



Council Meeting Agenda

Meeting to be held at

Council Chambers - Wellington Centre

Foster Street, Sale

Tuesday 17 December 2019, commencing at 6pm

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ORDINARY MEETING OF COUNCIL – 17 DECEMBER 2019

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Council Meeting Information

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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:

17 DECEMBER 2019

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 3 December 2019.

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

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 December 2019.

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

ITEM A7(1)**NOTICE OF MOTION – LATROBE VALLEY AUTHORITY (LVA)
COMMUNITY AND FACILITY FUND**

OFFICER: COUNCILLOR SCOTT ROSSETTI

DATE: 17 DECEMBER 2019

I, Councillor Scott Rossetti, hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council on 17 December 2019.

RECOMMENDATION***That the Mayor;******write to the The Hon. Jaclyn Symes MP, Minister for Regional Development, Agriculture and Resources, thanking the government for their support and the funding received to assist with strengthening community capacity and upgrading sporting infrastructure across the Wellington Shire.*****Background**

In 2016 the LVA was established by the Victorian State Government to secure the future of the Latrobe Valley and its surrounding shires in the wake of the Hazelwood closure announcement.

The LVA launched two funds to support the Latrobe Valley and its surrounding Shires:

- An \$85 million Sports and Community Initiative to upgrade key local infrastructure and attract major sporting events and programs to the region.
- A \$20 million Community and Facility Fund to build local capacity, reduce disadvantage and barriers to participation, improve health and social outcomes for the area, boost the visitor economy and foster regional pride through major events.

The Wellington Shire has benefitted greatly from LVA grant funding and some of the projects undertaken as a result, are as follows:

Airly Clydebank Public Hall

Redevelopment to include new toilets, designated disabled parking, installation of external ramps and pathways, as well as upgrades to solar panels, heating, cooling and the kitchen.

Cowwarr Recreation Reserve

Installation of unisex home and away change rooms, trainers' rooms, umpires' change rooms, as well as male, female and family friendly amenities.

Gormandale Recreation Reserve

Lighting upgrades for football and netball.

Heyfield Recreation Reserve

Installation of cricket training nets including three new bays with retractable nets, resurfacing of existing netball court and development of second court and upgrade to lighting on main oval.

Sale Tennis Centre

Upgrades to seating and pathways to connect facilities and court lighting to improve amenity for evening games. Also, the construction of four new courts, the upgrading of eight courts to improve club-level competitions and the installation of additional solar power and a new battery storage system.

Boisdale Recreation Reserve

Construction of new umpire change rooms, upgrade to oval lighting, mains power supply, and a compliance retrofit of existing home change-rooms.

Briagolong Tennis Club

Installation of shaded seating, fencing between the player/spectator area and the reserve vehicle access road and tennis court parking, and add disabled access to the courts and facility.

Cameron Sporting Complex

Extension of the existing gymnastics area, construction of two new multi-purpose courts and refurbishment of the existing basketball court to seat 700 spectators.

Gumnuts Early Learning Centre

The installation of a solar power system to reduce energy costs.

Heyfield Bowling Club

The redevelopment and extension of the Heyfield Bowls Club, including the replacement of the existing grass green at the west end of the Club with a synthetic surface.

Heyfield Community Resource Centre

A building extension to accommodate the server cabinet and business printer, extra storage and office space, a meeting room and a nappy change area for the childcare centre.

Heyfield War Memorial Hall

This Hall is the only large performing and public gathering space at Heyfield and plays an integral part in the life of the Heyfield community. Funding received went towards the installation of a new acoustics system, for the 60-year-old hall, in order to attract more live music events, theatre and cultural performances to the venue.

Heyfield RV Park

Replacement of the amenities block with all abilities access and a solar heated shower.

Licola Wilderness Village

Upgrade of the dining hall and accessibility improvements.

Maffra Dramatics Society

Installation of a weather and vermin proof storage facility adjacent to the storage shed at the Maffra Recreation Reserve.

Maffra Golf Club

Installation of a solar system, storage battery and LED lighting for the Clubrooms

Maffra Golf Club RV Park

Upgrade of the RV Park and associated electricity infrastructure, including establishment of accessible amenities and clubroom kitchen improvements.

Newry Hall

Upgrades to Newry Hall, including installation of an audio-visual system, heating/cooling, a commercial kitchen, outside lighting, signage and all abilities parking.

Rosedale Sporting Complex

Installation of a solar panel system in order to improve financial sustainability and reduce energy emissions.

Sale Botanic Gardens

Improvement works to the garden and include drainage works, paving and landscaping, the installation of a water play area, furnishings, softscape (plants) and minor design work.

Sale Golf Club

A switchboard upgrade, the installation of a solar power system and an updated kitchen to support community volunteers and staff.

Seaton Recreation Reserve

A new basketball tower and concrete pad has been constructed at the Seaton Recreation Reserve adjacent to the current open use tennis court, barbecue area and hall located at the recreation reserve.

Stratford Bowls Club

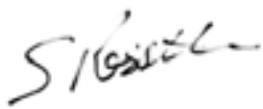
Replacement of a damaged green with a high quality surface for pennants and social play.

Tarra Trail

A grant has been received to support construction of a 2.5 metre, shared pathway between Alberton and Port Albert.

Victoria Park Water Tower

Restoration and repurposing of the historic Victoria Park Water Tower, into a historic community asset available for use for community events, tourism activity and as a museum and education facility for the water industry.



.....
COUNCILLOR SCOTT ROSSETTI

Dated: (17 December 2019)



A - PROCEDURAL

A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1)**OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

17 DECEMBER 2019

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			

ITEM A8(2)**RESPONSE TO PETITION: SALE TO MAFFRA BIKE PATH**

DIVISION: DEVELOPMENT

ACTION OFFICER: ACTING MANAGER BUSINESS DEVELOPMENT

DATE: 17 DECEMBER 2019

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

OBJECTIVE

The purpose of this report is for Council to consider a petition presented at the Ordinary Council meeting of 19 November 2019 requesting Council advocate for funding to investigate and plan for an off-road bike path from Sale to Maffra.

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

That Council, in response to the petition presented at the Ordinary Council meeting of 19 November 2019 seeking funding to investigate and plan for an off-road cycling path connecting Sale to Maffra:

- 1. Refer for consideration, an amount of \$50,000 to undertake a feasibility study/business case to the 2020/21 budget development process; and***
- 2. Write to the head petitioner advising him of the action to be undertaken.***

BACKGROUND

A letter and petition containing 2,048 signatures was received by Council at its 19 November 2019 meeting.

The petitioners sought Council funding to investigate and plan for an off-road cycling path to connect Sale to Maffra. The path would also link with the existing Gippsland Plains Rail Trail. When presenting the petition to the Council Meeting, the head petitioner suggested the path should be three metres wide and constructed of asphalt or concrete.

Preliminary estimates indicate that the capital and lifetime cost of a path of this length and width would be as follows. These estimates have been developed without undertaking site surveys etc:

Path Type	Capital Cost	Lifetime cost (50 years)
Concrete	\$9,366,000	\$11,314,000
Asphalt	\$7,132,000	\$12,163,000
Gravel	\$5,014,000	\$11,327,000

Wellington Shire Council recognises that trails support growth to the visitor economy, enable a healthier lifestyle and enhance wildlife corridors. Gippsland is also recognised as a region of

abundant world class assets, featuring significant natural attractions, gourmet paddock to plate experiences and has a range of activities which attract tourists given there is so much to explore and enjoy.

On that basis, Wellington Shire Council has been an active partner in the development of a range of trails and in particular, supported the development of the Gippsland Plains Rail Trail and continues to fund some of the maintenance costs associated with this trail. Council has also prioritised the development of the Great Southern Rail Trail and is currently seeking matching funding to link the trail from Port Welshpool through to Yarram.

OPTIONS

Council has the following options:

1. Refer for consideration, an amount of \$50,000 to undertake a feasibility study / business case to the 2020/21 budget development process; or
2. Write to the head petitioner informing him that as Council has already prioritised the development of the Great Southern Rail Trail and given the significant capital cost to link Sale and Maffra with an off road cycle path, it is not in a position to advance a feasibility study and business case.

PROPOSAL

That Council, in response to the petition presented at the Ordinary Council meeting of 19 November 2019 seeking funding to investigate and plan for an off-road cycling path connecting Sale to Maffra:

1. Refer for consideration, an amount of \$50,000 to undertake a feasibility study/business case to the 2020/21 budget development process; and
2. Write to the head petitioner advising him of the action to be undertaken.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Should Council support the recommendation, a budget bid of \$50,000 would be referred to the 2020/21 budget process and the merits of the project compared with all other priorities.

Should the feasibility study/business case be undertaken and found to have merit, Capital funding will then need to be allocated in the 2021/22 budget.

As outlined in the background of this report, it is estimated capital funding of somewhere between \$5M and \$11.5M will need to be allocated to deliver the project requested by the petition.

COUNCIL PLAN IMPACT

The report recommendation aligns with Council Plan 2017-21 Theme 1 Communities and Theme 5 Economy, which states the following strategic objective and related strategies:

Strategic Objective 1.1

Maintain friendly, safe communities providing opportunities for residents to lead healthy and active lifestyles.

Strategy 1.1.3

Provide and manage open spaces and infrastructure that enable and encourage healthy and active lifestyles

Strategic Objective 5.3

Grow Wellington Shire's visitor economy.

Strategy.5.3.2

Enhance visitor experiences through the development of quality facilities and services.

Strategy 5.1.3

Advocate for improved links and connectivity to key markets and destinations.

CONSULTATION

There has been no public consultation to date relating to this petition. Should Council fund and proceed with a feasibility study / business case then significant community consultation would need to be undertaken.



A - PROCEDURAL

A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A - PROCEDURAL

A10 QUESTIONS ON NOTICE



A - PROCEDURAL

A11 MAYOR AND COUNCILLOR ACTIVITY REPORT

ITEM A11(1)**MAYOR AND COUNCILLOR ACTIVITY REPORT**

OFFICER: COUNCILLOR ALAN HALL

DATE: 17 DECEMBER 2019

RECOMMENDATION*That the Mayor and Councillor Activity report be noted.***2 November – 6 December**

2 November	ESSO Under the Stars, Sale	Mayor Hall and Chief Executive Officer, David Morcom attended
10 November	Sale & District Aero Club Flying Display, Sale	Mayor Hall, Cr Bye and Cr Ripper attended
	Heyfield Bowling Club Fundraiser, Heyfield	Mayor Hall and Cr Hole attended
	National Timber Councils Association meeting, Traralgon	Cr Hole attended
11 November	Sale RSL Remembrance Day, Sale	Mayor Hall attended
	Heyfield RSL Remembrance Day, Heyfield	Cr Hole attended
	Yarram RSL Remembrance Day, Yarram	Cr Stephens and Cr Maher attended
	Rosedale RSL Remembrance Day, Rosedale	Cr Ripper attended
	Coongulla Special Charge Scheme Community meeting, Coongulla	Cr Hole and Cr Ripper attended
	Heyfield Community Resource Centre AGM, Heyfield	Cr Hole attended
	Golden Paradise Beach Ratepayers Association meeting, Golden Beach	Mayor Hall, Cr Stephens and Cr Maher attended
12 November	Council Community Conversation site tour of Woodside, Port Albert and Yarram surrounds.	Mayor Hall, Cr Stephens, Cr Ripper, Cr Maher and Chief Executive Officer, David Morcom attended
	Walk to D'feet Motor Neuron Disease fundraiser, Heyfield	Cr Hole attended

13 November	Australian Sustainable Hardwood (ASH) meeting, Heyfield	Mayor Hall, Cr Hole and Chief Executive Officer, David Morcom attended
14 November	Timber Towns Victoria meeting, Melbourne	Cr Hole attended
	Victorian Climate Projections training, Warragul	Cr Maher and Cr Stephens attended
15 November	Gippsland Art Gallery Exhibition Opening, Sale	Cr Crossley attended
	Timber Rally, Melbourne	Cr Hole attended
18 November	Official Opening of Briagolong Recreation Reserve Redevelopment, Briagolong	Mayor Hall, Cr Hole, Cr Crossley, Cr Ripper and Chief Executive Officer, David Morcom attended
20 November	Roundtable discussion with Assistant Minister for Forestry, Bairnsdale	Mayor Hall and Cr Hole attended
	Youth Council meeting, Sale	Cr Crossley and Cr Ripper attended
	Yarram & District Health Service AGM, Yarram	Cr Maher and Cr Stephens attended
	Community meeting – Intersection of Guthridge Parade & Dawson street, Sale	Cr McCubbin, Cr Bye and Cr Rossetti attended
21 November	Official Launch of Gender Stereotypes, Sale	Mayor Hall attended
	Gippsland Womens Health AGM, Sale	Mayor Hall attended
	Central Gippsland Health Annual Board meeting, Sale	Cr McCubbin attended
	Cameron Sporting Complex Consultative committee, Maffra	Cr Hole attended
22 November	10 Year L2P Program Anniversary, Sale	Mayor Hall attended
	WRRG Directors Learning and Development session, Melbourne	Cr Maher attended
26 November	Community Energy Forum, Traralgon	Cr McCubbin attended
	Ross Garnaut's Low-carbon Opportunity seminar, Traralgon	Mayor Hall, Cr Crossley, Cr McCubbin and Chief Executive Officer, David Morcom attended
28 November	National Timber Councils Association AGM, Traralgon	Cr Hole attended

29 November	GLGN Mayoral Induction, Morwell	Mayor Hall and Chief Executive Officer, David Morcom attended
	MAV Rural Gippsland Regional meeting, Traralgon	Mayor Hall, Cr Hole, Cr Maher and Chief Executive Officer, David Morcom attended
30 November	Gippsland Festival of Greyhound Racing, Sale	Cr Hole attended
1 December	Sale Baptist Church Community Fun Day, Sale	Mayor Hall attended
	Carols by Candlelight, Loch Sport	Mayor Hall attended
4 December	Youth Council meeting, Sale	Cr Stephens attended
5 December	Invest Gippsland Website launch, Phillip Island	Mayor Hall attended
	MAV Mayoral Induction Day, Melbourne	Cr Maher attended
	Roadmap to Renewables Project through Gippsland meeting, Melbourne	Cr McCubbin attended
6 December	Arrival Ceremony for the Final Pilatus PC-21 Aircraft, Sale	Cr Crossley and Cr Ripper attended

**COUNCILLOR ALAN HALL
MAYOR**



A - PROCEDURAL

A12 YOUTH COUNCIL REPORT

ITEM A12(1)**YOUTH COUNCIL REPORT**

OFFICER:

YOUTH MAYOR, IVAN REYES

DATE:

17 DECEMBER 2019

RECOMMENDATION***That Council receive the Youth Mayor's Quarterly Report.***

Good evening Councillors,

First of all, on behalf of the Youth Councillors I would like to congratulate our re-elected Mayor, Councillor Hall, and newly elected Deputy Mayor, Councillor Maher.

During my last quarterly report, I spoke of how Youth Councillors have broken up into smaller groups to prepare and plan for different projects for the youth in Wellington. Over the past quarter we have been plugging away in these groups to begin our planning for Youth Week next year, the Youth Art Prize, a LGBTQI+ Ball (called The OPAL Social), an outdoor movie night for Parks Week and more.

We have also really valued community members coming along to our meetings to raise different issues or to ask for assistance with things they are passionate about. I'd like to highlight two of these:

- Harry Redfern is a young person from Stratford who lives with dyslexia and is passionate about raising awareness around this condition. Four of our Youth Councillors also have varying forms of dyslexia, so Harry's passion was very well met! When Harry suggested he'd like help to light up the Wedge red in awareness of Dyslexia we were thrilled to be able to support him make this happen, lined up an ABC interview for him, and met with him as the sun set on 31 October outside of the Wedge to watch it change colour. Next year we encourage Harry to get in touch earlier so we could help do a little more.
- Ted Dawson, I believe is known to Councillors, and is an inspiring man who seems to just keep on working out ways to help his family and community make connections. Ted approached us to share his concerns about young people who have left school and not gone onto further study and are not tied into existing sports clubs ... what do they do? Where do they socialise? Ted has attempted to start up a walking club, but it hasn't to date gained much traction. The Youth Council see a lot of merit in his idea and we are currently working on a couple of strategies to trial opportunities for young adults in our community to get together and be social. Fingers crossed we will set upon an idea that has some legs!

Two of us went to Melbourne recently to attend the Origin Young Leaders day where we heard from a number of high profile and inspiring speakers on the topic of leadership. Opportunities like this really broaden our perspective and understanding of what leadership can look like.

On 27 November 2019, the Youth Councillors went down to the Port of Sale to show our support for the Rock the Port event. Drugs and alcohol are a big part of our youth culture, unfortunately, and any event or activity, such as the Rock the Port event, to raise awareness of the pitfalls or to increase connections and resilience have our complete support.

The 2020 Wellington Youth Art Prize opened on 2 December 2019 and we are really pleased with the design of the promotional material, which was developed by local youth, Zac Roberts.

We can't believe we are half-way through our term as Youth Councillors but are really excited about the busy months to come.

IVAN REYES
YOUTH MAYOR



B -REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

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

OFFICER: CHIEF EXECUTIVE OFFICER

DATE: 17 DECEMBER 2019

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

- 20 - 22 November Attended the Local Government Chief Officers Group meeting, Fraser Coast
- 26 November Met with Chief Executive Officer, Mr Terry Robinson & Chair, Ms Sue Smethurst, Destination Gippsland alongside Mayor Hall and General Manager Development, Mr John Websdale
- 27-28 November Attended Rural Councils Victoria Delegate meeting, Canberra
- 29 November Attended Gippsland Local Government Network Mayoral Induction, Morwell alongside Mayor Hall.
- Attended MAV Rural Gippsland Regional meeting, Morwell
- 5-6 December Annual Leave
- 9 December Met with Radial Timber representative, Mr Chris Mcvoy to discuss Native Forest Harvesting. In attendance was Mayor Hall and Cr Garry Stephens.
- 10 December Attended Invest Gippsland Co-Design Investment Attraction workshop, Traralgon
- 12 December Attended Latrobe Valley Authority – Transition in Action: Working together for a strong future event, Warragul



- 13 December Attended a Rural Councils Victoria committee meeting, Melbourne

ITEM C1.2**NOVEMBER 2019 PERFORMANCE REPORT**

DIVISION: CHIEF EXECUTIVE OFFICE
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 17 DECEMBER 2019

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

OBJECTIVE

For Council to receive and note the November 2019 Council Performance Report.

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

That Council receive and note the November 2019 Council Performance Report as attached.

BACKGROUND

The November 2019 Council Performance Report comprises key highlights towards achievement of the 2017-21 Council Plan together with an overview of Council finances including an Income Statement with commentary regarding any major variances, information on cash balances, the level of rates outstanding and a progress update on Council's Capital Works program.

OPTIONS

Following consideration of the attached November 2019 Performance Report, Council can resolve to either:

1. Receive and note the November 2019 Council Performance Report; or
2. Not receive and note the November 2019 Council Performance Report and seek further information for consideration at a later Council meeting.

PROPOSAL

That Council receive and note the attached November 2019 Council Performance Report.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Provision of a monthly financial report to the community facilitates accountability and transparency and ensures that Council and management are able to make informed decisions in a timely manner.

COMMUNICATION IMPACT

The Council Plan communicates Council's strategic direction to the community. The Council Plan can also be used by Council to communicate its vision and direction to other tiers of government, organisations, government agencies and funding bodies.

LEGISLATIVE IMPACT

There is no legislative requirement for provision of a monthly Council Performance report however, Council has determined that in the interests of accountability and transparency, this report will be provided to the community.

COUNCIL POLICY IMPACT

The November 2019 Council Performance Report has been prepared in the context of existing Council policies.

COUNCIL PLAN IMPACT

Strategic Objective 6.3 states that Council will:

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

Strategy 6.3.3 states that Council will:

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making"

Strategy 6.2.2 states that Council will:

"Actively engage with both internal and external stakeholders to appropriately inform about council business"

NOVEMBER 2019 PERFORMANCE REPORT

NOVEMBER 2019 COUNCIL PLAN HIGHLIGHTS

West Sale recognised at National Airport Industry Awards

West Sale Airport was recognised as Australia's Small Regional Aerodrome of the Year at the Australian Airports Association (AAA) National Airport Industry Awards. The awards form part of the AAA National Conference, which is the largest airport event in Australia.

Briagolong Recreation Reserve redevelopment complete

The \$700,000 Briagolong Recreation Reserve Clubroom Redevelopment has transformed the old tired facilities into modern spaces to accommodate the various user groups and the wider community. Wellington Shire Council provided \$309,609 towards the project, with the Briagolong Recreation Reserve Committee of Management contributing an impressive \$40,000. The Federal Government, through the Community Sports Infrastructure Fund provided \$250,000 and the Victorian Community Sport and Infrastructure Fund \$100,000.

Drought Support

Council agreed to allocate the \$3.31 million Local Government Service Support Payment to rate relief for drought affected farmers, so farmers can look forward to this being credited to their rate assessment. That, along with the other initiatives such as Council's \$700 debit card initiative, water cartage and various event-based programs will provide much welcomed relief for our local farming community who have been doing it tough.

Commonwealth funding for Drought

\$1M Drought Communities Programme Extension funding offer was received from the Commonwealth Government.

Timber Industry

On 7 November 2019, the Andrews Government announced a multi-million dollar plan to end native logging by 2030. Council met with representatives of all levels of government to gain more information about this announcement. Council had already met with Australian Sustainable Hardwoods in Heyfield and will continue to work with them and other local mills during the transition.

Gunaikurnai Elders meeting

It was an honour to host the Gunaikurnai Land and Waters Corporation's Council of Elders meeting at the Port of Sale on 27 November 2019. The Elders were given a tour of the Port of Sale prior to their meeting with the Secretary of the Department of Environment, Land, Water and Environment.

Great Book Swap

On 2 November 2019, Stratford Library, in partnership with Segue, Stratford's neighbourhood house, hosted a 'Great Book Swap' to raise money for the Indigenous Literacy Foundation. Contacts were made through Segue with Indigenous storytellers for possible future children's programming at Wellington Libraries. Participants were able to share in stories read by Gippsland Gunaikurnai elders and participate in craft activities.

Esso Night Under the Stars

1,800 people attended the Sale Botanic Gardens on Sunday 3 November 2019 for The Esso Night Under the Stars, featuring Daryl Braithwaite. It was a great example of Esso's commitment to our community and of the ongoing positive partnership between The Wedge and Esso, working together to bring something special to the people of Wellington.

Full house performances

On Saturday 16 November 2019, The Waifs performed to a full house and on Saturday 23 November 2019, David Strassman performed to two full houses at The Wedge performing arts centre.

Art Gallery exhibitions

Gippsland Art Gallery's highlight for November was the opening of the Nick Mount, Hayden Jackson and Meg Viney-Bell/Zetta Kanta exhibitions on Friday 15 November 2019, which drew 250 visitors including many first-timers. Visitors enjoyed live music on the night and a preview of the extraordinary Nick Mount glass exhibition, most of which has been freighted from the USA exclusively for this exhibition thanks to the generosity of philanthropists Mr Ian Wall AM and Mrs Pamela Wall OAM. Nick Mount stayed in Sale to present a well-attended artist talk to the Friends of the Gallery the following morning.

Textile workshop

On 23 November 2019, guest artist Anna Farago presented a booked-out textile workshop as part of the Gippsland Textile Collection, which was established by the Gippsland Art Gallery in 2018 following a significant donation from a private farming family, to collect and promote textile arts in Gippsland.

Library booth at the Sale Agricultural Show

Sale Library operated a booth at the Sale Agricultural Show on 1-2 November 2019 providing library showbags and held seven story-time sessions at the show. More than 400 participants enjoyed the activities over the two days in very hot conditions.

Outdoor pools open

November saw the opening of the outdoor pool season on 21 November 2019, one day earlier than originally advertised to give our community the chance to cool off on the extremely high temperatures forecast. Free entry on the first two days of operation resulted in good attendances and has stimulated purchases of seasonal pool memberships.

New pool lifeguards

Leading up to the season opening of our outdoor pools, a new group of Wellington staff were welcomed as 21 new pool lifeguards were onboarded in their very important lifesaving roles with induction training, shadow shifts and procedures training.

NDIS Accreditation audit

An external audit of Aqua Energy as a registered National Disability Insurance Scheme (NDIS) provider was conducted during November, with positive feedback indicated by auditors and it is anticipated that Aqua Energy will be re-accredited. The audit process required substantial preparation and the new service area of NDIS-accredited provider programs will be re-evaluated post-audit at the service's one year mark.

Play it safe by the water

Learn to Swim numbers remain consistently high with enrolments of 866 at the end of November which is also the month Aqua Energy promote the safety awareness 'play it safe by the water' program.

Tiny Stars program

Concluding in November was the Gippsland Regional Sports Complex's Tiny Stars program, a series of six-week programs aimed at introducing various sports, in this term's case tennis, to children aged three to five years. The Tiny Stars programs are facilitated by qualified coaches and our tennis program had 17 young participants.

Accessibility audit outcomes

Following a comprehensive and first time accessibility audit of our community-managed facilities, a package of capital works to improve accessibility at a number of community facilities across

Wellington has been developed. This will be included in a capital development program to support improved access at a number of highly used facilities or facilities that are more likely to have people with access issues attending them.

Quick Response Grants

Five Quick Response Grants were awarded in November totaling \$4,630 in funding.

Climate impacts on Recreation Reserves

Valuable planning was undertaken in November with Council and external stakeholders, led by Natural Environment and Parks regarding climate impacts on community recreation reserves and what actions can be taken to educate and support community volunteer facility managers.

Capital Projects Update

- Cameron Sporting Complex Stadium Redevelopment project: construction works are well underway with the slab poured for a third of the new area. Works are on time and on budget.
- Briagolong Recreation Reserve Pavilion Upgrade project: official opening held Monday 18 November 2019.
- Sale Memorial Hall Refurbishment project: Redevelopment of stage side bathrooms, painting of the main hall and foyer, changeroom refurbishment and acoustic installation has been completed. Works to front amenities have been programmed with Committee and building contractor for December 2019 to end February 2020. Funding agreement variation has been approved by LVA to align with the amended project schedule.
- Sale Tennis Club Redevelopment project: court construction contractor commenced back on site in November to finalise Stage 1 courts surface (five courts) which is expected to be largely completed by the end of 2019, after which preparation for Stage 2 civil works (seven courts) can commence. Fencing and lighting for Stage 2 works are in progress.
- Stratford Recreation Reserve Changeroom Redevelopment project: tender documentation being finalised and tender is scheduled to be advertised in January and February 2020.
- Stephenson Park Changeroom Redevelopment project: consultation being undertaken with clubs regarding alterations to social space provision after cost estimates for change room redevelopment project were higher than anticipated. Alternative funding sources are also being investigated.
- Pine Lodge Tennis Court Reconstruction project: demolition works have commenced on site.

Sporting Infrastructure Plan

Work is underway on our shire wide Sporting Infrastructure Plan with participation review now complete. The Request for Quotations period has closed for undertaking our shire wide Community Infrastructure Plan and quotations assessment is underway with three quotations having been received.

Community Facilities Project Prioritisation Model

The newly developed Community Facilities Project Prioritisation Model commenced testing in November with initial data being used to inform the 2020/21 capital works budget development process.

Healthy Wellington action plan

The Healthy Wellington Action Group (Council and partner health and wellbeing agencies) and the Department of Health and Human Services met to peer review a draft action plan for our next twelve months' work under Healthy Wellington, our integrated public health and wellbeing plan.

Collaboration on Climate change

Community health and wellbeing staff from across the region joined a Department of Health and Human Services videoconference on Climate Change and its effects on public health and wellbeing, ahead of planned consultation on climate change and health strategies in mid-2020. Climate change is one of four key areas for partnership work under 'Healthy Wellington'.

Community Collaborations' program

Our new 'Community Collaborations' program, which replaces our long-running Community Planning program, went 'live' on 22 November 2019. A community information session was held in Maffra to explain the new model and how it operates with four former Community Planning Groups present. Feedback and an excellent article in the local community newspaper indicated the community has begun to understand and value the new model.

Walk to School Program

Wellington's Walk to School Program attracted participation from 27 out of 30 Wellington schools over the November period.

Resources for bushfire recovery

Project workers for Dargo and Rosedale community recovery events commenced this month, as part of ongoing community recovery activities following the Summer 2019 bushfires.

Engaging with people with communication difficulties

As part of learnings from Summer 2019 bushfires emergency relief centre activations, a learning and development module was created for staff engaging with people with communication difficulties. A joint project between council and Scope, the training will be available to council staff who work in relief centres and other direct customer contact roles as well as being available to other agencies and groups outside council.

Protecting water tanks

Emergency information regarding protecting water tanks from fire debris was developed after the Summer 2019 bushfires and is now being widely promoted as we commence the current bushfire season. Information has been taken up by many community newsletters and promoted by many community groups as well as included in the Country Fire Authority door knock information pack.

Relief centre staff training

Emergency relief centre staff training in personal support was conducted in November by Victorian Council of Churches Emergency Ministry.

Emergency exercise at the RAAF base

The Municipal Fire Prevention Officer attended an emergency exercise at the RAAF base on 27 November 2019 to support RAAF efforts to integrate with civilian emergency management arrangements.

Fire hazard inspection program

For our private property fire hazard inspection program, we are using our emergency management business system Crisisworks' Fire Inspection module for the first time, providing greater visibility, accuracy and efficiency in the annual process of inspecting private properties and issuing fire prevention notices to increase community fire safety over the bushfire season.

Macalister Irrigation District brochure

The Macalister Irrigation District (MID) Brochure promoting modernisation and regional competitive strengths was distributed at the Annual General Meeting for Dairy Australia with 150 industry experts attending.

Weather report from Tarra Bulga

Channel Nine weather reporter Livinia Nixon reported live from Tarra Bulga National Park and Toms Cap Winery.

Maffra Structure Plan

Mesh consultants have recently been appointed to prepare a Structure Plan to guide the future growth of Maffra, with the project to commence in early 2020 (alongside related drainage/flooding investigations to be undertaken).

TAC Funding

Funding offer for \$97,000 was accepted from Transport Accident Commission (TAC) Local Government Grants Program for Seaspray Vulnerable Road Users Treatments.

Macarthur-Market Street roundabout

Risk Based Cost Estimate and Community Engagement Report was submitted to Regional Roads Victoria seeking funding for the installation of a roundabout at the intersection of Macarthur Street and Market Street. Project will reduce traffic speed through the intersection and separate vulnerable road users from vehicles at this location.



NOVEMBER 2019

FINANCE SUMMARY

INCORPORATED IN PERFORMANCE REPORT

OPERATING RESULT
For the period ending 30 November 2019

	YEAR TO DATE			FULL YEAR 2019-20		
	Actual	Adopted Budget	Variance	Forecast *	Adopted Budget	Variance
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's
Income						
Rates and charges	63,082	62,658	404	63,780	63,780	-
Statutory fees & fines	332	338	(6)	882	882	-
User fees	2,713	2,465	248	7,387	7,387	-
Grants - operating	3,937	7,641	(3,704)	8,742	16,042	(7,300)
Contributions - monetary	81	31	50	233	191	42
Other income	1,329	1,377	(48)	2,772	2,772	-
Total Income	71,454	74,510	(3,056)	83,796	91,054	(7,258)
Expenditure						
Employee costs	10,481	10,950	469	28,103	27,766	(337)
Contractors, materials and services	11,964	13,070	1,106	36,629	35,926	(703)
Bad and doubtful debts	-	-	-	92	92	-
Depreciation and amortisation	8,964	8,712	(252)	24,776	24,776	-
Borrowing costs	157	158	1	243	243	-
Other expenses	216	297	81	734	734	-
Total Expenditure	31,782	33,187	1,405	90,577	89,537	(1,040)
OPERATING RESULT	39,672	41,323	(1,651)	(6,781)	1,517	(8,298)
Grants - capital recurrent	-	-	-	2,150	2,150	-
Grants - capital non recurrent	275	1,441	(1,166)	6,057	5,994	63
Contributions - monetary - capital	4	185	(181)	344	425	(81)
Contributions - non monetary	390	-	390	-	-	-
Recognition of assets	147	-	147	-	-	-
Assets written off	(146)	-	(146)	-	-	-
Net gain/loss on disposal of property, infrastructure, plant & equipment	110	45	65	(876)	(908)	30
Other Income - capital	-	-	-	179	179	-
Surplus/(Deficit)	40,452	42,994	(2,542)	1,073	9,359	(8,286)

* The forecast figures reflect any known changes that have arisen since the adoption of the original budget. Including these changes in a forecast budget sense enables Council to more accurately monitor financial performance during the year and predict the end of year position.

A summary of major operating variances that have occurred to date include:

Operating Income

• \$0.40 million

Additional supplementary rates struck since 2019/20 budget adoption.

• \$0.25 million

Income received from registrations and other permits has been higher than anticipated. User fees raised from Council leisure facilities and "The Wedge" were higher than expected but partly reduced by lower Gippsland Regional Livestock Exchange income. Waste management services income was slightly greater than budgeted due to increased volume of waste processed through landfills.

• (\$3.70 million)

Operating grant variance primarily relates to the receipt of 50% of the budgeted Victoria Grant Commission allocation for 19/20 in the prior year.

Operating Expenditure

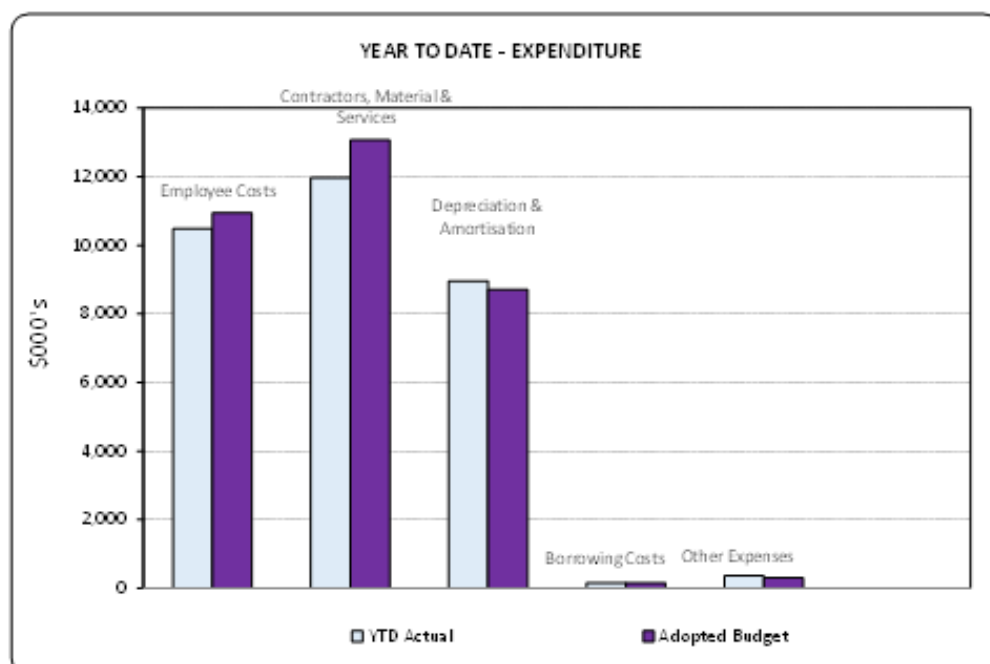
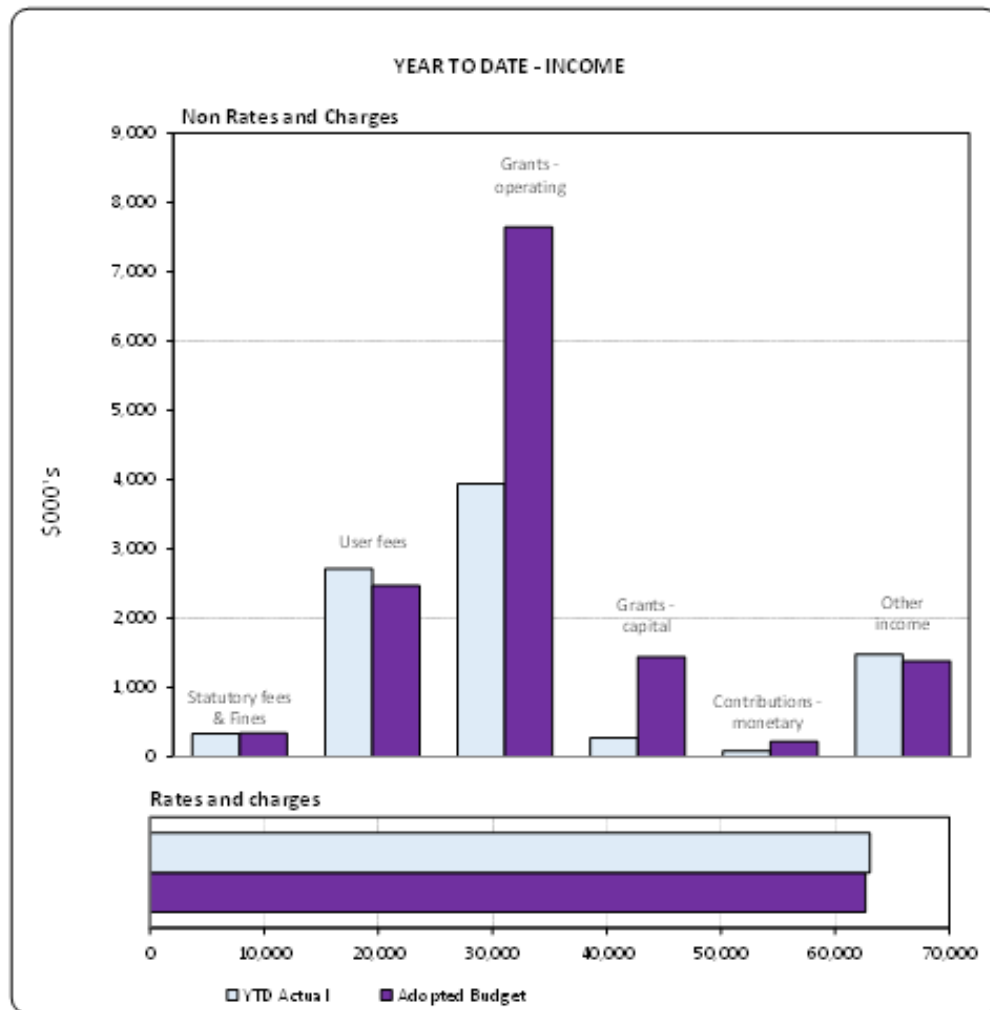
- \$0.47 million
Employee benefits are lower than budgeted mainly due to \$304k savings in 2019/20 WorkCover premium expenses, \$431k savings due to vacancies and leave, offset by (\$92k) of oncosts and (\$176k) of casual salaries to cover vacancies and leave.
- \$1.11 million
Contractors, materials and services variance includes:
 - a. \$569k - The L to P project agreement and reporting requirements to finalise health services contributions are now finalised, with payments expected to be completed in December 2019.
 - b. \$318k - Expenditure associated with software maintenance for major IT corporate systems.
 - c. \$146k - Maintenance and utilities for parks, community facilities, and operational facilities which has not been required to date.

A summary of major capital variances that have occurred to date include:

Capital Income

- (\$1.17 million)
Delays in the commencement of a number of community facilities project such as Pine Lodge - Tennis Court Resurface (\$0.2M) and Briagolong Recreation Reserve - Pavilion (\$0.3M) has impacted on the timing of expected grant funding. Budgeted funding of \$0.8M for upgrades will either be paid directly to the hall committees (\$0.4M) or removed due to unsuccessful application (\$0.4M). This is offset by the receipt of funds for the E-Waste Sheds (\$0.3M) and drought support (\$0.1M) final claims.
- \$0.39 million
Donations and asset contributions (non monetary) associated with new subdivisions have been recognised.

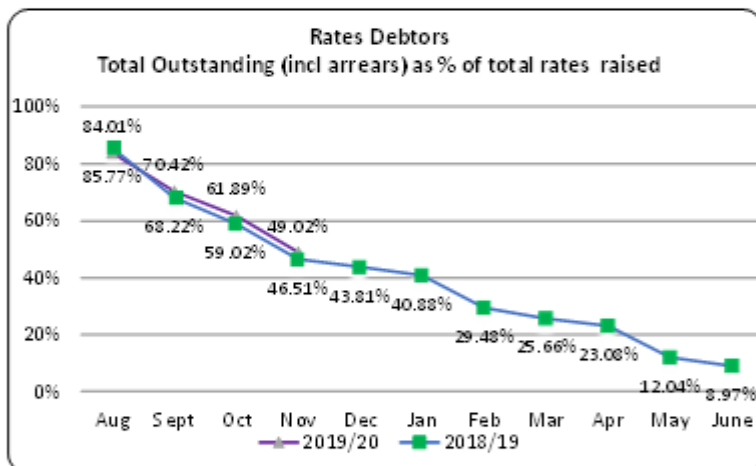
NOVEMBER 2019 COMPONENTS AT A GLANCE



BALANCE SHEET

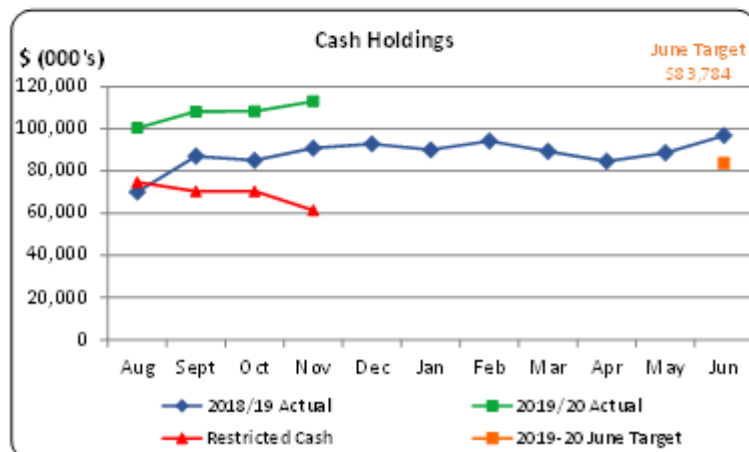
As at 30 November 2019

Actual		Actual	Forecast	Adopted Budget
November 18		November 19	June 20	June 20
\$000's		\$000's	\$000's	\$000's
Assets				
127,552	Total Current Assets	147,456	89,696	83,951
894,591	Total Non Current Assets	881,738	903,134	923,241
1,022,142	Total Assets	1,029,194	992,830	1,007,192
Liabilities				
9,414	Total Current Liabilities	19,708	23,000	19,076
24,467	Total Non Current Liabilities	19,014	22,022	21,370
33,881	Total Liabilities	38,722	45,022	40,446
988,261	Net Assets	990,472	947,808	966,746



The rate debtors outstanding at the end of November 2019 were \$33.9 million (49.0%) compared to November 2018 of \$31.7 million (46.5%).

The second rate instalment was due 30 November 2019.



Council cash holdings at the end of November 2019 are \$113.0 million and higher than November 2018 of \$90.8 million due to advance funds and lower than expected expenditure.

The current cash holdings includes restricted funds of \$11.1 million to cover reserves, \$36.0 million to cover provisions and trusts, and approximately \$14.3 million associated with the operating and capital carried forwards. During November 2019 Council repaid \$6 million interest only loan.

The balance is generally working capital for ongoing operations.

Restricted cash is money that is reserved for specific purposes and therefore not available for general business use.

CAPITAL EXPENDITURE PROGRAM

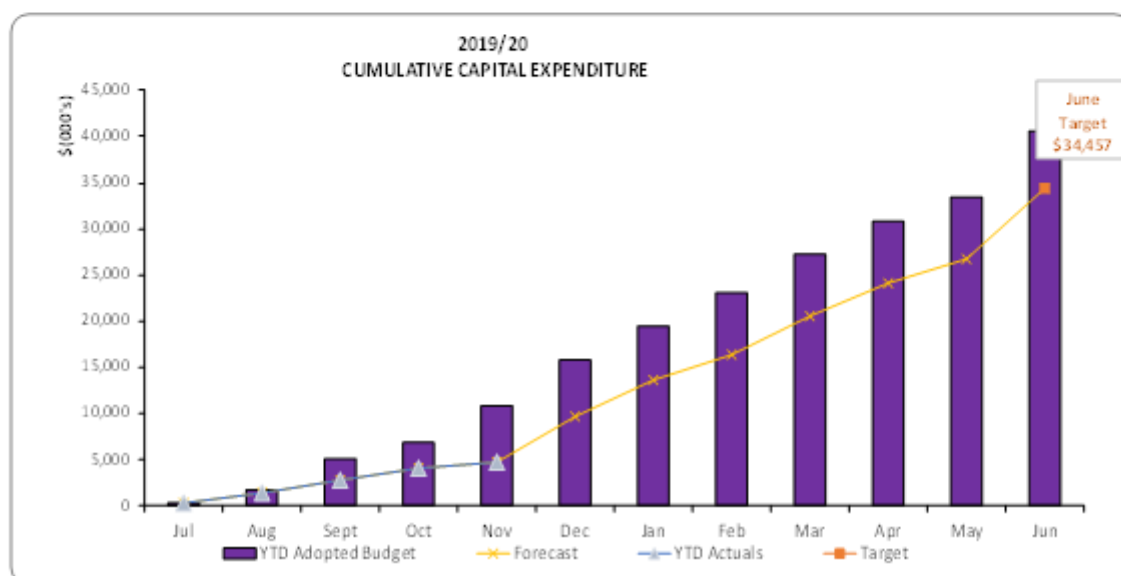
For the period ending 30 November 2019

	YEAR TO DATE 2019-20			FULL YEAR 2018-19		
	Actual \$000's	Adopted Budget \$000's	Variance \$000's	Forecast \$000's	Adopted Budget \$000's	Variance to Adopted \$000's
Property	1,158	2,572	1,414	7,921	11,224	3,303
Infrastructure	3,459	6,197	2,738	23,615	25,841	2,226
Plant and Equipment	936	1,992	1,056	2,821	2,742	(79)
Intangibles	5	75	70	100	682	582
Grand Total	5,558	10,836	5,278	34,457	40,489	6,032

	YEAR TO DATE 2019-20			FULL YEAR 2018-19		
	Actual \$000's	Adopted Budget \$000's	Variance \$000's	Forecast \$000's	Adopted Budget \$000's	Variance to Adopted \$000's
Renewal	2,840	6,815	3,975	21,492	24,704	3,212
Upgrade	1,864	2,970	1,106	8,274	8,144	(130)
Expansion	486	726	240	3,703	6,473	2,770
New Assets	368	325	(43)	988	1,168	180
Grand Total	5,558	10,836	5,278	34,457	40,489	6,032

Capital Works Summary - for the period ending 30 November 2019

- 70 projects are in pre-planning (development of the concept design, the detail design, community consultation and seeking quotes or tenders). Many of the projects in the pre-planning stage have either been advertised for tender during November 2019 or are planned to be advertised in December 2019. This includes Sale Historical Society Museum, Port Albert Mechanics Institute, Barkly St Drainage and Heyfield/Maffra Pool Rainwater Tanks.
- Overall 31 projects are at practical completion, 35 more projects are underway and 17 project have had contracts awarded but not yet commenced.
- Works are progressing to schedule at the Cameron Sporting Complex with all concrete slabs poured and steel work and framing having commenced.
- Staceys Bridge project has been completed.
- The annual resal program continued in November 2019 and is now approximately 40% complete.
- Contracts were awarded for the following projects in November 2019; Lanes Road Alberton Renewal, Footpath Renewals, Asphalt Urban streets, Beverleys Road Safety Upgrade and Major Culvert Renewals.





C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 17 DECEMBER 2019

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 27 November 2019 to 11 December 2019.

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

That Council note and receive the attached Assembly of Councillor records for the period 27 November 2019 to 11 December 2019.

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.

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 27 November 2019 to 11 December 2019.

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 – 2 December 2019

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
Art Galley Advisory Group	Name	Attendance (Yes / No)	Name	Attendance (Yes / No)	
	Cr Bye	No	Cr Ripper	No	N/A
	Cr Crossley	No	Cr Rossetti	Yes	N/A
	Cr Hall	No	Cr Stephens	No	N/A
	Cr Hole	No	David Morcom, CEO	No	N/A
	Cr McCubbin	No	Arthur Skipitaris, GM Corporate Services	No	N/A
	Cr Maher	No	Sharon Houlihan, GM Community & Culture	No	N/A
	Chris Hastie, GM Built & Natural Environment	No	John Websdale, GM Development	No	N/A
	Stephen Dempsey, Manager Arts & Culture	Yes	Simon Gregg, Director Gippsland Art Gallery	Yes	N/A
	MATTERS/ITEMS CONSIDERED AT THE MEETING				
	1. Proposed art acquisitions				
	2. Planning and monitoring of programs				
	3. Expansion and encouragement of volunteer program				
	4. Cultural and artistic matters relating to Gallery and other services of Council				
	5. Friends of the Gallery report				
	6. Director's Report				

ASSEMBLY OF COUNCILLORS – 3 December 2019

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
IT / Diary Meeting	Name	Attendance (Yes / No)	Name	Attendance (Yes / No)	
	Cr Bye	Yes	Cr Ripper	Yes	N/A
	Cr Crossley	Yes	Cr Rossetti (<i>leave</i>)	No	N/A
	Cr Hall	Yes	Cr Stephens	Yes	N/A
	Cr Hole	Yes	David Morcom, CEO	Yes	N/A
	Cr McCubbin	Yes	Leah Carubia, EA CEO	Yes	N/A
	Cr Maher	Yes	Damian Norkus, ICT Operations Officer	Yes	N/A
MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
Workshops	Name	Attendance (Yes / No)	Name	Attendance (Yes / No)	
	Cr Bye	Yes	Cr Rossetti (<i>leave</i>)	No	N/A
	Cr Crossley	Yes	Cr Stephens	Yes	N/A
	Cr Hall	Yes	David Morcom, CEO	Yes	N/A
	Cr Hole	Yes	Arthur Skipitaris, GM Corporate Services	Yes	N/A
	Cr McCubbin	Yes	Sharon Houlihan, GM Community & Culture	Yes	N/A
	Cr Maher	Yes	Chris Hastie, GM Built & Natural Environment	Yes	N/A
	Cr Ripper	Yes	John Websdale, GM Development	Yes	N/A

Workshops (cont.)	MATTERS/ITEMS CONSIDERED AT THE MEETING	OTHERS IN ATTENDANCE (NAME AND POSITION)
	Brief Updates	- Melbourne Cup relocation – Sharon Houlihan - Petition: request for off-road bike path from Sale to Maffra – Ashley Smirl, Daniel Gall - Yarram Outdoor Pool – TBC <i>Conflicts of Interest: Nil</i>
	1. Domestic Animal Management (DAM) Plan annual review	- Vanessa Ebsworth, Manager Municipal Services - Peter Thompson, Coordinator Local Laws - John Websdale, General Manager Development <i>Conflicts of Interest: Nil</i>
	2. Council's Roles and Responsibilities in Emergency Management	Mike McStephen, Coordinator Emergency Management <i>Conflicts of Interest: Nil</i>
	3. GB Energy Update - Golden Beach Gas Production and Storage	- Sean Dunn, Regulatory & HSE Manager (external) - Iain McCoy, Senior Communications Consultant (external) - Josh Clydesdale, Manager Land Use Planning - John Websdale, General Manager Development <i>Conflicts of Interest: Nil</i>
	4. Sale Police	- Ally Howard, Acting Inspector - Scott Brennan, Former Police Inspector <i>Conflicts of Interest: Nil</i>
	5. Rail Projects Victoria – Avon River Rail Crossing, Stratford	Rail Projects Victoria (external) <i>Conflicts of Interest: Nil</i>
	6. Temple Street Council Building	John Websdale, General Manager Development <i>Conflicts of Interest: Nil</i>
	7. Forestry Plan briefing	Karen Cain, Latrobe Valley Authority (external) <i>Conflicts of Interest: Nil</i>

ASSEMBLY OF COUNCILLORS – 10 December 2019

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
SLUPP	Name	Attendance (Yes / No)	Name	Attendance (Yes / No)	
	Cr Bye	Yes	Cr Ripper	No	N/A
	Cr Crossley	No	Cr Rossetti	No	N/A
	Cr Hall	No	Cr Stephens	No	N/A
	Cr Hole	No	David Morcom, CEO	No	N/A
	Cr McCubbin	Yes	Arthur Skipitaris, GM Corporate Services	No	N/A
	Cr Maher	Yes	Sharon Houlihan, GM Community & Culture	No	N/A
	Chris Hastie, GM Built & Natural Environment	Yes	John Websdale, GM Development	No	N/A
	Daniel Gall, Acting Manager Business Development	Yes	Josh Clydesdale, Manager Land Use Planning	Yes	N/A
	Ben Proctor, Strategic Planner	Yes	Caragh Button, Strategic Planner	Yes	N/A
	Barry Hearsey, Coordinator Strategic Planning	Yes	Sam Pye, Coordinator Infrastructure Development	Yes	N/A
	MATTERS/ITEMS CONSIDERED AT THE MEETING				
	1. SLUPP Agenda – 10 December 2019				

ITEM C2.2**ADOPTION OF COUNCIL POLICY MANUAL 2020**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 3 DECEMBER 2019

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

OBJECTIVE

To adopt the updated 2020 Council Policy Manual as attached.

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

That Council revoke the existing 2019 Council Policy Manual and replace it with the updated 2020 Council Policy Manual as attached.

BACKGROUND

Council maintains a Policy Manual which contains policies formally adopted by Council.

Periodically, policies are reviewed and modified where necessary, and the Policy Manual is updated to reflect these changes (refer key amendments highlighted in yellow). Also, as new policies are developed, they are included in the Policy Manual and obsolete policies removed from the Policy Manual.

The complete Policy Manual is reviewed annually and presented to Council for consideration.

OPTIONS

The following options are available to Council:

1. Adopt the revised 2020 Council Policy Manual as attached; or
2. Adopt the revised 2020 Council Policy Manual with additional amendments; or
3. Request further review of the 2019 Council Policy Manual for consideration at a future meeting of Council.

PROPOSAL

That Council revoke the existing 2019 Council Policy Manual and replace it with the updated 2020 Council Policy Manual 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

Under section 186A of the *Local Government Act 1989*, Council must review the Procurement Policy at least once in each financial year. The requirement to maintain policies is also included within the spirit of other parts of the *Local Government Act 1989* which empower Councils to make policies.

The Human Rights Charter Checklist has been completed as a result of updating the policies contained in the Council Policy Manual. Reference to human rights considerations and/or implications has been incorporated into each policy as follows:

“Wellington Shire Council is committed to upholding the Human Rights Principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and the proposed policy is in accordance with Council's policy commitment to uphold Human Rights Principles.”

The review and consideration of Council's Policy Manual meets these legislative requirements.

COUNCIL POLICY IMPACT

The 2020 Council Policy Manual is attached.

COUNCIL PLAN IMPACT

The Council Plan 2017–21 Theme 6; 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.

ENGAGEMENT

Throughout this review process all Managers have revised and updated their assigned policies as necessary.



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

COUNCIL POLICY MANUAL 2020

Adopted 17 December 2019

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1. CEO UNIT

COUNCILLOR ENTITLEMENTS AND ADMINISTRATION

Policy Number:	1.1
Approved by	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Documents:	Councillor Expense Claim Form Councillor Travel Expense Claim Form
Applicable to Unit(s):	Chief Executive Officer
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Local Government Act 1989</i> ; Relevant Orders in Council

OVERVIEW

The objective of this policy is to define and establish the administrative support, resources and facilities to be provided to Councillors and the entitlements for Councillors to have necessary out-of-pocket expenses incurred while performing their civic, statutory and policy-making duties as a Councillor either reimbursed or paid direct by Council.

Section 75B of the *Local Government Act 1989* ('the Act') provides that a Council must adopt and maintain a policy in relation to reimbursement of expenses of Councillors. This policy has been adopted to provide an overview of how the Councillors are provided assistance and support, as well as appropriate resourcing and facilities to ensure that they can effectively carry out their roles, responsibilities, duties and powers.

Councillors are elected as the representatives of residents and ratepayers, to govern the Shire of Wellington in accordance with the *Local Government Act 1989*. To assist them to perform their role and responsibilities as Councillors they will be provided with administrative support, resources and facilities and be reimbursed for the expenses specified in this policy incurred in carrying out their official Council duties.

This policy provides direction on the provision of specific equipment, services, consumables, financial assistance and reimbursement which the Council will provide to the Mayor and Councillors in carrying out their duties. It cannot prescribe for every possible situation that may arise and makes no attempt to do so. Where a situation is not adequately covered by this policy, the test of a "necessary expense" will be whether it was incurred as a consequence of undertaking duties associated with an individual's elected role. Where this test is satisfied and a Councillor has incurred an expense, this will be reimbursed by the Council.

The Council recognises that any expenses reimbursed should not be excessive and must be related to the actual performance of an individual's civic, statutory and policy making duties.

Legislative Framework

Section 74(1) of the *Local Government Act 1989* (the Act) provides for payment of annual allowances to Mayors and Councillors. These are fixed by Orders in Council which are published from time to time in the Government Gazette. Allowances are taxable income and are paid monthly in advance. Personal taxation implications are the responsibility of individual Councillors. Council is required to increase allowances in accordance with any adjustment factor as prescribed by Orders

in Council.

If a Councillor is appointed to act as Mayor under section 73(3) for a continuous period exceeding 50 days, the acting Mayor may be paid a Mayoral allowance instead of a Councillor allowance for the period that he or she is acting as Mayor.

A Council must pay a Councillor allowance or Mayoral allowance as specified in the most recent of:

- (a) The relevant Order in Council made under section 74B; or
- (b) A Minister's notice published under section 73A, 73B or 74C.

A Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance.

A person is only entitled to receive an allowance while he or she holds the office in respect of which the allowance is payable.

A person elected to be a Councillor is entitled to receive a Councillor allowance from the date the person takes the oath of office under section 63 of the Act.

A Councillor elected to be Mayor is entitled to receive a Mayoral allowance from the date he or she is elected under section 71 of the Act.

There is no provision for a separate allowance for or legislative recognition in the *Local Government Act 1989* of the position of Deputy Mayor.

The Victorian Government views Councillor allowances 'not as a form of salary, but as some recognition of the contributions made by those elected to voluntary, part time roles in the community'. They are in addition to reimbursements for approved expenses and other support.

Section 75A of the Act provides for the reimbursement of "necessary out-of-pocket expenses incurred" by Councillors while performing their duties as a Councillor.

Definition of "Council Duties"

For the purpose of this Policy, "Council Duties" is the business of the Council, not of a Councillor.

Section 75(2) refers to the duties as a Councillor means duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.

Claims may be submitted by Councillors for expenses under this Policy when performing Council Duties. To this extent, Council duties are defined as the following:

- Meetings of the Council or its Committees;
- Meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council;
- Meetings of community groups, organisations and statutory authorities to which a Councillor has been appointed as Council representative or is authorised by Council;
- A meeting, function or other official role as a representative of the Mayor or the Council;
- Other meetings, inspections or events attended by a Councillor in an official capacity;
- Conferences, seminars, events and professional development being undertaken by a Councillor.

As a general rule, it is expected that the Mayor or his/her representative will attend functions or events to represent the Council. On occasions where more than one representative is invited to attend a function or event; reimbursement will be payable provided such attendance by multiple representatives has been endorsed at a preceding Councillor Diary Meeting. In the event that it is not practicable to wait until the next diary meeting endorsement may be sought via email request to which the majority of Councillors have responded in the positive.

The basic test to be applied to determine whether or not an expense is lawfully incurred is whether the expense is related to a clear business need because it is either supplemental to, incidental to, or consequent on the exercise of Council duties.

Where these criteria are satisfied and a Councillor has incurred an out-of-pocket expense, the expense will be paid or reimbursed by the Council.

Note: For all Council business that falls outside the above criteria; a request will need to be submitted on a Councillor Expense Claim Form at the earliest available Councillor Diary Meeting, for consideration and approval by Council. If approved, this then becomes a *Council* duty as opposed to a *Councillor* duty.

Note: Where attendance is agreed to, the Councillor is expected to attend or to nominate a substitute if he/she becomes unable to attend.

ALLOWANCES

Claims are to be submitted where possible but not less than quarterly (by end June, September, December and March). All outstanding claims for the June quarter must be received by no later than ten business days after the end of the financial year. Any claims submitted later than three months after the expense was incurred will not be considered for payment.

Where out of pocket expenses arise as a result of a Councillor being appointed by the Council to an external body, Councillors are requested to seek reimbursement of necessary out of pocket expenses from the governing body rather than Council.

Councillor Allowance

Councillor allowance paid as per section 74 of the Act is not a "salary" or payment for time spent performing Council duties. It is an entitlement due to a Mayor or Councillor (payable monthly in advance) on the basis that they hold the office in respect of which the allowance is payable.

Councillor allowances will be paid at the highest point within the range prescribed for Council, currently Category 2, plus the amount equivalent to the Superannuation Guarantee (currently 9.5%) where applicable.

Allowance reviews are required to take place within the period of six months of a General Election or by the next 30 June, whichever is later. The allowance level determined remains in effect until the time of the next election.

Statement of Allowances

In July annually, Councillors will be provided with a summary statement of allowances paid to them in the previous financial year.

Remote Area Allowance

Where a Councillor (including a Mayor) normally resides more than 50 kilometers by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council or any municipal or community functions, he or she shall be entitled to:

- Be paid an additional allowance of \$40.00 per day, up to a maximum of \$5,000 per annum.

The Remote Area Travel Allowance is classified as Travel Allowance in the Annual Report.

In addition to the conditions set down in the Guidelines, Councillors attending ANZAC Day and Australia Day events on behalf of Council shall be entitled to claim Remote Area Allowance.

For further information, refer to: [Remote Area Allowance Guidelines](#)

To complete a claim, refer to: [Remote Area Allowance Claim Form](#)

REIMBURSEMENTS

Councillor out-of-pocket expenses are reimbursable as per section 75 of the Act. Out-of-pocket expenses are lawfully incurred only when performing Council Duties (as defined under "Definition of Council Duties" in this Policy).

Expenses Reimbursed

Reimbursement for out-of-pocket expenses may include payment for:

- Attendance at functions;
- Travel;
- Professional Development;
- Use of Communication Technology and Equipment;
- Dependent Care;
- Meals.

