissions at the Panel Hearing.

Sustainable Transport Surveys Pty Ltd (STS) was engaged by the proponent to, “*undertake a review of the traffic impacts associated with the rezoning and subdivision of land along Andrews Road, Longford on the operation of Sale-Seaspray Road/Andrews Road intersection*”. This review assessed traffic issues relating to Amendments C82 and a proposal for rezoning and subdivision nearby (Amendment C83).

The Panel was satisfied that the provisions proposed within DPO6 would be the appropriate mechanism to ensure that roads serving the subject site would be sealed and constructed in accordance with Wellington Shire Council’s Infrastructure Design Manual and thus reduce the amenity impacts of dust and noise. To this extent, the proposed Schedule 6 to the DPO requires that:

'...the development must be serviced with sealed roads to the satisfaction of the Responsible Authority, including construction of Cobb Road for 350 metres north from the intersection with Andrews Road, and construction of the unsealed portion of Andrews Road between Highfield Drive and the intersection of Cobb Road.'

The report from Sustainable Transport Surveys was accepted by the Panel as evidence that the existing and resulting traffic volumes along Andrews Road, and at the Sale-Seaspray intersection, can be accommodated. This also confirmed the views of VicRoads.

Submitters at the hearing also raised concerns that the CFA fire truck access to a future residential subdivision must have two points of entry. The Panel requested that Council propose alternative wording to address the issue raised. Council subsequently prepared a new (second) dot point under the heading, 'Infrastructure Services' that (having the agreement of the proponent and Panel) will subsequently be introduced into a revised DPO:

'There must be two access points serving the development, one taken directly from Cobb Road and one taken directly from Andrews Road.'

The Panel supports this refinement to DPO6.

Need for a covenant

One submission supported the application of a covenant similar to that applying in surrounding development, constraining the nature of the dwelling and outbuildings on the lot. It supported the need to ensure new development is, *'in keeping with the current streetscape and the surrounding area in relation to their bulk and scale'*.

The Panel considered that the issue of a covenant was not one for the Amendment, but a private matter for the developer to consider.

Erosion and landslip issues

A submitter raised concerns that the stormwater run-off will cause erosion issues.

Erosion, including soil stability and drainage, can be considered during any subsequent subdivision permit process. The matter of erosion has not been raised or identified as an issue of concern in any of the existing subdivisions in the immediate locality. The site is also not included in an Erosion Management Overlay.

Bushfire risk

A concern was raised regarding the potential for increased fire hazard resulting from the proposed developments, such as the likelihood of fire from poorly-maintained road reserves (particularly Cobb Road). At the hearing, the submitter expressed unease about the options for access and egress for fire fighting and for local residents.

The Panel noted that the site is not covered by a Bushfire Management Overlay, but this does not mean that management of bushfire risk is not relevant. Like much of Victoria, buildings within the site are covered by Bushfire Prone Area requirements.

The Panel recognised that there would be some potential advantage to be gained by the planting and maintenance of lawn areas and lush foliage around rural residences, and the proposed wastewater and subsurface drainage approach could provide enhanced irrigation during dry periods.

The Panel considered that problems relating to fire hazard along road reserves could be managed and didn't accept that the establishment of residences on the site would exacerbate any problems with maintenance of road reserves.

Walking and cycling connections

A submitter highlighted the need for cycling and pedestrian infrastructure to be planned for the precinct to connect with the local school and shop.

As the subject site is within an area zoned for Rural Living and has a low volume of traffic it is considered that residents can use the existing road and path networks to access the school and sporting clubs - as is currently the case. The construction of Andrews Road, Cobb Road and all new internal roads would provide a more accessible path network for walkers and, more particularly, cyclists.

The Panel determined that cycle and pedestrian access to the proposed development can be accommodated within the rural residential precinct and along Andrews Road.

Wastewater management

One submission highlighted the fact that the subject site is not connected to sewerage infrastructure, and is not likely to be within the foreseeable future - therefore onsite wastewater management is an issue to be considered for the Amendment.

The Panel accepted the thrust of the supporting Land Capability Assessment (LCA) prepared for the proposal, noting that, given that the subject site's capability is assessed in the LCA as 'marginal' with respect to domestic wastewater management, it is appropriate that Council (as the Responsible Authority) ensure that this issue is further dealt with at a detailed design stage.

Provision of power

Submitters expressed concern that:

'The surrounding developments are serviced by underground power and this should be a mandatory requirement for this development'.

The Panel accepted that all new lots will be connected to reticulated power as required by SP Ausnet or the relevant power supplier. Discussions with SP Ausnet indicate that all power connections within the any new subdivision will be placed underground and provided as part of the cost of the development.

Drainage and flooding

Concerns were raised regarding surface water drainage on the site and around the abutting land and roads including the potential flooding hazard to properties downhill from the site, and the potential for erosion of the landscape.

On the basis of the relevant statutory authority's comments, and in the absence or application of any other relevant planning control within the Wellington Planning Scheme (i.e. the Land Subject to Inundation or Flooding Overlays), Council has no reason to believe that the subject site is prone to flooding.

The Panel acknowledged that the development of properties in a rural precinct provides an enhanced opportunity for drainage infrastructure to be installed, and surface water flows dealt with and managed. Whilst it is true that the increased areas of impervious surfaces concentrate surface water run-off, much of these flows can be directed to appropriate outfall locations.

The Panel noted that the submitters concerns regarding historical local flooding appeared to focus upon existing road reserves within the context of an agricultural precinct. The conceptual residential development would provide opportunity for these issues to be addressed and improved.

Furthermore, the Panel commented that Water Sensitive Urban Design could improve water quality and reuse outcomes (particularly during dry periods), and divert surface flows away from the abutting properties to the north and east of the site.

The Panel concluded that the water management methods listed in the WGCMA submission will be considered by Council under the provisions of the DPO, and at the later design stage.

Other matters

The exhibited DPO6 notes under “*Process and Outcomes*” that the plan should be prepared, “*with an appropriate level of community participation as determined by the Responsible Authority*”. The Panel indicated that it strongly supports an effective consultation process in the finalisation of the Development Plan.

Whilst the extent of consultation will vary depending upon the complexity of a particular development plan, current practice within Council generally involves seeking community comments on any development plan that is submitted for approval.

Conclusion

In summary, the Panel concluded that Amendment C82 is strategically justified, the zone and location are appropriate, and the application of Schedule 5 to the Rural Living Zone with lots averaging 6,000 square metres is satisfactory. It also concluded that infrastructure issues can be adequately addressed in the Development Plan, on the basis that refinements are made to Schedule 6 to ensure that adequate access and egress is provided.

More specifically, the Panel recommended:

- In the context of the strategic justification of the Amendment:

‘The Panel concludes that the Amendment is strategically justified.

We recommend:

Amendment C82 to the Wellington Panning Scheme should be adopted as exhibited, subject to the Development Plan Overlay modifications detailed in Appendix B of this report’.

- In terms of the adequacy of infrastructure:

‘We conclude that infrastructure issues can be adequately addressed in the Development Plan, on the basis that refinements are made to the Schedule to ensure that adequate access and egress is provided’.

- In the context of the Development Plan Overlay:

‘The Panel recommends:

Schedule 6 to the Development Plan Overlay should be adopted as exhibited, subject to inclusion of the modifications shown in Appendix B of this report’.

A full copy of the Amendment C82 documents proposed for adoption can be found at Attachment 3 to this report.

Panel Recommendation

The Panel recommends that Amendment C82 to the Wellington Planning Scheme should be adopted as exhibited, subject to the inclusion of the modifications to Schedule 6 to the Development Plan Overlay as shown in Appendix B of this report.

OPTIONS

Council has the following options:

1. Consider the Planning Panel report for Amendment C82 to the Wellington Planning Scheme in accordance with Section 27 of the *Planning and Environment Act 1987*; adopt Amendment C82 with the minor changes recommended by the Planning Panel in accordance with Section 29 of the *Planning and Environment Act 1987*; and request the Minister for Planning to approve Amendment C82 pursuant to section 31 of the *Planning and Environment Act 1987*;
2. Consider the Planning Panel report for Amendment C82 to the Wellington Planning Scheme in accordance with Section 27 of the *Planning and Environment Act 1987* and abandon Amendment C82 (in full or in part) in accordance with section 28 of the *Planning and Environment Act 1987*; or
3. Consider the Planning Panel report for Amendment C82 to the Wellington Planning Scheme in accordance with section 27 of the *Planning and Environment Act 1987* and seek further information or changes to Amendment C82 for consideration at a future Council meeting.

