



**WELLINGTON**

SHIRE COUNCIL

*The Heart of Gippsland*

## **Council Meeting Agenda**

**Meeting to be held at**

**Council Chambers - Wellington Centre**

**Foster Street, Sale**

**Tuesday 4 September 2018, commencing at 3pm**

**or join Wellington on the Web:**

**[www.wellington.vic.gov.au](http://www.wellington.vic.gov.au)**

# ORDINARY MEETING OF COUNCIL – 4 SEPTEMBER 2018

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## Council Meeting Information

*Members of the Public Gallery should note that the Council records and publishes Council meetings via YouTube 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:

4 SEPTEMBER 2018

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**OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 21 August 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 August 2018.*

**CONFLICT OF INTEREST**

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



## **A - PROCEDURAL**

### **A5 BUSINESS ARISING FROM PREVIOUS MEETING/S**



## **A - PROCEDURAL**

### **A6 ACCEPTANCE OF LATE ITEMS**



## **A - PROCEDURAL**

### **A7 NOTICE/S OF MOTION**



## **A - PROCEDURAL**

### **A8 RECEIVING OF PETITIONS OR JOINT LETTERS**

**ITEM A8(1)**

**OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

4 SEPTEMBER 2018

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ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			



## **A - PROCEDURAL**

### **A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS**



## **A - PROCEDURAL**

### **A10 QUESTIONS ON NOTICE**



# **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:

4 SEPTEMBER 2018

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

**OBJECTIVE**

To report on all assembly of Councillor records received for the period 14 August 2018 to 28 August 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

RECOMMENDATION
<i>That Council note and receive the attached Assembly of Councillor records for the period 14 August 2018 to 28 August 2018.</i>

**BACKGROUND**

Section 80A of the *Local Government Act 1989* requires a written record 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 Councillor records received for the period 14 August 2018 to 28 August 2018.

**Assembly of Councillors summary of reports received for the period 14 August 2018 to 28 August 2018.**

<b>Date</b>	<b>Matters considered</b>	<b>Councillors and officers in attendance</b>
16 August 2018	Place Names Committee Agenda	Councillor McCubbin, Councillor Maher, Councillor Rossetti Dean Morahan, Manager Assets & Projects James Blythe, GIS Officer
14 August 2018	SLUPP Meeting	Councillor McCubbin, Councillor Maher, Councillor Bye Chris Hastie, General Manager Built & Natural Environment Vanessa Ebsworth, Acting General Manager Development Caragh Button, Strategic Planner Joshua Clydesdale, Manager Land Use Planning Barry Hearsey, Coordinator Strategic Planning Ben Proctor, Strategic Planner
21 August 2018	IT Diary meeting	Councillor Bye, Councillor Crossley, Councillor Hall, Councillor Hole, Councillor McCubbin, Councillor Maher, Councillor Ripper, Councillor Rossetti, Councillor Stephens. David Morcom, Chief Executive Officer Leah Carubia, Executive Assistant Damian Norkus, IT Operations Officer

<p>21 August 2018</p>	<p>Roadside Trading Update Wellington Matters Publication Council Plan 2017-21 Progress Update Public Question Time Update on Differential Farm Rate Sale of Properties for Unpaid Rates &amp; Charges Australia Day Awards Discussion (<i>Verbal</i>) Development Division Update (<i>Verbal</i>) Wellington Regional Tourism Proposed Land Sale Golden Beach (<i>Verbal</i>)</p>	<p>Councillor Bye, Councillor Crossley, Councillor Hall, Councillor Hole, Councillor McCubbin, Councillor Maher, Councillor Ripper, Councillor Rossetti, Councillor Stephens. David Morcom, Chief Executive Officer Chris Hastie, General Manager Built &amp; Natural Environment Arthur Skipitaris, General Manager Corporate Services Sharon Houlihan, General Manager Community &amp; Culture Paul Johnson, Acting General Manager Development Vanessa Ebsworth, Manager Municipal Services (Item 1 &amp; 2) Wendy Reeves, Coordinator Media &amp; Public Relations (Item 2 &amp; 7) Kimberly Salleh, Digital Media Officer (Item 2) Asela Kaluarachchi, Corporate Planning &amp; Business Excellence Officer (Item 3) Trish Dean, Governance Officer (Item 4) Ian Carroll, Manager Corporate Finance (Item 5 &amp; 6) Daniel Gall, Coordinator Commercial Facilities Management (Item 8 &amp; 10) Barry Nicholl, Municipal Building Surveyor (Item 8) John Traa, Coordinator Statutory Planning (Item 8) Tom Hams, Planning Facilitator (Item 8) Mark Coleman, Economic Development Officer (Item 8) Joshua Clydesdale, Manager Land Use Planning (Item 8 &amp; 10) Ashley Smirl, Visitor Economy &amp; Events Coordinator (Item 9)</p>
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## 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 during the period 14 August 2018 to 28 August 2018.

## 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 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

### Strategic Objective 6.3

*"Maintain a well governed, transparent, high performing, ethical and accountable organisation."*

### Strategy 6.3.3

*"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.

## ASSEMBLY OF COUNCILLORS

1. **DATE OF MEETING:** 14 August 2018

2. **ATTENDEES**

**Councillors**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley		✓	Cr McCubbin	✓	
Cr Rossetti		✓	Cr Maher	✓	
Cr Stephens		✓	Cr Bye	✓	
Cr Hall		✓	Cr Hole		✓
Cr Ripper		✓			

**Officers In Attendance**

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

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

Name	Item No.	Name	Item No.
Caragh Button	All	Sam Pye	All
Josh Clydesdale	All		
Barry Hearsey	All		
Ben Proctor	All		

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

1. **SLUPP Agenda – 14 August 2018**

4. **Conflict of Interest disclosures made by Councillors:**

*(The Councillor must leave the meeting whilst the matter is being considered)*

**Include Councillor Name and Item number:**

**No Conflicts of Interest Declared**

## ASSEMBLY OF COUNCILLORS

---

1. **DATE OF MEETING:** 16 August 2018

2. **ATTENDEES**

**Councillors:**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr McCubbin	✓				
Cr Maher	✓				
Cr Rossetti	✓				

**Officers In Attendance:**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Dean Morahan	✓				
Sandra Rech		✓			
James Blythe	✓				
Leah Hepworth		✓			

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

1. **See Agenda and Minutes**

4. **Conflict of Interest disclosures made by Councillors:**

*(The Councillor must leave the meeting whilst the matter is being considered)*

**Include Councillor Name and Item number:**

Cr Rossetti reminded the chair that he had a conflict with Item 2.6, however this item is only on the agenda as it has not yet been closed out and the naming decision has already been made.