Submission of a claim for reimbursement

All claims are to be submitted on the prescribed form, authorised by CEO Executive Assistant and forwarded to the Finance Unit for processing and payment.

Councillors must ensure that any expense details the following information:

- Number of attendees;
- A clear business reason for claim;
- Parties benefitting from the expense.

All claims should be accompanied by fully accredited receipts / tax invoices for any expenses claimed. If receipts cannot be produced, Councillors may be required to provide a statutory declaration.

All claims must include sufficient detail to demonstrate, in accordance with the Act, that the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense while serving a clear business need and incurred while performing the duties of a Councillor.

NOTE: Supporting evidentiary documentation will be required for all Councillor expense reimbursements and payments.

Excluded Reimbursements

The following expenses cannot be funded or reimbursed by Council:

- Any expense arising from a breach of road, traffic, parking or other regulations or laws;
- Stationery, furniture or equipment additional to that provided for in this policy;
- Damage to or loss of personal possessions;
- Expenses for a partner which are not expressly provided for within this policy;
- Donations, tips or gratuities, gifts, the purchase of raffle tickets, or tickets or entry fees to events, unless attending on behalf of Council;
- Hotel mini bar, inhouse entertainment, room services or similar;
- Alcohol;
- Reading material and personal consumption items such as confectionery, snacks and drinks;
- Expenses incurred by third parties;
- Expenses claimed as a tax deduction; and
- Expenses which are fully or partly recoverable from a third party.

NOTE: Where out-of-pocket expenses arise as a result of a Councillor being appointed by the Council to an external body, Councillors are requested to seek reimbursement of necessary out-of-pocket expenses from the governing body rather than Council.

Payment of allowances and expenses will be paid by Councils Accounts Payable into a nominated bank account.

To ensure transparency and accountability in the payment and reimbursement of expenses to the Mayor and Councillors, a report will be submitted to the remuneration committee and Councils Audit and Risk Committee. These reports will then be presented to Council for consideration and adoption.

To complete a claim, refer to: [Councillor Travel Expense Claim Form](#)

Attendance at Functions

From time to time, all Councillors (and often their partners) are invited to social functions which require the payment of an attendance charge. It is usual for the Mayor to represent the Council at these functions with the cost of the Mayor's attendance (including the Mayor's partner, when invited) being met by the Council. Individual Councillors have the option of attending at their own cost. If another Councillor is requested to attend on behalf of the Mayor, attendance costs will also be met by the Council.

TRAVEL

Mayoral Vehicle

The Mayor will be provided with a motor vehicle which is fully maintained by Council for official and personal use during the Mayoral term. The motor vehicle is fully maintained to the standard specified in Council's Motor Vehicle Policy which outlines safety and environmental requirements.

A fuel card is provided as part of the Mayoral vehicle package.

If the Mayor of the day elects to use his/her own car, the following will apply:

- The Mayor is responsible for all maintenance of their vehicle;
- A fuel card will be assigned to and provided for their vehicle only;
- The Mayor is responsible for insuring their own vehicle, and it is encouraged that their insurer is advised that their vehicle is being used for business purposes;
- Council will not be responsible for any damage, loss or breakdown that occurs whilst private vehicles are being used for Council purposes;
- Council will not cover or contribute to any insurance excess that may be payable; and
- Council will not be responsible for an infringement notices incurred for road, traffic or parking violations whilst private vehicles are being used for Council purposes or otherwise.

Use of Private Vehicles by Councillors

Councillors are encouraged to consider whether it is appropriate to use their private vehicle and to consider carpooling and public transport before deciding to use their private vehicles to carry out official duties such as attending meetings, conferences, seminars or inspections outside of the municipality to which the Councillor has been appointed as a representative of the Council.

Access to a Council Pool Vehicle

Where requested a Council fleet vehicle may be provided, subject to availability, for Councillors to perform their duties.

Use of a Council vehicle must be in accordance with relevant Council policies including the Driver's Logbook.

Fleet vehicle bookings can be made via the CEO Executive Assistant.

Tolls

While travelling on Council business in metropolitan Melbourne, Councillors may incur tolls including those associated with the use of CityLink or EastLink. Councillors may seek reimbursements of costs associated with tolls including the use of CityLink or EastLink passes or those transaction incurred as part of existing personal e-tags accounts.

Claims must be accompanied by copies of receipts or accounts detailing the individual transactions.

Car Parking

Car parking fees incurred while conducting Council business will be reimbursed on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function. Carpooling is encouraged when a number of Councillors are attending the same meeting. It is recommended that Councillors seek lowest cost options when choosing paid parking facilities.

Infringement Notices

A Councillor will not be reimbursed the cost of any infringement incurred for road, traffic or parking violations.

Myki Card

Council will make available to councilors a Myki card for travel via public transport to and from their Councillor related duties.

When Councillors use their personal Myki card, Council will reimburse the associated cost of travel in line with appropriate receipt documentation.

In addition to the duties specified under "Definition of Council Duties" in this Policy, the Council will reimburse Councillors upon request for travel expenses incurred to attend:

- A meeting, function or any other official role, as either a representative of the Council or the Mayor in the Mayor's absence; and
- A meeting of any organisation or deputation to which the Councillor has been appointed as the Council's representative, or where a Councillor is deputising for the Mayor.

Reimbursement will be:

- For travel by car, reimbursement at the Motor Car Allowance rate determined by the current RACV Vehicle Expense rate for tax deduction purposes;
- For travel by public transport, the fare will be reimbursed upon production of receipt/ticket.

Note: Where practical, travel must be undertaken by the shortest route possible.

For accuracy, all reimbursements regarding mileage will be referenced back to Councillor's Diary and the distance claimed against appropriate mapping software / tool.

For further information and to claim, refer to: [Councillor Travel Expense Claim Form](#)

Interstate and International Travelling

Requests for attendance at interstate and overseas events must be accompanied by a business case, describing the benefits to be gained from attendance and detailing the total costs and Council funds requested at the closest diary meeting to the expected date of travel; within three months of their attendance at an interstate or overseas event, a Councillor must table a report at a Council meeting, detailing the following:

- Details of the event topic, content, location, date and duration;
- Relevance of the event to Council's business and the Councillor's personal development needs;
- Benefits accruing to the Council from attendance; and
- Where two or more Councillors attend an event for which the tabling of a report is required, the Councillors may table a joint report.

Where a Councillor elects to have their partner accompany them to an event, all expenses relating to the partner's attendance will be met by the Councillor.

Professional Development

Councillors will invariably opt to undertake professional development to improve their knowledge and ensure they are properly informed on issues of importance to the community. To assist in this education process, the policy encourages Councillors to undertake appropriate professional development (conferences, seminars, workshops and training sessions) that may be of benefit to the individual Councillor and Council as a whole.

In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which includes:

- *Local Government Act 1989*;
- Conflict of Interest;
- Dispute Resolution;
- Fraud and Corruption Awareness training;
- Responsibilities of Councillors; and
- Councillor Code of Conduct.

Councillors undertaking professional development shall have expenses for transport, accommodation, registration fees, meals and refreshments (excluding purchases of alcohol) relating to their attendance paid by Council, as follows:

- The Council may approve expenses of up to \$2000 per financial year per Councillor, for conferences / events within Australia;
- Councillors attending conferences, seminars and other special functions are generally expected to provide a brief written or oral summary to the next formal Council Meeting. The summary should outline the benefits of the conference to themselves personally, to Council operations and the Council Plan as applicable;
- The Council must approve all requests for events outside Australia, or for which a Councillor's individual \$2000 limit will be exceeded, either at a Council meeting or through inclusion in an adopted budget.

Dependent Care Expenses

Councillors incurring bona fide Dependent Care expenses paid to a recognised provider will be reimbursed expenses when the Dependent Care is necessary in order to allow the Councillor to perform Council duties (as defined under "Definition of Council Duties" in this Policy).

Dependent Care includes childcare, specific home care and any other support provided in the case of a dependent.

Where the care relates to dependent adults, the Chief Executive Officer must be satisfied that the expense is warranted.

Meals

Meals (generally lunch and dinner) shall generally be provided to Councillors where meetings are scheduled during mealtimes. Alcohol will not be provided by the Council however Councillors are able to purchase/bring their own alcohol at their own cost.

Councillors with Disabilities

The Council may resolve to meet reasonable additional expenses to assist a Councillor with a disability to perform his/her official Council duties.

Other Expenses

Expenses not specifically addressed in this Policy as expenditure for which a Councillor is entitled to be reimbursed or paid, may be referred to the Remuneration Committee for consideration as a "necessary expense". Where the Committee considers the expense to be legitimately incurred in the performance of Council duties, a proposal will be minuted and report provided at the next

Council meeting recommending reimbursement.

Insurance

Councillors are covered under the following Council insurance policies on a 24-hour basis while discharging the duties of office of Councillor including attendance at meetings of external bodies as Council's representative.

The following insurances apply:

- Public Liability and Professional Indemnity;
- Councillors and Officers Liability;
- Personal Accident;
- Motor Vehicle (Council vehicles only);
- Workers Compensation.

RESOURCES, FACILITIES AND SUPPORT

Protective Clothing

Where requested, Council will lend the Councillors protective clothing required to assist in carrying out duties of office. This clothing must be returned promptly upon the completion of the duty.

- Hard hats;
- Reflective vests.

Equipment

The demands made upon a Councillor's time can be significant and Council business can be conducted more efficiently if Councillors are provided home access to appropriate facilities and equipment. This access is provided subject to:

- The facilities and equipment being used predominantly for the transaction of Council business (minimal non-Council use of equipment such as computers, that has no direct cost for Council, is allowable);
- The facilities and equipment are not to be used for electioneering purposes;
- Councillors must ensure the integrity and configuration of equipment provided is maintained at all times;
- Personal use which can be separately costed (e.g. personal calls from a mobile phone) will be met from the Councillor Allowance;
- Councillors must ensure the protection and safe keeping of all equipment issued;
- All equipment and stationery issued shall remain the property of Council.

Telecommunications

Councillors will be provided with a personal computer, printer (incorporating the capability to scan, copy and fax (if required)), and a "smart phone" or equivalent with email access. All connection fees, rental fees and call charges relating to Council business will be met by the Council. Consumables associated with the equipment (e.g. printer toner (if required)) will be provided by the Council.

Councillors must meet the cost of electricity and reimburse the Council for all personal calls on mobile telephones.

Phone calls relating to Council business made from private home phones shall be reimbursed upon presentation of records to support this.

All equipment remains the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement / resignation of the Councillor.

Stationery

Councillors will be provided with name tags, business cards and basic stationery needs as required.

Security Access

Each Councillor will be provided with a security access swipe card authorising 24 hour access and a parking sticker authorising use within the appropriate permit area.

All security access swipe cards remain the property of the Council and must be returned at the end of a Councillor's term of office or upon retirement / resignation of the Councillor.

Other Expenses

Expenses not specifically addressed in this Policy as expenditure for which a Councillor is entitled to be reimbursed or paid, may be referred to the Remuneration Committee for consideration as a "necessary expense". Where the Committee considers the expense to be legitimately incurred in the performance of Council duties, a proposal will be minuted and report provided at the next Council meeting recommending reimbursement.

Any expenditure not specified above as expenditure for which a Councillor is entitled to be paid or reimbursed by Council shall be the responsibility of the Councillor.

Other Resources

- A Council officer nominated by the Chief Executive Officer will be made available to assist the Mayor and Councillors
- Protective clothing on loan, where required to assist in carrying out a Councillors duties, such as reflective vests are to be promptly returned on completion of the duty;
- A library of reference materials (including electronic) relating to Council policies and practices, policy matters of Local Government significance in Victoria and nationally, and any other materials that may be expedient in supporting Councillors in their work.

Councillor's Welfare

Councillors may approach the Chief Executive Officer with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor.

Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor, are able to seek counselling on a confidential basis through Converge International. This service can be contacted on 1800 337 068. Normally, up to three sessions are provided, however, further sessions can be arranged on an as needed basis.

REVIEW AND REPORTING

Reimbursement of Councillor expenses will be reviewed on a regular basis by the Remuneration Committee and reported to the Council.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Provision of Motor Vehicles for Councillors Remote Area Allowance Guideline Councillor
Strategy	Nil

PROVISION OF MOTOR VEHICLES FOR COUNCILLORS

Policy Number:	1.2
Approved by:	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Councillor Entitlements and Administration Fleet Management Guidelines
Applicable to Unit(s):	Councillors
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

To establish policy for the provision of motor vehicles for Councillors.

THE POLICY

This document details Wellington Shire Council's policy for the provision of motor vehicles for Councillors during their term of office as a Councillor.

Where the annual cost for the provision of a motor vehicle is determined to be less than the expense for reimbursement of approved individual motor vehicle usage for a Councillor when undertaking Council business, then Council will provide a motor vehicle to that Councillor for his/her term of office if so requested by the Councillor. The Council will provide a dedicated motor vehicle to the Mayor for use during the conduct of Council business and for private use within Victoria.

The vehicle provided will be determined by the General Manager Corporate Services in consultation with the individual Councillor. The vehicle will meet Council's fleet environmental requirements, as set out in the Fleet Management Guidelines. Safety and new technologies will be considered when determining the type of vehicles that best suit the needs of the individual Councillor. Consideration will also be given to achieving a reduction in fuel consumption and emissions.

The type of vehicle provided will be approved by the Chief Executive Officer and will generally be a 4-cylinder sedan or SUV at a modest cost base. Preference will be given to Australian manufactured vehicles where possible.

Usage of any provided Council motor vehicle will be in accordance with Council's Fleet Management Guidelines.

If a Councillor's personal circumstances change during the term of office such that the original assessment of Council business related travel may change, then a review of the expected travel costs will be undertaken to determine the appropriateness of the provision of a motor vehicle in accordance with this policy.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Nil	Nil

MEDIA AND COMMUNICATIONS

Policy Number:	1.3
Approved by	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Social Media
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Coordinator Communications and Media
Statutory Reference:	Nil

OVERVIEW

To manage the flow of information within the organisation and to the wider Wellington community.

THE POLICY

The Council will maintain a regular two-way flow of information between itself and staff and the community through effective use of the media, adopting an open policy for Council meetings and implementing other effective internal and external communication activities.

Wellington Shire Council will promote and communicate the strengths and positive features of Wellington Shire Council's services, facilities and lifestyle. In all communications Wellington Shire Council will reaffirm its commitment to the community vision and their aspirations as detailed in Wellington 2030 through its Council Plan.

In their personal and professional conduct, all members of staff have an opportunity to play an important role in the Council's communication and community presentation. Staff members are not permitted to make official comments on behalf of Council with representatives from the media or online.

The Council's spokesperson on policy matters is the Mayor and on executive matters, the Chief Executive Officer by delegation. No interviews, photographs, discussion or liaison with the press, radio or television should be undertaken by any other officer without prior approval of the Chief Executive Officer or delegate.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

SOCIAL MEDIA

Policy Number:	1.4
Approved by	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Media and Communications
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Coordinator Communications and Media
Statutory Reference:	Nil

OVERVIEW

The objective of this policy is to provide understanding and guidance for the appropriate use of social media platforms and tools by Councillors, Council staff, Council volunteers and contractors for the purpose of conducting Council business.

THE POLICY

This policy applies to all Council employees, contractors, agents and volunteers of Wellington Shire Council who use social media on behalf of Wellington Shire Council. This policy also applies to agencies and individuals who provide services to Wellington Shire Council.

The policy outlines requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business. It aims to:

- Inform appropriate use of social media tools for Wellington Shire Council
- Promote effective and productive community engagement through social media
- Minimise miscommunication or mischievous or damaging communications
- Ensure that only accurate information is shared on social media platforms

The policy applies to those digital spaces where people may comment, contribute, create, forward, post, upload and share content, including blogs; bulletin boards; citizen journalism and news sites; forums and discussion boards; instant messaging facilities; microblogging sites (e.g. Twitter, Tumblr); online encyclopedias and wikis (e.g. Wikipedia); podcasts and video podcasts; social networking sites (e.g. Facebook, LinkedIn); video and photo sharing sites (e.g. Flickr, YouTube, Pinterest, Instagram, Snapchat, Periscope); e-marketing software, third-party event builders and any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment. The absence of a reference to a particular site or type of social media activity does not limit the application of this policy. Access to current social media channels can be discussed with the Communications and Media team.

This policy is not intended to cover personal use of social media where:

- The author publishes information in their personal capacity and not on behalf of Wellington Shire Council; and
- No reference is made to Wellington Shire Council, its Councillors, staff, policies and services, suppliers or other stakeholders or council related issues.

Where a staff member makes reference to Council activities, issues, policy or Council decisions in

their personal use of social media, Wellington Shire Council will consider whether the staff member in doing so has breached Wellington Shire Council's Staff Code of Conduct. This policy should be read in conjunction with other relevant policies and procedures of Wellington Shire Council.

When using social media in relation to Council business Councillors, staff, volunteers and contractors are expected to:

- Seek prior authorisation from the Communications and Media Unit.
- Adhere to Wellington Shire Council codes of conduct, policies and procedures
- Behave with caution, courtesy, honesty and respect
- Comply with relevant laws and regulations
- Reinforce the integrity, reputation and values of Wellington Shire Council.
- Forward any important social media activity to the Communications and Media unit for follow up.
- Direct stakeholders to official communication channels to make a request or complaint.

The following content is not permitted under any circumstances:

- Abusive, profane or sexual language
- Content not relating to the subject matter of that blog, board, forum or site
- Content which is false or misleading
- Confidential information about Council or third parties
- Copyright or Trade Mark protected materials
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, gender or sexual orientation
- Illegal material or materials designed to encourage illegal activity
- Materials that could compromise Council, employee or system safety
- Materials which would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks)
- Material that would offend contemporary standards of taste and decency
- Material which would bring the Wellington Shire Council into disrepute
- Personal details or references to Councillors, Council staff or third parties, which may breach privacy laws
- Spam, meaning the distribution of unsolicited bulk electronic messages
- Statements which may be considered to be bullying or harassment.
- Council staff using their personal online profiles to comment or provide feedback on social media content about Council's community consultation, projects, works or Council issues.

In addition:

- Social media channels are monitored and updated by the Communications and Media Unit during normal business hours or as reasonably required.
- Council staff can make a request for online or social media promotion directly to the Communications and Media team.
- Content posted to social media should have permissions and legible, high quality imagery

suitable for online purposes. Logos or other authorized imagery requires permission from the Communications and Media Unit before being posted on social media.

- Where a staff member or Councillor would like to update or create a new social media page, request must be received from the Communications and Media team.
- Council staff should not comment or provide feedback on social media content concerning community consultation of projects or works. Issues should be passed on to the Communications and Media Unit to be addressed.
- Council staff using their own personal online profiles are permitted to share social media items on their preferred platforms

When using social media in their private time via private accounts, employees, contractors and Councillors should not:

- Publish any information on behalf of Wellington Shire Council
- Make any reference to Wellington Shire Council, its Councillors, employees, policies and services, suppliers, other stakeholders or Council related issues.
- Upload photographs of themselves or their colleagues where they are easily identifiable as a Council employee (for example wearing a Council uniform, driving a Council vehicle), acting in an unprofessional or illegal manner.
- Use social media to bully, intimidate or harass current employees, contractors or stakeholders of Council.
- Rely on privacy settings, thinking your comments and/or photos are private.

If you have any doubt about applying the provisions of this policy, check with the Communications and Media Unit before using social media to communicate. Depending upon the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice.

ENFORCEMENT

All content published or communicated on behalf of Wellington Shire Council using social media must be recorded (including the author's name, date, time and media site location) and kept on record.

Wellington Shire Council actively monitors social media for relevant contributions that impact on the municipality, its operations and reputation. Wellington Shire Council will be able to find – and act upon – contributions made by Councillors and staff if deemed necessary.

This policy will be published and promoted to Councillors, staff, volunteers and contractors of Wellington Shire Council. Breaching this policy may result in disciplinary action, performance management and review. Serious breaches may result in suspension or termination of employment or association.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Charter	Customer Service Charter
Guideline	Wellington Shire Council Social Media Guide – Staff Induction Wellington Shire Council Written Style Guide and Web Style Guide Wellington Shire Council Corporate Style Guide

2. CORPORATE SERVICES

2.1 PEOPLE AND CAPABILITY

EQUAL OPPORTUNITY, ANTI-DISCRIMINATION & HARASSMENT

Policy Number:	2.1.1
Approved by	Chief Executive Officer
Date Approved/Effective	3 December 2019
Date of Next Review:	December 2020
Related Policies:	Occupational Health & Safety Equal Opportunity Anti-Discrimination and Bullying & Harassment Procedure Workplace Grievance process (EBA No 8) Discipline and Performance Management process
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager People and Excellence
Statutory Reference:	<i>Equal Opportunity Act 2010</i> <i>Local Government Act 1989</i> <i>Occupational Health and Safety Act 2004</i> <i>Accident Compensation Act 1985</i> <i>Charter of Human Rights and Responsibilities Act 2006</i> <i>Fair Work (Commonwealth Powers) Act 2009</i> <i>Public Interest Disclosure Act 2012</i> <i>Sex Discrimination Act 1984</i>

OVERVIEW

The purpose of this policy is to ensure that Wellington Shire Council effectively maintains an organisation that is committed to the ethos of equal opportunity and to the prevention of unlawful discrimination and harassment.

THE POLICY

Wellington Shire Council is committed to the principles of equal opportunity which are central to the core values of the organisation that celebrates the diversity and inclusion of its people. As such, Council advocates equal opportunity for all council stakeholders including employees, Councillors, contractors, visitors, volunteers, work experience/vocational students and customers.

This policy applies at all times when an individual is representing Council, engaging in work on behalf of Council, and pertains to, but is not limited to, Council premises or off-site work locations. Off-site work locations include business trips, seminars or conferences and working at customer sites. It applies to meetings, events, interactions and functions that are organised by Council, or which are attended on behalf of Council with during or after hours.

Equal Opportunity Act 2010

The *Equal Opportunity Act 2010* contains a number of features which are applicable to Council:

- it makes discrimination and treatment of an individual on the basis of a personal characteristic unlawful;
- it prohibits discrimination in a range of settings ;

- an obligation on organisations;
- a duty to provide reasonable adjustments for people with disabilities;
- an obligation for employers to accommodate the responsibilities of a parent or carer;
- protection of employees, volunteers and unpaid workers;
- to further promote and protect the right to equality as set out in the *Charter of Human Rights and Responsibilities Act 2006*;
- to eliminate discrimination, sexual harassment and victimisation to the greatest possible extent.

Discrimination

Discrimination is regarded as unfavorable treatment of a person in public life due their one of their personal characteristics or on the basis of a 'Protected Attribute' as per the *Equal Opportunity Act 2010*, the *Local Government Act 1989 – Schedule 6, Section 96*; and *Occupational Health and Safety Act 2004*.

Protected Attributes are defined as:

- age;
- breastfeeding;
- disability or impairment;
- employment activity;
- gender identity (transsexual or transgender);
- industrial activity or union membership;
- lawful sexual activity;
- marital status;
- parental status or status as a carer;
- physical features;
- political belief/activity;
- pregnancy;
- race (including colour, nationality, ethnicity and ethnic origin);
- religious belief or activity;
- sex (male, female or intersex);
- sexual orientation (gay, lesbian, bisexual, queer, heterosexual, etc);
- an expunged homosexual conviction;
- personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes .

Direct discrimination occurs if a person treats or proposes to treat a person with an attribute unfavorably because of that attribute.

Some examples of direct discrimination include:

- not offering training to an older employee because of their age;
- not inviting a coworker to a social event because they have children;

- excluding a work colleague from a work-related event because they are pregnant.

Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice.

- a) That has, or is likely to have, the effect of disadvantaging persons with an attribute; and
- b) That is not unlawful when the rule of policy is reasonable, having regard to the circumstances of the case.

Some examples of indirect discrimination are:

- Scheduling team meetings before the start of working hours as parents who have childcare responsibilities may not be able to attend;
- Holding a team building event at a sporting venue that does not permit access or participation by an employee with a disability.

Unlawful discrimination can occur even if you do not intend to discriminate

Equal Employment Opportunity

Wellington Shire Council advocates for equal employment opportunity to enhance workplace diversity and embed a culture that maximises the contribution for all employees.

Council takes all reasonably practicable steps to provide a safe workplace environment that is free from unlawful discrimination, victimisation and harassment including:

- Annual staff training in Equal Opportunity, Human Rights and the prevention of discrimination and/or harassment
- Promoting the benefits of diversity and maintaining an inclusive workplace
- Maintain equal opportunity for promotion, recruitment and selection of employees
- Maintain an Equal Employment Opportunity (EEO) Committee and provide EEO Contact Officers
- Regular reviews of internal and external complaint handling and grievance processes

Equal Opportunity for Promotion, Recruitment and Selection

Wellington Shire Council makes decisions about the promotion, recruitment and selection of staff on the basis of merit in fair and open competition according to the skills, qualifications, knowledge, attitude and behaviors relative to the position involved.

Further to this, Council is committed to attracting and retaining the best people for the job regardless of age, gender, ethnicity, race, religion, sexual orientation or identity.

All applicants for positions at Council are made aware of our commitment to Equal Employment Opportunity at pre-employment selection, staff induction and through ongoing annual training for all employees.

Equal Employment Opportunity (EEO) Committee

The role of the EEO committee is to provide a forum for the promotion and discussion of EEO and human rights at Wellington Shire Council including:

- undertaking the duties of EEO contact officers including the provision of information to staff in relation to discrimination and/or bullying and harassment;

- promoting a workplace free of discrimination, victimisation and harassment, where each person has the opportunity to progress to the full extent of their ability;
- reviewing EEO employment policies and relevant practices;
- providing input into staff EEO training and development;
- generating awareness of the Victorian Charter of Human Rights and Responsibilities and its implications for Wellington Shire Council including related access and inclusion matters;
- ensure that any relevant access and inclusion matters are considered and addressed such as reasonable adjustments for people with disabilities (as per *Disability Discrimination Act 1992*).

Definitions of Harassment

Council takes a zero-tolerance approach to harassment, sexual harassment, victimisation and racial or religious vilification.

These terms are explained in more detail below.

Harassment

Harassment is considered to be repeated unreasonable behavior directed towards a person or a group of people that poses a risk to their mental wellbeing or physical health and safety.

Unreasonable behavior is defined as behavior that a reasonable person, having regard to all the circumstances, would victimise, humiliate, undermine or threaten an individual.

Some examples of sexual harassment are:

- verbal abuse, insults or name-calling;
- continually making jokes about a person, or singling out one person for remarks more often than others in a group;
- personal attacks, threats, intimidation and misuse of power;
- unjustified criticism or excessive scrutiny of work.

Sexual Harassment

Sexual harassment is another type of harassment and is any unwanted or unwelcome sexual behavior, which offends, humiliates or intimidates an individual regardless of gender. Sexual harassment can take many different forms; it can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by males and females against people of the same or opposite sex.

Sexual harassment may include:

- staring or leering;
- unnecessary familiarity, such as deliberately brushing up against the person or unwelcome touching;
- suggestive comments or jokes;
- insults or taunts of a sexual nature;
- intrusive questions or statements about your private life;
- displaying posters, magazines or screen savers of a sexual nature;
- sending sexually explicit emails or text messages;

- making, orally or in writing, any remark or statement with sexual connotations to a person or about a person in his or her presence;
- inappropriate advances on social networking sites;
- accessing sexually explicit internet sites;
- requests for sex or repeated unwanted requests to go out on dates;
- behavior that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Racial or Religious Vilification

Racial or religious vilification is defined as conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, a person or group of persons on the basis of their race or religious belief. Serious racial or religious vilification involves a threat to harm another person or their property and is a criminal offence.

Some examples of racial or religious vilification are:

- sending an email to your workmates which ridicules indigenous Australians;
- making threats to harm a work colleague because he/she is of another faith (serious religious vilification).

Victimisation

Victimisation means subjecting or threatening to subject a person to some form of detriment because they have:

- lodged, or are proposing to lodge, a complaint of discrimination or harassment;
- provided information or documents to an internal investigation or an external agency;
- attended a conciliation conference;
- reasonably asserted their rights, or supported someone else's rights, under federal anti-discrimination laws;
- made an allegation that a person has acted unlawfully under federal anti-discrimination laws.

Some examples of victimisation are:

- dismissing an employee because she has made a complaint about unlawful discrimination in the workplace;
- excluding or isolating a workmate because he has made a complaint of sexual harassment against one of your friends at work.

Responsibilities for Managers and Supervisors

Council expects Managers and Supervisors to lead by example and exhibit positive attitudes and behavior in line with Council values to:

- ensure employees in their business unit or team understand their obligations under this policy;
- provide leadership to the organisation by demonstrating appropriate attitudes and behavior at all times and ensure others in the workplace model these behaviours;
- take appropriate action to investigate observations or reports of unlawful discrimination, victimisation or harassment, even if there is no formal complaint;

- encourage employees in your business unit or team to treat each other with dignity, courtesy and respect;
- treat all complaints seriously and confidentially.

What happens if this policy is breached?

Council will consider disciplinary action against any individual or group in breach of this policy. Depending on the outcome of an internal or external investigation and the severity of the breach, disciplinary action may range from provision of training or counselling through to verbal or written warning or termination of employment/engagement with Council.

An individual who commits a serious breach of this policy may also be in breach of the *Equal Opportunity Act 2010*, *Occupational Health and Safety Act 2004* and the *Crimes Act 1958* (Vic). This may result in individual prosecution of the person and a possible fine, intervention order or jail sentence. Where there is an alleged breach of this policy, all information must be treated confidentially, to the extent possible, by all parties involved.

Where a complaint is serious and disciplinary action needs to be taken, information will be disclosed only to those people who need to know about the complaint. The obligation of confidentiality does not prevent Council from using or disclosing any information necessary to initiate or defend any legal proceedings, or to make any submissions in relation to any inquiry or complaint, or to refer a matter to the Victoria Police.

It is unlawful to victimise a person for making a legitimate complaint of workplace bullying. Furthermore, an individual reporting a legitimate complaint will not be disadvantaged or subject to negative treatment by Council.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedures or Guidelines	Equal Opportunity, Anti-discrimination and Harassment Policy Anti-Discrimination and Bullying & Harassment Procedures; Enterprise Agreement Equal Employment Opportunity, Part 4.6 Enterprise Agreement Prevention and Settlement of Disputes, Part 4.7.
Strategy	Nil

OCCUPATIONAL HEALTH AND SAFETY

Policy Number:	2.1.2
Approved by	Chief Executive Officer
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Version (only applicable to OH&S):	8.0
Related Policies:	Child Safe EEO, Anti-discrimination and Harassment Health and Wellbeing in the Workplace Human Rights Risk Management
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	Occupational Health and Safety Act 2004, Occupational Health and Safety Regulations 2017 AS/NZS 4801:2001 Occupational Health and Safety Management Systems ISO 45001:2018 Occupational Health and Safety Management Systems

OVERVIEW

“Wellington Shire Council is committed to providing and maintaining a safe work environment, and protecting the health, safety and welfare of staff, labour hire personnel, volunteers, contractors, customers, associated authorities and visitors and all other persons whose health or safety could be at risk through our work”

We will do this by ensuring:

- Compliance with relevant legislation, including supporting regulations; and
- The implementation of the health and safety management system, and the plans, policies, procedures and programs necessary to support and implement this policy.

THE POLICY

Wellington Shire Council accepts responsibility for implementing and maintaining this policy, and health and safety management system.

It will ensure that:

- We establish measurable safety performance objectives and targets and that we review these to continuously improve OH&S performance. This shall include regular workplace inspections and the prompt control of identified hazards.
- Commit to ensuring continuous improvement of safety systems, and reducing work related injuries, risks and hazards.
- Provide and maintain safe vehicles, plant and systems of work.
- Employees are trained on all health and safety matters relevant to their work.

- All managers, supervisors, employees, contractors and other persons are inducted into the requirements of the OH&S Management System and are held accountable for enacting their roles and responsibilities as defined in the OH&S Management System.
- Effective employee and contractor consultation on health and safety matters include the two-way communication of relevant information, toolbox meetings, reporting and feedback mechanisms.
- Adequate resources are provided to enable full implementation of this OH&S Policy and OH&S Management System.
- Where Council does not have the necessary in-house knowledge or expertise to enable it to meet its health and safety objectives, it will ensure that advice and guidance are obtained from competent health and safety professionals.
- This OH&S Policy will be reviewed every year period to ensure it is relevant and appropriate to the organisation operations.
- The OH&S Management System will be systematically reviewed internally over a five-year period or when required to ensure sections are reviewed and appropriate to the organisation operations.
- After each five-year period an external consultant will be engaged to provide gap analysis to ensure continuous improvement, operational relevance, current industry standard and legislative compliance.
- Provide information, instruction, training and supervision to ensure staff, labour hire personnel, volunteers and contractors can perform their work safely and without risk to health.
- Develop and implement work Occupational Health and Safety guidelines and procedures.
- Management and staff are expected to work co-operatively to effectively implement this policy.
- All employees and contractors engaged by Council will always comply with relevant sections of the OH&S Management System.

Management is responsible within their area of responsibility for:

- Senior managers and supervisors are responsible for the implementation and dissemination of all matters dealing with the health and safety of employees and contractors under their control.
- Development, promotion and implementation of Occupational Health and Safety policies and procedures.
- Ensuring the provision and maintenance of a healthy and safe workplace, including identifying, assessing and mitigating hazards.
- Providing adequate and competent supervision for their staff.
- Providing resources to ensure Occupational Health and Safety requirements are maintained.
- Providing relevant information, instruction, training to maintain a healthy and safe workplace.
- Ensure the safe use, handling, storage and transport of substances.
- Provide support, assistance and consult with staff on Occupational Health and Safety issues.
- Ensure contractors are fully aware of the hazards associated with their work and implement appropriate hazard control measures.

Staff/Labour Hire Personnel and Contractors are to:

- Comply with all Occupational Health and Safety policies and procedures.
- Accept responsibility and take reasonable care of their own safety and not adversely affect the safety of others at the workplace.
- Co-operate with management regarding OH&S actions taken by the employer to maintain health and safety.
- Immediately report all incidents, near misses, and hazards to their supervisor.
- Not willfully interfere with or misuse items provided in the interests of occupational health and safety.

Consultation and Application:

This policy has been developed and implemented through the workplace by management and Health and Safety Representatives (HSR's) in consultation with staff. In accordance with the duty of employers to consult with employees (Section 35 of the *Occupational Health and Safety Act 2004*), management will be responsible to consult or communicate with HSR's (with or without other affected stakeholders) regarding any workplace change that impacts occupational health and safety.

This policy is applicable to Wellington Shire Council in all its operations and functions including those situations where staff /labour hire personnel and contractors are required to work at various Council locations.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Internal Occupational Health and Safety Management System Human Rights Charter Child Safe Standards
Strategy	Occupational Health & Safety Strategic Action Plan 2017-21

HUMAN RIGHTS

Policy Number:	2.1.3
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Policies and Related Documents	Privacy and Data Collection Policy EEO, Anti-discrimination and Harassment Policy Public Interest Disclosure
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager People and Excellence
Statutory Reference:	<i>Charter of Human Rights and Responsibilities Act 2006</i>

OVERVIEW

Victorian legislation requires Council to adhere to the fundamental human rights of all people, including employees, councilors, contractors, customers and volunteers when making decisions, creating local laws, setting policies and providing services.

THE POLICY

Wellington Shire Council recognises that human rights are accompanied by responsibilities and are committed to upholding the human rights principles as outline in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* by:

- recognising and protecting the **freedom** of all persons;
- promoting and encouraging **respect** for all persons;
- promoting **equality** amongst all persons;
- recognising and protecting the **dignity** of all persons.

The Charter requires that all public authorities, including Councils, comply with the 20 specific rights protected under it. These broadly relate to four basic principles;

Freedom

- Your right to freedom from forced work (*section 11*)
- Your right to freedom to movement (*section 12*)
- Your right to freedom of thought, conscience, religion and belief (*section 14*)
- Your right to freedom of expression (*section 15*)
- Your right to peaceful assembly and freedom of association (*section 16*)
- Property rights (*section 20*)
- Your right to liberty and security of person (*section 21*)
- Your right to a fair hearing (*section 24*)
- Rights in criminal proceedings (*section 25*)
- Right not to be tried or punished more than once (*section 26*)

- Protection from retrospective criminal laws (*section 27*)

Respect

- Your right to life (*section 9*)
- Your right to protection of families and children (*section 17*)
- Cultural rights, including recognition that human rights have a special importance for Indigenous peoples (*section 19*)

Equality

- Your right to recognition and equality before the law (*section 8*)
- Your right to taking part in public life (*section 18*)

Dignity

- Your right to protection from torture and cruel, inhuman or degrading treatment (*section 10*)
- Your right to privacy and reputation (*section 13*)
- Your right to humane treatment when deprived of liberty (*section 22*)
- Rights of children in the criminal process (*section 23*)

Breaches of Human Rights Policy

Where an issue or concern arises in regard to a breach of human rights, all allegations are treated confidentially, seriously and empathetically. Each case will be dealt with individually and all complaints should be referred in the first instance to the Manager People and Capability.

All steps will be undertaken to ensure the complainant, including staff members specifically, will not be penalised or disadvantaged because of raising genuine concerns or complaints relating to a breach of the human rights charter.

External complaints can be referred to the Australian Human Rights Commission or the Victorian Equal Opportunity and Human Rights Commission. These bodies can investigate and help resolve complaints of discrimination, sexual harassment and racial vilification. The Victorian Equal Opportunity and Human Rights Commission can also help people resolve complaints about religious vilification.

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

2.2 FINANCE

BANK GUARANTEES

Policy Number:	2.2.1
Approved by	Chief Executive Officer
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Finance
Responsible Officer:	Manager Corporate Finance
Statutory Reference:	Nil

OVERVIEW

To establish policy on the management of bank guarantees for loans for community organisations, whilst limiting Council's exposure to potential loss. Council's ability to borrow for its own purposes such as to fund the capital works program may be limited by any outstanding Bank Guarantees.

THE POLICY

- a) Council will only support incorporated community organisations associated with Council's facilities or operations via Bank Guarantees for loans.
- b) Council's total exposure to contingent liability via Bank Guarantees will be limited to a maximum of 0.5% of the total annual rate revenue budget of the municipality.
- c) Council will not act as guarantor on loans under \$10,000.
- d) Any Bank Guarantee should not exceed \$50,000 for any one organisation.
- e) The term of any loan must not be in excess of ten years.
- f) Council may require conditions to be met by the applicant.
- g) Any previous or existing support provided by Council to the organisation will be taken into consideration.
- h) A Council resolution will be required in each particular case but, in any case, any such decision to provide a bank guarantee will be entirely at Council's discretion.
- i) Council may require the community organisation to reimburse to Council the annual cost of maintaining the Bank Guarantee, should Council's banking service provider levy such a fee.

Asset Construction

- a) Any Bank Guarantee will be for a maximum of 75% of the value of the asset proposed to be created by the funds being generated, and
- b) Council reserves the right to consider each application on its merits taking into account such issues as (but not limited to):
 - i) Any contributions made by the organisation
 - ii) Past record in terms of payment of debts, rental fees and performance under any agreements with Council.
 - iii) Any other factors considered relevant by Council such as business plans, membership numbers and structure, growth projections and management

- iv) Priorities in strategic recreation and asset planning.
- c) Council may arrange, if necessary, an independent assessment of the organisation's financial position and such costs will be at the expense of the organisation.

Extraordinary Circumstances:

- a) Where a Bank Guarantee is sought for purposes other than asset construction or creation, Council will only consider such where extraordinary circumstances exist.
- b) Council reserves the right to consider each application on its merits taking into account such issues as (but not limited to):
 - i) Purpose of loan
 - ii) Circumstances resulting in the request for a Bank Guarantee
 - iii) Council's Public Policy objectives
 - iv) Potential impact on community, Council and its ratepayers
 - v) Past record in terms of payment of debts, rental fees and performance under any agreements with Council
 - vi) Any other factors considered relevant by Council such as business plans, membership numbers and structure, growth projections and management
- c) Council may arrange, if necessary, an independent assessment of the organisation's financial position and such costs may be at the expense of the organisation.
- d) Council, at its absolute discretion, may resolve to exceed the maximum stated in clause 2 d), subject to the limits of clause 2b).

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

INVESTMENT

Policy Number:	2.2.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Finance
Responsible Officer:	Manager Corporate Finance
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

To establish a policy for the investment of Council's surplus funds.

THE POLICY

Due to the public nature of the Council's activities, prudent management of its monetary assets is essential to mitigate against unnecessary risks. For this reason, Council needs to establish conservative and risk averse guidelines for its investments.

1. The interest earned on investments should be maximised while minimising Council's exposure to financial risk.
2. All investments are to be made exercising care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons. When acting under the provisions of this policy Council staff should always maintain a professional balance of risk and return and act as a steward of Council funds.
3. Investments are to be denominated in Australian Dollars.
4. Investment of surplus funds shall only be through investment types as permitted by Section 143 of the *Local Government Act 1989* and will comply with all relevant regulations and Ministerial guidelines.
5. Short Term Investments (less than or equal to 12 months) will only be made with financial institutions with a minimum Short-Term Standard & Poor's rating of A-2.
6. Long Term Investments (more than 12 months) will only be made with financial institutions with a minimum Long-Term Standard & Poor's rating of AA-.
7. Any amendment to this policy will be reviewed by Council's Audit Committee prior to being presented to Council for consideration.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Investment Guidelines
Strategy	Nil

DEBT COLLECTION AND INTEREST CHARGING – RATES, CHARGES AND FIRE SERVICES PROPERTY LEVY

Policy Number:	2.2.3
Approved by	Chief Executive Officer
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Finance Business Unit, Rates
Responsible Officer:	Manager Corporate Finance
Statutory Reference:	<i>Local Government Act 1989</i> <i>Penalty Interest Rates Act 1983</i> <i>Fire Services Property Levy Act 2012</i>

OVERVIEW

The *Local Government Act 1989* (the Act) provides a legislative framework for the raising and collection of annual rates and charges.

It also sets out the circumstances under which a property may be determined to be non-rateable, which are very restrictive. Hence Council has no discretion as to whether to rate a property or not but must rate all properties that do not meet the criteria for non-rateable status.

Annual rates and charges are determined during the budget process each year and must be formally adopted by Council before they can be officially levied (raised) against ratepayer accounts.

THE POLICY

1. Rates Notices

Council will distribute annual and quarterly rates notices at least 14 days prior to each payment due date, allowing ratepayers sufficient time to effect payment. (s158 (4)(d) of the Act).

2. Payments

1.1 Due Dates

Rates are due four times annually by the dates as published in the Government Gazette. Council **does not** offer the option to pay annually in February.

1.2 Postal Payments

Payments postmarked prior to the due date but received after the due date will be accepted without interest penalty. Payments posted on the due date with no chance of same day delivery will attract an interest penalty.

1.3 Other Payment methods

Payments made using electronic methods (i.e. BPay, Council's website) will be deemed to have been made by the due date where the date of transaction is on or before the due date.

Payments made at Australia Post outlets or at Council's service centres must be made on or before the due date.

When a property is sold the rates are due and payable at settlement where arrears exist Section 175 of the Act states that a person becoming the owner of rateable land must pay any rate or charge which is current and any arrears of rates and charges including any interest. Where there are no overdue rates or charges, a new owner may elect to pay by instalments.

3. Interest Charges

Section 172(1) of the Act states that a Council may require a person to pay interest on any amounts of rates and charges which have not been paid by the due date, and which that person is liable to pay.

3.1 Application Date

Interest charges on unpaid rates will commence on the day immediately following the due date of each instalment.

3.2 Interest Rate

The rate charged will be the rate fixed under section 2 of the *Penalty Interest Rates Act 1983* that applied on the 1st of July immediately before the due date for payment. (s172(2) of the Act).

3.3 Weekends/Public Holidays

If the due date of an instalment falls on a public holiday or weekend, interest will begin accruing from the day after the next working day. i.e. due date is Sunday, interest will commence from the following Tuesday.

3.4 Payment Arrangements

Further legal action will be deferred if a payment arrangement acceptable to Council is entered into with the ratepayer; however, interest will continue to accrue on unpaid amounts until the debt is cleared, unless otherwise agreed.

4. Financial Hardship

Where ratepayers can demonstrate significant financial hardship, Council may, on application, vary payment arrangements and waive penalty interest charges. (s171A of the Act).

5. Unpaid Rates

Council has extensive powers for the recovery of unpaid rates, as set down in the Act.

Section 180 of the Act gives Council the power to take legal action to recover any rate or charge that remains unpaid after it is due and payable including any instalment or any part of a rate and charge.

Section 181 of the Act gives Council the power to sell land for unpaid rates and charges.

5.1 Final Notice

A Final Notice, including advice of the actions which may be taken, will be sent out, and Council will exhaust other options such as negotiating payment arrangements with the ratepayer, prior to instigating formal debt collection procedures.

5.2 Legal Action

Actions which may be taken include, but are not limited to the following:

- Field Call
- Default Summons/Complaint
- Judgement in Magistrates Court
- Entry in ratepayer credit rating
- Summons for oral examination
- Earnings order
- Seizure of property by Sheriff

Any legal cost incurred by Council as a result of necessary legal action will be recovered from the ratepayer.

5.3 Referral to Council

If a debt is considered unrecoverable under normal circumstances, then the matter will be referred to Council for one of the following actions:

- Hold as debt against property
- Allow to accrue with/without interest
- Sell property after three years of unpaid rates (as per Section 181 of the Act).

6. Inappropriate Subdivisions – Ninety Mile Beach

Council adopted the Wellington Coast Subdivision Strategy in September 2005, which outlined the way forward to resolving the issues of the inappropriate subdivisions, including a rating review. This was conducted, and recommendations implemented included the removal of the Municipal Charge, and a review of the policy on charging penalty interest on unpaid rates, commencing with the 2006/07 rating year.

Council adopted the Wellington Coast Subdivisions Implementation Package in April 2009, followed by the adoption and commencement of the Ninety Mile Beach Plan Voluntary Assistance Scheme in June 2011 for the 'between settlements' rural conservation areas.

The following table provides a framework for the various precincts and Council's policy with regard to debt collection procedures.

The precincts are consistent with the terms used in the Wellington Planning Scheme zones and overlays and the Ninety Mile Beach Policy at Clause 22.08.

Description of land/precinct	Charge rates	Charge interest	Debt collection action
1. Urban Nodes - within the settlement boundaries of Golden Beach, Paradise Beach and The Honeysuckles	Yes	Yes	Yes
2. Rural Conservation (Between settlements) - vacant land in the between settlements area in Restructure Plan Stages R7-R18 between Firefly Road, Golden Beach and Acrux Way, Glomar Beach	Yes	No	No

3. Subject to Inundation (Vacant Land only)	Yes	No	No
4. Rural Conservation (Glomar Beach) - vacant completed restructure lots in Restructure Plan Stages R19-R22 between Acrux Way and Vegas Way - vacant single lots in Restructure Plan Stages R19-R22 between Acrux Way and Vegas Way	Yes Yes	Yes No	Yes No
All other restructure areas i.e. Rural Conservation, Coastal Dunes (former Beach Dune Buy Back)	Yes	No	No
All lots with existing dwellings	Yes	Yes	Yes

7. Seacombe And Hollands Landing

In addition, Council has the following policy on properties in Hollands Landing and Seacombe:

Description of land/precinct	Charge rates	Charge interest	Debt collection action
Seacombe/Hollands Landing – Vacant Land	Yes	No	No
All lots with existing dwellings	Yes	Yes	Yes

8. Fire Services Property Levy (FSPL) Charges And Interest

This policy applies equally to all Fire Services Property Levy charges and associated interest raised according to the provisions of the *Fire Services Property Levy Act 2012*.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Wellington Planning Scheme Ninety Mile Beach Policy
Strategy	Wellington Coast Strategy Wellington Coast Subdivision Strategy Voluntary Assistance Scheme Rating Strategy 2018-2021

PROCUREMENT POLICY

Policy Number:	2.2.4
Approved by	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Risk Management Fraud Control Policy Best Value and Competitive Neutrality Environmental Sustainability Conflict of Interest Policy Fleet Purchasing
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Corporate Finance
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

To provide guidance to the Council to allow consistency and control over procurement activities.

THE POLICY

1. Principles

1.1 Policy Objective

The objective of this Policy is to:

- facilitate compliance with relevant legislative requirements
- provide policy and guidance to the Council to allow consistency and control over Procurement activities;
- demonstrate accountability to rate payers;
- provide guidance on ethical behaviour in public sector purchasing;
- demonstrate the application of elements of best practice in purchasing; and
- increase the probability of obtaining the right outcome when purchasing goods and services.

1.2 Associated Policies, Guidelines and Procedures

This Policy forms part of Council's overall procurement policies and guidelines and should be read in conjunction with the following:

- Wellington Shire Council (WSC) Tenders, Expressions of Interest and Contracts System (TECS)
- Best Practice Guide for Tendering and Contract Management (Victorian Civil Construction Industry)
- Victorian Local Government Best Practice Procurement Guidelines (Department of Planning & Community Development)
- Social Procurement: A Guide for Victorian Local Government
- *Trade Practices Act 1974*

- *Security of Payments Act 1999*
- *Local Government Act 1989*
- *Local Government (Planning and Reporting) Regulations 2014*
- WSC Risk Management Policy
- OH&S Management System, section 4
- WSC Best Value and Competitive Neutrality Policy
- WSC Fraud Control Policy
- WSC Instrument of Sub-Delegation by CEO to staff
- WSC Environmental Policy
- WSC Fleet Purchasing Policy
- WSC Fleet Management Guidelines
- WSC Shire Code of Conduct
- WSC Councillor Code of Conduct
- WSC Cashiers Manual
- WSC Corporate Credit Card Guidelines
- WSC Conflict of Interest

1.3 Background

Wellington Shire Council recognises that developing a procurement strategy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Council, will enhance achievement of council objectives such as sustainable and socially responsible procurement; bottom-line cost savings, supporting local economies; achieving innovation; and better services for communities.

The elements of best practice applicable to local government Procurement incorporate:

- broad principles covering ethics, value for money, open and fair competition, risk management, probity and transparency, responsibilities and accountabilities;
- guidelines giving effect to those principles;
- a system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the Procurement process);
- procurement processes, with appropriate procedures covering minor simple Procurement to high value complex Procurement.

Council's contracting, purchasing and contract management activities endeavour to:

- support the Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, protection of the environment, and corporate social responsibility;
- span the whole life cycle of an acquisition from initial concept to the end of the useful life of an asset, including its disposal, or the end of a service contract;
- achieve value for money and quality in the acquisition of goods, services and works by the Council;
- demonstrate that public money has been well spent;

- provide a robust and transparent audit trail which ensures that procurement objectives are delivered on time, within cost constraints and that the needs of end users are fully met;
- are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
- seek continual improvement including the embrace of innovative and technological initiatives such as electronic tendering processes to reduce activity cost; and
- generate and support business in the local community.

1.4 Scope

This Procurement Policy is made under Section 186A of the *Local Government Act 1989* (the Act).

The Act is the key legislative framework that regulates the process of all local government procurement in Victoria. Section 186 of the Act requires Council to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

This Policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council Officers and temporary employees, contractors and consultants while engaged by the Council.

The Act and this Procurement Policy are the primary reference points for how all procurement will be undertaken.

1.5 Purchase Order Exemptions

Purchases not requiring a purchase order are listed in Appendix A. This is owing to the nature of the purchases.

1.6 Treatment of GST

All monetary values stated in this policy include GST except where specifically stated otherwise.

1.7 Definitions and Abbreviations

Term	Definition
The Act	<i>Local Government Act 1989.</i>
Category Management	A 'Category' is an area of spend determined by known market boundaries separating different products, services or industries. Category management recognises that suppliers within a certain market are likely to have similarities which enable a tailored approach to procurement.
Commercial in Confidence	i.e. prices, discounts, rebates, profits, methodologies and process information, which if released may prejudice the business dealings of an organisation.
Contract Management	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Council Staff	Includes full time and part-time council officers, and

	temporary employees, contractors and consultants while engaged by the Council.
Local suppliers	Located within Wellington Shire, then preference for Gippsland, Victoria or Australia (as opposed to inter-state or international suppliers)
Probity	The dictionary definition of probity refers to uprightness, honesty, proper and ethical conduct and propriety in dealings. Within Local Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation are established, understood and followed throughout the procurement process. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Standing Offer Arrangements (SOA)	<i>Also known as Panel of Suppliers or Schedule of Rates agreements.</i> A contract that sets out rates for goods and services which are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
e-Procurement	e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system to acquire and pay for supplies, services and works.
Corporate Social Responsibility (CSR)	Corporate Social Responsibility (CSR) is about taking positive action to demonstrate the Council's commitment to the local community and environment on which it impacts.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Social Procurement	Social Procurement uses Procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.
Quotation	An offer to sell goods at a stated price and under specified conditions
Tender Process	The process of inviting parties to submit a quotation or tender by public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Expression of Interest (EOI)	An invitation to submit an EOI for the provision of the Goods and/or Services generally set out in the overview of requirements contained in the document. This invitation is

	not an offer or a contract.
Value for Money	Value for Money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: • contribution to the advancement of the Council's priorities; • non-cost factors such as fitness for purpose, quality, service and support; and • cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.

2 Effective Legislative and Policy Compliance and Control

2.1 Ethics and Probity

2.1.1 Requirement

The Council's procurement activities shall be performed with unquestionable integrity and in a manner able to withstand the closest possible scrutiny.

2.1.2 Conduct of Councillors and Council Staff

2.1.2.1 General

Councillors and Council Staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and *will*:

- comply with Council's policies, guidelines, procedures and applicable legislation;
- comply with Council's Codes of Conduct (Staff and Councillors), in particular relating to Conflict of Interest provisions
- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of matters deemed to be Commercial in Confidence; such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.
- maintain fair, equitable and non-discriminatory procedures for addressing complaints and concerns raised by suppliers or members of the community regarding Council's procurement activities, and
- report matters if they are concerned that improper conduct is being undertaken, this includes
 - Corrupt conduct
 - A substantial mismanagement of public resources
 - A substantial risk to public health or safety; and
 - A substantial risk to the environment

Council Staff responsible for managing or supervising contracts are prohibited from performing any works under the contract they are supervising.

2.1.2.2 Members of Professional Bodies

Councillors and Council Staff belonging to professional organisations shall, in addition to the obligations detailed in this policy, ensure that they adhere to any code of ethics or professional standards required by that body.

2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated Council policies, guidelines or procedures, relevant legislation, relevant Australian Standards and the Act. Refer to *1.2 Associated Policies, Guidelines and Procedures* for more information.

2.1.4 Conflict of Interest

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

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

- **Avoid** conflicts, whether actual, potential or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council Staff, plus their relatives and close associates
- **Declare** that there is no conflict of interest. Where future conflicts, or relevant private interests arise Council Staff must make their manager, or the chairperson of the relevant tender assessment panel or board aware and allow them to decide whether the officer should continue to be involved in the specific Procurement exercise
- **Observe** prevailing Council and Local Government Victoria guidelines (in particular the Staff Code of Conduct) on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

Refer to *1.2 Associated Policies, Guidelines and Procedures* for more information.

2.1.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to participate in a procurement activity.

Impartiality must be maintained throughout the procurement process, so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

2.1.6 Accountability and Transparency

Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore, the processes by which all procurement activities are conducted will be in accordance with the Council's Procurement policies and procedures as set out in this policy and related Council policies and procedures.

Additionally:

- all Council Staff must be able to account for all Procurement decisions made over the lifecycle of all goods, services and works purchased by the Council and provide feedback on them; and
- all procurement activities are to leave an audit trail for monitoring and reporting purposes.

2.1.7 Gifts and Hospitality

Staff are obliged to notify their Manager of any gift, reward or benefit that they have received or have been offered. All gifts and acts of hospitality, regardless of their value, must be declared, and included in Council's Gifts Register.

Staff should not accept any gift where there is, or where there may be, the perception of a conflict of interest with past, present or future duties, or where the object of the gift is to maintain or return a favour.

Offers of bribes, commissions or other irregular approaches from organisations or individuals must be promptly brought to the attention of their Manager.

2.1.8 Disclosure of Information

Commercial in Confidence information received by Council must not be disclosed and is to be stored in a secure location.

Councilors and Council staff are to protect confidentiality, by refusing to release or discuss the following:

- Information disclosed by organisations in Tenders, Quotations or during Tender negotiations;
- All information that is Commercial in Confidence; and
- Pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-tender negotiations.

Councilors and Council Staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Discussion with potential suppliers during tender evaluations should not go beyond the extend necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the Contract approval process being finalised other than through authorised pre-contract negotiations.

2.2 Governance

2.2.1 Structure

The Council shall:

- establish a procurement management responsibility structure and delegations ensuring accountability, traceability and auditability of all Procurement decisions made over the lifecycle of all goods, services and works purchased by the Council;
- ensure that the Councils Procurement structure:
- obtains value for money
- is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council;
- ensures that prospective contractors are afforded an equal opportunity to register as an approved preferred contractor;
- encourages competition.

2.2.2 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle: the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any Procurement action for the supply of goods, services or works.

Council Staff must not authorise the expenditure of funds in excess of their financial delegations. (Refer to 2.4.1 and 3.4.1)

Council staff must not disclose allocated procurement activity budgets to suppliers.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

2.3 Procurement Thresholds and Competition

Our economic system relies on firms competing for business so that prices are truly determined by the market. Competition rewards those firms that innovate and strive to deliver the best value for money. Conversely, firms that are less efficient and fail to respond to the needs of customers will not prosper. Market economies need strong regulations to counter the temptation for inefficient suppliers to collude and undermine the competitive process.

2.3.1 Requirement

The Council will from time to time decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by the Council based on the size and complexity of the proposed procurement activities.

Where a Purchase Order is used, it must be raised prior to the purchase being made following the required quotation process (according to the level of expenditure as reflected in Table 1).

2.3.2 Approved Methods

The Council's standard methods for purchasing goods, services and works shall be by:

- petty cash;
- **corporate credit card;**
- purchase order which must be raised prior to the purchase being made, following a quotation process;

- under contract following a tender process; or quotation processes; or
- Group Purchasing Schemes - where the Council is satisfied that Value for Money requirements have been satisfied, under purchasing schemes including collaborative purchasing arrangements with other Councils and commercial schemes such as provided by MAV Procurement or Procurement Australia; or
- unless arrangements otherwise authorised by the Council or the CEO on a needs basis are required by abnormal circumstances such as emergencies.

The Council may, at its discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Typically, a multi-stage tender process will commence with an expression of interest stage followed by a tender process involving the organisations selected as a consequence of the registration of interest stage.

Expressions of Interest (EOI) may be appropriate where:

- the requirement is complex, difficult to define, unknown or unclear;
- the requirement is capable of several technical solutions;
- the Council wishes to consider ahead of formal tender processes such issues as whether those tendering possesses the necessary technical, managerial and financial resources
- to successfully complete the project;
- tendering costs are likely to be high and Council seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense;
- it is necessary to pre-qualify suppliers and goods to meet defined standards; and
- the requirement is generally known but there is still considerable analysis, evaluation and clarification required (both of the objective and the solution).

2.3.3 Appointment of an Agent for Procurement

In consideration of the appropriate Procurement process to follow, Council may join with other Councils as a defined group, based on similar requirements for products, goods or services. In doing so, Council may nominate to appoint another council to act as Council's Agent or for Council to act as Agent for other Councils.

Council is able to access contracts from State Government, Municipal Association of Victoria Procurement (MAVP) and Procurement Australia (PA) via Approval of Arrangements (section 186(5)(c) of The Act). This means that Council can utilize the rates and suppliers established under any existing State Government, MAVP or PA contract without the requirement to complete the formal agency appointment process. This does not negate the requirement for financial approval dependent on delegation limits.

Where Council requires an Agent to act on Council's behalf for the Tendering process, governance arrangements will be required including;

- Formal appointment of the Agent;
- Review of the Specification to meet Council's requirements; and
- Advice to the Agent of Council's Procurement Policy requirements including evaluation criteria, Tender panel and weightings to the criteria.

2.3.4 Minimum Spend Competition Thresholds

Purchase of all goods and services for which the estimated expenditure exceeds \$150,000 (inclusive of GST) or \$200,000 (inclusive of GST) for contracts for the carrying out of works, must be undertaken by public tender.

However, this does not preclude the tendering for contract works of lesser amounts should this be in the best interests of a value for money outcome.

In addition, where there is a possibility that the service being provided may exceed the threshold, then it should also be tendered.

For example, the number of rates assessments grows each year as new subdivisions come online. If the current cost of the contract is \$45,000 per year (\$135,000 over 3 years), based on current volumes, it could easily exceed \$150,000 over three years with additional growth in the Shire.

The level of expenditure in accordance with the following table determines the appropriate procurement methodologies. Staff should consider the total value of the procurement for an ongoing commitment. Tenders should be called for all high-risk procurement no matter what the expenditure level.

TABLE 1

EXPENDITURE LEVEL INC GST	VERBAL QUOTE	GROUP PURCHASING SCHEME (refer to 2.3.2)	WRITTEN QUOTE	PUBLIC TENDER	APPROVED METHODOLOGY
<\$100	1				Petty Cash Corporate Credit Card
\$100 to \$5,000	1	Yes	Optional		Corporate Credit Card Purchase Order
\$5,000 to \$25,000	2	Yes	Optional	Optional	Purchase Order Contract
\$25,000 to \$150,000 Goods/Services		Yes	3	Optional	Purchase Order Contract
\$25,000 to \$200,000 Works		Yes	3	Tender Optional. If not, contractors must be registered as approved contractors	Purchase Order Contract
>\$150,000 Goods/Services				Yes Required by s186 of the LGA	Purchase Order and/or Contract
>\$200,000 Works				Yes Required by s186 of the LGA	Contract

For the purposes of the table above the expenditure levels (inclusive of GST) are calculated as

follows:

- for single one-off purchases shall be the value of, or estimated value of the purchase
- for multiple purchases shall be the gross value of, or estimated gross value of all items to be purchased
 - i.e. buying 30 computers at \$2,000 each is not to be considered 30 separate one-off purchases, but is to be viewed as a spend of \$60,000, therefore requiring 3 written quotes, a public tender, or use of a group purchasing scheme
- for ongoing purchases over a period of time shall be the annual gross value of, or estimated annual gross value of purchases
 - i.e. hire of water carts over a 6-month period for different work sites around the Shire should be considered as one purchase of the same nature
 - for contracts spanning a number of years, the value of the expenditure is the total estimated spend for all years specified for the service, including any optional extension periods.