PROPOSAL

That:

1. Council consider the Planning Panel Report for Amendment C82 to the Wellington Planning Scheme (refer to Attachment 2) for the rezoning of land, introduction of a new Schedule 5 to the Rural Living Zone and application of a new Development Plan Overlay 6 to land at 69 Andrews Road, Longford under Section 27 of the *Planning and Environment Act 1987*;
2. Council adopts Amendment C82 (refer to Attachment 3) under Section 29 of the *Planning and Environment Act 1987*; and
3. Council requests the Minister for Planning to approve Amendment C82 under Section 31 of the *Planning and Environment Act 1987*.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

As a private request for rezoning, the associated planning scheme amendment costs have been met by the proponents of Amendment C82.

LEGISLATIVE IMPACT

Amendment C82 has been processed in accordance with the statutory requirements of the *Planning and Environment Act 1987*.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

“Appropriate and forward looking land use planning that incorporates sustainable growth and development.”

Strategy 5.1

“Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development.”

Amendment C82 is consistent with and supports the above Council Plan strategic objective and strategy.

PLANNING POLICY IMPACT

Amendment C82 has been assessed against the relevant State and Local Planning Policy Frameworks contained within the Wellington Planning Scheme and is considered to be consistent with the relevant policy requirements.

More particularly, Amendment C82 is supported by the ‘Sale, Wurruk and Longford Structure Plan (2010)’ and the ‘Sale Framework Strategy Plan’ at Clause 21.05 of the Wellington Planning Scheme – both of which specifically identify the subject land for future rural residential use.

CONSULTATION IMPACT

The consultation process for Amendment C82 has been undertaken in accordance with the requirements of the *Planning and Environment Act 1987*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council consider the Planning Panel Report for Amendment C82 to the Wellington Planning Scheme (refer to Attachment 2) for the rezoning of land, introduction of a new Schedule 5 to the Rural Living Zone and application of a new Development Plan Overlay 6 to land at 69 Andrews Road, Longford under Section 27 of the Planning and Environment Act 1987;***
- 2. Council adopt Amendment C82 (refer to Attachment 3) under Section 29 of the Planning and Environment Act 1987; and***
- 3. Council requests the Minister for Planning to approve Amendment C82 under Section 31 of the Planning and Environment Act 1987.***

ITEM C3.5**AMENDMENT C72 HEYFIELD STRUCTURE PLAN
IMPLEMENTATION- CONSIDERATION OF PANEL REPORT AND
ADOPTION**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER LAND USE PLANNING
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓		✓	✓			✓	

OBJECTIVE

To consider the Panel Report for Amendment C72 (Heyfield Structure Plan Implementation) to the Wellington Planning Scheme in accordance with Section 27 of the *Planning and Environment Act 1987*; to adopt Amendment C72 with the changes recommended by the Panel in accordance with Section 29 of the *Planning and Environment Act 1987*; and to request the Minister for Planning to approve Amendment C72 pursuant to Section 31 of the *Planning and Environment Act 1987*.

BACKGROUND

In 2011, Council prepared the Heyfield Structure Plan (adopted 6 December 2011) to guide future land use and development in Heyfield. The Structure Plan sets out the vision and strategy for the sustainable population growth, protection of industry, economic development and community aspirations for Heyfield to 2030. The process included extensive community and stakeholder consultation.

To implement the Heyfield Structure Plan into the Wellington Planning Scheme, Council prepared Amendment C72. During the preparation of Amendment C72, Council officers consulted with key stakeholders to confirm if future aspirations were still as outlined in the original Heyfield Structure Plan. During these meetings it became clear that in the area around Firebrace Road, significant changes in the short and medium term instead of the long term as identified in the Heyfield Structure Plan could be supported. A Strategic Justification report was then prepared as an update to the original Heyfield Structure Plan. The Strategic Justification report for Firebrace Road was adopted by Council on 20 August 2013. Both documents can be found on the Council Website: www.wellington.vic.gov.au/Developing-Wellington/Planning-Scheme-Amendments/Amendment-C72-Heyfield-Structure-Plan-Implementation.

Amendment C72 proposes to:

- incorporate the Heyfield Structure Plan and Strategic Justification report for Firebrace Road into the Wellington Planning Scheme as a reference document;
- revise the ordinance of the Heyfield Strategic Framework (Clause 21.08) within the Municipal Strategic Statement - including a new Strategy Plan (see map on the next page) to reflect the vision, objectives and strategies as set out in the Heyfield Structure Plan and Strategic Justification report for Firebrace Road;



- implement changes to zones and overlays as noted on the map below, to direct residential growth and manage the interface issues between areas of future residential growth and current timber operations;



- introduce two Special Use Zones (schedules 4 and 5) to facilitate the transition from industrial to residential uses along Firebrace Road:
 - The **Special Use Zone 4** will facilitate light industrial activities in the short term which would not impact on any existing and future long term residential uses. In the event that the Greenmill relocates, buffer zone requirements will change and there will be opportunities for

(sensitive) residential development to occur. In the meantime, as long as the Greenmill is in operation all forms of accommodation (including caretaker's housing) will not be permitted in the Special Use Zone 4.

- The Special Use Zone 5 will enable establishment of suitably designed and located workers' accommodation. In the event that the Greenmill relocates, the provisions support the land owner's long term aspirations to establish a tourist caravan park on the site with easy access to the Rail Trail. Residential development will also become an opportunity as buffer requirements would no longer apply.
- amend the **Design and Development Overlay - Schedule 8** to ensure that amenity impacts for industrial operations are managed and suitable amenity control measures are implemented. The proposed changes will better protect the amenity of residents in close proximity to the mills by requiring the incorporation of noise mitigation measures for new development. The proposed provision allows for subdivision where the required mitigation measures can be satisfied.

On 20 August 2013, Council resolved to request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C72. Authorisation from the Minister for Planning was provided on 28 August 2013 and Amendment C72 was subsequently exhibited from 31 October to 16 December 2013. A full copy of the exhibited documentation is available via Council's website link below: www.wellington.vic.gov.au/Developing-Wellington/Planning-Scheme-Amendments/Amendment-C72-Heyfield-Structure-Plan-Implementation.

Submissions

Twenty-two (22) submissions were received (including two late responses) to Amendment C72. The key issues can be confined to the key areas shown on the map below. (N.B. the numbers on the map refer to the submission numbers, which corresponds with the Submitter Table which was attached to the Council Report of 4 February 2014).



Five (5) submissions were received from statutory authorities with feedback being generally in support of the Amendment. A number of authorities highlighted incidental matters that could/should be considered at the (later) planning permit/development plan stage.

One (1) submission was received from the Heyfield Traders Association which was supportive of Amendment C72 and states that the proposal would, *“create more housing opportunities and options for the town.”* They also noted that housing blocks large enough to contain small business should be included in Amendment C72.

Fourteen (14) submissions were received from local residents and businesses, with the following key issues being raised:

- support for the proposed rezoning of land at Racecourse Road from Rural Living Zone 3 (RLZ3) to Rural Living Zone 1 (RLZ1), but seeking a reduced minimum subdivision area;
- the need for bushfire risk to be considered in the Amendment;
- the fact that the rezoning of the Firebrace Road area (to the Special Use Zone 5) has the potential to generate amenity issues between residential use and the existing adjacent business;
- the proposed rezoning from Industrial 1 Zone (IN1Z) to Industrial 3 Zone (IN3Z) on Firebrace Road does not reflect the use of the land by some businesses in the subject area;
- a need for smaller lots (e.g. 1 acre and larger) on the western side of town to support population growth in Heyfield;
- a request for rezoning for rural residential purposes on land to the west of Weir Road; and
- that Firebrace Road should transition into a residential area.

Planning Panel

At its Meeting of 4 February 2014, Council resolved to request the Minister for Planning to appoint an expert Planning Panel under Part 8 of *Planning and Environment Act 1987*. The Panel Hearing for Amendment C72 was held in Heyfield on 4 April 2014. The Panel submission prepared by Council Officers can be found in Attachment 1 to this report.

The Panel has considered all submissions received. The Panel Report was received on 21 May 2014 (refer to Attachment 2). An overview of the Panel recommendations can be found on page (i) of the Report. Overall, the Panel has indicated support for the Amendment and recommends adopting the changed zones and application of overlays as exhibited.

In its Report, the Panel concluded the following:

- 1) The Panel concludes that the Heyfield Structure Plan and Strategic Update form an appropriate basis for the Amendment and relies upon the demographic information and growth projections therein.

The Panel recommends to include the Heyfield Structure Plan December 2011 (including update: Strategic Justification Firebrace Road August 2013) as a Reference Document at Clause 21.20.

The inclusion of the Heyfield Structure Plan and Strategic Justification Firebrace Road into the Planning Scheme as a reference document was part of the exhibited amendment. No change is needed.

- 2) The Panel concludes that the Amendment is not affected by the BMO. The Panel accepts that changes in the urban boundary could affect bushfire risk and this should be considered by Council at any later Planning Permit and /or Development Plan design phase.

No change to amendment is needed.

