



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

Council Meeting Agenda

Meeting to be held at

Port Of Sale Civic Centre

Foster Street, Sale

Tuesday 3 March 2015, commencing at 1pm

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ORDINARY MEETING OF COUNCIL – 3 MARCH 2015

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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 CORPORATE SERVICES

DATE:

3 MARCH 2015

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 17 February 2015 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 17 February 2015 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:

3 MARCH 2015

ITEM	FROM MEETING	COMMENTS	ACTION BY
<p>Item 1 Gippsland Lakes</p> <p><i>That Council write a letter of support and budget submission to the Hon. Lisa Neville, Minister for Environment Water and Climate Change, outlining the outstanding work completed by the Gippsland Lakes Ministerial Advisory Committee (GLMAC) over the past two years. In recognising the enormous economic, social and environmental impact the health of the Gippsland Lakes has for all Victorians, Council urges the Andrews Labor Government to:</i></p> <ol style="list-style-type: none"> <i>1. Allocate \$8.5m to the health, management and sustainable development of the Gippsland Lakes through the Gippsland Lakes Environment Fund;</i> <i>2. Continue to improve the model of local coordination through the establishment of a new Gippsland Lakes Management Committee (potentially as a stand-alone public sector entity), with a charter to advise government and coordinate action and resources for the protection, development and management of the Gippsland Lakes, and</i> <i>3. Consider further advice on the evolution of the GLMAC model to improve the delivery of planning, management and community engagement for the Gippsland Lakes and ensure the coordinated delivery of government objectives for the Lakes.</i> 	17 February 2015		General Manager Development



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:

3 MARCH 2015

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			



A - PROCEDURAL

A10 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

ITEM A11

GALLERY COMMENTS

DIVISION:

CHIEF EXECUTIVE OFFICER

ACTION OFFICER:

CHIEF EXECUTIVE OFFICER

DATE:

3 MARCH 2015



A - PROCEDURAL

A12 QUESTIONS ON NOTICE

ITEM A12(1)

OUTSTANDING QUESTIONS ON NOTICE

ACTION OFFICER

CHIEF EXECUTIVE OFFICER

DATE:

3 MARCH 2015

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			



A - PROCEDURAL

A13 MAYOR'S REPORT

A Mayor's Report is due to be presented on the 17 March 2015.



A - PROCEDURAL

A14 YOUTH COUNCIL REPORT

ITEM A14**YOUTH COUNCIL REPORT**

OFFICER: YOUTH MAYOR

DATE: 3 MARCH 2015

This is my first report as Wellington Shire Council Youth Mayor, a position I have only held for a few weeks now. Traditionally these reports focussed on the previous events, although tonight I come with a mix. I have quite a bit to report on since December since we have come together as a group. In December we attended a three day Leadership camp where we learnt about Youth Council and got the opportunity to get to know each other. During this camp we also made a start on our 2015 Action Plan, Code of Conduct and Values.

In January we all attended two days of training to bring us up to speed on how we operate and Council expectations of us both individually and as a group. Training included:

- Governance
- Social Media
- OH&S
- How to Run Effective Meetings
- Looking After Your Mates
- Cultural Awareness Training
- Community Wellbeing and Organisation Structure

While the past few months has been a learning curve for us 'newbies', it has been great how supportive the existing members have been in trying to get us up to speed and guide us every step of the way. I would like to highlight the positive work we have been doing for events that will be taking place throughout March. Since taking over the reins, we have started working groups for the following events:

- Sale Music Festival
- Yarram YMCA Regional Skate Heat
- Sale YMCA Gippsland Regional Final
- International Women's Day Breakfast
- Community Services Expo
- 2015 Wellington Youth Art Prize
- Road Safety Forum Planning group

We have also taken over the following existing Youth Council Commitments:

- Youth Council Facebook Page
- Weekly Attendance to Monday Tucker

If the above is anything to go by, we are in for a big year and Matthew and I look forward to reporting on the Youth Council's progress on activities, events, current issues and ideas in the future.

MATT VAUX
Youth Mayor

RECOMMENDATION

That Council receive the Youth Mayor's report for the period ending February 2015.



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 3 MARCH 2015

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

OBJECTIVE

To report on all assembly of Councillor records received during the period 11 February 2015 to 24 February 2015.

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 11 February 2015 to 24 February 2015.

Assembly of Councillors summary of reports received between 11 February 2015 to 24 February 2015		
Date	Matters considered	Councillors and officers in attendance
17 February 2015	1. Councillors Diary Meeting	Councillors Crossley, Cleary, Davine, McCubbin, McIvor, Wenger, Hole Sharon Willison, Mayoral & Councillor Support Officer Gail Hogben, Executive Assistant
17 February 2015	1. Place Names Committee	Councillors McCubbin, McIvor, Davine Sandra Rech, Coordinator Asset Management James Blyth, GIS Officer
17 February 2015	1. West Sale Airport and Yarram Aerodrome Strategic Group	Councillors Cleary, Wenger Chris Hastie, General Manager Built & Natural Environment Daniel Gall, Coordinator Commercial Property Theo Christopher, Coordinator Aerodromes Ian Campbell, Economic Development Sharyn Bolitho, Manager Economic Development
17 February 2015	1. Pre-Council Meeting Agenda 2. Port of Sale Cultural Hub – Architects Presentation and Funding options 3. Maffra Vehicle Museum	Councillors Crossley, Cleary, Hole, Davine, McCubbin, McIvor, Wenger, Duncan (Items 5 to 8) David Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Governance Glenys Butler, General Manager Liveability

Assembly of Councillors summary of reports received between 11 February 2015 to 24 February 2015		
Date	Matters considered	Councillors and officers in attendance
	4. 90 Mile Beach-Emergency Management Plan 5. Longford Outline Development Plan 6. Community Assistance Grants 7. Management of Healthy Lifestyles Facilities 8. Events Attraction	Chris Hastie, General Manager Built & Natural Environment John Websdale, General Manager Development Sharon Houlihan, Manager Healthy Lifestyles (Item 2 & 7) Daniel Gall, Coordinator Commercial Facilities Management (Item 3) Michael McStephen, Emergency Management (Fire) Coordinator (Item 4) Joshua Clydesdale, Manager Land Use Planning (Item 4) Barry Hearsey, Coordinator Strategic Planning (Item 5) Sabine Provily, Strategic Planner (Item 5) Dean Hardisty, Community Facilities Planning & Grants Officer (Item 6) Daniel Miller, Coordinator Healthy Lifestyles Facilities (Item 7) Sharyn Bolitho, Manager Economic Development (Item 8)

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 and seek further information for consideration of a future Council meeting.

PROPOSAL

That Council note and receive the attached assembly of Councillors records received during the period 11 February 2015 to 24 February 2015.

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 11 February 2015 to 24 February 2015.

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

17/02/2015

2. ATTENDEES:

Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley	√		Cr McCubbin	√	
Cr Rossetti		√	Cr McIvor	√	
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		√
C Hastie, GMB&NE		√	J Websdale , GMD		√
A Skipitaris, GMCS		√			

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

Name	Item No.	Name	Item No.
Sharon Willison, Mayoral & Councillor Support Officer	1		
Gail Hogben, Executive Assistant	1		

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

1. Councillors' Diary Meeting

4. Conflict of Interest disclosures made by Councillors:

NIL

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

17/02/2015

2. ATTENDEES:

Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr McCubbin	√				
Cr McIvor	√				
Cr Davine	√				

Officers In Attendance:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Dean Morahan, Manager Assets & Projects		√			
Sandra Rech, Coordinator Asset Management	√				
James Blythe, GIS Officer	√				

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

Name	Item No.		

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

2. Place Names Committee

4. Conflict of Interest disclosures made by Councillors:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

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
Chris Hastie GMBNE	✓				

Others in attendance

Name	Item No.	Name	Item No.
Daniel Gall, Coordinator Commercial Property	1	Sharyn Bolitho, Manager Economic Development	
Theo Christopher, Coordinator Aerodromes	1		
Ian Campbell, Economic Development	1		

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

1. West Sale Airport and Yarram Aerodrome Strategic Group

4. Conflict of Interest disclosures made by Councillors:

NIL

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

17/02/2015

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 (items 5 to 8)	✓				

Officers In Attendance:

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

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

Name	Item No.	Name	Item No.
Sharon Houlihan, Manager Healthy Lifestyles	2 & 7	Daniel Gall, Coordinator Commercial Facilities Management	3
Michael McStephen, Emergency Management (Fire) Coordinator	4	Joshua Clydesdale, Manager Land Use Planning	4
Barry Hearsey, Coordinator Strategic Planning	5	Sabine Provily, Strategic Planner	5
Dean Hardisty, Community Facilities Planning & Grants Officer	6		
Daniel Miller, Coordinator Healthy Lifestyles Facilities	7	Sharyn Bolitho, Manager Economic Development	8

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

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Pre-Council Meeting Agenda 3. Maffra Vehicle Museum 5. Longford Outline Development Plan 7. Management of Healthy Lifestyles Facilities | <ul style="list-style-type: none"> 2. Port of Sale Cultural Hub – Architects Presentation and Funding Options 4. 90 Mile Beach – Emergency Management Plan 6. Community Assistance Grants 8. Events Attraction |
|---|--|

4. Conflict of Interest disclosures made by Councillors:

Councillor Davine declared an indirect conflict of interest and left meeting during discussion of Amendment C88 - Proposed Residential development of Stevens Street, Sale contained in Item 1.