It is unacceptable to divide a particular procurement or procurement phase into separable parts or use a particular method for calculating the estimated total value of procurement for the purpose of circumventing an approach to the open market.

Verbal quotations

Quotations must be sought as per Table 1, and details recorded in Council's corporate system, Authority, when raising the purchase order. Where only one quote is required, the receipt of purchase is sufficient for recording purposes.

Written quotations

When written quotations are sought, details must be stored in Council's corporate record system, Authority, when raising the purchase order.

Council will endeavor to obtain at least one quote from a local supplier wherever possible. (refer to 4.1)

Insufficient quotations

The situation may arise where insufficient quotations are received to satisfy the above requirements. This may occasionally occur where there are few local suppliers for the goods, services or works being sought or the work is highly specialised. In this case, the details of the contacted suppliers must be recorded in the corporate system and an appropriate comment recorded when raising the purchase order.

Random audits will be conducted on purchase orders of this nature.

Cumulative Spend

Council will monitor cumulative spend with suppliers at least annually. If expenditure with a supplier or a number of suppliers providing similar goods, services and works is ongoing in nature and the cumulative spend is likely to exceed the legislated threshold over a two year period, then Council will review the opportunity to pursue a contract for such goods, services and works through a competitive process.

Approved Contractors

Council shall maintain a register of approved contractors, who have met Council's requirements in terms of OH&S systems and processes. All works must be undertaken by approved contractors.

2.4 Delegation of Authority

2.4.1 Requirement

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotations, tenders and contractual processes without prior referral to the Council. This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level.

The Instrument of Delegation by CEO to staff identifies Council Staff authorised to make procurement commitments in respect of goods, services and works on behalf of the Council.

2.4.2 Delegations Reserved for the Council

Council must approve the award of all contracts exceeding a limit as determined by the Instrument of Delegation to the Chief Executive Officer (\$400,000 as at 5 December 2017).

2.5 Internal Controls

The Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end to end (from purchase to payment);
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement.

2.6 Commercial Information

Procurement activities will be carried out in a way that supports Council staff in meeting their obligations - to ensure information of a commercially sensitive or confidential nature is obtained, stored, processed, published (where applicable) in an appropriate manner in accordance with the relevant Council guidelines.

2.7 Risk Management

2.7.1 General

Risk Management is to be appropriately applied at all stages of Procurement activities which will be properly planned and carried out in a manner that will protect and enhance the Councils capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

2.7.2 Supply by Contract

The provision of goods, services and works by contract potentially exposes the Council to risk.

The Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- requiring security deposits where appropriate;
- referring specifications to relevant experts;
- requiring contractual agreement before allowing the commencement of work;

- use of or reference to relevant Australian Standards (or equivalent); and
- effectively managing the contract including monitoring and enforcing performance.

2.8 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions, including dispute resolution and contract management requirements. Where this is not possible, approval must be sought from the Manager Corporate Finance. Upon approval, relevant procurement and legal advice should be sought where necessary.

To protect the best interests of the Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose the Council to risk and thus must be authorised by the Manager Corporate Finance.

2.9 Contract Management

The purpose of contract management is to ensure that the Council, and where applicable, its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- establishing a system of monitoring and achieving the responsibilities and obligations of both parties under the contract; and
- providing a means for the early recognition of issues and performance problems and the identification of solutions;
- adhering to Council's Risk Management Framework and adhering to relevant Occupational Health and Safety Contractor compliance procedures.
- Goods, services and works have been completed to Council satisfaction prior to payment occurring.

Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure the Council receives Value for Money.

3 Demonstrate Sustained Value

3.1 Integration with Council Strategy

The Council procurement strategy policy shall support its corporate strategy, aims and objectives, including but not limited to those related to sustainability, protection of the environment, corporate social responsibility and meeting the needs of the local community such as:

- feeling safe;
- living in a clean and pleasant environment; and
- receiving good quality well managed Council services that are Value for Money.

3.2 Achieving Value for Money

3.2.1 Requirement

The Council's procurement activities will be carried out on the basis of obtaining Value for Money. This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinant of best value.

3.2.2 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the organisation;
- effective use of competition;
- using aggregated contracts and standing offer arrangements (SOA) where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- developing a more cost efficient tender process including appropriate use of e-solutions;
- Council staff responsible for providing procurement services or assistance within the Council providing competent advice in terms of available products and agreements; and
- working with suppliers to create relationships that are professional and productive and are appropriate to the value and importance of the goods, services and works being acquired.

3.2.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to the Council's Value for Money objectives through being written in a manner that:

- clearly defines the Council's requirements
- ensures impartiality and objectivity;
- encourages the use of standard products;
- encourages sustainability;
- eliminates unnecessarily stringent requirements; and
- determines the quality of the outcome

3.3 Sustainability

The Council is committed to achieving sustainable Procurement within the context of purchasing on a Value for Money basis, by ensuring that it monitors and reports on Council activities that have an impact on or contribute to the environment, including:

- waste management
- recycling
- energy management
- emission management
- water conservation
- green building design; and
- procurement

Value for Money purchasing decisions made by the Council are made on the basis of cost and non-cost factors including contribution to the Council's sustainability objectives.

3.4 Performance Measures

Council will establish and put in place appropriate performance measures. Reporting systems will be used to monitor performance against metrics and compliance with procurement policies, procedures and controls.

Council will use the performance measurements developed to:

- Highlight trend and exceptions where necessary to enhance performance;
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers; and
- Facilitate relevant programs to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

3.4.1 Breaches of the Policy

Any possible breaches of the requirements of the *Local Government Act 1989* s186 (the requirement to publicly tender for any contracts to be awarded above a nominated threshold) will be investigated and the contract will be listed in Council's Annual Report as required by the *Local Government (Planning and Reporting) Regulations 2014*, Regulation 14(cb).

Breaches of the spend thresholds for purchases below the requirements of s186 of the Act will be dealt with in the context of performance management discussions with the relevant staff.

4 Build and Maintain Supply Relationships

Council recognises that in order to achieve sustainable value, appropriate relationships must be developed and maintained with suppliers and that it seeks to operate with 'informed choice' on what supply strategy it adopts – whether to 'do it yourself', participate in regional or sector aggregated projects or to access State Government panel agreements. Council will consider supply arrangement that deliver best value outcomes for council in terms of time, cost, value and outcome.

4.1 Support of Local Business

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and work.

For Local Government social procurement builds on initiatives already undertaken by the sector in enhancing sustainable and strategic procurement practice, enabling procurement to effectively contribute to building stronger communities.

Council is committed to:

- Ensuring that procurement practices are strategically aligned with Councils wider objectives
- Purchase ethical and fair trade goods to support equitable, local, national and international trade
- Enhance partnerships with community stakeholders, suppliers and other Councils
- Provide opportunities to business who support, aboriginal people, people with disabilities and disadvantaged people.

In addition, the *Local Government Act 1989* requires that Council must give effective and substantial preference to contract for the purchase of goods, machinery or material manufactured or produced in Australia or New Zealand.

Council will endeavor to obtain at least one quote from a local supplier wherever possible (refer to 2.3.3)

4.2 Social Procurement

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.

For Local Government social procurement builds on initiatives already undertaken by the sector in enhancing sustainable and strategic procurement practice, enabling procurement to effectively contribute to building stronger communities.

Social procurement is a key mechanism by which to generate wider social benefits by providing a mechanism for linking and integrating social and economic agendas.

4.3 Developing and Managing Suppliers

Council recognises the importance of effective and open working relationships with its suppliers, and is committed to the following:

- Managing existing suppliers, via the appropriate development programs and performance measurements to ensure the benefits are delivered;
- Developing approved supplier lists; and
- Developing new suppliers and improving the capability of existing suppliers where appropriate.

4.4 Relationship Management

The Council is committed to developing constructive long-term relationships with suppliers. It is important that the Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- Size of spend across the Council;
- Criticality of goods / services, to the delivery of the Council's services;
- Availability of substitutes; and
- Market share and strategic share of suppliers.

4.5 Communication

External

External communication is very important in ensuring a healthy interest from potential suppliers and partners to the Council. The external website will be updated and provide:

- Information about Council and how to become an approved contractor;
- A list of existing contract opportunities;
- Guidelines for doing business with Council; and
- Links to other relevant sites.

Internal

Council is committed to providing ongoing training to all staff with procurement responsibilities, which will include:

- Initial training prior to undertaking any procurement activities (new staff); and
- Ongoing annual refresher training for all staff engaged in procurement.

4.6 Continuous Improvement

The Council is committed to continuous improvement and will review the procurement policy on an annual basis, to ensure that it continues to meet its wider strategic objectives.

In particular, Council will continue to explore the potential cost implications for 'greening' the supply chain, and minimising waste through use of eco-friendly, recycled or recyclable products.

APPENDIX A

EXEMPTION LIST – No Purchase Orders Required (Corporate Credit Cards are alternative to purchase orders)

- Accommodation/travel
- Advertising placement fees
- Agency Staff (including labour hire contractors and umpires)
- Audit Committee
- Community Hall Hire
- Conferences
- Contractual Agreements (i.e. software maintenance/licences, debt collection, leases, secure pay)
- Contributions (i.e. grants, sponsorships, Committee of Management (COM) operating subsidy)
- Councillor Allowances & reimbursements
- Couriers/ freight only accounts
- Daily food purchases for Aqua Energy café/kiosk (i.e. fruit, vegetables, bread)
- E-tags
- Emergency after- hours repairs/maintenance, up to 3 days after emergency first occurred
- Equipment Inspections (i.e. CFA, First Aid kits)
- Fuel Accounts
- Government/statutory charges (i.e. EPA levy, licenses, police checks)
- Insurances (including work cover)
- Legal Fees
- Medical Expenses
- Memberships/subscriptions
- Milk
- Postage
- Rental (property)
- Photocopier volume charges
- Reactionary maintenance – fire hydrants
- Reimbursements/refunds (employees and others)
- Royalties – (EBBWEC shows etc)
- Security Services i.e. call out fees (not contract charges)
- Spring Water
- Training courses
- Utilities – electricity, phone, water, gas, street lighting etc
- Vehicle Registration
- Vet accounts (i.e. euthanasia of animals)

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

CORPORATE CREDIT CARD POLICY

Policy Number:	2.2.5
Approved by:	Chief Executive Officer
Date Approved:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Accommodation and Meal Allowances Service Recognition Fleet Guidelines Procurement
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager Corporate Finance
Statutory Reference:	Nil

OVERVIEW

This policy will provide understanding and guidance for staff who use a corporate credit card.

THE POLICY

The purpose of these cards is to allow the Chief Executive Officer, General Managers, Managers and authorised staff with delegation to pay for goods and services necessarily incurred in the performance of their duties. These cards will have to adhere to council policies on employee spending; Accommodation and Meals Policy, Seminars and Conferences Policy, and Service Recognition Policy and Fleet Management Guidelines.

USE OF CORPORATE CREDIT CARD

The card is only to be used within the financial delegations given in writing to the employee. It is strictly for **BUSINESS USE** only and for the specific purpose of purchasing goods and services necessary for the undertaking of the employee's normal duties as a part of their role. Users will be expected to refund transactions or portions of transactions that are identified as inappropriate.

Use of the card for personal expenses, in any situation, is prohibited. However, if there is an accidental personal purchase on the corporate credit card then the person responsible must inform the Card Administrator by email, and refund the amount spent at Customer Service. The receipt from Customer Service must then be attached to the transaction before approval.

Fuel should never be purchased on corporate cards unless a fuel card was provided and failed to work. Fuel purchases for non-Council vehicles are prohibited.

Alcohol is not permitted to be purchased via credit card, and any alcohol purchases made must be refunded to Council as a personal expense. Exceptions can only be organised **in advance and in writing** by the CEO or General Manager Corporate Services. A copy of the written permission must be attached as proof of prior approval.

Delegation Authority

It is important to note that prior to an employee obtaining a corporate credit card, their position description and level of delegation must be authorised and included in the S7 CEO to Council Staff 'Instrument of Delegation'.

Purchasing and Record Keeping

Cardholders must ensure adequate reporting for all transactions:

- **Legible, complete, and correct tax invoices or receipts** must be scanned or photographed and attached to all transactions. An EFTPOS docket is not a Tax Invoice and will not be treated as such. If an invoice is not provided, the cardholder must contact the Merchant to request a new copy.
- **Unavailable receipts:** Where a tax invoice is unable to be provided, a statutory declaration including an itemised list of what was purchased must be completed and signed for purchases over \$20.00 incl GST. GST cannot be claimed and will be charged to the relevant business unit ledger.
- **Expenditure description:** The Purpose of all expenditure must be described in adequate detail, and **all** beneficiaries are to be identified by name and categorised as Internal employees or External.
- **GST:** All Card Holders are responsible for correctly reporting GST. When completing their reporting, users should ensure the GST shown in Promaster matches the receipt by changing the GST code or splitting the transaction between multiple codes.

Restrictions/Limits

All corporate credit cards are blocked for cash advances.

Temporary and Permanent Limit increase

If a staff member requires an increase for a small amount of time, a temporary increase can be arranged. A form (Request for Corporate Credit Card Increase) on the intranet can be completed by the cardholder, signed by management and sent to the Corporate Card Administrator for processing.

If a permanent increase is required, in the first instance the cardholder must have a conversation with management. If management agrees with the increase, the form on the intranet (Request for Corporate Credit Card Increase) can be completed and returned to the Corporate Card Administrator for processing.

Purchase Approval

Approvers are expected to review all transactions on a regular basis to ensure:

- The expenditure is acceptable business use per the relevant policies, and if not, must request that the cardholder refunds the transaction at Customer Service
- A legible, complete, and correct tax invoice or receipt is attached, and if not, the transaction must be reversed to the card holder to retrieve the required documentation
- That the description provided by the user contains the required details as described above, and if not, the transaction must be reversed to the cardholder to amend.

Reporting Authorisation

Prior to submission for payment, all corporate credit card accounts must be authorised either by the Chief Executive Officer, General Manager or Manager as appropriate.

The Manager Corporate Finance will authorise the Chief Executive Officer's corporate card account which will be forwarded to the Mayor to review and note in line with the Councillor Code of Conduct, prior to processing.

Security

The card must be kept secure at all times. All details relating to the card including the Personal Identification Number (PIN) and key words are not to be divulged to any other party or be written or stored electronically on or with the card.

Corporate credit cards are only to be used by the employee whose name appears on the card. It is prohibited to provide a card for use by anyone other than the named employee under any circumstance.

If a corporate cardholder were to undertake an extended period of leave, the card must be returned to the Card Administrator for safe keeping. The card must not be used while an employee is on any kind of leave as card usage will be checked against their documented attendance.

If a person is dismissed, the card must be returned immediately to the Corporate Card Administrator for destruction.

In the event the card is lost or misplaced, the Card Administrator and Commonwealth Bank must be informed immediately.

All cardholders are expected to check their transaction report at least weekly. In the event an unauthorised or fraudulent transaction is identified, the Card Administrator and Commonwealth Bank must be informed immediately.

PERIODIC REVIEWS AND INTERNAL AUDIT OF CREDIT CARD USAGE

The Finance department will undertake monthly assurance reviews of credit card usage and credit card transactions, to identify any non-compliance with this policy or fraudulent activity.

Individual credit card transactional reporting will also be available to all authorising managers to ensure that credit cards are being used in line with this policy.

A quarterly report of all expenditure will be reviewed by the Council Management Team.

The CEO's credit card expenditure will also be regularly reviewed by the Audit and Risk Committee.

Failure of an individual to use their corporate credit card in line with Council's Corporate Credit Card Policy or the bank's requirements, will result in immediate cancellation of the facility, disciplinary action and/or termination of employment.

HUMAN RIGHTS

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BEST VALUE AND COMPETITIVE NEUTRALITY

Policy Number:	2.2.6
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Documents:	Wellington Shire Council Enterprise Bargaining Agreement
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager People and Capability
Statutory Reference:	<i>Local Government Act 1989;</i> <i>Australian Consumer Law and Fair-Trading Act 2012</i> <i>Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>

OVERVIEW

The purpose of this policy is to outline the Wellington Shire Council's commitment to Best Value and Competitive Neutrality.

THE POLICY

Best Value

Implementation of Best Value Principles requires the Council to ensure that:

- all Council services meet quality and cost standards in accordance with section 208(D) of the *Local Government Act 1989*;
- all services provided by Council must be responsive to the needs of the community;
- all Council services are accessible to those members of the community for whom the services are intended;
- all Council services achieve continuous improvement in the provision of services for its community;
- the Council consults regularly with the community in relation to the services it provides; and
- the Council regularly reports to the community in relation to its compliance with Best Value Principles.

When applying Best Value Principles, the Council may take into account:

- the requirement to review services against the best on offer in both the private and public sectors; and
- an assessment of value for money in service delivery; and
- community expectations and values; and
- the balance of affordability and accessibility of services to the community; and
- opportunities for local employment growth or retention; and
- the value of potential partnerships with other councils, the State Government and the Commonwealth Government; and
- potential environmental advantages for the Council's municipal district.

Council commits to incorporating Best Value Principles into its daily operations by integrating Best

Value into its continuous improvement program. It also commits to reviewing all of its services as part of its annual planning cycle as well as during the development of strategies that support the achievement of community and organisation goals.

Council commits to involve management, staff and the community (where appropriate) in the conduct of any Best Value service reviews.

Outcomes arising from Best Value service reviews will be implemented in accordance with the relevant conditions of Council's current Enterprise Bargaining Agreement, specifically per clauses relating to Introduction of Change and Best Value Processes.

Competitive Neutrality

Wellington Shire Council is committed to implementing Competitive Neutrality Policy and will apply a **competitive neutrality** measure to a "Significant Council Business":

- to the extent that the benefits to be realized from the application of the Competitive Neutrality Measure outweigh the costs; and
- where the application of the competitive neutrality measure is in the public interest.

Where Council applies a competitive neutrality measure, it will select the **competitive neutrality** measure that is most appropriate to the particular significant Council business in question.

Wellington Shire Council is also committed to documenting the application of **competitive neutrality** measures to significant Council businesses or businesses that may be deemed "significant". In doing so, Council will:

- consult with and inform the community about the process of implementing a competitive neutrality measure to a relevant Council business;
- inform the community about the outcome of any application of a competitive neutrality measure; and
- investigate, document and respond to complaints alleging non-compliance by the Council to the implementation of Competitive Neutrality Policy or improper business practices.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

2.3 INFORMATION SERVICES

INFORMATION SERVICES PRIVACY & DATA PROTECTION

Policy Number:	2.3.1
Approved by	Chief Executive Officer
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	(OVIC) Privacy by Design Policy Records Management Policy
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Information Services
Statutory Reference:	<i>Privacy and Data Protection Act 2014 (Vic)</i> <i>Freedom of Information Act 1982</i> <i>Health Records Act 2001</i> <i>Electronic Transactions Act 2000 (Vic)</i> <i>Public Records Act 1973</i>

OVERVIEW

To assist Council in meeting the legislated requirements of the *Privacy and Data Protection Act 2014* and to establish policy for the responsible management of personal information held and collected by Wellington Shire Council.

THE POLICY

The Victorian *Privacy and Data Protection Act 2014* (Act) governs the way in which Council needs to responsibly collect, handle and protect personal information and ensure data security.

All Wellington Shire Council employees, Councillors, contracted service providers including subcontractors to them, consultants, volunteers, temporary and casual staff and other authorised personnel of Council are governed by the Act and are required to comply with the ten (10) Information Privacy Principles (IPPS). The IPPS set out the minimum standards for the handling of personal information in the Victorian public sector.

The purpose of this policy is to provide a general statement about how Wellington Shire Council manages personal information and to demonstrate our commitment to privacy by:

- Helping employees understand how personal information should be handled;
- Preventing the unnecessary collection or unlawful use or disclosure of personal information; and
- Promoting greater public confidence in Wellington Shire Council's handling of personal information.

Wellington Shire Council collects personal information provided by applicants, complainants, government agencies, members of the public, employees and other third parties in compliance with its functions and obligations under the *Privacy and Data Protection Act 2014* for the purpose of carrying out their statutory functions and associated activities.

Definitions:

Personal Information

Information or opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be identified. Personal information can be almost any information linked to an individual, including name, address, sex, age, financial details, marital status, education, criminal record or employment history.

Sensitive Information

Information or an opinion about an individual's racial or ethnic origin, political opinions, trade union membership, philosophical or religious beliefs, sexual preferences or criminal record.

Health Information

Information or opinion about the physical, mental, psychological health of an individual, disability of an individual or a health service provided or to be provided to an individual. Health Information does not include information about an individual who has been deceased for more than 30 years.

Publicly available information, information used for law enforcement purposes and personal information released to appropriate emergency services in potentially life-threatening situations are exempt from some provisions of the Act.

Information sharing and disclosure of personal information can occur in some instances, typically when established agreements or procedures are in place. Any disclosure requires proper legislative authority and must be documented accordingly.

Responsibilities:

This Policy applies to **all** Council employees, Councillors, contracted service providers including subcontractors to them, consultants, volunteers, temporary and casual staff and other authorised personnel of Wellington Shire Council.

The Coordinator Information Management is Wellington Shire Council's Information Privacy Officer. The Information Privacy Officer is responsible for the review of this policy, privacy training, the promotion of Privacy & Data Protection and to assist with related internal and external enquiries.

An e-learning training course (Record Keeping and Privacy – which incorporates Freedom of Information) is also available to new and existing staff on Wellington Shire Council's Learning & Development System (LDS).

AN OVERVIEW OF THE TEN INFORMATION PRIVACY PRINCIPLES

The *Privacy and Data Protection Act 2014* contains ten IPPs.

All Council employees, Councillors, contracted service providers including subcontractors to them, consultants, volunteers, temporary and casual staff and other authorised personnel of Wellington Shire Council, Council **must** comply with the Principles which regulate the handling of personal information of individuals.

A summary of the ten Information Privacy Principles is:

Principle 1 - Collection

Council must only collect personal information that is necessary for specific and legitimate functions and activities and only collect the information by fair, lawful and unobtrusive means. Where reasonably practicable, Council will inform individuals why their personal information is being collected, how it will be used and to whom it may be disclosed. Privacy Collection Statements will be included on forms which collect personal affairs information of individuals.

Principle 2 – Use and Disclosure

Council must not use or disclose personal information for a purpose other than the primary purpose for which it was collected, unless it is for a related purpose that would be reasonably expected or consent from the individual has been obtained. The law allows some uses and disclosures without consent, such as to protect safety and for law enforcement purposes.

Note: Where authorised, Council may disclose personal information to:

- Government agencies;
- Law enforcement agencies, including the courts and the Victoria Police, in instances where Council is required to respond to a subpoena or provide information to assist a police investigation;
- Other individuals or organisations *only* if Council believes that the disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health, safety or welfare or a serious threat to public health, safety or welfare.

Principle 3 – Data Quality

Council takes reasonable steps to ensure that the personal information it collects, uses or discloses, is accurate, complete and up-to-date.

Wellington Shire Council will endeavour to maintain accurate records. When an error is identified (either internally or by an external party) Council will correct the information promptly.

Principle 4 – Data Security

Council takes reasonable steps to protect all personal information it holds from misuse, loss, unauthorised access, modification or disclosure.

If Council becomes aware that an individual's information has been inappropriately handled, it will take steps to inform the individual of the incident and will take appropriate action to ensure that such a breach does not occur again.

Principle 5 - Openness

Wellington Shire Council's Privacy & Data Protection Policy is publicly available on Council's website www.wellington.vic.gov.au

Council, on request, will take reasonable steps to provide individuals with general information on the types of personal information it holds and for what purposes and how it collects, holds, uses and discloses that information.

Principle 6 – Access and Correction

Individuals are able to inform Wellington Shire Council of changes to their name or address by completing a Name and Address Alteration form either online via Council's website or by hard copy and submitting the completed form to Council.

Wellington Shire Council will provide an individual with reasonable access to their personal information held by Council and will take reasonable steps to correct such information when requested by that person, in order to ensure that its records are accurate.

If Council denies access or correction, Council will provide reasons in accordance with the *Freedom of Information Act 1982*.

Principle 7 – Unique Identifiers

Council will only assign, adopt, use, disclose or require unique identifiers from individuals for the course of conducting normal Council business or if required by law. Council will only use or disclose unique identifiers assigned to individuals by other organisations if the individual consents to the use and disclosure or the conditions for use and disclosure set out in the Act are satisfied.

Principle 8 - Anonymity

Council, **where it is lawful and practicable**, will give individuals the option of remaining anonymous when entering into transactions with Council.

Principle 9 – Transborder Data Flows

Generally, Council will not send your personal information outside Victoria. In the rare cases that this may be necessary, Council will only send this personal information if the recipient of the information is bound by a scheme that is substantially similar to the IPPs or Council has obtained your consent. In some cases, this consent may be implied.

Any other transfers of information outside Victoria will be made in accordance with the provisions of the Privacy & Data Protection Act.

Principle 10 – Sensitive Information

Sensitive information is information or an opinion about an individual's racial or ethnic origin, political opinions, trade union membership, philosophical or religious beliefs, sexual preferences or criminal record. Council will not collect sensitive information about an individual except for circumstances specified under the Act.

OTHER LEGISLATION

If the *Privacy and Data Protection Act 2014* is inconsistent with a particular piece of legislation, the other legislation will take precedence.

ENQUIRIES/FURTHER INFORMATION

Enquiries regarding *The Privacy and Data Protection Act 2014* or this Policy can be directed to Council's Information Privacy Officer by contacting 1300 366 244 or emailing enquiries@wellington.vic.gov.au

Wellington Shire Council's Privacy Statement is available on Council's website.

BREACHES

Privacy breaches occur when personal information is stolen, lost or mistakenly or deliberately disclosed. Council must make every attempt to ensure they follow the *Information & Data Protection Act 2014* - Information Privacy Principles to prevent breaches. If you believe Council has breached your privacy you can lodge a complaint.

COMPLAINTS ABOUT PRIVACY

If you wish to make a privacy complaint against Wellington Shire Council, you can do so:

By phoning Council's Privacy Officer on 1300 366 244

By email at enquiries@wellington.vic.gov.au

By post at PO Box 506 Sale, Vic 3850

Wellington Shire Council treats complaints seriously and will try to resolve them fairly and quickly. If you make a complaint, Council will work with you to resolve your complaint and keep you informed of its progress.

If you are not satisfied with how Wellington Shire Council deals with your *privacy* complaint, you may lodge a complaint with the Office of the Victorian Information Commissioner (OVIC) by:

By phone on 1300 006 842

By email at privacy@ovic.vic.gov.au; or

By post at PO Box 24274 Melbourne, VIC 3001

A copy of OVIC's privacy complaint form is available on their website <https://ovic.vic.gov.au>

Phone: 1300 006 842 between 9am and 5pm, Monday to Friday.

If you are not satisfied with how OVIC deals with your privacy complaint, your complaint will be referred to an external, independent conciliator, who will attempt to resolve the complaint. If conciliation is inappropriate or unsuccessful, the Information Commissioner can refer the matter to VCAT.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Guidelines	Wellington Shire Council's Freedom of Information Part 11 Statement (website); Customer Service Commitment
Strategy	Nil

FREEDOM OF INFORMATION

Policy Number:	2.3.2
Approved by	Chief Executive Officer
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Records Management Privacy & Data Protection Wellington Shire Council Freedom of Information Procedures Manual Freedom of Information Flowchart
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager Information Services
Statutory Reference:	<i>Freedom of Information Act 1982 (Vic) & Professional Standards</i> <i>Local Government Act 1989</i> <i>Privacy & Data Protection Act 2014</i> <i>Public Records Act 1973</i> <i>Health Records</i>

OVERVIEW

The purpose of Victoria's *Freedom of Information Act 1982* is to extend as far as possible the right of the community to access information held by government departments, local councils, Ministers and other bodies subject to Freedom of Information legislation.

In general, a person has the right to request access to documents of agencies and official documents of Ministers, other than exempt documents.

Ministers and agencies are required to administer the Act with a view to making the maximum amount of government information promptly and inexpensively available to the public.

THE POLICY

This Policy aims to ensure compliance with Wellington Shire Council's obligations under the *Freedom of Information Act 1982* and promotes a consistent approach to the handling of applications under that Act.

The Policy applies to all Councillors, Council employees, volunteers, contractors, consultants and volunteers.

The *Freedom of Information Act 1982* places statutory obligations upon agencies to assist applicants to exercise their rights under the *Freedom of Information Act* (the Act).

Wellington Shire Council ensures the Act is administered consistently by processing requests conforming with the Professional Standards which have been prepared in accordance with Part 1B of the *Freedom of Information Act 1982* (Vic). The standards are binding and ensure agencies continue to facilitate and promote access to government information promptly and at the lowest reasonable cost.

1. DEFINITIONS

Information	In this context refers to a document
Document	In the context of Freedom of Information, a document can be structured information or data regardless of format that forms a Record. Examples can include maps, graphs, drawings, photographs, a label or other attachment, a disc, tape, soundtrack, or a film, as well as typed or handwritten Information held on computer disk or in a data base also fits the definition of a document.
Decision	In this context refers to the decision by the Freedom of Information Officer on the request. All decisions must be made by an officer authorised by the principal officer of the agency (Chief Executive Officer) pursuant to section 26 of the Freedom of Information Act 1982.
Exempt	In this context refers to documents that are restricted from access as outlined in Part IV of the Freedom of Information Act.
Access	In this context refers to entitlement to view or obtain a copy of requested documents.
Release	In this context refers to the provision of documents by the agency.
Review	In this context refers to the re-evaluation of a Freedom of Information decision by a third party (Office of the Victorian Information Commissioner / VCAT).

2. APPLICATIONS AND FEES

Any person may submit an application for access to a document or documents under the Act. A company or other organisation cannot make a request; but an individual employee or member of a company or organisation can do so.

Access to documents can be granted or denied in full or in part. If certain information in a document is regarded as exempt from disclosure, according to the categories of exceptions specified by the Act, the exempt material may be redacted from the copies which are released.

Council's Freedom of Information Officer must advise the applicant if a document has been lost, has never existed or has been destroyed.

Freedom of Information requests must be in writing and accompanied by an application fee unless the applicant can demonstrate hardship or concession status enabling the fee to be waived.

The Freedom of Information Officer can notify the applicant that the 30 days in which to make a decision has been extended by up to 15 days due to mandatory consultation. This timeframe can be further extended with consent from the applicant.

3. ACCESS OUTSIDE OF THE FREEDOM OF INFORMATION ACT

Information which can be obtained outside of the *Freedom of Information Act*, either through another legislated process, is publicly available or obtainable through standard administrative practices, will be processed outside of the *Freedom of Information Act 1982*.

4. EXEMPTIONS

Under the *Freedom of Information Act* a person does not have the right to obtain publications which are available for a fee from Council, documents which are held by the Public Record Office of Victoria or documents that are readily available to the public.

For a complete listing and explanation of the exemptions, a link to the *Freedom of Information Act* exists on Wellington Shire Council's Freedom of Information Part 11 Statement available on Council's website.

5. TRAINING / ADVICE

The Coordinator Information Management is directly responsible for coordinating, delivering and attending relevant Freedom of Information training, request processing and making decisions, as authorised, in accordance with the Act.

The Coordinator is also responsible for creating and maintaining the Freedom of Information Policy, FOI Part 11 Statement, procedures and responding to enquiries. An e-learning training course titled Record Keeping and Privacy, which incorporates FOI, is available on Wellington Shire Council's Learning & Development Software.

6. OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER (OVIC)

The Victorian Government has created an Office of the Victorian Information Commissioner (OVIC) as a primary regulator and source of independent advice to the community and the Victorian Government about how the public sector collects, uses and shares information. OVIC commenced operating on 1 September 2017. www.ovic.vic.gov.au

The functions of the Victorian Information Commissioner are set out in the Freedom of Information Act 1982 (FOI Act) the Privacy and Data Protection Act 2014 (PDP Act) and on the OVIC Website.

7. REVIEWS

The Information Commissioner is able to review Wellington Shire Council's decisions on applications lodged on or after 1 September 2017. Applications for a review of a FOI decision must be made to OVIC within 28 days of receiving the decision from Council.

The Commissioner can review decisions relating to:

- The refusal of access to a document under the *Freedom of Information Act* 1982; deferring access to a document;
- no waiver or reduction of an application fee; or
- refusal to amend a personal record.

8. COMPLAINTS

Complaints can be made about Ministers and agencies.

You can complain to the Office of the Victorian Information Commissioner about an action taken, or failed to be taken, by an agency when performing its functions or meeting its obligations under the FOI Act. This may include:

- a delay in handling your request;
- a decision that a requested document does not exist or cannot be found; or
- an action taken or failed to be taken by a principal officer in the performance or purported performance of their functions and obligations under Part II (Publication of certain documents and information).

A complaint must be made within 60 days of the conduct you are complaining about, unless the delay was due to an action of the agency (Wellington Shire Council).

Detailed information on how to make a complaint can be <https://ovic.vic.gov.au>

9. MAKING AN APPEAL TO THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

Council, the Freedom of Information applicant or other parties may appeal the Information Commissioner's review decision by appealing to the Victorian Civil and Administrative Tribunal (VCAT).

Applications for Appeal must be lodged to the Victorian Civil and Administrative Tribunal within 60 days of receipt of the Commissioner's written decision.

An appeal cannot be made to VCAT regarding the outcome of a complaint.

Procedures and Attachments:

- Wellington Shire Council's Freedom of Information Part 11 Statement
- Freedom of Information Flow Chart – Information for Agencies
- Wellington Shire Council's Freedom of Information Procedures Manual

Further Information:

Further information including guidelines on how to submit an application, request processing, costs and reviews is available on Wellington Shire Council's website www.wellington.vic.gov.au

A Freedom of Information application can be downloaded from Council's website.

For further enquiries contact Wellington Shire Council's Freedom of Information Officer by emailing foi@wellington.vic.gov.au or phoning 1300 366 244.

Detailed information regarding Freedom of Information is also available on the Office of the Victorian Information Commissioner's website <https://ovic.vic.gov.au>

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

RECORDS MANAGEMENT POLICY

Policy Number:	2.3.3
Approved by:	Chief Executive Officer
Date Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Correspondence Guide Councillor Code of Conduct Fraud Control Privacy & Data Protection Records Disposal Policy Risk Management Staff Code of Conduct. Freedom of Information Policy CCTV Policy
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager Information Services
Statutory Reference:	<i>Freedom of Information Act 1982 (Vic)</i> <i>Privacy & Data Protection Act 2014</i> <i>Evidence Act 2008 (Vic)</i> <i>Electronic Transactions (Victoria) Act 2000</i> <i>Health Records Act 2001</i> <i>Crimes Act 1958</i> <i>Crimes (Document Destruction) Act 2006</i> Australian Standard on Records Management (AS ISO 15489), PROV Recordkeeping Standards, <i>Local Government Act 1989</i> Victorian Public Service Code of Conduct. <i>Public Health and Wellbeing Act 2008</i>

OVERVIEW

To establish policy and recordkeeping framework outlining accountabilities and responsibilities for the creation, receipt, capture, protection, control, management and disposal of Wellington Shire Council's records in accordance with legislative requirements. The policy also specifies the potential consequences of non-compliance and, or breaches.

THE POLICY

This policy applies to all records regardless of medium or format, created, received or retained, by any staff member, where they handle information of a Council business nature and also applies to all contractors and consultants that handle information of a Council business nature in accordance with their contractual obligations, volunteers, trainees and Councillors.

Wellington Shire Council is committed to making and maintaining information and records that fully and accurately reflect its business activities, and undertakes to provide its staff with appropriate guidance, tools and services to ensure its recordkeeping commitments are achieved.

Records contain information that is a valuable resource and an important business asset. Good recordkeeping maintains corporate, personal and collective memory and provides protection and support in litigation including the management of risks associated with the existence of or lack of evidence of organisational activity.

Records also enable the conduct of business in an orderly, efficient and accountable manner. Procedures and other guidelines are not required to be adopted by Council.

The purpose of this policy is:

- Define roles and responsibilities for the creation, management and disposal of records.
- Ensure full and accurate records of all business activities, including decisions of Council are maintained to support community, business and legislative requirements.
- Ensure appropriate access and security levels are maintained.
- Ensure corporate records are easily retrieved and accessible now and in the future.

Definitions:

A comprehensive list of recordkeeping definitions is available by contacting Information Management staff or searching Wellington Shire Council's electronic document records management system for the document titled "DEFINITIONS – RECORDKEEPING TERMS"

Record	A record as defined under the Public Records Act means any record of information, however recorded, created or received by a public officer in the course of their duties. A record can be in electronic (e.g. email, fax, word, PDF, video, social media, CCTV audio and footage, recording, instant messaging) or hardcopy format (e.g. paper, photo etc).
Document	Documents consist of recorded information or data that can be structured or unstructured and in written, printed, or electronic form.
EDRMS	Electronic Document Records Management System

Responsibilities:

The Chief Executive Officer is responsible for ensuring that Wellington Shire Council complies with legislative requirements for recordkeeping, including the *Public Records Act 1973*.

All managers and supervisors are responsible for monitoring staff under their supervision to ensure that they understand and comply with records management policies and procedures. Managers and supervisors are also responsible for fostering and supporting a culture within their workgroup that promotes good record management practices.

All members of staff (including Councillors, consultants, volunteers and those under contract) have a responsibility to create, capture and manage complete and accurate records of Council's business, including records of decisions made, actions taken and transactions of daily business. They must also respect the privacy of individuals and the confidentiality of corporate information and protect records from unauthorised access, alteration, removal or destruction and from inappropriate release of information.

Records management responsibilities of all staff as identified in the policy are included in staff position descriptions.

Councillors are responsible for ensuring that full and accurate records of activities undertaken in the course of their official duties as Councillors are created, managed and disposed of appropriately to meet the Council's organisational needs and transparent governance practices. Councillors must respect and protect the confidentiality of these Records from unauthorised access and release of information. Records which have sought staff opinion or response are public records and must be captured in the organisations EDRMS and managed in accordance with the Public Record Office Victoria Standards, Policies, Guides and retention and disposal authorities (PROS 07/01 Common Administrative Functions & PROS 09/05 Local Government Functions).

Staff Departure

On ceasing employment or a contract with Council, employees, contractors, consultants and temporaries are responsible to ensure that all physical records in their custody are transferred to their supervisor or returned to Information Management. They are also responsible for ensuring records are not deliberately or accidentally deleted or destroyed. Records must remain active for their required retention and be retrievable until they are eligible for destruction in accordance with the relevant retention and disposal authorities. Information Management staff manage authorised document destructions

Policy Statements:

- Wellington Shire Council ensures all employees, Councillors, contractors and volunteers receive appropriate training, guidelines and practical advice.
- Wellington Shire Council ensures that records of longer-term value are identified and protected for historical purposes and those records identified as permanent are transferred. Wellington Shire Council follows sound procedures for the retention and disposal of all information and records;
- Wellington Shire Council does not condone the falsification, alteration, or damage of records;
- Wellington Shire Council follows sound procedures for the storage of all information and records, including those in electronic format. This includes the implementation of appropriate disaster preparedness planning, and approved public records offsite storage for physical records (APPROS);
- Wellington Shire Council has an Agreement with Grace Records Management (MAV Procurement) for the secure offsite storage of short and long term temporary records;
- Wellington Shire Council does not condone the destruction of records, except in accordance with PROV Standards.
- Records reasonably likely to be required as evidence in current or future legal proceedings must not be destroyed, concealed, rendered illegible, undecipherable or incapable of identification.
- Wellington Shire Council ensures that risk management and business continuity planning are considered as an integral part of information and records management practices.
- This policy will be communicated throughout Wellington Shire Council through all levels of business to all members of staff (including volunteers and those under contract, and Councillors) and must be incorporated in regular staff training including, staff induction training and Councillor inductions

Recordkeeping Systems:

Records Systems at Wellington Shire Council manage the following processes:

- The creation and capture of records;
- The maintenance and management of records;
- The storage of records;
- The protection of record integrity and authenticity;
- The security of records;
- Access to records; and
- Disposal of records.

Council's EDRMS assists in making full, complete, accurate and reliable records, which are

compliant, adequate, complete, meaningful, comprehensive, accurate and authentic, by being securely maintained to prevent unauthorised access, alteration, removal or destruction.

Records captured within Council's authorised electronic records document management system are accessible to all staff unless restricted access is required. System Administrators are responsible for assigning access rights to ECM accounts and auditing the access periodically.

The following exemptions to general access apply:

- where information is commercial in confidence, personal in confidence, or management in confidence; and
- where information is restricted due to legislative or business requirements.

While the EDRMS constitutes Wellington Shire Council's preferred primary records system for all corporate administrative records, there are a number of databases and software applications that may generate records which operate outside of the EDRMS.

Information Ownership

Any physical document, data or information in electronic format, irrespective of how it came to be in a computer system owned or managed by the Council remains the property of the Council including any personal documents and emails.

PENALTIES & EXEMPTIONS

Adherence to the Records Management Policy is a mandatory requirement for all staff including: Chief Executive Officer, General Managers, Managers, Coordinators, Staff, Contractors, Consultants, Volunteers, and Councillors (where the records are of a council business nature).

Where there is evidence of a breach of this policy, Wellington Shire Council will conduct an investigation to determine the circumstances and extent of the breach.

Non-compliance or breaches of this policy, associated standards and legislative requirements by Council employees, Councillors, contractors and/or volunteers, will be addressed in accordance with either the Staff Code of Conduct or Councillor Code of Conduct as appropriate.

Section 254 of the *Crimes Act 1958* creates an offence relating to the destruction of a document or other object that is reasonably likely to be required in evidence in a legal proceeding. It is important to note that the Act creates this offence in situations where no litigation is actually commenced (it has always been illegal to destroy evidence once a case has actually been launched). This covers circumstances where an individual or organisation destroys documents that may at some *future* time be needed in evidence, and where this need can and has been anticipated. The Act specifies penalties for the offence, for both individuals and for corporate entities

ENQUIRIES/FURTHER INFORMATION

Enquiries regarding Records Management or this Policy can be directed to Council's Coordinator Information Management by contacting 1300 366 244 or emailing enquiries@wellington.vic.gov.au

HUMAN RIGHTS

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human

Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

RECORDS DISPOSAL POLICY

Policy Number:	2.3.4
Approved by:	Chief Executive Officer
Date Approved:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Freedom of Information Policy Privacy & Data Protection Policy Records Management Policy Staff Code of Conduct Councillor Code of Conduct CCTV Policy
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager Information Services
Statutory Reference:	<i>Public Records Act 1973</i> PROS 10/13 Disposal Standard, Specifications & Guidelines <i>Crimes Act 1958</i> <i>Evidence Act 2008 (Vic)</i> <i>Freedom of Information Act 1982</i> <i>Privacy & Data Protection Act 2014</i> <i>Health Records Act 2001</i>

OVERVIEW

Records disposal is an important part of efficient and effective records management. It is the process of retaining, transferring, or destroying records.

Disposal is defined as a range of processes associated with implementing the retention, deletion, destruction or transfer of records.

It is mandatory for Wellington Shire Council to create, maintain, preserve and dispose of records in accordance with the *Public Records Act 1973*.

Section 254 of the *Crimes Act 1958* creates an offence if a person destroys a document, knowing that it is, or is likely to be, required in evidence in legal proceedings.

THE POLICY

The policy explains Wellington Shire Council's disposal management program and outlines Council's approach to lawfully disposing of agency records.

The Records Disposal Policy is consistent with and should be read in conjunction with Wellington Shire Council's Records Management Policy.

The policy applies to:

- All staff whether permanent, temporary or casual, including contractors, consultants, councillors and volunteers.
- Records of all work carried out by or on behalf of the agency and in all media or formats (e.g. hardcopy, digital document, email and websites) and in all business systems.
- All records created and received by Wellington Shire Council in all formats, media and systems, including business systems. The overarching framework for all other corporate

recordkeeping standards and retention & disposal schedules.

Retention and Disposal Requirements

Wellington Shire Council will only destroy or dispose of records in accordance with Public Records Office Victoria Standards. Disposal Authorities are issued by the Keeper of Public Records and are a legal instrument authorising the destruction or transfer of public records and define the minimum retention time that different classes of records must be kept and how they are to be disposed of. They authorise the destruction of time-expired records. They also identify records that are to be permanently retained as State Archives.

Public Records Office Standards

When sentencing records Wellington Shire Council references both the:

- Public Record Office Standard (PROS) 07/01 – General Retention & Disposal Authority for Records of Common Administrative Functions; and
- Public Record Office Standard (PROS) 09/05 – Retention and Disposal Authority for Records of Local Government Functions

Wellington Shire Council's Disposal Program

Council's disposal program provides planned authorised disposals which reduces storage costs; enhances access to existing records by reducing the time expired records; assists with identification of records required for Freedom of Information requests, subpoenas and discovery in general; identifies permanent records enabling appropriate management prior to transfer to the Public Record Office Victoria and assists with legislative compliance.

Certain Records can be Destroyed under Normal Administrative Practice

The destruction of some records is permitted under normal administrative practice without authorisation.

The following categories of records may be destroyed as normal administrative practice;

- superseded manuals or instructions;
- catalogues and trade journals;
- "copies" of press cuttings, press statements or publicity;
- facsimiles where copies have been made;
- drafts of reports, correspondence, speeches, notes, spreadsheets, the content of which has been reproduced and incorporated in Council's electronic document records management system (EDRMS) or other systems; and
- routine statistical and progress reports compiled and duplicated in other reports.
- Closed Circuit TV (CCTV) recordings will be routinely destroyed after approximately 30 days unless quarantined by the Coordinator Built Environment Facilities for legal or Freedom of Information purposes.

Authorisation to Approve Destruction

All official records must be authorised for destruction, whether they are hard copy or electronic records in the electronic documents record management system (EDRMS) or other systems. The authorisation process is designed to ensure records are not destroyed before the required retention period, and other administrative, legal, financial and audit needs have been considered.

Request for Authorisation will be sent directly to the relevant authorising officers' (Manager and General Manager).

The authorising officers must indicate if the records are still required for any of the following functions:

- Legal requirements – legislation requires the records to be retained if they relate to a current case or an expected legal case, or are relevant to an FOI application;
- Administrative need – records are required to support the business activities;
- Audit / financial requirements – records relate to an activity being audited or due to be audited.

If authorisation is not approved, the records must be retained with a new review date or trigger assigned to them. Justification for retaining the records must be provided by an authorised officer.

Records Disposal Program Structure

For the purpose of ensuring the effective management of the disposal program, it is imperative to take a coordinated approach to the sentencing and disposal of records.

Inactive records which are eligible for destruction are sentenced by Information Management in accordance with the relevant Public Record Office Victoria Retention and Disposal Schedule(s), listed on Records Destruction Authorisation forms, signed off by the relevant business units Manager and General Manager authorising the destruction of the records and are prepared for destruction by an authorised shredding company.

Wellington Shire Council captures all signed Records Destruction Authorisation forms in their electronic document records management system. The forms list the documents which have been destroyed by secure shredding, the disposal authority and assigned class and the date of the destruction.

Inactive records archived at Council's Approved Public Office Storage Supplier (APROSS) which are eligible for destruction are also listed on the Records Destruction Authorisation forms and signed off by the relevant Manager and General Manager. The supplier is then notified by Council of the records eligible for destruction and they are responsible for destroying the records and providing a Certificate of Destruction which is also captured into Council's EDRMS by Information Management.

Responsibilities

The Chief Executive Officer is responsible for ensuring all staff, Contractors, Consultants, Volunteers and Councillors (where the records are of a council business nature) at Wellington Shire Council comply with the *Public Records Act 1973* and the legislative requirements for records disposal.

All authorised document destructions must be managed by the Coordinator Information Management or the Senior Information Officer in accordance with the Public Record Office Victoria (PROV) Disposal Standard PRO10/13.

Methods of Secure Destruction

Documents eligible for destruction must be listed on a Wellington Shire Council's *Records Destruction Register Authorisation & Notification* form and destruction approval provided by the applicable Manager and General Manager of the unit(s) to which the records relate.

Authorised bulk document disposals are performed by Council's offsite approved secondary

storage provider and/or the professional services of an authorised professional document management organisation by means of secure shredding.

Staff are **not** permitted to destroy records other than those eligible for destruction under normal administrative practice. Non-sensitive material should be placed in normal recycling bins whilst confidential and sensitive documents must be placed in locked secure bins or shredded.

Policy Breaches

Adherence to the Records Disposal Policy is a mandatory requirement for all staff including: Chief Executive Officer, General Managers, Managers, Coordinators, Staff, Contractors, Consultants, Volunteers, and Councillors (where the records are of a council business nature).

Where there is evidence of a breach of this policy, Wellington Shire Council will conduct an investigation to determine the circumstances and extent of the breach.

Non-compliance or breaches of this policy, associated standards and legislative requirements by Council employees, Councillors, contractors and/or volunteers, will be addressed in accordance with either the Staff Code of Conduct or Councillor Code of Conduct as appropriate.

Terms and Definitions

Access	The right, opportunity, means of finding, using or retrieving information.
Destruction	Process of eliminating or deleting records, beyond any possible reconstruction. Note: Authorised document destructions must be managed by Information Management Staff.
Normal Administrative Practice (NAP)	The destruction of some records is permitted under normal administrative practice (NAP). NAP covers the destruction of ephemeral material of a facilitative or duplicate nature created, acquired or collected by agency employees during the course of their employment.
Record	Information created, received and maintained as evidence by an organisation or person in the transaction of the business, or in pursuance of legal obligations, "regardless of media".
Record Management	The field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records, including the processes for capturing and maintaining evidence of and information about business activities and transactions in the form of a record
Retention	The preservation of records that makes possible the recall or recognition of information contained in the records.
Retention period	The period for which a record must be kept before it may be destroyed. The retention period is set from the date the record ceases to be current.
Retrieval	The process of finding and making available records that have been retained in storage.
Storage	Process involving placement and retention of records for subsequent use.
Sentencing of Records	Sentencing is the process of using a Retention and Disposal Authority or Normal Administrative Practice to decide whether to retain, destroy or transfer a record.

ENQUIRIES / FURTHER INFORMATION

Enquiries regarding records and document disposal or this Policy can be directed to Information Management staff by contacting 1300 366 244 or emailing enquiries@wellington.vic.gov.au

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

2.4 GOVERNANCE RISK MANAGEMENT

Policy Number:	2.1.4
Approved by	Chief Executive Officer
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Occupational Health and Safety Procurement Fraud Control Enterprise Risk Management Framework 2018/19
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager People and Excellence
Statutory Reference:	International Risk Management Standard AS/NZS ISO 31000:2018 – <i>Risk Management Guidelines</i>

OVERVIEW

To establish policy for the management of organisational risk.

THE POLICY

In application of the Risk Management Principles & Guidelines, (AS/NZS ISO 31000: 2018) Council is committed to best practice in the identification, evaluation and control of risks to ensure that, as far as is reasonably practical, risks are reduced to an acceptable level, or eliminated.

Specifically, risks to Council include, but are not limited to the following areas:

- Strategic risk
- Environmental
- Health and Safety
- Human Resources
- Project, Product and Service Delivery
- Financial and Economic
- Leadership and Corporate Governance
- Reputation and Corporate Image
- Legislative Compliance and legal
- Technology and Information Management
- Assets, Facilities and Security
- Procurement
- Interagency and State-wide risks
- Internal Controls

The aim of risk management is to minimise losses and maximise opportunities. This policy should be read in conjunction with Wellington Shire Council's Enterprise Risk Management Framework.

Council's risk management objectives are to:

- Embed risk management into all aspects of Council's corporate planning and operations
- Foster a culture that embraces accountability for risk management throughout the organisation
- Promote and support best risk management practices throughout Council
- Equip staff and management with the knowledge and ability to identify, analyse and prioritise areas of risk to Council
- Apply risk management processes into all pre – employment screening
- Implement effective processes to reduce and/or eliminate high-level risk
- Continuously improve risk assessment, monitoring and reporting standards
- Determine how risk should be reported to Council, Auditors and Audit Committee
- Undertake risk assessments for key operations, projects and strategies and maintain a comprehensive and regularly updated risk register to identify and monitor operational and strategic risks, and response plans
- Allow for the effective allocation and use of resources
- Provide a basis for higher standards of accountability through the creation of effective performance objectives and measurement of performance against these objectives
- Manage appropriate cover and minimise costs associated with insurance and litigation

Council is responsible for approving the Risk Management Policy and with the Chief Executive Officer is responsible for providing adequate resources for the implementation and maintenance of this Policy. Management and staff are responsible and accountable for the application of Council's Risk Management Policy as it extends to their area of responsibility. In particular, Management is responsible for developing risk mitigation plans and implementing risk reduction or treatment strategies.

Our approach is designed to ensure risk management is an integral part of all our decision-making processes. We will use a structured risk management program to minimise foreseeable disruption to operations, financial loss, harm to people and damage to the environment and property. Such a program will actively promote and support effective risk management practices through Council via the provision of ongoing education and instruction to managers and staff, in addition to maintaining an extensive register of known risks.

Council's approach to defining risk appetite is to minimise our exposure to reputational, compliance and financial risk, whilst accepting and encouraging an increased degree of risk in pursuit of our key strategic objectives. We recognise that our appetite for risk varies according to the activity undertaken, that acceptance of risk is subject always to ensuring that potential benefits and risks are fully understood before developments are authorized, and that sensible measures to mitigate risk are established.

RISK MANAGEMENT ROLES AND RESPONSIBILITIES

Successful implementation of Council's risk management framework requires a consistent and systematic approach at all levels of the Shire. Managers, employees and contractors are responsible for ensuring that risk management is given high priority in the day-to-day conduct of the Shire and Shire related activities.

Council

- Adopt a risk management policy that complies with the requirements of ISO-31000:2018 and review and amend the policy as required.
- Provide adequate budgetary provision for the financing of risk management including approved risk mitigation activities.
- Appoint and resource the Audit and Risk Committee

Audit and Risk Committee

- Review adequacy and effectiveness of the Risk Management Framework
- Monitor performance of implementing action plans arising from risk assessments including the risk assessments undertaken by the internal auditor.

Chief Executive Officer

- Promote effective management of all types of risks across the Shire's operations.
- Ensure Councillors are aware of risk management objectives.
- Ultimately responsibility for managing risks across the Council.
- Responsible for the recognition and adoption of risk management as a key function of Council, and to ensure the inclusion of risk management as a priority within Council's strategic plan, within all staff position descriptions, within the annual report and other Council documentation.
- Demonstrate a commitment to risk management for all staff.
- Ensure resources are appropriately allocated to meet Council's risk management requirements.

General Managers and Managers

- Responsible for the identification, review, analysis and appropriate treatments applied of all risks within their Division or business unit.
- Ensure adequate protection of Shire staff, assets and operations from risks through appropriate budgeting and implementation of loss control programs.
- Ensure liability risks to customers are effectively managed.
- Ensure all staff are conversant with and understand the role of risk management within Council operations.
- Support and encourage a risk aware culture within the organization by endorsement of promotion of Council's Risk Management Framework.
- Liaise with the Occupational Health and Safety Officer to ensure provision of a safe and healthy work environment and implementation of appropriate safe work practices and control measures.
- Supervise and audit contractors to ensure risk management policies and procedure are applied.

Manager People and Capability

- Provide guidance to the Risk Management Coordinator to determine and address risk management objectives and priorities.
- Facilitate regular risk reporting to CMT and Audit and Risk Committee and update this

strategy and related documents.

Risk Management Coordinator

- Promote implementation of risk management strategies and programs designed to minimise risks and potential losses to the Shire.
- In agreement with General Manager Corporate Services and the Manager People and Excellence formulate a list of annual objectives to support the Risk Management Framework.
- Develop and review risk management related policies and procedures.
- Develop and maintain a risk register and update the risk analysis matrix for prioritizing of risk against Council's risk appetite.
- Support the development, maintenance and review of Council's Business Continuity Plan.
- Review and provide input into the Shire's insurance portfolio and claim procedures.
- Provide advice and training on risk management principles and processes

Employees and Contractors

- Perform duties in a manner that is within an acceptable level of risk to their health and safety, and that of other employees, contractors and customers.
- Comply with Council's policies and quality assurance procedures where applicable.
- Make loss control and prevention of priority when undertaking tasks.
- Report any hazard or incidents as detected to their Supervisor / Manager or the Shire Responsible Officer (for contractors)
- Be aware of the risk management philosophy and processes of Council.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedures or Guidelines	Risk Management Framework Risk Register Risk Register User Guide and Resource Manual Administrative Policy Manual Human Rights Charter
Strategy	Risk Management Strategy

FRAUD CONTROL

Policy Number:	2.4.2
Approved by	Chief Executive Officer
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Procurement Risk Management Credit Card Fuel Card Mandatory Notification Public Interest Disclosure
Applicable to Unit(s):	Whole Organisation (Staff and Councillors)
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Public Interest Disclosure Act 2012;</i> <i>Local Government Act 1989;</i> <i>Crimes Act 1958</i> <i>AS 8001-2008 Fraud and Corruption Control</i> <i>Independent Broad-based Anti-Corruption Commission</i>

PURPOSE

To provide a framework for the prevention, detection and reporting of fraudulent activity at Wellington Shire Council.

OVERVIEW

Council has a zero tolerance approach to fraud and corruption and will refer any fraudulent or corrupt activity to the appropriate law enforcement or regulatory body for independent investigation.

Council's fraud policy is established to facilitate the development of controls which will aid in the prevention and detection of fraud and corruption against Wellington Shire Council. It is the intent of Council to promote consistent organisational behaviour by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

The potential impact of fraud and corruption on Council and the community can be significant. It can disrupt business continuity, reduce the quality and effectiveness of critical services, results in costly litigation, and threaten the financial stability of Council. It can also damage Council's organisational culture, public image and reputation.

THE POLICY

This policy forms an integral part of Council's risk management strategy and will contribute to a culture of awareness which encourages staff and Councillor responsibility and workplace protection against fraud and corruption.

This policy applies to all Councillors, Council employees and agents of Council.

Agents of Council extend to include contractors working in-house, staff on exchange, members of

Special Committees, members of Advisory Committees, volunteers, work experience students or graduate placements who perform work for Council as well as external suppliers and other contractors and subcontractors

Definition of Fraud

Fraud is defined as dishonestly obtaining a benefit by deception or other means and is criminal activity as outlined in the *Crimes Act 1958*.

The risk of fraud may be:

- **internal** (performed by an employee or contractor of an organisation), *or*
- **external** (performed by a customer or an external service provider or third party).

Fraud can relate to theft, false representations, concealment, destruction and unauthorised use of information. In complex fraudulent activity, there may be collaboration between employees, contractors and/or external service providers.

Internal fraud examples include but are not limited to:

- using work resources for commercial purposes;
- using departmental information to gain a personal advantage;
- using personal relationships to gain an advantage in recruitment / procurement processes;
- claiming benefits where the individual or entity is not entitled (this includes misuse of leave and / or work time and unentitled accruing, and use, of flex-time);
- falsely recording work time to gain additional flexi-time or over-payment of wages;
- misuse of organisations credit cards and fuel cards;
- disclosing confidential and proprietary information to outside parties;
- disclosing to other persons confidential activities proposed to be engaged in by parties which require the approval of Council;
- misuse of powers granted under an Instrument of Delegation;
- accepting or seeking anything of material value from contractors, vendors or persons providing goods and services to the Council;
- destruction, removal or inappropriate use of records, computers, furniture, fixtures or equipment of Council;
- unauthorised use of Council's vehicles, plant, computers, telephones and other property or services;
- theft of plant, equipment, stock, cash, intellectual property, or other confidential information;
- forgery or alteration of any document, cheque, bank order or any other financial document;
- misappropriation of funds, securities, supplies or other assets;
- impropriety in the handling or reporting of money or financial transactions; or
- profiteering as a result of insider knowledge of Council activities.

External fraud examples include but are not limited to:

- customers deliberately claiming benefits from government programs that they are knowingly not eligible for;
- customers obtaining false identities or licenses;
- individuals making false declarations or fraudulently completing forms (i.e. court forms, statutory declarations);
- an existing external Council client knowingly providing a false invoice for payment;
- individuals creating a false vendor in order to request payment from Council for goods and / or services that were not provided;
- misuse of grant or community funding; or
- false application for grant or community funding.

Corruption is dishonest activity by an official, employee or contractor which is contrary to the interest of the organisation or its clients. An incident of corruption may include an element of fraud or deception. Accepting benefits which may be perceived to conflict with public duties, or using information obtained from work for personal benefit is corruption. For example, if an official abused their position of trust to gain advantage or avoid disadvantage to the detriment of the organisation and/or its clients, this would be corruption.

Fraud Awareness and Responsibility (refer also to Appendix A)

The responsibility for managing the risk of fraud in the Wellington Shire Council rests with both the Council and Council management. Wellington Shire Council does not tolerate or condone fraudulent conduct. Management is responsible to demonstrate a genuine and strong commitment to fraud control to Council staff and clients.

Council will provide information and training on fraud control and reporting through Council's induction process and will support this with annual refresher training to all Councillors and staff. This will include information on the trend for organised crime groups to cultivate public sector employees. Staff, Councillors, contractors and consultants have a duty to make management aware of any concerns they have about the conduct of Council affairs and/or the use of Council assets and resources.

It is the responsibility of all Managers to ensure there are mechanisms in place within their area of control to assess the risk of fraud and promote staff awareness of ethics and Council's Staff and Councillor Codes of Conduct. To do this, management must create an environment in which staff believe that dishonest acts will be detected and investigated should they occur. Management must:

- participate in training programs covering the range of dishonest and fraudulent activities that can occur, and what indicators might exist;
- ensure that staff understand that the internal controls are designed and intended to prevent and detect fraud;
- encourage staff to report suspected fraud directly to those responsible for investigation without fear of disclosure or retribution; and
- abide by Council Policies and Procedures and avoid any conflicts of interest.

Reporting Suspected Fraud and Corruption

Under the *Public Interest Disclosure Act 2012*, the obligation to report suspected corrupt conduct rests with the relevant principle officer (Chief Executive Officer) and cannot be delegated. The relevant principle officer must notify the Independent Broad-based Anti-Corruption Commission

(IBAC) of all instances of suspected corrupt conduct occurring in their own organisation, and suspected corrupt conduct occurring in other organisations where it is connected with the relevant principal officer's duties, functions and exercise of powers. Refer to Policy 2.4.5 Mandatory Notification (Suspected Corruption) for further details.