- 3) The Panel believes that Council, as part of this Amendment, has not adequately considered the traffic movement impacts upon local residential amenity. It concludes that further strategic analysis needs to be undertaken by Council in relation to residential connectivity from the north to the town centre, especially in relation to pedestrian and bicycle movements across the three main road traffic routes.

The Panel recommends that Council compile a bike and pedestrian paths strategy plan to address the goals sought via the implementation of the Heyfield Structure Plan.

Council has an adopted Walking and Cycling Strategy, which takes into account the Heyfield Structure Plan and provides direction to the development of pedestrian and bicycle paths. Council officers consider a more detailed bike and pedestrian paths strategy plan to be outside the scope of this Amendment and on this basis, no change to the Amendment is needed.

- 4) The Panel concludes that the environmental issues have been appropriately considered at this strategic planning phase and further more detailed assessments of future development proposals can be undertaken at the planning permit stage.

No change to the Amendment is needed.

- 5) The Panel is satisfied that the area of land identified for Low Density Residential Zone (LDRZ) is appropriate to sustain the orderly growth of Heyfield and does not support additional land being rezoned at this time.

The Panel is convinced that the rezoning to IN3Z is justified and will not unduly disadvantage existing businesses.

The Panel is satisfied that the SUZ4 and SUZ5 controls, in conjunction with the DDO8 requirements to limit sensitive uses in proximity to industry is a workable solution to the long term transition of the Firebrace Road area from industrial to residential. It further concludes that the application of the DDO8 is appropriate.

The Panel recommends adopting all of the proposed zones and application of the overlays as exhibited

No change to the Amendment is needed.

- 6) The Panel strongly agrees that the proximity to the main street services, amenity of the wetlands and parklands appear to make the Racecourse Road area a logical location for increased residential density. The investigations that are needed to determine its suitability for rezoning to a residential zone should be undertaken as soon as practicable and prior to any further rezoning of land more remote from the centre of the town.

The Panel recommends adding the following point to Clause 21.08 – ‘Heyfield Strategic Framework’ under ‘Further Strategic Work’:

“Undertake investigations for more intensive residential development within the Urban Boundary. Especially in the area highlighted as ‘Future Urban Residential Intensification’ on the Heyfield Strategy Plan”.

As such investigations are not currently a short or medium term strategic planning priority for Council, it is suggested to include the following text in Clause 21.08:

“Support future investigations for more intensive residential development within the Urban Boundary. Especially in the areas highlighted as ‘Future Urban Residential Intensification’ on the Heyfield Strategy Plan”.

- 7) In relation to the request of several submitters to rezone more land for urban residential/rural residential uses, the Panel is satisfied that the demand and logical supply of residential demand has been adequately considered in the analysis and outcomes of the Heyfield Structure Plan. The Panel is of the view that it is not appropriate to alter the ‘Strategic Framework Plan’ shown at Clause 21.08 or ‘Heyfield Structure Plan’ until full investigations into the suitability of any land and realistic demand for lots is established having particular regard to the proximity of the sewerage treatment plant and the Macalister Irrigation District.

No change to the Amendment is needed.

Based on the outcomes of the Panel process it is recommended that Council adopt Amendment C72 with the recommended change to Clause 21.08 as proposed by the Panel.

Further to the change above, Council officers have updated the exhibited Amendment C72 documents to reflect:

- the changes to the Wellington Planning Scheme which were incorporated as part of Amendment C70 (review of the Municipal Strategic Statement) and Amendment C91 (transition of the residential zones from Residential 1 Zone to General Residential Zone); and
- any new requirements set out in Practice Note 4; Writing a Municipal Strategic Statement (October 2013).

The updated Amendment C72 documents proposed for adoption are included in Attachment 3 to this Report.

OPTIONS

Council has the following options:

1. Consider the Panel report for Amendment C72 to the Wellington Planning Scheme in accordance with Section 27 of the *Planning and Environment Act 1987*; adopt Amendment C72 with the changes recommended by the Panel in accordance with Section 29 of the *Planning and Environment Act 1987*; and request the Minister for Planning to approve Amendment C72 pursuant to Section 31 of the *Planning and Environment Act 1987*;
2. Consider the Panel report for Amendment C72 to the Wellington Planning Scheme in accordance with Section 27 of the *Planning and Environment Act 1987* and abandon Amendment C72 in full or in part; or
3. Consider the Panel report for Amendment C72 to the Wellington Planning Scheme in accordance with Section 27 of the *Planning and Environment Act 1987* and seek further information or changes to Amendment C72 for consideration at a future Council meeting.

PROPOSAL

That:

1. Council consider the Panel report (refer to Attachment 2) for Amendment C72 to the Wellington Planning Scheme in accordance with Section 27 of the *Planning and Environment Act 1987*;
2. Council adopt Amendment C72 (refer to Attachment 3) with the changes recommended by the Panel in accordance with Section 29 of the *Planning and Environment Act 1987*; and
3. Council request the Minister for Planning to approve Amendment C72 pursuant to Section 31 of the *Planning and Environment Act 1987*.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Amendment C72 has been prepared through the State Government's Rural Planning Flying Squad. Further costs associated with Amendment C72 have been included in the strategic planning budget.

COMMUNICATION IMPACT

Should the Minister for Planning approve Amendment C72, notice of the approval of Amendment C72 will appear in the Government Gazette and will be published in the Gippsland Times. Council's website will also be updated.

LEGISLATIVE IMPACT

The consideration of the Panel report, the adoption of Amendment C72 and the request for the Minister's approval is in accordance with the requirements of the *Planning and Environment Act 1987*.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 5 Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

"Appropriate and forward looking land use planning that incorporates sustainable growth and development."

Strategy 5.1

"Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development."

Amendment C72 supports the above objective and strategy.

PLANNING POLICY IMPACT

Amendment C72 is consistent with the State Planning Policy Framework (SPPF) and will amend the Settlement Strategy and Strategy Plan within the Municipal Strategic Statement (MSS) of the Wellington Planning Scheme.

The changes to the MSS seek to improve the appearance, safety and accessibility of the town centre and seek to support sustainable growth within the township. The revised MSS is based on the recommendations contained within the Heyfield Structure Plan and the Firebrace Road Strategic Justification report.

CONSULTATION IMPACT

Consultation associated with Amendment C72 has been undertaken in accordance with the requirements of the *Planning and Environment Act 1987*.

The exhibition of Amendment C72 occurred from 31 October to 16 December 2013 and included:

- Approximately 380 notification letters with factsheets sent to all land owners/occupiers directly affected by the amendment and to all landowners/occupiers on adjacent lots.
- Posters placed in a number of shopfronts around the CBD advertising the exhibition of the Amendment.
- Notification in the Gippsland Times (29 October 2013) and Government Gazette (31 October 2013).
- A community 'Drop-in' session on 13 November 2013.

Information relating to Amendment C72 was also provided in the following locations:

- Copies of the Factsheets in the Heyfield Library, Resource Centre, Wetlands Centre and Post Office.
- Copies of the exhibited Amendment documents at Heyfield Library, and Council Service Centres in Sale and Yarram.
- Council and Department of Transport, Planning and Local Infrastructure websites.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

1. ***Council consider the Panel report (refer to Attachment 2) for Amendment C72 to the Wellington Planning Scheme in accordance with Section 27 of the Planning and Environment Act 1987;***
2. ***Council adopt Amendment C72 (refer to Attachment 3) with the changes recommended by the Panel in accordance with Section 29 of the Planning and Environment Act 1987; and***
3. ***Council request the Minister for Planning to approve Amendment C72 pursuant to Section 31 of the Planning and Environment Act 1987.***

ITEM C3.6**AMENDMENT C83 AND COMBINED PLANNING PERMIT APPLICATION P370/2012 – REZONING AND SUBDIVISION OF LAND IN LONGFORD**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER LAND USE PLANNING
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓		✓		✓				✓	

OBJECTIVE

To consider the Panel Report for Amendment C83 for the rezoning of land at CA38 & CA 41 (Parish of Glencoe), Andrews Road, Longford and combined planning permit application P370/2012 for a 33 lot subdivision in accordance with section 96F of the *Planning and Environment Act 1987*; to adopt Amendment C83 in accordance with Section 29 of the *Planning and Environment Act 1987*; to recommend to the Minister for Planning that Planning Permit P370/2012 be granted for a 33 lot subdivision in accordance with Section 96G and 96H of the *Planning and Environment Act 1987*; to request that the Minister for Planning approve Amendment C83 under Section 31 of the *Planning and Environment Act 1987*; and to request that the Minister for Planning grant Planning Permit P370/2012 under Section 96I of the *Planning and Environment Act 1987*.

BACKGROUND

Amendment C83 and the concurrent planning permit application propose to rezone land at Andrews Road, Longford from the Farming Zone to the Rural Living Zone Schedule 1 (RLZ1) and subdivide the land into thirty three (33) lots. A locality plan is shown below, along with the proposed plan of subdivision which is appended as Attachment 1 to this Report.