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1**NINETY MILE BEACH SUBDIVISIONS: PLANNING AND ENVIRONMENT ACT 1987 SECTION 172(2) NOTICE OF DECLARATION**

DIVISION: DEVELOPMENT

ACTION OFFICER: MAJOR LAND USE PLANNING PROJECTS COORDINATOR

DATE: 3 MARCH 2015

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

OBJECTIVE

That Council request the Minister for Planning to recommend to the Governor in Council that a new Notice of Declaration be made pursuant to section 172(2) of the *Planning and Environment Act 1987*:

1. For the better use, development and planning of the Ninety Mile Beach area in the Wellington Planning Scheme described in Clause 22.08 Ninety Mile Beach Policy Plan Sheets 1-3 as “inappropriate subdivision areas subject to inundation” (outlined in light blue), “rural conservation” (outlined in green) and “coastal dunes” (outlined in dark blue) and also described in the Schedule to Clause 45.05 Restructure Overlay as PS Map Reference RO1, RO7-RO22 and RO24-RO37 and including lots 1588-1610, Plan of Subdivision LP 82059, Shoreline Drive, The Honeysuckles (outlined in dark blue) and as shown on the plans in Attachment 2 and 3; and
2. To enable the Council as the responsible authority to compulsorily acquire land where persons with an interest in land in this area cannot be contacted or found after the conduct of diligent inquiries and where persons with an interest in land in this area are willing but unable to transfer land to Council voluntarily due to the lack of required documentation for a transfer of land to be registered.

BACKGROUND

On 15 July 2014, Council resolved to 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. The request was 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); and
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).

On 31 October 2014, the Attorney-General approved Council's request subject to the following conditions:

- Submission of a project plan providing sequencing and actions at each stage and giving priority to completing the between settlements area prior to commencing work on the coastal dunes or flood prone areas.
- Submission of information about compulsory acquisition steps prior to compulsorily acquiring land where landowners cannot be contacted or found.
- Keep the State Government informed about progress on discussions with Parks Victoria and other state agencies about future management of land in Council ownership including appropriate fire and environmental land management strategies.
- Formally consult with Land Victoria about any support or assistance required to implement the revised program and advise the State Government of the outcome.

Relevant officers of Council and the former State Government Department of Transport Planning Local Government & Infrastructure (DTPLI), now Department of Environment, Land, Water and Planning (DELWP) have commenced working through the conditions. In respect to the administrative processes relating to compulsory acquisition, a review has been conducted of the existing authority issued in 1988 by the Governor in Council pursuant to section 172(2) of the *Planning and Environment Act 1987* to the former Shire of Rosedale. The 1988 Notice of Declaration enabled the Shire of Rosedale to compulsorily acquire land in the Restructured Subdivision Zone of the former Rosedale Planning Scheme for the better use, development and planning of the area. Legal advice was obtained in 2013 which advised that the declaration could still be relied on provided it applies to exactly the same area. Refer to Attachment 1: 1988 Section 172(2) Notice of Declaration.

A review of the area affected by the 1988 declaration found that it applied to part of the Ninety Mile Beach inappropriate subdivisions and did not extend to apply to all areas now required, including the coastal dunes and flood prone areas. More specifically, the 1988 declaration applied to Restructure Stages 2-23 in the current Wellington Planning Scheme, and therefore still applies to the between settlements area (Restructure Stages 7-22) but does not apply to the inappropriate areas subject to inundation or the coastal dunes areas in Restructure Stages 1 and 24-37. The declaration also does not apply to 23 coastal dune lots north of The Honeysuckles, in Plan of Subdivision LP82059 which were part of the original inappropriate subdivisions, but left out of the original restructure plans drawn up by the State Government in 1978. A review has concluded that a declaration is no longer required for land within the Golden Beach, Paradise Beach and The Honeysuckles settlements where restructures have largely been completed and Council has not acquired any land since 2003 (Restructure Stages 2-6 and 23). (*Refer to Attachment 2: Ninety Mile Beach Policy Plan – 3 Sheets: including Restructure Overlay (RO) labels and to Attachment 3: Plan of Subdivision LP82059 Sheet 1 – 23 lots north of The Honeysuckles not in a Restructure Overlay*).

Following this review, discussions between relevant officers of Council and the State Government have concluded that a new declaration would be appropriate to replace the 1988 declaration. A new declaration would refer to the current provisions of the Wellington Planning Scheme rather than outdated provisions of the former Rosedale Planning Scheme. It would also extend the area of land to which the 1988 declaration applies to enable the better use, development and planning for all the areas covered by the funding agreement and variation to provide for the continued implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions.

Further legal advice has also confirmed that a Council resolution should authorise that a request be made to the Minister for Planning to recommend to the Governor in Council that a new Notice of Declaration be made pursuant to s 172(2) of the *Planning and Environment Act 1987*.

In the Council resolution of 15 July 2014, principle six referred to administrative procedures for land owned by willing owners unable to participate in a voluntary assistance or transfer scheme (due to the lack of required documentation for a transfer of land to be registered) and land owned by owners that cannot be contacted (address unknowns). The decision did not include an option to compulsorily acquire land owned by unwilling owners. It is confirmed that it is not the intention to compulsorily acquire land owned by owners that have registered in writing with Council that they do not wish to transfer their land to Council.

Consequently, the recommendation is to seek a new Notice of Declaration which will apply to specified areas of land and for specified categories of land owners. More specifically, the wording refers to persons with an interest in land, which also covers beneficiaries of an Estate, mortgagees and the like.

OPTIONS

Council has the following options:

1. Council could request the Minister for Planning to recommend to the Governor in Council that a new Notice of Declaration be made pursuant to section 172(2) of the *Planning and Environment Act 1987* so that it applies to the areas of land and categories of land owners as set out in the proposal which will provide for the continued implementation of the long term solution to the Wellington Coast (Ninety Mile Beach) subdivisions. This option would assist Council to implement its decision of 15 July 2014 and the Attorney-General approval of 31 October 2014; or
2. Council could seek further information to be considered at a future Council meeting.

PROPOSAL

That Council request the Minister for Planning to recommend to the Governor in Council that a new Notice of Declaration be made pursuant to section 172(2) of the *Planning and Environment Act 1987*:

1. For the better use, development and planning of the Ninety Mile Beach area in the Wellington Planning Scheme described in Clause 22.08 Ninety Mile Beach Policy Plan Sheets 1-3 as "inappropriate subdivision areas subject to inundation" (outlined in light blue), "rural conservation" (outlined in green) and "coastal dunes" (outlined in dark blue) and also described in the Schedule to Clause 45.05 Restructure Overlay as PS Map Reference RO1, RO7-RO22 and RO24-RO37 and including lots 1588-1610, Plan of Subdivision LP 82059, Shoreline Drive, The Honeysuckles (outlined in dark blue) and as shown on the plans in Attachment 2 and 3; and
2. To enable the Council as the responsible authority to compulsorily acquire land where persons with an interest in land in this area cannot be contacted or found after the conduct of diligent inquiries and where persons with an interest in land in this area are willing but unable to transfer land to Council voluntarily due to the lack of required documentation for a transfer of land to be registered.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

As the Attorney-General has approved Council's request for an extension of time of 6 years from 1 July 2015 to 30 June 2021 to deliver all funding outcomes with no increase in the funding quantum or change in timing of the payment, this will allow Council to access the unexpended funding amount of approximately \$3 million for the better use, development and planning of the Ninety Mile Beach area.

COMMUNICATION IMPACT

If as a result of Council's request, the Governor in Council makes a new Notice of Declaration pursuant to section 172(2) of the *Planning and Environment Act 1987*, a Notice will be published in the Victorian Government Gazette. A new Notice will clarify which areas the Notice applies to and will refer to the current Council name and the *Wellington Planning Scheme*.

As the Notice of Declaration will enable the Council as the responsible authority to compulsorily acquire land where persons with an interest in land in this area cannot be contacted or found, various communication methods and diligent inquiries will be conducted to locate these persons prior to carrying out compulsory acquisition processes. The diligent inquiries will include the engagement of a contractor to conduct searches. If persons are located, they will be offered an opportunity to participate in the voluntary assistance or transfer scheme.

LEGISLATIVE IMPACT

Compulsory acquisition procedures will be carried out in accordance with the *Land Acquisition and Compensation Act 1986*. Land will be compulsorily acquired in the between settlements areas, the coastal dunes and the inappropriate areas subject to inundation where persons with an interest in land in this area cannot be contacted or found after the conduct of diligent inquiries and where persons with an interest in land in this area are willing but unable to transfer land to Council voluntarily due to the lack of required documentation for a transfer of land to be registered.

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 and plans in Clause 22.08 of the *Wellington Planning Scheme* and the Plan of Subdivision LP82059 (Refer to attachment 2 and 3 for Plans).

The policy applies to the use, development and subdivision of land along the Ninety Mile Beach and a new Notice of Declaration pursuant to section 172(2) of the *Planning and Environment Act 1987* will implement the Ninety Mile Beach Policy and result in the better use, development and planning of the Ninety Mile Beach area.