As a part of the pre-employment process, Council employees are required to disclose known declarable associations, or associations they reasonably suspect to be declarable. A declarable association means any current association with a group or individual that is incompatible with the role of Council or the ability to uphold the function of council and may give rise to a perception in the mind of a reasonable person that a council employee is not adversely on the reputation of both employee and Council within the eyes of the community. Refer to Policy 2.4.4 Declarable Associations for further details.

Fraud Control Framework and Planning

To minimise the occurrence and impact of fraud, Council has a Fraud Control Plan to prevent, detect and respond to fraud. The key elements of the fraud control plan are:

ELEMENT	METHOD FOR ADDRESSING ELEMENT
Communicating intent	Fraud Control Policy and Codes of Conduct The Fraud Control Policy documents Council's intended action in implementing and monitoring Council's fraud prevention, detection and response initiatives. The Codes of Conduct promotes high standards of ethical behaviour expected of councilors and staff.
Identifying risks	Fraud Risk Assessment Council's Risk Register contains Council's fraud risk assessment at the corporate and operational levels and includes mitigation plans and actions. The Risk Register forms part of Council's overall risk management strategy.
Limiting opportunities	Internal Controls Council has implemented internal controls – systems, processes and procedures – to minimise risks identified as part of the fraud risk assessment i.e. role delegations for approvals and sign offs and spot audits. Monthly reporting of high risk procurement tools such as credit card and fuel card expenditure with a quarterly review by the Manager Corporate Finance and a half yearly presentation to the Corporate Management Team. All anomalies will be presented to the General Manager Corporate Services for further audit and investigation.
Raising awareness	Fraud training Fraud awareness training is an effective method of ensuring all employees are aware of their responsibilities in fraud control and of expectation for ethical behaviour in the workplace. This training conduct on-line for all staff and is undertaken annually

	and may also be supplemented with face to face training.
Monitoring	Audit and Risk Committee and Internal Audit Audit & Risk Committee and Internal Audit regularly review Council's internal controls, risk management processes and fraud control strategies.

These elements are also shown diagrammatically below:



Codes of Conduct

Council's Codes of Conduct clearly outline expected behaviours of staff and Councillors and the need for staff and Councillors to be fully aware of their responsibility to foster and develop the highest standards of integrity and promote an ethical workplace culture.

Fraud Prevention

The Chief Executive Officer has ultimate responsibility for the prevention and detection of fraud and is responsible for ensuring that appropriate and effective internal control systems are in place.

The Audit Committee supports the Chief Executive Officer in ensuring appropriate and effective internal control systems are operating.

Management should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indication of irregularity. Unit risk registers must include details of fraud risks and controls.

To minimise exposure to fraud, management must ensure internal controls are in place to prevent and reduce the opportunity for fraud, including but not limited to:

- adherence to all organisational procedures, especially those concerning documentation and authorisation of transactions;
- segregation of duties (to the extent possible) such that no one staff member is responsible for a transaction from start to finish;
- proactive application of internal checks and audits especially in identified high risk areas, which may include independent review and monitoring of tasks;
- security (both physical and electronic) such as locking doors and restricting access to certain areas;
- approvals within delegated authority;
- budget controls;
- quality assurance;
- declarations of Conflict of Interest as appropriate;
- ensuring that staff take regular annual leave;
- appropriate staff induction and training; and
- thorough pre-employment checks.

ALL staff are responsible for the safeguarding of Council assets against theft or improper use.

Fraud Detection

Managers should ensure that through their own participation in staff training programs and other awareness processes, they are aware of common indicators of fraud and that they respond to those indicators as appropriate.

Awareness of warning signs (red flags) for possible fraud or corruption is a useful method of detection. Often fraud indicators are inter-related and, in some situations, evidence of one indicator may imply a potential risk but may not constitute fraud or corruption. The more inter-related indicators identified, the higher the risk of potential fraud or corruption.

Examples of common fraud indicators, include but are not limited to:

Internal fraud indicators:

- unexplained and/or sudden sources of wealth;
- excessive secrecy in relation to work;
- employees who are aggressive or defensive when challenged, and/or controlling of certain colleagues;
- poorly reconciled cash expenses or customer accounts;
- employees known to be under external financial pressure;
- employees who delay providing information or who provide different answers to different

people;

- employees under apparent stress without identifiable pressure;
- employees making procedural or computer enquiries inconsistent or not related to their normal duties;
- managers who avoid using the Procurement Unit (i.e. excessive use of petty cash or credit cards to purchase items outside the procurement framework);
- employees who appear to make a large number of mistakes, especially those leading to financial loss;
- employees with competing or undeclared external business interests;
- employees (especially managers) with too much hands-on control;
- employees refusing to take leave;
- an unusual number of customer complaints; or
- customers or suppliers insisting on dealing with just one individual.

External fraud indicators:

- client applications for government assistance with inconsistent signatures, mismatched fonts or handwriting on different pages of the same document;
- invoices which look different to previous invoices issued by the same provider;
- lack of supporting evidence, or falsified supporting evidence, that eligibility criteria for grant or community funding has been met;
- expenditure has exceeded approved budgets for grant funding but there is not adequate information to explain the variance;
- a high volume of transactions from one service provider, such as a registered training organisation, used to support a license, community or grant funding application, may indicate collusion between applicants and the provider; or
- attempts to obtain sensitive information such as usernames, passwords and credit card details (i.e. phishing emails, whaling attacks).

An employee who has knowledge of an occurrence of irregular conduct, or has reason to suspect that fraud has occurred, shall immediately notify their Manager. If the employee has reason to believe that the employee's Manager may be involved, the employee shall immediately notify their General Manager.

The avenue for reporting suspicious or known incidents of fraud which may lead to a preliminary investigation. In the event of an investigation, employees shall maintain a high degree of confidentiality and not discuss the matter with anyone other than their Manager, General Manager or Council's Protected Disclosures Officer.

Employees who knowingly make false allegations will be subject to discipline up to and including dismissal.

Reporting Suspected Fraud

Allegations made by employees, contractors, and members of the public can often lead to the uncovering of fraud. Council encourages employees, contractors, service providers and, where relevant, members of the public to report their suspicions of fraud.

Any irregularity that is detected or suspected must be reported immediately to the General Manager Corporate Services who will co-ordinate all investigations, whether by Council's own staff, the

Internal Auditors or other independent experts.

A staff member who discovers or suspects fraudulent activity will report the matter to their immediate supervisor or Business Unit Manager who will contact the General Manager Corporate Services immediately.

If the staff member suspects that their General Manager may be responsible, then they should contact the Chief Executive Officer.

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.

The staff member or any other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual or legal representative should be directed to the General Manager Corporate Services. No information concerning the status of an investigation should be given out.

The protections set out in the *Public Interest Disclosure Act 2012* will apply. Refer to Policy 2.1.9 Public Interest Disclosures for further details.

The reporting individual should be informed of the following:

- do not contact the suspected individual in an effort to determine facts or demand restitution; and
- do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Coordinator Human Resources.

The General Manager Corporate Services will treat all information received confidentially. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct.

Public Interest Disclosures

No employer or person acting on behalf of the Council shall:

- victimise an employee;
- dismiss or threaten to dismiss an employee;
- discipline or suspend or threaten to discipline or suspend an employee;
- impose any penalty upon an employee; and
- intimidate or coerce an employee;

because the employee has acted in accordance with the requirements of the policy.

The violation of this section will result in discipline up to and including dismissal.

The General Manager Corporate Services is the designated Public Interest Disclosures Coordinator at Wellington Shire Council.

Handling Fraud – Investigation Practices and Protocols

The Corporate Services Division has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy.

The appointed investigators will have:

- free and unrestricted access to all Council records and premises; and
- the authority to examine, copy and remove all or any portion of the content of files, desks, cabinets, mobile phones, computers and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of their investigation.

If the investigation substantiates that fraudulent activities have occurred, the General Manager Corporate Services, will issue reports to the Chief Executive Officer, the Audit and Risk Committee and through it, to Council.

Staff found to be involved in fraudulent activities will be dismissed from Council's service.

Any investigative activity required will be conducted impartially with due deference to the *Public Interest Disclosure Act 2012*, procedures for Wellington Shire Council and the Information Privacy Policy and Guidelines. It will also be conducted with awareness of the Councillor and Staff Codes of Conduct and Council's staff grievance procedures.

Council has established a Fraud Incident Register to ensure that all incidents are recorded (*refer to Appendix B*). The Fraud Incident Register will be maintained by the General Manager Corporate Services and will include the following information in relation to every reportable fraud incident:

- date and time of report;
- date and time that incident was detected;
- how the incident came to the attention of management (i.e. anonymous report, normal report, supplier report);
- the nature of the incident;
- value of loss to Council, if any;
- the action taken following discovery of the incident.

Post Incident Analysis

Following any investigation, a Fraud Incident Analysis will be conducted to establish any system or process failures and identify future corrective actions. This is detailed using the [Post Incident Analysis Report](#).

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Fraud Incident Analysis Procedure
	Public Interest Disclosure Procedure
	Human Rights Charter
Strategy	Staff Code of Conduct
	Councillor Code of Conduct

Appendix A – Fraud and Corruption Roles and Responsibilities

CEO and General Managers	• Overall responsibility for prevention and detection of fraud and corruption within Council • Legislated responsibility to exercise authority, on behalf of Council • Manage public resources of the department efficiently, responsibly and in an accountable manner. • Implement policies and priorities responsibly. • Ensure impartiality and integrity in the performance of the department's functions. • Ensure accountability and transparency in the department's operational performance. • Promote continual evaluation and improvement of department's management practices.
All managers, supervisors, coordinators and team leaders	• Display ethical leadership and high personal standards of behaviour consistent with the Code of Conduct for the Victorian Public Service. • Visibly promote the department's ethical framework and adherence by all employees. • Effectively manage risk in accordance with the department's fraud risk management framework. • Proactively manage staff conduct by taking prompt and appropriate action. • Develop strong internal controls to assist with fraud and corruption prevention. • Ensure all employees and contractors complete compulsory DJAG training and awareness sessions in addition to job-specific training. • Ensure employee compliance with relevant policies and procedures including identifying and reporting on potential fraudulent and corrupt activities. • Advise the Ethical Standards Unit regarding all reports of suspected fraud or corruption.
All employees (including contractors, volunteers, temporary and casual staff)	• Act in an ethical manner in the workplace Understand and comply with all policies and procedures including: - o safeguarding assets, information and other resources under their control - o identify and report any potential issues - o ensuring all administration is accurate with no deliberate omissions (i.e. allowance claims, recording accurate hours of work on timesheets) Report all suspicions of fraud and corruption • Register all gifts and benefits offered, and Declare all perceived, potential and actual conflicts of interest including those of family members which may influence their official duties. • Undertake required education and training to responsibly and effectively undertake their duties.

Appendix B – Fraud Reporting Register Template

Wellington Shire Council Fraud Register						
Date and time of report	Business unit / Division	Date and time of suspected fraud	How the incident came to the attention of management (i.e. anonymous report, normal report, supplier report)	Fraud Incident description (who, what, when, where, how)	Value of loss to Council, if any	Action taken following discovery of the incident
	Justice Services / VAQ	31/03/2017	XX claimed for a payment with fraudulent receipts. Payment of \$XXX was made to the applicant	31/03/2017 – Investigation commenced 7/04/2017 – Investigation recommendations presented 14/04/2017 – Brief to DG progressed for approval to refer to QPS	Ongoing	Referred to QPS

PUBLIC INTEREST DISCLOSURES

Policy Number:	2.4.3
Approved by	Chief Executive Officer
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Fraud Control Procurement Risk Management
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Privacy and Data Protection Act 2014 (Vic), Freedom of Information Act 1982, Charter of Human Rights and Responsibilities Act 2006</i>

OVERVIEW

This policy has been developed by Wellington Shire Council pursuant to section 58 of the *Public Interest Disclosure Act 2012* (previously the *Protected Disclosures Act 2012*). The purpose of the amendments made to the Act is to make it easier to make disclosures of improper conduct by public officers, and public bodies, including Wellington Shire Council, its staff, employees and Councillors. The changes allow a broader range of disclosures to be made, provide for more independent expert bodies to investigate disclosures and introduce a flexible 'no wrong door' approach to ensure disclosures aren't excluded because of non-compliance with complex procedures.

THE POLICY

Wellington Shire Council is committed to the aims and objectives of the Act which recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal improper conduct. It does not tolerate improper conduct by the organisation, its employees, Officers, or Councillors, nor the taking of reprisals against those who come forward to disclose such conduct.

Public Interest Disclosure Act 2012 (the Act)

Under the Act, the Independent Broad-based Anti-Corruption Commission (IBAC) has a key role in receiving, assessing and investigating disclosures about improper conduct and detrimental action taken in reprisal for a disclosure by public bodies or public officers.

The Act provides certain protections for people who make disclosures and creates certain obligations of confidentiality preventing the disclosure of the identity of the person who had made a disclosure and the content of the disclosure, unless it is done under certain specified circumstances. Disclosure of either the identity of a discloser, or the content of their disclosure that is not covered by any of those specified exceptions is a criminal offence.

From Public Interest Disclosure (PID) to Public Interest Complaint (PIC)

A PID is a disclosure by a natural person of information that shows / tends to show or information that the person reasonably believes shows / tends to show improper conduct or detrimental action (previously a protected disclosure). A PIC is the result of an investigation into reported PIDs where the determination by IBAC, the Victorian Inspectorate or the Integrity and Oversight Committee (IOC) has established that the criteria for a PIC has been met (previously a protected disclosure complaint). Where a matter is determined to be a PIC, additional rules apply as to how it must be

handled. These include a restricted list of bodies which can be referred the matter for investigation, what notifications must be given to the discloser and a restriction on withdrawing the complaint.

People making a disclosure must believe, on reasonable grounds, that the Councillor or Council employee has engaged in, or proposes to engage in, improper conduct or detrimental action. The conduct must be serious enough to constitute a criminal offence or reasonable grounds for dismissal. All disclosures can also be made anonymously.

Examples of such a disclosure may include but are not limited to:

- an officer taking a bribe to grant a permit;
- an officer ignoring, or concealing evidence of an illegal activity being conducted in the municipality;
- a Council officer selling or revealing confidential information to enable someone to gain advantage such as information about a tender;
- a substantial mismanagement of public resources;
- a substantial risk to public health or safety; or
- a substantial risk to the environment.

The definition of improper conduct has been revised to specify the following categories:

Public Interest Disclosure (Councillor)

Disclosures about a Wellington Shire Councillor should be made directly to IBAC or the Victorian Ombudsman.

Public Interest Disclosure (Council Staff)

Disclosures regarding Wellington Shire Council staff should be made to Council's Protected Disclosure Coordinator (General Manager Corporate Services) who has oversight and responsibility for the operation of the Public Interest Disclosure policy and compliance with the provisions of the Act.

ADDITIONAL PROVISIONS TO AMENDED *PUBLIC INTEREST DISCLOSURE ACT 2012*

Misdirected Disclosures

This allows for a PIO made to the wrong receiving entity to be redirected to another receiving entity, without the discloser losing the protections of the PIO scheme, where:

- the receiving entity must be an entity to which a PIO ordinarily may be made; and
- the person making the disclosure must honestly believe that the receiving entity was the appropriate entity to receive the disclosure.

For example, if the Victorian Ombudsman receives a misdirected PIO about Victoria Police it can redirect the PIO to IBAC for assessment.

External Disclosures

A new class of disclosure is created for 'external disclosures'. External disclosures are defined as a PIO made to a person or body who is not an entity to whom a PIO can be made under Division 2, Part 2 of the PIO Act (the part which prescribes how and to whom PIDs must be made).

A discloser may disclose the details of a PIC to an external person or body (who is not able to

receive disclosures) if the assessing entity does not notify the discloser about any action taken in response to the original disclosure within six months and has not responded to a request for advice within 30 days. An external disclosure may also be made if the investigation of the original disclosure is not completed within 12 months, and the investigating entity has not responded to a request for advice within 30 days.

Finally, an external disclosure may be made where the investigation of the original disclosure was not completed within 12 months, the discloser has received an update within 30 days of requesting it, but the discloser has then not received any further update advising that the investigation has been completed within a further six months of that response.

Appointing a Welfare Manager (Coordinator Human Resources)

A Welfare Manager's role is to monitor the specific needs of the discloser or cooperator and provide them with practical advice and support.

In most circumstances, a Welfare Manager will only be required when a public interest disclosure has been evaluated as a genuine public interest complaint and proceeds to investigation. However, each case needs to be assessed on its own merits.

A Welfare Manager must not divulge any details relating to the disclosed matter to any person other than the Protected Disclosure Coordinator, or the principal officer of the public body. All meetings between the Welfare Manager and person must be conducted discreetly to protect the person from being identified as being involved in the disclosure.

Council's Welfare Manager (Coordinator Human Resources) can be reached on 03 5142 3040.

Reporting a Protected Disclosure

By telephone:

Public Interest Disclosure Coordinator (General Manager Corporate Services) can be reached on 5142 3181.

By email: pid@wellington.vic.gov.au

By post:

"Confidential" Public Interest Disclosure
Attention General Manager Corporate Services
PO Box 506
Sale VIC 3850

Report directly to IBAC or the Victorian Ombudsman:

Independent Broad-based Anti-Corruption Commission (IBAC)

Telephone IBAC on 1300 735 135 to request a form to be sent to you.

Postal address:
Level 1, North Tower
459 Collins Street
Melbourne VIC 3000

Complete the IBAC secure online form available at: <https://www.ibac.vic.gov.au/reporting-corruption/report/complaints-form> or download a complaint form at www.ibac.vic.gov.au and return by email, fax or post.

Victorian Ombudsman

Telephone Victorian Ombudsman on (03) 9613 6222 Email: ombudvic@ombudsman.vic.gov.au
Postal address:
Level 2, 570 Bourke Street
Melbourne VIC 3000

Complete the Victorian Ombudsman secure online form available at:
<https://www.ombudsman.vic.gov.au/Complaints/Make-a-Complaint> or download a complaint form at
www.ombudsman.vic.gov.au return by email, fax or post.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Councillor Code of Conduct, Staff Code of Conduct, Public Interest Disclosure Act Guidelines
Strategy	Nil

DECLARABLE ASSOCIATIONS

Policy Number:	2.4.4
Approved by:	Chief Executive Officer
Date Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Documents	Pre-Employment Screening Policy Employee Code of Conduct Employee Reference Guide Declarable Associations Form Human Rights
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager People and Capability
Statutory Reference:	Nil

OVERVIEW

A Declarable Association means any current association with a group or individual that:

- is incompatible with the role of Council or the ability to uphold the function of council;
- may give rise to a perception in the mind of a reasonable person that a Council employee is not upholding or may be not upholding their obligation as a Council employee; and
- may reflect adversely on the reputation of both employee and Council within the eyes of the community.

THE POLICY

As a part of the pre-employment screening process, Council employees are required to disclose known declarable associations, or associations they reasonably suspect to be declarable. This includes any association with persons, a group, event or organisation that is declarable under this policy.

Examples of Declarable Associations

Declarable associations include, but are not limited to, associations between a Council employee and:

- an individual or group involved in the use, sale, distribution, manufacture, exportation or importation of illicit drugs, precursor chemicals or equipment used in the manufacture of illicit drugs;
- former members of any Australian Public Service or private enterprise suspected or known to have left their organisation due to an integrity issue;
- an individual, group or organisation involved in any criminal or illegal activities;
- an individual who has a criminal history if the nature or timing of the offending would be likely to raise in the mind of a reasonable member of the community that the association is incompatible with the role of the employee or the organisation;
- an individual who encourages or tries to encourage the Council employee to misuse their position, or whose association creates the perception that the staff member has or may have misused their position;
- an individual associated with a group or organisation known to be frequented by individuals suspected of engaging in criminal activity.

- This includes members of:
 - outlaw motorcycle groups;
 - organised crime groups;
 - street gangs;
 - extremist groups;
 - groups operating online such as the 'Anonymous' hacker group;
- a land developer, service provider or consultant who interacts with Council or undertakes services for Council;
- an individual, group or organisation suspected or known to be involved in any activities that may be in conflict with the role and mission of the organisation;
- an individual person, group, event or organisation that may reflect poorly on the good reputation and/or integrity of Council, our employees or in the eyes of the wider community.

The declarable association could exist in either the real or virtual world and includes social media interactions.

Making a Declaration

As per legislation, in order to maintain organisational integrity, all current council employees are required to report declarable associations as they become known, in line with the *Employee Code of Conduct*.

Employment to Council is subject to pre-employment screening processes such as National Police Record Clearance, verification of references and credentials as well as and other vetting practices (as required). Prior to commencement to Council, all new employees are required to report any declarable associations.

For existing Council employees, reports must be made as soon as practicable after the employee becomes aware of the particulars about an individual, group or event.

The report should provide the details of the individual, group, event or organisation being declared and the circumstances in which the Council employee became aware of the fact that the association was a declarable one under this policy.

A declarable association only needs to be reported once, however any change in circumstances must be reported.

Declarations should be made using the **Declarable Associations Form**.

Risk Assessment

Once a declaration has been made, in conjunction with the relevant Business Unit Manager and Manager People and Capability will undertake a risk assessment in relation to the information about the association and the associate.

Management of Risk:

Following a risk assessment of a declarable association, the following action/s may occur:

- the declaration is noted and placed on the employee's Human Resources (HR) file;
- management of the employee's health and wellbeing;
- direct the employee to relinquish the association.

Where the association needs to be managed through a documented and agreed arrangement as prescribed by the Manager People and Capability, the employee may be directed to apply risk mitigation strategies including:

- minimising employee involvement with the associate;
- reporting future interactions;
- advising of any relevant changes to circumstances.

A documented arrangement will be established only after discussions have taken place between the Council employees, the respective Business Unit Manager and HR about how to manage the risk. If the cost in establishing, managing or maintaining an arrangement is too significant or onerous for the organisation, the employee may be directed to relinquish the declarable association.

Failing to comply with a direction to discontinue an association may be regarded as a breach of the *Employee Code of Conduct* for failing to comply with lawful and reasonable direction. If an employee disagrees with any direction given, they must seek re-evaluation through the Grievance Process.

HUMAN RIGHTS

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Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

MANDATORY NOTIFICATION (SUSPECTED CORRUPTION)

Policy Number:	2.4.5
Approved by:	Chief Executive Officer
Date Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Fraud Control Public Interest Disclosures
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Chief Executive Officer
Statutory Reference:	<i>Public Interest Disclosure Act 2012 Section 57</i> <i>Local Government Act 1989</i> <i>AS 8001-2008 Fraud and Corruption Control</i> <i>Crimes Act 1958</i>

OVERVIEW

Council aims to establish an environment in which corrupt conduct is not tolerated and one in which Councillors and Council employees (including Officers) do not act dishonestly. This environment will promote a culture where all fraudulent activities and corrupt conduct once notified or legitimately suspected are reported, investigated and resolved in a timely and fair manner.

Council will not tolerate any incident of corrupt conduct. Councillors and Council employees will act in accordance with applicable Codes of Conduct and in the spirit of ethical standards.

THE POLICY

This policy forms an integral part of Council's risk management strategy and will contribute to a culture of awareness which encourages staff responsibility and workplace protection against suspected or actual corrupt behavior.

The Australian Standard AS 8001-2008 defines corruption as:

"Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interest of the entity and abuses his / her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity."

The obligation to report suspected corrupt conduct rests with the relevant principal officer (Chief Executive Officer) and cannot be delegated. Where another person is acting as the relevant principal officer, the obligation applies to that person. The relevant principal officer must notify IBAC of all instances of suspected corrupt conduct occurring in their own organisation, and suspected corrupt conduct occurring in other organisations where it is connected with the relevant principal officer's duties, functions and exercise of powers. There is no legislative obligation for the relevant principal officers to search out corrupt conduct, only to report it when suspected.

Corrupt conduct

Suspect conduct maybe detected during a regular review process (e.g. an internal audit, service review or routine quality assurance review).

Section 4 of the *IBAC Act 2011* describes and defines corrupt conduct, summarised here as conduct, or an attempt or conspiracy to engage in conduct that:

- a) adversely affects the honest performance of the functions of a public officer or public body;
- b) constitutes or involves the dishonest performance of the functions of a public officer or public body;
- c) constitutes or involves knowingly or recklessly breaching public trust;
- d) involves the misuse of information or material acquired in the course of the performance of the functions of a public officer or public body;
- e) is intended to adversely affect the effective performance of the functions or powers of a public office or public body and results in the person or their associate obtaining a specified benefit.

In order for conduct to be corrupt conduct, it must also be the case that the conduct would constitute a relevant offence which means an indictable offence against any Act, or the common law offences of attempt to pervert the course of justice, bribery or a public official, perverting the course of justice and misconduct in public office.

Examples of misconduct in public office include:

- deliberately falsifying accounts to conceal or obtain a benefit;
- entering into a secret commission or profit-sharing arrangement with another person;
- colluding to share profits with tender recipients and concealing the overvaluation of tenders;
- using public office to deceive a member of the public to gain a financial advantage;
- misusing power to harm, oppress or disadvantage a person.

When must a report be made?

Notifications of suspected corrupt conduct must be made as soon as practicable after the Chief Executive Officer has formed a reasonable suspicion that corrupt conduct may have occurred or may be occurring.

CONFIDENTIALITY

Notifications to IBAC must be made without advising the person(s) to whom the notification relates, and without publicity. All notifications of suspected corrupt conduct to IBAC will be treated in the strictest confidence.

Failure to handle notifications to IBAC confidentially may prejudice any subsequent investigation, whether by IBAC or the public-sector body concerned, and may cause unnecessary reputational or other damage to individuals.

Making a mandatory notification

Independent Broad-based Anti-Corruption Commission (IBAC)

Telephone IBAC on 1300 735 135 to request a form to be sent to you.

Postal address:

Level 1, North Tower

459 Collins Street

Melbourne VIC 3000

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HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

CONFLICT OF INTEREST

Policy Number:	2.4.6
Approved by:	Chief Executive Officer
Date Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Councillor Code of Conduct Staff Code of Conduct Fraud Control Conflict of Interest Declaration & Management Plan
Applicable to Unit(s):	Organisation
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

This policy has been developed to provide information and guidance to Councillors, staff and delegates in the identification, disclosure and management of actual, perceived or potential conflicts of interests.

While conflicts of interest are not wrong in themselves, and indeed cannot always be avoided, the potential for conflict of interest exists in all aspects of Council operations.

Conflicts may be actual, potential or perceived by others and it is important that staff act and are seen to act with integrity and are not inappropriately benefited by improperly using their position in the Council.

The most effective means to address actual, potential or perceived conflicts of interest is to establish a system under which members of staff are required to disclose and obtain evaluation of any conflict of interest.

The purpose of this policy is to assist staff in the identification and management of actual, potential or perceived conflicts of interest – and to assist staff in addressing conflict of interest issues. Council has a responsibility to ensure that its activities and those of its staff conform to acceptable standards of integrity and good conduct. It recognises that a well-established system for identifying, disclosing and managing conflicts of interest increases its public accountability and reduces the risk of corruption, misconduct and bias in its operations and decision-making processes.

Council also recognises that conflicts of interest are not unusual in the exercise of public responsibility and cannot always be avoided. Where a conflict of interest occurs, the interests of the Council will be balanced against the interests of the staff member. Unless exceptional circumstances exist, the balance of interests will be resolved in the Council's favour, and Managers, when notified of a conflict of interest, will deal promptly with the conflict and put in place arrangements that protect the integrity of the Council Processes.

Conflict of interest is about transparency, Councillors and staff hold positions of public trust and should work to serve the interests of the community, not themselves or someone else's private interests.

THE POLICY

It is the responsibility of each Councillor or staff member to identify a conflict of interest and disclose this when necessary. Failure to disclose conflicts of interest is a breach of *the Local Government Act 1989* (the Act) in which penalties can apply.

Areas of activity where conflicts may arise

A conflict of interest may arise because of the council's involvement in any of the following matters:

- appointing and managing staff;
- providing sponsorships;
- use of resources or assets that could be used for private gain;
- entering into contracts to procure goods or services from the private sector or engaging in projects with the private sector;
- collecting, retaining, accessing or using confidential information;
- providing financial assistance and concessions;
- performing a regulatory role in relation to the monitoring of standards;
- disciplinary role; and
- providing advice.

Disclosure and Declaration

All employees/volunteers of council must consider the public interest when carrying out their official duties and place this above their own private or personal interests. This is achieved by:

- carrying out all official duties in accordance with council and legislative ethical principles as documented in council's Code of Conduct.
- assessing their own private and personal interest to identify any action, potential or perceived conflicts of interest.
- identifying and declaring all conflicts of interest
- disclosing all conflicts of interest that arise when compiling council reports and workshop notes
- managing all conflicts of interest in accordance with agreed management strategies.
- completion of councils Conflict of Interest Declaration & Management Plan

The Declaration and Management of Conflict of Interest Form can be found under Governance on the Council's Intranet.

All levels of management will:

- Encourage a culture of disclosure within council
- Regularly remind employees of their obligation to identify and declare conflicts of interest
- Actively liaise with employees to resolve and manage conflicts of interest
- Maintain confidentiality with regards to conflicts of interest declarations.

All Councillors must comply section 79 of the Act, Local Law No -1 and Councillor Code of Conduct when declaring conflicts of interest by undertaking the following:

- disclose the conflict of interest at the beginning of a Council meeting;

- if details are private in nature, then the interest can be declared to the Chair in writing prior to the meeting and the disclosure will simply be the type of interest and example;
- immediately prior to consideration of the matter;
- classify the interest as Direct (section 77B) or specify the type of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
- describe the nature of the interest;
- where a Councillor or member of a special committee has two or more conflicts of interest on matters being considered consecutively, they must disclose the interests prior to the first matter being heard;
- while the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a special committee must;
 - leave the room and notify the Mayor of the Chair of the special committee that he or she is doing so;
 - remain outside the room; and
 - the Mayor or Chair of the special committee must invite the Councillor or member of a special committee to return to the meeting.

All declarations must be recorded in the minutes. All reported conflicts of interest must be recorded in the Conflict of Interest OneNote maintained by the Governance Officer.

The Act describes classes of interest as being either direct and / or indirect interests.

Type of Interest		Example of Circumstance
Direct Interest (section 77B)		• Reasonably likely that your benefits, obligations, opportunities or circumstances will be directly altered. • Reasonably likely to receive a direct benefit or loss measurable in money. • Reasonably likely that your residential amenity will be directly affected.
Indirect Interest	Close Association (section 78)	• A member of your family has a direct interest or an indirect interest. • A relative has a direct interest or a member of your household has a direct interest.
	Indirect financial interest (section 78A)	• Likely to receive a benefit or loss, measurable in money, resulting from a change to another person's interest. • Holding shares in a company or body that has a direct interest.
	Conflict of duty (section 78B)	• Manager or member of the governing body of an organization with a direct interest. • Trustee for a person with a direct interest. • Past dealings in relation to the matter as duty to another person or body.
	Applicable Gift (section 78C)	• Gifts valued at \$500 in previous 5 years • Election donations valued at or above \$500 in previous 5 years.

		• Gifts other than election campaign donations that were received more than 12 months before a person became a Councillor are exempt.
	Party to the Matter (section 78D)	• Initiated or become party to civil proceedings in relation the matter.
	Impact on residential amenity (section 78E)	• Reasonable likelihood that the residential amenity of the person will be altered if the matter is decided in a particular way

Failure to Disclose a Conflict of Interest

Staff and Councillors, have an obligation to disclose and manage conflicts of interest.

Failing to comply with this policy, including refusal to take any reasonable action as directed, to resolve a conflict of interest may constitute misconduct or serious misconduct which may result in disciplinary action or termination of employment.

Managing Conflicts of Interest

The management of conflicts of interest will be determined by the General Manager Corporate Services or by the relevant General Manager for the Business Unit.

The four recommended responses could be:

1. Avoid the conflict of interest

Avoiding a conflict of interest which poses an unacceptable risk to, or impact upon Council's interests is the preferred strategy.

To avoid a conflict of interest, the staff member concerned may be removed from the decision-making process in relation to the matter concerned or requested to relinquish the private interest which is creating the conflict.

2. Accept and reduce the conflict of interest

A conflict of interest may be reduced by ensuring that the staff member concerned has restrictions placed on their involvement in the relevant matter, or that another staff member or organisational area takes responsibility for the matter.

3. Share the conflict of interest

A conflict of interest may be shared by involving a third party to oversee part or all of the decision-making process that deals with the relevant matter.

4. Retain the conflict of interest

A conflict of interest may be retained, and the staff member continues to be involved in the matter concerned, subject to a regular review of the situation.

This response is only suitable for low risk conflicts of interest.

Monitoring conflicts of interest

All disclosed conflicts of interest must be reviewed by General Manager Corporate Services, Governance Officer, the staff member and their Manager on at least an annual basis to ensure that the information remains correct, and that the management responses continue to be appropriate

and effective. Any change in the arrangements must be notified immediately to the relevant senior officer.

Breaches of this Policy

Failure to comply with this policy will constitute a breach of the relevant Codes of Conduct and may result in disciplinary action or other serious sanctions as per the *Local Government Act 1989*.

HUMAN RIGHTS

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Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

DELEGATIONS

Policy Number:	2.4.7
Approved by	Chief Executive Officer
Date Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Procurement Fraud Control
Applicable to:	Organisation
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Local Government Act 1989</i> <i>Instrument of Delegations</i>

OVERVIEW

Delegations are the mechanisms by which council enables its officers to act on behalf of council. Delegations are a key element for effective governance and management of the Council and provide formal authority to delegated staff members.

What is a Delegation?

Delegation means the assignment of a duty, power or function to another, together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.

It is important to understand the following characteristics of delegation:

- a delegation may be revoked by formal decision of Council or the Chief Executive Officer;
- a delegation is allocated to a position and not to a person;
- a delegation can apply to those persons temporarily acting in the position, unless specially advised otherwise;
- delegations are only to be provided to those who have the skills, experience and/or the appropriate or approved qualification to undertake the task;
- where a function is delegated to more than one position, each position may exercise the delegated function independently unless otherwise indicated;
- council is able to impose limitations or conditions on a delegation; and
- delegations are derived from Section 98 of the *Local Government Act 1989*.

A Delegation is **not**:

- the performance of an administrative task;
- an action of an authorised officer under section 224 of the Act; or
- a decision making under a statutory appointment.

Council currently have the following delegations:

Instrument of Delegation from Council to the CEO (S5)

This delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO.

Instrument of Delegation from Council to members of Council Staff (S6)

This delegates certain powers directly from Council to Council staff due to the legislation referred to containing specific powers of delegation.

Instrument of Sub Delegation from CEO to members of Council Staff (S7)

This sub-delegates Council powers, duties or functions contained in Acts or Regulations which do not include a specific power of delegation.

Instrument of Delegation S7 also contains a miscellaneous section which covers powers, duties and functions of Council that are not specifically provided for in legislation, but which are part of the general powers of Councils that are delegated to the Chief Executive Officer, and which, if it is appropriate, the Chief Executive Officer will sub delegate. These include finance issues (noting the specific procurement/expenditure delegations are incorporated in the Procurement Policy) and miscellaneous matters.

Instrument of Delegation from CEO to members of Council Staff (S13)

This instrument allows the CEO to delegate his or her powers, duties and functions existing under all Victorian legislation. This differs to the S7 Instrument in that it does not relate to *Council* powers, duties and functions, but those vested in the CEO personally.

Instrument of Delegation from CEO to members of Council Staff (S14) (VicSmart Applications)

This delegates certain powers directly from Council to Council staff due to the legislation referred to containing specific powers of delegation under the *Planning and Environment Act 1987* in relation to VicSmart planning applications.

Appointments and Authorisations (Authorised Officers)

Council may appoint any person other than a Councillor to be an authorised officer for purposes of administration and enforcement of any Act, regulation or local law which relates to the functions and powers of Council.

All appointments and authorisation are to be made by the Chief Executive Officer, with the exception of the S11A Instrument of Appointment and Authorisation, *Planning and Environment Act 1987* (these particular Instrument of Appointment(s) are made under Council resolution).

Council must maintain a register that shows the names of all staff appointed as authorised officers.

Individual identity cards are to be issued to each authorised officer and must contain:

- a photograph of the authorised officer; and
- the signature of the authorised officer.

An authorised officer must produce his or her identity card upon being requested to do so.

Authorised Officer Identity Cards will be provided upon commencement of duties and are to be returned to the Governance Officer on either cessation of their role or change of role.

POLICY COMPLIANCE

- All persons acting under delegated authority are expected to read this Policy carefully so as to ensure that they understand and are familiar with the requirements with which they are to comply;
- All persons temporarily acting in a delegated position are expected to understand all delegations associated whilst performing those duties;
- Delegations and sub delegations must be made available for public inspection upon request;
- Pursuant to Section 98(6) and 86(6) of the *Local Government Act 1989*, this Policy and its incorporated Instruments of Delegation to Officers will be reviewed within 12 months of a General Election;
- A breach of this policy or a delegation may be regarded as misconduct and can be dealt with by Council's Code of Conduct;
- A delegation must be exercised within its conditions and in accordance with all Council policies and procedures and any relevant legislation;
- All Officers to whom authority has been delegated shall exercise the delegation in accordance with any budget allocated; and
- A delegation cannot be exercised by a person who has a conflict of interest. If any conflict of interest occurs, it must be declared immediately and dealt with in accordance with Council's Code of Conduct.

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

ACCEPTANCE & DECLARATION OF GIFTS AND HOSPITALITY

Policy Number:	2.4.8
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Councillor Entitlements and Administration
Applicable to Unit(s):	All Staff and Councillors
Responsible Officer:	Manager People and Capability
Statutory Reference:	<i>Local Government Act 1989</i> <i>Local Government (General) Regulations 2004</i>

OVERVIEW

To provide Staff and Councillors with requirements relating to the acceptance of gifts and hospitality.

THE POLICY

Wellington Shire Council is committed to following sound and transparent business practices in accordance with the *Local Government Act 1989*, Councillor and Staff Codes of Conduct. It recognises the importance of operating in a manner that models' transparency, impartiality, equality and the highest ethical standards.

COUNCILLORS AND COUNCIL STAFF

A gift must not be accepted by staff or Councillors if it is given as a bribe for favourable service or outcomes or could be perceived as intended to, or likely to, influence him or her in the fair, impartial and efficient discharge of their duties as a Councillor or member of staff.

The performance of Council functions including, but not limited to, tenders, planning decisions, recruitment processes and regulatory activity will not be influenced by the offer or inducement of a gift.

Receipt of a gift from a person or organisation can result in a conflict of interest, or a perceived conflict of interest, in a matter.

Councillors and Council officers must not solicit, demand or request gifts or any personal benefit for themselves or another person by virtue of their position.

In general gifts are acceptable when:

- the gift is of token value and estimated to be less than \$50;
- it is a customary of the culture to bestow or exchange gifts as thanks for hospitality; or
- gifts are presented by a visiting official and duly authorised by the governing body.

Gifts given as a sign of gratitude recognise outcomes collectively achieved by the Council and/or group of staff. Therefore, as far as is reasonable and practical, such gifts are to be "pooled" then shared among the Council and/or the working group.

In general, hospitality is acceptable when:

- hospitality is a provision of travel, accommodation, entertainment, food or beverages; or
- a Councillor or staff member may accept hospitality such as attendance as a Council representative at promotional or other events.

All gifts and acts of hospitality must be declared using the appropriate Gifts and Hospitality Declaration form and details included on Council's Gift Register. Under NO circumstances is cash or monetary equivalent to be accepted as an applicable gift.

Applicable Gift

An **applicable gift** is a gift that puts the recipient into a potential conflict of interest because the donor of the gift has an interest in a matter.

Section 78C of the *Local Government Act 1989* defines an applicable gift as:

(1) One or more gifts with a total value or, or more than, the gift disclosure threshold (\$500), received from a person or persons specified in subsection (2) in the 5 years preceding the decision or the exercise of the power, duty or function but does not include:

- a) Reasonable hospitality received by the person at an event or function the person attended in an official capacity as the Mayor, a Councillor, a member of Council staff or a member of a special committee; or
- b) A gift, other than an election campaign donation, that was received by the person more than 12 months before the person became a Councillor, a member of Council staff or a member of a special committee.

Significant Occasion Gift

A **significant occasion gift** is a gift which is presented to the Mayor or a Councillor from Wellington Shire as a gesture of goodwill for official or ceremonial purposes.

- A significant occasion gift to the Mayor must not exceed \$200;
- A significant occasion gift to a Councillor must not exceed \$150.

All significant occasion gifts **must be declared** using the Gifts and Hospitality Declaration form and details included on Council's Gifts Register.

COUNCILLORS SPECIFIC REQUIREMENTS

Applicable Gift

Where a Councillor has declared a conflict of interest from the acceptance of an **applicable gift** details of the interest will be documented in the meeting minutes which are available for public inspection.

Election Campaign Donation Return Gift

A **donation period** gift is a gift given to a Councillor/Candidate, to be used in connection with an election campaign within 40 days after election day.

Councillors must specify all gifts (including cash campaign donations) they have received during this time by submitting the details in the prescribed form to the CEO in accordance with section 62 of the *Local Government Act 1989*. All donation period gifts must be declared, and details included on Council's Gifts Register.

The Gift Test

The GIFT test (developed by the Victorian State Services Commission) is a good example of what to think about when deciding whether to accept or decline a gift, benefit or hospitality.

G	Giver	Who is providing the gift, benefit or hospitality and what is their relationship to me? Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?
I	Influence	Are they seeking to influence my decisions or actions? Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy, a token of appreciation or highly valuable? Does its timing coincide with a decision I am about to make?
F	Favour	Are they seeking a favour in return for the gift, benefit or hospitality? Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers of the last 12 months? Would accepting it create an obligation to return a favour?
T	Trust	Would accepting the gift, benefit or hospitality diminish public trust? How would I feel if the gift, benefit or hospitality became public knowledge? What would my colleagues, family friends or associates think?

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Related Documents

Type:	Details
Procedure	Declaration of Gifts and Hospitality Human Rights Charter
General	Gifts and Donations Register Councillor Code of Conduct Staff Code of Conduct Municipal Association of Victoria - New Councillor Resource Guide 2016

ELECTION CARETAKER PERIOD

Policy Number:	2.4.9
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Councillors and Organisation
Responsible Officer:	General Manager Corporate Services
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

The purpose of this policy is to outline the conduct of Council during the Caretaker Period for Municipal General Elections. The policy aims to ensure that general elections are conducted in a manner that is ethical, fair and equitable, are publicly perceived as such and support the conduct of good governance for Council and the organisation during the Caretaker Period for Municipal General Elections. The Policy will also facilitate the continuation of the ordinary business of local government throughout the caretaker period in a responsible and transparent manner, in accordance with statutory requirements and established “caretaker” conventions.

This policy also commits Council during the caretaker period to:

- avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

THE POLICY

1. Background

1.1 In the lead up to an election the local government sector adopts a Caretaker Period to avoid actions and decisions that may be interpreted as influencing voters or binding an incoming Council. Specific provisions have been incorporated in the *Local Government Act 1989* (the Act), that prohibit Council from making major policy decisions or publishing or distributing electoral matter in a Caretaker Period.

1.2 Section 93A of the Act prescribes the conduct of a Council during the election period. This policy is seen as a way to ensure that Council complies with the Act and the municipal elections for Wellington Shire Council are conducted in a manner that is fair, equitable, upholds the highest standards of democratic governance and is publicly perceived as such.

2. Definitions

2.1 It should be noted that where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions in the Act. Definitions used in this policy are detailed in Attachment 2.

3. Election Period (previously referred to as the “Caretaker Period”)

3.1 Starts at midnight on the last day on which nominations for the election can be received; and

3.2 Ends at 6pm on election day.

This translates to a commencement date of 32 days prior to the general election and it starts at midnight on the last day on which nominations for that election can be received.

The Chief Executive Officer will ensure that all employees are informed of the requirements of this policy.

4. Decision Making

- 4.1 Careful consideration will be given to what decisions at council or special committee meetings should be made in the 32 days leading up to the general election, so that the incoming Councillors are not unreasonably compromised.
- 4.2 It is an established democratic principle that elected bodies should not unnecessarily bind government during an election period. The Council therefore commits to the principle that it will make every endeavor to avoid making decisions that bind the incoming Council.
- 4.3 This includes a commitment to not only comply with the requirements of Section 93A of the Act, pertaining to major policy decisions, but as well relating to significant decisions as specified within this policy.
- 4.4 The types of decisions that should be avoided are:
 - allocation of community grants or other direct funding to community organisations;
 - major planning scheme amendments;
 - awarding of contracts both civil and service;
 - changes to strategic objective;
 - strategies in the Council Plan;
 - Questions on Notice;
 - Notice of Motions;
 - introduction of late items;
 - decision relating to the employment or remuneration of a Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer;
 - to terminate the appointment of a Chief Executive Officer.
- 4.5 Ordinary Council Agenda / Special Council Meeting Agenda and / or Special Committee Meeting Minutes are to be carefully vetted by the Chief Executive Officer and / or Corporate Management team to ensure that no agenda item is included in any council agenda during the election period that could potentially influence voters' intentions or encourage candidates to use as part of electioneering.

- 4.6 During the election period, the Chief Executive Officer will ensure that a "Caretaker Statement" is included in every report submitted to an Ordinary Council Meeting and or Special Council Meeting (if required) for a decision.
- 4.7 The "Caretaker Statement" will specify one of the following:
- a) "The recommended decision is not a "Major Policy Decision" as defined in section 93A & 93B of the *Local Government Act 1989* or a "Significant Decision" within the meaning of this policy.
 - b) The recommended decision is a "Significant Decision" within the meaning of this policy, but an exception should be made for the following reason (insert reasons for making an exemption).
 - c) "The recommended decision is to seek an exemption from the Minister because the matter requires a "Major Policy Decision" within the meaning of section 93A of the *Local Government Act 1989*.
 - d) "The recommended decision is a "Major Policy Decision", as defined in section 93A of the *Local Government Act 1989*, but an extraordinary circumstances exemption was granted by the Minister for Local Government on (insert date).

5. Major Policy Decisions

- 5.1 Section 93A of the Act prohibits a Council, a Special Committee or a person acting under a delegation given by the Council from making a major policy decision during the election period for a general election. If Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption.

Section 93A (6) of the Act defines a major policy decision as:

- a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
- b) to terminate the appointment of a Chief Executive Officer under section 94;
- c) to enter into a contract the total value of which exceeds whichever is the greater of:
 - i. \$100,000 or such higher amount as may be fixed by Order in Council under section 186(1); or
 - ii. 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.
- d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.

6. Significant Decisions

- 6.1 Over and above the decisions specified in section 93A of the Act, the Council will avoid making other decisions during the Caretaker Period that are of a significant nature and would unreasonably bind the incoming Council.

Significant decisions include:

- a) irrevocable decisions that commit the Council to substantial expenditure or major actions; and
- b) irrevocable decisions that will have a major impact on the municipality or the community.

7. Public Consultation

7.1 Definition

Public consultation means a process which involves an invitation or invitations to individuals, groups, organisations or the community generally to comment on an issue or proposed action, proposed policy, and includes discussion of that matter with the public.

7.2 Right to Postpone

Public consultation may be undertaken during the Election Period to facilitate the day to day business of Council, to ensure matters continue to be proactively managed. Consultation will avoid express or implicit links to the election. In view of the potential for a matter or issue to become contentious or politically sensitive in the course of an election period, Council reserves the right to postpone a matter if the issue is likely to affect voting.

7.3 Statutory Requirements

The requirements of 7.2 (above) do not apply to public consultation required under the *Planning and Environment Act 1987* or matters subject to section 223 of the Act.

8. Council Resources

- 8.1 It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council therefore commits to this principle in that it will ensure Council resources are not used inappropriately during a Council election. This includes a commitment to comply with the following procedures in addition to the requirements of section 55D of the Act.
- 8.2 Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, the matter must be referred to the Chief Executive Officer or his or her delegate.
- 8.3 Council resources, including offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during the Election Period, and shall not be used in connection with any electioneering activity.
- 8.4 Reimbursements of Councillor's out-of-pocket expenses during the election Caretaker Period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

- 8.5 No Council logos, letterheads or other corporate branding will be used for, or linked in any way to, a candidate's election campaign.
- 8.6 Photos or images taken or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council's website that may be copied.
- 8.7 No election material or active campaigning is to be conducted at Council sponsored events or be displayed in any Council building.
- 8.8 In applying these principles, the Council understands that the following will be normal practice during the Election Period:
- 8.9 Public events will only be organised and run if it is totally unavoidable to conduct such events during the Caretaker Period and then only with the express permission of the Chief Executive Officer;
- 8.10 Speeches for Councillors will only be prepared by Media & Communications business unit in relation to events that are part of normal services or operation of the Council and such speeches will not be circulated or available for publication;
- 8.11 Media services, including media releases, will not be provided to Councillors during the Election Period;
- 8.12 Media releases will not mention or quote any Councillor(s) during the Election Period;
- 8.13 All Council newsletters will not be printed during the Election Period; and
- 8.14 Neither the Council logo nor Council stationery will be used by Councillors in any way that relates to the election.

9. Equipment and facilities provided to Councillors for the purpose of conducting normal Council business will not be used for campaigning purposes

- 9.1 Where Councillors have Council funded services, such as mobile phones, land lines and internet connections, and where it is impractical for Councillors to discontinue their use of these during the Election Period, Councillors will reimburse the Council for usage of those services during the Election Period that exceeds normal usage levels. Councillors may wish to consider the specific ways to administer this procedure. For instance, Councillors may decide to use a private phone for all election enquiries and publicise such number on election material.
- 9.2 Councillors standing for re-election must not use Council equipment as a resource to assist with election campaigns. This includes photos or images provided by Council for past Council activities

10. Information

10.1 Candidates' Access to Information

All election candidates have equal rights to information relevant to their election campaigns from the Council administration. Whilst it is important that sitting Councillors continue to receive information that is necessary to fulfill their existing elected roles, neither Councillors nor candidates will receive information or advice from Council officers that may improperly advantage candidates in the elections.

There will be complete transparency in the provision of all information and advice during the election Caretaker Period.

10.2 Information Request Register

An Information Request Register will be maintained by Corporate Services during the Election Period. This register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the responses given to those requests.

Responses to Councillors and candidate requests, as per clause 9.1 will be provided by the Chief Executive Officer or General Managers. Managers will be required to discuss the request and the proposed response with their General Manager prior to the response being provided.

Only Information that can reasonably be accessed will be released.

11. Misuse and Improper Direction of Position

- 11.1 Section 76D and 76E of the Act prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in the role of a Councillor, to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person or to cause, or attempt to cause, detriment to the Council or another person.

12. Assistance to Candidates

- 12.1 The Council affirms that all candidates for the Council election will be treated equally.
- 12.2 All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibility of the Returning Officer (such as the CEO list), to the Chief Executive Officer or a designated member of Council staff.
- 12.3 Candidates will be informed of their obligation to complete a Nomination Form which will be available from the Returning Officer, accompanied by the nomination fee.
- 12.4 Candidates will also be informed of the requirements to complete and submit an "Election Campaign Donation Return Form" to the Chief Executive Officer within 40 days after the Election Day.

An election campaign donation form must:

- (a) Be in the prescribed form; and
- (b) Contain the prescribed detail in respect of any gifts received during the donation period, by the candidate or on behalf of the candidate, to be used for or in connection with the election campaign.

Donation period means the period commencing on whichever is the later of –

- (a) 30 days after the last general election for the Council; or
- (b) 30 days after the last election for the Council at which the person required to give the election campaign donation return was a candidate.

13. Communication

- 13.1 Council communication will not be used in any way that might influence the outcome of a Council election.
- 13.2 During the Election Period, no employee will initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their Council role.
- 13.3 Any requests from Councillors for media advice or assistance during the Election Period will be channeled through the Chief Executive Officer.
- 13.4 In response to media enquiries the Chief Executive Officer, General Managers or the Media and Public Relations team will only provide a response and such information should relate to current services and operations.
- 13.5 In the Election Period, no media releases will be issued quoting or featuring any Councillor.
- 13.6 During the Election Period, Council initiated communications shall be restricted to communication of normal Council activities.
- 13.7 No media advice or assistance will be provided to Councillors in relation to election campaign matters.
- 13.8 No publicity will be provided that involves specific Councillors.
- 13.9 Councillors should not use their position as an elected representative or their access to Council staff and other Council resources or information in support of an election campaign. This includes photos or images provided by Council for past Council activities.
- 13.10 Contact with the local media will be restricted to the communication of normal Council activities and responding to questions not involving the election or possible election outcomes.
- 13.11 Publicity of Council events (if any during the Election Period) will be restricted to the communication of factual material and will not mention or quote any Councillor.

- 13.12 Councillor participation at Council sponsored events (if any during the Election Period) should not be used to gain attention in support of an election campaign. Council sponsored events includes launches, events, and any other public forum outside of the normal Council meeting cycle – the easiest way to deal with these is to simply not have them during the Election Period.

14. Council Publications

- 14.1 Section 55D of the Act places limitations on Council from printing, publishing or distributing or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.

This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

- 14.2 The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process. – it is an offence for the Chief Executive Officer to contravene this requirement.
- 14.3 Electoral matter is any matter that is intended or likely to affect voting in an election.
- 14.4 Despite section 98(2), certification by the Chief Executive Officer must be in writing and cannot be delegated. Certification wording – over the Chief Executive Officers signature – should be as follows: ***“Certified by the Chief Executive Officer in accordance with section 55D of the Local Government Act 1989.”***
- 14.5 A Councillor or member of Council staff must not intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during the election period on behalf of, or in the name of, the Council or on behalf of, or in the name of, a Councillor using Council resources if the electoral advertisement, handbill, pamphlet or notice has not been certified by the Chief Executive Officer.
- 14.6 The interpretation of section 55D is extremely broad. Even though section 55D refers specifically to “an advertisement, handbill, pamphlet or notice”, it has been interpreted to refer to documents produced for the purpose of communicating with the community, including:
- Council newsletters;
 - Advertisements and notices, for example job advertisements and public notices of contracts;
 - Media releases;
 - Leaflets and brochures;
 - Mailouts to multiple addresses.

All the above publications will require certification by the Chief Executive Officer.

Material is definitely electoral matter if it consists of any of the following:

- publicises the strength or weakness of a candidate;
- advocates the policies of the Council or of a candidate;
- responds to claims made by a candidate;
- publicises the achievements of the elected Council;
- publicises matters that have already been the subject of public debate;
- about matters that are known to be contentious in the community and likely to be the subject of election debate;
- dealing with Election Candidates' statements;
- referring to Councillors or candidates by name or by implicit reference.

14.7 Section 55D also applies to the publication of material specified in 13.5 (above) on Council's website. This applies to all websites under the auspice of Council. ***Any new pages on the website or new material will require certification by the Chief Executive Officer.***

14.8 The recommended practice, in line with State and Federal Governments, is where possible; avoid all publication activity during the Election Period except where it is essential for the conduct of Council operations.

14.9 A number of Council publications with reference to either current Councillors or candidates, both on the website and public display will be withdrawn from display during the Election Period.

14.10 During the Election Period, Council's website will not contain material which is precluded by this policy or the statutory requirements relating to publications. Any references to the election will only relate to the election process.

14.11 Profiles of the current Mayor and Councillors will be removed from Council's website during the Election Period but retain their contact details for their day-to-day role as a Councillor i.e. names, photos and mobile phone numbers.

14.12 Any new material published on Council's website during the election caretaker period that may be considered to be an advertisement, handbill, pamphlet or notice must also be subject to the certification process.

14.13 Council is required by the Act to produce an annual report, and the annual report may be published during the Election Period. The annual report will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors but will fulfill its statutory obligations on reporting matters. In accordance with the requirements of section 134 of the Act, Council may be required to consider the annual report at a meeting of Council held during the Election Period.

14.14 Social media – any publication on social media sites such as Facebook, Twitter or Council blogs that are under the auspice of Council will also require certification by the Chief Executive Officer.

ATTACHMENT 1

Relevant sections from the *Local Government Act 1989*

Section 3 (1) Election period (Caretaker Period)

In relation to an election, means the period that—

- (a) starts on the last day on which nominations for that election can be received; and
- (b) ends at 6 p.m. on election day;

Electoral advertisement, handbill, pamphlet or notice

means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting;

Publish

means publish by any means including by publication on the Internet;

Section 3(1A) In this Act, “electoral matter” means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purpose of conducting an election.

Note: **printed electoral matter** has the same meaning.

Section 3(1B) Without limiting the generality of the definition of “electoral matter”, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on—

- (a) The election; or
- (b) A candidate in the election; or
- (c) An issue submitted to, or otherwise before, the voters in connection with the election.

Section 55D Prohibition on Council

(1) A Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.

(1A) For the purposes of subsection (1), the publication of a document of a kind specified in that subsection does not include:

- (a) Publication of any document published before the commencement of the election period; and
 - (b) Publication of any document required to be published in accordance with, or under, any Act or regulation.
- (2) The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process.

Section 93A Conduct of Council during an Election Period

- (1) Subject to this section, a Council, a special committee or a person acting under a delegation given by the Council must not make a major policy decision during the election period for a general election.
- (2) If a Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption from the application of this section to the major policy decision specified in the application.
- (3) If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption from the application of this section to the major policy decision specified in the application subject to any conditions or limitations that the Minister considers appropriate.
- (4) A major policy decision made in contravention of this section is invalid.
- (5) Any person who suffers any loss or damage as a result of acting in good faith on a major policy decision made in contravention of this section is entitled to compensation from the Council for that loss or damage.
- (6) In this section, a "major policy decision" means any decision –
 - (a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
 - (b) to terminate the appointment of a Chief Executive Officer under section 94;
 - (c) to enter into a contract, the total value of which exceeds whichever is the greater of \$100,000 (or such higher amount as may be fixed by Order in Council under section 186(1)) or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
 - (d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of Council's revenue from rates and charges levied under section 158 in the preceding financial year.

Section 95 Conduct Principles

- (1) Council staff must in the course of their employment –
 - (a) act impartially;
 - (b) act with integrity including avoiding conflicts of interest;
 - (c) accept accountability for results; and
 - (d) provide responsive service.
- (2) Nothing in sub-section (1)(c) affects the granting of an indemnity to a member of Council staff in respect of any liability or limits the effect of –
 - (a) any such indemnity, whether granted before or after the commencement of section 67 of the *Local Government (Democratic Reform) Act 2003*; or
 - (b) any immunity conferred on a member of Council staff by or under any Act, whether before or after that commencement.

ATTACHMENT 2 DEFINITIONS

It should be noted that some of the terms used in this policy are defined in the *Local Government Act 1989* (the Act) and their use in this policy is consistent with the Act.

Electoral advertisement, handbill, pamphlet or notice has the same meaning as section 3(1) of the Act, and means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.

Electoral matter has the same meaning as electoral matter in section 3(1A) of the Act and means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Section 3(1B) of the Act further qualifies “electoral matter”.

“3(1B) Without limiting the generality of the definition of “electoral matter” matter is to be taken or be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:

- (a) The election; or
- (b) A candidate in the election; or
- (c) An issue submitted to, or otherwise before, the voters in connection with the election.”

Major Policy Decision has the same meaning as section 93A of the Act and means any decision:

- (a) Relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
- (b) To terminate the appointment of a Chief Executive Officer under section 94;
- (c) To enter into a contract, the total value of which exceeds whichever is the greater of
 - \$100,000 (or such higher amount as may be fixed by Order in Council under section 186(1)) or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
- (d) To exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of Council's revenue from rates and charges levied under section 158 in the preceding financial year.

Printed electoral material has the same meaning as section 3(1) of the Act and means an advertisement, handbill, pamphlet or notice that contains electoral matter and is intended or calculated to affect the result of an election and includes a how-to-vote card.

Public consultation is not defined in the Act, but in this context means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy, and includes discussion of that matter with the public.

Publish has the same meaning as section 3(1) of the Act and means publish by any means including publication on the internet.

Significant Decision is not defined in the Act, but in this context means an irrevocable decision that significantly affects the municipality.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
General	Gifts and Donations Register Staff Code of Conduct Councillor Code of Conduct Human Rights Charter

3. DEVELOPMENT

3.1 LAND USE PLANNING

HERITAGE

Policy Number:	3.1.1
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Land Use Planning
Responsible Officer:	Manager Land Use Planning
Statutory Reference:	Wellington Planning Scheme

OVERVIEW

To establish policy to manage heritage identification and protection.

This Heritage Policy seeks to establish processes to identify and protect the best examples of Wellington's heritage and increase community appreciation of that heritage.

Through this policy the Council seeks to give recognition to the heritage assets of the Wellington Shire for the benefit of both present and future residents and visitors.

THE POLICY

- To encourage a community climate of respect for, and appreciation of Wellington Shire's heritage of buildings, gardens, trees and other features of importance.
- To identify and protect the most important aspects of the Wellington Shire's heritage.
- To develop local knowledge and skills in all aspects of researching and conserving Wellington Shire's heritage places.
- To provide persons involved in the conservation of heritage places with expert advice in respect to the most appropriate manner to undertake associated works.

The Wellington Shire Council shall engage a Heritage Advisor to undertake the following as required:

- (a) Under the direction and guidance of Council's Manager Land Use Planning, provide advice to:
 - Council on Town Planning matters;
 - Council and Committees of Management on proposed works in respect of Council owned buildings/places;
 - Private building owners and occupiers on a range of issues, such as paint colour schemes, building alterations and additions, researching techniques, funding availability, at no cost to the property owners/occupier.
- (b) Compile nominations on behalf of the Council for registration on the Victorian Heritage Register and/or Register of the National Estate as required.
- (c) Develop specific guidelines and/or action plans for identified areas of high heritage value, to promote restoration/reinstatement works and ensure building alterations and infill

development is compatible with the area's existing scale and character.

- (d) Advise Council on the availability of funding and heritage works/studies and prepare any resultant submissions.
- (e) Prepare a register of council-owned buildings/properties of high heritage value, which identifies the level of significance of those places and gives a brief action plan of any works which should be undertaken.
- (f) Conduct a heritage seminar/workshop for local tradespersons and building owners to help improve heritage skills, knowledge, and awareness in the community.

Council will support the development of heritage brochures which increase community awareness of the heritage of the Wellington Shire.

Where a Planning Permit is required for buildings and works, due only to applicable heritage overlay controls, Council will waive the applicable application fee which may otherwise discourage the undertaking of restoration/reinstatement works, and/or place additional costs on property owners due to the community benefit of imposing heritage controls.