## ASSEMBLY OF COUNCILLORS

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1. **DATE OF MEETING:** 21 August 2018

2. **ATTENDEES**

**Councillors:**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin	✓				

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		S Houlihan, GMC&C		✓
C Hastie, GMB&NE		✓	J Websdale, GMD		✓
A Skipitaris, GMCS		✓	P Johnson ( <i>Acting GMD</i> )		✓

Others in attendance: (list names and item in attendance for)	Item No.
Leah Carubia, Damian Norkus	1

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

1. IT / Diary Meeting

4. **Conflict of Interest disclosures made by Councillors:**

Nil

## ASSEMBLY OF COUNCILLORS

1. **DATE OF MEETING:** 21 August 2018

2. **ATTENDEES**

**Councillors:**

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin	✓				

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		S Houlihan, GMC&C	✓	
C Hastie, GMB&NE	✓		J Websdale, GMD		✓
A Skipitaris, GMCS	✓		P Johnson ( <i>Acting GMD</i> )	✓	

Others in attendance: (list names and item in attendance for)	Item No.
Paul Johnson, Vanessa Ebsworth	1
Wendy Reeves, Kimberly Salleh	2
Arthur Skipitaris, Asela Kaluarachchi	3
Arthur Skipitaris, Trish Dean	4
Arthur Skipitaris, Ian Carroll	5
Arthur Skipitaris, Ian Carroll	6
Wendy Reeves	7
Paul Johnson, Daniel Gall, Vanessa Ebsworth, Barry Nicholl, Joshua Clydesdale, John Traa, Tom Hams, Mark Coleman	8
Paul Johnson, Ashley Smirl	9
Paul Johnson, Joshua Clydesdale, Daniel Gall	10

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

1. Roadside Trading Update
2. Wellington Matters Publication
3. Council Plan 2017-21 Progress Update
4. Public Question Time
5. Update on Differential Farm Rate
6. Sale of Properties for Unpaid Rates & Charges
7. Australia Day Awards Discussion
8. Development Division Update
9. Wellington Regional Tourism
10. Proposed Land Sale – Golden Beach

4. **Conflict of Interest disclosures made by Councillors:**

Nil

**ITEM C2.2****SALE OF PROPERTIES FOR UNPAID RATES AND CHARGES**

DIVISION: CORPORATE SERVICES  
 ACTION OFFICER: MANAGER CORPORATE FINANCE  
 DATE: 4 SEPTEMBER 2018

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

**OBJECTIVE**

For Council to enact Section 181 of the *Local Government Act 1989* and sell the rateable properties as listed in the attached confidential report to recover unpaid rates and charges.

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

- That Council resolve to enact Section 181 of the Local Government Act 1989 and sell the rateable properties as listed in the attached confidential report to recover unpaid rates and charges.***
- The information contained in the confidential document Item F1.1 Sale of Properties for Unpaid Rates and Charges of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Corporate Services on 13 August 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: b) the personal hardship of any resident or ratepayer be designated confidential information under Section 77 Clause (2) (b) of the Local Government Act 1989.***

**BACKGROUND**

In accordance with Section 181(1) of the *Local Government Act 1989* (the Act) Council may sell rateable property to recover unpaid rates or charges where:

- any amount due to a Council for, or in respect of, rates or charges (including enforcement costs and interest) in respect of any rateable property is more than 3 years overdue; and
- no current arrangement exists for the payment of the amount to the Council; and
- the Council has a Court order requiring the payment of the amount (or part of the amount).

All properties listed in the attached confidential report, meet the requirements of Section 181(1) of the Act. All avenues for recovery of unpaid rates and charges have been exhausted.

## **OPTIONS**

Council has the following options:

1. Resolve to enact Section 181 of the *Local Government Act* and sell the rateable properties, as listed in the attached confidential report, to recover unpaid rates and charges owed to Council; or
2. Take no further action and continue to carry the existing debt and future rates and charges, until such time, as the property is sold.

## **PROPOSAL**

If Council proceeds to recover unpaid rates and charges for the attached confidential list of properties, in accordance with Section 181 of the Act then all properties will have the following action taken.

- A Notice of Intention to Sell will be issued to all parties listed on the title which may result in the mortgagee making payment on behalf of the rateable owners.
- For owner/occupied properties the matter will be referred to the Sheriff's Office for the issue of a Warrant of Seizure and Sale as they have the power to evict where Council does not under Section 181 of the Act.
- An advertisement will also be placed in the public notice section of The Age and local newspapers.
- A current market valuation will be undertaken.
- An agent will be appointed for the property auction/sale and auction date set, in accordance with the requirements of *Section 181 of the Act*.
- All parties who were issued a Notice of Intention to Sell will be advised of the auction and when and where the auction will be held.

## **CONFLICT OF INTEREST**

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

## **FINANCIAL IMPACT**

Proceeding with sale of these properties will ensure that outstanding rates, charges and other property related debts, will be cleared upon settlement.

## **COMMUNICATION IMPACT**

All parties involved with each of these transactions has been and will continue to be individually notified.

## **LEGISLATIVE IMPACT**

All action will be in accordance with the requirements of Section 181 of the *Local Government Act 1989*.

## **COUNCIL POLICY IMPACT**

The proposed action is in accordance with the existing Debt Collection and Interest Charging – Rates, Charges and Fire Service Property Levy Policy No 2.2.3.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017–21 Theme Organisational states the following strategic objective and related strategy:

### Strategic Objective 6.3

*Maintain a well governed, transparent, high performing, ethical and accountable organisation.*

### Strategy 6.3.1

*Maintain processes and systems to ensure sound financial management.*

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

## **RESOURCES AND STAFF IMPACT**

Matter will be managed by Coordinator Rates and Valuations.

## ITEM C2.3

## INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF

DIVISION: CORPORATE SERVICES  
ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES  
DATE: 4 SEPTEMBER 2018

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

### OBJECTIVE

For Council to adopt recent amendments to the Instrument of Delegation to Members of Council Staff who hold, act in, or perform the duties of the office or position relating to the *Heritage Act 1995, Heritage Act 2017, Local Government Act 1989* and *Planning & Environment Act 1987*, as attached.

### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

***That Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.***

### BACKGROUND

Section 98(1) of the *Local Government Act 1989* provides Council with the ability to delegate power, duties and functions of the Council to a member of its staff. There have been some changes to the S6 Instrument of Delegation, which require the current Instrument of Delegation to be updated. A summary of the below mentioned updates/amendments are attached.

#### Deleted Acts

*Heritage Act 1995 replaced with Heritage Act 2017*

#### New Provisions

*Local Government Act 1989 s.181H*

#### Deleted Provisions

*Planning and Environment Act 1987 s.46GF, s.46GG, s.46GH(1), s.46GH(2), s.46GH(3), s.46GI(1),s.46GI(2), s.46GI(3), s.46GI(4), s.46GI(5), s.46GL, s.46GM*

#### New Provisions

*Planning and Environment Act 1987 s.46AW, s.46AX, s.46AZC(2), s.46AZK, s.46GI(2)(b)(i), s.46GJ(1), s.46GK, s.46GN(1), s.46GO(1), s.46GP, s.46GQ, s.46GR(1), s.46GR(2), s.46GS(1), s.46GS(2), s.46GT(2), s.46GT(4), s.46GT(6), s.46GU, s.46GV(3), s.46GV(3)(b), s.46GV(4)(a), s.46GV(4)(b), s.46GV(7), s.46GV(9), s.46GX(1), s.46GX(2), s.46GY(1), s.46GY(2), s.46GZ(2)(a),s.46GZ(2)(b), s.46GZ(4), s.46GZ(5), s.46GZ(7), s.46GZ(9),*

s.46GZ(9), s.46GZA(1), s.46GZA(2), s.46GZB(3), s.46GZB(4), s.46GZD(2), s.46GZD(3), s.46GZD(5), s.46GZE(2), s.46GZE(3), s.46GZF(2), s.46GZF(3), s.46GZF(4), s.46GZF(6) s.46GZH, s.46GZI, s.46GZK, s.46LB(3), s.84AB, s.172C, s.172D(1) and s.172D(2)

### **Amended wording**

*Planning & Environment Act 1987* s.22, s.62(5)(a), s.62(6)(a)

## **OPTIONS**

Council has the following options:

1. To adopt the updated Instrument of Delegation to Members of Council Staff, as attached; or
2. To amend the updated Instrument of Delegation to Members of Council Staff, as attached, prior to adoption.