In particular, two of the objectives of the policy are to provide direction as to the most appropriate manner in which to use, develop and subdivide land along the Ninety Mile Beach (as shown on the Policy Plan) and to set aside areas that are subject to inundation, that have coastal values and that have not been substantially modified, for environmental management. It is policy to discourage development that adversely impacts on the coastal and lakes environment.

RESOURCES AND STAFF IMPACT

It is proposed that if the recommendation is adopted, Council would continue to administer the Ninety Mile Beach Plan using internal staff resources. It is also proposed that the resources of a contractor will be used to conduct the diligent inquiries to locate persons with an interest in land in this area. The associated costs of this and other administrative procedures carried out under the requirements of the *Land Acquisition and Compensation Act 1986* to compulsorily acquire land will be covered by the funds available in the funding agreement.

COMMUNITY IMPACT

Adoption of the recommendation will have a positive impact on those landowners of flood affected and coastal beach dune land currently willing but unable to transfer their land to Council.

There could also be a wider community benefit by compulsory acquisition of additional land as it will result in an increase in the transfer of vacant private land to Council in the between settlements area and in the land subject to inundation and coastal dunes areas. Compulsory acquisition processes would result in a smaller number of lots remaining in private ownership as a greater number will be in public/Council ownership. 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. This could include the 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 the transfer of vacant private land 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 have asked if they could participate. However, whilst these other areas are not part of the current voluntary assistance scheme and funding agreement they will be included in the extended area.

As noted earlier in the report, discussions between relevant officers of Council and the State Government have concluded that a new declaration would be appropriate to replace the 1988 declaration. A new declaration would refer to the current provisions of the *Wellington Planning Scheme* rather than outdated provisions of the former *Rosedale Planning Scheme* and would also extend the area of land to which the 1988 declaration applies.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council request the Minister for Planning to recommend to the Governor in Council that a new Notice of Declaration be made pursuant to section 172(2) of the Planning and Environment Act 1987:

- 1. For the better use, development and planning of the Ninety Mile Beach area in the Wellington Planning Scheme described in Clause 22.08 Ninety Mile Beach Policy Plan Sheets 1-3 as “inappropriate subdivision areas subject to inundation” (outlined in light blue), “rural conservation” (outlined in green) and “coastal dunes” (outlined in dark blue) and also described in the Schedule to Clause 45.05 Restructure Overlay as PS Map Reference RO1, RO7-RO22 and RO24-RO37 and including lots 1588-1610, Plan of Subdivision LP 82059, Shoreline Drive, The Honeysuckles (outlined in dark blue) and as shown on the plans in Attachment 2 and 3; and***
- 2. To enable the Council as the responsible authority to compulsorily acquire land where persons with an interest in land in this area cannot be contacted or found after the conduct of diligent inquiries and where persons with an interest in land in this area are willing but unable to transfer land to Council voluntarily due to the lack of required documentation for a transfer of land to be registered.***

2684 G 34 7 September 1988

Planning and Environment Act 1987
SHIRE OF ROSEDALE

Notice of Declaration Under Section 172 (2)

1. For the better use, development and planning of the area in the Restructured Subdivision Zone in the Rosedale Planning Scheme; and

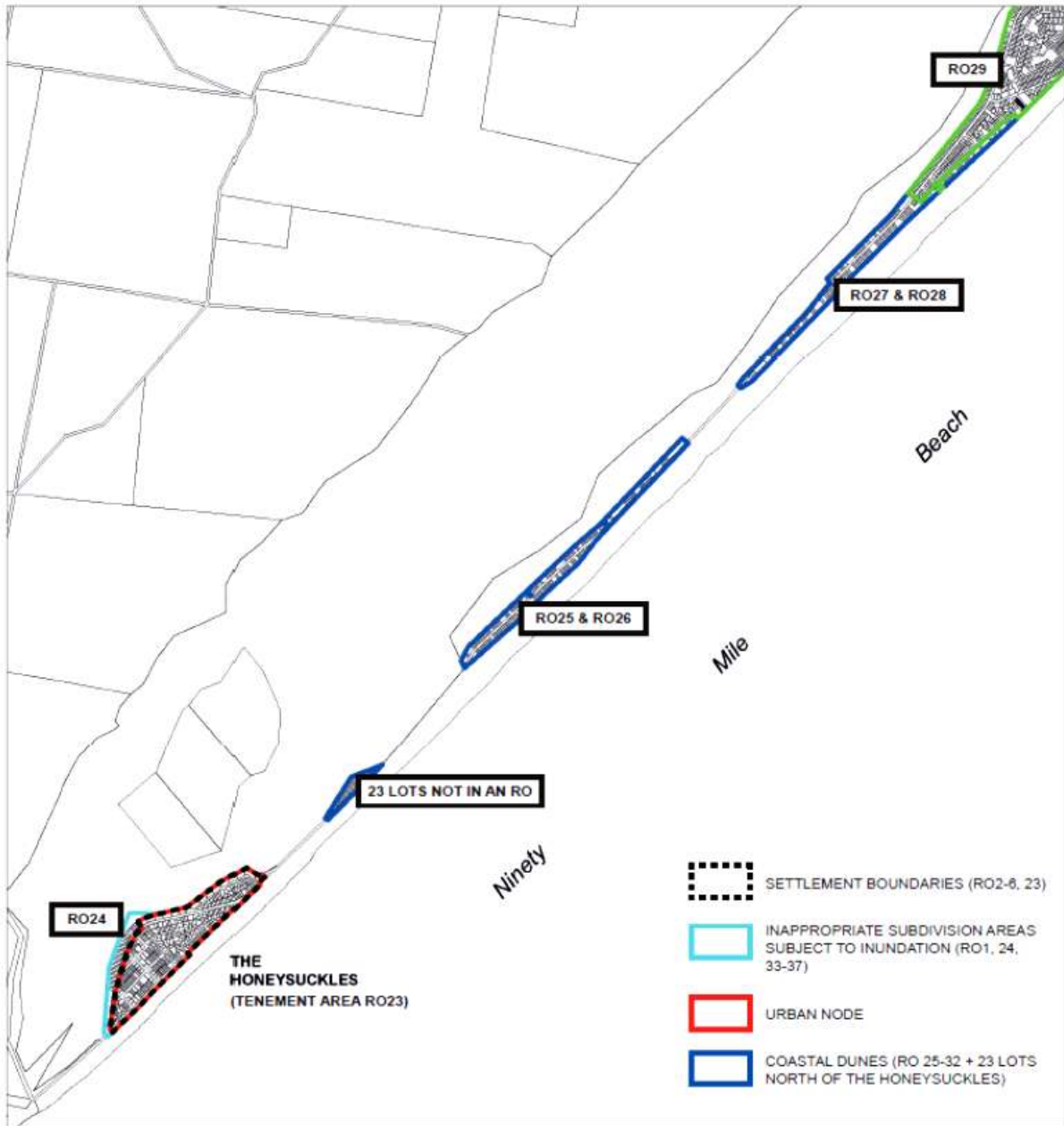
2. To enable the Shire of Rosedale as the responsible authority to compulsorily acquire land in this area, the Governor in Council declares that section 172 (1) (c) of the Act applies to this area.

This declaration comes into operation on the date this notice appears in the *Government Gazette*.




GEOFF CODE
Manager

Planning Co-ordination Branch

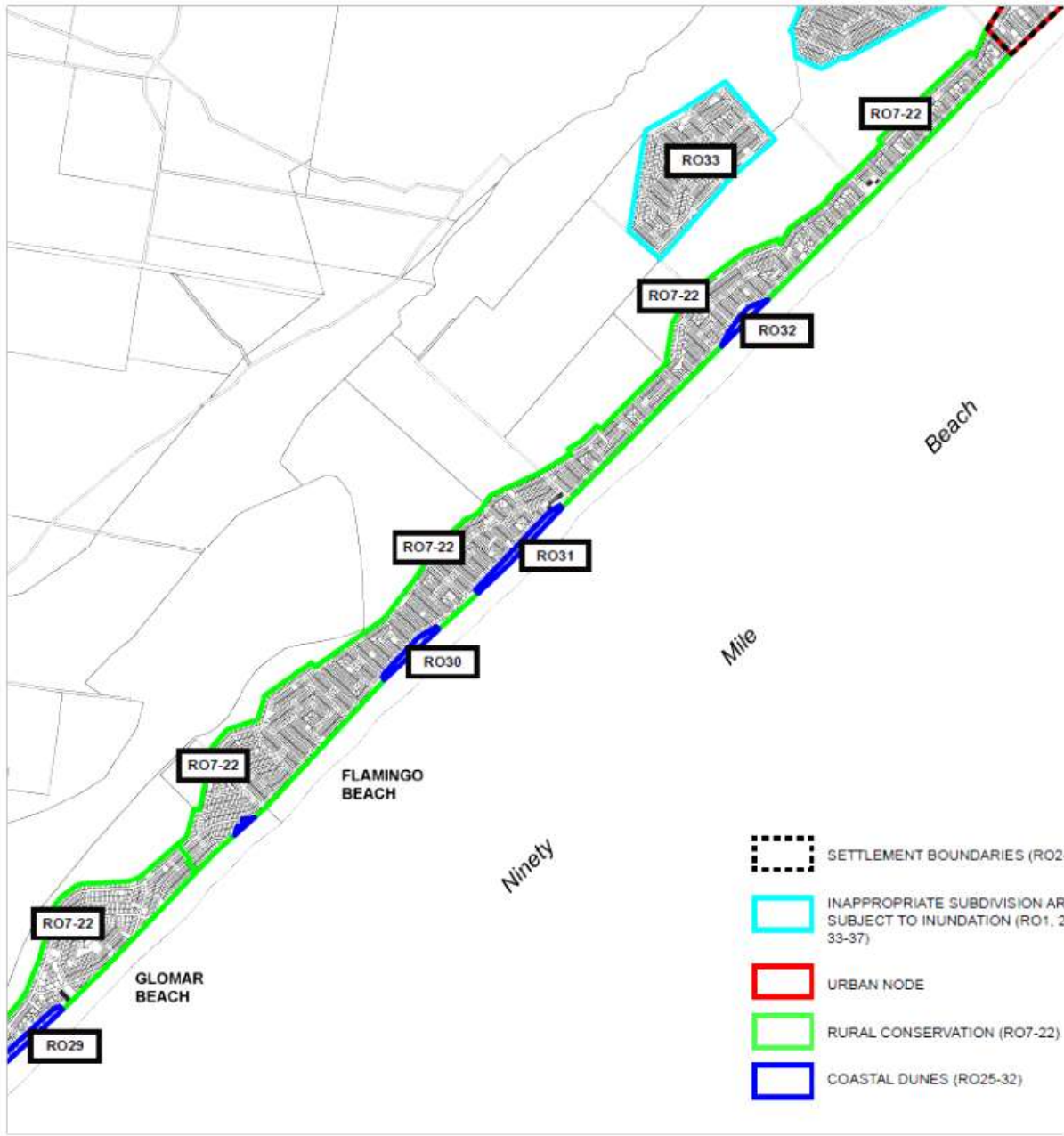
ATTACHMENT 2: CLAUSE 22.08 NINETY MILE BEACH POLICY PLAN – 3 SHEETS: Including Restructure Overlay (RO) labels