Council will continue to support the operation of museums and Historical Societies within Wellington Shire.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

ASSESSMENT OF DEVELOPMENT IN RELATION TO POTENTIAL SEA LEVEL RISE

Policy Number:	3.1.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Land Use Planning
Responsible Officer:	Manager Land Use Planning
Statutory Reference:	<i>Planning and Environment Act 1987</i> Wellington Planning Scheme

OVERVIEW

The purpose of this policy is to establish appropriate sea level rise allowances to be applied in future planning permit decision making.

This policy responds to the Planning Policy Framework in the Wellington Planning Scheme, which identifies 'the need to plan for and manage potential coastal impacts of climate change'. More specifically, strategies in Clause 13.01-2S of the State Planning Policy Framework include:

- *In planning for sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).*
- *Plan for sea level rise of not less than 0.8 metres by 2100.*

Based on this policy, the West Gippsland Catchment Management Authority (as the relevant statutory flood authority) can provide consistent technical advice to Council on appropriate flood levels in areas affected by potential sea level rise.

THE POLICY

Application of policy

This policy applies to land affected by potential sea level rise when a planning permit is 'triggered' by:

- the Land Subject to Inundation Overlay or Floodway Overlay; or
- another planning scheme provision and Council has resolved to include the land in the Land Subject to Inundation Overlay or Floodway Overlay.

This policy applies to 'urban infill areas' and 'greenfield development', which for the purpose of this policy are defined as:

Urban infill areas

'land within defined settlement boundaries identified in Clause 21.12 of the Wellington Planning Scheme or where no defined settlement boundary exists, to all established township areas zoned for urban purposes'.

Greenfield development

'All land other than urban infill areas'.

This policy does **not** apply to urban infill areas in Port Albert which have been excluded from flood overlay controls through the Minister for Planning's approval of Amendment C33 to the Wellington Planning Scheme. Consistent with Council's 18 March 2014 resolution, identified urban infill areas of Port Albert have instead been designated as subject to flooding under the Building Regulations where required finished floor levels will be 2.25m AHD (comprising 1.75m AHD 1 in 100 year flood level plus 0.3m freeboard plus 0.2m potential sea level rise).

Information and advice

Council will seek technical advice from the West Gippsland Catchment Management Authority in applying this policy.

The West Gippsland Catchment Management Authority will assess development in relation to sea level rise in accordance with Guidelines for Coastal Management Authorities, June 2012 (or any subsequent version) and this Council policy.

While the West Gippsland Catchment Management Authority is a 'recommending' referral authority, Council will continue to rely on the best available technical knowledge and information provided by the West Gippsland Catchment Management Authority at the time of making any planning decision.

Benchmark flood levels

- *In all urban infill areas, the current 1 in 100 year benchmark flood level will be applied, with an extra potential sea level rise allowance of 0.2 metres being applied to finished floor levels.*

This does not apply:

- to development accommodating emergency and community facilities (as identified in Clause 13.03-1S of the Planning Policy Framework) where an allowance of 0.8 metre sea level rise will be used if the West Gippsland Catchment Management Authority support the proposal**.
- to minor development proposals such as non-habitable outbuildings, decking and the like where a reduced floor level is supported by the West Gippsland Catchment Management Authority.
- when a development proponent elects to establish a higher floor level.

*** It is noted that the Guidelines for Coastal Management Authorities, June 2012 state a clear policy preference for emergency and community facilities to be located outside flood prone areas.*

- *In all greenfield areas, the 2100 benchmark flood level (incorporating at least 0.8 metre potential sea level rise) will be applied.*

This does not apply:

- to single dwellings where the urban infill benchmark flood level above will be utilised.
- to minor development proposals such as non-habitable outbuildings, decking and the like where a reduced floor level is supported by the West Gippsland Catchment Management Authority.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Nil
Strategy:	Wellington Planning Scheme

3.2 MUNICIPAL SERVICES

CAR PARKING - OFF STREET CAR PARKS

Policy Number:	3.2.1
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Municipal Services
Responsible Officer:	Manager Municipal Services
Statutory Reference:	<i>Road Safety Act 1986, Section 90D</i> <i>Infringement Act 2006</i> <i>Road Safety Road Rules 2017</i> <i>Local Government Act 1989</i>

OVERVIEW

To establish policy for the management of vehicle parking in off-street car parks and the enforcement of parking restrictions in privately owned car parks.

THE POLICY

Council may agree to enter into a written agreement with the proprietor of privately owned car parks that are available for public parking of vehicles.

Council may agree to enforce parking regulations as resources allow or by provision of fee for service.

Property owners are required to meet all maintenance costs of car parks including line marking signage and surface condition and ensure compliance with specified requirements in relation to:

- (i) restricting access to the land by motor vehicles;
- (ii) signs to be placed, or markings to be made, on the land;
- (iii) the siting, installation and maintenance of signs and markings;

Agreements with owners must place no obligation on Council to meet targeted patrols.

Council is to advise property owners of any instances of non-compliant parking restriction signage and will cease enforcement activities until the signage complies with the specified requirements.

Parking offences must be in accordance with the *Road Safety Road Rules 2017*, Local Laws or the *Local Government Act 1989*.

The property owner remains responsible for the payment of rates and all outgoings.

Property owners agree to rights of access to the land by persons authorised by the municipal council in connection with the provision of parking services and the duties and obligations to be complied with by those persons while exercising those rights.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Nil
Strategy:	Nil

STREET RAFFLES

Policy Number:	3.2.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Municipal Services
Responsible Officer:	Manager Municipal Services
Statutory Reference:	Local Law No 2 – 2011, Streets and Roads

OVERVIEW

To establish policy for the management of street raffles.

Many organisations both local, state wide and national rely on fund raising efforts, including raffles to assist in the provision of their services to their club, organisation or public. To achieve this end they request permission from Council to conduct raffles from Council controlled footpaths.

Council has designated areas in different townships throughout the Shire where groups are permitted to conduct such raffles.

THE POLICY

Raffles

Council may consent to community and charitable organisations selling raffle tickets in the commercial area of approved townships in line with the Street Raffle Policy and Local Laws 2 – 2011, Streets and Roads, Division 9, Collections on Roads.

When processing requests from organisations to conduct street raffles, Council must view the following documents:

- A copy of the organisation's public liability insurance certificate;
- A signed copy of Local Law 2, Schedule 4 form of indemnity.

More information can be found on Council's website: <http://www.wellington.vic.gov.au/Living-in-Wellington/Compliance-Services/Local-Laws-Permits>

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Local Laws 2 - 2011 Streets and Roads, Division 9, Collections on Roads
Strategy:	Nil

BUILDING

Policy Number:	3.2.3
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Municipal Services, Built Environment
Responsible Officer:	Municipal Building Surveyor
Statutory Reference:	<i>Building Regulations 2018</i>

OVERVIEW

To establish building policy to manage:

- building over easements;
- sheds on vacant land;
- the construction of fences on street alignments; and
- the procedure for building complaints where a private building surveyor has been appointed.

THE POLICY

1. Building over easements

Overview

The building of over easements policy is designed to ensure the protection of Council's existing and future assets situated within easements. In special circumstances, Wellington Shire Council may conditionally approve an application to build over such easements under the *Building Interim Regulations 2018, regulation 130*, however the application requires the following:

- (1) *The consent and report of a council, drainage authority, electricity supply authority, sewerage authority or gas supply authority must be obtained to an application for a building permit to construct a building over an easement vested in the council or authority.*
- (2) *This regulation does not apply to implied easements under the Subdivision Act 1988.*

The Policy

The Municipal Building Surveyor is authorised to approve applications for building work over an easement, in accordance with regulation 130 of the *Building Interim Regulations 2018*, where:

- Consent to the proposed development has been received from Council's Built Environment Business Unit; and
- The owner indemnifies Council by agreeing to standard conditions:

A section 173 agreement may be requested by the Municipal Building Surveyor for the construction of a building over the easement.

2. Non habitable buildings on Vacant Land

Overview

The Non Habitable Buildings on Vacant Land policy is to ensure the appropriate development and use of shed on vacant allotments, *Building Regulations 2018, regulation 87 - Siting of Class 10a buildings* requires the following:

- (1) *Unless otherwise approved under the Subdivision Act 1988 or any corresponding previous enactment, a Class 10a building must be on the same allotment as a building of another class to which it is appurtenant.*
- (2) *The consent and report of the relevant council must be obtained to an application for a building permit for the construction of a building which does not comply with sub-regulation (1).*

Definitions

Building Code of Australia, Volume 2, Class 10a – Non-habitable building being a private garage, carport, shed or the like.

The Policy

- To recognise and facilitate the need for people to have storage facilities during the construction of a dwelling and for equipment needed to maintain farm land.
- To prevent the illegal occupation of non-habitable buildings on vacant allotments.
- To ensure consistency is maintained between Planning, Building and Environmental Health Legislation.
- To ensure applicants are aware of Council's policy at an early stage of a project.

Where an application under Regulation 87 is made for Council consent to build a non-habitable building on a vacant allotment the following shall apply:

- Each application shall be accompanied by a statutory declaration stating that the non-habitable building will not be used for any form of occupation or for any commercial purpose.
- Applications for class 10a buildings on vacant land within areas that are not prohibited under the planning scheme will only be approved where:
- A building permit for a dwelling on the allotment has been issued;
- The time frames (commencement and completion) detailed on the building permit for the construction of the dwelling are complied with; and
- The owner agrees to remove shed, on expiry of the building permit, if for any reason the dwelling is not constructed.

3. Fences on street alignments Overview

The Fences on Street Alignments policy is to ensure the appropriate construction of fences on corner allotments and to ensure appropriate vehicular and pedestrian safety is maintained. *Building Regulations 2018, regulation 92* requires that:

- (1) *The consent and report of the relevant council must be obtained to an application for a building permit to construct a fence within 9m of a point of intersection of street alignments and exceeding a height of 1m above the footpath.*

The Policy

The Municipal Building Surveyor be authorised to approve applications to construct fences within 9m of the point of intersection of street alignments and exceeding a height of 1m above the footpath where:

- The proposed fence height and location has been approved by, or has complied with, any requirement of Council's Built Environment Unit with respect to ensuring the fence does not interfere with or have a detrimental effect on vehicular traffic or pedestrian movement; and
- The fence will be more appropriate taking into account the prevailing heights, setbacks and design of existing front fences on nearby allotments; and
- The fence height will not result in a disruption of the streetscape; and
- The fence design respects the existing character of the street.

4. The procedure for building complaints where a private building surveyor has been appointed

Overview

The procedure for building complaints where a private building surveyor has been appointed to establish a policy to administer and implement Council's responsibilities under the *Building Act 1993* ("the Act") in circumstances where a private building surveyor has been appointed by the owner of a property to issue a building permit or carry out other functions in respect of building work being carried out or proposed to be carried out at the property.

The Policy

That the *Building Control Intervention Filter Criteria* ('the Filter Criteria') which is a risk assessment matrix, is used to identify standardised responses to complaints from the public where a private building surveyor has been appointed. The Filter Criteria recognises that Council has obligations to the public with regard to dangerous situations which it can remedy or cause to be remedied.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	
Guidelines:	Building Control Intervention Filter Criteria

INFRINGEMENT REVIEW POLICY

Policy Number:	3.2.4
Approved by:	Chief Executive Officer
Date Approved:	17 December 2019
Date of Next Review:	1 October 2020
Applicable to Unit(s):	Development Community & Wellbeing
Responsible Officer:	Manager Municipal Services
Statutory Reference:	<i>Human Rights and Responsibilities Act 2006</i> <i>Local Government Act 1989</i> <i>Privacy and Data Protection Act 2014</i> <i>Infringements Act 2006</i> <i>Road Management Act 2004</i> Road Safety Road Rules 2009 <i>Road Safety Act 1986</i> Road Safety (General) Regulations 2009 <i>Domestic Animals Act 1994</i> <i>Environmental Protection Act 1970</i> <i>Planning and Environment Act 1987</i> <i>Tobacco Act 1987</i> Wellington Shire Council Local Law No. 2 to 5 <i>Country Fire Authority Act 1958</i> <i>Transport (Compliance and Miscellaneous) Act 1983</i> <i>Impounding of Livestock Act 1994</i> Infringements (Reporting and Prescribed Details and Forms) Regulations 2006 <i>Children, Youth and Families Act 2005</i>

OVERVIEW

Wellington Shire Councils infringement review system is an administrative framework that aims to deliver a clear, prompt and effective process for dealing with penalties for violations of State and Local Laws. The system is not restricted to the enforcement of infringement notices but extends to the procedures for:

- Internal review
- Infringement withdrawal
- Requests to proceed to Court

It is the primary objective of the infringement review system to embed the fair and equitable treatment of all customers into its procedures and to ensure flexibility in its decision making.

The rights of residents and the obligations of agencies are prescribed in the *Infringements Act 2006* (the Act). The Act provides a set of guidelines that stipulate the way to manage enforcement.

THE POLICY

A person may apply for a review of the decision to serve the infringement notice before the matter has been lodged with the Court if the person believes the decision is:

- was contrary to law; or
- involved a mistake of identity; or
- that 'special circumstances' apply to the person; or
- the conduct for which the infringement notice was served should be excused having regard to any exceptional circumstances relating to the offence; or
- that the person was unaware of the notice having been served and that service of the infringement notice was not by personal service.

When an application for review is received, council staff will forward it to the Wellington Shire Infringement Formal Review Committee (the Committee). This will ensure a thorough and transparent review is undertaken.

The Committee comprises of the following authorised officers:

- General Manager Corporate Services
- Manager Corporate Finance
- Manager Land Use Planning
- Manager Municipal Services

Note: the Municipal Fire Prevention Officer will be a member of the committee during bushfire emergency season.

Once an infringement notice has been issued the recipient has 28 days to pay the infringement penalty. Within that time they may:

- Pay the infringement penalty
- Request and internal review
- Elect to go to Court
- Apply for an extension of time

A request for an internal review must be received before the infringement notice has been lodged with the courts. The Review Committee must complete the review within 90 days of the receipt of the review request. The Review committee will inform the applicant of the decision in writing within 21 days of the decision being made

The Application of Internal Review of Infringement Form can be downloaded from Council's [website](#).

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	<i>Infringement Formal Review Committee Terms of Reference</i>
Guideline:	Nil
Strategy:	

SWIMMING POOL AND/OR SPA SAFETY BARRIER

Policy Number:	3.2.5
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Municipal Services
Responsible Officer:	Manager Municipal Services
Statutory Reference:	<i>Building Act 1993</i> Building Interim Regulations 2017

OVERVIEW

To provide clarity and consistency around the provision of safety barriers around swimming pools and/or spas.

THE POLICY

To establish policy for the management and consistent approach the provision and maintenance of safety barriers around swimming pool and/or spas. Council recognises and accepts that a swimming pool and/or spa that does not have suitable safety barriers represents a danger to young children. Council also recognises and accepts that action is required pursuant to the *Building Act 1993* to remove the danger.

Council has safety information and self-assessment sheets relating to the requirements of the provision and maintenance of safety barriers around swimming pools and/or spas. A series of articles on safety barriers around swimming pools and/or spas must be routinely prepared for release to the media.

The Building Interim Regulations 2017 requires swimming pools and/or spas that were installed or approved to be installed, prior to 1991 have safety barriers to restrict the access to the part of the allotment containing the swimming pool and/or spa. Swimming pools and/or spas constructed after that date must have erected barriers as part of the construction. Installed safety barriers must be maintained and effectively operational at all times.

Council will ensure:

1. When Council are made aware of a swimming pool and/or spa, the property will be identified, and details recorded for future audits.
2. The landowner will be advised in writing of forthcoming inspection regime of the swimming pool and/or spa safety barriers.
3. Following the inspection, the landowner will be notified in writing and follow up actions may be required.
4. A second and third inspection may be necessary to ensure compliance is met
5. Enforcement
 - a. Should the third inspection fail, a minor works order will be issued, and infringement notice may also be issued.
 - b. Should further audits fail to comply then legal proceedings will commence.

Related Documents

Type:	Details:
Procedure	Nil
Guideline	Nil
Strategy	

CUSTOMER SERVICE

Policy Number:	3.2.6
Approved by	Chief Executive Officer
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Customer Service Strategy Customer Service Charter Community Engagement Strategy Access and Inclusion Plan
Applicable to Unit(s):	Organisation
Responsible Officer	Manager Municipal Services
Statutory Reference:	<i>Local Government Act 1989</i> <i>State Government Record Act</i> <i>Privacy and Personal Information Protection Act</i> Wellington 2030 (Our Strategic Vision) Council Plan 2017-2021

OVERVIEW

This policy is intended to provide a framework for the continued development of a strong customer service ethos within the Wellington Shire Council. It believes that excellent customer service involves sharing knowledge and information in an appropriate and timely manner.

Wellington Shire Council acknowledges that customer service is a key priority and a core value of the organisation, recognising that it impacts on every element of the organisation and that it is the responsibility of all staff.

This policy applies to all Council staff, Councillors, volunteers, and contactors.

PURPOSE

This policy has been created to ensure a consistent approach to customer service throughout Wellington Shire Council. This policy will be used as a training tool and a standard by which staff will deliver internal and external customer service.

Council's commitment to customer service includes an effective request and complaint handling system. It is recognised that this is one method of measuring customer and client satisfaction to provide a useful source of information and feedback for continual improvement of our services.

OBJECTIVES

The objectives of this policy are to:

- Formally recognise the importance of our customers and community members and the possible impacts that Council staff can have on their perception of the effectiveness and value of Council at any point of contact.
- Provide Council staff with information and guidance regarding our approach to customer contact including focus on a 'customer centric' culture across all areas of the organisation, equitable access and inclusion for people with special needs and the establishment of reportable service levels for consistent customer contact across all channels.
- Improve customer and community access to routine, publicly available information and services through continuous improvement of our processes and systems.

- Support the implementation of new information systems and processes that permit consistent and relevant data capturing which will enable access to information to facilitate best practice customer service.

CUSTOMER SERVICE STRATEGY

In support of this policy, the Wellington Shire Council has developed a four-year organisation wide Customer Service Strategy. The strategy consists of 3 main themes, strategic objectives and an action plan which align with the Wellington Shire Council Plan and Wellington Excellence Principles.

The objectives of the strategy are:

- Outline our commitment to customer service and excellence
- Provide a consistent and coordinated approach in responding to customer enquiries and complaints
- Develop a set of customer focused principles and action plans
- Develop and assist all staff with customer focused procedures, resources and support tools
- Improve our accountability through regular reporting and monitoring of our services

CUSTOMER SERVICE COMMITMENT

To support Wellington Shire's commitment to service excellence, the following response times have been developed and promoted on Council's web site and in brochures available at all service centres.

- Returning a telephone call – within one business day
- Responding to general written communication including emails and Customer Action Requests – within ten business days
- Emergency or urgent matters - any contact that is urgent or an emergency will be responded to immediately
- Missed visits – officers will leave a business card acknowledging the visit
- Service Centre visits – our staff will endeavour to acknowledge all customers within one minute of their arrival.
- Exclusions or exemptions – where separate statutory timeframes are set for certain correspondence or application, an alternative timeframe may exist - i.e. Planning Permit Applications

COMPLAINTS

The right of citizens to lodge a complaint about our service is fundamental to Wellington Shire Council's overall strategy to promote the rights of citizens who use the services we provide. The Complaint Management Framework can be located www.wellington.vic.gov.au.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Nil
Strategy:	Nil

3.3 BUSINESS DEVELOPMENT MAJOR EVENTS

Policy Number:	3.3.1
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Business Development
Statutory Reference:	Nil

OVERVIEW

The Wellington Shire Council actively supports and encourages the hosting of major events within the municipality. The Council recognises events can contribute positively to the economy of Wellington Shire.

THE POLICY

Event Objectives

The Wellington Shire Council has identified the following objectives in relation to events:

1. Support the development of major events that contribute to the economy of communities within Wellington Shire.
2. Ensure events are conducted with high safety standards and in accordance with relevant legislation and best practice.
3. Position Wellington Shire as an attractive destination for new and existing events that will result in economic, marketing and community benefits.

Event Support

Major events are defined as those that attract participants/spectators and visitors from outside the municipality, usually over a number of days, thereby providing an economic benefit. Such events are supported by Council with a 'Project Team' approach and require a significant lead time to enable funding to support the event to be sought through Council's budget process.

Council sponsorship of major events is subject to the estimated economic benefit and must align with Council's Event Funding Guidelines. These events are normally separate to those approved under Council Community Grant funding process.

The Wellington Shire Council will provide a range of support measures to major events. This support may include:

- Advice, guidance and information to event organisers on venues, risk management, health and building legislation and requirements;
- Provision of information on Council requirements and the issuing of permits and permissions;
- Loan of events equipment (subject to availability);

- Assistance with networking and engagement of local businesses to maximize economic benefit
- Inclusion and distribution (on Council's website) of the Wellington Calendar of Events.
- Council sponsorship of the event subject to application assessment and Council budgetary approval
- Advice and support in seeking State Government funding (subject to eligibility)

Best Practice

The Council encourages events to have regard for and implement where required or possible Event Management best practice in the areas of: Access and Inclusion, Environment Management, Environmental Health, Risk and Safety Management, Event Planning, Traffic Management.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Nil
Guideline:	Community Assistance Grants Scheme
Strategy:	

ROADSIDE TOURISM DIRECTIONAL SIGNS

Policy Number:	3.3.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Business Development
Responsible Officer:	Manager Business Development
Statutory Reference:	<i>Road Management Act 2004</i>

OVERVIEW

To establish policy for the management of tourism directional signage.

THE POLICY

To assist travellers and visitors to the Wellington Shire by enabling the strategic placement of tourism and visitor related signage at locations providing appropriate direction to these services.

This assistance to travellers and visitors to the municipality will be achieved through the provision of a consistent and uniform approach to the placement and type of permanent advertising and directional signage within the municipality.

Application of the Policy

- This policy shall only apply to permanent signage on Council owned and controlled lands situated within the Wellington Shire. This shall include road reserves, public recreational reserves and similar lands.
- This policy will not apply to road traffic, safety and street name signs and portable advertising signs defined under Council local laws.
- Council must give proper consideration to the Vic Roads Tourist Signage Guidelines.

Fees and Charges

Financial responsibility for all tourism attractions and services signing rests with the applicant.

Ownership of the Signs

The applicant who has paid for the provision of a tourist sign remains responsible for the maintenance and up keep of the sign. It is the applicant's responsibility to immediately notify Wellington Shire Council to arrange the removal of all road signing to the property in the event of the business closing or if it is no longer an eligible tourism business. Cost for undertaking work will be charged to the business owner.

HUMAN RIGHTS

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human

Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.

Related Documents

Type:	Details:
Guideline:	Vic Roads Tourist Signage Guideline Application for Tourism signage Form
Strategy:	Nil

WOOD ENCOURAGEMENT POLICY

Policy Number:	3.3.3
Approved by:	Council
Date Approved:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager Business Development
Statutory Reference:	Nil

OVERVIEW

Wellington Shire Council recognises the importance of the forest and wood products industry to both Wellington and the broader Gippsland region. Central to Council's commitment to job retention and creation is supporting significant local industry in order to secure jobs and leverage

THE POLICY

Policy Goals:

- To stimulate sustainable economic development within the Gippsland timber and wood products industry and encourage value adding products within the timber industry.
- To encourage the use of wood in the construction and fit out of Council buildings and infrastructure.
- To recognise all of the benefits that make wood a smart choice for Council buildings and infrastructure.
- To share information and encourage education regarding the benefits of using wood in construction and fit out of buildings and infrastructure.
- To demonstrate local and national leadership by enacting the Wood Encouragement Policy on Council buildings and infrastructure.
- To align with opportunities for state and federal funding.
- To reinforce Council's preference for quality wood buildings in the development of briefs for projects.
- To promote the industry as a renewable resource, capturing the environmental benefits of the resource.

Council will encourage the increased utilisation of wood in Council assets by:

1. Ensuring that all briefs for new Council projects incorporate the requirement to use wood as the preferred material for both construction and fit out purposes, where wood is deemed a suitable material for the proposed application;
2. Seeking those who can find practical, efficient, versatile and cost-effective building and design solutions using wood when sourcing design and architectural expertise;
3. Ensuring that all comparison to the cost of building with other materials will take into account all long-term and life cycle benefits of using wood;
4. Where possible, sourcing locally produced wood products for construction and fit out purposes;

5. Being a champion of the forest and wood products industry, by establishing this policy and demonstrating commitment to the further development of the local forest and wood products industry;
6. Actively working to attract new, innovative wood products manufacturers to Wellington Shire.

In using wood as a preferred construction material for Council infrastructure, Council will have regard to:

1. The utilisation of regional wood products that meet the Australian Forest Standard, Program for the Endorsement of Forest Certification and/or Forest Stewardship Council certifications.
2. Maintenance required throughout the life of the project;
3. Pest and fungus protection; and
4. Using wood only when it is the right material for the selected application.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

RENTAL AND LEASING OF COUNCIL OWNED PROPERTIES

Policy Number:	3.3.4
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Business Development, Community Wellbeing Unit
Responsible Officer:	Manager Business Development Manager Community Wellbeing
Statutory Reference:	<i>Local Government Act 1989, Land Act 1958</i> <i>Retail Leases Act 2003</i> <i>Crown Land (Reserves) Act 1978</i>

OVERVIEW

To establish policy for the:

- rental and leasing of Council owned and /or controlled property.
- to establish policy for the management of property agreements, leases, licences and user agreements for Council owned and/or controlled property.

THE POLICY

It is desirable that Council has a consistent approach to how it manages its property asset responsibilities. Processes will be developed or reviewed so that this can be achieved.

This policy will:

- Apply principles of transparency, equity and impartiality;
- Ensure that all agreements comply with legislative provisions and other obligations;
- Facilitate appropriate utilisation and development consistent with Council policies, strategies and plans;
- Outline the elements for operational guidelines, procedures and any property agreement management framework.
- Provide further details regarding recent initiatives or significant changes as adopted in operational guidelines or procedures.

The duration and form of tenancy (lease/licence agreement) will be determined with due consideration to the following:

- intended and future use of the site as identified within any strategic documents;
- other interested parties;
- capital investment;
- economic and employment benefits; and
- a supporting business case.

The following definitions will be used to distinguish between properties leased to local organisations for community/non-commercial purposes and those of a commercial nature.

Community Agreements

The Community Facilities Framework (2016) recognises that community facilities make a fundamental contribution to our communities, enabling a wide range of social connection opportunities. They provide suitable spaces to deliver services, programs and activities to meet the social needs of the community and build community capacity.

For this reason, Council will provide support to community facilities whereby:

- Council owns or controls the land;
- Council owns or controls other assets on the land;
- Council has specific legal agreements;
- Facilities are under control of Committee of Management appointed pursuant to the provisions of the *Crown Land Reserves Act 1978*.

Where Council leases vacant land or land and improvements to non-profit organisations for predominantly community, educational or sporting purposes, rental shall be based on cost recovery only and terms shall be generally of a length to justify investment in facilities required for the purpose. Nominal rental may also be set at rates other than to recover costs, in line with past practice for non-commercial activities.

It is acknowledged that some community agreements may permit commercial activities. Any commercial use will:

- be limited and not identified as the primary activity on the site;
- not conflict or diminish any community service undertaken on the site;
- enhance and contribute to the economically sustainable community use of the site through reinvestment of all income;
- manage the site in an ecologically sustainable manner.

Commercial Agreements

The objectives of this policy specific to commercial property agreements include:

- Delivering market referenced returns;
- Effectively administering of property agreements in line with industry standards;
- Reviewing procedures and the management frameworks to ensure they fulfil identified Council objectives.

Where Council leases land or land and improvements for commercial purposes, it shall be at a fair market price and may be determined by Council or based on the opinion of an independent valuer. Terms should include regular rental reviews and may vary for periods of length of up to 50 years in accordance with the *Local Government Act 1989*. Leases should be in the best interests of the community and provide the best result (both financial and non-financial) for Council and the community.

Other Considerations

This policy does not affect the necessity to obtain planning, development, environmental or any other consents as required by relevant legislation. Where such requirements need to be satisfied or other condition precedents met, an agreement conditional on these requirements being satisfied should be established between Council and the other party. This would be typically in the form of:

- an Agreement for Lease for leases requiring compliance with s223 of the *Local Government Act 1989*; or
- a Heads of Agreement for other leases, licences or agreements.

Council is not considered to be obliged to establish an agreement with any party. Any final agreement would be on such terms and conditions as Council considers appropriate.

Property agreements due to expire shall be identified by reference to the Property Agreement Register and be actioned by the relevant Council Officer. Incumbents who have a consistent history of compliance with their agreement, licence or lease obligations can request a renewal.

Assessment of this request will be made in accordance with this policy, any applicable Lease Management Framework and will also consider an arrangement where council receives the highest and best use.

New agreements or agreements not renewed will generally be subject to a public advertisement, expression of interest or tender process.

Other terms will be outlined in standardised documentation which has been approved by a solicitor engaged by Council.

Council direction in relation to leases at West Sale Airport (WSA) has been incorporated into this policy and detailed within the WSA Lease Management Framework (LMF) which allows:

- lease terms of five years for lots fronting the eastern apron.
- lease terms of up to 50 years can be established within the Eastern (Recreational Aviation) Precinct.(ERAP); and
- new or renewed leases within the Western (Commercial/Industrial) Aviation Precinct will be assessed on an individual basis and be presented to council for their consideration as required

HUMAN RIGHTS

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Related Documents

Type:	Details:
Procedure:	Current West Sale Airport Lease Management Framework Register of Property Agreements New Agreement Development Procedure Agreement Renewal Procedure Licence Fees Procedure
Strategy:	Nil

Incorporated Committee – A Committee must be incorporated prior to any tenancy or management arrangement being implemented (e.g. lease, licence, service or funding agreement). Where there is an existing community committee, which is not incorporated, managing a Council owned or controlled community facility, Council will provide administrative assistance where required, in the preparation and lodgment of necessary documentation (e.g. Constitution, Statement of Purpose, etc) to ensure incorporation is attained under the *Associations Incorporation Reform Act 2012*.

Membership to an incorporated Committee is detailed within Committee's individual Rules, as approved by Consumer Affairs (Victoria).

SALE, EXCHANGE AND ACQUISITION OF LAND

Policy Number:	3.3.5
Approved by	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Business Development
Statutory Reference:	<i>Local Government Act 1989</i> <i>Land Acquisition and Compensation Act 1986</i> <i>Planning and Environment Act 1987</i> <i>Subdivision Act 1988</i> <i>Property Law Act 1958</i> <i>Transfer of Land Act 1958</i> <i>Sale of Land Act 1962</i> <i>Land Act 1958</i> <i>Road Management Act 2004</i> <i>Valuation of Land Act 1960</i>

OVERVIEW

To establish policy in relation to how Council deals with land transactions.

THE POLICY

This policy will outline principles to:

- Ensure compliance with legislative provisions and other obligations;
- Facilitate appropriate utilisation and development consistent with other Council policies, strategies and plans;
- Outline the elements to be included in operational guidelines and procedures;
- Reduce risk/liability for Council.

DEFINITIONS

Types of land transaction dealings concerned with this policy include:

- Sale;
- Exchange;
- Transfer;
- Purchase (by tender or private treaty);
- Compulsory acquisition.

RISK MANAGEMENT

This policy will facilitate the development of appropriate guidelines and procedures and therefore reduce Council's exposure to risk, including in the areas of:

- Public liability;
- Legal liability;

- Planning;
- Reputation.

Risk will also be reduced by identifying legislative requirements and adopting best practice methods related to land transactions.

LOCAL GOVERNMENT BEST PRACTICE GUIDELINES

The general principles provided for in the *Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land*, Department of Planning and Community Development, June 2009 should be adopted.

A summary of these guidelines is as follows:

- All transactions must comply with the provisions of the *Local Government Act 1989*. Sales must be conducted through a public process, unless circumstances exist that justify an alternate method of sale.
- Transactions should be in the best interests of the community and provide the best result (financial and non-financial) for Council and the community.
- All sales/transfers/exchanges should be at not less than market as, assessed by a valuer. In the circumstances that the transaction is at less than market value, an explanation of the circumstances, reasons or factors which led to the decision should be clearly documented.
- Land should be appropriately zoned (highest and best use / price).

EVALUATIONS OF LAND ASSET REQUIREMENTS

A regular land evaluation exercise should occur to identify unutilised Council land that is no longer required, or land that may be required in the future. The evaluation exercise should consider items such as:

- Current use, status and condition;
- Planning schemes, strategic plans, or other material that identifies land asset requirements;
- Whether land is required for community use (current or future);
- Environmental, cultural, social or other attributes;
- The level of public consultation to be undertaken (outside that required to comply with legislative provisions) appropriate when considering dealing with the land.

Remediation action plans should be progressively developed to deal with Council owned or controlled land that has been identified as contaminated. Various options are available to Council and these would need to be assessed having consideration of a variety of issues. Work to rehabilitate identified sites should be completed having regard to risk and the sites future potential for disposal. This would be done acknowledging other priorities which require Council to prioritise resources.

REPORTING TO COUNCIL

Land evaluation reports as referred to above should be completed with the recommended actions presented to Council on an annual basis or as required.

Land transactions will require a number of briefings or workshops and formal resolutions of Council. All guidelines and procedures related to land transactions will specify the frequency and

timing of Council briefings/workshops and Council Reports. Transactions will only be progressed following an authorisation of Council in the form of a Council resolution.

LEGISLATIVE REQUIREMENTS

Section 189 *Local Government Act 1989* – restriction on the power to sell or exchange land. Council must comply with s189 and can only be exempted with approval from the Minister for Local Government pursuant to s193.

Section 189(2)(b) *Local Government Act 1989* – a valuation must be obtained in accordance with s13DA(1) of the *Valuation of Land Act 1960*.

Section 20 *Subdivisions Act 1988* – prescribes how Council must treat the proceeds from the sale of Public Open Space.

Other legislative provisions may apply, and these should be identified by including specific instruction to Council's solicitor to this effect.

PROCEEDS FROM THE SALE OF LAND

Where land is sold, and it is not defined as Public Open Space, funds will be placed into an asset improvement reserve for use on any other initiative of Council. Funds from Public Open Space would be dealt with in accordance with the s20 of the *Subdivisions Act 1988* which in summary requires:

- Land to be purchased for a similar purpose;
- Existing Public Open Space to be improved.

PURCHASE AND ACQUISITION OF LAND

In order for Council to meet its various objectives and responsibilities, land may need to be acquired. Examples may include:

- Recreational activity;
- Community services;
- Operational purposes;
- Infrastructure requirements (drainage, roads, etc)

The legislative requirements for the purchase of land are prescribed in s187 of the *Local Government Act 1989* and the *Land Acquisition and Compensation Act 1986*.

Funds needed to facilitate the acquisition should be identified and allocated through the annual budget process. As part of the land evaluation process a current valuation should be obtained to ensure that budgets for the land acquisition are reliable and include provision for any cost escalation.

Acquisitions should generally occur at not more than market value, unless there is an explanation providing the reasons or factors to support offering such a purchase price.

The method of acquisition should also be considered in the early stages of a project requiring land to be acquired. As a general principle, Council should enter into discussions to explore the possibility of acquiring by negotiation. Any compulsory acquisition process should be initiated following a determination that circumstances justify acquisition by this method.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Land Transactions Current West Sale Airport Land Sales Framework
Strategy:	Built Environment Strategy

4. BUILT AND NATURAL ENVIRONMENT

4.1 NATURAL ENVIRONMENT AND PARKS

WASTE COLLECTION

Policy Number:	4.1.1
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Natural Environment and Parks
Responsible Officer:	Manager Natural Environment and Park Coordinator Waste and Sustainability
Statutory Reference:	<i>Local Government Act 1989</i> <i>Health Act 1958</i>

OVERVIEW

Under the provisions of the *Local Government Act 1989* and the *Health Act 1958*, Council has the authority/obligation to implement a municipal garbage collection service.

The purpose of this Waste Collection Policy is to describe the properties to which a garbage service is provided as per the Council declared areas defined in the Waste Collection Maps.

THE POLICY

The kerbside waste collection service is applicable to all properties within the declared areas as follows:

- Residential properties.
- Commercial properties: except where a prima facie evidence exists that the commercial property in question has a garbage collection from a commercial waste collection operator.
- Temporary Dwellings: are exempt from the service but can request a regular collection. Standard Council garbage charges apply.
- Vacant lots: as per Temporary Dwellings above.
- Non rateable properties are exempt from the service but can elect to receive a regular garbage collection. Standard Council garbage charges apply.
- Not for Profit organisations, administered by community based voluntary boards, whose primary purpose is to provide accommodation for elderly citizens are exempt from the service but can elect to receive a regular garbage collection (partial or full). Standard Council garbage charges apply.
- Charitable organisations: no exemptions apply.

Additional Services

Residents can apply for additional sets of bins (120ltr Garbage and 240ltr Recycling) - standard Council garbage charges apply.

Special medical circumstances

Subject to meeting the definition (as described below) residents can apply for an additional rubbish and/or recycling bin - no additional fees apply.

Definitions

Garbage collection: weekly kerbside garbage collection, fortnightly kerbside recycling collection and annual hard waste collection.

Non rateable land: as per the definition contained in Section 154 of the *Local Government Act 1989*.

Not for Profit: as per the definition of the Australian Tax Office

Special medical circumstances: households with special medical requirements confirmed in writing by a specialist medical professional (each case will be individually assessed as to how it meets the criteria).

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Waste Collection Maps
Strategy:	

NATURE STRIP MAINTENANCE

Policy Number:	4.1.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

To establish policy for the amenity maintenance of urban nature strips.

THE POLICY

In urban areas, abutting property owners are responsible for the amenity maintenance of the nature strips outside their property. Generally, this refers to the regular mowing of the nature strips but may extend to the management of other vegetation types (excluding trees) as needed. Council recognise the value nature-strips can add to the biodiversity and amenity of the urban landscape. Residents, through this policy, are supported to develop landscapes in accordance with Council's Naturestrip Landscaping Guidelines.

Council, or other Service Authorities are under no obligation to reinstate landscaped areas following works.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Nil
Strategy:	Open Space Plan 2014 – 2024 Naturestrip Landscape Guidelines

OPEN SPACE

Policy Number:	4.1.3
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Heritage Playgrounds Public Toilets
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks Coordinator Open Space Planning & Support Coordinator Parks Services
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of open space under Council jurisdiction.

THE POLICY

Council will maintain Public Open Space under Council jurisdiction according to the following Guiding Principles.

Guiding Principles

Diversity, quality and design

- Open space should be designed to build on local character and provide a diverse range of
- attractive settings and opportunities for recreation and leisure.
- Site plans (Concept or Masterplans) should be prepared before undertaking major development works.
- Design, layout, and facilities should be of high quality and provide for safe and enjoyable use.
- Design standards should be in line with those stated in the Wellington Open Space Plan 2014-2024.
- Urban Forest management including tree planting for shade, amenity and biodiversity enhancement should have a high priority in all council and private sector developments.

Access and equity

- All developed open space should provide good access to facilities, settings and activities for the whole community including people with limited mobility and other disabilities, and parking where compatible with established site values and uses as per the Open Space Plan assessment.
- The location and opportunities available at major sites and the benefits of open space use should be widely promoted.

Management and maintenance

- Maintenance should meet community and conservation objectives, within budget constraints and in accordance with agreed priorities.
- The community should be involved in the planning, development and care of open space.

Conservation

- Significant natural and cultural sites should be identified and actively managed including protection from damage by inappropriate management or recreation activities.
- Locally indigenous species should be prioritised in planting projects, except where exotic tree and plant species are an important element in urban or cultural landscapes.
- As part of a broader approach to climate adaptation the enhancement of urban biodiversity through the addition of green infrastructure is considered a high value activity

Council has developed guidelines (e.g. Open Space Plan) to give effect to its policy position on open space. These guidelines are available to staff via the Intranet. The responsibility to ensure that the implementation and maintenance of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built & Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Open Space Plan 2014-2024

LITTER BINS

Policy Number:	4.1.4
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Playgrounds
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of litter bins.

THE POLICY

Litter bins shall be allocated where the Council provides a range of attractors, some in combination, that by their nature generate a large degree of litter.

The combination of attractors used to determine bin allocation will be:

1. Shopping areas within CBD's or Town Centres (not commercial/industrial sites).
2. Individual shops such as milk bars, takeaways and general stores.
3. The presence of barbeques, toilets and playgrounds (in combination) in open space areas. The lack of any one of these individual attractors will remove the requirement for bin allocation.
4. Boat ramps of Regional or District significance.

Variations on this rationale shall be considered where a cost benefit analysis determines that the cost of provision of a litter bin at a particular location outweighs the overall community benefit i.e. the cost is too great.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Open Space Plan 2014 - 2024

PLAYGROUNDS

Policy Number:	4.1.5
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Heritage Playground Litter Bins Public Toilets
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager Natural Environment and Parks Coordinator Parks Services
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of playgrounds.

THE POLICY

The Council maintains a number of playgrounds, which generally fall within the hierarchical structure embraced in this Policy and identified as Regional, District, Neighbourhood and youth-oriented play. This structure is further developed through the Open Space Plan 2014-2024.

Playgrounds are continually developed and improved in line with current trends, community needs and safety standards. A rolling capital program exists for this purpose.

Council will provide, manage and maintain playgrounds within its jurisdiction according to the following Guiding Principles.

Aim

- To provide a system of diverse play settings equitably distributed throughout the Shire and within reasonable access of every child's home. (as described in the Open Space Plan)
- To complement the play opportunities that are available to local residents in private open space and in the neighbourhood generally, so as to maximise the range of play experiences available.
- To provide specific play settings and conditions within designated areas which help encourage personal growth, enjoyment and make social benefits available to the community, through play.
- To ensure that the physical environment, activities, equipment and social conditions within each play area are designed specifically to meet the needs and wants of children of specified age groups, and that opportunities catering specifically to those age groups are equitably distributed across the Shire.
- To ensure that playground provision caters to children and adults with disabilities, and that a wide range of play activities within each playground are accessible.
- To maintain all play equipment and designated play areas in a good condition in accordance with current Australian Standards for play equipment and adjacent areas.
- To regularly monitor the use of play areas, the condition and maintenance of play equipment and the provision and quality of play opportunities in the Shire generally.

- To consider the value of natural play in all playground re-fits and new designs through the use of planting and natural materials

Council's policy on the management of playgrounds is supported by guidelines that may be accessed by staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Playground Guidelines
Strategy:	Open Space Plan 2014-2024

PUBLIC OPEN SPACE CONTRIBUTION - SUBDIVISIONS

Policy Number:	4.1.6
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Open Space Heritage Playgrounds
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	<i>Subdivision Act 1988</i>

OVERVIEW

To establish policy for the management of public open space developer contributions.

THE POLICY

The provision of quality open space across the Shire is important for continued community health and well-being as well as making a significant contribution to town livability.

Developers are required under the *Wellington Planning Scheme* to provide a 5% contribution towards the provision of open space from planned sub-divisions. This contribution, at Council's discretion is in the form of land or money.

Aim of the Policy

This policy details guidelines for the receipt of any land or cash contributions as part of any proposed land development.

Any request for land or cash in lieu contributions from subdivisions will be consistent with the requirements of the *Wellington Planning Scheme* and shall be based on the directions and priorities of the Wellington Open Space Plan 2014-2024 and/or relevant Development Plans.

Priority consideration will be given to the following:

- Addressing gaps in current open space provision
- Contributing to the upgrade of, and improved access to, nearby existing open space
- Ensuring that open space is of a high quality and useable from a leisure and/or conservation perspective
- Establishing linear parks and linkages between areas of open space
- Retaining/enhancing significant conservation areas (including stands of remnant trees)

This policy is supported by the Open Space Selection Criteria – Developer Contributions guidelines. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Open Space Selection Criteria - Developer Contributions
Strategy	Open Space Plan 2014-2024

PUBLIC TOILETS

Policy Number:	4.1.7
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Heritage
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	Nil

OVERVIEW

To establish policy to guide the management of public toilets.

Access to toilet facilities is an important consideration in terms of the attractiveness and functionality of public areas generally and urban public areas particularly. Not all such areas are subject to Council jurisdiction, however Council is often perceived by the general public to be the agency universally responsible for the provision, operation and maintenance of public toilet facilities. In this regard, Council at times receives requests to either provide new (additional) public toilet facilities or to upgrade existing facilities to meet contemporary standards.

Council is currently involved, either directly or indirectly in the maintenance and operation a number of Public toilets throughout the Shire, which are intended to serve public areas catering for relatively large numbers of people on a regular basis. Council currently directly manages 33 public toilet facilities throughout the Shire.

THE POLICY

Council will ensure that adequate and appropriate public toilet facilities are available to residents and visitors throughout the Shire within its jurisdiction according to the following guiding principles.

- To ensure the provision of public toilet facilities is equitably distributed throughout the Shire and appropriate to need.
- To make appropriate provision for accessibility and functionality for people with disabilities and special needs.
- To ensure that the environment, both natural and built, is not adversely impacted by the construction and operation of public toilet facilities.
- To maintain toilet facilities and associated services and equipment in accordance with relevant Australian Standards and community expectation.
- To regularly monitor the use of public toilet facilities and the condition and maintenance of same, throughout the Shire.
- To encourage provision of toilet facilities on a collaborative basis with committees of management, public agencies and the private sector.

Application

This policy will apply to and establish the mechanisms for, the establishment, management and operation of public toilets, including but not limited to proposed new facilities, upgrades of existing facilities, retirements of existing facilities and establish a standard for such facilities having regard for, but not limited to:

- location;
- siting including proximity to other facilities;
- accessibility and amenity;
- architectural values, including heritage values;
- environmental considerations;
- capital and operating (life cycle) costs;
- community consultation.

Provision Objectives

Council will ensure that adequate and appropriate public toilet facilities are available to residents and visitors throughout the Shire.

Council has a Toilet Development and Management Strategy which may be accessed by staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Toilet Development & Management Strategy

SIGNIFICANT TREE PROTECTION

Policy Number:	4.1.8
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Urban Forest Open Space
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks Coordinator Open Space Planning & Support Coordinator Parks Services
Statutory Reference:	Wellington Planning Scheme

OVERVIEW

To protect significant trees and remnant vegetation located in urban areas from the negative impacts of land development (sub-divisions).

THE POLICY

This policy aims to provide guidance to applicants in the design of development proposals to ensure that significant trees/remnant vegetation is assessed and incorporated into development design.

The policy refers to lots of less than 0.4 hectare. Lots larger than 0.4 ha will generally be protected by the native vegetation controls afforded by the Wellington Planning Scheme Clause 52.17.

Definitions

A significant tree is:

- Any tree of outstanding aesthetic quality.
- Any tree outstanding for its large height, trunk diameter or canopy spread.
- Any tree that is particularly old or venerable.
- Any tree which occurs in a unique location or provides a significant contribution to the landscape, streetscape or townscape, including remnant vegetation and important landmark trees.
- Any tree associated with a well-known public figure or ethnic group.
- Any tree commemorating or having association with an important historic event.
- Any tree that is rare to an area (e.g. beyond its normal range of distribution or common cultivation) or is of a rare species or variety generally, including endangered species.
- Any tree which exhibits a curious growth form or physical feature including unusually pruned forms.
- Any tree which is of horticultural or genetic value and could be an important source of propagating stock.
- Any tree which forms part of a recognised historic garden, park or town.

Remnant Vegetation is:

- Any patch of indigenous vegetation, around which most or all of the land has been cleared. The patches of vegetation can provide a repository for seed banks, habitat and corridors for animals, aesthetic and scientific values, soil stability, and a reduction in salinity.

Council's policy on the management of significant trees is supported by procedures/guidelines which may be accessed by staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	
Strategy:	Open Space Plan 2014-2024

URBAN FOREST

Policy Number:	4.1.9
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Significant Tree Protection
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks Coordinator Open Space Planning & Support Coordinator Parks Services
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of the Urban Forest.

THE POLICY

This policy provides a framework of reference in relation to the management of trees in urban areas throughout the Shire generally, with particular reference to the following matters:

- Planting of new trees;
- Maintenance of existing trees;
- Removal of existing trees;
- Conflict with other infrastructure;
- Heritage trees;
- Risk management;
- Remnant native trees.

Principles

1. An acceptable level of risk to persons or damage to infrastructure, including buildings, streets, kerbs, footpaths, road users/vehicles and aerial and underground utilities.
2. To guard against the damage or unnecessary removal of trees in public areas.

Council has a Strategic Plan in place to support its policy position on urban trees (e.g. Open Space Plan 2014-2024). This Plan is available to staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accord's with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Open Space Plan 2014-2024

ENVIRONMENTAL SUSTAINABILITY POLICY

Policy Number:	4.1.10
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Procurement Asset Management Open Space Public Open Space Provisions Fleet Risk Management Significant Tree Protection Nature Strip Maintenance Urban Forest Rates rebate on Land with Deed of Covenant for Conservation Purposes Asset Management Policy Waste Collection Assessment of Development in relation to potential sea level rise Investment Community Assistance Grants Program Council provision of Recreation/Community Facilities
Applicable to Unit(s):	Whole organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	<i>Planning and Environment Act 1987</i> <i>Environment Protection and Biodiversity Act 1999 (Commonwealth)</i> <i>Flora and Fauna Guarantee Act 1988</i> <i>Environment Protection Act 1970</i> <i>Catchment and Land Protection Act 1994</i> <i>Local Government Act 1989</i> Wellington Planning Scheme

OVERVIEW

Wellington Shire council is rich in natural resources supporting industries such as agriculture, forestry, energy, tourism and fisheries. Diverse landscapes of great natural beauty and high environmental values from the Victorian Alps to the Gippsland Lakes and Bass Strait are protected in a network of parks and reserves which attract residents and visitors alike.

The *Local Government Act 1989* mandates a requirement for council decisions to consider sound financial management, promote the social, economic and environmental viability and sustainability of its region, and improve the overall quality of life of people in the local community. Accordingly, the scope of this policy pertains to all persons conducting or undertaking business on behalf of council and effectively must be considered by policy owners across council.

Council plays a key role in minimising the impact we have on our natural assets, which are fundamental to our community wellbeing and quality of life, now and into the future. It recognises that it plays a significant role in leading and supporting the community in their sustainability endeavours. This policy embeds supporting Climate Change adaptation and mitigation policy.

THE POLICY

Policy Objective

The objective of this Policy is to provide the framework for expressing Councils commitment to the incorporation of sustainability and climate change principles and practices in its service delivery, operations and community support and advocacy.

Guiding Principles

The Policy sets the guiding principles which will inform the Environmental Sustainability Strategy. The principles are:

- **Promote integration;** Pursue a 'whole of council' approach to sustainability to ensure economic, social and environmental considerations are pursued.
- **Be inclusive, get involved and participate:** We will listen to and respond to the needs of the community and form partnerships where required.
- **Be Innovative and show leadership;** We will strive to lead by example, be open and transparent and foster original and creative thinking. Sustainability and innovation are inextricably linked.
- **Adopt Precautionary Behaviour:** We will ensure that if there are threats of serious or irreversible environmental damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent degradation.
- **Embed Intergenerational Equity:** present and future generations of all species should have fair and equal access to resources and opportunities
- **Informed decision-making:** Learn from our success and failures of previous actions and programs. Ongoing monitoring assesses the effectiveness of our decisions and drives improvement. Ensure we have the latest advice.

Council recognises the importance of adopting measures to conserve natural resources, reducing impacts on our environment, maintaining biodiversity, native vegetation and considering the ecological, social and economic implications of our actions.

Council will implement this policy by applying the principles and themes outlined in this policy and will ensure compliance with all environmental legislative requirements pertaining to its operations.

Policy statement

Wellington Shire Council is committed to making an equitable contribution to all aspects of sustainability for the organisation and the community. This includes:

Resilient Communities: Council supports the UN Intergovernmental Panel on Climate Change consensus on human-induced climate change and acknowledges that council plays a key role in strengthen community resilience and adaptability in the face of variable climatic conditions and its impacts.

Low Carbon Economy: Council will plan for the reduction in corporate carbon emissions in line with science-based targets to keep global warming below a 2°C rise above pre-industrial levels. It will advocate for community to do the same.

Protecting Nature: Council acknowledges the need to maintain functioning natural systems, including the water cycle, underpin the economy, society and human well-being through the provision of a range of ecosystem services. It will minimize its impact on natural systems and water cycles in its service delivery and operations.

Towards a Circular Economy: Council plays a key role, as a waste service provider, in supporting the transition to a circular economy and use of the waste hierarchy to prioritise council actions. Essentially all waste matter has resource potential.

Environmental Stewardship: Council, as a government body has the responsibility to protect the environment for the wellbeing of the global community through stewardship and advocacy, in which leading by example is a key requirement for legitimacy. Building internal capacity and literacy on sustainability and climate change is a key role.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	
Strategy:	Environmental Sustainability Strategy

RATES REBATE ON LAND WITH A DEED OF COVENANT FOR CONSERVATION PURPOSES

Policy Number:	4.1.12
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Environmental Sustainability
Applicable to Unit(s):	Natural Environment and Parks Finance
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	Nil

OVERVIEW

To establish policy to manage rates rebates for conservation purposes.

THE POLICY

Council will allow a rates rebate on lands that have a Deed of Covenant for conservation purposes, as follows:

- That the rebate applies only to the land that is affected by a covenant as described in the covenant document.
- That the rebate be determined using a rate (\$) per hectare, as adopted in each budget cycle, with a minimum rebate of \$100 and a maximum equal to the annual general rate on the property.
- The rebate will apply once notification for Trust for Nature is received by Council and will be pro-rata from the date the deed was signed from the commencement of the current rating year.
- All rebates will be given in the form of a credit against the general rates. If the rates have been paid in full, the credit balance will be carried forward to the next rating year.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

4.2 ASSETS AND PROJECTS

ASSET MANAGEMENT

Policy Number:	4.2.1
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Environmental Sustainability Procurement
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

This policy is provided to give direction for the effective management of Wellington Shire Council infrastructure assets. The policy shall ensure that delivery of infrastructure services is in a structured and sustainable manner that recognises community expectations of time, quality, and value of money. Stewardship of infrastructure is a core Council function.

VISION

The asset management vision of Wellington Shire Council to optimise the whole of life costs of its assets, whilst meeting the present and future service delivery needs of the community and minimising exposure to risk.

This will be achieved through the full implementation of the asset management principles as articulated in the Built Environment Strategy.

POLICY STATEMENT

Scope

This policy covers the processes, systems and asset information required to manage all of Wellington Shire Council's existing and future physical assets efficiently and effectively. The policy is applicable across the organisation, including areas that do not have specific responsibilities for managing the assets but make use of council-owned assets in the delivery of services.

Goals

Wellington Shire Council has the following goals for asset management:

- Establish and maintain a framework to enable the development and application of sound asset management practice throughout the organisation;
- Understand and take into account community expectations in all significant decisions affecting infrastructure;
- Take a forward-looking, long-term view to the provision and management of infrastructure assets;
- Endeavour to provide council facilities, landscapes and infrastructure that are low carbon, water sensitive and resource efficient both in construction and operation and are resilient to a changing climate;
- Have confidence in asset management outputs through the application of quality processes and procedures; and

- Have ready access to all relevant information on individual assets, including physical parameters and data on valuation, condition, maintenance history, performance and risk.

Roles and responsibilities

As asset management requires input from and interaction between, all facets of the organisation the importance of well-defined roles and responsibilities for staff and councillors is crucial. The roles and responsibilities will be outlined in Part A of the General Information Asset Management Plan

Training and tools

To achieve and maintain the required level of capability, skills and expertise to deliver best practice in asset management decision making, Wellington Shire Council shall adopt the following principles:

- Invest in appropriate asset management training and development programs for relevant staff and councillors;
- Establish and maintain networks with asset management personnel to assist with sharing of knowledge.

THE POLICY

Understanding Community Expectations: Wellington Shire Council will understand the expectations of our community.

Asset Planning and Budgeting: Wellington Shire Council will plan for and review the provision of assets to our community.

Asset Operations and Maintenance: Wellington Shire Council will manage and maintain your assets in a fit for purpose state and within budgetary constraints.

Environmental Sustainable Design: (ESD) Wellington Shire Council will incorporate and document ESD initiatives in the construction and operation of Council facilities and infrastructure.

Risk Management: Wellington Shire Council will apply appropriate risk management principles in managing your assets.

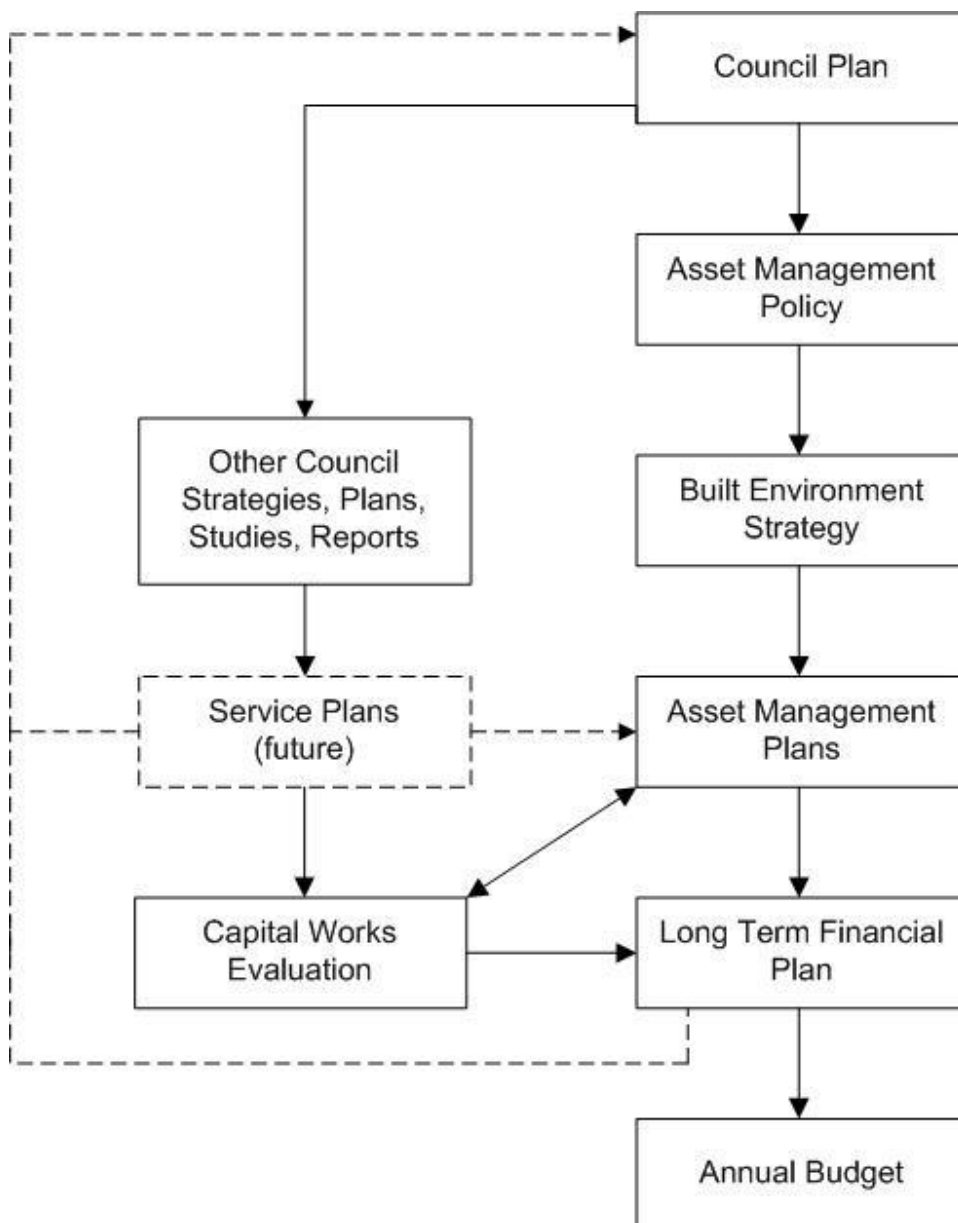
Asset Accounting and Costing: Wellington Shire Council will provide asset management and costing systems to inform our decision making processes. In doing so, we will comply with all relevant standards.

Asset Management Plans: Wellington Shire Council will develop and maintain asset management plans to guide asset development and management practices.

Partnerships with the Community: Wellington Shire Council will foster community input and support for the ongoing development and management of community assets where appropriate.

Built Environment Strategic Group (BESG): Wellington Shire Council may have a BESG that guides our policy and strategic direction in relation to Asset Management.

Diagram 1 below provides a representation of the Corporate Context of Asset Management at Wellington Shire Council.



HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	
Strategy:	Built Environment Strategy 2011-2015

PLACE AND FEATURE NAMING

Policy Number:	4.2.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Assets and Projects Built Environment
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	<i>Local Government Act 1989;</i> <i>Geographic Place Names Act 1998</i>

OVERVIEW

This policy is provided to give direction for the naming of localities, roads and other features that are owned or maintained by Wellington Shire Council, or where Wellington Shire Council has been asked to become involved in naming a feature. "Road" for the purpose of this policy includes street, lane, avenue, court and the like, and excludes roads managed by State Government authorities such as VicRoads, Parks Victoria and Department of Environment Land Water and Planning

THE POLICY

Proposals for new names or name changes including proposals from developers for their subdivisions are to be submitted to Council's Place Names Committee for consideration. All decisions from the Place Names Committee will be presented to Council for consideration. Community views are encouraged particularly those of the local historical societies, RSLs and other community groups.

The *Local Government Act 1989* Schedule 10, Clause 5 states:

1. A Council may:
 - a. approve, assign or change the name of a road; and
 - b. erect signs on a road; and
 - c. approve, assign and change the number of a road and any premises next to a road; and
 - d. require people to number their premises and to renew those numbers.
2. The Council, in exercising a power under paragraph (a) of sub-clause (1) must act in accordance with the guidelines under the *Geographic Place Names Act 1998* and must advise the Registrar under that Act of the action it has taken.