Locality Plan

The key components of the Planning Permit include:

the subdivision of the land into 33 parcels (with an average lot size of approximately 8,000m²);
the requirement for an effective drainage solution for the site;
a requirement for the construction of the unsealed portion of Andrews Road from Highfield Drive to the eastern-most access point to the subdivision;
the construction of internal roads;
the provision of available services to each new block created;
an agreement under Section 173 of the *Planning and Environment Act 1987* to ensure that all developers of the land provide secondary effluent treatment systems and to ensure that roadside vegetation as well as the area of vegetation on the eastern side of the subject site is protected; and
appropriate landscaping treatment within the new subdivision.

Amendment C83 was Authorised for preparation by the Minister for Planning on 30 August 2013 and was exhibited between 31 October 2013 and 16 December 2013. During the exhibition of Amendment C83 the following notification was given:

- 36 notices and fact sheets were sent to adjoining owners and occupiers;
- 7 notices were sent to relevant authorities;
- 3 notices were sent to prescribed Ministers;
- A notice was placed in the Gippsland Times on 29 October 2013;
- A notice was placed in the Government Gazette on 31 October 2013;
- A notice was placed at the subject site;
- Council website including links to amendment documents; and
- All amendment documents were available for viewing at the Sale Customer Service Centre and online.

During the exhibition period a total of eleven (11) submissions were received. Three (3) were received from statutory authorities, three (3) were from community members in support of the amendment and five (5) raised issues of concern.

The submissions and officer responses were provided to Council as part of a report presented to the meeting of 4 February 2014, at which it was resolved to request the Minister for Planning to appoint an expert Planning Panel to consider all of the submissions.

A late submission was also received from VicRoads on 21 March 2014.

Submissions

Four (4) submissions were received from statutory authorities including: the Department of Environment and Primary Industries; West Gippsland Catchment Management Authority; Country Fire Authority and VicRoads – all of which indicated general support for the Amendment.

Three (3) submissions from members of the general public indicated support for the proposal on the basis that that land for rural residential purposes is difficult to source in Longford due to a lack of availability and more generally speaking, *'would add greatly to the area'*.

A further five (5) submitters raised a broad number of issues and concerns about the proposal, including:

- the matter of amenity issues associated with an increase in traffic to and from the site, and the need to contribute to the cost of sealing access roads;
- the need for undergrounding of power to the subject site;

- a requirement for a covenant to be applied to the subject site to control building and design issues;
- concerns about potential erosion and landslip resulting from the development of the site;
- the potential for bushfire to become an issue;
- need for walking and cycling connections to/from the subject site;
- supply of telecommunications services, water and sewerage management; and
- drainage of the site.

The Planning Panel hearing appointed to consider the issues of concern raised by submitters to Amendment C83 was held on 28 March 2014. A copy of Council's submission to the Planning Panel can be found in Attachment 2 to this report.

The Panel Report with recommendations was received on 23 May 2014 (refer to Attachment 3) and made available to the public on 19 June 2014.

Panel Report Recommendations

In its Report, the Panel considered the range of issues that had been raised by submitters to the proposal and in broad terms commented as follows:

Traffic and access and funding for new road requirements

A number of submitters raised concerns relating to:

- the sealing of Andrews Road;
- the capacity of the intersection of Andrews Road and Sale-Seaspray Road to deal with an increase in traffic;
- amenity issues associated with an increase in traffic; and
- accessibility of the path network for walkers and cyclists.

In response to these issues, the Panel concluded that:

- it was satisfied that the conditions of planning permit P370/2012 will ensure that 600 metres of Andrews Road (from the edge of seal at the intersection with Highfield Drive to the extension of Lot 19's western property line) is sealed to the subject site, and constructed in accordance with the Infrastructure Design Manual;
- the traffic report from Sustainable Transport Surveys is accepted by the Panel as indicating that the existing and resulting traffic volumes along Andrews Road, and at the Sale-Seaspray intersection, can easily be accommodated;
- it is satisfied that the extension to the sealed area of Andrews Road will mitigate the local amenity impacts (including noise and dust); and
- the construction of Andrews Road and all new internal roads will provide a more accessible and defined path network for walkers and, more particularly, cyclists.

Need for a covenant

One submission supported the application of a covenant similar to that applying in surrounding development, constraining the nature of the dwelling and outbuildings on the lot. It supported the need to ensure new development is, *'in keeping with the current streetscape and the surrounding area in relation to their bulk and scale'*.

The Panel considered that the issue of a covenant was not one for the Amendment, but a private matter for the developer to consider.

Bushfire risk

Submitters expressed concern regarding:

- an increase to the fire risk to the subject site;
- the ability of rainwater tank storage capacity for fire fighting purposes;

- Wellington Shire Council's roadside slashing program for fire mitigation;
- increased fire risk from the planting of eucalypts by new residents;
- poor maintenance of roadsides; and
- the retention of vegetation in the proposed native vegetation reserve to the east of the site.

The Panel considered the submissions and was satisfied that bushfire risk and the road access arrangements for fire fighting units are appropriate for a rural residential development.

It was noted that whilst the subject site is within a Bushfire Prone Area, it is not covered by a Bushfire Management Overlay. This requires relevant building construction standards to be addressed within Building Permits for dwellings.

The Panel noted that the three lots proposed to contain remnant vegetation to the east of the site are required to have ongoing maintenance, and Condition 9 (x) of the draft Planning Permit is appropriate. Furthermore, the view was taken that the additional garden area cultivated post development would improve bushfire control within the subdivision.

The Panel was also satisfied that the proposed water tank storages and detention area will provide adequate water for fire fighting purposes.

Wastewater management

Issues were raised in relation to the ability of waste water to be managed on the subject land.

The Panel noted that the Land Capability Assessment submitted by the proponent clearly identifies the constraints of the site and recommends appropriate engineering solutions be applied via the Planning Permit conditions and at the detailed design phase.

It further noted that the Engineering design for the wastewater treatment will have to be to the satisfaction of both the Environment Protection Authority and Council. This will ensure that concerns of submitters are addressed at the detailed design stage of the development.

Drainage and flooding

Several submitters raised concerns regarding the surface stormwater drainage aspects of the proposal and sought assurances that the subdivision would be properly drained.

The Panel indicated that it was satisfied that the design proposed to manage drainage matters utilising open swale drains, overland flows, and existing table drains is an acceptable regime for the topography of the site and that these matters could be further considered by Council at the detailed design stage as a requirement of the associated planning permit conditions.

Provision of power

A number of submitters expressed concern that:

'The surrounding developments are serviced by underground power and this should be a mandatory requirement for this development'.

The Panel accepted that all new lots will be connected to reticulated power as required by SP Ausnet or the relevant power supplier. Discussions with SP Ausnet indicate that all power connections within any new subdivision will be placed underground and provided as part of the cost of the development.

Erosion and landslip issues

A submitter raised concerns that the stormwater run-off will cause erosion issues.

The matter of erosion has not been raised or identified as an issue of concern in any of the existing subdivisions in the immediate locality and nor is the site included in an Erosion Management Overlay.

Planning Permit P370/2012

During the Panel hearing, discussion on several of the proposed Permit Conditions indicated that refinements were necessary. Examples include reference to provision of water, sewerage and underground power to the site. Also, the wording of conditions relating to native vegetation removal required refinement.

The Panel requested that Wellington Shire Council propose alternative wording to address the issues raised. It subsequently prepared an alternative version of the Planning Permit, which formed the basis of the Panel's consideration.

The Panel supported the modifications proposed by Council.

The Panel also reviewed details of the content and format of the Permit (e.g. to remove unnecessary headings). The changes are included in Appendix B of the Panel Report (see Attachment 3).

Officers have also subsequently proposed a minor rewording to the title of the permit to clarify precisely what it would allow and to also remove references (where applicable) to the 'staging' of development - on the basis that it is not proposed to be undertaken in stages.

A full copy of the planning scheme documents proposed for adoption and a copy of the modified planning permit can be found at Attachment 4 to this report.

Conclusion

The Panel reviewed the justification of Amendment C83, including its consistency with housing strategies, the appropriateness of the Rural Living Zone, and the appropriateness of the location at Longford. Further, it assessed the capacity of infrastructure to cope with traffic, wastewater treatment, drainage, and bushfire management relating to additional development at the site.

In summary, the Panel concluded that Amendment C83 is strategically justified, and the zone and location are appropriate. It also concluded that infrastructure issues can all be resolved, and have been adequately addressed in the conditions of the planning permit (subject to refinements outlined in Appendix B of the Panel Report).