Date: May 2011

		 <p>Scale: 1:40,000 @ A4</p>	<p>WELLINGTON PLANNING SCHEME - LOCAL PROVISION NINETY MILE BEACH POLICY PLAN</p> <p style="text-align: right;">SHEET 1</p>
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31/27586/20287/CADD/GIS/Projects/Ninety Mile Beach Strategy/Policy Plans



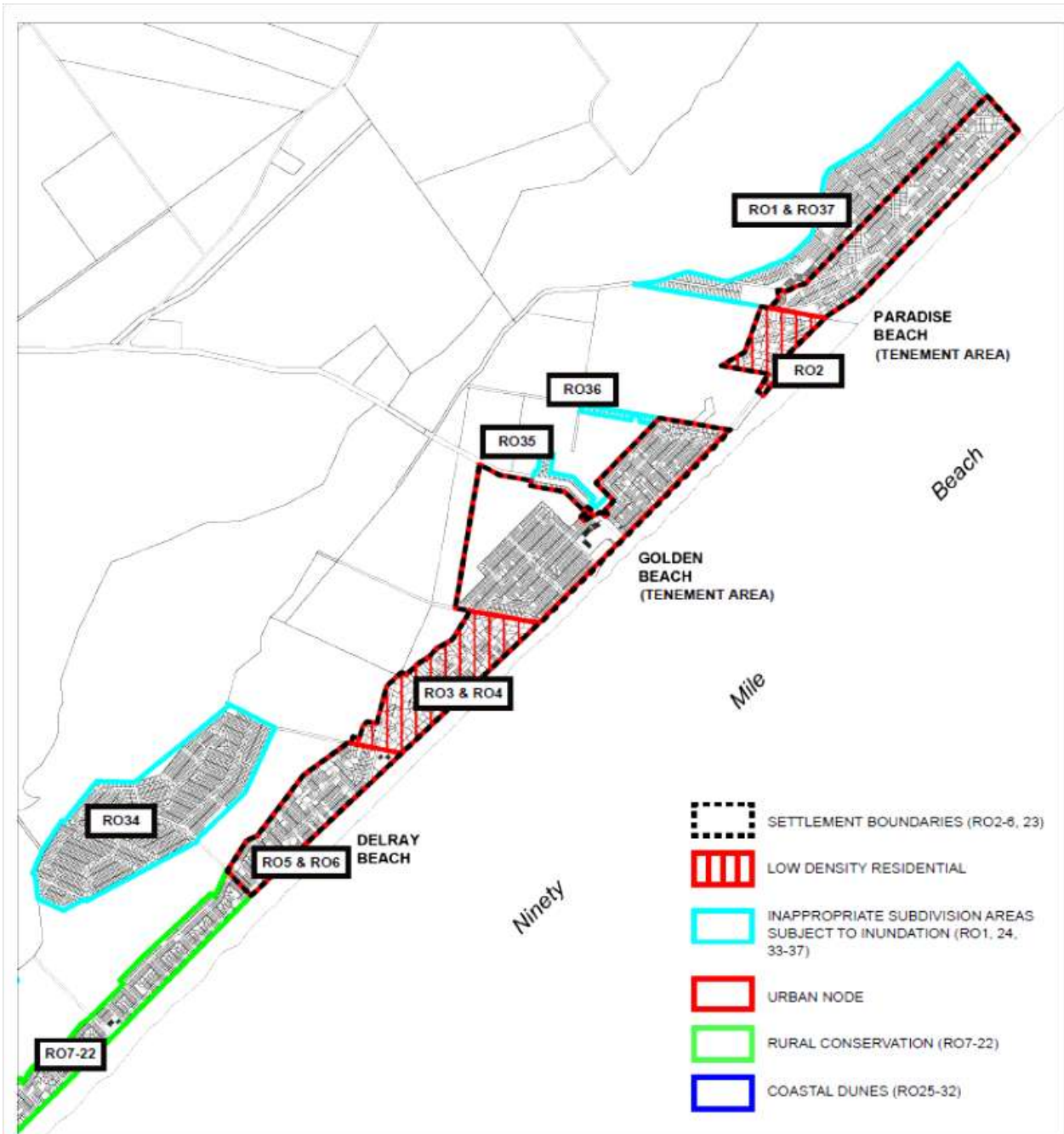
Date: May 2011

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**WELLINGTON PLANNING SCHEME - LOCAL PROVISION
NINETY MILE BEACH POLICY PLAN**

SHEET 2

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

ATTACHMENT 3: PLAN OF SUBDIVISION LP82059 SHEET 1 – 23 Lots north of The Honeysuckles not in a Restructure Overlay

8 SHEETS
SHEET 1
EDITION 4
LP 82059

PLAN OF SUBDIVISION
CROWN ALLOTMENTS 9D & 9E &
PART OF CROWN ALLOTMENT 10 SECTION C

PARISH OF WULLA WULLOCK

COUNTY OF BULN BULN



VOL. 5109 FOL. 740
5109 742

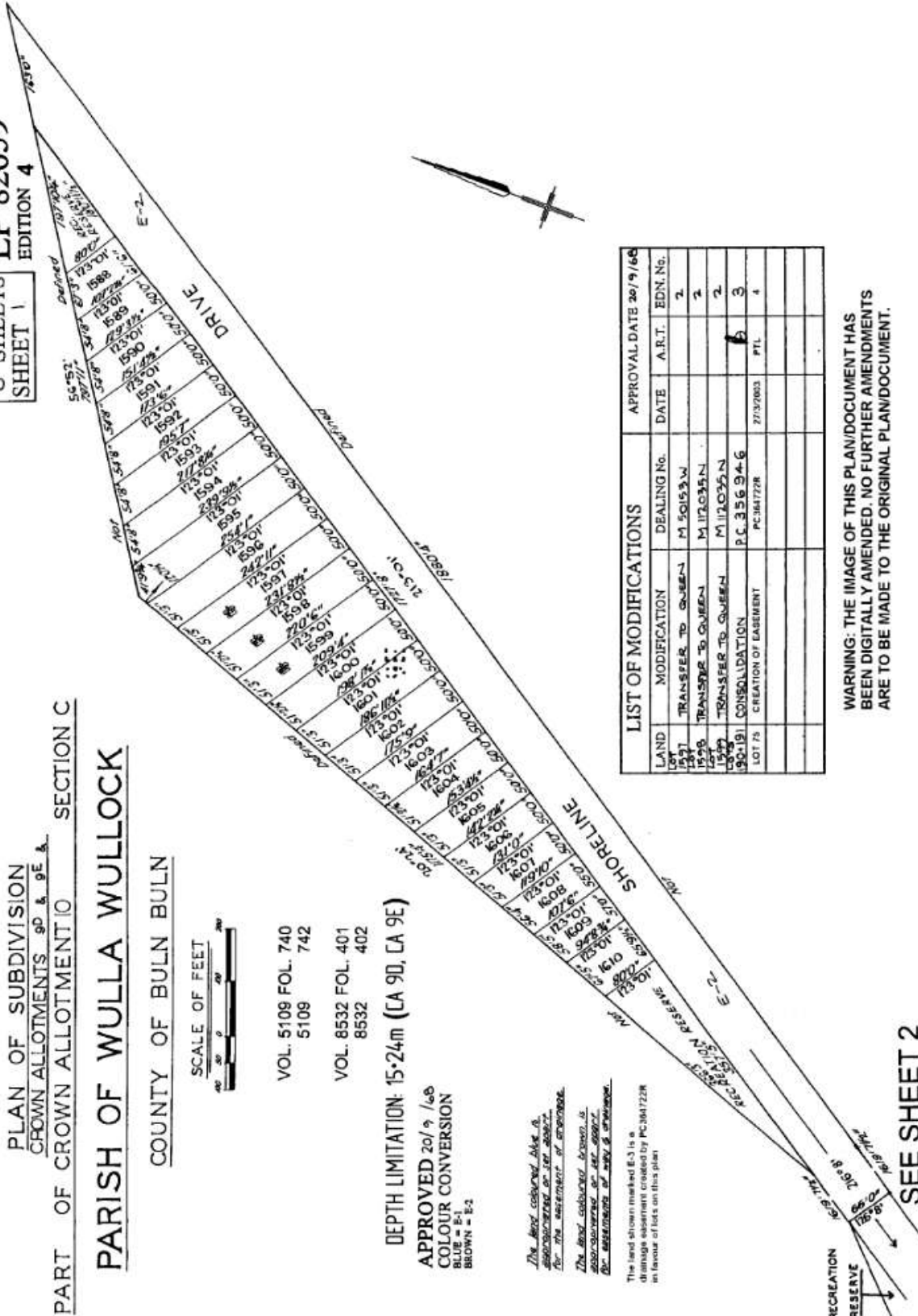
VOL. 8532 FOL. 401
8532 402

DEPTH LIMITATION: 15-24m (CA 9D, CA 9E)