Council has adopted a Council Approved Road Names Register to provide guidelines and to give effect to its policy position on road, place and feature naming. This document is available to the general public on Council's website. The responsibility to ensure that the maintenance and implementation of the Register and guidelines accords with Council's policy position is vested in the Manager Assets and Projects.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Guidelines:	Naming Rules for Places in Victoria Statutory requirements for naming roads, features and localities 2016. (State Government document)

SUBDIVISION INFRASTRUCTURE DEVELOPMENT

Policy Number:	4.2.3
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Significant Tree Protection; Urban Forest
Applicable to Unit(s):	Assets and Projects Built Environment Natural Environment
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

This policy is provided to give direction for property owners, developers and contractors in the development of land for residential, commercial, industrial and other purposes. It provides an authoritative base on which to plan and develop the necessary infrastructure to service newly created properties.

THE POLICY

Developers of new subdivision infrastructure must accord with Wellington Shire Council's Subdivision Infrastructure Requirements, design standards and parameters set by other statutory authorities as well as national bodies associated with land and infrastructure development.

Council has adopted the Infrastructure Design Manual (IDM) to give effect to its policy position on subdivision infrastructure development. The IDM is a Regional Victoria approach to the standardisation of infrastructure development across Victoria. The responsibility to ensure the implementation, checking and supervision of the requirements of the IDM is vested in the Manager Assets and Projects.

When special circumstances are encountered or are proposed, it is a requirement that developers arrange to meet with Wellington Shire Council Assets and Projects Infrastructure Planning staff to discuss these proposals. Any proposed changes or deviation from the standards set out in the IDM are to be signed off by the General Manager Built and Natural Environment prior to implementation.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Infrastructure Design Manual
Strategy	Nil

SPECIAL CHARGE SCHEMES – ROADS, STREET & DRAINAGE DEVELOPMENT

Policy Number:	4.2.4
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Assets and Projects
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

To facilitate the development of road, street and drainage infrastructure, policy has been established for the management of special charge schemes as follows.

THE POLICY

To implement its vision and mission Wellington Shire Council will optimise its capacity to raise funds for the undertaking of works and services pursuant to section 163 (Special Rate and Special Charge), of the *Local Government Act 1989*.

We shall identify those circumstances where persons will receive special benefit and should, as a consequence, be required to pay a Special Charge for the development of roads, streets and drainage infrastructure.

We shall provide a uniform administrative procedure for the carrying out of Special Charge Schemes to be undertaken by Wellington Shire Council.

We shall provide an accepted basis of fairness and equity in the apportionment of costs associated with such works.

We shall provide appropriate construction standards for roads, streets, and drains intended to be constructed and/or provided throughout the municipality under Special Charges Schemes in accordance with the Infrastructure Design Manual.

This policy will enable the construction of roads, streets and drains that would not ordinarily be capable of being provided through other funding sources and in doing so, these schemes will recognise the special benefit that accrues to property owners joined to them.

Council has procedures in place to give effect to its position on special charge schemes for roads, streets and drainage development. These procedures are available to staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the procedures accords with Council's policy position is vested in the Manager Assets and Projects. Any matter specifically requiring a Council determination shall be reported by the Manager Assets and Projects.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Special Charge Schemes Procedures Infrastructure Design Manual
Strategy	Nil

DISPOSAL OF SURPLUS COUNCIL EQUIPMENT

Policy Number:	4.2.5
Approved by	Chief Executive Officer
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of disposal of surplus Council equipment.

THE POLICY

Council is an advocate for the utilisation of surplus Wellington Shire Council equipment in its community; it believes that appropriately disposing of surplus Council equipment can assist this goal.

From time to time, Council is in a situation where it holds surplus equipment.

Disposal

In order that surplus equipment may be disposed of efficiently, options may include the following:

- Provision to “seek expressions of interest” from not for profit organisations - priority of need to be determined by General Manager Built and Natural Environment.
- Disposal by public tender, following an assessment by the General Manager Built and Natural Environment of the cost effectiveness and financial benefits of this option on any particular occasion.
- Disposal to appropriate equipment recyclers if not disposed of by either “expression of interest” submissions from not for profit organisations or public tender.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Nil
Strategy:	Nil

CATTLE UNDERPASSES

Policy Number:	4.2.6
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Assets and Projects
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	<i>Planning and Environment Act 1987</i>

OVERVIEW

This policy is provided to ensure a uniform and acceptable standard of construction of cattle underpasses that allow for the daily movement of cattle beneath Wellington Shire Council (local) roads and it establishes responsibility for the on-going maintenance of the facility. This policy applies only to those roads listed in Wellington Shire Council's Register of Public Roads.

THE POLICY

Wellington Shire Council supports the construction of cattle underpasses as a means of improving road safety and minimising damage to local roads and verges resulting from the regular movement of cattle across roadways.

Guidelines are available to the public and staff to give effect to this policy. The responsibility to ensure that the implementation and maintenance of the guidelines accords with this policy is vested in the Manager Assets and Projects in consultation with the Manager Built Environment.

The property owner(s) seeking to construct the underpass will be responsible for all costs associated with the approval process and construction of the structure including reinstatement of the road pavement, surfacing (seal), guard rail, signage and line marking. The property owner(s) will be responsible for the on-going maintenance and repair of the underpass including pumps and other infrastructure excluding for the road pavement and seal, guard rail, signage and any line marking.

The property owner(s) prior to gaining approval for the underpass will be required to enter into an agreement pursuant to section 173 of the *Planning and Environment Act 1987* setting out these responsibilities.

The location and design must comply with relevant VicRoads standards and structure widths for the particular road being crossed and approval from Wellington Shire must be obtained prior to commencement of work.

All cattle underpasses must be designed by a Professional Engineer and have a concrete floor and provision for drainage. No responsibility for inconvenience, damage and/or stock loss owing to flooding, except in the case where such damage or loss is a direct result of negligence on behalf of Council, its employees or contractors will be considered.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Initial Enquiry Letter Information Sheet Standard copy of Agreement pursuant to section 173 <i>Planning and Environment Act 1987</i> Information Sheet Standard copy of Agreement pursuant to section 173 <i>Planning & Environment Act 1987</i> Strategy

4.3 BUILT ENVIRONMENT FENCING

Policy Number:	4.3.1
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Built Environment
Responsible Officer:	Manager Built Environment
Statutory Reference:	<i>Fences Act 1968 (including amendments effected 22/9/2014); Local Laws; Local Government Act 1989</i>

OVERVIEW

To establish policy for the management of fencing costs on boundaries adjoining Council controlled land.

THE POLICY

This Policy sets out Council's responsibilities in relation to contribution for construction and maintenance costs of fencing on boundaries adjoining Council owned and/or occupied land. The Policy is subject to provisions in Council's planning scheme, local laws, current building regulations and the Victorian *Fences Act 1968*.

Responsibility

Council will contribute to the shared costs of fencing where requested by adjoining landowners, on boundaries land where Council is the owner or has vested control.

Council will not contribute to the cost of:

- Roadways, right of ways;
- Rural Fencing;
- Gates onto Council land;
- Waterways or drainage reserves;
- fencing resulting from new subdivisions: or
- pedestrian access ways.

Council will fund the 50% of the cost with the landowner of the cheapest quotation for a standard 1.8 metre hardwood paling fence, with concrete posts and plinths. This standard fence has been specified as it is the most resilient to damage, and most cost effective to maintain.

If a landowner requests to build a non-standard fence, Council may contribute on the condition that the landowner accept responsibility for the future maintenance of the fence.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure:	Nil
Strategy:	Nil

ROADSIDE MEMORIALS POLICY

Policy Number:	4.3.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Built Environment Natural Environment
Responsible Officer:	Manager Built Environment
Statutory Reference:	Nil

OVERVIEW

The purpose of this policy is to establish a framework for the installation, construction and placement of roadside fatality memorials on roads for which Wellington Shire Council is the Coordinating Authority. It follows from the VicRoads Roadside Memorial Policy 2015, which covers Roadside Memorials on roads for which VicRoads / Regional Roads Victoria is the Coordinating Authority.

THE POLICY

Council will use the following framework in relation to the installation, construction and placement of roadside fatality memorials on roads for which Wellington Shire Council is the Coordinating Authority.

A roadside memorial is any object constructed, erected or placed on the road or within the road reserve to commemorate/indicate a road fatality. Memorials can include items such as wooden crosses, coloured posts, flowers or any type of construction with or without plaques or inscriptions.

Applications for both temporary memorials (less than 12 months) and longer-term memorials should be submitted in writing to the Manager Built Environment for approval.

Permanent Roadside memorials are not encouraged, and a transitional approach will be considered to meet the needs of individuals and the broader community. The transition may include relocating a memorial to an appropriate permanent location with significance to the family, outside of the road reserve.

When considering requests, the following criteria will be considered.

Location

The safety of road users in addition to those who place and visit roadside memorials are both considerations for an appropriate location of a roadside memorial. The following factors are relevant the location of memorials:

- A memorial should be located in a position where it will not distract drivers' attention or interfere with the role of any traffic control item.
- A memorial should be located such that visitors can safely access the memorial and continue to be safe in the time spent there.
- The locations of the memorial should be such that appropriate maintenance within the road reserve can be undertaken, without causing interference, risk or damage to the memorial

Construction Standard

A memorial must be constructed of material or installed in a way that will not cause injury if struck by a vehicle. Where a memorial incorporates a plaque, it should ideally be placed horizontally as close to the surface level as possible. Flowers or other mementos must be secured at the memorial site to prevent potential road safety hazards.

Other

- Objection received from nearby residents or the broader community regarding a roadside memorial, including the activity of visitors to the memorial, should be carefully considered. Any actions as a result will be made in consultation with the roadside memorial applicant.
- Applicants should be advised that the Wellington Shire is not able to accept responsibility for the maintenance of memorials, or any loss, damage, removal or relocation of roadside memorials that may occur due to road maintenance or construction activities.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

CCTV POLICY

Policy Number:	4.3.3
Approved by:	Council or Chief Executive Officer
Date Approved:	17 December 2019
Date Effective:	Immediate
Date of Next Review:	1 October 2020
Related Policies:	Human Rights Information Services Privacy and Data Protection Freedom of Information Records Management Policy
Applicable to Unit(s):	Governance – Information Services Unit ICT Manager Built Environment
Responsible Officer:	Manger Built Environment
Statutory Reference:	<i>Surveillance Devices Act 1999</i> <i>Privacy and Data Protection Act 2014</i> <i>Public Records Act 1973</i> <i>Charter of Human Rights and Responsibilities Act 2006</i> <i>Freedom of Information Act 1982</i> <i>Evidence Act 2008</i> <i>Local Government Act 1989</i>

OVERVIEW

Council uses Closed Circuit Television Video (CCTV) surveillance cameras as a tool to assist in the protection of assets, for the provision of security in the public realm and as a tool for investigation of offences by Victoria Police.

This policy is to provide guidance to Council and the public on the installation, use and management of electronic surveillance technology at council managed facilities and places. This Policy also ensures Council meets legislative and regulative requirements surrounding all forms of electronic surveillance.

THE POLICY

This Policy has been developed to ensure the effective installation, management and operation of all Council electronic surveillance devices through the following controls:

Governance

The CCTV Committee will be responsible to ensure Council meets all legislative and regulative requirements surrounding all forms of electronic surveillance. The CCTV Committee will oversee all aspects relating to use, installation, public signage, data collection, access and management.

Public Information

Appropriate communication will be provided to inform the public where they may be recorded, and how this data may be used.

Operations and Maintenance

All systems will be installed, managed and maintained in accordance with the *WSC CCTV Operating Procedures*.

Procedures and Attachments:

Committee Term of Reference

Operation and Maintenance Procedure shall be developed where CCTV equipment is used within the first twelve months of adoption of this policy. The CCTV Committee will approve and document all Operation and Maintenance Procedure under one of the following categories:

1. Corporate Facilities
2. Public Open Spaces
3. Public Buildings
4. Portable and non-fixed devices

HUMAN RIGHTS

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Related Documents

Type:	Details:
Nil	Nil
Nil	Nil

5. COMMUNITY & CULTURE

5.1 COMMUNITY WELLBEING

ENCOURAGEMENT AWARDS - YR 11/12

Policy Number:	5.1.1
Approved by	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Community Wellbeing unit
Responsible Officer:	Manager Community Wellbeing
Statutory Reference:	Nil

OVERVIEW

To establish policy guiding the funding of local year 11 & 12 Encouragement Awards.

THE POLICY

A \$200 Award or such other amount as may be determined by Council budget process each year for a Year 11/12 student shall be awarded annually.

Eligibility

- Sale Catholic College
- Gippsland Grammar School
- Yarram Secondary College
- Maffra Secondary College
- Sale College

Criteria for Selection

The Award is based on excellence in academic and community areas.

Selection

Each school shall select the student and advise Council.

Presentation

This Award is to be presented at the schools' annual Speech Night or equivalent.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

ELECTRONIC GAMING MACHINE POLICY

Policy Number:	5.1.2
Approved by	Council
Date Approved/Effective:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Community Wellbeing
Responsible Officer:	Coordinator Social Planning & Policy
Statutory Reference:	<i>Gambling Regulation Act 2003</i> <i>Planning and Environment Act 1987</i> <i>Wellington Planning Scheme</i>

OVERVIEW

This policy outlines Wellington Shire Council's:

- Position on Electronic Gaming Machines (EGMs)
- Decision-making framework to assist with Council's response to EGM's application within the municipality.

This policy builds on the previous *Responsible Gaming Policy 2015*.

WELLINGTON SHIRE GAMING PROFILE

Under section 3.4A(3A) (b) of the *Gambling Regulation Act 2003* the Victorian Commission for Gambling and Liquor Regulation (VCGLR) determines the maximum permissible number of gaming machine entitlements, under which gaming may be conducted in each municipal district in Victoria. This is commonly referred to as a 'municipal cap'.

Wellington Shire has a regional cap of 318 poker machine entitlements. As of 20 November 2018, there are 318 machines operating within Wellington Shire. The 318 machines are currently operating across six Clubs and one Hotel throughout the municipality. This represents a density of 9.2 EGMs per 1000 adults in Wellington Shire, the highest concentration of EGMs in the Gippsland Region. Losses to EGMs in Wellington Shire exceeded \$21.2 million in 2017/18, ranking Wellington Shire as 35th highest pokies expenditure in Victoria¹.

THE POLICY

Wellington Shire Council *Electronic Gaming Machine Policy* is based on the following:

- EGM gambling is a legal recreational activity in Victoria.
- EGMs can have significant social, economic and health impacts on individuals, families and communities. These impacts are felt disproportionately by different segments of the community and more vulnerable groups tend to sustain the biggest losses.

Because of this, it is imperative that a robust social and economic impact assessment of EGMs are

¹ Victorian Responsible Gambling Foundation (2018). *Pokies across Victoria*. [online] Available at: <https://responsiblegambling.vic.gov.au/resources/gambling-victoria/pokies-across-victoria/compare/wellington/> [Accessed 22.11.2018].

considered in assessing applications for new venues or variations to the number of machines at existing venues.

ASSESSING APPLICATIONS

EGM Applications

The term 'EGM applications' refers to applications by venue operators for approval to operate new and additional EGMs at a venue. These include applications to add additional EGMs to a current gaming venue (sometimes referred to as 'top up applications') and applications to add EGMs to a non-gaming venue. EGM applications may take the form of a planning permit application to install or use EGMs at a venue ('planning approval') or an application to the VCGLR for approval to operate EGMs at a venue ('gaming approval').

Any application to Wellington Shire Council for a Planning Permit to install or use EGM's at a new venue or to increase EGM numbers in an existing venue will require the applicant to complete a robust impact assessment of the social and economic benefits and risks of the proposal.

Overall the outcome for the Economic and Social Assessments will need to:

- Ensure that the operation of gambling in Wellington Shire delivers a net community benefit;
- Ensure that the location and design of EGMs minimises the incidence of problem gambling. *This includes prohibiting venues in shopping centres or at strip shopping centres to minimise opportunities for convenience gambling (as stipulated in Clause 52.28 of the Wellington Planning Scheme);*
- Ensure gambling premises offer a range of non-gambling entertainment and recreation activities rather than being standalone gambling premises;
- Ensure that the operation, location and design of gambling premises does not have a negative impact on the amenity, character, community values and safety of the area.

Further points to be included in this assessment are outlined below:

Locational features: Description of the gambling venue and its proposed location. Details about the existing and proposed distribution of EGMs in the municipality.

Patron profile: Social and demographic profile of the current and/or anticipated patrons of the gambling venue including how the profile and conclusions about patrons were reached. Rationale for the patron catchment based on established patterns of movement by residents and visitors.

Supporting evidence (such as attendance records) provided of patronage and anticipated patronage.

Social profile: Detailed profile of the residential population in the catchment area (5km radius of venue). Include the Social and Economic Index for Areas (SEIFA) scope for the area, population profile and projected growth, level of housing affordability and housing stress, income levels, employment and unemployment rates, educational retention and attainment levels, social security recipients (if available), levels of demand for financial aid/social support services (if available). Appropriate comparative measures to be provided to assess the relative vulnerabilities and strengths of the local community.

Vulnerability and Supports:	Description of currently available support services including specific problem gambling support services, financial counselling, social and financial support services, general psychological support services and their location in relation to the anticipated patron catchment area. Level of current demand for gambling help services, financial counselling, material and financial aid (if available).
Community and Stakeholders:	Evidence of the community's attitude toward the application for increased EGMs in the municipality broadly and the local area more specifically. The Applicant needs to provide evidence of this attitude by conducting a technically sound and robust attitudinal survey of patrons of the premises and more broadly. Where the application concerns a club licence (as opposed to a hotel licence) evidence that the application has the support of most the club's members. This would ordinarily require a copy of a club resolution following full details of the application being conveyed to the club members and debated.
Community Benefit:	The Gambling Regulation Act 2003 determined that all venue operators who receive gaming revenue in a financial year must lodge a Community Benefit Statement (CBS) with the VCGR showing the application of gaming revenue to 'community purposes'. As part of the application process the Applicant must enclose a copy of the last 3 years CBS. In addition, details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community must be provided.
Alternate Entertainment:	Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities within the local area and, if it is being contended that those facilities are not satisfying the current or future needs of the community, provide evidence of the contended needs.
Expenditure:	Details of existing gambling expenditure at the venue (over a 3-year period prior to the application) and a forecast of anticipated expenditure at the venue if the proposal was to be approved.

If the Applicant contends that gambling expenditure is likely to be transferred from other venues (including venues in other municipalities), the Applicant is to provide:

- How the level of transfer has been calculated (including, but not limited to a comparison per machine expenditure at the venue prior to and after the additional machines, current usage levels of machines at the venue and projected usage level of machines at the venue after the additional machines).
- The amount of transfer expenditure anticipated.
- The resulting impact on revenue of the venue from where the expenditure is being transferred.
- The resulting social and economic impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, and impact on ability to provide services).
- The resulting social and economic impact on the local area within which those venues are located.
- Details of the relative social and economic differences between the

two venue catchments (be measure by SEIFA indices, ABS data and other relevant data). An explanation as to why the EGMs are being transferred is to be provided.

This would ordinarily require a statement from the operators of other venues.

Harm prevention: Details of the design and layout of the premises (including gambling area) including all proposed and existing signage and evidence of compliance with any relevant gambling regulations concerning the premises' layout, design and operation. Details of any current or proposed measures by the applicant to minimise harms due to problem gambling that are additional to regulatory requirements.

Council will critically evaluate any 'planning approval' or 'gaming approval' applications for EGM venues in Wellington Shire in accordance with this Policy.

ADVOCACY AND COLLABORATION

Wellington Shire Council will support activities of Gamblers Help and other agencies to prevent and reduce gaming related problems.

Wellington Shire Council will work in partnership with the community, businesses and local organisations to research options available to reduce the ratio of EGMs per 1000 adults in Wellington Shire to be similar or lower than the state average.

Wellington Shire Council will advocate for changes to the Community Benefit Statement requirements that all club venues contribute to Wellington Shire Council Community Assistance Grant Scheme.

Wellington Shire Council will advocate to the State government *for a reduction in* Municipal Cap (currently 318 EGMs).

Council will participate with other Councils in state wide and regional forums to exchange information and resources, advocate for gambling reform and collaborate to achieve regional reductions in gaming machines.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Wellington Planning Scheme Clause 52.28 Wellington Municipal Public Health and Wellbeing Plan (Healthy Wellington 2017 – 2021)
Strategy	Nil

COUNCIL PROVISION OF RECREATION/COMMUNITY FACILITIES

Policy Number:	5.1.3
Approved by	Council
Date Approved/Effective	13 December 2019
Date of Next Review:	2020
Related Policies:	Committees
Applicable to Unit(s):	Community Wellbeing / Built Environment / Leisure Services
Responsible Officer:	Manager Leisure Services / Manager Community Wellbeing
Statutory Reference:	<i>Disability Discrimination Act 1992</i>

OVERVIEW

Wellington Shire Council recognises that facilities enable social inclusion, leisure and recreation opportunities and that the delivery of services impacts on the quality of life enjoyed by residents and visitors to the region.

For this reason, Council will provide support to recreation/cultural/community facilities where:

- Council owns or controls the land;
- Council owns or controls other assets on the land;
- In cases where it has specific legal agreements;
- Facilities are under control of Committee of Management appointed pursuant to the provisions of the *Crown Land Reserves Act 1958*;

THE POLICY

For the purposes of this policy, recreation and community facilities will include, but not be limited to, the following:

- public halls;
- galleries;
- recreation reserves;
- childcare centres
- kindergartens
- senior citizens centres
- libraries;
- museums
- neighbourhood/community houses
- playgrounds;
- stadiums;
- boating facilities;
- aquatic centres;
- other sporting and cultural facilities.

Council provision for the support to recreation and cultural facilities is based on a four-tiered (or

similar) hierarchy:

- Level 1 - regional, state significance facilities;
- Level 2 - district significance facilities;
- Level 3 - local significance facilities;
- Level 4 – local facilities.

Facility usage

In determining uses for the facility, Council strongly encourages the Committee of Management and users/hirers of the facility to refer to the four (4) priority areas and 11 focus areas of the Healthy Wellington Plan 2017-2021

Priority area 1: Improve mental wellbeing with a focus on:

- 1a. Increase resilience
- 1b. Improve social connection and inclusion
- 1c. Decrease harm from alcohol and other drugs
- 1d. Decrease harm from gambling

Priority area 2: Improve gender equality with a focus on:

- 2a. Improve gender equity
- 2b. Decrease violence against women and their children
- 2c. Increase sexual and reproductive health

Priority area 3: Improve healthy living with a focus on:

- 3a. Increase physical activity & healthy eating
- 3b. Decrease smoking

Priority area 4: Address climate change with a focus on:

- 4a. Increase capacity for climate change adaptation
- 4b. Improve community resilience and municipal relief and recovery planning in the event of extreme weather and or a natural disaster

Responsible Serving of Alcohol (liquor licensing requirements)

It is the responsibility of all users/hirers of a facility that they obtain the most appropriate liquor license from the Victorian Commission for Gambling and Liquor Regulation for the purpose for which alcohol is to be consumed and / or sold, whether that be directly, or indirectly.

The liquor license is to be provided to the Committee of Management prior to any acceptance of booking.

Governance

Council will provide training and support to committees of management, clubs, and organisations managing such facilities to assist with the maintenance, management and programming of these facilities to ensure use is maximised for the community.

Operating subsidy

Council may provide an annual financial operating subsidy to the management committee, club or organisation which must be used to go towards the costs of operating or maintaining the facility. Subsidies are provided to recreation reserves, public halls, and indoor sports centres located on Council owned or managed land or crown land.

Direct management

In some instances, Council directly manages a recreational or cultural facility. In these cases:

- Council is either the land owner or the appointed land manager.
- Council is directly responsible for the maintenance and upkeep of community facilities to support the delivery of core services.
- Council promotes equitable use amongst groups/community through effective ongoing engagement of the key users.
- Council managed facilities can include leisure facilities, public space, galleries and libraries.
- Discounted hire fees apply for community groups

Accessibility

Council aims to ensure that everybody in the community has the same opportunities to access and use facilities. Where Council directly manages facilities, it will include improving accessibility of these facilities as a priority in planning and long term budgeting and will monitor progress through its audit program. Council will also support committee managed facilities to plan for improvements to accessibility of their facilities and will promote best practice for accessible buildings and facilities.

HUMAN RIGHTS

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Related Documents

Type:	Details:
Procedure	Operating Subsidy Payment Procedure Committees of Management Facilities Maintenance Seasonal and Casual Hire Agreements Procedure Alcohol and Council Owned Properties Know Your Obligations
Strategy	Nil

COMMITTEES

Policy Number:	5.1.4
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Council Provision of Recreation/Community Facilities
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Community Wellbeing
Statutory Reference:	<i>Local Government Act 1989, Associations Incorporation Reform Act 2012,</i> <i>Crown Land (Reserves) Act 1978, Local Laws</i>

OVERVIEW

This policy establishes a framework for the guidance of Council in relation to:

- The appointment, roles and responsibilities of committees,
- The circumstances and purposes associated with the establishment and operation of committees.
- The enabling mechanism/s (legal basis), which are necessary and appropriate for the establishment and operation of committees in various circumstances.

THE POLICY

This policy recognises the important role that committees play in providing advice and/or services to Council; and establishes:

- The various forms of committee/s supported by Council.
- The guiding principles for the appointment of Committees.
- The relationship between Council and the different forms of Committees.

Definitions

Committee – can be:

- (a) An internal, informally established task force or general working group, made up of Council officers;
- (b) An external, unincorporated task force or general working group, containing representation from Council;
- (c) A “Friends of” volunteer group or tenant group; providing advice or a service to council;
- (d) A formal advisory or special committee established by Council under the provisions of Section 86 of the *Local Government Act 1989*;
- (e) A body incorporated under the *Associations Incorporation Reform Act 2012*; or
- (f) A committee appointed by the Crown under the *Crown Land (Reserves) Act 1978*.

Committee of Management – a volunteer committee that has been established with the primary role

of managing a community facility for use by the public, representing equally the interests of the public and all regular user groups of the facility.

Council Owned Property – real property to which the Council has title whether;

- (a) In fee simple estate;
- (b) By possession;
- (c) A restrictive Crown grant;
- (d) A restrictive, in fee simple Crown grant; or
- (e) An in fee simple Crown grant.

Council controlled property – real property in which the Council has a major and controlling interest whether through:

- (a) A lease or licence;
- (b) As committee of management under the *Crown Land (Reserves) Act 1978*;
- (c) Some other grant, demise, gift, benefit or bequest; or
- (d) Specific legislation or law enacted by the Parliament.

Community Facility – real property accommodating community infrastructure, such as public halls; Neighbourhood Houses, Childcares or Senior Citizen Centers recreation facilities, which have broad community use and are used for multi-purpose cultural, community or recreational purposes.

Management – the maintenance, hire, control, operation, occupancy, use, conservation, promotion and/or development of property.

Level 1, 2, 3 or 4 Recreation and Cultural Facilities – A four-tiered hierarchy defined and established by Council to categorise the significance of individual community facilities.

Guiding Principles

Council recognises the value volunteer committees offer to both the Shire and the community. The appointment of community-based committees allows and encourages:

- Networking and resource sharing between people working towards a common goal;
- A strengthened sense of community within the Shire;
- Channels of communication;
- Delegation of function, duties and powers to the community, providing direct community involvement, accountability and ownership for projects and properties.

Establishment of a Committee

Committees are established by Council on the following basis:

- “Friends of” Group, to operate as an informal/unincorporated volunteer community group, providing a valuable link between Council and the Community for direct Council controlled properties.
- Tenants/Advisory Group, to operate as an unincorporated representative tenants/Advisory group, providing valuable link between Council and tenants/hirers who occupy direct Council controlled properties.
- External Working/Advisory Group, to provide a combination of Council and community input into matters which affect the community of the Wellington Shire.

- Internal Working/Advisory Group, to provide a network between Council officers and ensure input from differing departments is received into matters effecting Council and/or council officers.
- An Incorporated Committee of Management operates as its own independent body, within the provisions of a documented form of facility management agreement with Council.

Section 86 Special Committee of Council, to effectively operate as a branch of the Council as defined within the Instrument of Delegation.

Incorporated Committee – A Committee must be incorporated prior to any tenancy or management arrangement being implemented (i.e. lease, licence, service or funding agreement). Where there is an existing community committee, which is not incorporated, managing a Council owned or controlled community facility, Council will provide administrative assistance where required, in the preparation and lodgment of necessary documentation (e.g. Constitution, Statement of Purpose etc.). to ensure incorporation is attained under the *Associations Incorporation Reform Act 2012*.

Membership to an incorporated Committee is detailed within Committee's individual Rules, as approved by Consumer Affairs (Victoria).

Section 86 Special Committee of Council – To appoint a Special Committee, the Council is bound by the provisions of Section 86 of the *Local Government Act 1989*. A Section 86 Special Committee of Council, in effect operates as the Council so far as its delegated authority is concerned. The appointment of Special Committees of the Council under Section 86 of the *Local Government Act 1989* will be limited to the following circumstances.

- a) Action Role – for specific projects (e.g. development of a facility, establishment of a regional festival/event).
- b) Management Role – for the management of:
 - i) Council controlled Crown owned Level 2, 3 and 4 recreation, cultural and community facilities, which are used for multipurpose cultural, community or recreational purposes catering to active pursuits and organised cultural and sporting activities.
 - ii) Level 1 Council owned community facilities where Council resolves exceptional circumstances so require.

Committees of Management – Managing Community Facilities and Property

The Wellington Community Facilities Framework (2016) aims to ensure that community facilities within the municipality continue to meet the expectations and needs of all current and future residents, both in terms of infrastructure requirements and service provision.

Council acknowledges the significant role that volunteer committees of management play in the provision of a range of services and facilities to the community and supports their continuation as largely autonomous, self-reliant bodies.

Council recognises three primary forms of community Committees of Management, based on property ownership, whose primary role is to manage, maintain and operate public facilities for use by the community.

- Committees of Management responsible for Council owned or controlled community facilities;
- Committees of Management responsible for Crown owned community facilities (Crown committees);
- Committees of Management or Trusts responsible for community facilities located on other property not owned by the Crown or Council.

a) Committees of Management (Council Owned or Controlled Community Facilities)

- i) The Council acknowledges and accepts it has, in equity, responsibility for Council owned and controlled property.
- ii) The Council's goal for its property is to deliver responsible resource management, supported by effective financial business strategies.
- iii) For management of any Council owned or controlled property, the Council may:
 - retain and have direct control and administration; or
 - under S86 of the *Local Government Act 1989* appoint special committees and delegate management responsibility; or
 - enter into a lease or licence agreement under the *Local Government Act 1989* or the provisions of the Crown Land (Reserves) Act 1978 with any incorporated body.
- iv) The Council will determine at its absolute discretion whether it appoints a committee, enters into a lease, licence or a licence & service agreement or retains its own control for the management of property.

All committees, clubs or organisations which occupy or manage a Council owned facility, must have a current documented agreement in place with Council which formalises the arrangement and specifies the tenure and obligations of all parties. All agreements are to be based on Council's generic agreements, to ensure where possible, uniformity and equitability for all concerned, but which may vary slightly to contain conditions, specific to an individual property.

b) Committees of Management (NON-Council Owned or Controlled Community Facilities)

Council does not have the authorisation to implement a lease or licence over properties not controlled by Council. Council is not responsible for the management, operation or maintenance of any community facilities that are not Council owned or controlled (e.g. Crown, Trust or Committee owned hall). Council does however recognise the role these community facilities play within our society and is able to offer support to these Committees through the implementation of a generic Service or Funding Agreement.

Representative or Advisory Committees

Council recognises the vital community link that representative or advisory Committees offer to Council. As these forms of Committees do not have any associated facility management or operational responsibilities, these Committees do not receive recurrent financial support from Council. Representative or Advisory Committees are established as required, and can take the form of:

a) "Friends of" Groups.

The establishment of "Friends of" Groups are encouraged by Council. They have no management or tenancy rights over the property of interest, however the Group is encouraged to have an input into Council plans, works or projects relating to the property. It is essential that all work or projects undertaken by "Friends of" Groups are fully coordinated by the Council.

Council will provide Volunteer Insurance cover for all registered members of 'Friends of' Groups, whilst engaged in approved projects or activities. Council does not, however, provide any direct financial or administrative support to "Friends of" Groups.,

b) Tenant Groups

The establishment of Tenant Groups promotes a consolidated voice and representation for official lease or licence holders or hirers of multi-use community or commercial facilities that are direct managed by Council.

Tenants Groups are generally established as an unincorporated advisory body, who will operate within the provisions of a documented Terms of Reference, as approved by Council. As a committee, Tenant Groups do not have a management right for their property, however they are able and encouraged to provide a representative view on matters of interest or concern, to Council.

Council does not provide any direct financial or administrative support to Tenant Groups.

c) External Working Advisory Groups

External Working Advisory Groups provide a combination of Council, organisation and community input into matters, which affect the community of the Wellington Shire.

Council can delegate Councilors or Officers to represent Council at any external Working Advisory Group that is considered appropriate.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	New Agreement Development Procedure Agreement Renewal Procedure Section 86: Special Committees of Council Procedure
Strategy	Nil

COMMUNITY ASSISTANCE GRANTS PROGRAM

Policy Number:	5.1.5
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Community Wellbeing
Responsible Officer:	Manager Community Wellbeing
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of the Community Assistance Grants Scheme inclusive of the Quick Response Grant Scheme.

THE POLICY

The aim of Council's Assistance Grants Scheme and Quick Response Grant Scheme is to encourage the development of community initiatives in line with our Community Vision, Wellington 2030 and the Council Plan. It aims to build on community capacity, encourage participation in cultural development and support community initiatives that promote partnerships and working together to maintain our community assets.

Key concepts within the Wellington 2030 Vision that underpin the Community Assistance Grants Scheme are available in the Council Plan 2017-2021 under theme 1, Communities

The following strategic objectives and related strategies are noted in theme 1:

Strategic Objective 1.1

Maintain friendly, safe communities providing opportunities for residents to lead healthy and active lifestyles.

Strategy 1.1.1

Continue to deliver services and programs that encourage and foster community wellness and the prevention of disease.

Strategy 1.2.1

Ensure that Council services, facilities and events promote inclusivity, social connectedness and accessibility.

Strategic Objective 1.2

Celebrate, recognise and acknowledge our diverse community and improve social connections among youth, aboriginal and aged communities.

Strategy 1.2.1

Ensure that Council services, facilities and events promote inclusivity, social connectedness and accessibility.

Strategic Objective 1.4

Enhance resilience in our towns and our communities.

Strategy 1.4.3

Encourage local volunteering, and empower local community plans and events.

HUMAN RIGHTS

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

Any program guidelines and assessment criteria developed for the purpose of implementing this policy shall incorporate reference to and consideration of Council's Human Rights Policy and Human Rights Charter Checklist.

Related Documents

Type:	Details:
Procedure	Community Assistance Grants Scheme Funding Guidelines and Assessment Criteria Quick Response Grants Scheme Funding Guidelines and Assessment Criteria
Strategy	Nil

COMMUNITY ENGAGEMENT POLICY

Policy Number:	5.1.6
Approved by:	Council
Date Approved:	13 December 2019
Date of Next Review:	2020
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	General Manager Community & Culture
Statutory Reference:	<i>Local Government Act 1989</i>

OVERVIEW

The purpose of this policy is to establish the expectations of Wellington Shire Council for staff in effective community engagement during council planning, decision making and management of projects.

THE POLICY

Staff at Wellington Shire Council will conduct genuine and effective engagement that involves those who will be impacted by decisions and projects.

Individual Responsibilities

It is the responsibility of all staff to follow appropriate processes for effective community engagement.

Responsibilities for Managers and Supervisors

It is the responsibility of Managers and Supervisors to ensure staff follow the appropriate processes and store community engagement plans for audit.

The Community Engagement Process

The Wellington Shire approach to engagement is set out in the Community Engagement Strategy 2017-2020 and associated Promapp process available at the following link:

<https://au.promapp.com/wellington/Process/Minimode/Permalink/Dp95u1wvTgMr98jqKrMwrq>

The Community Engagement Strategy 2017-20 provides:

- meaning to the term community engagement;
- the context in which community engagement is undertaken;
- core values in community engagement; and
- an explanation of why community engagement is an effective way of doing business leading to better outcomes for the organisation and the community.

The Promapp process includes a range of templates and additional information that will support an effective and consistent approach to community engagement across the organisation. Members of WENDI (Wellington Engagement Network – Direction and Innovation) and the Wellington Shire Social Planning and Engagement Officer are available to support staff to write and implement engagement plans.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Wellington Shire Council Community Engagement Strategy 2017-2020 Intranet Link with all related documents including, Strategy, Promapp, Part A, B and C templates. http://intranet/Page/Page.asp?Page_Id=1364 Promapp Process: https://au.promapp.com/wellington/Process/Minimode/Permalink/Dp95u1wvTgMr98jqKrMwrq
Strategy	Nil

5.2 ARTS & CULTURE

ART GALLERY COLLECTION

Policy Number:	5.2.1
Approved by:	Council
Date Approved:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Arts & Culture
Responsible Officer:	Art Gallery Director
Statutory Reference:	Nil

OVERVIEW

To establish a policy for the management and growth of the Gippsland Art Gallery permanent collection.

THE POLICY

The Art Gallery Collection Policy has been developed to provide guidelines for the management and acquisition of artworks for the Gippsland Art Gallery permanent collection.

The overarching objective in establishing, maintaining and building a collection of artworks is to enrich the community by promoting pride in its artistic and cultural heritage, past and present, and this objective should broadly inform all future acquisitions.

When selecting artworks for its permanent collection the Gallery should seek to acquire:

- Artworks that demonstrate artistic excellence in concept and/or execution.
- Artworks that enrich the broader understanding and appreciation of art, and the culture and history of Gippsland.
- Artworks that engage the themes of landscape and the natural environment.
- Artworks that promote a greater appreciation and understanding of First Nations art and culture, specifically of the Gunaikurnai Peoples of Gippsland, the Traditional Owners of the land on which the Gallery now stands.
- Destination artworks that contribute to the Gallery's effectiveness and vitality as a cultural tourism attraction.
- Artworks that promote and engage visitor curiosity from a young age to encourage lifelong learning through engagement with the visual arts.
- Artworks by artists who live in or are associated with Gippsland (and specifically with Wellington Shire), or that were created in or are about Gippsland.
- Artworks that increase the depth, breadth, and cohesion of the existing collection.

The acquisition of artworks should be carried out ethically and in accord with the core values of Wellington Shire Council and the Gippsland Art Gallery, and at all times should uphold the universal charters of human rights and child safety. De-accessioning of artworks may be undertaken provided measures are taken to avoid conflicts of interest and profiteering. The permanent collection should seek to unify rather than divide the community of Wellington Shire,

and demonstrate artistic, social or historical value as a means to promoting the virtues of inspired learning and cultural tolerance.

The Art Gallery Collection Policy should follow the Australian Best Practice Guide to Collecting Cultural Material from the Australian Government Ministry for the Arts. The Guide states that in acquiring or borrowing cultural material, Australian public collecting institutions should:

- I. Be committed to the principle that acquisitions whether by purchase, gift, bequest or exchange, and loans be made according to the highest standards of due diligence, including ethical and professional practice, and in accordance with applicable law.
- II. Not seek to acquire or knowingly borrow Aboriginal or Torres Strait Islander secret/sacred or culturally restricted material but acknowledge legal and ethical responsibility to accept or hold such material on occasion.
- III. Not acquire or knowingly borrow cultural material unless satisfied that it has not been acquired in, or exported from, the country of origin (and intermediate countries) in violation of that country's laws.
- IV. Not acquire or knowingly borrow cultural material where there are suspicions it was obtained through unauthorised or unscientific excavation of archaeological sites, the destruction or defacing of ancient monuments, historic places or buildings, or the theft from individuals, museums or other repositories.
- V. Not acquire or knowingly borrow biological or geological material that has been collected, sold or otherwise transferred in contravention of applicable national or international laws, regulations or treaties.
- VI. Be committed to review new information about an object in the institution's collection and undertake further investigations, including reviewing previous decisions about the object.
- VII. Be committed to transparency and accountability in relevant policies and procedures and in making information on acquisitions available to the public.

The above guidelines refer to all works of art in any medium that exists now or may appear in the future until such time as this policy is revised or rewritten.

The term 'artworks', for the purpose of this policy, also includes any item of decorative art, craft or design made using traditional processes or any art which is produced using the processes of contemporary technology. Photography and cinematography, digital video recording or the results of computer usage are valid acquisition categories.

Council has adopted detailed guidelines to give effect to its policy directions and these are contained within the Administrative Procedures Manual. The responsibility to ensure that the guidelines remain current and relevant is vested in the General Manager Community & Culture acting on advice from the Manager Arts & Culture. Any amendment to the guidelines will require approval from the Chief Executive Officer.

NATIONAL AND INTERNATIONAL AGREEMENTS AND LEGAL CONSIDERATIONS

- *Protection of Movable Cultural Heritage Act 1986*
- UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property 1970
- *Environment Protection and Biodiversity Conservation Act 1999*
- Convention on International Trade in Endangered Species of Wild Fauna and Flora 1975

(CITES Convention)

- *Historic Shipwrecks Act 1976*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*
- *Protection of Cultural Objects on Loan Act 2013*
- UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects 1995
- UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage
- UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954 – (The Hague Convention, First Protocol, 1954 and Second Protocol 1999)
- UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage 1972
- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression 2005
- UN Declaration on the Rights of Indigenous Peoples 2007

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Art Gallery Collection Procedures
Strategy	Arts & Culture Strategy 2017 - 21

ART IN PUBLIC PLACES POLICY

Policy Number:	5.2.2
Approved by:	Council
Date Approved:	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Arts and Culture, Natural Environment and Parks
Responsible Officer:	Manager Arts and Culture
Statutory Reference:	Nil

1. Overview:

The Wellington Shire Council Art in Public Places Policy has been developed to assist in the achievement of the objectives of Wellington 2030 and the Arts and Culture Strategy.

2. Goal:

To develop Wellington Shire as a place of vibrant creative endeavour.

3. Aims:

- 3.1 To enrich the lives of residents and visitors to Wellington Shire through the presence of high quality works of art and craft in the Shire's public spaces.
- 3.2 To integrate arts into the structure, fabric and daily life of the community.
- 3.3 To foster a sense of place, of community belonging and a sense of identity in residents of Wellington Shire.
- 3.4 To celebrate the cultural diversity of the Shire and wider community by the public display of arts including those that showcase our indigenous First Nations heritage.
- 3.5 To enliven and enrich the public spaces of the Shire to achieve a rich and lively environment which goes beyond that which good urban planning and design can achieve on its own.
- 3.6 To realise the economic, health and wellbeing potential of the arts and crafts industry in Wellington Shire and to promote cultural tourism.
- 3.7 To encourage innovative linkages between the arts, education, business and tourist sectors.
- 3.8 To enhance the lifespan of the community's cultural heritage through a planned maintenance program and protection from vandalism.

4. Underlying Principles

- 4.1 Community engagement
- 4.2 Partnerships
- 4.3 Identity and sense of place
- 4.4 Cultural diversity
- 4.5 A creative and vibrant environment

5. Definitions

5.1 Public Place

In Wellington Shire this includes but is not necessarily limited to streets and laneways, footpaths and walkways, gardens, building exteriors, and open space.

5.2 Artists

All professional practitioners in the visual, literary and performing arts, including visual artists, designers, craftspeople, writers, poets, performers, composers, musicians, etc.

5.2 Arts

In the context of this policy, this refers to all visual and performing arts (permanent or ephemeral). This includes but is not necessarily limited to visual art, craft, sculpture, design, new media, sound, ephemeral art, performance, projections and collaborative art/urban design projects. The public art can be functional, decorative, iconic, integrated, site specific, interpretive, commemorative or temporary.

6. Council's Role in Art in Public Spaces

6.1 Council's role in public art is that of:

- A planner for and provider of public art.
- A facilitator of arts development.
- A custodian and a partner in the management of the Shire's arts resources and assets.
- A designer of an environment that sustains a diverse artistic community.
- An advocate for public art.

7. Public Art Program

7.1 Public art projects can be initiated by Council, by artists, by organisations, or by the wider community and can be realised through the following processes.

- Acquisitions and long-term loans of public art.
- Commissions of contemporary art, both permanent and temporary.
- Acceptance of selected donations of art.
- Temporary placement of art in public places; exhibitions, art performances and site-based installations.
- Engagement of professional artists in specific projects - as consultants for specialist advice, concept development, planning, or as part of collaborative community-based projects.
- Engagement of arts practitioners from the region where appropriate.
- Artist-in-residence projects.

Related Documents:

Type:	Details:
Procedure	Art in Public Places Guidelines
Strategy	



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1**QUARTERLY STRATEGIC LAND USE PLANNING UPDATE**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER LAND USE PLANNING

DATE: 17 DECEMBER 2019

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

OBJECTIVE

To update Council on the strategic land use planning work program for the fourth quarter (October – December) of 2019.

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

That Council receive the 2019 fourth quarterly update on the strategic land use planning work program (included in Attachment 1 to this Report).

BACKGROUND

The strategic land use planning work program is regularly reviewed by Council's Strategic Land Use Planning Projects Review Group (Review Group), which was appointed by Council at the Special Council meeting of 6 December 2016.

The Review Group considered it beneficial to provide Council and the community with a quarterly update of the strategic land use planning work program, which comprises various prioritised projects and planning scheme amendments as outlined in Attachment 1.

OPTIONS

That Council:

1. Receive the 2019 fourth quarterly update on the strategic land use planning work program; or
2. Not receive the 2019 fourth quarterly update on the strategic land use planning work program and seek further information for consideration at a future Council meeting.

PROPOSAL

To receive the 2019 fourth quarterly update on the strategic land use planning work program.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

All strategic land use planning matters are considered in accordance with the *Planning and Environment Act 1987* and/or any relevant legislation.

COUNCIL PLAN IMPACT

The Council Plan 2017–2021 Theme 2: Services and Infrastructure states the following strategic objective 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.'

Strategy 2.3.2

'Ensure sufficient land supply to provide for a range of lifestyle options which support housing diversity including affordable housing.'

Strategy 2.3.3

'Recognise and advocate for best practice land development which considers energy efficiency and sustainability for housing.'

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

Current Strategic Land Use Planning Projects

North Sale Development Plan and Developer Contributions Plan

Priority: High Anticipated completion: 20/21

Status

The 'North Sale Development Plan' (Development Plan) was formally adopted by Council at its meeting of 17 April 2018 and facilitates the coordinated and integrated growth of 294 hectares of land within the nominated growth area to the north of Sale over the next 15 - 20 years.

The adopted Development Plan is available to view electronically on Council's website and in hard copy at the Shire offices at 18 Desailly Street, Sale.

Detailed work (including further drainage investigations) continues in the preparation of the associated (and complex) Infrastructure Funding Arrangement, which will seek to equitably apportion the costs associated with the required infrastructure provision across the developable land within the growth area.

A further update that is based on the progression of outstanding work is expected in May 2020.

West Sale and Wurruk Industrial Land Supply Strategy – Technical Report Preparation

Priority: High Anticipated completion: 19/20

Status

The '*West Sale and Wurruk Industrial Land Supply Strategy (April 2018)*', (the Strategy) was formally adopted by Council at its meeting of 19 June 2018. A recommended action of the Strategy was the preparation of several detailed technical reports to address issues relating to cultural heritage, vegetation, drainage and traffic matters.

With funding from the Victorian Planning Authority via the '*Streamlining for Growth*' program, consultants Urban Enterprise have been preparing the technical reports to support the detailed master planning of the land.

A suite of draft technical reports has been completed and reviewed by Council Officers. The recommendations of the draft reports have identified a number of matters that require further detailed consideration.

Officers are currently working with the relevant authorities to address these issues, prior to finalising the reports.

Planning in the Economic Growth Zone (PEGZ)**Priority: High Anticipated completion: 19/20****Status**

The '*Economic Growth Zone*' (EGZ) was established in November 2016 as part of a \$226 million package to help boost the local economy of the Latrobe Valley.

The EGZ includes Wellington Shire; Latrobe City and Baw Baw Shire. The '*Planning in the Economic Growth Zone*', (PEGZ) initiative comprises a series of planning projects that constitute the town planning response to the Minister for Planning's declaration of the EGZ.

All of the PEGZ projects aim to support economic development through a review of the Wellington Planning Scheme provisions to create a simpler, more consistent and less cumbersome planning system across the EGZ.

Council is also currently working closely with the State Government 'Smart Planning' team to translate the Wellington Planning Scheme into a new state-wide format before initiating a formal Amendment process to formalise all of the work in early 2020.

Port of Sale East Bank Redevelopment Study**Priority: High Anticipated completion: 19/20****Status**

The '*Port of Sale East Bank Redevelopment Study*', (the Study) aims to investigate the strategic land use opportunities and associated planning provisions required to guide the redevelopment of land located on the eastern side of the Port of Sale, being land formerly occupied by the Sale High School and Specialist School.

Following community consultation in February 2019, Ratio planning consultants prepared draft planning scheme provisions to facilitate appropriate uses and development on the site, the details of which are currently being reviewed by a range of key stakeholders, including the Department of Treasury and Finance and Department of Environment, Land, Water and Planning.

Following the review, a final set of planning provisions will be presented to Council for consideration.

Maffra Structure Plan**Priority: High Anticipated completion: 20/21****Status**

Background preparation work has commenced on the Maffra Structure Plan (the Structure Plan) with Mesh planning consultants having been appointed to undertake the project.

As a key strategic land use planning project, the Structure Plan will focus on the growth needs of Maffra and establish a direction as to how and where it should develop into the future. The Structure Plan will, amongst other things:

- provide an up-to-date and relevant strategic land use planning framework for Maffra;
- facilitate the coordinated and integrated growth of the township over the next 20 years;
- provide an informed direction for the future supply of land for residential, commercial and industrial uses, and
- review associated drainage and infrastructure issues holistically.

The structure planning process will involve a component of community engagement that will begin in early 2020. Further details and updates will be provided on Council's website as the study progresses.

It is anticipated that the Structure Plan will be completed mid-late 2020.

Review of Planning Controls - RAAF Base East Sale**Priority: High Anticipated completion: 20/21****Status**

Following significant upgrades at RAAF Base East Sale to accommodate expanded officer training and facilitate the use of new aircraft, background work is now underway to review and assess updated noise contour mapping to support the on-going operation of the airfield.

Officers initiated dialogue with the Department of Defence (Defence) in October 2019 to discuss the best approach to the development of updated planning controls. Consultation with Defence will continue to allow for the finalisation of preferred planning controls, which will also need the support of the Department of Environment, Land, Water and Planning.

A Planning Scheme Amendment to formally incorporate new controls into the Wellington Planning Scheme is likely to commence in 2020/21.

Council Planning Scheme Amendments

C99: Updated Flood Mapping

Priority: High Anticipated completion: To be confirmed

Status

Amendment C99 proposes revisions to the Wellington Planning Scheme to incorporate up-to-date, Shire-wide flood mapping and associated revised local planning policy to mitigate against potential flood hazards.

The Amendment will be further considered by Council once a State-wide policy and strategy response to coastal flooding and coastal climate change adaptation is finalised by the State Government.

C102: Technical Amendment

Priority: Low Anticipated completion: 19/20

Status

Detailed background work in compiling minor policy-neutral technical errors within the Wellington Planning Scheme (i.e. mapping and grammatical anomalies) is continuing. The detailed content of Amendment C102 has been discussed with the Department of Environment, Land, Water and Planning and the support of individually affected landowners sought.

Amendment C102 is expected to be presented to Council for consideration in December 2019.

C103: West Sale Industrial Land
Priority: High Anticipated completion: Completed

Status

Amendment C103 applied to 55 hectares of land immediately adjacent to the east of the West Sale Airport.

Amendment C103 will facilitate industrial uses and applied detailed planning controls to manage the potential impacts of future development on nearby sensitive uses.

Amendment C103 was exhibited between 7 March and 8 April 2019 and presented to Council at the 18 June 2019 meeting. At the meeting, Council considered submissions received and resolved to adopt Amendment C103. Amendment C103 was formally approved by the Minister for Planning on 24 October 2019.

Private Planning Scheme Amendments

C94: Rezoning of the former Sale Police Station Site
Priority: High Anticipated completion: Completed

Status

At the request of the Department of Justice, the former Sale Police Station (located on the South Gippsland Highway) was rezoned from the Public Use Zone to the Residential Growth Zone to facilitate its sale as a surplus asset to the Department's needs.

A formal Notice of Approval of the rezoning appeared in the Government Gazette on 14 January 2016.

The State Government is continuing in its work to resolve the issue of the removal of Native Title on the site, which currently prevents the sale of the land for development purposes.

ITEM C3.2**PLANNING DECISIONS**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

17 DECEMBER 2019

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

OBJECTIVE

To provide a report to Council on recent planning permit trends and planning decisions made under delegation by Statutory Planners during the month of October 2019.

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

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 October and 31 October 2019.

BACKGROUND

Statutory Planners have delegated authority under the *Planning and Environment Act 1987* to make planning decisions in accordance with the *Planning and Environment Act 1987* and the Wellington Planning Scheme, including the issue of planning permits, amended permits, extensions of time, refusal of planning permits and notices of decision to grant a planning permit.

A copy of planning permit decisions made between 1 October and 31 October 2019 is included in Attachment 1.

Attachment 2 provides an overview of recent planning permit trends including decisions made, efficiency of decision making and the estimated value of approved development (derived from monthly planning permit activity reporting data).

OPTIONS

Council may choose to note this report, alternatively, Council may choose to seek further information and refer this report to another meeting.

PROPOSAL

That Council note the report of recent planning permit trends and planning application determinations between 1 October and 31 October 2019.

CONFLICT OF INTEREST

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

COMMUNICATION IMPACT

The monthly report communicates information about planning trends and determinations including the issue of planning permits, amended permits, refusal of planning permits, and notices of decision to grant a planning permit.

LEGISLATIVE IMPACT

All planning decisions have been processed and issued in accordance with the *Planning and Environment Act 1987* and the Wellington Planning Scheme.

COUNCIL POLICY IMPACT

All planning decisions have been issued after due consideration of relevant Council policy, including Council's Heritage Policy, and the requirements of the Planning Policy Framework in the Wellington Planning Scheme.

COUNCIL PLAN

The Council Plan 2017–2021 Theme 2: Services and Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.3

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

Strategy 2.3.3

'Recognise and advocate for best practice land development which considers energy efficiency and sustainability for housing.'

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

ENVIRONMENTAL IMPACT

Planning decisions are made in accordance with the relevant environmental standards to ensure that environmental impacts are minimised.