Panel Recommendation

The Panel recommends that:

- ***Amendment C83 to the Wellington Planning Scheme should be adopted as exhibited.***
- ***Planning Permit P370/2012 should be issued, in accordance with the Permit and conditions included in Appendix B of this report.***

OPTIONS

Council has the following options:

1. Consider the Panel Report for Amendment C83 for the rezoning of land at CA38 & CA 41 (Parish of Glencoe), Andrews Road, Longford and combined planning permit application P370/2012 for a 33 lot subdivision in accordance with section 96F of the *Planning and Environment Act 1987*; adopt Amendment C83 in accordance with Section 29 of the *Planning and Environment Act 1987*; recommend to the Minister for Planning that Planning Permit P370/2012 be granted for a 33 lot subdivision in accordance with Section 96G and 96H of the *Planning and Environment Act 1987*; request that the Minister for Planning approve Amendment C83 under Section 31 of the *Planning and Environment Act 1987* and request that the Minister for Planning grant Planning Permit P370/2012 under Section 96I of the *Planning and Environment Act 1987*;

2. Consider the Panel Report for Amendment C83 for the rezoning of land at CA38 & CA 41 (Parish of Glencoe), Andrews Road, Longford and combined planning permit application P370/2012 for a 33 lot subdivision in accordance with section 96F of the *Planning and Environment Act 1987*; abandons Amendment C83 in accordance with section 28 of the *Planning and Environment Act 1987*; and recommends that Planning Permit P370/2012 be refused for a 33 lot subdivision; or
3. Consider the Panel Report for Amendment C83 for the rezoning of land at CA38 & CA 41 (Parish of Glencoe), Andrews Road, Longford and combined planning permit application P370/2012 for a 33 lot subdivision in accordance with section 96F of the *Planning and Environment Act 1987* and seek further information or changes to Amendment C83 and/or planning permit P370/2012 for consideration at a future Council meeting.

PROPOSAL

That:

1. Council consider the Panel Report for Amendment C83 for the rezoning of land at CA38 & CA 41 (Parish of Glencoe), Andrews Road, Longford and combined planning permit application P370/2012 for a 33 lot subdivision in accordance with section 96F of the *Planning and Environment Act 1987*;
2. Council adopt Amendment C83 in accordance with Section 29 of the *Planning and Environment Act 1987*;
3. Council recommend to the Minister for Planning that Planning Permit P370/2012 be granted for a 33 lot subdivision in accordance with Section 96G and 96H of the *Planning and Environment Act 1987*;
4. Council request that the Minister for Planning approve Amendment C83 under Section 31 of the *Planning and Environment Act 1987*; and
5. Council request that the Minister for Planning grant Planning Permit P370/2012 under Section 96I of the *Planning and Environment Act 1987*.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

As a private request for rezoning, the associated planning scheme amendment costs have been met by the proponents of Amendment C83.

LEGISLATIVE IMPACT

Amendment C83 has been processed in accordance with the statutory requirements of the *Planning and Environment Act 1987*.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

“Appropriate and forward looking land use planning that incorporates sustainable growth and development.”

Strategy 5.1

“Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development.”

This report supports the above Council Plan strategic objective and strategy.

PLANNING POLICY IMPACT

Amendment C83 has been assessed against the relevant State and Local Planning Policy Frameworks contained within the Wellington Planning Scheme and is considered to be consistent with the relevant policy requirements.

More particularly, Amendment C83 is supported by the ‘*Sale, Wurruk and Longford Structure Plan (2010)*’ and the ‘*Sale Framework Strategy Plan*’ at Clause 21.05 of the Wellington Planning Scheme – both of which specifically identify the subject land for future rural residential use.

CONSULTATION IMPACT

The consultation process for Amendment C83 has been undertaken in accordance with the requirements of the *Planning and Environment Act 1987*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council consider the Panel Report (on Attachment 3) for Amendment C83 for the rezoning of land at CA38 & CA 41 (Parish of Glencoe), Andrews Road, Longford and combined planning permit application P370/2012 for a 33 lot subdivision in accordance with section 96F of the Planning and Environment Act 1987;***
- 2. Council adopt Amendment C83 (refer to Attachment 4) in accordance with Section 29 of the Planning and Environment Act 1987;***
- 3. Council recommend to the Minister for Planning that Planning Permit P370/2012 be granted for a 33 lot subdivision (refer to Attachment 4) in accordance with Section 96G and 96H of the Planning and Environment Act 1987;***
- 4. Council request that the Minister for Planning approve Amendment C83 under Section 31 of the Planning and Environment Act 1987; and***

5. ***Council request that the Minister for Planning grant Planning Permit P370/2012 under Section 96I of the Planning and Environment Act 1987.***



C4 - REPORT

GENERAL MANAGER BUILT & NATURAL ENVIRONMENT

ITEM C4.1**APPLICATION FOR REVOCATION OF PART OF AN UNUSED ROAD LICENCE – PART OF GOVERNMENT ROAD (BILLABONG ROAD)- SOUTH OF CA 10 SECTION D - PARISH OF WURRUK WURRUK**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓	✓	✓		✓		✓	

OBJECTIVE

The objective of this report is for Council to consider an application from the licence holder for the revocation of part of an unused road grazing licence over the unused section of a government road (Billabong Road, Pearsondale) abutting the southern boundary of Crown Allotment 10 Section D, Parish of Wurruk Wurruk as shown on the attached plan.

BACKGROUND

Unused roads may be licenced or leased either on an annual, triennial or 99 year term and are issued by the Department of Environment and Primary Industries (DEPI). They may be revoked (fully or in part) on written request from Council. DEPI is seeking advice from Council if this section of Government Road is required for public traffic.

The owner of the properties described as Lot 2 PS610616, Lot 1 TP105363 and Crown Allotments 7 & 10 Section D Parish of Wurruk Wurruk are intending to sell these properties and Crown Allotments 7 and 10 are to be consolidated into the one title.

The owner also holds the unused grazing licence and intends to use the road to access the lots. The first 180 metres of the unused road is fenced on both sides then it is fenced along the north side and is grazed. The length of revocation is 530 metres.

The owner of the properties as the registered licensee has provided written notice that they have no objection to the revocation of part of the licence.

OPTIONS

Council has the following options:

1. Pursuant to *Section 407 (1) of the Land Act 1958*, as it is desirable in the public interest, the Department of Environment and Primary Industries be requested that part of the unused road licence held over the unused Government Road south of Crown Allotment 10 Section D, Parish of Wurruk be revoked as the road is required for public traffic; or
2. Object to the revocation of the licence as the road is not required for public traffic.

PROPOSAL

It is proposed, pursuant to *Section 407 (1) of the Land Act 1958*, as it is desirable in the public interest, the Department of Environment and Primary Industries be requested that part of the unused road licence held over the unused Government Road south of Crown Allotment 10 Section D, Parish of Wurruk Wurruk be revoked as it is required for public traffic.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

Application for revocation of the licence has been made pursuant to *Section 407(1) of the Land Act 1958*.

COUNCIL POLICY IMPACT

There is no Council policy on the revocation of unused road licences. Each application is treated on merit.

COUNCIL PLAN IMPACT

The Council Plan 2013 – 2017 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objective

“Assets and infrastructure that meet current and future community needs.”

Strategy 4.1

“Undertake service delivery planning to provide community assets in response to identified needs.”

This report supports the above Council Plan strategic objective and strategy.

COMMUNITY IMPACT

The unused Government Road is currently fenced and is used for grazing purposes. Revocation of part of the licence will allow the use of this section of road reserve for access to the applicant's property after the sale of the lots. This section of road will not be added to the Wellington Shire Council Register of Public Roads.