APPROVED 20/9/16
COLOUR CONVERSION
BROWN = E-2

The land coloured blue is surrendered or reserved for the benefit of adjacent lots.
The land coloured brown is surrendered or reserved for the benefit of any 5 adjacent lots.

The land shown marked E-3 is a drainage easement created by PC 361722R in favour of lots on this plan.



LIST OF MODIFICATIONS				APPROVAL DATE	
LAND	MODIFICATION	DEALING No.	DATE	A.R.T.	EDN. No.
LOT 1	TRANSFER TO QUEEN	M 50153W			2
LOT 2	TRANSFER TO QUEEN	M 112035N			2
LOT 3	TRANSFER TO QUEEN	M 112035N			2
LOT 4	CONSOLIDATION	PC 3356 9A-6			3
LOT 5	CREATION OF EASEMENT	PC 361722R	27/3/2003	PTL	4

WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.

SEE SHEET 2



C4 - REPORT

GENERAL MANAGER BUILT & NATURAL ENVIRONMENT

ITEM C4.1**FIRST RIGHT OF REFUSAL
LAND ADJACENT TO THE GIPPSLAND VEHICLE COLLECTION**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

DATE: 3 MARCH 2015

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

OBJECTIVE

For Council to respond to a First Right of Refusal (FROR) made by the Department of Treasury and Finance (DTF) regarding land adjacent to the Gippsland Vehicle Collection (GVC).

BACKGROUND

In November 2014 DTF released a FROR over land located along Maffra-Sale Road, Maffra. As the responsible land manager, the Victorian Rail Track Corporation (Victrack) developed a draft plan of subdivision as part of the land being prepared for sale.

For some time the Gippsland Vehicle Collection have identified part of the Victrack land as being needed for overflow car parking during major events. Correspondence has recently been received from GVC seeking Council assistance with the purchase of the land.

This report proposes that Council submit an Expression of Interest (EOI) in the area of land required by GVC to allow the specific terms of sale to be negotiated. Submitting an EOI in relation to this matter does not bind Council to any further outcomes at this time.

OPTIONS

Council has the following options available:

1. Submit an expression of interest in the land and negotiate the terms of sale; or
2. Not submit an expression of interest in the land and advise GVC that they should enter into discussion directly with Victrack.

PROPOSAL

That

1. Council authorise the Chief Executive Officer to submit an expression of interest for land required by Gippsland Vehicle Collection Incorporated, described as Lot 3, 4 and (part) Crown allotment on proposed plan of subdivision 637835T, to allow the terms of sale to be negotiated; and
2. A further report be presented to Council detailing the terms of sale where Council may assist facilitating a purchase.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

An appropriate market valuation of land has been commissioned and this will assist with negotiations if an EOI is made.

COMMUNICATION IMPACT

Regular meetings will continue to occur with stakeholders including Victrack and members of GVC.

LEGISLATIVE IMPACT

Council would engage legal advice as required to ensure compliance with legislative requirements.

COUNCIL POLICY IMPACT

Council policy regarding Loans will be relevant to this matter.

COUNCIL PLAN IMPACT

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

Strategic Objective

"Assets and infrastructure that meet current and future community needs."

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

RESOURCES AND STAFF IMPACT

The matter has been managed utilising resources within the Built and Natural Environment.

COMMUNITY IMPACT

It is considered that the moving this property would under the control of the GVC have a positive impact on the community.

ENVIRONMENTAL IMPACT

No environmental impacts have been identified.

CONSULTATION IMPACT

Consultation will remain an ongoing activity involving all stakeholders including Council, Victrack and representative from GVC.

RISK MANAGEMENT IMPACT

No issues of risk management have been identified in approving expressing and interest to negotiate terms of a transaction regarding the Victrack land.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council authorise the Chief Executive Officer to submit an expression of interest for land required by Gippsland Vehicle Collection Incorporated, described as Lot 3, 4 and (part) Crown allotment on proposed plan of subdivision 637835T, to allow the terms of sale to be negotiated;***
- 2. A further report be presented to Council detailing the terms of sale where Council may assist facilitating a purchase; and***
- 3. The information contained in the confidential document Item F1.1 First Right of refusal land adjacent to the Gippsland Vehicle Collection 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 and Natural Environment on 24 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: e) proposed development; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.***



C5 - REPORT

GENERAL MANAGER LIVEABILITY

ITEM C5.1**PORT OF SALE CULTURAL HUB CONCEPT PLAN ADOPTION**

DIVISION:

LIVEABILITY

ACTION OFFICER:

CIVIC PRECINCT PROJECTS COORDINATOR

DATE:

3 MARCH 2015

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

OBJECTIVE

The purpose of this report is to recommend, for formal adoption by Council, the concept design presented at the Council Workshop on 17 February 2015 for the redevelopment of the Port of Sale Civic Centre into the Port of Sale Cultural Hub (Attachment A) in accordance with the funding strategy presented in this Council report.

Project Objective

The objective of the project is to transform the current Port of Sale Civic Centre situated on the Princes Highway at the entry to the city of Sale, into a contemporary Gippsland Art Gallery, Sale Public Library, Council Chamber and community hub. This transformation will invigorate activity in the area through the creation of a significant community and tourism destination as part of a dynamic cultural precinct.

Through the Port of Sale Cultural Hub the region will experience a range of activities, exhibitions and programmes not currently offered. Access to this experience will increase the time people spend in the area and encourage return visits which in turn, will support local businesses and the hospitality industry.

Project Context

In 2002 a master plan was developed for the Port of Sale. The Port of Sale Business Opportunities Study (2002) included a strategy to 'support and encourage appropriate development within the Port of Sale cultural precinct, especially development that supports or complements the arts, entertainment, cultural tourism and recreation'. This strategy was incorporated into the Wellington Planning Scheme (2012) which identifies that Sale will build on its role as the prime service and activity node in the district, offering high quality living, employment, shopping and recreational environments.

In addition, the Port of Sale Cultural Hub project aligns with the Sale CBD Precinct Plan (2010) which is also incorporated into the Wellington Planning Scheme (2012).

The promotion of culture and tourism-based development within the Port of Sale Cultural Precinct is important to capitalise on the special character of the area, including the historically, culturally and architecturally significant buildings and places within and around the precinct.

Council and community interest in the development of a cultural infrastructure project in the Port of Sale precinct has been highlighted formally since a Civic Precinct Review was commissioned in 2008 and more specifically via the Wellington Art Gallery Feasibility Study (2011) and the Sale Public Library Feasibility Study (2012). Each of these studies identified the Port of Sale as the preferred site for development, primarily due to its location and proximity to the Sale CBD, aesthetic benefits, and the site's high public profile on the Princes Highway (Foster Street) upon entering the town. In addition, each of these studies identified the importance of these facilities in stimulating tourism-based activity and significantly contributing to the vibrancy of Sale as a regional city and tourist destination.

Project Drivers

Currently the Sale Public Library is a small cramped space of 600 square metres shared with the Sale Secondary College within their school building. The library rooms and shared use arrangements are not conducive with the range of library related activities that should be available to a town of 14,000 people. The new library facility will be twice the size of the existing library and it will include the library headquarters that is currently situated off-site in a rented space. Library headquarters provides resourcing and support to the six libraries across the shire plus the mobile library. The co-location of library headquarters will enable improvements to staff and service engagement, functional efficiencies and more targeted, effective services for communities across the shire, all accessible from a modern facility situated within a vibrant, active cultural precinct.

The Gippsland Art Gallery is well regarded across the state providing a diverse range of highly acclaimed programs and activities. Even so, program development is greatly constrained due to insufficient space, lack of accessibility and poor climate control. The new facility will be more than double the current size providing additional exhibition space, improved amenity, mechanical services and climate control. This will enable the art gallery to increase exhibition spaces and range of community and educational programs in addition to borrowing and displaying works from national and international collections, vastly enhancing the cultural experience for all visitors.