## **PROPOSAL**

It is proposed that Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.

## **CONFLICT OF INTEREST**

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

## **LEGISLATIVE IMPACT**

Section 98(1) of the *Local Government Act 1989* provides Council with the authority to delegate to a member of Council staff certain powers and duties.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017-21 Theme 6 Organisational states the following strategic objective and related strategy:

### Strategic Objective 6.3

*“Maintain a well governed, transparent, high performing, ethical and account organisation.”*

### Strategy 6.3.3

*“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.

## **RESOURCES AND STAFF IMPACT**

Upon notification of the legislative changes, all relevant staff were consulted and have contributed to the updating of this Instrument of Delegation. Following adoption, our processes ensure that all staff with altered or new delegations are notified including updating of Council processes and procedures as required.

***S6. Instrument of Delegation – Members of Staff***

**Wellington Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to:
3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a **resolution** of Council passed on 4 September 2018 and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
    - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
    - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
      - (a) policy; or
      - (b) strategyadopted by Council; or
    - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
    - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of WELLINGTON )  
SHIRE COUNCIL was hereunto affixed )  
this day of 2018 )  
in accordance with Local Law No 1 )  
in the presence of: )

.....  
Chief Executive Officer

## INDEX

CEMETERIES AND CREMATORIA ACT 2003  
DOMESTIC ANIMALS ACT 1994  
ENVIRONMENT PROTECTION ACT 1970  
FOOD ACT 1984  
HERITAGE ACT 2017  
LOCAL GOVERNMENT ACT 1989  
PLANNING AND ENVIRONMENT ACT 1987  
RAIL SAFETY (LOCAL OPERATIONS) ACT 2006  
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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS  
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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS  
REGISTRATION AND STANDARDS) REGULATIONS 2010  
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016  
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015

**Deleted Acts**

<b>HERITAGE ACT 1995 (<i>Act Deleted replaced with Heritage Act 2017</i>)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
S.84(2)	power to sub-delegate Executive Director's functions, duties or powers	General Manager Development Manager Land Use Planning	must first obtain Executive Director's written consent  Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation

## New Acts

HERITAGE ACT 2017 ( <i>New Act</i> )			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to sub-delegate Executive Director's functions, duties or powers	General Manager Development Manager Land Use Planning	must first obtain Executive Director's written consent  Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989 ( <i>New Act</i> )			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.181H	power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO <sup>1</sup>	

The only member of staff who can be a delegate in Column 3 is the CEO. If a CEO wishes to sub-delegate these powers, he or she must use the S13 Instrument Delegation of CEO powers, duties and functions to Members of Council Staff.

**Deleted Provisions**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GF	Duty to comply with directions issued by the Minister	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Statutory Planning Senior Statutory Planner Coordinator Strategic Planning Strategic Planner Planning Facilitator Environmental Planner	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GG	Duty to include a condition in a permit relating to matters set out in s.46GG (c) and (d)	Manager Land Use Planning Coordinator Statutory Planning Statutory Planning Senior Statutory Planner Coordinator Strategic Planning Strategic Planner Planning Facilitator Environmental Planner	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GH(1)	Power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Manager Land Use Planning Coordinator Statutory Planning Statutory Planning Senior Statutory Planner Coordinator Strategic Planning Strategic Planner Planning Facilitator Environmental Planner	Where Council is a collecting agency
s.46GH(2)	Power to accept the provision of land, works, services and facilities in part or full satisfaction of the amount of infrastructure levy payable	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	Where Council is a collecting agency

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GH(3)	Duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant.	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	Where Council is a collecting agency
s.46GI(1)	Duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the <i>Planning and Environment Act 1987</i> .	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	
s.46GI(2)	Duty to forward to a development agency any part of an infrastructure levy paid to Council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GI(3)	Duty to apply levy amount only in accordance with s.46GI(3)(a) and (b)	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	
s.46GI(4)	Power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed	General Manager Development Manager Land use Planning Coordinator Statutory Planning Coordinator Strategic Planning	
s.46GI(5)	Duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GL	Power to recover any amount of infrastructure levy as a debt due to Council	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning Compliance Officer	Where Council is a collecting agency
s.46GM	Duty to prepare report and give a report to the Minister	General Manager Development Manager Land Use Planning	Where Council is a collecting agency or development agency

### Amended Condition & Limitations

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Thing Delegated</b>	<b>Delegate</b>	<b>Condition &amp; Limitaton</b>
<b>PROVISION</b>	<b>PROVISION</b>	<b>PROVISION</b>	<b>PROVISION</b>
s.22 Added Condition & Limitations	duty to consider all submissions	General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner	except submissions which request a change to the items in s.22(5)(a) and (b) Added Condition & Limitations

**Amended wording (thing delegated)**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITION &amp; LIMITATIONS</b>
s.62(5)(a) Amended wording	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan  Added or an approved infrastructure contributions plan	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner Coordinator Strategic Planning Strategic Planner	

<p>s.62(6)(a) Amended wording</p>	<p>Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss.46N(1), 46GV(7) or 62(5)  Removed reference to section 46N</p>	<p>General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner Coordinator Strategic Planning Strategic Planner</p>	
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## New Provisions