CONSULTATION IMPACT

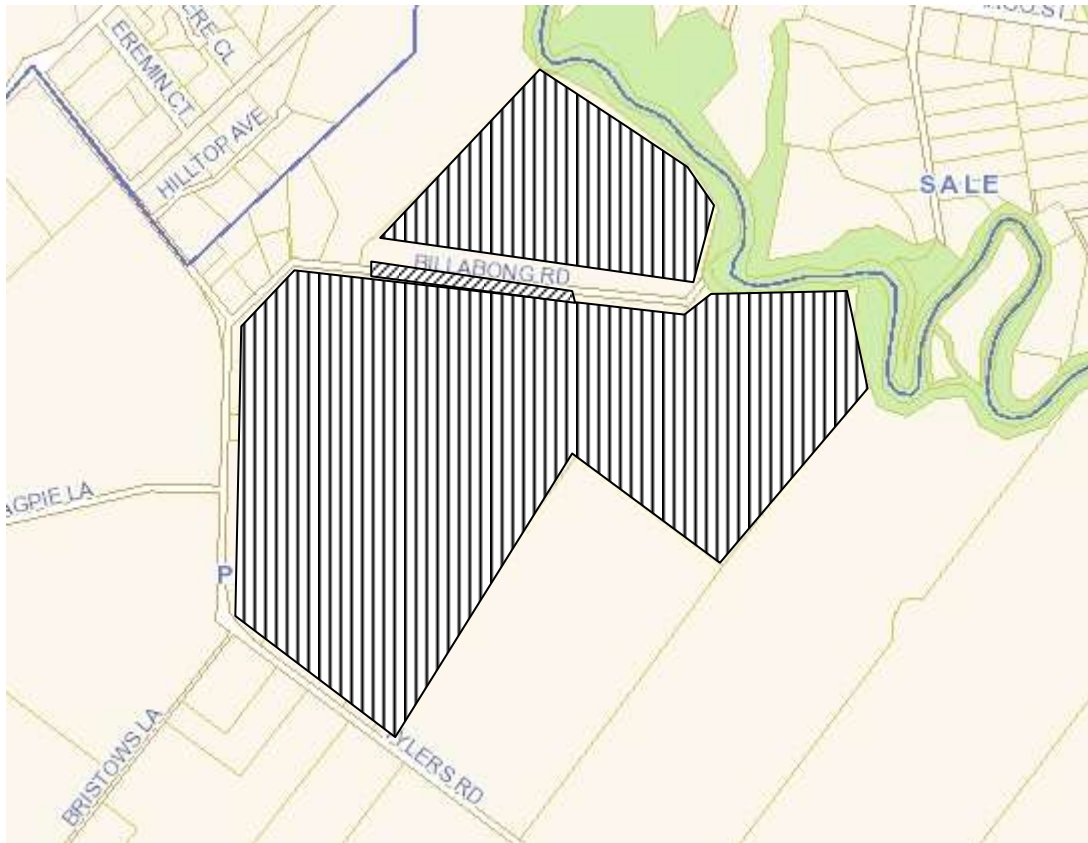
The licence holder and the applicant are the same persons and therefore the only persons affected by the licence. The licence holder/applicant has written to Council advising they have no objection to the partial revocation of the licence and requested Council advise DEPI that the revocation of the licence is required.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

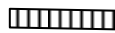
RECOMMENDATION

That Pursuant to Section 407 (1) of the Land Act 1958, as it is desirable in the public interest, the Department of Environment and Primary Industries be requested that part of the unused road licence held over the unused Government Road south of Crown Allotment 10 section D, Parish of Wurruk Wurruk be revoked as it is required for public traffic.

LICENCE REVOCATION – PEARSONDALE - PARISH OF WURRUK WURRUK



LICENCE TO BE REVOKED



LICENCE HOLDER PROPERTY



LICENCE TO BE REVOKED

ITEM C4.2**CONTRACT 2013-041 YARRAM RECREATION RESERVE PAVILION**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER ASSETS AND PROJECTS
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓		✓	✓	✓	✓		✓

OBJECTIVE

The objective of this report is for Council to consider entering into a contract for the replacement of the Yarram Recreational Reserve Pavilion and associated civil works including the demolition and removal of the existing building.

BACKGROUND

The Yarram Recreation Reserve Pavilion currently located on the southern end of the oval is to be demolished and a replacement pavilion built on the western side of the oval. The project also includes civil works to construct the access road and car park and has been included in the Capital Works Program for 2013/2014 and 2014/2015.

OPTIONS

Council has the following options:

1. To enter into a contract for the replacement of the Yarram Recreation Reserve Pavilion; or
2. To not enter into a contract for the Yarram Recreation Reserve Pavilion.

PROPOSAL

That Council adopts the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 of the Council Meeting Agenda for Contract 2013-041 Yarram Recreational Reserve.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Funding for this project is included in the 2013/14 and 2014/15 Capital Works Program as adopted by Council.

Council Rates Contribution	\$1,400,000
State Government Contribution	\$ 650,000
Yarram Rec Reserve Committee Contribution:	<u>\$ 50,000</u>
Total Project Budget	\$2,100,000

COMMUNICATION IMPACT

During the works impacts on the sporting clubs using this facility will be minimised as the existing pavilion will be in use while the new pavilion is being constructed. Officers are in regular contact with the Recreation Reserve Committee in relation to the works program.

LEGISLATIVE IMPACT

The Contract tendering process complies with the Victorian Local Government Act 1989 and the Victorian Local Government Code of Tendering.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objective

“Assets and infrastructure that meet current and future community needs”

Strategy 4.2

“Ensure assets are managed, maintained and renewed to meet service needs.”

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

The Assets and Projects Unit will provide the staff and resources to manage this contract.

COMMUNITY IMPACT

The community will benefit by having the use of a high class facility when this project is completed.

ENVIRONMENTAL IMPACT

The proposed works will have minimal environmental impact, with the contractors complying with Council’s Guidelines.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All OH&S risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council adopts the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 of the Council Meeting Agenda for Contract 2013-041 Yarram Recreational Reserve; and***
- 2. The information contained in the confidential document Item F1.2 Contract 2013-041 Yarram Recreational Reserve of this Council Meeting be designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 30 June 2014 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: c) Contractual matters be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

ITEM C4.3**GIPPSLAND WASTE RESOURCE AND RECOVERY GROUPS –
CALL FOR OFFICER ADVISORY MEMBER REPRESENTATION
NOMINATION**

DIVISION: BUILT & NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER NATURAL ENVIRONMENT & PARKS
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
√				√					

OBJECTIVE

To nominate a Council Officer Representative for appointment to the Gippsland Waste and Resource Recovery Region Local Government Waste Forum.

BACKGROUND

From the 1 August 2014, the current Regional Waste Management Groups, currently responsible for planning and coordinating the management of municipal solid waste, will be consolidated into six new regional Waste and Resource Recovery Groups (WRRGs).

As a future member Council of the Gippsland Waste and Resource Recovery Group, Council has the opportunity to nominate a Council officer to the position of Advisory Member. This is in addition to the recently appointed Councillor Member Representative (Cr. Wenger) appointed by Council on 18 March 2014.

The Environment Protection and Sustainability Victoria Amendment Bill 2014 established six new Waste and Resource Recovery Groups (WRRGs) across Victoria, in place of the current twelve Regional Waste Management Groups (RWMGs).

The new WRRGs will have boards consisting of four directors nominated to the Minister for Environment and Climate Change by local governments in their Waste and Resource Recovery Region, and four appointed by the Minister.

The Victorian government is establishing a Local Government Waste Forum in each region, to nominate the four local government directors, and be an ongoing conduit for consultation between all local governments and the new WRRGs.

The Minister for Environment and Climate Change has requested that each Council in a Waste and Resource Recovery Region nominate a council officer to be an Advisor on the Local Government Waste Forum. This is in addition to the Board Member representative.

PROPOSAL

That Council endorse the appointment of the Manager Natural Environment & Parks to the Gippsland Waste and Resource Recovery Region Local Government Waste Forum for 2014/15 as the Advisory Member Representative of Wellington Shire Council.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COUNCIL PLAN IMPACT

Council's continued involvement with the Waste and Recovery Group is in accordance with various Council Plan objectives.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council endorse the appointment of the Manager Natural Environment & Parks to the Gippsland Waste and Resource Recovery Region Local Government Waste Forum for 2014/15 as the Advisory Member Representative of Wellington Shire Council.

ITEM C4.4**CIVIC ACCOMMODATION ELECTRICAL WORKS
CONTRACT NO 2013 - 064**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER BUILT ENVIRONMENT
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓		✓		✓	✓				✓

OBJECTIVE

The purpose of this report is for Council to delegate authority to the Chief Executive Officer to award a contract for the electrical works at the civic accommodation building 18 Desailly Street, Sale.

BACKGROUND

In February of 2014 Council successfully purchased the partially completed building at 18 Desailly Street, Sale for the purposes of civic accommodation. As a requirement of the process to relocate to the building, Council will undertake and complete a detailed fitout of the building to accommodate staff.

Due to the extensive electrical work required as part of the fitout, Council is required to go to tender to procure the services of a suitable contractor. The tender for supply of electrical services was advertised publicly from the 21st June and closes Monday 14th July 2014. Tender evaluation will be completed within three days of the closing date. The delegation of authority to the Chief Executive Officer will allow the execution of a contract with the selected contractor in the third week of July 2014 with works to commence by the end of July 2014.

The works program for the relocation of Council offices to Desailly Street site has electrical works programmed to be carried out between July 2014 and November 2014.

Should Council not delegate authority a report to award a contract for the electrical works would be presented at the next Ordinary Council meeting of 5 August 2014. In this event works wouldn't commence until mid to late August 2014 resulting in a three week delay on this essential component of the relocation.

OPTIONS

Council have the following options available:

1. Delegate authority to the Chief Executive Officer to award a contract within budget for the Civic Accommodation Electrical Works, Contract 2013-064; or
2. Note the report and take no further action.