**PLANNING APPLICATION DETERMINATIONS
BETWEEN 1/10/2019 AND 31/10/2019**

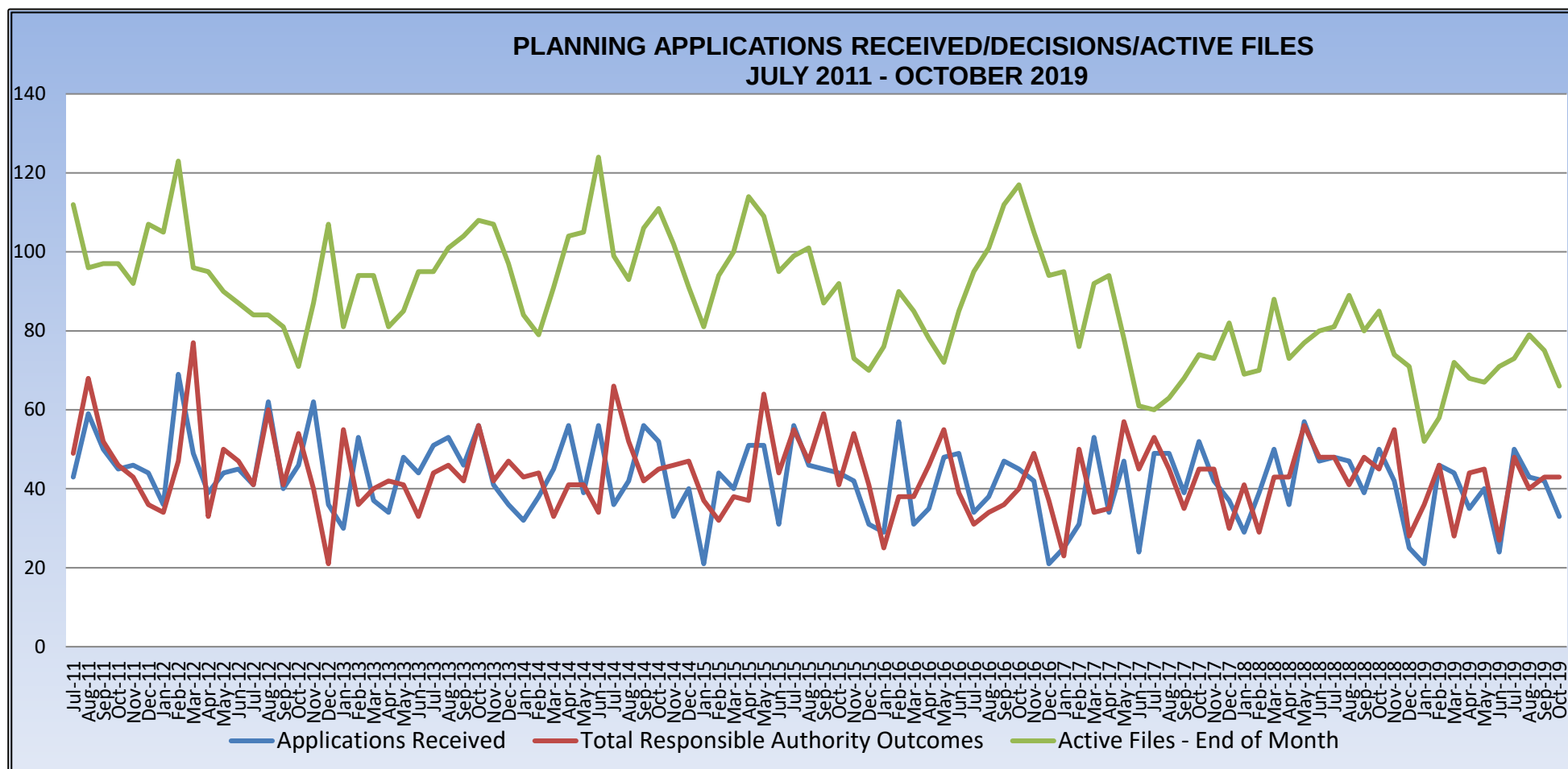
Application No/Year	Date Received	Property Title & Address	Proposal	Status
305-3/2016	12/09/2019	Assessment No. 89714 LOT: 4 PS: 119758 BASFORD LANE STRAITFORD	Use and development of the land for a single dwelling.	Permit Issued by Delegate of Resp/Auth 1/10/2019
448-2/2017	25/09/2019	Assessment No. 328047 LOT: 2 PS: 58686 108 MCLACHLANS RD TINAMBA WEST	Amendment to permit to remove native vegetation.	No Permit Required 9/10/2019
152-2/2018	23/10/2019	Assessment No. 233791 LOT: 217 LP: 50201 56 LAKE ST LOCH SPORT	Use and development of a single dwelling.	Permit Issued by Delegate of Resp/Auth 31/10/2019
46-1/2019	19/02/2019	Assessment No. 443788 LOT: S2 PS: 637845Q 73-75 HOBSON ST STRAITFORD	Staged residential subdivision.	Permit Issued by Delegate of Resp/Auth 10/10/2019
57-1/2019	27/02/2019	Assessment No. 185272 CA: 6 SEC: 5 8 ARDEN ST LONGFORD	Two lot subdivision.	Permit Issued by Delegate of Resp/Auth 11/10/2019
134-1/2019	3/05/2019	Assessment No. 101162 LOT: 1 PS: 141629 48 ANDERSONS RD DENISON	Use & development of the land/dog breeding for up to 50 fertile dogs.	Permit Issued by Delegate of Resp/Auth 3/10/2019
148-1/2019	15/05/2019	Assessment No. 319236 LOT: 2 LP: 144644 1 MACFARLANE ST HEYFIELD	Buildings and works associated with construction of a shed.	Withdrawn 30/10/2019
178-1/2019	20/06/2019	Assessment No. 325373 LOT: 1 PS: 547885D 67 DOWNINGS RD COWWARR	Buildings and works associated with extensions to a dwelling.	Permit Issued by Delegate of Resp/Auth 4/10/2019
191-1/2019	2/07/2019	Assessment No. 99606 LOT: 1 PS: 316774 STOCKDALE RD STOCKDALE	Subdivision of the land into 3 lots.	NOD issued by Delegate of Respon/Auth 28/10/2019
209-1/2019	15/07/2019	Assessment No. 383133 LOT: 16B BLK: 10 LP: 3222 22 RAGLAN ST PORT ALBERT	Buildings and works associated with construction of a second dwelling.	Permit Issued by Delegate of Resp/Auth 9/10/2019
210-1/2019	15/07/2019	Assessment No. 300517 LOT: 1 TP: 961689E 86 VERLINGS LANE YARRAM	Use of the land for animal keeping (up to 12 dogs).	Permit Issued by Delegate of Resp/Auth 2/10/2019

Application No/Year	Date Received	Property Title & Address	Proposal	Status
214-1/2019	22/07/2019	Assessment No. 318931 LOT: 1 PS: 703152H 18 MACFARLANE ST HEYFIELD	Subdivision of the land into two lots.	Permit Issued by Delegate of Resp/Auth 1/10/2019
219-1/2019	25/07/2019	Assessment No. 105692 CA: 2 SEC: G 1,349 SALE-COWWARR RD NAMBROK	Subdivision of the land into two lots.	Permit Issued by Delegate of Resp/Auth 8/10/2019
221-1/2019	26/07/2019	Assessment No. 290916 PTL: 1 BLK: 1 PS: 1351 305 COMMERCIAL RD YARRAM	Paint a mural on the side of a heritage building and restoration work.	Permit Issued by Delegate of Resp/Auth 4/10/2019
223-1/2019	26/07/2019	Assessment No. 91686 CA: 38 SEC: 17 7,471 DARGO RD DARGO	Buildings and works associated with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 22/10/2019
225-1/2019	29/07/2019	Assessment No. 441790 CA: 8 SEC: 18 41-43 WELLSFORD ST STRATFORD	Use and development of a childcare centre.	Permit Issued by Delegate of Resp/Auth 29/10/2019
233-1/2019	30/07/2019	Assessment No. 423012 LOT: 4 PS: 635560T 209-213 YORK ST SALE	Display promotion sign.	Withdrawn 8/10/2019
240-1/2019	6/08/2019	Assessment No. 188748 LOT: RES1 LP: 135365 47 CANSICK ST ROSEDALE	Buildings & works/shipping container for store/alterations.	Permit Issued by Delegate of Resp/Auth 2/10/2019
243-1/2019	7/08/2019	Assessment No. 4499 LOT: 1 LP: 41077 18 FITZROY ST SALE	Development of two dwellings and two lot subdivision.	Permit Issued by Delegate of Resp/Auth 10/10/2019
247-1/2019	9/08/2019	Assessment No. 382853 CA: 6 SEC: 1A 4-18 HIGH ST WOODSIDE	Buildings and works associated with construction of changerooms.	Permit Issued by Delegate of Resp/Auth 10/10/2019
260-1/2019	21/08/2019	Assessment No. 227751 CA: 1C 5,061 LONGFORD-LOCH LOCH SPORT	Buildings and works associated with construction of a clubhouse.	Permit Issued by Delegate of Resp/Auth 23/10/2019
269-1/2019	28/08/2019	Assessment No. 265835 LOT: 1 PS: 138313 315 CARRAJUNG LOWER RD CARRAJUNG LOWER	Buildings and works associated with construction of a shed.	Permit Issued by Delegate of Resp/Auth 4/10/2019
279-1/2019	2/09/2019	Assessment No. 218594 LOT: 800 LP: 52648 3 BEACHCOMBER RD GOLDEN BEACH	Buildings and works associated with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 29/10/2019

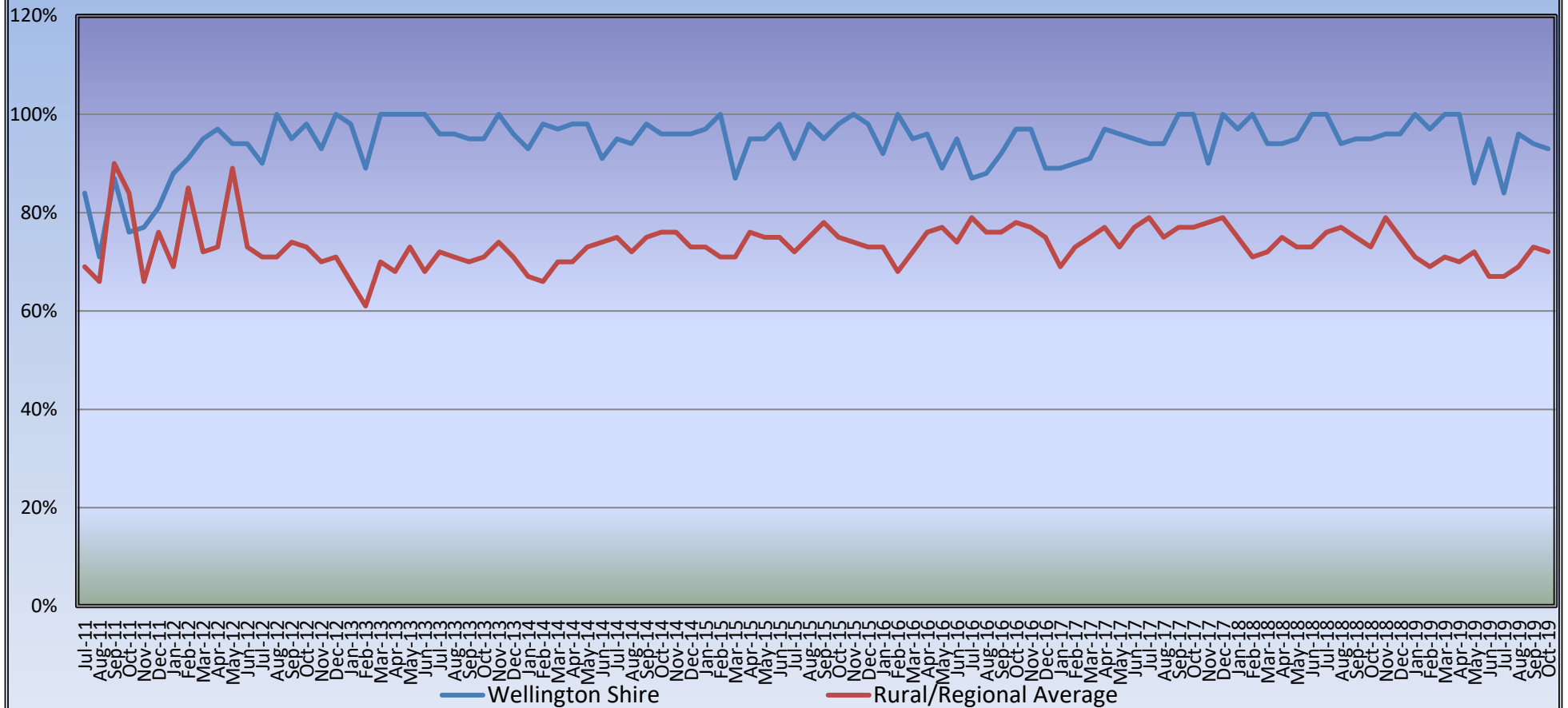
Application No/Year	Date Received	Property Title & Address	Proposal	Status
282-1/2019	3/09/2019	Assessment No. 284463 LOT: 2 LP: 203601H 150 TAP TAP RD JACK RIVER	Re-subdivision of 2 existing lots.	Permit Issued by Delegate of Resp/Auth 15/10/2019
285-1/2019	6/09/2019	Assessment No. 197541 LOT: 7 LP: 130600 8 ASHTON CRT ROSEDALE	Subdivision of the land into two lots.	Permit Issued by Delegate of Resp/Auth 31/10/2019
287-1/2019	6/09/2019	Assessment No. 201608 CA: 42 SEC: C 344 HAWKINS RD LONGFORD	Subdivision of the land into two lots.	Permit Issued by Delegate of Resp/Auth 31/10/2019
289-1/2019	9/09/2019	Assessment No. 317776 PCA: 26B SEC: B 17-25 GEORGE ST HEYFIELD	Buildings and works associated with the installation of a light tower.	Permit Issued by Delegate of Resp/Auth 22/10/2019
295-1/2019	12/09/2019	Assessment No. 195644 CA: 1A SEC: 1 10 FORESHORE RD SEASPRAY	Change of hours to existing liquor licence.	Permit Issued by Delegate of Resp/Auth 2/10/2019
297-1/2019	12/09/2019	Assessment No. 436931 LOT: 50 PS: 727578L 14 PETERS DVE STRATFORD	2 lot subdivision of the land.	Permit Issued by Delegate of Resp/Auth 16/10/2019
298-1/2019	12/09/2019	Assessment No. 424317 LOT: 158 PS: 642250U 8 BURRAGINNIN CL SALE	Buildings and works associated with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 15/10/2019
299-1/2019	12/09/2019	Assessment No. 14738 LOT: 1 TP: 611742 117 STAWELL ST SALE	Buildings and works associated with extension to existing dwelling.	Permit Issued by Delegate of Resp/Auth 1/10/2019
300-1/2019	16/09/2019	Assessment No. 190942 LOT: 2 PS: 201459T 50 ROSEDALE-LONGFORD ROSEDALE	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 23/10/2019
304-1/2019	18/09/2019	Assessment No. 330811 LOT: 1 TP: 954007B 48 MAIN ST BOISDALE	Buildings and works associated with extension to existing dwelling.	Permit Issued by Delegate of Resp/Auth 30/10/2019
308-1/2019	25/09/2019	Assessment No. 102947 LOT: 2 PS: 123223 224 LOWER SETTLEMENT PEARSONDALE	Buildings and works associated with construction of a farm shed.	Permit Issued by Delegate of Resp/Auth 1/10/2019
309-1/2019	25/09/2019	Assessment No. 40469 LOT: 1 TP: 200034 32 HUTCHISON ST SALE	Buildings and works associated with construction of a shed.	Permit Issued by Delegate of Resp/Auth 1/10/2019

Application No/Year	Date Received	Property Title & Address	Proposal	Status
310-1/2019	30/09/2019	Assessment No. 86124 LOT: 2 TP: 3908R SOMERTON PARK RD COBAINS	Use and development of a dwelling.	Withdrawn 30/10/2019
313-1/2019	2/10/2019	Assessment No. 198135 LOT: 1 PS: 420122T 269 BRADLEY'S RD STRADBROKE	Buildings and works associated with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 8/10/2019
315-1/2019	7/10/2019	Assessment No. 273805 LOT: 1 LP: 139307 82 MORRIS RD YARRAM	Buildings and works associated with extension to existing dwelling.	Permit Issued by Delegate of Resp/Auth 14/10/2019
325-1/2019	11/10/2019	Assessment No. 388298 LOT: 10 PS: 506503D 19 PANORAMA DVE WOODSIDE BEACH	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 17/10/2019
327-1/2019	11/10/2019	Assessment No. 392860 LOT: 2 LP: 343281A 19 HARVEYS RD CARRAJUNG LOWER	Buildings and works associated with construction of a farm shed.	Permit Issued by Delegate of Resp/Auth 17/10/2019
330-1/2019	15/10/2019	Assessment No. 239566 LOT: 2180 LP: 70938 4 RESERVE AVE LOCH SPORT	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 17/10/2019
337-1/2019	23/10/2019	Assessment No. 212399 PC: 378111U 1 AZURE AVE GOLDEN BEACH	Buildings and works associated with construction of a shed.	Permit Issued by Delegate of Resp/Auth 29/10/2019
338-1/2019	28/10/2019	Assessment No. 247015 LOT: 1259 LP: 58872 10 WATTLE GVE LOCH SPORT	Buildings and works associated with construction of carport.	Permit Issued by Delegate of Resp/Auth 30/10/2019

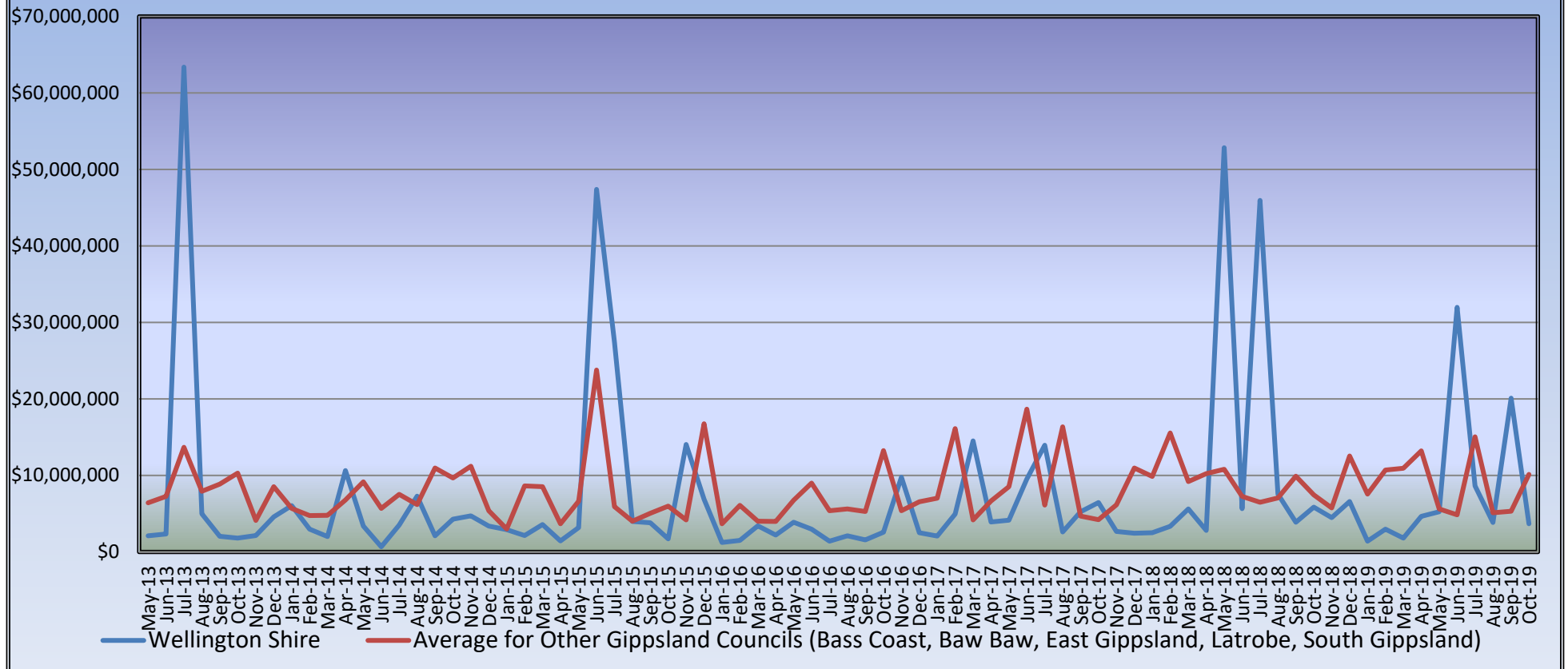
Total No of Decisions Made: 43



DECISIONS ISSUED WITHIN 60 DAYS JULY 2011 - OCTOBER 2019



ESTIMATED VALUE OF WORKS MAY 2013 - OCTOBER 2019



ITEM C3.3**TIMBER TOWNS VICTORIA**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

GENERAL MANAGER DEVELOPMENT

DATE:

17 DECEMBER 2019

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

OBJECTIVE

For Council to consider reinstating its membership with Timber Towns Victoria.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION*****That Council;***

- 1. reinstate its membership with Timber Towns Victoria from January 2020 forward; and***
- 2. nominate Councillor Hole as Wellington Shire Council's delegate for the Timber Towns Victoria Committee for the January 2020 to December 2020 membership period.***

BACKGROUND

Timber Towns Victoria (TTV) is an incorporated local government association which represents the interests of up to 20 Councils in relation to the impacts of private and public forestry on local government operations and rural/regional communities.

TTV provides a forum for local government to address the management of forests and forest industries and their impact on local communities.

TTV's key objectives are:

- To provide leadership and advocacy for the interests of local government on the impact of timber related issues on local government and their communities, particularly roads infrastructure.
- To provide a forum for local government to share information and to address timber related issues.
- To be a credible and respected stakeholder on timber issues, representing local government in working with the community, all levels of governments and the timber industry.
- To support and assist councils managing the impact of timber related issues.
- To support sustainable communities and local government infrastructure.

Council previously held a TTV membership for many years, prior to 2017, however in August 2017 the TTV Executive Committee collapsed and Wellington Shire cancelled its membership.

Over the past 6 months, several member Councils have worked hard to resurrect the organisation and now have a new executive in place and a supportive secretariat.

Given the most recent State Government announcements in relation to the Victorian timber industry, it is now considered extremely beneficial for Wellington Shire Council to reinstate its membership and in doing so, work collegiately with other rural Councils to achieve the best possible outcome for the timber industry and the communities they support.

OPTIONS

Council has the following options:

1. To reinstate its membership with Timber Towns Victoria from January 2020 forward and in doing so nominate a Councillor as Wellington Shire Council's delegate for the Timber Towns Victoria Committee for the January 2020 to December 2020 membership period; or
2. To not reinstate its membership with Timber Towns Victoria.

PROPOSAL

That Council;

1. reinstate its membership with Timber Towns Victoria from January 2020 forward; and
2. nominate Councillor Hole as Wellington Shire Council's delegate for the Timber Towns Victoria Committee for the January 2020 to December 2020 membership period.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

There is an annual membership fee. The membership fee for the period January 2020 to December 2020 is \$2,500 per Council.

Membership fees are determined at the TTV Annual General Meeting.

COUNCIL POLICY IMPACT

Wellington Shire Council's Wood Encouragement Policy recognises the importance of the forest and wood product industry. The recommendation within this report relates to the Wood Engagement Policy and associated policy goals.

COUNCIL PLAN IMPACT

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

Strategic Objective 6.4

'Act and lobby on behalf of the priorities of the community.'

Strategy 6.4.2

'Advocate on the community's behalf to state and federal agencies, the private sector and industry on a range of issues relevant to Wellington Shire community.'

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

RESOURCES AND STAFF IMPACT

By becoming a member of Timber Towns Victoria, Wellington Shire Council will be required to have a Councillor nominated as a representative. From time to time, it may be also appropriate for the Councillor to be accompanied by an officer depending on the agenda items to be considered.

ITEM C3.4**PROPOSED COMMUNICATION TOWER LEASE – LICOLA**

DIVISION: DEVELOPMENT

ACTION OFFICER: ACTING MANAGER BUSINESS DEVELOPMENT

DATE: 17 DECEMBER 2019

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

OBJECTIVE

For Council to authorise the Chief Executive Officer to undertake the necessary statutory and other processes to allow Council to establish a lease on Council land within the township of Licola for the installation of a communications tower.

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

- 1. Council authorise the Chief Executive Officer to establish a lease on Council Land located at Park Reserve, Licola more specifically described as Part Lot 1 LP91309 for a period up to 20 years.***
- 2. Council advertise its intention to lease land at or below market value, subject to the provisions of the Local Government Act 1989 sections 190 and 223, including calling for submissions in relation to the proposed lease.***
- 3. Subject to not receiving any submissions, Council authorise the Chief Executive Officer to progress the lease at or below the current market value including executing necessary documents.***
- 4. The information contained in the confidential document Item F1.1 Heads of Agreement for proposed Lease from Wellington Shire Council to Telstra Corporation Limited of this Council Meeting Agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Development on 3 December 2019 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: h) any other matter which the Council or special committee considers would prejudice the Council or any person, be designated confidential information under Section 77 Clause (2) (b) of the Local Government Act 1989.***

BACKGROUND

Following an approach from Telstra for assistance in identifying a suitable site for the installation of a localised communications tower within the township of Licola, an area of approx. 6.4m x 6.1m was selected at the rear of the reserve on Licola-Jamieson Road (refer Figure 1).

The height of the tower is 10m and will provide mobile phone coverage within an approximate radius of 3 kilometres. Power will be provided from Council's existing power network within the reserve.

A Heads of Agreement has been provided detailing the terms of the lease with rental being at or below market value for a term of up to 20 years.

The project is part of the Commonwealth Government's Mobile Black Spot Program where Licola has been identified as a priority site. The installation of a communications tower will increase the reliability of phone communication into the township noting there have been recent instances where the existing land based system has failed resulting in outages lasting a number of days.

It is anticipated there will be improved community safety outcomes provided having access to mobile phone services.



Figure 1 – Lease Area for proposed communications tower

OPTIONS

Council has the following options:

1. Progress the establishment of a lease; or
2. Not progress with the establishment of a lease.

PROPOSAL

That

1. Council authorise the Chief Executive Officer to establish a lease on Council Land located at Park Reserve, Licola more specifically described as Part Lot 1 LP91309 for a period up to 20 years.
2. Council advertise its intention to lease land at or below market value, subject to the provisions of the *Local Government Act 1989* sections 190 and 223, including calling for submissions in relation to the proposed lease.

3. Subject to not receiving any submissions, Council authorise the Chief Executive Officer to progress the lease at or below the current market value including executing necessary documents.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Whilst the intention is for Council to enter into a lease at or below market value, there is currently no rental being received from the site. Accordingly, in the event a lease is established, Council will begin receiving an income from the site in addition to a contribution toward utility costs (electricity).

Council will incur costs associated with the drafting and finalisation of the lease.

COMMUNICATION IMPACT

Consultation with the adjoining property representative has been undertaken where the lease proposal was considered to be acceptable. Council's Natural Environment and Parks unit have also indicated the location of the proposed facility within the reserve is acceptable.

Council Officers are aware that concern has been expressed regarding the proposed provision of mobile phone services. The concern relates to visitors (particularly school children on camps) having access to internet and mobile services. Based on this feedback, it is anticipated that submissions may be received noting that subject to Council progressing with this report's recommendation, a public notice will be placed inviting submissions regarding the proposed lease both on Council's website and in the local newspaper.

LEGISLATIVE IMPACT

Council is required to comply with s190 of the *Local Government Act 1989* (Vic) (the Act). For lease terms of ten or more years, Council is required to comply with s190 and s223 of the Act. These provisions require Council to notify its intent to enter into a lease and also to invite and then consider any submissions. As provided for in s190(1) Council's power to lease land is limited to leases of a term of 50 years or less.

Any submissions subsequently received would need to be considered by Council at a future meeting.

COUNCIL POLICY IMPACT

In accordance with Council's policy on *Rental and Leasing of Council Owned Properties*, the lease proposed in this report would be considered a Commercial Lease, i.e. this is not a lease to a "non-profit organisation for [Council related] community or sporting purposes". It would however be at or below market value. This is considered acceptable as the provision of a communications facility in Licola will provide benefits related to community safety outcomes.

COUNCIL PLAN IMPACT

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

Strategic Objective 2.1

Council services and infrastructure are responsive to identified current and future community needs within budgeted parameters.

Strategy 2.1.1

Undertake service delivery and infrastructure master planning to provide community assets in response to identified needs.

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

PLANNING POLICY IMPACT

Council's planning unit has confirmed that the installation of the communications tower will require the applicant (Telstra) to submit a planning permit.

The land is zoned Township Zone (TZ). A Bushfire Management Overlay (BMO) applies to the land.

RESOURCES AND STAFF IMPACT

The majority of actions required for this project will be completed by officers within the Development Division. Specialised advice may be procured from time to time such as legal and engineering.

COMMUNITY IMPACT

Currently no or very limited mobile phone coverage exists north of Glenmaggie and around the Licola township. The proposed facility will facilitate improved communications during periods of natural emergencies, for existing visitors and residents, emergency services and support agencies.

ENVIRONMENTAL IMPACT

To improve the amenity around the lease area, Council's Parks department proposes to screen the area using low level plantings.

ITEM C3.5**BUILDING PERMITS REPORT**

DIVISION: DEVELOPMENT
 ACTION OFFICER: MANAGER MUNICIPAL SERVICES
 DATE: 17 DECEMBER 2019

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

OBJECTIVE

To provide a report to Council on building permits issued in the Wellington Shire during the quarter July 2019 to September 2019, for information.

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

That Council note the report of building permits issued from 1 July 2019 to 30 September 2019.

BACKGROUND

Building permits are issued by private building surveyors, and copies of permits are provided to Council. The permits, plans and other documents, are filed by Council and recorded on a register of building permits. Building permits are issued for a range of developments, including dwellings, extensions and fences, as well as commercial and industrial buildings.

Attachment 1 to this report provides an overview by township, of the number of permits issued along with the estimated value of construction, for the three-month period ending 30 September 2019.

Attachment 2 provides an historical representation of the number and value of permits issued in Wellington Shire and compares this data against the broader Gippsland region.

For the period July to September 2019 there were 244 permits issued with an estimated value of work at \$50,081,107.

The major projects include:

- **Cobains**– Meat Processing Facility – Replacement of fire damaged Abattoir
- **Fulham** – Fulham Correctional Centre – Cell Block – Final stage
- **Maffra** – Cameron St Sporting Complex - Alterations/Additions – Stage 1
- **Rosedale** – Construction of Warehouse with adjoining external pump room
- **Heyfield** – Golf Course Road, subdivision residential development

In the previous quarter, April to June 2019, there were 239 permits issued with an estimated value of work at \$36,251,501.

OPTIONS

Council may choose to note this report, alternatively Council may choose to seek further information and refer this report to another meeting.

PROPOSAL

That Council note the report on building permits issued within Wellington Shire from July to September 2019.

CONFLICT OF INTEREST

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

COMMUNICATION IMPACT

The quarterly report provides information on the number of building permits, and cost of development per town, within the Wellington Shire. Gippsland-wide building activity is also provided, to demonstrate how the Wellington Shire area performs in comparison.

LEGISLATIVE IMPACT

Building permits are issued in accordance with *Building Act 1993*, Building Regulations 2006 and the Wellington Planning Scheme.

COUNCIL POLICY IMPACT

All building permits issued by private building surveyors are registered and filed as per the timelines set out in the Municipal Services Business Plan.

COUNCIL PLAN

This Council Plan 2017-2021 Theme 2 Services and Infrastructure states the following strategic objective and related strategy:

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.'

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

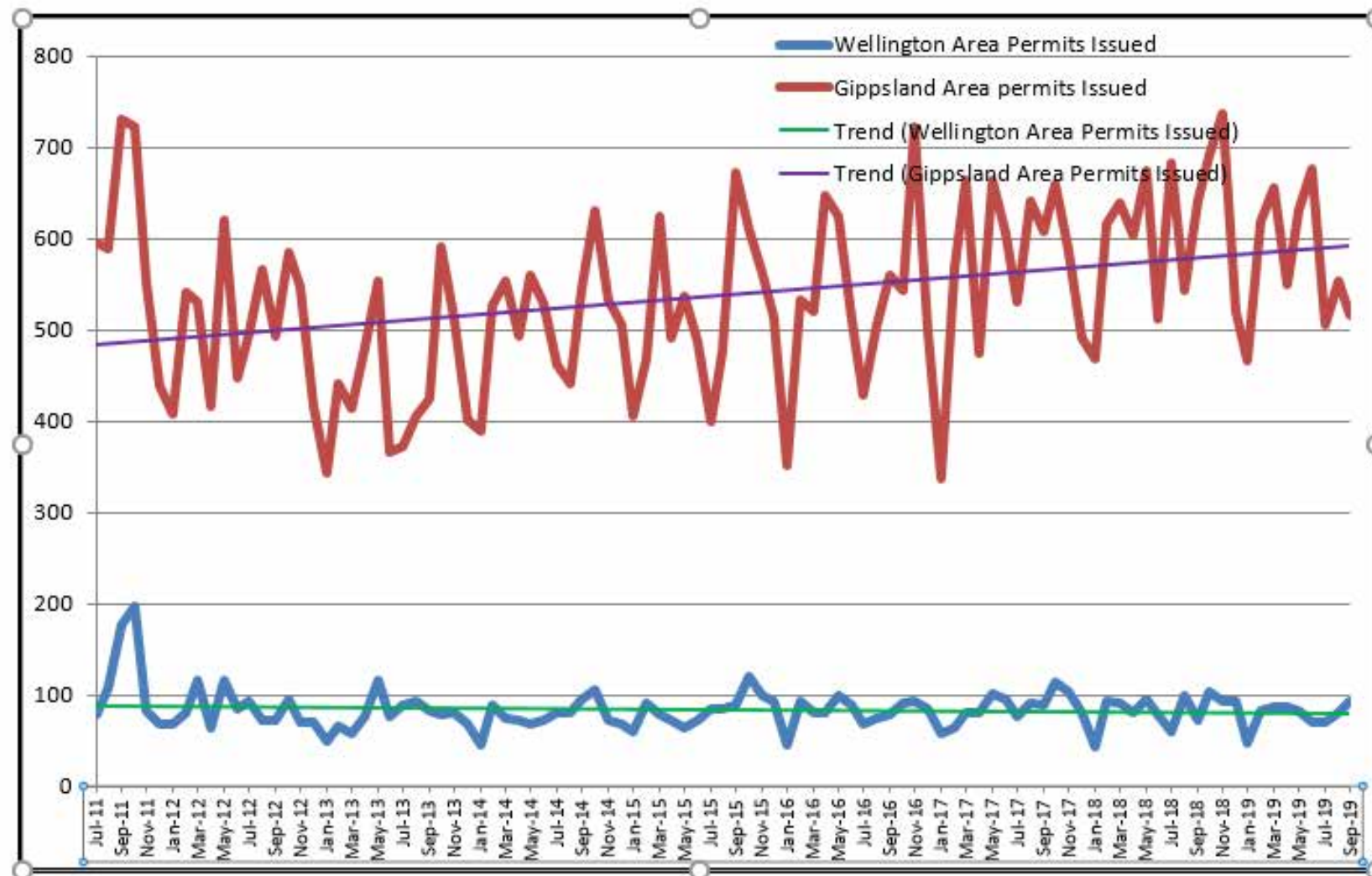
WELLINGTON SHIRE PERMITS ISSUED

	July	August	September	Total
AIRLY	0	1	0	1
	\$0	\$26,435	\$0	\$26,435
BOISDALE	0	1	2	3
	\$0	\$16,000	\$303,010	\$319,010
BRIAGOLONG	1	3	0	4
	\$18,200	\$371,622	\$0	\$389,822
BUNDALAGUAH	1	0	0	1
	\$27,500	\$0	\$0	\$27,500
CARRAJUNG LOWER	0	0	1	1
	\$0	\$0	\$26,500	\$26,500
COBAINS	1	0	1	2
	\$500,000	\$0	\$29,000	\$529,000
COONGULLA	1	3	4	8
	\$25,000	\$272,585	\$156,965	\$454,550
COWWARR	2	0	0	2
	\$52,956	\$0	\$0	\$52,956
DENISON	0	0	1	1
	\$0	\$0	\$51,150	\$51,150
DUTSON DOWNS	1	0	0	1
	\$25,300	\$0	\$0	\$25,300
FULHAM	1	0	0	1
	\$16,592,700	\$0	\$0	\$16,592,700
GLENGARRY	2	0	1	3
	\$38,500	\$0	\$29,050	\$67,550
GLENMAGGIE	0	1	2	3
	\$0	\$113,000	\$150,000	\$263,000
GOLDEN BEACH	3	0	4	7
	\$19,000	\$0	\$797,855	\$816,855
GORMANDALE	0	1	0	1
	\$0	\$9,900	\$0	\$9,900

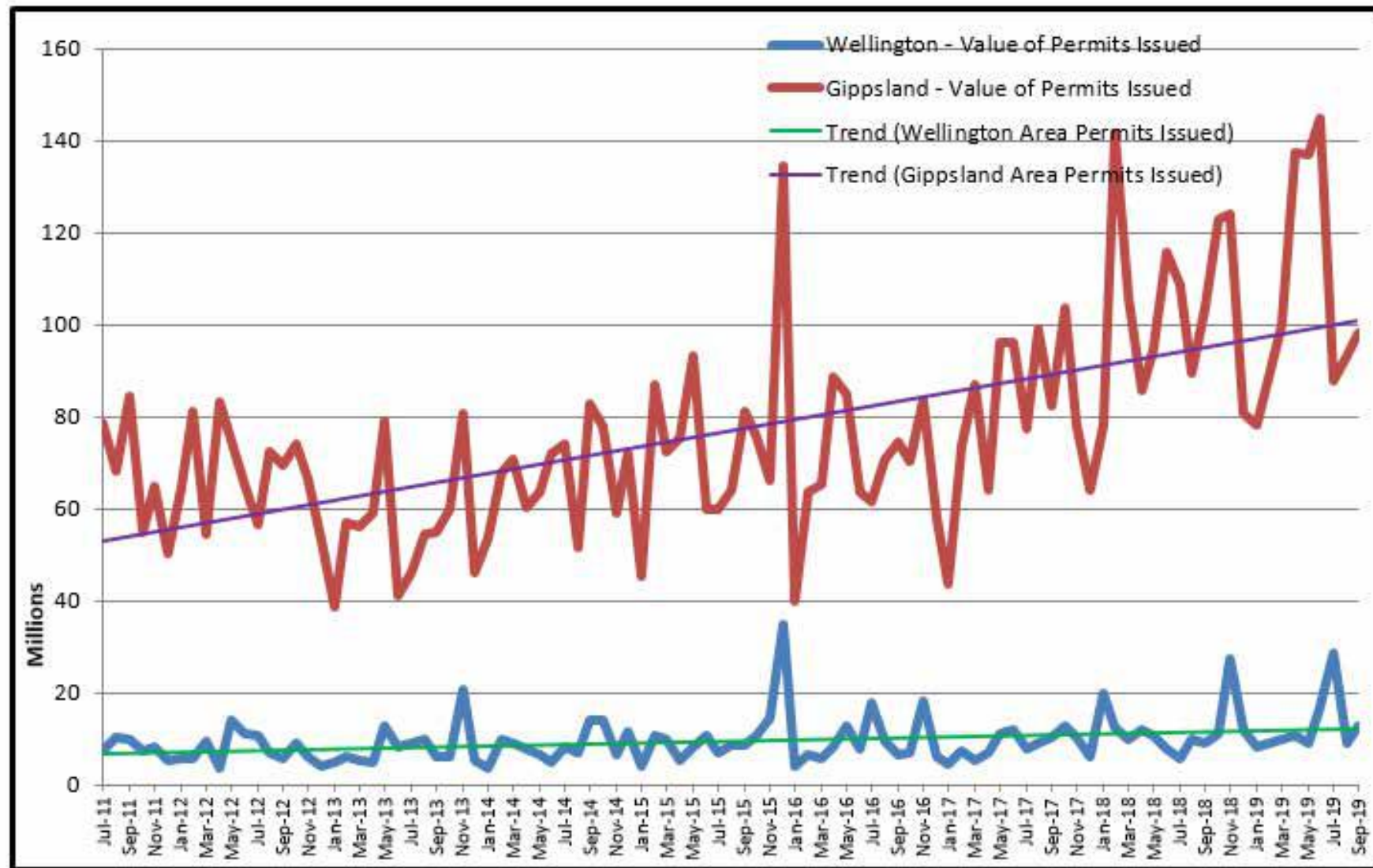
	July	August	September	Total
HEDLEY	0	0	1	1
	\$0	\$0	\$10,261	\$10,261
HEYFIELD	4	1	2	7
	\$974,318	\$11,684	\$59,500	\$1,045,502
LANGSBOROUGH	0	0	1	1
	\$0	\$0	\$306,996	\$306,996
LOCH SPORT	2	4	8	14
	\$263,671	\$39,233	\$978,378	\$1,281,282
LONGFORD	2	7	3	12
	\$43,739	\$1,015,938	\$399,146	\$1,458,823
MAFFRA	5	8	9	22
	\$862,407	\$820,170	\$3,353,200	\$5,035,777
MANNS BEACH	0	0	1	1
	\$0	\$0	\$5,000	\$5,000
MONTGOMERY	1	0	1	2
	\$18,425	\$0	\$71,252	\$89,677
MUNRO	0	3	0	3
	\$0	\$24,600	\$0	\$24,600
MYRTLEBANK	0	1	0	1
	\$0	\$12,000	\$0	\$12,000
NEWRY	0	0	1	1
	\$0	\$0	\$7,500	\$7,500
PARADISE BEACH	2	1	0	3
	\$67,950	\$10,269	\$0	\$78,219
PEARSONDALE	1	0	0	1
	\$7,500	\$0	\$0	\$7,500
PORT ALBERT	1	1	2	4
	\$253,039	\$10,340	\$370,864	\$634,243
ROBERTSONS BEACH	0	0	1	1
	\$0	\$0	\$280,000	\$280,000
ROSEDALE	6	4	5	15
	\$365,916	\$459,340	\$709,151	\$1,534,407

	July	August	September	Total
SALE	16	19	16	51
	\$2,704,869	\$2,895,836	\$2,239,947	\$7,840,652
SEASPRAY	1	1	1	3
	\$9,930	\$170,000	\$15,850	\$195,780
SEATON	0	1	1	2
	\$0	\$14,500	\$10,940	\$25,440
STRATFORD	9	11	15	35
	\$925,985	\$1,877,179	\$1,485,836	\$4,289,000
TARRAVILLE	1	0	0	1
	\$14,300	\$0	\$0	\$14,300
THE HONEYSUCKLES	1	0	1	2
	\$15,210	\$0	\$14,428	\$29,638
TINAMBA WEST	0	0	1	1
	\$0	\$0	\$200,000	\$200,000
TOONGABBIE	0	0	1	1
	\$0	\$0	\$16,000	\$16,000
VALENCIA CREEK	0	0	1	1
	\$0	\$0	\$63,800	\$63,800
WILLUNG	1	0	0	1
	\$10,170	\$0	\$0	\$10,170
WOODSIDE	0	1	0	1
	\$0	\$115,000	\$0	\$115,000
WOODSIDE BEACH	1	0	2	3
	\$248,695	\$0	\$18,880	\$267,575
WURRUK	1	5	3	9
	\$15,700	\$497,187	\$375,696	\$888,583
YARRAM	2	2	1	5
	\$4,341,116	\$295,621	\$24,417	\$4,661,154
Total	70	80	94	244
	28,442,096	9,078,439	12,560,572	50,081,107

NUMBER OF BUILDING PERMITS



VALUE OF BUILDING WORKS



ITEM C3.6**PROPOSED LEASE – 8 FOSTER STREET, SALE**

DIVISION: BUSINESS DEVELOPMENT

ACTION OFFICER: ACTING MANAGER BUSINESS DEVELOPMENT

DATE: 17 DECEMBER 2019

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

OBJECTIVE

Receive Council authorisation for the Chief Executive Officer to undertake the necessary statutory and other processes to allow Council to establish a Crown Land Lease for a period of 21 years at 8 Foster Street, Sale.

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

- 1. Council authorise the Chief Executive Officer to establish a Crown Land Lease at 8 Foster Street, Sale for a period up to 21 years.***
- 2. Council advertises its intention to lease land at market value, subject to the provisions of the Local Government Act 1989 sections 190 and 223, including calling for submissions in relation to the proposed lease.***
- 3. Subject to not receiving any submissions, Council authorise the Chief Executive Officer to progress the lease at the current market value including executing necessary documents.***
- 4. The information contained in the confidential document Item F1.2 Heads of Agreement – proposed Lease 8 Foster Street, Sale and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Development on 3 December 2019 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: h) any other matter which the Council or special committee considers would prejudice the Council or any person; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.***

BACKGROUND

The property is located at 8 Foster Street (Prices Highway) Sale and was the former Sale Visitor Information Centre. The property comprises a land area of approximately 2,500m² including a building of 220m². It is located on Crown Land where Council is acting in its capacity as Committee of Management / Land Manager on behalf of the Crown (the Department of Environment, Land, Water and Planning) (DELWP).

Following the relocation of the Visitor Information Centre into the Wellington Centre in January 2018, Council ran an Expression of Interest campaign for the lease of the premises. In 2019 a Heads of Agreement was signed with a prospective tenant (refer Confidential Attachment).

As required, Council has received Approval in Principle to proceed from DELWP.

The Heads of Agreement outlines rental being at market value.

Works to facilitate the use of the land and building are proposed including driveway access and modifications to the building. These works will be undertaken utilising funds from the Crown Land Reserve. The lease will allow other site improvements following consent being requested by the tenant and approval received from Council.

The property is Commercial 2 Zone and is subject to a number of overlays. The proposed use is consistent with the planning controls. The lessee will be required to satisfy relevant planning application approvals and conditions as part of the development of the site.



Site boundary marked in red – approx. area 2,500m².

OPTIONS

Council has the following options:

1. Progress the establishment of a lease at 8 Foster Street, Sale; or
2. Not progress with the establishment of a lease at 8 Foster Street, Sale

PROPOSAL

That;

1. Council authorise the Chief Executive Officer to establish a Crown Land Lease at 8 Foster Street, Sale for a period up to 21 years.
2. Council advertise its intention to lease land at market value, subject to the provisions of the *Local Government Act 1989* sections 190 and 223, including calling for submissions in relation to the proposed lease.

3. Subject to not receiving any submissions, Council authorise the Chief Executive Officer to progress the lease at the current market value including executing necessary documents.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Establishing a lease will provide a rental income which is not currently being received from the site. Any income received through the lease will be transferred into a Crown Land reserve fund to be reinvested on a Crown Land.

Council will incur costs associated with the drafting and finalisation of the lease.

COMMUNICATION IMPACT

Consultation with the adjoining caravan park manager has been undertaken where the proposal was considered to be acceptable.

In accordance with the *Local Government Act 1989* (Vic) Council is required to consider submissions in the event submissions are received.

LEGISLATIVE IMPACT

The requirements of the *Local Government Act 1989* (Vic) (the Act) must be addressed when Council considers entering into any lease as governed by s190. For lease terms of ten or more years, Council is required to comply with s190 and s223 of the *Local Government Act 1989*. These provisions require Council to notify its intent to enter into a lease and also to invite and then consider any submissions. As provided for in s190(1) Council's power to lease land is limited to leases of a term of 50 years or less.

A further Council report may be provided following the receipt of any public submissions. This report would be to consider submissions and to seek a further resolution in relation to this matter.

The leased area is located on a Crown Land Reserve and as such the lease will be governed by the *Crown Land Reserves Act (1978)* (Vic) through a Section 17D lease document.

COUNCIL POLICY IMPACT

The recommendations contained in this report are consistent with Council's policy on *Rental and Leasing of Council Owned Properties*.

COUNCIL PLAN IMPACT

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.

Strategic Objective 5.2

Use a targeted approach to attract new business investment to Wellington Shire, to support population growth.

Strategy 5.2.1

Create a supportive investment environment that encourages new development and job growth.

Strategy 5.2.3

Actively promote new investment opportunities in key market sectors where Wellington Shire has a competitive strength while celebrating success.

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

PLANNING POLICY IMPACT

The land is zoned Commercial 2 Zone and Council's planning unit has confirmed that the proposed use will require a planning permit. The Lessee will be required to adhere to any planning requirements as applicable.

RESOURCES AND STAFF IMPACT

The majority of actions required for this project will be completed by officers within the Business Development Division.

CONSULTATION IMPACT

The establishment of this lease follows a public Expression of Interest campaign to identify a suitable tenant.

RISK MANAGEMENT IMPACT

Appropriate advice has been sought regarding the establishment of the lease including from DEWLP. Risks will be managed within the context of the lease document.

ITEM C3.7**C102 – TECHNICAL PLANNING SCHEME AMENDMENT**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER LAND USE PLANNING

DATE: 17 DECEMBER 2019

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

OBJECTIVE

To request the Minister for Planning to authorise Council as the planning authority to prepare Amendment C102 to the Wellington Planning Scheme (Attachment 1) under section 8A of the *Planning and Environment Act 1987* (Act) and to seek exemption from full notice requirements under the provisions of section 20(1) and 20(2) of the Act.

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

That Council;

- 1. in accordance with section 8A of the Planning and Environment Act 1987, request the Minister for Planning to authorise Council as the planning authority to prepare Amendment C102 to the Wellington Planning Scheme; and*
- 2. pursuant to section 20(1) and 20(2) of the Planning and Environment Act 1987, request the Minister for Planning to exempt Council from giving notice under sections 19(1)(a), 19(1)(b), 19(2) and 19(3) of the Planning and Environment Act 1987.*

BACKGROUND

A number of minor inconsistencies and anomalies have been identified within both the text and maps of the Wellington Planning Scheme, which now require correction (e.g. correct mapping anomalies, delete redundant controls, correct grammatical errors and make minor textual corrections). A list of such anomalies is maintained until there are a sufficient number to warrant the preparation of a planning scheme amendment to correct them. Amendment C102 aims to correct a number of identified anomalies.

A total of 30 individual items have been highlighted for inclusion in Amendment C102. A detailed overview of the proposed changes can be found at Attachment 1 to this report. Documentation to support the proposed Gippsland Water changes (see Item 30 of the Background Report in Attachment 1) can be found on the Councillor Home Page and in hard copy at the Sale and Yarram Customer Service Centres. This document has been provided separately given its size and complexity.

A brief summary of all the proposed changes is provided below:

- Rezone land in private ownership that is currently in a public land use zone to an appropriate private zone.
- Rezone land in public ownership that is currently in a private land use zone to an appropriate public zone.
- Rezone land to correct split zoning (i.e. more than one zone on a site).
- Delete redundant provisions, including the Public Acquisition Overlay applying to land no longer required to be acquired, and native vegetation exemptions relating to the Princes Highway duplication between Sale and Templeton Road, Kilmany (which is complete).
- Correct the name of incorporated documents in the Schedule to Clause 43.01 Heritage Overlay and Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme.
- Correct the address of a place in the Schedule to Clause 43.01 Heritage Overlay.
- Rename Clause 43.02 Development Plan Overlay Schedule 9.

OPTIONS

Council has the following options:

1. To request the Minister for Planning to authorise Council as the planning authority to prepare Amendment C102 to the Wellington Planning Scheme (Attachment 1) under section 8A of the *Planning and Environment Act 1987* (Act) and to seek exemption from full notice requirements under the provisions of section 20(1) and 20(2) of the Act; or
2. To not request the Minister for Planning to authorise Council as the planning authority to prepare Amendment C102 to the Wellington Planning Scheme (Attachment 1) under section 8A of the *Planning and Environment Act 1987* (Act) and not seek exemption from full notice requirements under the provisions of section 20(1) and 20(2) of the Act but instead require additional information prior to considering a further report at a future Council meeting.

PROPOSAL

That Council:

1. in accordance with section 8A of the *Planning and Environment Act 1987*, request the Minister for Planning to authorise Council as the planning authority to prepare Amendment C102 to the Wellington Planning Scheme; and
2. pursuant to section 20(1) and 20(2) of the *Planning and Environment Act 1987*, request the Minister for Planning to exempt Council from giving notice under sections 19(1)(a), 19(1)(b), 19(2) and 19(3) of the *Planning and Environment Act 1987*.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The financial cost of the amendment process has been accommodated in the Strategic Planning budget for 2019/2020. Council is required to pay statutory fees to the Minister for Planning for this Amendment.

COMMUNICATION IMPACT

Amendment C102 seeks to correct minor anomalies within the Wellington Planning Scheme and does not propose any change to policy. It therefore qualifies as a 'fast-tracked' amendment, which can be prepared and approved by the Minister for Planning without public exhibition, pursuant to the provisions of the *Planning and Environment Act 1987*.

LEGISLATIVE IMPACT

Amendment C102 implements the objectives of planning in Victoria (as documented in section 4 of the *Planning and Environment Act 1987*) by providing for the fair and orderly development of land through the removal of mapping and text errors that place inaccurate planning provisions upon land.

COUNCIL PLAN IMPACT

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

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'.

Amendment C102 supports the above Council Plan strategic objective and strategy.

PLANNING POLICY IMPACT

Amendment C102 is consistent with the Planning Policy Framework and Local Planning Policy Frameworks (PPF and LPPF) within the Wellington Planning Scheme; and the relevant State Government Planning Practice Notes.

RESOURCES AND STAFF IMPACT

The correction of anomalies within the Wellington Planning Scheme will have a positive effect due to a reduction in administrative resources required to process applications and address enquiries about land with incorrect or redundant planning provisions.

COMMUNITY IMPACT

The community impact is likely to be generally positive, as Council is correcting mapping and grammatical errors and deleting redundant controls.

ENVIRONMENTAL IMPACT

No environmental impacts are expected as a result of Amendment C102.

ENGAGEMENT IMPACT

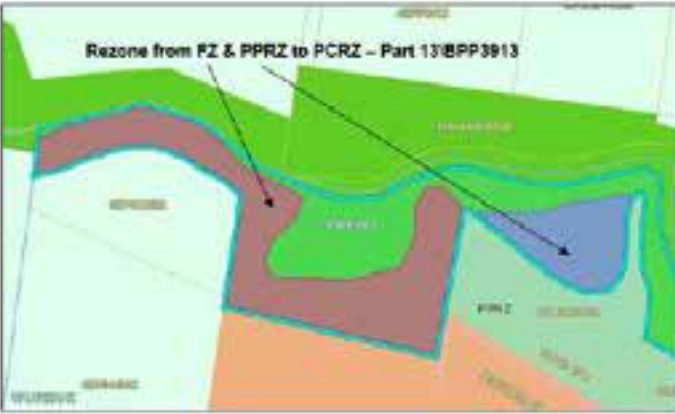
Officers have been liaising closely with the Gippsland Regional office of the Department of Environment, Land, Water and Planning (DELWP) during the preparation of Amendment C102.

Officers have also made contact with relevant landowners. Letters of consent from affected landowners will be provided to DELWP.

RISK MANAGEMENT IMPACT

No risk management impacts are expected as a result of Amendment C102.

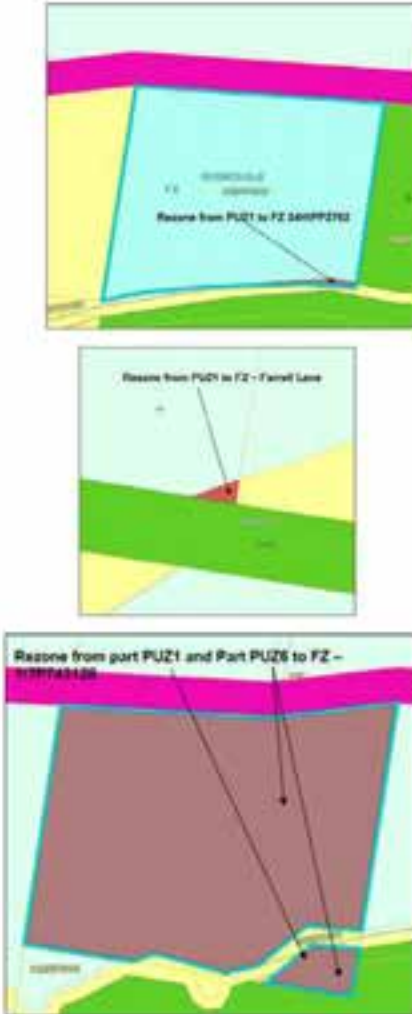
Background Report

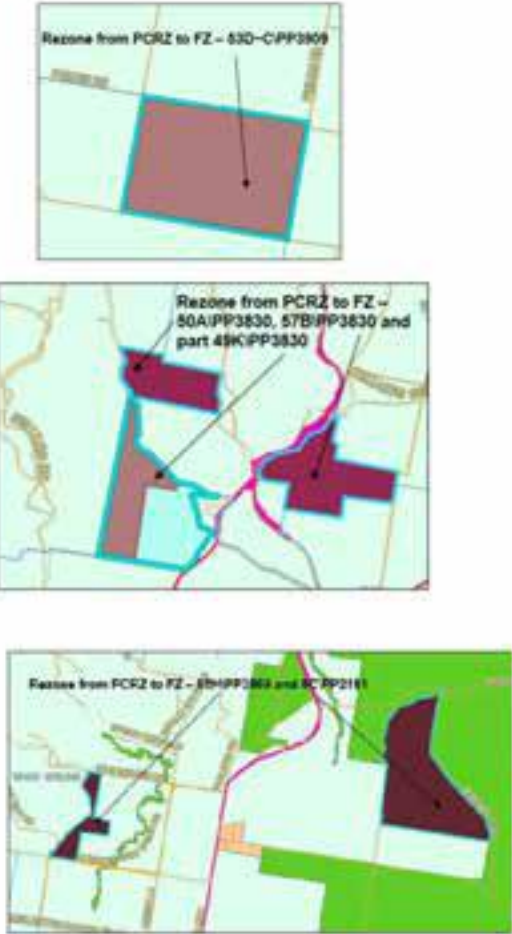
Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
1. Zoning Anomaly – Gippsland Regional Livestock Exchange, Sale 2-30 Saleyards Rd, Sale (5\LP93333) Planning Scheme Map Reference: Map No. 89	Issue For land at 2-30 Saleyards Road, Sale, being 5\LP93333 in the Parish of Sale, a zoning anomaly exists where the Public Use Zone 4 – Transport (PUZ4) incorrectly applies to Gippsland Regional Livestock Exchange land. Wellington Shire Council purchased the land from VicTrack (hence the PUZ4 zoning). The land had previously been used as the loading point for livestock onto the trains. Proposed Change Rezone 5\LP93333 from Public Use Zone 4 (PUZ4) to Industrial 1 Zone (IN1Z) to reflect the zoning of the surrounding Gippsland Regional Livestock Exchange land.	
2. Zoning Anomaly / Split Zoning – Sale and Wurruk <u>Thomson River, Wurruk</u> Herberte Court, Wurruk (13B\PP3913) <u>Thomson River Railway Crossing</u> Princes Highway, Wurruk (2015\PP3913) Planning Scheme Map Reference: Map No 87 Map No 93	Issue <u>Thomson River, Wurruk</u> For Crown land abutting the Thomson River, being Part 13B\PP3913 in the Parish of Wurruk Wurruk, a zoning anomaly exists where the majority of 13B\PP3913 is in the Public Conservation and Resource Zone (PCRZ), however two small sections are in the Farming Zone (FZ) and Public Park and Recreation Zone (PPRZ). This has resulted in split zoning on the site. <u>Thomson River Railway Crossing</u> For Crown land abutting the Thomson River Railway Crossing, being part 2015\PP3913 in the Parish of Wurruk Wurruk, a zoning anomaly exists where the Public Conservation and Resource Zone (PCRZ)	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
	and the Farming Zone (FZ) are both applied to the land, resulting in a split zoning. <u>Proposed Change</u> <u>Thomson River, Wurruk</u> Rezone part 13B\PP3913 from the Farming Zone (FZ) and Public Park and Recreation Zone (PPRZ) to the Public Conservation and Resource Zone (PCRZ) to remove the split zoning on site. The PCRZ is the appropriate zone for Crown land. <u>Thomson River Railway Crossing</u> Rezone part 2015\PP3913 from the Farming Zone (FZ) to Public Conservation and Resource Zone (PCRZ) to remove the split zoning anomaly and ensure consistency across the site. The PCRZ is the appropriate zone for Crown land.	
3. Zoning Anomaly / Split Zoning – SRW Channel, Cowwarr Hagues Lane, Cowwarr (2\TP880716) 59 Hagues Lane, Cowwarr (2\PS534179) Planning Scheme Map Reference: Map No 66	<u>Issue</u> For land at Cowwarr, being Hagues Lane, Cowwarr (2\TP880716) and 59 Hagues Lane, Cowwarr (2\PS534179) in the Parish of Toongabbie North, a zoning anomaly exists where private and public land use zones have been applied incorrectly resulting in split zoning that affects these two parcels. This has resulted in privately owned land being placed in a public zone and Southern Rural Water land (public land) being placed in the Farming Zone (FZ). <u>Proposed Change</u> Rezone part 2\TP880716 from Farming Zone to Public Use Zone 1 (PUZ1) to remove the split zoning anomaly and ensure public use zoning for public land (Southern Rural Water).	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
	Rezoning part 2\PS534179 from Public Use Zone 1 (PUZ1) to Farming Zone (FZ) to reflect its private ownership and remove the split zonings on the site.	
4. Zoning Anomaly / Split Zoning – Telstra infrastructure, Denison Nambrok Road, Denison (1\LP211388) Planning Scheme Map Reference: Map No 72	Issue For land at Nambrok Road, Denison, being part 1\LP211388 in the Parish of Denison, a zoning anomaly exists where the Commercial 1 Zone (C1Z) has been applied to land used for a telecommunications facility (Telstra). The Telstra facility is located in the south-eastern corner of the site, however the land is privately owned. Proposed Change Rezoning part 1\LP211388 from Commercial 1 Zone (C1Z) to the Farming Zone (FZ) to ensure no split zoning, and to be consistent with Planning Practice Note 2 (PPN2) relating to Utility Service Providers.	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
5. Zoning Anomalies / Split Zoning – HVP Plantations Rosedale-Longford Road, Rosedale (1\LP62760) Rosedale-Longford Road, Rosedale (1\TP884937) Farrell Lane, Rosedale Rosedale-Longford Road, Rosedale (1\TP743128) Rosedale-Longford Road, Rosedale (1\PS326544) Napier Road, Won Wron (8C\PP2181) Grand Ridge Road, Carrajung (49K\PP3830) Lays Road Ex, Willung South (50A\PP3830) Willung South School Road, Willung South (57B\PP3830) Calrossie-Won Wron Road, Won Wron (65H\PP3869) Prices Road, Seaspray (53D~C\PP3909) Rosedale-Longford Road, Rosedale (34H\PP2762) Planning Scheme Map Reference: Map No 131 Map No 132 Map No 143	Issue A number of zoning anomalies exist where a public land use zone applies to both privately owned land and licensed land permanently allocated to the commercial use of a private party for timber production. The following public zones apply to land currently used by HVP Plantations for Timber production: - Public Use Zone 1 – Service and Utility (PUZ1) - Public Use Zone 6 – Local Government (PUZ6) - Public Conservation and Resource Zone (PCRZ) HVP Plantations have requested a number of rezonings to enable the correct zoning for their privately-owned land. Proposed Change Farming Zone rezoning's (Part 1) For the areas in Public Use Zone 1 (PUZ1), being 1\LP62760, part 1\TP884937, part 1\PS326544 and part 34H\PP2762 in the Parish of Holey Plains, the zone application previously identified the Regional Outfall Sewer which has now been relocated underground in these locations (its route is now protected by an easement in favour of Gippsland Water). The land is used for private timber production and the public zoning is therefore inappropriate. It is proposed to rezone the Public Use Zone 1 (PUZ1) areas of these lots to the Farming Zone (FZ), a private zone appropriate for the private ownership of this land.	Map/Text Change  Rezone from PUZ1 to FZ – 1\LP62760  Rezone from PUZ1 to FZ – 1\TP884937  Rezone from PUZ1 to FZ – 1\PS326544

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
Map No 150 Map No 175 Map No 178 Map No 189 Map No 190 Map No 198	Lane Revision <u>Farrell Lane, Rosedale</u> Rezone a small section of Farrell Lane from the Public Use Zone 1 (PUZ1) to the Farming Zone to remove a section of split zoning and to be in keeping with the above changes to the Farming Zone (FZ). This road is not HVP Plantations land. Farming Zone rezoning (Part 2) <u>Rosedale-Longford Road, Rosedale (1\TP743128)</u> The Public Use Zone 6 (PUZ6) (and small section of PUZ1 identified as the 'Regional Outfall Sewer', which has also been relocated underground) applying to 1\TP743128 in the Parish of Holey Plain, appears to be the result of the land previously being owned by Wellington (Rosedale) Shire. The land wasn't rezoned at the time it was transferred into private ownership in 1995. The part Public Use Zone 1 (PUZ1) and Public Use Zone 6 (PUZ6) areas of this land are proposed to be rezoned to the Farming Zone (FZ) to reflect its private ownership. Public Conservation and Resource Zone rezonings The Public Conservation and Resource Zone (PCRZ) applying to the licensed land (permanently allocated to the commercial use of a private party for timber production) represents a material anomaly. The relevant land is outlined below: • 53D~C\PP3909 (Parish of Wulla Wullock) • 50A\PP3830 (Parish of Willung) • 49K\PP3830 (Parish of Willung) • 57B\PP3830 (Parish of Willung) • 65H\PP3869 (Parish of Womwron) • 8C\PP2181 (Parish of Boodyarn)	 The maps illustrate the proposed rezoning of various land parcels. The top map shows a blue-shaded area labeled 'Rezone from PUZ1 to FZ 540PP2181'. The middle map shows a red-shaded area labeled 'Rezone from PUZ1 to FZ - Farrell Lane'. The bottom map shows a large brown-shaded area labeled 'Rezone from part PUZ1 and Part PUZ6 to FZ - 1\TP743128'.

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
	The current PCRZ zoning of the above land renders the licensed use as 'non-conforming' and is only permitted via existing use rights (the use falls under 'any other use not in section 2 or 3' which becomes prohibited as it isn't undertaken by or on behalf of the public land manager). The identified land is not used for a public purpose (and is privately owned) and requires rezoning to Farming Zone as the most appropriate zone to facilitate the continued use of the land for timber production.	 Rezoned from PCRZ to FZ - 53D-CPP3809 Rezoned from PCRZ to FZ - 50A/PP3830, 57B/PP3830 and part 49K/PP3830 Rezoned from PCRZ to FZ - 57H/PP3830 and 5C/PP2161

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
6. Zoning Anomaly - Devon North 905 Tarra Valley Road, Devon North (70E\PP2520) Planning Scheme Map Reference: Map No 189	<u>Issue</u> For land at 905 Tarra Valley Road Devon North, being 70E\PP2520 in the Parish of Devon, a zoning anomaly exists where a section of the wastewater treatment plant is within the Public Conservation and Resource Zone (PCRZ), when it should be zoned Public Use Zone 1 (Service and Utility) (PUZ1) as per the remainder of the wastewater treatment plant (to the south). <u>Proposed Change</u> Rezone 70E\PP2520 from Public Conservation and Resource Zone (PCRZ) to Public Use Zone 1 (PUZ1).	
7. Redundant PAO - Rosedale 65-67 Prince Street, Rosedale (1\TP6802) 41-63 Prince Street, Rosedale (2\PS301494) 37 Latrobe Street, Rosedale (1\PS708936) 34 Albert Street, Rosedale (1\PS301494) 36 Albert Street, Rosedale (1\TP532412) 38 Albert Street, Rosedale (4\PS708936) Planning Scheme Map Reference: Map No 119PAO	<u>Issue</u> For land at 65-67 Prince Street, 41-63 Prince Street, 37 Latrobe Street, 34 Albert Street, 36 Albert Street, and 38 Albert Street Rosedale in the Parish of Rosedale, the Public Acquisition Overlay 2 (PAO2) is considered redundant and can be removed. The original intent of the PAO2 (Road) was to facilitate rear access to shops fronting the highway. Over the passage of time the need for the land for this purpose has diminished to the point that it has now become redundant and therefore no longer required. Council resolved at its meeting of 6 August 2019 to remove the PAO2. <u>Proposed Change</u> Remove the redundant Public Acquisition Overlay 2 (PAO2) from 65-67 Prince Street, 41-63 Prince Street, 37 Latrobe Street, 34 Albert Street, 36 Albert Street, and 38 Albert Street Rosedale, as the Overlay is now redundant.	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
8. Zoning Anomaly – Heyfield 36 Mary Street, Heyfield (1\TP596361) Planning Scheme Map Reference: Map No. 70	Issue For land at 36 Mary Street Heyfield, being 1\TP596361 in the Parish of Tinamba, a zoning anomaly exists where the General Residential Zone 1 (GRZ1) applies to public park land (owned by Wellington Shire Council). The land is used as a public recreation area and should be placed within the same zone as the surrounding land, being the Public Park and Recreation Zone (PPRZ). 1\TP596361 does not include any sort of infrastructure, only grass, trees and a pathway. In June 2000 (introduction of new format planning schemes), the subject site and surrounding park land was in the now superseded Residential Zone 1 (RZ1). In April 2003, as part of Planning Scheme Amendment C7, the adjacent park land was placed in the Public Park and Recreation Zone (PPRZ), however 1\TP596361 was retained in the RZ1 (likely inadvertently). Proposed Change Rezone 1\TP596361 from General Residential Zone 1 (GRZ1) to Public Park and Recreation Zone (PPRZ) to reflect its public ownership.	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change										
9. Princes Highway duplication – native vegetation exemptions	<u>Issue</u> In the Schedule to Clause 52.17 Native Vegetation, there are exemptions relating to the Princes Highway duplication between Sale and Templeton Road, Kilmany. As the duplication project has now been completed in this area, these exemptions are redundant. <u>Proposed Change</u> Remove redundant exemptions from the Schedule to Clause 52.17 Native Vegetation relating to the Princes Highway duplication.	<table><thead><tr><th>Area</th><th>Description of native vegetation for which no permit is required to remove, destroy or top</th></tr></thead><tbody><tr><td>Land required for the construction of the deviation of the South Gippsland Highway at the Swing Bridge and associated ancillary works, as shown stippled on drawing number SP15013A, dated 13-01-04 attached to this schedule</td><td>All native vegetation</td></tr><tr><td>Land associated with the construction of the Princes Highway duplication between Sale and Templeton Road, Kilmany as shown in the map of the Public Acquisition Overlay Schedule 1 or Road Zone Category 1</td><td>All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment</td></tr><tr><td>Land associated with the construction of the South Gippsland Highway upgrade (Stage 2 – Cor's Bridges) between May Street Sale and the Thompson River bridge (constructed as part of South Gippsland Highway upgrade, Stage 1 – Swing Bridge Realignment)</td><td>All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment</td></tr><tr><td>Land associated with the construction of the Hyland Highway over/aking lane between Lays Road and Campside Road</td><td>All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment</td></tr></tbody></table>	Area	Description of native vegetation for which no permit is required to remove, destroy or top	Land required for the construction of the deviation of the South Gippsland Highway at the Swing Bridge and associated ancillary works, as shown stippled on drawing number SP15013A, dated 13-01-04 attached to this schedule	All native vegetation	Land associated with the construction of the Princes Highway duplication between Sale and Templeton Road, Kilmany as shown in the map of the Public Acquisition Overlay Schedule 1 or Road Zone Category 1	All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment	Land associated with the construction of the South Gippsland Highway upgrade (Stage 2 – Cor's Bridges) between May Street Sale and the Thompson River bridge (constructed as part of South Gippsland Highway upgrade, Stage 1 – Swing Bridge Realignment)	All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment	Land associated with the construction of the Hyland Highway over/aking lane between Lays Road and Campside Road	All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment
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Land associated with the construction of the Hyland Highway over/aking lane between Lays Road and Campside Road	All native vegetation to the minimum extent necessary, subject to meeting the requirements of Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment 2002) to the satisfaction of the Department of Sustainability and Environment											
10. Zoning Anomaly / Split Zoning – Alberton South Gippsland Highway, Alberton (2020/PP2008) Planning Scheme Map Reference: Map No 205 Map No 211	<u>Issue</u> For land south of Alberton (part of Albert River and Muddy Creek), being part 2020/PP2008 in the Parish of Alberton East, a zoning anomaly exists where Crown land is within both the Public Conservation and Resource Zone (PCRZ) and Farming Zone (FZ), resulting in split zoning. <u>Proposed Change</u> Rezone part 2020/PP2008 from the Farming Zone (FZ) to Public Conservation and Resource Zone (PCRZ) to remove split zoning. The PCRZ is an appropriate zone for Crown land.											