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Thing Delegated	Delegate	Limitations & Conditions
s.46AW	function of being consulted by the Minister	General Manager Development Manager Land Use Planning	where Council is a responsible public entity
s.46AX	function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  power to endorse the draft Statement of Planning Policy	General Manager Development Manager Land Use Planning	where Council is a responsible public entity
s.46AZC(2)	duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	where Council is a responsible public entity

s.46AZK	duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner Compliance Officer	where Council is a responsible public entity
s.46GI(2)(b) (i)	power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	General Manager Development Manager Land Use Planning Coordinator Strategic Planning	where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency

s.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	

s.46GP	function of receiving a notice under s.46GO	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	where Council is the collecting agency
s.46GQ	function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	

s.46GS(1)	power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s.46GQ	General Manager Development Manager Land Use Planning Coordinator Strategic Planning	
s.46GS(2)	duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	General Manager Development Manager Land Use Planning Coordinator Strategic Planning	
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	General Manager Development Manager Land Use Planning Coordinator Strategic Planning	
s.46GT(4)	function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	

s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	
s.46GU	duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s.46GU(1)(a) and (b) are met	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner	

s.46GV(3)	<p>function of receiving the monetary component and any land equalisation amount of the infrastructure contribution</p> <p>power to specify the manner in which the payment is to be made</p>	<p>General Manager Development</p> <p>Manager Land Use Planning</p> <p>Coordinator Strategic Planning</p> <p>Strategic Planner</p> <p>Coordinator Statutory Planning</p> <p>Senior Statutory Planner</p> <p>Statutory Planner</p> <p>Planning Facilitator</p> <p>Environmental Planner</p>	<p>where Council is the collecting agency</p>
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s.46GV(3)(b)	power to enter into an agreement with the applicant	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency
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s.46GV(4)(a)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	where Council is the development agency
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s.46GV(4)(b)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	where Council is the collecting agency
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s.46GV(7)	duty to impose the requirements set out in s.46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
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s.46GV(9)	power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency
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s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	where Council is the collecting agency
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s.46GX(2)	duty, before accepting the provision of works, services or facilities by an applicant under s.46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency
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s.46GY(1)	duty to keep proper and separate accounts and records	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency
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s.46GY(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency
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s.46GZ(2)(a)	duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency under an approved infrastructure contributions plan  this duty does not apply where Council is that planning authority
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s.46GZ(2)(a)	function of receiving the monetary component	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where the Council is the planning authority this duty does not apply where Council is also the collecting agency
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s.46GZ(2)(b)	duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency under an approved infrastructure contributions plan  this provision does not apply where Council is also the relevant development agency
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s.46GZ(2)(b)	function of receiving the monetary component	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the development agency under an approved infrastructure contributions plan  this provision does not apply where Council is also the collecting agency
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s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency under an approved infrastructure contributions plan
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s.46GZ(5)	duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency under an approved infrastructure contributions plan  this provision does not apply where Council is also the relevant development agency
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s.46GZ(5)	function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the development agency specified in the approved infrastructure contributions plan  this provision does not apply where Council is also the collecting agency
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s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the collecting agency under an approved infrastructure contributions plan
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s.46GZ(9)	duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	if any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
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s.46GZ(9)	function of receiving the fee simple in the land	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
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s.46GZA(1)	duty to keep proper and separate accounts and records	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	where Council is a development agency under an approved infrastructure contributions plan
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s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is a development agency under an approved infrastructure contributions plan
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s.46GZB(3)	duty to follow the steps set out in s.46GZB(3)(a) – (c)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	where Council is a development agency under an approved infrastructure contributions plan
s.46GZB(4)	duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	if the VPA is the collecting agency under an approved infrastructure contributions plan where Council is a development agency under an approved infrastructure contributions plan

s.46GZD(2)	duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZD(2)(a) and (b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the development agency under an approved infrastructure contributions plan
s.46GZD(3)	duty to follow the steps set out in s.46GZD(3)(a) and (b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZD(5)	duty to make payments under s.46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collecting agency under an approved infrastructure contributions plan

s.46GZE(2)	duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s.46GZE(2)	function of receiving the unexpended land equalisation amount	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZE(3)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZE(3)(a) and (b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collecting agency under an approved infrastructure contributions plan

s.46GZF(2)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	s.46GZF(3)(a) function of receiving proceeds of sale	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency

s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s.46GZF(5)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(6)	duty to make the payments under s.46GZF(4) in accordance with s.46GZF(6)(a) and (b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZH	power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZI	duty to prepare and give a report to the Minister at the times required by the Minister	General Manager Development Manager Land Use Planning	where Council is a collecting agency or development agency

s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning  Senior Statutory Planner  Statutory Planner  Planning Facilitator  Environmental Planner	where Council is a collecting agency or development agency
s.46LB(3)	duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s.46LB (2)	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Strategic Planner  Coordinator Statutory Planning	

s.84AB	power to agree to confining a review by the Tribunal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner Compliance Officer	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	General Manager Development Manager Land Use Planning	where Council is a development agency specified in an approved infrastructure contributions plan
s.172D(1)	power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s.46GV(4)	General Manager Development Manager Land Use Planning	where Council is a collecting agency specified in an approved infrastructure contributions plan
s.172D(2)	power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s.46GV(4)	General Manager Development Manager Land Use Planning	where Council is the development agency specified in an approved infrastructure contributions plan



## C3 - REPORT

# GENERAL MANAGER DEVELOPMENT

**ITEM C3.1****INCLUSION OF INFRASTRUCTURE DESIGN MANUAL IN PLANNING SCHEME**

DIVISION: DEVELOPMENT  
 ACTION OFFICER: MANAGER LAND USE PLANNING  
 DATE: 4 SEPTEMBER 2018

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

**OBJECTIVE**

For Council to support a Group Council (GC) Planning Scheme Amendment undertaken in accordance with Section 20(4) of the *Planning and Environment Act (1987)* to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme through the insertion of a new Clause and Reference Document (**Attachment 1**).

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

***That Council resolve to support a Group Council (GC) Planning Scheme Amendment undertaken in accordance with Section 20(4) of the Planning and Environment Act (1987) to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme through the insertion of a new Clause and Reference document (Attachment 1).***

**BACKGROUND**

The Department of Environment, Land, Water and Planning (DELWP) are proposing to formally implement the IDM into Planning Schemes in Gippsland via a Group Council (GC) Amendment.

The IDM is available to view on the Councillor Home Page and more widely for general public viewing, electronically on the internet.

The development of the IDM commenced in 2004, when Campaspe Shire Council, Greater Shepparton City Council and Greater Bendigo City Council agreed to work together to develop a common engineering manual in response to Clause 56 (Residential Subdivision).

This process documented common infrastructure standards across the three municipalities. The idea was to minimise disruptions to the development community where standards could be uniform across the borders of the three municipalities.

In December 2006, a draft IDM was launched across the three municipalities and a seven-week consultation period commenced.

Towards the end of 2007, six Gippsland councils received funding through (the then) Department of Planning and Community Development to investigate a common guideline for developers. As a result, these councils also joined the IDM membership group and adopted the IDM in early 2010.

Wellington Shire Council adopted the IDM at its meeting on 18 May 2010 and has been using it since that time.

The IDM is now currently utilised by 44 Councils across Victoria, despite not being included in the Planning Scheme of many of these Councils.

The IDM is designed to clearly document and standardise Councils' requirements for the design and development of municipal infrastructure. It also aims to expedite Councils' engineering approvals and ensure that minimum design criteria are met in relation to the design and construction of municipal infrastructure - regardless of whether it is constructed by a Council or a developer.

The formal inclusion of the IDM in the planning system will also provide certainty around the requirements for the provision of infrastructure.

All subdivision and many development approvals are undertaken via planning permits and therefore it is the planning system that provides the most common conduit for linking the IDM to the approval process.