PROPOSAL

That:

1. Council delegate authority to the Chief Executive Officer to award a contract of up to \$700,000, excluding GST, for the Civic Accommodation Electrical Works, Contract 2013-064; and
2. Council authorise the Chief Executive Officer to sign and seal all contract documents for the Civic Accommodation Electrical Works, Contract 2013-064.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this Report have declared a Conflict of Interest in this section.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

“An organisation that is responsive, flexible, honest, accountable and consistent.”

Strategy 2.2

“Maintain processes and systems to ensure sound management.”

This report supports the above Council Plan strategic objective and strategy.

FINANCIAL IMPACT

The electrical works comprise the largest component of the fitout project and are estimated at \$700,000, excluding GST. This estimate prepared in conjunction with a specialist electrical consultant includes the replacement of all lighting, upgrade of building electrical infrastructure and provision of new power supply points to suit the new fitout. The works will also provide improved energy efficiency within the building and reduced long term running costs.

LEGISLATIVE IMPACT

The upgrade of the electrical works will allow the new Civic Accommodation to meet the Building Code Of Australia and the relevant electrical design and safety standards under AS3000, AS 3008 and AS 2293. The tendering process complies with the relevant legislative requirements.

REOURCES AND STAFF IMPACT

Built Environment Unit will provide the staff and resources to manage this contract.

RISK MANAGEMENT IMPACT

It is considered that engagement of appropriately qualified and experienced contractors to undertake the proposed works will mitigate any risk impacts.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council delegate authority to the Chief Executive Officer to award a contract of up to \$700,000, excluding GST, for the Civic Accommodation Electrical Works, Contract 2013-064; and***
- 2. Council authorise the Chief Executive Officer to sign and seal all contract documents for the Civic Accommodation Electrical Works, Contract 2013-064.***



C5 - REPORT

GENERAL MANAGER LIVEABILITY

ITEM C5.1**GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: LIVEABILITY
 ACTION OFFICER: MANAGER HEALTHY LIFESTYLES
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓	✓	✓				✓	

OBJECTIVE

To receive the minutes from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 1 May 2014.

BACKGROUND

The Gordon Street Recreation Reserve Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of the Committee are:

- To manage, operate and maintain both the Gordon Street Recreation Reserve and the Heyfield Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop both the Gordon Street Recreation Reserve and the Heyfield Recreation Reserve for the use and enjoyment of the local community.

As provided under the Committee's Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee.

It was noted that conflicts of interest were called for at the commencement of the meeting, with no conflicts being declared.

OPTIONS

Council has the following options:

1. Receive the minutes from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 1 May 2014; or
2. Seek further information to be considered at a future Council Meeting.

PROPOSAL

To receive minutes from the Gordon Street Reserve Committee's Ordinary Meeting held on the 1 May 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objectives

“Asset and infrastructure that meet current and future community needs.”

Strategy 4.2

“Ensure assets are managed, maintained and renewed to meet service needs.”

CONSULTATION IMPACT

Meetings held by the Gordon Street Recreation Reserve Committee of Management are open to the public.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management’s Ordinary Meeting held on 1 May 2014.

GORDON STREET RECREATION RESERVE Special Committee of Council

MINUTES

Meeting Opened Time: 7.07 pm

1. Present / Apologies

Name	Title	Representing	Present / Apology
Malcolm Hole	Councillor		Apology
Barbara Cook		Heyfield Vintage Machinery Group	Present
Patrick Rodaughan	Secretary	Heyfield Junior Football Club	Present
Terry Stone		Heyfield Cricket Club	Apology
Lee Clarke		Heyfield Traders & Tourism Assn	Present
Glenys McBride		Heyfield Basketball	Present
Kelvin Sundermann	Vice President	Heyfield Tennis	Present
Brian Brown	President	Community	Present
Craig Bennett		Community	Apology
Trevor Donohue	Treasurer	Community	Apology
Richard Fawaz		Community	Present
Bruno Furjan		Pigeon Club	Present
Geoffrey Healy		Heyfield Football Netball	Apology

Quorum Achieved? Yes

2. Declaration of Conflicts of Interest : Read by Chairperson Brian Brown

3. Confirmation of Minutes of Previous Meeting (note any corrections)

Moved: P Rodaughan
CARRIED

Seconded: L Clarke

Chairperson to sign and date previous minutes to be filed by Secretary

4. Business Arising from Previous Minutes : Attached

- 5. Correspondence In : Attached
 - 6. Correspondence Out – date previous minutes sent to Council : Attached
 - 7. Reports
 - 7.1 Chairperson's Report : Attached
 - 7.2 Treasurer's Report : Attached
 - 7.3 User Group Reports : Attached
 - 8. Volunteers : Attached
 - 9. OHS / Risk / Facility Fault Report
 - 10. New Rules of the Committee to be endorsed by Council
 - 11. General Business
 - 12. Next Meeting : 26/06/2014 (AGM needs to be advertised)
- Meeting Closed Time: 8.10 pm

These minutes are:

Confirmed as true and correct on 01/05/2014

Or

Corrections have been made and noted at the meeting on
Date

Chairperson Signature... 

Gordon Street Reserve Committee General Meeting

Date 01 /05/ 2014

Previous minute's business arising: G McBride noted that Geoff Healy was documented as being present at the last meeting when in fact he was an apology.

Discussion was held in relation to the under ground power line into the Tennis Club and are GSR required to cover 40% of the cost. President Brian will contact Brian Wheatley to find out more information.

Correspondence be dealt with as read: Moved P. Rodaughan

Seconded: B. Brown

Correspondence In : Relay 4 Life; Heyfield Traders volunteer registration; Wright Refrigeration & Engineering; Windmill Ag; SP Aus Net; SRW Newsletter; WSC Kerrie Coey; Heyfield Tennis Club; Rohan Christian Electrical; WSC Lisa Lyndon exceeding expenditure; Vern Graham PTY LTD; Heyfield Cricket Club.

Correspondence Out: WSC Darren Randle Minutes of meeting held 27/02/2014; HFNC and HCC pavilion audit; Letter to all user groups regarding the naming of the DSE building; Heyfield Basketball Association regarding payment for stadium floor; Thank-you card for Greame & Hilda Rodgers for donation of firewood to GSR; Reply email WSC Kerrie Coey; WSC Lisa Lyndon re exceeding expenditure

Chairperson's Report: President Brian informed committee as to where we are at with replacement of the mower; we have received a quote for the new mower and a trade-in price. The guttering has been put on the shed behind the cricket nets. We are currently in the process of getting the leak in the dam wall fixed.

Club Reports:

Tennis Club: Kelvin spoke about the ongoing saga with the resealing of the courts. The drainage works have been completed but has no idea when the courts will be finished.

Community Rep Brian: Brian spoke about perhaps buying a trailer to transport the mower when mowing Newry Reserve.

Motion: Lee Clarke that the committee buy a trailer for transporting the mower provided cost does not exceed \$1,000 Seconded: P Rodaughan Carried

Heyfield Traders: Lee asked whether the old rusty wire in the fence around the oval at the RV stop could be removed and the dog poo bag dispenser was empty.

Basketball Club: Glenys informed committee that the Basketball season was under way and gave a report on the Relay 4 Life. Although the weather was a little unkind it was very well supported and will be even bigger next time and approximately \$27,000 raised.

H&DVMG: Barb spoke of the rally to be held in the coming weeks and they have been busy getting ready with working bees held to do some weed spraying, organising firewood etc.

General Business:

Discussion was had about a letter from Heyfield Cricket Club regarding the \$3,000 the GSR receives for the centre wicket on the main oval. They have obtained information from WSC of the Recreation Reserves subsidies maintenance guide. It was suggested we write a reply letter explaining that it is only a guide and explain that the \$3,000 also includes water, fertilizer and other associated costs.

FINANCIAL STATEMENT – GORDON ST RESERVE – COMMITTEE MEETING - 1.05.14

EXPENDITURE

Heyfield Basketball	1500.00
Flamingos	235.00
Aust Post	107.00
Timberline	70.45
Vern Graham	11.21
Cash	500.00
Energy Aust	986.86
Vern Graham	37.71
Timberline	136.70
Energy Aust	978.51
Pace Plumbing	122.50
R Christian Elect	179.30
Bank Fees	4.05

TOTAL \$4869.29

INCOME

Trader Assn	1000.00
RSL	2000.00
Cash returned	500.00
Catering (rally)	836.30
Lions Club	10000.00
Donations (other)	6670.00
Flamingos	1921.00
Interest	116.96
WSC (funding)	1668.63
WSC (gst)	292.53
Bendigo Bank	10,000.00

TOTAL \$35,005.42

PREVIOUS BALANCE

Cheque	9647.08
Mower	14278.97
Masterplan	25667.64
Unpresented Cheque	255.00

CURRENT BALANCE

Cheque	17,720.55
Mower	5294.48
Masterplan	57,959.79
Unpresented Cheque	1500.00



ITEM C5.2**MAFFRA RECREATION RESERVE COMMITTEE OF
MANAGEMENT MINUTES**

DIVISION: LIVEABILITY
 ACTION OFFICER: MANAGER HEALTHY LIFESTYLES
 DATE: 15 JULY 2014

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓	✓	✓				✓	

OBJECTIVE

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management's Ordinary Meeting held on 5 May 2014.