The current Council Chamber is located in the Port of Sale Civic Centre along with the majority of Council's headquarters staff. With the pending relocation of staff to the redeveloped offices at 18 Desailly Street, it has been identified that the Council Chamber would best be located within the new cultural and community hub given Council's public and representative function.

Project Outcomes

Key project outcomes for the Art Gallery / Sale Public Library project:

- The redeveloped Gippsland Art Gallery will enable expanded public programs, education programs, travelling exhibitions and new spaces to showcase the full-breadth of the art gallery's collection. The development will capitalise on the new proximity to the Sale Public Library, opening up cultural and artistic opportunities to a broader audience.
- The Gippsland Art Gallery will comply with relevant sections of the National Standards for Australian Museums and Galleries (2011) enabling the loan and display of 'great masters' from national and international collections. Behind the scenes, the redeveloped facility will enable better management and care of our valuable cultural materials, limit damage and decay, and improve the handling, transportation, storage and display of artworks. Climate and humidity control will also comply with the relevant National Standards.
- Greatly improved access with convenient off road parking for individuals, families and bus/school groups at the Port of Sale. The existing Sale Library has limited street parking available, however as part of the Port of Sale Cultural Hub Precinct, the Sale Library and Gippsland Art Gallery will have access to 90 standard plus 2 disabled off street parking spaces, significantly enhancing access and convenience.
- Enhanced program space for a range of children's and adult's activities at both the art gallery and library; enlarged library floor space will enable increased programming, thus allowing for greater community participation. Due to existing space restrictions, both the adult education (163 participants) and children's activities (4,400 participants) are currently undersubscribed. With the significant provision of increased program space, it is foreseeable that participation across both areas will increase commensurate to the increase in floor space.
- Significantly increased floor space to display artworks in the art gallery and library book and audio-visual collections more effectively, thereby increasing participation due to larger spaces, more varied and sustainable programming and expanded service delivery.
 - The existing Sale Public Library located at Sale Secondary College is 600 square metres and the new library is proposed to be 1,300 square metres.
 - The existing Gippsland Art Gallery is 800 square metres and the new art gallery is proposed to be increased to 1,800 square metres.
 - In addition to the library and art gallery, the hub will incorporate open, shared spaces for public, community uses and a new Council Chamber.

- Due to the limited space and conditions within the current facility, the existing Gippsland Art Gallery can host a limited range of major exhibitions for a short period of time. This provides a significant barrier to sustainable participation and severely limits the breadth of 'blockbuster' exhibitions that the gallery can currently attract. Rectifying these shortfalls will enable the region to attract a more substantial portfolio of travelling exhibitions.
- The Council Chamber co-location with the art gallery and library in the cultural hub with its high public profile provides a welcoming and inclusive environment for Wellington community members to observe and participate in civic decision-making and governance.
- Art gallery and library staff will be co-located to encourage collaboration and service enhancement. As a result, Council will have the opportunity to consider extending operation hours per week across both services, thus increasing participation of programme offering.
 - Currently, the art gallery attracts on average 1,605 attendees per month and approximately 370 visitors per week. By extending the art gallery's operating hours by just 8 hours weekly, this would correlate with an additional 64 visitors per week and 277 per month. Across a 12 month period, the art gallery component of the Port of Sale Cultural Hub project will generate an additional 3,324 visitors.
 - Likewise, participation at the Sale Public Library is expected to increase rapidly, in particular due to the perceived barrier that exists due to the current library location within the boundaries of the Sale Secondary College. Current data indicates that the library attracts 1,009 visitors per week (18 library users per hour of operation). An increase of 8 hours across an average week would generate an additional 144 library visits per week or 624 per month. Over the course of a year, it is foreseeable that participation increase at the Sale Library will be in excess of 7,000 visits. These figures are based on current programmes and will be greatly increased by the changes to programming enabled by the increase in space and vastly improved conditions in the new cultural hub.

Project Support

Throughout the studies and planning leading up to the decision to redevelop the civic centre in to a new cultural hub and since the commencement of community consultation and stakeholder consultation during the design phase of the project, community support has been very positive and broad across all sectors. Support has been particularly strong for a cultural hub which brings together various artistic, literary and cultural pursuits and makes them accessible to all parts of the community. The design phase of the project has demonstrated diverse engagement and active support from the Aboriginal community, social services sector, local business, tourism industry, and the education sector as well as the arts community. The project is considered to be a strong economic development project for the region evidenced through the attraction of significant regional development funding from the Victorian Government.

Support from Learning and Education Sectors:

There has been strong and participatory support from the education sector across early childhood, primary, secondary, tertiary and adult education areas during the project's design with the cultural hub being considered to be an important destination for learners of all ages. As acknowledged in the Gippsland Regional Plan 2010, the Gippsland region performs far below the Victorian state average with respect to higher educational engagement, school retention levels and engagement in post compulsory schooling. Part of the wider precinct plan for the Port of Sale includes land already set aside by state government for a regional TAFE campus of Federation Training, to relocate existing disparate and ageing campuses. Co-location of a centrally located, regional VET and higher education facility at the Port of Sale precinct, alongside the gallery and library facilities of the new cultural hub, would provide synergies and benefits to support the education attainment and retention of students and skills in the region. A major objective of investment in the Port of Sale precinct, located adjacent to Sale's education precinct, is to promote and attract new education infrastructure investment in Wellington Shire to ensure access to post-secondary educational opportunities, helping to address Gippsland's low educational attainment rate.

The cultural hub will provide free benefits to all community members as part of a multi-demographic community hub, through access to recreational and cultural activities. The enhanced gallery space will allow more opportunities for people of all stages, ages and abilities to be engaged in artistic and creative activities. The art gallery's education program caters for a range of kindergartens, primary school and secondary schools in the region, as well as the Sale Specialist School via school and holiday programs. These and new partnerships will be expanded in a larger, more contemporary regional art gallery. Combined with the library, the cultural and community hub will provide a place of exploration and discovery. Community-based learning will be enhanced with a range of opportunities and paper- and technology-based resources, enabled by free Wi-Fi throughout the cultural hub.

Economic and Business Support:

Through investing in the Port of Sale Cultural Hub, Wellington Shire Council will construct well planned and visionary public infrastructure and services as part of a long term precinct plan designed to attract private investment in eco- and boating tourism, accommodation and education spaces. This builds on major projects already completed in the Port of Sale precinct including the Esso BHP-Billiton Wellington Entertainment Centre and restaurant and the Port of Sale north and east banks' developments with promenade, boardwalks, floating jetties, public amenities and boating sewerage pump out facilities.

As Sale changes, the Port of Sale, cultural hub and the arts will have an important role in driving the region's growth. Sale is identified as a regional centre, with projected population growth, in the Gippsland Regional Growth Plan (RGP) 2014. Principle 1 of the RGP is to strengthen economic resilience by growing a more diverse economy that is supported by new investment, innovation and value-adding in traditional strengths. An objective of the RGP is to facilitate the rejuvenation, expansion and development of regional tourism based on Gippsland's environmental and cultural heritage assets and identified strategic tourism investment areas. The Port of Sale is, historically and geographically, an important western gateway to the Gippsland Lakes, and as supported by the Gippsland Lakes Ministerial Advisory Committee, the precinct offers substantial opportunities for growth in tourism, cultural activity and connectivity to a major urban centre.

Through completion of the cultural hub project, 24 construction jobs will be created and, depending on the model adopted for operation of the cultural hub cafe, there is potential for new, ongoing jobs. During construction, local suppliers and materials such as timber, highlighted by the architects in their concept design presentation, will be utilised to maximise the economic benefit to the region and the state. The cultural hub project is certified under the Victorian Industry Participation Policy which requires planning for and monitoring against use of local goods and services in the project's undertaking.

The project is expected to generate additional visitors to the region annually through the activation of the Port of Sale precinct and in particular through the art gallery expansion with annual visits to the gallery predicted to rise from 18,000 to 40,000 based on assumptions in the Gippsland Art Gallery Feasibility Study 2012. Community and visitors to the Port of Sale Precinct will enjoy a far greater destination experience with the opportunity to enjoy enhanced recreation and cultural amenities. This will lead to increases in three types of visitation impacts:

1. Passing-through visitors with a portion visiting the gallery and shops;
2. Day visitors who choose Sale as a destination for a day activity due to the increase in activities and opportunities that the cultural hub will provide who will also spend money in existing shops; and
3. Overnight visitors who choose Sale as a destination for an overnight stay through opportunities that increase due to the project. This will increase expenditure in existing shops and accommodation, fuel and other local businesses.

BACKGROUND

Port of Sale Cultural Hub Planning Chronology:

2008 Discussions with Council officially commenced:

Council contracted with Burns Bridge Sweett P/L in March 2008 to undertake a Civic Precinct Review which was presented to Council on 8 September 2009. In its report to Council, it is noted by the Corporate Management Team that \$8 million was listed for a new art gallery in year 7 (2015/16) of the capital works budget.

The Civic Precinct Review included considerations regarding the development of expanded Council offices and alternative arrangements for the Sale Public Library. It was recommended that a new art gallery was required and should be considered for a greenfield site or for the Desailly Street area between the entertainment centre and the civic centre building.

2010 Art Gallery Feasibility Study commenced:

Community consultation commenced in 2010 and was undertaken as part of a feasibility study for a new art gallery. The primary outcome was to confirm a preferred location for the new art gallery. The Art Gallery Feasibility Study was considered by Council on 19 July 2011 and the following recommendation was endorsed:

COUNCILLOR RIPPER/COUNCILLOR MCCUBBIN

That Council endorse Desailly Street, Sale between Foster Street and Canal Road, as the preferred location for a new Art Gallery.