## OPTIONS

Council has the following options:

1. To support a GC Planning Scheme Amendment undertaken in accordance with Section 20(4) of the *Planning and Environment Act (1987)*, to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme; or
2. To not support a GC Planning Scheme Amendment undertaken in accordance with Section 20(4) of the *Planning and Environment Act (1987)*, to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme; and
3. To seek further information for consideration at a future Council Meeting.

## PROPOSAL

That Council resolve to support a GC Planning Scheme Amendment undertaken in accordance with Section 20(4) of the *Planning and Environment Act (1987)* to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme through the insertion of a new Clause and Reference document (**Attachment 1**).

## CONFLICT OF INTEREST

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

## LEGISLATIVE IMPACT

The Amendment must be consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*. The Amendment is to be prepared in accordance with the Practice Note "*Strategic Assessment Guidelines for preparing and evaluating Planning Scheme Amendments*", which outlines the key strategic considerations that must be evaluated by planning authorities to comply with the requirement of Minister's Direction No. 11.

## **COUNCIL POLICY IMPACT**

The implementation of the IDM into the Wellington Planning Scheme will compliment Council's existing *Subdivision Infrastructure Development Policy* to ensure infrastructure development is undertaken in accordance with the IDM. Should the implementation of the IDM be endorsed by Council and included in the Wellington Planning Scheme the wording of the policy will be reviewed and updated if necessary as part of the annual policy review process.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017–21 contains the following strategic objectives and related strategies:

### Strategic Objective 2.3

*'Wellington Shire is well planned, considering long term growth and sustainability.'*

### Strategy 2.3.1

*'Continue to provide strategic planning to encourage long term growth and sustainability in Wellington Shire.'*

The Implementation of the IDM into the Wellington Planning Scheme supports the above Council Plan strategic objective and strategy.

## **COMMUNITY IMPACT**

The IDM standardises Council requirements for the design and development of municipal infrastructure. It aims to provide a consistent approach to ensure the design of development and subdivisions achieve attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods for present and future communities. The effects of this Amendment are considered to be beneficial to the community.

## **ENGAGEMENT IMPACT**

The IDM will be implemented under Section 20(4) of the *Planning and Environment Act 1987*, which allows the Minister for Planning to amend a Planning Scheme, with exemption from notice requirements, or to expedite an amendment to a Planning Scheme. This is in accordance with the recommendations of an Advisory Committee appointed by the Minister for Planning in 2015 to investigate various issues associated with the broader implementation of the IDM across Victoria.

The Advisory Committee invited submissions from all non-metropolitan Councils; regional service authorities and referral authorities; and over 530 regional consultants, developers, practitioners and peak industry groups; as well as all the submissions that had been made in relation to Greater Shepparton Planning Scheme Amendment C112.

The Advisory Committee noted that all but one submission provided general support for the IDM, including support for its broader implementation.

The Advisory Committee also concluded that the introduction of the IDM into regional planning schemes 'should not be delayed'.

The Advisory Committee concluded that the IDM was a technically sound and useful document, which should be implemented on a staged basis under section 20(4) of the *Planning and Environment Act 1987*, in relevant regional Planning Schemes as a 'Reference Document' and through the Municipal Strategic Statement.

The Advisory Committee recommended the following:

- The Infrastructure Design Manual be introduced in the Municipal Strategic Statement of regional council Planning Schemes.
- The Minister consider the implementation of the Infrastructure Design Manual into regional council Planning Schemes utilising powers under Section 20(4) of the *Planning and Environment Act 1987*.

**21.07-4 Infrastructure Planning, Design and Construction**

The design, management and delivery of infrastructure are key issues for Council. The efficient delivery of infrastructure is a fundamental element in providing affordable and diverse housing, generating economic growth and managing the municipality in a sustainable manner.

Standardised infrastructure design guidelines provide the opportunity to improve the efficient assessment and development of infrastructure. The *Infrastructure Design Manual* prepared by the Local Government Infrastructure Design Association (IDM) has been adopted by Council to assist in this assessment and is included as a Reference Document in this planning scheme.

The IDM includes guidelines for the design and construction of infrastructure within the municipality, including (among other things) roads, drainage, stormwater, car parking, landscaping, access, earthworks, public lighting and intersection infrastructure.

The IDM complements the objectives and standards of Clause 56 for residential subdivision applications. The IDM will also be used to assess subdivision and development applications in all other zones and in the development and assessment of Precinct Structure Plans and development plans.

**Objective**

To provide clear and consistent guidelines for the planning, design and construction of infrastructure.

**Strategies**

- Encourage a consistent approach to the design and construction of infrastructure across the municipality.
- Encourage an integrated approach to the planning and engineering assessment of new subdivision and development.
- Encourage new subdivision and development that has regard to the objectives and requirements of the IDM or an approved Precinct Structure Plan.
- Encourage the provision of infrastructure that is responsive to township and local character.

**Reference Document**

*Infrastructure Design Manual (as revised)*, Local Government Infrastructure Design Association.



## C4 - REPORT

# GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

**ITEM C4.1****ROSEDALE LANDFILL CLOSURE**

DIVISION: BUILT AND NATURAL ENVIRONMENT  
 ACTION OFFICER: MANAGER NATURAL ENVIRONMENT & PARKS  
 DATE: 4 SEPTEMBER 2018

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

**OBJECTIVE**

The objective of the report is for Council to consider the closure of the Rosedale Landfill on 30 October 2018.

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

*That;*

- 1. Council resolve to close the Rosedale Landfill on 30 October 2018;**
- 2. The Chief Executive Officer take the necessary steps to inform the community of the impending closure on 30 October 2018;**
- 3. That the Chief Executive Officer take the necessary steps to adjust the existing Waste Services Contract 2008/155 to reflect the closure of the Rosedale Landfill on 30 October 2018.**

**BACKGROUND**

The Rosedale Landfill is located on Mertonvale Road, approximately 6km driving distance south east of the Rosedale township (Attachment 1 – Site Map).

The landfill has been in operation for 45 years and is not a licensed Environment Protection Authority (EPA) site. The site is currently part of Council’s Waste Services Contract which includes the management of all landfill, transfer station facilities and kerbside rubbish collection across the shire. The current Waste Contract concludes in June 2020.

The Rosedale Landfill does not meet current EPA or Occupational Health and Safety (OH&S) standards. The EPA would not provide approval for Council to upgrade the landfill to a Licenced facility as it is not mentioned within the current Regional Waste Plan as such.

The EPA’s direction is to minimise landfills and centralise landfilling operations where possible. This will allow for greater efficiencies and effectiveness in reducing waste to landfill through greater extraction of recycled product, amongst others.

The most recent data analysis suggests that approximately 89% of use of the landfill comes from the Rosedale Postcode area (3487).

For the 2017/18 financial year, the operating cost for the site was around \$93,630 for 52.7 tonnes of waste received. The 2017/18 cost per tonne for processing waste at the facility was over \$1,750/tonne compared with \$37/tonne at the Kilmany Resource Recovery Facility and Landfill.

The Rosedale site has limited opportunity for recycling and resource recovery by comparison to the Kilmany site which has significant capacity to recover resources via a state of the art facility including Walking Floor technology that provides significant additional capacity to sort material and divert valuable resources from landfill.