BACKGROUND

The Maffra Recreation Reserve Committee is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of this Committee are:

- To manage, operate and maintain the Maffra Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Maffra Recreation Reserve for the use and enjoyment of the local community.

As provided under the Committee's Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee.

Conflict of Interest: It was noted that conflicts of interest were called for at the commencement of the meeting with no conflicts being declared.

OPTIONS

Council has the following options:

1. Receive the minutes from the Maffra Recreation Reserve Committee of Management's Ordinary Meeting held on 5 May 2014; or
2. Seek further information for consideration at a future meeting of Council.

PROPOSAL

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's Ordinary Meeting held on 5 May 2014.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objectives

“Asset and infrastructure that meet current and future community needs.”

Strategy 4.2

“Ensure assets are managed, maintained and renewed to meet service needs.”

CONSULTATION IMPACT

Meetings held by the Maffra Recreation Reserve Special Committee of Council are open to the public.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management’s Ordinary Meeting held on 5 May 2014.

MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT
(FINANCIAL COMMITTEE of WELLINGTON SHIRE COUNCIL)
GENERAL MEETING

Held Monday May 5th, 2014

PRESENT- Jennifer Toma, Lisa Ogilvie, Irene Crockford, John Vardy, Steve Dingwall, Bernard Coleman, Val Bragg, Mark Hewlitt & Matthew Coleman.

APOLOGIES –Councillor Caroline Crossley.

Conflict of interest the Chairman, M. Hewlitt, advised committee members that they are obliged to declare any conflict of interest arising from items to be discussed at this meeting.

MINUTES of the general meeting held on Monday April 7th, 2014 were read and received on the motion of I. Crockford and seconded by M. Coleman. CARRIED

BUSINESS ARISING –

1/ The new cisterns for the McLean Street toilets have not been ordered yet.

2/ Thank you to the Netball volunteers for putting a trench along the western side of the old Trade Pavilion to drain rain water away.

3/ A quote was submitted to the American Truck Historical Society Australian Chapter to host their planned three day expo in November.

CORRESPONDENCE

Inward – Nil

Outward – letters to committee members with meeting invitations & Minutes;

Letter to the American Truck Historical Society Australian Chapter.

Correspondence read and received on the motion of J. Toma and seconded V. Bragg CARRIED

TREASURER'S REPORT- for the month was presented by the Treasurer. Treasurer, L. Ogilvie, moved and S. Dingwall seconded that the Financial Report be received and any accounts passed for payment. CARRIED

REPORTS

Kennel Club- 2015 shows will highlight first appointment judges to encourage exhibitors.

Band-nil

Rockhounds – will be in recess until the AGM in October, most members will be away over winter. The Rockhounds have vacated the old Young Farmers rooms and moved back into the clubrooms.

Poultry Club- will hold a Bird Day on Mothers Day, and a Young Bird Show on Sunday June 1st, 2014.

Football/Netball Club- Nil

Maintenance- mower service has been completed

-pipe repair was discussed again, quotes to be sourced

Agricultural Society- Blackies Paddock track to be completed this month

-verbal quote on fence-line powerboards including 2x240 volts

\$5,000. ACTION –two quotes to be obtained by Society reps.

ACTION – Secretary to contact WCS re safety switches policy.

-plans for a fenced area for Blackies Paddock submitted.

ACTION- all relevant user groups to be contacted for their comments.

GENERAL BUSINESS

1/ The vandalism of the Function Centre fire hydrants was discussed, concerning water wastage. ACTION – Secretary to contact Maffra Fire Brigade re locks for hydrants.

2/ ACTION – two quotes to be obtained for an open concrete spoon drain to be constructed from the front of the Function Centre to the nearest available pit by M. Hewlitt.

3/ Building and planning permits from WSC for the Maffra Football/Netball Club corporate box was tabled.

4/ ACTION –two quotes to be obtained for a signboard listing all user groups/contacts/upcoming events slots by J. Toma & L. Ogilvie.

5/ Addition to Masterplan- multi-purpose facility for numerous groups, discussed to replace older buildings, to put forward by the Agricultural Society. Invite D. Randle to the June meeting to discuss.

The meeting closed at 8.50pm.

The next meeting will be held Monday June 2nd, 2014.

11:45 AM
12/06/14
Cash Basis

**Maffra Recreation Reserve
Profit & Loss
April 2014**

	<u>Apr 14</u>	<u>Jul 13 - Apr 14</u>
Income		
Electricity contributions		
Maffra Agricultural Society	0	1,214
Total Electricity contributions	0	1,214
Hire of Reserve	45	168
Interest Received (Bendigo)	6	64
Rentals		
Camping (Kennel Club)	0	1,186
Casual (Motorhomes)	0	18
Maffra Agricultural Society	0	852
Maffra Football & Netball Club	5,000	9,773
Total Rentals	5,000	11,829
Wellington Shire		
Operating Grant	0	15,862
Total Wellington Shire	0	15,862
Total Income	5,051	29,137
Expense		
Audit	0	130
Bank Fees & Charges (Bendigo)	0	1
CFA Service	0	362
Cleaning	0	393
Cleaning (T. Van Baalen)	215	606
Electricity & Gas (PowerDirect)	3,390	11,973
Flowers	0	45
Fuel and Oil		
Tractor/ Ride-On (MG Trading)	163	1,131
Total Fuel and Oil	163	1,131
Ground (Fertiliser)	331	331
Mowing (M.Hewlitt)	0	400
Postage & Stationary (Aus Post)	0	152
Repairs and Maintenance		
(General)	125	149
Buildings (Locksmith)	147	147
Buildings (Painting)	0	35
Equipment (Cleaning)	0	79
Equipment (Hot water service)	0	100
Equipment (Toilets)	51	51
Grounds (Brown Wigg)	0	144
Grounds (Eastcoast Plumbtec)	971	971
Grounds (Elders)	35	70
Grounds (Home Hardware)	179	179
Grounds (Mac. Earthmoving)	0	3,500
Grounds (McCarthy Plumbers)	426	1,546

11:45 AM
12/06/14
Cash Basis

**Maffra Recreation Reserve
Profit & Loss**
April 2014

	<u>Apr 14</u>	<u>Jul 13 - Apr 14</u>
Grounds (Track Grading)	0	1,463
Tractor (Battery)	0	227
Tractor (Repairs)	0	92
Total Repairs and Maintenance	1,934	8,753
Waste Removal (Maffra Waste)	122	1,156
Water Rates (Gippsland Water)	0	1,427
Water Rates (SRW)	0	608
Total Expense	6,155	27,468
Net Income	-1,104	1,669

11:51 AM
12/06/14

**Maffra Recreation Reserve
Reconciliation Summary**
Bendigo Bank - General Account, Period Ending 30/04/2014

	<u>Apr 30, 14</u>
Beginning Balance	9,091.40
Cleared Transactions	
Cheques and Payments - 10 items	-5,815.04
Deposits and Credits - 1 item	50.00
Total Cleared Transactions	-5,765.04
Cleared Balance	3,326.36
Uncleared Transactions	
Cheques and Payments - 5 items	-1,673.89
Deposits and Credits - 1 item	5,500.00
Total Uncleared Transactions	3,826.11
Register Balance as of 30/04/2014	7,152.47
New Transactions	
Cheques and Payments - 5 items	-6,499.41
Total New Transactions	-6,499.41
Ending Balance	653.06

11:58 AM
12/06/14

Maffra Recreation Reserve Reconciliation Summary

Bendigo Bank - Investment Acc., Period Ending 30/04/2014

	<u>Apr 30, 14</u>
Beginning Balance	12,919.24
Cleared Transactions	
Deposits and Credits - 1 item	6.04
Total Cleared Transactions	<u>6.04</u>
 Cleared Balance	 <u><u>12,925.28</u></u>
 Register Balance as of 30/04/2014	 12,925.28
Ending Balance	12,925.28



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

COUNCIL MEETING
15 JULY 2014

On this 25 day of June 2014, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, John Websdale (delegate) declare that the information contained in the attached document **STRATEGIC LAND USE PLANNING PROJECTS REVIEW GROUP - MINUTES** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- e) *proposed developments;*

.....
General Manager Development (Delegate)



**ORDINARY COUNCIL MEETING
15 JULY 2014**

On this 30 day of June 2014, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Christopher Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **2013-041 CONTRACT YARRAM RECREATION RESERVE** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) *contractual matters*

.....
General Manager Built and Natural Environment



G. IN CLOSED SESSION

G. IN CLOSED SESSION