2011 Sale Public Library Feasibility Study:

Community consultation commenced in 2011 as part of a feasibility study for a new public library in Sale commencing. The study produced a concept design that was costed at \$7.5 million for a new public library situated on the site of the current Esso BHP-Billiton Wellington Entertainment Centre carpark. The concluding recommendation however was for a co-located new public library and art gallery. The Sale Public Library Feasibility Study was considered by Council on 12 June 2012 and the following recommendations were made:

COUNCILLOR AMOS/COUNCILLOR O'BRIEN

That:

- 1. Council receive the Sale Public Library Feasibility Study; and***
- 2. Council request that the Chief Executive Officer further investigates options for the development of a new municipal library facility in Sale.***

2012 – Gippsland Art Gallery Operational Study:

Considered costs associated with the operation of a stand-alone art gallery and a stand-alone library vs art gallery and library co-location. Significant cost savings were identified in the operation of a co-located art gallery and library.

2012 / 2013 – Development of potential design options:

Three concept designs were developed for a combined art gallery and library to be situated at the Desailly Street site. The initial costs for these concepts were \$15m, \$20.5m and \$21.5m. These costs were considered to be prohibitive.

2013 – Discussions commenced regarding the purchase of 18 Desailly Street, Sale:

On 6 November 2013 Council made the following recommendations:

COUNCILLOR McCUBBIN/COUNCILLOR CLEARY

That:

- 1. Council authorise the Chief Executive Officer to pursue the purchase of 18 Desailly Street, Sale [...] including negotiating terms consistent with Council's requirements and executing documentation as required; and***

2. **Subject to successful purchase of 18 Desailly Street, Sale, Council consider the redevelopment of the Port of Sale Civic Centre into a new regional art gallery and public library including:**
 - a. **Undertaking further community consultation**
 - b. **Further development of concept designs for the site**
 - c. **Identification of funding opportunities**

2013 / 2014 Port of Sale Cultural Hub Community Consultation:

A consultation plan was developed and implemented to ensure broad community input into all aspects of the Port of Sale Cultural Hub project. Community input was sought over a number of months from late 2013 with a significant amount of community information received and documented.

2013 – Concept designs developed for the site:

Further concept plans were developed by Haskell Architects based on the 2012 feasibility study outcomes and a pre-concept plan was costed by Anthony Prowse Quantity Surveyors at \$8 million. This concept design was reviewed by the Office of the Victorian Government Architect's Victorian Design Review Panel in March 2014 with the outcome indicating more considered design work was needed to create a functional building.

2014 - Funding secured for the Port of Sale Cultural Hub project:

Funding was secured towards the project during 2014 as follows:

- \$4,000,000 from the Victorian Government's Regional Growth Fund – Building Strategic Tourism and Cultural Assets program.
- \$750,000 from the Victorian Government's Living Libraries Infrastructure Program.
- \$1,000,000 from the John Leslie Foundation.
- \$2,250,000 from Wellington Shire Council, approved in the 2014/15 Capital Expenditure Budget.

April 2014 – Port of Sale Cultural Hub Steering Group formed:

The Port of Sale Cultural Hub Steering Group was established in early 2014 comprising representatives from:

- Gippsland Art Gallery Advisory Group;
- Esso BHP-Billiton Wellington Entertainment Centre Advisory Group;
- Wellington Access and Inclusion Advisory Group;
- General community;
- Art gallery and library staff;
- Building operations staff; and
- State government funding providers.

At a meeting in June 2014 the steering group reviewed feedback arising from the broad community consultation and identified general themes for incorporation in the design of the new cultural hub.

From July 2014 – Architectural Design Services Tender and Design Process:

A competitive tender process for architectural design services for the Port of Sale Cultural Hub was undertaken. The Design Tender Scope of Works described a vision for the Port of Sale Cultural Hub developed from the consultation that had been undertaken at each stage of the project's pre-planning.

Francis-Jones Morehen Thorpe Architects (fjmt) was awarded the tender on 19 August 2015. Targeted stakeholder and user consultation and engagement with the external steering group and library and art gallery staff and management regarding the concept design was undertaken by fjmt from August 2014 to January 2015.

A concept design was developed by fjmt and presented in February 2015. The concept design has been costed at \$10.7 million by Slattery Quantity Surveyors.

January 2015 – Review by the Office of the Victorian Government Architect (OVGA)

As a requirement of the funding agreement with the Victorian Government's Regional Development Victoria, the concept design was reviewed by the OVGA's Victorian design Review Panel on 28 January 2015. The concept design attracted very strong support from the panel and was summarised as being a frugal and modest design which respects the original building while providing positive outcomes for the community and remaining in keeping with the vision for the broader precinct.

February 2015 – Review by the Port of Sale Cultural Hub Steering Group:

The concept design was presented by fjmt to the Port of Sale Cultural Hub Steering Group on 17 February 2015 after previous consultation and review sessions with the steering group and more targeted visioning and design workshops with key external and internal stakeholder groups. The steering group fully supported the concept design as presented.

February 2015 – Presentation to Council:

The concept design was presented by fjmt to Councillors on 17 February 2015. Upon adoption of a concept design, the project will move to the schematic and detailed design phases before a construction tender process scheduled for late 2015 which will enable the finalisation of project costings.

Funding Strategy

The below table describes funds already secured towards the project and funds required for completion of the project at the estimated project cost of \$10.7 million. Two scenarios are outlined relating to a current application with the Australian Government for a further \$1.5 million contribution towards the Port of Sale Cultural Hub project.

	IF FEDERAL GRANT NOT APPROVED		IF FEDERAL GRANT APPROVED	
	15/16 \$000's	16/17 \$000's	15/16 \$000's	16/17 \$000's
PoSCH (current funds) (approved in 14/15 Capital Expenditure budget)	8,000 \$4.75m from state government \$1m from benefactor contribution \$2.25m from Council		8,000 \$4.75m from state government \$1m from benefactor contribution \$2.25m from Council	
PoSCH (additional funds)				
- Council contribution	540	1,660	540	160
- Grants (federal)	-	-	1,500	-
- Benefactor contribution	-	500	-	500
- Borrowings	-	-	-	-
Totals	540	2,160	2,040	660
Total additional funds	2,700		2,700	
TOTAL PROJECT and funds source breakdown	10,700 \$4.75m from state government \$1.5m from benefactor contribution \$4.45m from Council		10,700 \$4.75m from state government \$1.5m from benefactor contribution \$1.5m from federal government \$2.95m from Council	

OPTIONS

Council has the following options:

1. Adopt the concept design presented on 17 February 2015 for the redevelopment of the Port of Sale Civic Centre in to the Port of Sale Cultural Hub (as attached) in accordance with the funding strategy presented in this Council report; or
2. Request development and presentation of an alternative concept design for the Port of Sale Cultural Hub.

PROPOSAL

That Council adopt the concept design presented at the Council Workshop on 17 February 2015 for the redevelopment of the Port of Sale Civic Centre into the Port of Sale Cultural Hub (Attachment A) in accordance with the funding strategy presented in this Council report.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

No borrowings are required to fund this project. Funds are sourced from within Council's existing capital works budget and external contributors. Council officers will continue to pursue external funding contributions towards the Port of Sale precinct projects.

Operational costs will be developed during next stages of detailed design. Operational costs for the cultural hub will be incorporated in the next four year Strategic Resource Plan which will also include significant savings in the medium term due to discontinued rental costs for the adjacent Port of Sale business centre.

COMMUNICATION IMPACT

Upon adoption of a concept design, public communication of the concept design outcomes and project budget will commence according to a Communications Strategy to be developed in conjunction with the Port of Sale Cultural Hub external steering group.

LEGISLATIVE IMPACT

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

COUNCIL POLICY IMPACT

There was no Council policy impact identified in the writing of this report.

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 4.1

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

Strategy 4.2

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

Strategy 4.3

“Manage Council community facilities planning to ensure that outputs are based on identified community needs.”

PLANNING POLICY IMPACT

All appropriate planning and regulatory authorities are engaged in the project implementation.

RESOURCES AND STAFF IMPACT

There will be resourcing and staffing impacts due to altered processes and ways of working associated with co-location of functions in the new building. This will be achieved within existing services and staffing operational budgets.

COMMUNITY IMPACT

There has been extensive community involvement and letters of support have been provided from diverse organisations and interest groups across various sectors of the Wellington Shire.

ENVIRONMENTAL IMPACT

Environmentally sustainable design has been incorporated in the concept design by use of natural light, passive heating and cooling and natural internal finishes and will continue to be explored throughout the detailed design stage.

CONSULTATION IMPACT

This concept design has been produced with regard to the outcomes of broad community consultation carried out in the lead up to the project and targeted stakeholder and user consultation undertaken as part of the design process for the Port of Sale Cultural Hub project.

The external steering group for the Port of Sale Cultural Hub project incorporating Gippsland Art Gallery Advisory Group, EBBWEC Advisory Group, Wellington Access and Inclusion Advisory Group and community representatives has supported the concept design as meeting community expectations.