The Rosedale Landfill is located 6km from the CBD of Rosedale. The Kilmany site is 14 km from the Rosedale CBD (Attachment 2 – Travel Times). The additional travel time is not considered onerous compared with the broader environmental and financial benefits involved.

Through the Waste Services Contract, Council provides access to waste facilities across the Wellington Shire. Waste Facility user charges are adopted each year as part of Council's budget process and are applied uniformly over Council's waste facilities. Opening hours vary at each of Council's Waste facilities to provide the most cost efficient and effective servicing outcomes.

Prior to developing the scope of the next Waste Services contract, given the existing constraints at the Rosedale site and the opportunities at Kilmany Resource Recovery facility, it is proposed that Council consider the future of the Rosedale Landfill.

## **OPTIONS**

1. That Council resolve to close the Rosedale Landfill on 30 October 2018 and the Chief Executive Officer take the necessary steps to inform the community of the impending closure and to adjust the existing Waste Services Contract 2008/155 to reflect the closure of the Rosedale Landfill; or
2. Continue operation of the Rosedale Landfill as an unlicensed landfill.

## **PROPOSAL**

That Council resolve to close the Rosedale Landfill on 30 October 2018 and the Chief Executive Officer take the necessary steps to inform the community of the impending closure and to adjust the existing Waste Services Contract 2008/155 to reflect the closure of the Rosedale Landfill on 30 October 2018.

## **CONFLICT OF INTEREST**

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

## **FINANCIAL IMPACT**

The closure of the Rosedale Landfill will result in an annual operational saving of \$93,630 (2017/2018 financial year) increasing annually (in line with contract payments).

The 2017/2018 cost per tonne of waste at Rosedale was over \$1,750/t compared with \$37/t at Kilmany (based on Contract payments).

As the potential closure of the Rosedale Landfill was flagged in the current Waste Services Contract, there is no contractual impediment or penalty associated with the proposed closure of the site.

The current Rosedale Landfill cell is almost full. Should the site continue to operate a new cell will need to be developed during the 2018/19 financial year at a cost of around \$30,000. Provision for construction of the cell is available as part of Council's 2018/19 Waste Infrastructure Program.

## **COMMUNICATION IMPACT**

As key stakeholder groups, the Rosedale Chamber of Commerce and the Rosedale Community Planning Group were both informed on 27 July 2018 that this item will be presented to Council as part of this meeting. A media release including an information fact sheet (Attachment 3 – Fact Sheet) was also provided as part of that process.

Should Council decide to close the Rosedale Landfill, users of the landfill, and the broader community will be informed about the timing of the closure through a mix of information provided on site, as well as through both general and social media.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017–21 Theme Natural Environment states the following strategic objective and related strategy:

### Strategic Objective 3.2

*Demonstrate leadership in waste and water management, and energy efficiency.*

### Strategy 3.2.1

*Review Council's provision of waste services*

### Strategy 3.2.3

*Advocate for and provide leadership toward a low carbon economy*

The Council Plan 2017–21 Theme Services & infrastructure states the following strategic objective and related strategy:

### Strategic Objective 2.2

*Council assets are responsibly, socially, economically and sustainably managed.*

### Strategy 2.2.2

*Ensure that community facilities within the municipality continue to meet the expectations and service needs of all current and future residents.*

### Strategy 2.2.3

*Continue to maintain and enhance Council's built environment for public amenity and long-term sustainability.*

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

## **RESOURCES AND STAFF IMPACT**

The closure of the Rosedale Landfill was flagged in Council's Waste Management Services Contract 2008/155 (current contract). Staff involved in waste management, communications and

customer service will be involved in the implementation of a communication plan. No additional resources are required for this purpose.

## **COMMUNITY IMPACT**

Usage data shows that Rosedale Landfill predominately services domestic self-haul from Rosedale and receives around 52.7 tonnes of waste per year (compared to 22,975 (2,340 self-haul) tonnes at Kilmany). This was confirmed with a postcode survey in 2015 of which 89% were from the Rosedale postcode.

The Rosedale community is also serviced by the Kilmany Resource Recovery Centre approximately 14km from Rosedale along the Princes Highway. Should Council decide to close the Rosedale Landfill, current users of the Rosedale Landfill living in Rosedale will need to travel an additional 5 minutes to access the Kilmany Resource and Recovery Centre. This additional travel time will vary depending on the origin of the journey.

## **ENVIRONMENTAL IMPACT**

The closure of the landfill will have a positive impact on the environment by ceasing the depositing of waste into un-lined waste cells. In addition, the Rosedale Landfill has limited recycling and resource recovery opportunity. By comparison, the Kilmany Resource Recovery Centre Walking Floor has significant additional capacity to sort waste and provides greater opportunity for more efficient waste diversion from landfill.

## **ENGAGEMENT IMPACT**

The Rosedale Chamber of Commerce and the Rosedale Community Planning Group have both been informed that this item will be presented to Council as part of this meeting.

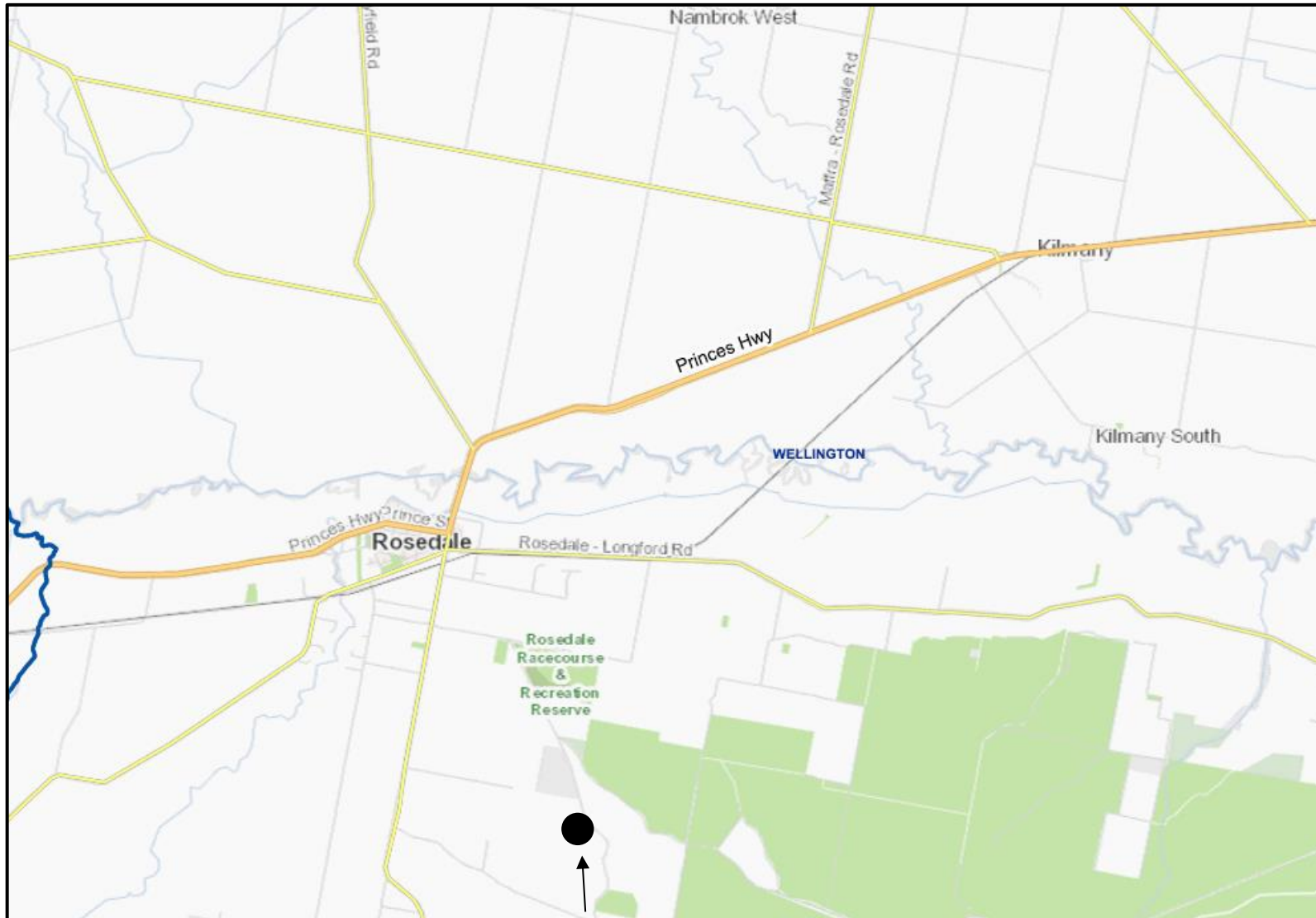
Should Council decide to close the landfill, users of the landfill, and the broader community will be informed about the timing of the closure and the reasons for the closure through a mix of information provided on site, as well as through both general and social media. A communications plan has been developed for this purpose.

## **RISK MANAGEMENT IMPACT**

Closure of the Rosedale Landfill would mitigate the following risks:

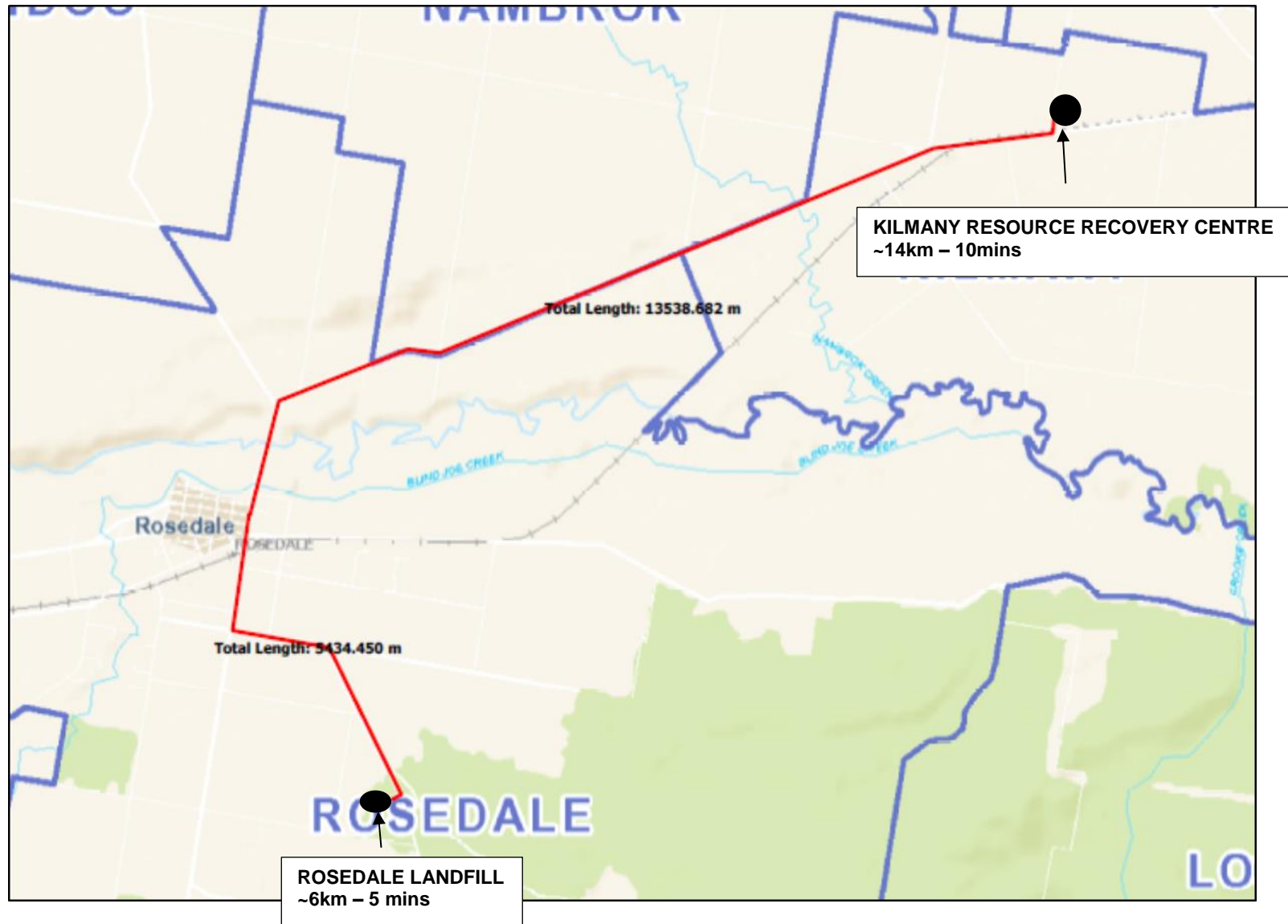
- Reduce environmental harm by removing landfilling into un-lined waste cells.
- Remove the need for significant infrastructure upgrades required to meet future EPA best practice guidelines and OH&S standards.

Attachment 1 – ROSEDALE LANDFILL SITE MAP



**ROSEDALE  
LANDFILL**

Attachment 2 - ROSEDALE LANDFILL & KILMANY RESOURCE RECOVERY CENTRE TRAVEL TIMES



# Rosedale Landfill

## FACT SHEET: Proposed Closure



A report will be presented to Council to consider the closure of the Rosedale Landfill as of 30 October 2018. The report will be tabled at the Ordinary Council meeting on 4 September 2018.

**The following is provided for information in relation to this proposal.**

- The Rosedale Landfill does not meet current Environment Protection Authority (EPA) or Occupational Health and Safety (OH&S) standards
- Use of the Rosedale landfill is very low with data showing that it receives the equivalent of around six, 6 x 4 trailer loads per week on average, making the cost for operating the facility incredibly high.
- The Rosedale landfill provides limited opportunity for recycling and resource recovery meaning that valuable resources are being sent to landfill.
- The Victorian Environmental Protection Authority's (EPA) direction is to minimise landfills where possible.
- The closure of the landfill will have a positive impact on the environment by ceasing the depositing of waste into un-lined waste cells.
- The Kilmany Resource Recovery Centre is a state-of-the-art facility that has significant capacity to recover resources. It has walking floor technology that provides significant additional capacity to sort material and divert valuable resources from landfill.
- The Rosedale Landfill is operated under Councils overall Waste Services Contract. For the Rosedale Landfill, the majority of costs are fixed, relating to site management and waste processing, which means cost reduction opportunities are very limited.