The Office of the Victorian Government Architect's Victorian Design Review Panel has reviewed the concept design as required under Wellington Shire Council's funding agreement with the Victorian Government. Major deviances from the recommended concept design will necessitate revisiting by this review panel.

RISK MANAGEMENT IMPACT

Flood risk at the site has been considered as part of the concept design.

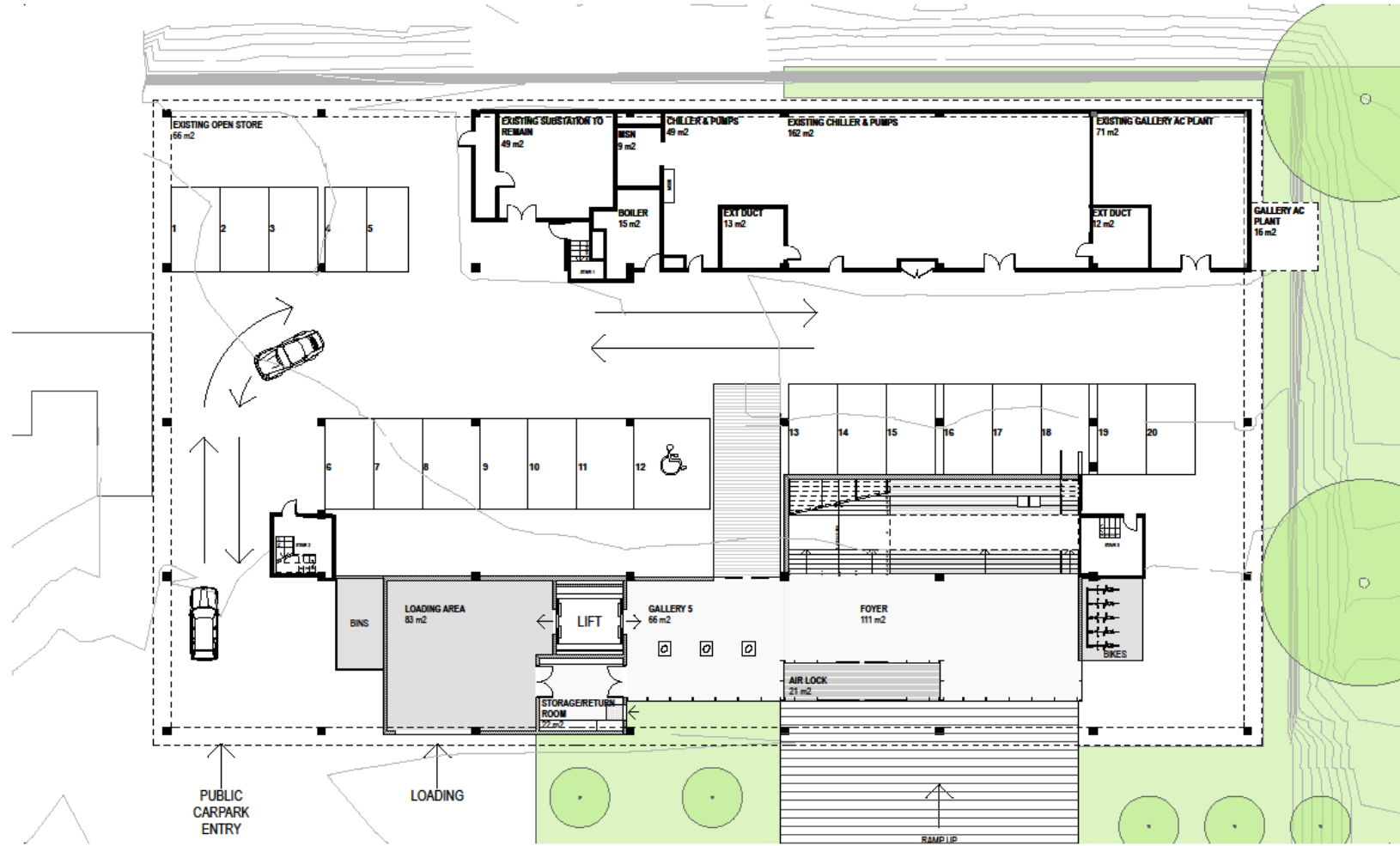
PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the concept design presented at the Council Workshop on 17 February 2015 for the redevelopment of the Port of Sale Civic Centre into the Port of Sale Cultural Hub (Attachment A) in accordance with the funding strategy presented in this Council report.

ATTACHMENT A – CONCEPT PLANS BY FRANCIS-JONES MOREHEN THORP

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GROUND FLOOR

Wellington Shire Council - SALE CULTURAL HUB

0 2 5 10m
1:200 @ A3
20/02/15

For Information



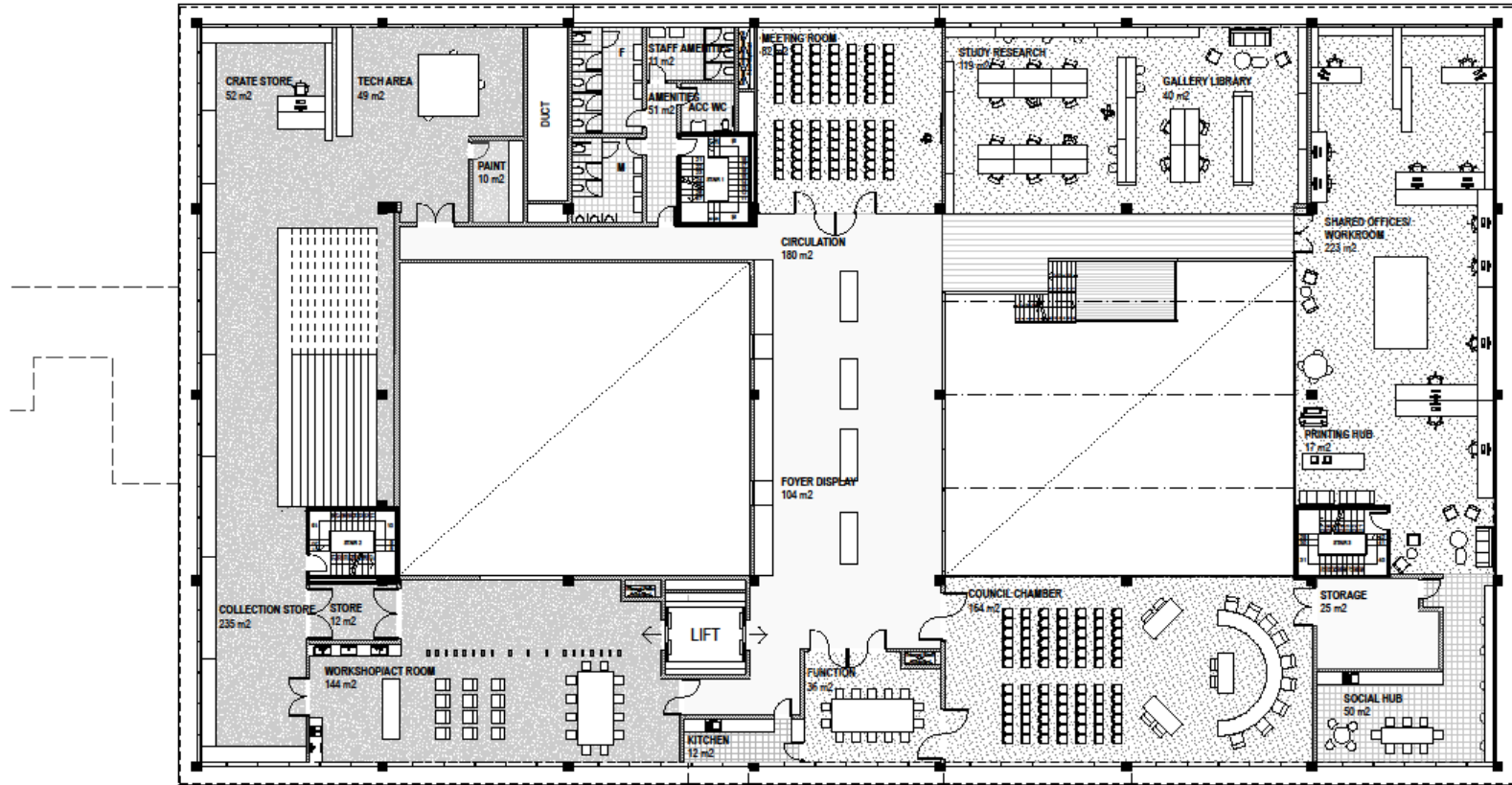


LEVEL 1

Wellington Shire Council - SALE CULTURAL HUB

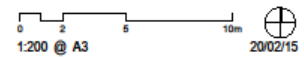


For Information



LEVEL 2

Wellington Shire Council - SALE CULTURAL HUB



For Information



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S

**ITEM F1.1 FIRST RIGHT OF REFUSAL
LAND ADJACENT TO THE GIPPSLAND VEHICLE COLLECTION
(REFER TO ITEM C5.1 OF THIS AGENDA)**



**ORDINARY COUNCIL MEETING
3 MARCH 2015**

On this day 24 February 2015, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Christopher Hastie declare that the information contained in the attached document **FIRST RIGHT OF REFUSAL LAND ADJACENT TO THE GIPPSLAND VEHICLE COLLECTION** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

e) Proposed Developments



.....
General Manager Built and Natural Environment



G. IN CLOSED SESSION

G. IN CLOSED SESSION