Measure	Rosedale Landfill	Kilmany Landfill
Waste received per week	1 tonne	45 tonnes
Cost of operating facility	\$1,750 per tonne	\$37 per tonne
Location	6km from Rosedale CBD	14km from Rosedale CBD
EPA / OH&S Guideline requirements	Does not meet current requirements	Does meet current requirements
Modern Environmental requirements	Does not meet current requirements	Does meet current requirements

**ITEM C4.2****BITUMINOUS RESEALING OF LOCAL ROADS  
CONTRACT 2019- 001, 2018 - 2021**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS &amp; PROJECTS

DATE: 4 SEPTEMBER 2018

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

**OBJECTIVE1.**

The objective of this report is for Council to consider entering into a contract for the bituminous resealing of local roads for a three year period from 2018 to 2021.

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

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 Bituminous Resealing of Local Road Contract 2019-001, 2018/2019, 2019/2020, 2020/2021 of the Council Meeting Agenda; and***
- 2. The information contained in the confidential document Item F1.2 Bituminous Resealing of Local Road Contract 2019-001, 2018/2019, 2019/2020, 2020/2021 of the Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 6 August 2018 because it related to the following grounds under Section 89(2) of the Local Government Act 1989: d) 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.***

**BACKGROUND**

Wellington Shire Council maintains approximately 1510km of sealed roads and as part of that program periodically renews and reseals roads to ensure that the road surface remains in a good condition and to provide a skid resistant surface and to assist in maintaining the life of the underlying pavement. The selection criteria for choosing roads to reseal is based on the time since the last reseal (approximately 10-12 years), condition assessments and traffic usage.

## **OPTIONS**

Council has the following options:

1. Adopt the recommendations contained in the attached confidential Tender Evaluation Report for Contract 2019-001 Bituminous Resealing of Local Roads 2018/2019, 2019/2020, 2020/2021; or
2. Not enter into a contract and not proceed with the works at this time.

## **PROPOSAL**

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for Contract 2019-001 Bituminous Resealing of Local Roads 2018/2019, 2019/2020, 2020/2021.

## **CONFLICT OF INTEREST**

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

## **FINANCIAL IMPACT**

The proposed works are budgeted for in the 2018/19 Capital Works Programs for the first year of the contract with the subsequent years to be budgeted in future programs.

## **COMMUNICATION IMPACT**

The project is likely to result in positive relations outcomes for Wellington Shire Council as these works will maintain the quality of the road pavements throughout the shire.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017–21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.4

*“Continued improvement to Wellington Shire’s connectivity with further developed, accessible transport networks.”*

Strategy 2.4.2

*“Continue to maintain and enhance Council’s road asset infrastructure.”*

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

## **RESOURCES AND STAFF IMPACT**

The project will be undertaken with the resources of the Assets & Projects Unit.

## **COMMUNITY IMPACT**

These works will produce a positive community impact with improved safety for road users.

## **ENVIRONMENTAL IMPACT**

The proposed works will have minimal environmental impact, with the contractor complying with Council's Guidelines on Environmental Management for Roadworks Projects.

## **ENGAGEMENT IMPACT**

Adjoining land owners will be notified when works are programmed in their area.

## **RISK MANAGEMENT IMPACT**

It is considered that the proposed contract works will not expose Council to any significant risks.

All Occupational and Health and Safety and environmental risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.

The completed works will provide improved conditions for all road users through improving the skid resistance of worn seals and maintaining the condition of the pavements.



## C5 - REPORT

# GENERAL MANAGER COMMUNITY AND CULTURE



## D. URGENT BUSINESS



## E. FURTHER GALLERY AND CHAT ROOM COMMENTS

*Gallery comments are an opportunity for members of the public to raise any particular matter they wish. This allows those in the gallery to speak directly to councillors but is not a forum designed for open discussion or debate. We will listen respectfully to what you have to say and make the commitment that the Mayor will respond to you in writing within one week if required, and a copy of that response will be circulated to all councillors.*

*This is not a forum for members of the public to lodge complaints against individuals, including councillors and staff, particularly as that individual gets no public right of reply to any matter raised. We take complaints seriously, and in line with the guidance from the Victorian Ombudsman and the local Government Inspectorate, we request that any specific complaint against an individual be put in writing. This way, your concern can be properly dealt with while ensuring fairness to all parties concerned.*

*If you wish to speak, we remind you that this part of the meeting is being recorded and broadcast on our website. Council's official Minutes will record that you have spoken to Council and the subject you spoke to Council about but will not record specific comments. We ask you to state your name in full, where you are from, and you have three minutes*

Meeting declared closed at:   pm

The live streaming of this Council meeting will now come to a close.



**F. CONFIDENTIAL ATTACHMENT/S**

**F. CONFIDENTIAL ATTACHMENT/S**

ITEM F1.1

**SALE OF PROPERTIES FOR UNPAID RATES & CHARGES**  
(Refer to Agenda Item C2.2)



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

**ORDINARY COUNCIL MEETING**  
**4 SEPTEMBER 2018**

On this 13<sup>th</sup> day of August 2018, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Arthur Skipitaris declare that the information contained in the attached document **ITEM F1.1 SALE OF PROPERTIES FOR UNPAID RATES AND CHARGES** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- b) the personal hardship of any resident or ratepayer

A handwritten signature in black ink, appearing to be 'AS', written over a horizontal line.

.....  
**General Manager Corporate Services (Delegate)**

ITEM F1.2

**BITUMINOUS RESEALING OF LOCAL ROADS 2019- 001 and 2018/2019,  
2019/2020, 2020/2021**  
(Refer to Agenda Item C4.2)



**WELLINGTON**  
SHIRE COUNCIL  
*The Heart of Gippsland*

**ORDINARY COUNCIL MEETING  
4 SEPTEMBER 2018**

On this day of 15<sup>th</sup> August 2018 in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.2 BITUMINOUS RESEALING OF LOCAL ROADS 2019- 001 and 2018/2019, 2019/2020, 2020/2021** confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

***d) Contractual matters***

A handwritten signature in blue ink, appearing to be 'Chris Hastie', written over a light blue circular stamp.

.....  
**Chris Hastie General Manager Built and Natural Environment**



## G. IN CLOSED SESSION

# G. IN CLOSED SESSION

### COUNCILLOR

*That the meeting be closed to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider:*

- a) personnel matters*
- b) the personal hardship of any resident or ratepayer*
- c) industrial matters*
- d) contractual matters*
- e) proposed developments*
- f) legal advice*
- g) matters affecting the security of Council property*
- h) any other matter which the Council or special committee considers would prejudice the Council or any person*

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IN CLOSED SESSION

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### COUNCILLOR

### COUNCILLOR

*That Council move into open session and ratify the decision made in closed session.*