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
11. Zoning Anomaly / Split Zoning – Glenmaggie 823 & 825 Weir Road, Glenmaggie (2\PS804047) Planning Scheme Map Reference: Map No 37	<u>Issue</u> For land at 823 & 825 Weir Road (2\PS804047) Glenmaggie, in the Parish of Tinamba, a zoning anomaly exists where the application of zones does not align with the lot boundaries, resulting in split zonings across the lots. The three zones are the Public Use Zone 1 (PUZ1) and the Rural Conservation Zone 1 (RCZ1), and the Public Park and Recreation Zones (PPRZ). <u>Proposed Change</u> Rezone part 2\PS804047 from Rural Conservation Zone 1 (RCZ1) and Public Park and Recreation Zone (PPRZ) to Public Use Zone 1 (PUZ1) to ensure no split zoning.	 The map shows a yellow-shaded area representing the land at 823 & 825 Weir Road. A green-shaded area represents the Public Use Zone 1 (PUZ1). A red-shaded area represents the Rural Conservation Zone 1 (RCZ1). A blue-shaded area represents the Public Park and Recreation Zones (PPRZ). The map shows the boundary between the yellow-shaded area and the green-shaded area, with a label 'Rezone from PPRZ and RCZ1 to PUZ1 - 2\PS804047' pointing to the boundary.
12. Zoning Anomaly – Sale Butchers Road, Sale (2002\PP3468) Planning Scheme Map Reference: Map No 83	<u>Issue</u> For land abutting at Butchers Road, Sale, being 2002\PP3468 in the Parish of Sale, a zoning anomaly exists where Crown Land is in the Farming Zone (FZ). The adjacent Crown Land associated with the adjacent Lavers Creek is in the Public Conservation and Resource Zone (PCRZ), which is a more appropriate zone for public land. <u>Proposed Change</u> Rezone 2002\PP3468 from the Farming Zone (FZ) to the Public Conservation and Resource Zone (PCRZ) to reflect its being Crown land, and to be consistent with the adjacent parcel covering Lavers Creek, which is already in the PCRZ.	 The map shows a green-shaded area representing the land at Butchers Road, Sale. A blue-shaded area represents the Farming Zone (FZ). A red-shaded area represents the Public Conservation and Resource Zone (PCRZ). The map shows the boundary between the green-shaded area and the red-shaded area, with a label 'Rezone from FZ to PCRZ' pointing to the boundary.

Clause 72.04 Documents
Incorporated in this Planning
Scheme

Clause 43.01 Schedule to the Heritage Overlay

In Schedule to Clause 43.01 Heritage Overlay, five of the permit exemption Incorporated Documents have been incorrectly referenced. This affects a number of the Heritage Overlays (as depicted in the image to the right).

In the Schedule to Clause 72.04 of the Wellington Planning Scheme, the 'Wellington Shire Heritage Place Citations 2007 (amended June 2018)' is incorrectly listed under the heading 'Wellington Shire Heritage Controls comprising.' It is not actually a control.

The 'Sale Town Centre Heritage Permit Exemptions' reference is also incorrect in the Incorporated Documents list to the right. The correct title of this Incorporated Document is 'Sale Town Centre Heritage Precinct Permit Exemptions'.

Clause 43.01 Schedule to the Heritage Overlay

It is proposed to correctly reference the five permit exemption documents in the Schedule to the Heritage Overlay under each of the relevant Heritage Overlays.

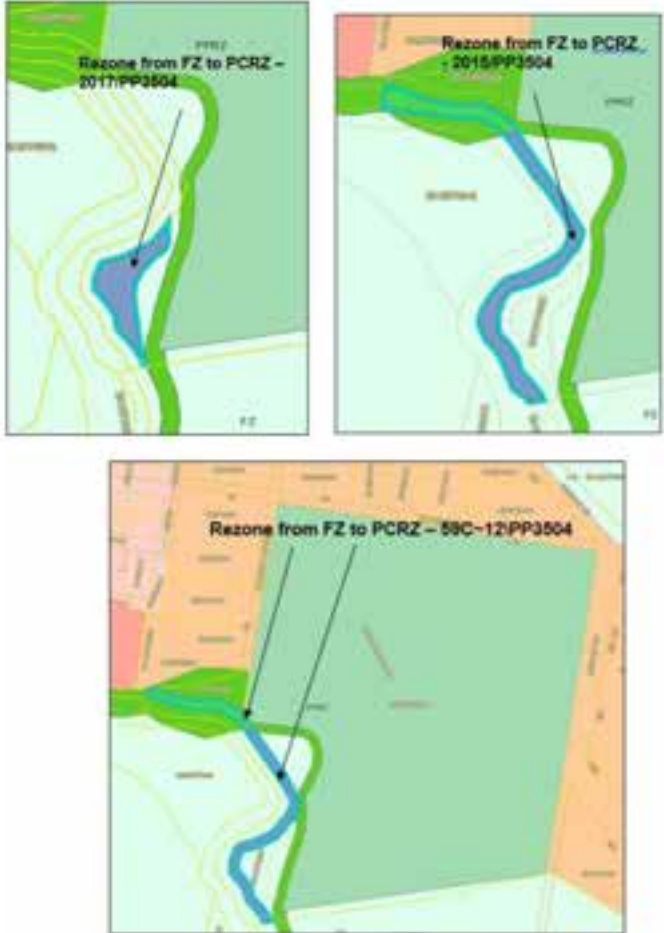
It is proposed to correctly rename the 'Sale Town Centre Heritage Permit Exemptions' to 'Sale Town Centre Heritage Precinct Permit Exemptions'. It is also proposed to remove the dot point adjacent to 'Wellington Shire Heritage Place Citations 2007 (amended June 2018)'.

Incorrect Incorporated Plan*	Correct Incorporated Plan	Heritage Overlays Impacted*
Alberton Cemetery Incorporated Plan*	Alberton Cemetery Heritage Permit Exemptions*	HC24b
Port Albert Heritage Precinct Incorporated Plan*	Port Albert Heritage Precinct Permit Exemptions*	HC34, HC32, HC519, HC136*
State Rural Heritage Precincts Incorporated Plan*	State Rural Heritage Precinct Permit Exemptions*	HC131, =
State Town Centre Heritage Exemptions*	State Town Centre Heritage Precinct Permit Exemptions*	HC250, HC252, HC101, HC254, HC270, HC271, HC272, HC273, HC274, HC275, HC276, HC277, HC278, =
State Residential Heritage Precinct Permit Exemptions =	State Residential Heritage Precinct Permit Exemptions (amended 2015) =	HC121, HC122, HC123, HC124, HC125, HC126, HC128, HC129, HC130, HC150, HC127, HC207, HC249, HC254, HC251, HC253, HC152, HC255, HC154, HC256, HC259, HC260, HC261, HC262, HC263, HC264, HC265, HC266, HC267, HC268, HC269, HC153, HC279*

Wellington Shire Heritage Controls comprising:	
• Alberton Cemetery Heritage Permit Exemptions	C26(Part 1)
• Individual Heritage Places (Rural areas) Permit Exemptions	C26(Part 1)
• Individual Heritage Places (Township areas) Permit Exemptions	C26(Part 1)
• Port Albert Heritage Precinct Permit Exemptions	C26(Part 1)
• Sale & District Agricultural Society Showgrounds Heritage Permit Exemptions	C26(Part 2)
• Sale Residential Heritage Precincts Permit Exemptions (amended September 2015)	C93
• Sale Rural Heritage Precinct Permit Exemptions	C26(Part 1)
• Sale Town Centres Heritage Permit Exemptions	C26(Part 1)
• Wellington Shire Heritage Place Citations 2007 (amended June 2018)	C100
Wellington Shire Stage 2 Heritage Study, Volume 2: Citations, September 2016 (amended August 2017)	C92(Part 2)

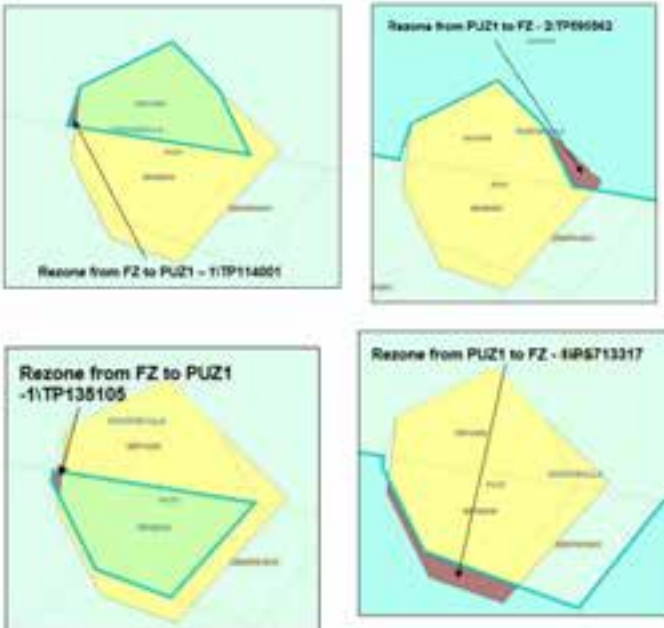
Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
14. Minor textual corrections Changes arising from Planning Scheme Amendment C84	Issue Planning Scheme Amendment C84 was approved in April 2010. Subsequent to the approval of this Amendment, it was discovered that some minor errors had been made in the drafting of Planning Scheme text, namely in Clause 43.01 Schedule to the Heritage Overlay and the Development Plan Overlay 9 (DPO9). <u>Clause 43.01 Schedule to the Heritage Overlay</u> As part of Amendment C84, the extent of registration for HO68 Kilmany Park was altered. However, when the Amendment was approved and gazetted, an error with the updated addresses was found in the Schedule to the Heritage Overlay (see image on the right). The correct addresses for HO68 Kilmany Park should include 148F Reid Drive, Wurruk and part Arnup Drive. <u>Clause 43.04 Development Plan Overlay 9 (DPO9)</u> Development Plan Overlay 9 (DPO9) is currently titled 'Sale Western Growth Area – Wurruk' (see image to right). While Wurruk is to the west of Sale, this DPO should be titled 'Wurruk Growth Area'. Proposed Change <u>Clause 43.01 Schedule to the Heritage Overlay</u> It is proposed to include addresses 148F Reid Drive, Wurruk and Arnup Drive in the extent of registration. <u>Clause 43.04 Development Plan Overlay 9 (DPO9)</u> It is proposed to change the title of DPO9 to 'Wurruk Growth Area'.	 

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
15. Zoning Anomaly / Split Zoning – Stratford 258 Redbank Road, Stratford (Part 1\LP114089) Planning Scheme Map Reference: Map No 76	<u>Issue</u> For land at 258 Redbank Road, Stratford, being part 1\LP114089 in the Parish of Stratford, a zoning anomaly exists where the land is subject to split zoning, being the Rural Living Zone 2 (RLZ2) and a small section of the Farming Zone (FZ). The RLZ2 is the predominant zoning on the land. <u>Proposed Change</u> Rezone part 1\LP114089 from Farming Zone (FZ) to Rural Living Zone Schedule 2 (RLZ2) to correct the split zoning.	 Rezone from FZ to RLZ2
16. Zoning Anomaly / Split Zoning – Stratford Old Redbank Road, Stratford (Knob Reserve) (2016\PP3504) Slavins Lane, Stratford (59C~12\PP3504) 19 Old Redbank Road, Stratford (2017\PP3504) Slavins Lane, Stratford (2015\PP3504) Planning Scheme Map Reference: Map No 62	<u>Issue</u> For land at Old Redbank Road, Stratford, being lot 2016\PP3504 in the Parish of Stratford, a zoning anomaly exists where Crown land is subject to split zoning, being the Public Park and Recreation Zone (PPRZ), Farming Zone (FZ) and Public Conservation and Resource Zone (PCRZ). The PPRZ is the predominant zoning on the land. For land at 19 Old Redbank Road, Stratford, being 2017\PP3504 in the Parish of Stratford, a zoning anomaly exists where Crown land is in the Farming Zone (a predominantly private use zone). For land at Slavins Lane, Stratford, being 2015\PP3504 in the Parish of Stratford, a zoning anomaly exists where Crown land is subject to split	 Rezone from PCRZ to PPRZ – 2016\PP3504 Rezone from FZ to PPRZ – 2015\PP3504

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
	zoning, being the Public Conservation and Resource Zone (PCRZ) and the Farming Zone (FZ). For land at Slavins Lane, Stratford, being 59C~12\PP3504 in the Parish of Stratford, a zoning anomaly exists where Crown land is subject to split zoning, being the Public Conservation and Resource Zone (PCRZ) and the Farming Zone (FZ). <u>Proposed Change</u> Rezone part lot 2016\PP3504 from the Farming Zone (FZ) and Public Conservation and Resource Zone (PCRZ) to the Public Park and Recreation Zone (PPRZ) to reflect its public land ownership and remove the split zoning from the site. Rezone 2017\PP3504 from the Farming Zone to the Public Conservation and Resource Zone (PCRZ) to reflect the public ownership of the site. Rezone part lot 2015\PP3504 from the Farming Zone (FZ) to the Public Conservation and Resource Zone (PCRZ) to reflect its public land ownership and remove the split zoning from the site. Rezone part lot 59C~12\PP3504 from the Farming Zone (FZ) to the Public Conservation and Resource Zone (PCRZ) to reflect its public land ownership and remove the split zoning from the site.	

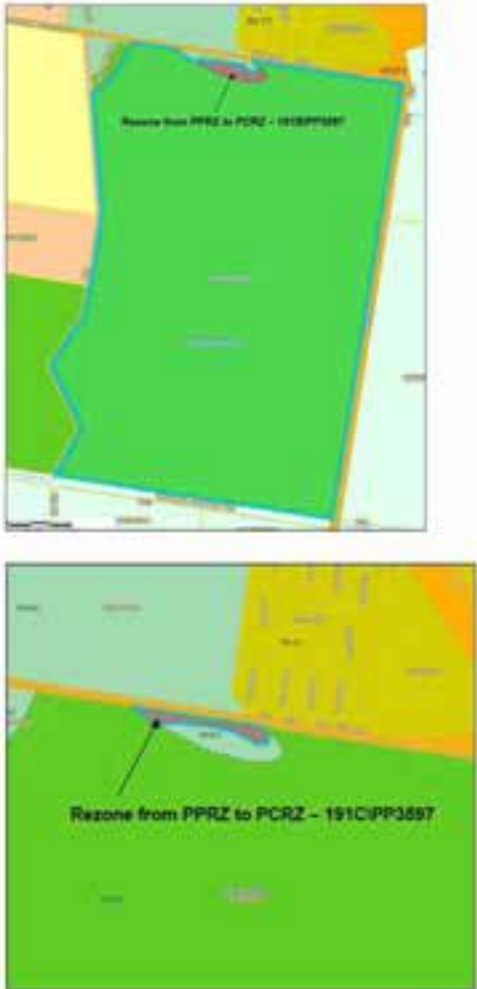
Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
17. Zoning Anomaly / Split Zoning – Stratford 30 Slavins Lane, Stratford (59B\PP3504) Planning Scheme Map Reference: Map No 62	<u>Issue</u> For land at 30 Slavins Lane South, Stratford, being 59B\PP3504 in the Parish of Stratford, a zoning anomaly exists where the land is subject to split zoning, being the Rural Living Zone 2 (RLZ2) and Public Conservation and Resource Zone (PCRZ). As 30 Slavins Lane South is privately owned, the zoning should reflect this. <u>Proposed Change</u> Rezone part 59B\PP3504 from the Public Conservation and Resource Zone (PCRZ) to the Rural Living Zone 2 (RLZ2) to correct the split zoning and reflect the private ownership of the land.	
18. Zoning Anomaly / Split Zoning – Stratford Davis Street, Stratford (6\PP5736) Planning Scheme Map Reference: Map No 62	<u>Issue</u> For land at Davis Street, Stratford, being 6\PP5736 in the Parish of Stratford, a zoning anomaly exists where the land is subject to split zoning, being the Low Density Residential Zone (LDRZ), the Farming Zone (FZ) and the Public Conservation and Resource Zone (PCRZ). The land is publicly owned and therefore should be in the Public Conservation and Resource Zone (PCRZ). <u>Proposed Change</u> Rezone part 6\PP5736 from the Low Density Residential Zone (LDRZ) and Farming Zone (FZ) to the Public Conservation and Resource Zone (PCRZ) to correct the split zoning and reflect the public ownership of the land.	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
19. Zoning Anomaly / Split Zoning – Stratford Princes Highway, Stratford (6-9\PP3504) Planning Scheme Map Reference: Map No 58	<u>Issue</u> For land at Princes Highway, Stratford, being 6-9\PP3504 in the Parish of Stratford, a zoning anomaly exists where the land is subject to split zoning, being the Public Park and Recreation Zone (PPRZ) and the Farming Zone (FZ). The subject land is public land and should therefore be in the Public Park and Recreation Zone (PPRZ). <u>Proposed Change</u> Rezone part 6-9\PP3504 from the Farming Zone (FZ) to the Public Park and Recreation Zone (PPRZ) to correct the split zoning and reflect the public ownership of the land.	
20. Zoning Anomaly / Split Zoning – Newry Section of Boisdale-Newry Road, Newry (adjacent to 551 Boisdale-Newry Road, Newry) Planning Scheme Map Reference: Map No 40	<u>Issue</u> For the road known as Boisdale-Newry Road, Boisdale, being in the Parish of Wa-De-Lock, a zoning anomaly exists where the land is subject to split zoning, being the Road Zone Category 2 (RDZ2) and the Farming Zone (FZ). <u>Proposed Change</u> Rezone section of road reserve area adjacent to Boisdale-Newry Road, Newry from the Farming Zone (FZ) to the Road Zone Category 2 (RDZ2) to ensure that all the road areas are in the Road Zone Category 2.	

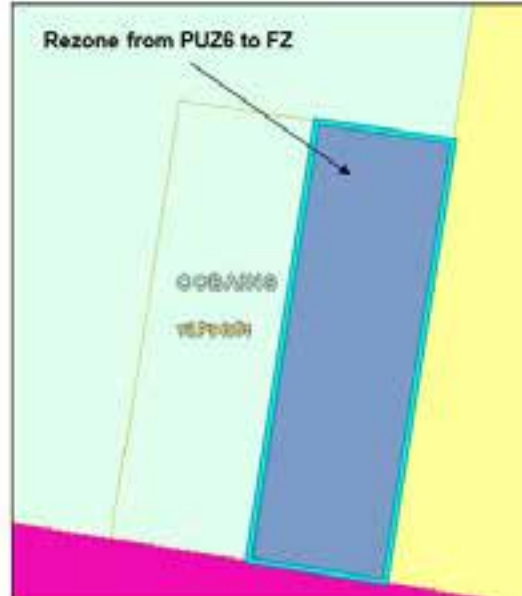
Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
21. Zoning Anomaly – Heyfield Licola Road, Heyfield (55D\PP2679) Planning Scheme Map Reference: Map No 33	Issue For land at Licola Road, Heyfield, being 55D\PP2679 in the Parish of Glenmaggie, a zoning anomaly exists where Crown land is in the Rural Living Zone 2 (RLZ2). Proposed Change Rezone 55D\PP2679 from the Rural Living Zone 2 (RLZ2) to the Public Conservation and Resource Zone (PCRZ) to reflect its public ownership (and to be in keeping with the adjacent PCRZ land).	 Rezone from RLZ2 to PCRZ
22. Zoning Anomaly / Split Zoning – Coongulla 312 Ryans Road, Coongulla (1\TP114001) 312 Ryans Road, Coongulla (1\TP135105) 149 Hodges Road, Coongulla (2\TP595562) 63 Hodges Road, Coongulla (1\PS713317) Planning Scheme Map Reference: Map No 37	Issue For land in Coongulla, being 312 Ryans Road (1\TP114001 and 1\TP135105) in the Parish of Coongulla, a zoning anomaly exists where public land has been privately zoned. The two relevant zones are the Public Use Zone 1 (PUZ1) and Farming Zone (FZ). For land in Coongulla, being 149 Hodges Road (2\TP595562) and 63 Hodges Road (1\PS713317) in the Parish of Coongulla, a zoning anomaly exists where private land has been publicly zoned. The two relevant zones are the Public Use Zone 1 (PUZ1) and Farming Zone (FZ). Proposed Change It is proposed to rezone part 1\TP114001 and part 1\TP135105 from the Farming Zone (FZ) to Public Use Zone 1 (PUZ1) to reflect their public ownership (Gippsland Water) and remove the split zonings on site. It is proposed to rezone part 2\TP595562 and part 1\PS713317 from the Public Use Zone 1 (PUZ1) to the Farming Zone (FZ) to reflect their private ownership and remove the split zonings on site.	 Rezone from FZ to PUZ1 - 1\TP114001 Rezone from PUZ1 to FZ - 2\TP595562 Rezone from FZ to PUZ1 - 1\TP135105 Rezone from PUZ1 to FZ - 1\PS713317

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
23. Zoning Anomaly - Newry Slaughterhouse Road, Newry (46C-61PP3695) Planning Scheme Map Reference: Map No 40	<u>Issue</u> For land at Slaughterhouse Road, Newry, being 46C-61PP3695 in the Parish of Wa-De-Lock, a zoning anomaly exists where private land is in the Public Conservation and Resource Zone (PCRZ). Council records appear to indicate that the land was originally Crown land (where the PCRZ would have been appropriate zoning), and in 1999, the land was sold to a private owner. It was not rezoned at this time. It is used as an earthmoving quarry. <u>Proposed Change</u> Rezone 46C-61PP3695 from the Public Conservation and Resource Zone (PCRZ) to the Farming Zone (FZ) to reflect its private ownership. The current PCRZ zoning of the above land renders the licensed use as 'non-conforming' and is only permitted via existing use rights (the use falls under 'any other use not in section 2 or 3' which becomes prohibited as it isn't undertaken by or on behalf of the public land manager). The identified land is not used for a public purpose (and is privately owned) and requires rezoning to Farming Zone as the most appropriate zone to facilitate the continued use of the land as an earthmoving quarry.	 Rezone from PCRZ to FZ

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
24. Removal of Heritage Overlay HO105 – Sale Liston Court (road), Sale 3 Liston Court (62\PS616486) 5 Liston Court (63\PS616486) 6 Liston Court (64\PS616486) 4 Liston Court (65\PS616486) 18 Glebe Drive (61\PS616486) 20 Glebe Drive (60\PS616486) Planning Scheme Map Reference: Map No 89HO	<u>Issue</u> For land at 3, 4, 5 and 6 Liston Court (plus a section of the Court itself), and 18 and 20 Glebe Drive, Sale, in the Parish of Sale, the Heritage Overlay (HO105) which covers this land is considered redundant. Heritage Overlay 105 is known as Glebe, 1496 Maffra-Sale Road (CA 94), Sale in the Wellington Heritage Overlay. A search in Council's GIS indicates that 1496 Maffra-Sale Road, Sale is not covered by HO105. It is currently home to the Kingdom Hall of Jehovah's Witnesses. The land which is covered by HO105 is shown in the image to the right. It appears that the Glebe was originally a much bigger estate that has subsequently been subdivided (and the main dwelling and outbuildings no longer exist, having previously been destroyed by fire). <u>Proposed Change</u> It is proposed to remove HO105 from the four properties in Liston Court, two properties in Glebe Drive, and a small section of the adjacent road (Liston Court). Liston Court and Glebe Drive are in a new housing estate of no heritage significance. Council's Heritage Advisor has been consulted and supports the removal of HO105. Removing this Heritage Overlay will remove the need to obtain planning permission for buildings and works under the Heritage Overlay.	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
25. Zoning Anomaly / Split Zoning – Tinamba West and Heyfield Weir Road, Tinamba West (191B\PP3597) Tinamba-Glenmaggie Road, Heyfield (191C\PP3597) Tyson Road, Heyfield (191D\PP3597) Planning Scheme Map Reference: Map No 45	<u>Issue</u> For land at Weir Road, Tinamba West, being 191B\PP3597 in the Parish of Tinamba, a zoning anomaly exists where the land is subject to split zoning, being the Public Park and Recreation Zone (PPRZ) and the Public Conservation and Resource Zone (PCRZ). The PCRZ is the predominant zone. For land at Tinamba-Glenmaggie Road, Heyfield being 191C\PP3597 in the Parish of Tinamba, the land is in the Public Park and Recreation Zone (PPRZ). This appears to be a zoning anomaly, as the directly adjacent Crown Land is in the Public Conservation and Resource Zone (PCRZ). While there is PPRZ land across the Tinamba-Glenmaggie Road (Lake Glenmaggie), there appears to be no direct relationship between this land and the subject site (i.e. it does not appear to be a runoff area etc). For land at Tyson Road, Heyfield, being 191D\PP3597 in the Parish of Tinamba, a zoning anomaly exists where the land is subject to split zoning, being the Public Park and Recreation Zone (PPRZ) and the Public Conservation and Resource Zone (PCRZ). This parcel of land appears to be a small run off area from Lake Glenmaggie, across the road. <u>Proposed Change</u> Rezone part 191B\PP3597 from the Public Park and Recreation Zone (PPRZ) to the Public Conservation and Resource Zone (PCRZ) to correct the split zoning, and to reflect the land use of the site and the predominant zoning. Rezone 191C\PP3597 from the Public Park and Recreation Zone (PPRZ) to the Public Conservation and Resource Zone (PCRZ) to be in keeping with the adjacent Crown land zoned PCRZ.	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
	Rezone part 191D\PP3597 from the Public Park and Recreation Zone (PPRZ) to the Public Conservation and Resource Zone (PCRZ) to be in keeping with the adjacent Crown land zoned PCRZ and to remove the split zoning from the site.	 Rezone from PPRZ to PCRZ - 191D\PP3597
26. Zoning Anomaly / Split Zoning - Maffra West Upper Millers Road, Maffra West Upper (2007\PP2435) Millers Road, Maffra West Upper (2006\PP2435) Planning Scheme Map Reference: Map No 37	Issue For land at Millers Road, Maffra West Upper, being 2007\PP4235 in the Parish of Coongulla, it is proposed to rezone the land to allow for its disposal (Crown owned land). The land is currently covered by the Farming Zone (FZ), Rural Conservation Zone 1 (RCZ1) and the Public Park and Recreation Zone (PPRZ), resulting in split zoning across the site. To sell the land, the land is required to be fully contained within a non-public zone. DELWP has requested this change. For land at Millers Road, Maffra West Upper, being 2006\PP2435 in the Parish of Coongulla, it is proposed to rezone the land to allow for its disposal (Crown owned land). The land is currently covered by the Farming Zone (FZ) and Public Park and Recreation Zone (PPRZ), resulting in split zoning across the site. To sell the land, the land is required	 Rezone from RCZ1 to FZ Rezone from PPRZ to FZ

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
	to be fully contained within a non-public zone. DELWP has requested this change. Proposed Change It is proposed to rezone part 2007PP4235 from the Public Park and Recreation Zone (PPRZ) and Rural Conservation Zone 1 (RCZ1) to the Farming Zone (FZ) to facilitate the sale of the land and remove the split zoning. It is proposed to rezone part 2006PP2435 from the Public Park and Recreation Zone (PPRZ) to the Farming Zone (FZ) to facilitate the sale of the land and remove the split zoning.	
27. Zoning Anomaly – Cobains 511 Bengworden Road, Cobains (6BPP3341) Planning Scheme Map Reference: Map No 102	Issue For land at 511 Bengworden Road, Cobains, being 6BPP3341 in the Parish of Nuntin, it is proposed to rezone the land in order to allow for its disposal. The land is currently owned by Wellington Shire Council and is in the Public Use Zone 6 (PUZ6). To sell the land, the land is required to be in a non-public zone. Proposed Change It is proposed to rezone the land from the PUZ6 to the Farming Zone (FZ) to allow for the disposal of the land. The FZ is considered to be the most appropriate zone for the site, being that the adjacent 1NLP94951 which is also owned by Wellington Shire Council, is also in the FZ. The FZ is considered to be the most appropriate zone for the site in the context of its surrounds.	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
28. Split Zoning – Rosedale 7 Duke Street, Rosedale (1\TP516101) 2-8, 2-8B and 2-8C Cansick Street, Rosedale (PC368115) Planning Scheme Map Reference: Map No 119	Issue For land at 7 Duke Street, Rosedale, being 1\TP516101 in the Parish of Rosedale, a zoning anomaly exists where the General Residential Zone 1 (GRZ1) applies to public park land (owned by Wellington Shire Council). The land is used as a public recreation area and should be placed within the same zone as the surrounding land, being the Public Park and Recreation Zone (PPRZ). The site was previously privately owned and contained a dwelling. It was purchased by Council in the last five years and the dwelling has subsequently been demolished. The site is now used as park land. There is a small shed and planter boxes on the site. For land at 2-8, 2-8B and 2-8C Cansick Street, Rosedale, being PC368115 in the Parish of Rosedale, a zoning anomaly exists where the land is subject to split zoning, being the General Residential Zone 1 (GRZ1) and the Public Park and Recreation Zone (PPRZ). The site is owned by Wellington Shire Council. Proposed Change Rezone 1\TP596361 from General Residential Zone 1 (GRZ1) to Public Park and Recreation Zone (PPRZ) to reflect its public ownership and to place it in the same zoning as the surrounding parkland. Rezone part PC368115 from General Residential Zone 1 (GRZ1) to Public Park and Recreation Zone (PPRZ) to reflect its public ownership, remove the split zoning on site and to place it in the same zoning as the surrounding parkland.	 The top map shows a green area labeled 'PPRZ' and a blue area labeled 'GRZ1'. A line points to the blue area with the text 'Rezone from GRZ1 to PPRZ - 1\TP516101'. The bottom map shows a green area labeled 'PPRZ' and a blue area labeled 'GRZ1'. A line points to the blue area with the text 'Rezone from GRZ1 to PPRZ - PC368115'.

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
29. Land Use Terms update – VC150 and VC159	Issue <u>VC150</u> VC150 was gazetted on 21 September 2018. One of the changes approved as part of VC150 was an amendment to Clause 73.03 (Land use terms) and Clause 73.04 (Nesting diagrams) as follows: • Replace 'Intensive animal husbandry' with a new definition for 'Intensive animal production'. In the Wellington Planning Scheme, there are two Schedules this change impacts, Clause 37.01 Special Use Zone 4 (SUZ4) and Clause 37.02 Comprehensive Development Zone (CDZ). They both currently refer to 'Intensive animal husbandry' and therefore require updating. <u>VC159</u> Recently, Amendment VC159 was gazetted. It updated the Victorian Planning Provisions (VPP) to introduce new land use terms and revise some definitions. As a result of this Amendment, some of the land use terms within the Wellington Planning Scheme require updating, namely those within the Schedule 4 to the Special Use Zone (SUZ1) and Schedule 1 to the Comprehensive Development Zone (CDZ). Proposed Change <u>VC150</u> Replace 'Intensive animal husbandry' with 'Intensive animal production' in the Special Use Zone 4 (x1 reference in Section 3) and in the Comprehensive Development Zone (x 2 references, one in Section 1 and one in Section 3). <u>VC159</u>	

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
	In the SUZ4, replace 'Animal Keeping' with 'Domestic Animal Husbandry', update 'Animal Boarding' to 'Domestic Animal Boarding' and add 'Racing Dog Husbandry' with the same condition in both Section 1 and 2, i.e. in Section 1, to say, 'must be no more than 2 animals' and in Section 2 to say 'must be no more than 5 animals'. In Section 3, replace 'Animal Boarding' with 'Domestic Animal Boarding'. In the CDZ1, replace 'Animal Keeping' with both 'Domestic Animal Husbandry' and 'Racing Dog Husbandry' in both Section 1 and Section 3.	
30. Zoning Anomalies / Split Zoning – Gippsland Water 32 changes proposed across Wellington Shire Planning Scheme Map Reference: Map No 175 Map No 37 Map No 151 Map No 139 Map No 138 Map No 45 Map No 109 Map No 112 Map No 113 Map No 55 Map No 119	Issue Gippsland Water has requested that Council include 32 policy neutral changes as part of Planning Scheme Amendment C102. Proposed Change Changes 1, and 3 - 28 are Gippsland Water requests to rezone land to the Public Use Zone 1 (PUZ1) i.e. Gippsland Water owned land that is not currently within the PUZ1. Changes 29 – 33 include land in the Public Use Zone (PUZ1), which needs to be rezoned to a more appropriate zone (justification for why, are provided in the attached document). * Note that change numbers: 2, 34 and 35 have been removed from the list (and therefore not outlined above).	Refer to Gippsland Water document (<i>Wellington Shire Council Planning Scheme Anomalies</i>) for all supporting information, including maps.

Item No./Title details/Address	Issue/Proposed Change	Map/Text Change
Map No 131		
Map No 117		
Map No 132		
Map No 91		
Map No 96		
Map No 94		
Map No 89		
Map No 85		
Map No 90		
Map No 92		
Map No 136		
Map No 57		

WELLINGTON PLANNING SCHEME

AMENDMENT C102WELL

EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the Wellington Shire Council, which is the planning authority for this Amendment.

The Amendment has been made at the request of Wellington Shire Council.

Land affected by the Amendment

The Amendment applies to the whole of the Wellington Shire municipal area.

A mapping reference table is attached at **Attachment 1** to this Explanatory Report.

What the amendment does

The Amendment proposes to amend various provisions of the Wellington Planning Scheme to correct mapping anomalies, delete redundant controls, correct grammatical errors and make minor corrections to text.

A full description of the changes proposed are included in the Background Report prior to this Explanatory Report.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to ensure the efficient functioning of the Wellington Planning Scheme.

Justification for the changes proposed (30 in total, including several requests from Gippsland Water) is included in the Background Report attached to this Explanatory Report.

How does the Amendment implement the objectives of planning in Victoria?

The Amendment ensures that the Wellington Planning Scheme provisions are correctly applied so that it can be properly administered by the Wellington Shire Council in accordance with the requirements of the *Planning & Environment Act 1987 (the Act)*.

The Amendment implements the following objective of planning in Victoria as outlined in section 4 (1) of the *Planning and Environment Act 1987*:

- *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- *to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- *to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*

- to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).

How does the Amendment address any environmental, social and economic effects?

There are no social, economic or environmental effects arising from this Amendment, as the Amendment is for the correction of mapping and textual errors in the Wellington Planning Scheme.

Does the Amendment address relevant bushfire risk?

The Amendment does not enable any material change, being the correction of mapping anomalies, deletion of redundant controls, correction of grammatical errors and minor corrections to text. On this basis, the Amendment will not increase the bushfire risk to life, property, community infrastructure or the natural environment.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes, under section 7(5) of the *Act*.

Pursuant to Section 12 of the *Planning and Environment Act 1987*, the amendment complies with the following (applicable) Ministerial Directions:

- Ministerial Direction No. 11 - Strategic Assessment of Amendments;
- Ministerial Direction No. 15 - The Planning Scheme Amendment Process; and
- Ministerial Direction on the Form and Content of Planning Schemes.

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

As the Amendment makes changes that are minor, through correcting anomalies or undertaking administrative changes, there are no implications for the Planning Policy Framework.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

As the Amendment makes changes that are minor, through correcting anomalies or undertaking administrative changes, there are no implications for the Local Planning Policy Framework.

How does the amendment support or implement the Municipal Planning Strategy?

On the basis that the proposed changes are '*policy neutral*' in nature, they are consistent with both the current Municipal Strategic Statement and the proposed new Municipal Planning Strategy.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment corrects errors and anomalies in the application of the Victoria Planning Provisions in the Wellington Planning Scheme. Correction of these errors and anomalies will ensure that the Wellington Planning Scheme is accurate, efficient in administration and meets legislative requirements.

How does the Amendment address the views of any relevant agency?

Where proposed changes directly affect land owned or managed by a public authority, consultation has been undertaken and consent has been obtained to proceed with the proposed changes.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The Amendment is not affected by the requirements of the *Transport Integration Act 2010*.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

As policy neutral changes with no technical implications, the Amendment will not place any unreasonable resource or administrative costs on the Wellington Shire Council.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Wellington Shire Council
Sale Service Centre
18 Desailly Street
Sale VIC 3850

Wellington Shire Council
Yarram Service Centre
156 Grant Street
Yarram VIC 3971

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Sale	2-30 Saleyards Rd, Sale (5\LP93333)	Wellington C102 020znMap89 Exhibition
Wurruk	Herberte Court, Wurruk (13B\PP3913)	Wellington C102 019znMap87 Exhibition
Wurruk	Princes Highway, Wurruk (2015\PP3913)	Wellington C102 015znMaps93_94 Exhibition
Cowwarr	59 Hagues Lane, Cowwarr (2\PS534179)	Wellington C102 030znMap66 Exhibition
Cowwarr	Hagues Lane, Cowwarr (2\TP880716)	Wellington C102 030znMap66 Exhibition
Denison	Nambrok Road, Denison (1\LP211388)	Wellington C102 029znMap72 Exhibition
Rosedale	Rosedale-Longford Road, Rosedale (1\LP62760)	Wellington C102 010znMap131 Exhibition
Rosedale	Rosedale-Longford Road, Rosedale (Part 1\TP884937)	Wellington C102 010znMap131 Exhibition
Rosedale	Farrell Lane	Wellington C102 010znMap131 Exhibition
Rosedale	Rosedale-Longford Road, Rosedale (1\TP743128)	Wellington C102 011znMaps131_132 Exhibition
Rosedale	Rosedale-Longford Road, Rosedale (1\PS326544)	Wellington C102 011znMaps131_132 Exhibition
Won Wron	Napier Road, Won Wron (8C\PP2181)	Wellington C102 050znMaps175_178_190_198 Exhibition
Carrajung	Grand Ridge Road, Carrajung (49K\PP3830)	Wellington C102 005znMaps143_175 Exhibition
Willung South	Lays Road Ex, Willung South (50A\PP3830)	Wellington C102 005znMaps143_175 Exhibition
Willung South	Willung South School Road, Willung South (57B\PP3830)	Wellington C102 005znMaps143_175 Exhibition
Won Wron	Calrossie-Won Wron Road, Won Wron (65H\PP3869)	Wellington C102 003znMaps175_189 Exhibition
Seaspray	Prices Road, Seaspray (53D~C\PP3909)	Wellington C102 006znMap150 Exhibition
Rosedale	Rosedale-Longford Road, Rosedale (34H\PP2762)	Wellington C102 011znMaps131_132 Exhibition
Devon North	905 Tarra Valley Road, Devon North (70E\PP2520)	Wellington C102 002znMap189 Exhibition
Rosedale	65-67 Prince Street, Rosedale (1\TP6802)	Wellington C102 049d-paoMap119 Exhibition
Rosedale	41-63 Prince Street, Rosedale (2\PS301494)	Wellington C102 049d-paoMap119 Exhibition
Rosedale	37 Latrobe Street, Rosedale (1\PS708936)	Wellington C102 049d-paoMap119 Exhibition
Rosedale	34 Albert Street, Rosedale (1\PS301494)	Wellington C102 049d-paoMap119 Exhibition
Rosedale	36 Albert Street, Rosedale (1\TP532412)	Wellington C102 049d-paoMap119 Exhibition
Rosedale	38 Albert Street, Rosedale (4\PS708936)	Wellington C102 049d-paoMap119 Exhibition
Heyfield	36 Mary Street, Heyfield (1\TP596361)	Wellington C102 033znMap70 Exhibition
Sale	17-19 Bond Street, Sale (1\TP159575)	Wellington C102 016znMap95 Exhibition
Sale	134-136 Raymond Street and 138- 140 Raymond Street, Sale (1\TP131153)	Wellington C102 016znMap95 Exhibition
Sale	142-144 Raymond Street, Sale (Part 1\TP961674)	Wellington C102 016znMap95 Exhibition

Alberton	South Gippsland Highway, Alberton (2020\PP2008)	Wellington C102 001znMaps205_211 Exhibition
Glenmaggie	823 and 825 Weir Road, Glenmaggie (2\PS804047)	Wellington C102 041znMap37 Exhibition
Sale	Butchers Road, Sale (2002\PP3468)	Wellington C102 024znMap83 Exhibition
Stratford	258 Redbank Road, Stratford (Part 1\LP114089)	Wellington C102 032znMaps62_76 Exhibition
Stratford	Old Redbank Road, Stratford (Knob Reserve) (2016\PP3504)	Wellington C102 032znMaps62_76 Exhibition
Stratford	Slavins Lane, Stratford (59C~12\PP3504)	Wellington C102 032znMaps62_76 Exhibition
Stratford	19 Old Redbank Road, Stratford (2017\PP3504)	Wellington C102 032znMaps62_76 Exhibition
Stratford	Slavins Lane, Stratford (2015\PP3504)	Wellington C102 032znMaps62_76 Exhibition
Stratford	30 Slavins Lane, Stratford (59B\PP3504)	Wellington C102 032znMaps62_76 Exhibition
Stratford	Davis Street, Stratford (6\PP5736)	Wellington C102 032znMaps62_76 Exhibition
Stratford	Princes Highway, Stratford (6~9\PP3504)	Wellington C102 038znMap58 Exhibition
Newry	Section of Boisdale-Newry Road, Newry (adjacent to 551 Boisdale-Newry Road, Newry)	Wellington C102 044znMap40 Exhibition
Heyfield	Licola Road, Heyfield (55D\PP2679)	Wellington C102 039znMap33 Exhibition
Coongulla	312 Ryans Road, Coongulla (1\TP114001)	Wellington C102 043znMap37 Exhibition
Coongulla	312 Ryans Road, Coongulla (1\TP135105)	Wellington C102 043znMap37 Exhibition
Coongulla	149 Hodges Road, Coongulla (2\TP595562)	Wellington C102 043znMap37 Exhibition
Coongulla	63 Hodges Road, Coongulla (1\PS713317)	Wellington C102 043znMap37 Exhibition
Newry	Slaughterhouse Road, Newry (46C~6\PP3695)	Wellington C102 045znMap40 Exhibition
Sale	Liston Court, Sale	Wellington C102 048d-hoMap89 Exhibition
Sale	3 Liston Court (62\PS616486)	Wellington C102 048d-hoMap89 Exhibition
Sale	5 Liston Court (63\PS616486)	Wellington C102 048d-hoMap89 Exhibition
Sale	6 Liston Court (64\PS616486)	Wellington C102 048d-hoMap89 Exhibition
Sale	4 Liston Court (65\PS616486)	Wellington C102 048d-hoMap89 Exhibition
Sale	18 Glebe Drive (61\PS616486)	Wellington C102 048d-hoMap89 Exhibition
Sale	20 Glebe Drive (60\PS616486)	Wellington C102 048d-hoMap89 Exhibition
Tinamba West	Weir Road, Tinamba West (191B\PP3597)	Wellington C102 040znMap45 Exhibition
Heyfield	Tinamba-Glenmaggie Road, Heyfield (191C\PP3597)	Wellington C102 040znMap45 Exhibition
Heyfield	Tyson Road, Heyfield (191D\PP3597)	Wellington C102 040znMap45 Exhibition
Maffra West Upper	Millers Road, Maffra West Upper (2007\PP2435)	Wellington C102 046znMap37 Exhibition
Maffra West Upper	Millers Road, Maffra West Upper (2006\PP2435)	Wellington C102 046znMap37 Exhibition
Cobains	511 Bengworden Road, Cobains (6B\PP3341)	Wellington C102 026znMap102 Exhibition
Carrajung	Old Grand Ridge Road, Carrajung (RES1\PS506507)	Wellington C102 004znMap175 Exhibition
Coongulla	343 Ryans Road, Coongulla (RES1\704982)	Wellington C102 043znMap37 Exhibition

Coongulla	63 Hodges Road, Coongulla (RES1\PS713317)	Wellington C102 043znMap37 Exhibition
Dutson Downs	Carrs Creek Road, Dutson Downs (7H~A\PP2558)	Wellington C102 007znMap151 Exhibition
Dutson Downs	Longford-Loch Sport Road, Dutson Downs (18A~B\PP2558)	Wellington C102 009znMap139 Exhibition
Dutson Downs	Longford-Loch Sport Road, Dutson Downs (3B~B\PP2668)	Wellington C102 008znMap138 Exhibition
Heyfield	Angle Channel Road, Heyfield (RES1\PS704986)	Wellington C102 036znMap45 Exhibition
Loch Sport	1 Progress Road, Loch Sport (RES1\PS634479)	Wellington C102 027znMap109 Exhibition
Loch Sport	222-236 National Park Road, Loch Sport (RES1\PS634480)	Wellington C102 028znMaps112_113 Exhibition
Maffra	Sale Road, Maffra (RES1\PS637835)	Wellington C102 034znMap55 Exhibition
Rosedale	Mill Lane, Rosedale (1\PS438120)	Wellington C102 013znMap119 Exhibition
Rosedale	North Boundary Track, Rosedale (34F\PP2762)	Wellington C102 011znMaps131_132 Exhibition
Rosedale	North Boundary Track, Rosedale (34E\PP2762)	Wellington C102 011znMaps131_132 Exhibition
Rosedale	Princes Highway, Rosedale (1\TP856797)	Wellington C102 014znMap117 Exhibition
Rosedale	Rosedale-Longford Road, Rosedale (34D\PP2762)	Wellington C102 011znMaps131_132 Exhibition
Rosedale	Rosedale-Longford Road, Rosedale (34G\PP2762)	Wellington C102 011znMaps131_132 Exhibition
Sale	116 Cobains Road, Sale (RES1\PS631520)	Wellington C102 021znMaps90_91 Exhibition
Sale	164A Patten Street, Sale (RES1\PS635550)	Wellington C102 018znMap96 Exhibition
Sale	1A Cunninghame Street, Sale (3A\PP3468)	Wellington C102 015znMaps93_94 Exhibition
Sale	1B Finegan Court, Sale (3\PS436903)	Wellington C102 020znMap89 Exhibition
Sale	2 Ashton Street, Sale (RES2\PS700895)	Wellington C102 025znMap85 Exhibition
Sale	30A Stead Street, Sale (RES1\PS704992)	Wellington C102 018znMap96 Exhibition
Sale	69 Cemetery Road, Sale (RES7\PS637839)	Wellington C102 022znMap89 Exhibition
Sale	Cobains Road, Sale (RES1\PS537575)	Wellington C102 023znMap90 Exhibition
Sale	Cunninghame Street, Sale (1\TP956101)	Wellington C102 015znMaps93_94 Exhibition
Sale	Dawson Street, Sale (RES3\PS525737)	Wellington C102 021znMaps90_91 Exhibition
Wurruk	7 Drew Court, Wurruk (8\LP135571)	Wellington C102 017znMap92 Exhibition
Heyfield	Weir Road, Heyfield (1\TP880552 and 2\TP880552)	Wellington C102 036znMap45 Exhibition
Heyfield	Weir Road, Heyfield (1\TP880670C and 2\TP880670C)	Wellington C102 036znMap45 Exhibition
Heyfield	Weir Road, Heyfield (4\LP62307)	Wellington C102 036znMap45 Exhibition
Longford	26 High Street, Longford (1~4\PP5475)	Wellington C102 012znMap136 Exhibition
Maffra	Nordens Lane, Maffra (9C\PP3695)	Wellington C102 035znMap57 Exhibition

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

AMENDMENT C102

INSTRUCTION SHEET

The planning authority for this amendment is the Wellington Shire Council.

The Wellington Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 45 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map Nos 33, 37, 40, 45, 55, 57, 58, 62, 66, 70, 72, 76, 83, 85, 87, 89, 90, 91, 92, 93, 94, 96, 102, 109, 112, 113, 117, 119, 131, 132, 136, 138, 139, 143, 150, 151, 175, 178, 189, 190, 198, 205, 211 in the manner shown on the 43 attached maps marked "Wellington Planning Scheme, Amendment C102".

Overlay Maps

2. Amend Planning Scheme Map Nos 89HO and 119PAO in the manner shown on the 2 attached maps marked "Wellington Planning Scheme, Amendment C102".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In **Zones** – Clause 37.01, replace Schedule 4 with a new Schedule 4 in the form of the attached document.
4. In **Zones** – Clause 37.02, replace Schedule with a new Schedule in the form of the attached document.
5. In **Overlays** – Clause 43.01, replace Schedule with a new Schedule in the form of the attached document.
6. In **Overlays** – Clause 43.04, replace Schedule 9 with a new Schedule 9 in the form of the attached document.
7. In **Particular Provisions** – Clause 52.17, replace the Schedule with a new Schedule in the form of the attached document.
8. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

26/07/2019 2:22 PM
 6498667 Proposed C12 Item

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

1.0 Scheduled area

26/07/2019 2:22 PM
 6498667 Proposed C12 Item

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
Land required for the construction of the deviation of the South Gippsland Highway at the Swing Bridge and associated ancillary works, as shown stippled on Map 1 (drawing number SP15813A dated 13-01-94).	All native vegetation
Land associated with the construction of the Princess Highway duplication between Sale and Templeton Road, Kilmory as shown in the map of the Public Acquisition Overlay Schedule 1 or Road Zone Category 1	All native vegetation to the minimum extent necessary, subject to meeting the requirements of the background document Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment, 2002) to the satisfaction of the Department of Environment, Land, Water and Planning.
Land associated with the construction of the South Gippsland Highway upgrade (Stage 3 – Cox's Bridge) between May Street Sale and the Thompson River bridge (constructed as part of South Gippsland Highway upgrade: Stage 1 - Swing Bridge Realignment).	All native vegetation to the minimum extent necessary, subject to meeting the requirements of the background document Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment, 2002) to the satisfaction of the Department of Environment, Land, Water and Planning.
Land associated with the construction of the Hyland Highway overtaking lane between Lays Road and Campbells Road.	All native vegetation to the minimum extent necessary, subject to meeting the requirements of the background document Victoria's Native Vegetation Management – A Framework for Action (Department of Natural Resources and Environment, 2002) to the satisfaction of the Department of Environment, Land, Water and Planning.

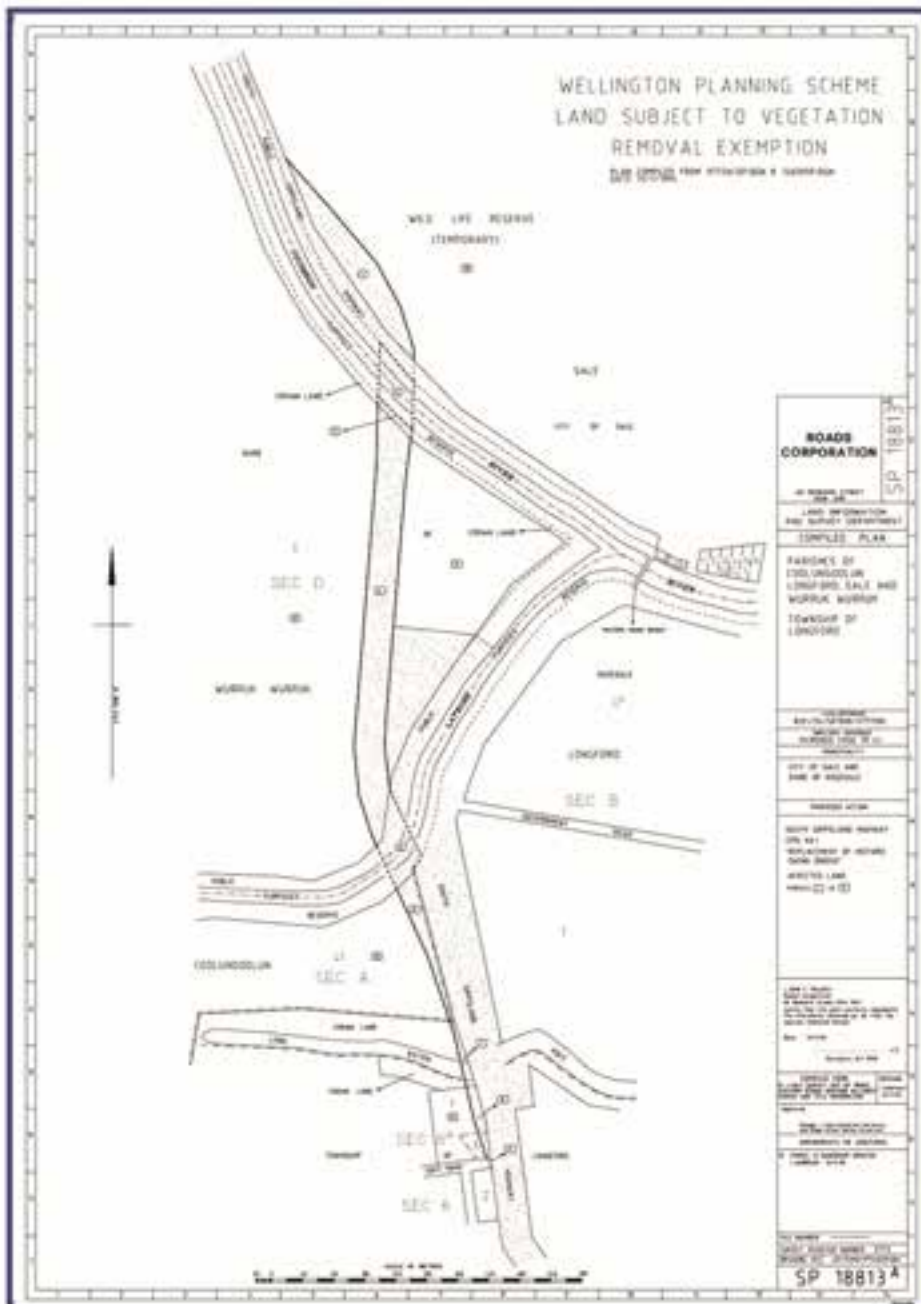
2.0 Scheduled weed

26/07/2019 2:22 PM
 6498667 Proposed C12 Item

Area	Description of weed
None specified	

WELLINGTON PLANNING SCHEME

Map 1 to the Schedule to Clause 52.17



WELLINGTON PLANNING SCHEME

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0 Application requirements

None specified.

2.0 Heritage places

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	ALBERTON							
HO3	Marren Banks Street, Alberton (Town Lot 5/2) Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO8	House Danger Street, Alberton Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO11	Eabon Eabon Hawdon Street, Alberton (Part CA 4/17) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO1	House	Yes	No	No	No	No	No	No

Page 1 of 58

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Johnson Street (Manns Beach Road), Alberton (Part CA A/2) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions							
HO2	House 60 Johnson Street (Manns Beach Road), Alberton (CA 6-Section3) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO7	House Kirkcopp Street, Alberton (Town Lot 17/3) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO22	House Old Port Road, Alberton (CA 67D) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO12	Alberton Butler Factory (former) Russell Street, Alberton (Lot 4/17) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO6	House Streleski Street, Alberton (Town lots 1 & 2/3) Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO5	Store & residence Turnbull Street, Alberton (Town lot 19/2) Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO9	House Turnbull Street, Alberton (Town lot Part CA 1/7) Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO10	Victoria Hotel 53 Turnbull Street, Alberton (Part CA 3/9) Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO13	Farm House Yarram-Alberton Road (South Gippsland Highway), Alberton (Part CA 63)	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions							
HO14	House Yarram-Alberton Road (South Gippsland Highway), Alberton (Part CA 63) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO15	House Yarram-Alberton Road (South Gippsland Highway), Alberton (Part CA 100) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO348	Alberton Cemetery 214 Yarram-Port Albert Road, Port Albert Incorporated plan Alberton Cemetery <i>incorporated Plan</i> heritage Permit Exemptions	No	No	Yes	Yes	No	No	No
	BOISDALE							
HO385	St George's Anglican Memorial Church 6 Boisdale-Valencia Creek Road, Boisdale	Yes	Yes	Yes - White Cedar tree (Melia azedarach), 1950s Camellia	Yes - brick fence and gates	No	No	Not assessed

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
				tree & Silver Birch (<i>Betula pendula</i>)				
H0067	Boisdale Uniting Church (former) 1 Main Street, Boisdale	Yes	Yes	Yes	Yes, WC building	No	No	Not assessed
H0088	General Store, Bakery (former) & House 30 & 32-34 Main Street, Boisdale	Yes	Yes - oven & doors in bakery	No	No	No	No	Not assessed
H0089	Stables, Blacksmiths & Wheelwrights and blacksmith's house (former) 35-39 Main Street, Boisdale	Yes	No	No	Yes - fence at no. 35 Main Street	No	No	Not assessed
H0090	Boisdale Public Hall & Memorials 42-44 Main Street, Boisdale	Yes	Yes - entry, stage & hall only	No	No	No	No	Not assessed
BRIAGOLONG								
H0091	St Patrick's Catholic Church 1 Avon Street, Briagolong	Yes	Yes	No	No	No	No	Not assessed
H0076	Mechanics' Institute and Collection 9-11 Avon Street, Briagolong	-	-	-	-	Yes Ref No H0550	Yes	No
H0032	ANZAC Park & Fallen Soldiers' Memorial 23 Avon Street, Briagolong	Yes - including cleaning	No	Yes	No	No	No	Not assessed
H0038	RSL Sub Branch Club Room 55-57 Avon Street, Briagolong	Yes	Yes	No	Yes - Gillo's Gate	No	No	Not assessed
H0094	Annie Whitelaw Memorial Grave Briagolong Cemetery, 570 Boundary Road, Briagolong	Yes - including cleaning	No	No	Yes - stone & cast iron fence to the	No	No	Not assessed

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
					Annie Whitelaw grave			
HO066	Briagolong Uniting Church & Dutch Elm 4 Church Street, Briagolong	Yes	No	Yes - Dutch Elm	No	No	No	Not assessed
HO068	All Saints Anglican Church Complex 14 Church Street, Briagolong	Yes	Yes - 1908 church porch, nave & chancel	Yes - Algerian Oak, Blue Cedar	Yes - 1884 church, 1908 vestry, front fence & gates	No	No	Not assessed
HO067	Coffee Palace (former) 39 Forbes Street, Briagolong	No	No	No	No	No	No	Not assessed
HO79	Mount View Gorge Road, Briagolong Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
BUNDALAGUAH								
HO77	Primary School No. 1107 Maffra-Sale Road, Bundalaguah Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	Yes	No	No	No	No	No
BUSHY PARK								
HO088	Angus McMillan Memorial and Pencil Pines Maffra-Briagolong Road (Road Reserve), Bushy Park	Yes - including cleaning	No	Yes	No	No	No	Not assessed

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
CLYDEBANK								
HO54	Clydebank Bridge Scarred Trees Bengworden Road, Clydebank Comprises the trees and approximately 150 ha of land Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
COWWARR								
HO39	Christ Church and Lock-up 8-10 Church Street, Cowwarr	Yes	Yes	Yes - Elm	Yes - lock-up	No	No	Not assessed
HO00	St Brigit's Catholic Church Complex 13-19 Church Street, Cowwarr	Yes	Yes - church porch, nave & chancel	No	Yes - front fence & gates	No	No	Not assessed
HO67	Homeview Heyfield Road, Cowwarr Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO01	Crickit Club Hotel 18-20 Main Street, Cowwarr	No	No	No	No	No	No	Not assessed
HO02	Cowwarr Public Hall & Memorials 31-33 Main Street, Cowwarr	No	No	No	Yes - front fence	No	No	Not assessed
HO66	Cowwarr Butter Factory (former) 2730 Traralgon-Maffra Road, Cowwarr	-	-	-	-	Yes - Ref No H1282	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
DARGO/COWA								
HO45	Connelly's Inn (Old Hotel) Dargo High Plains Road, Dargo Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO107	Grant Historic Area McMillans Road, Dargo Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO115	Good Hope Quartz Goldmining Precinct Good Hope Spur Track, Grant Historic Area, Wongungarra	-	-	-	-	Yes - Ref No H1268	No	No
HO113	Harrisons Cut Gold Diversion Site Upper Dargo Road, Dargo	-	-	-	-	Yes - Ref No H1263	No	No
HO114	Jungle Creek Gold Mining Diversion Sluice, Grant Historic Area, Hibernia Road, Cowa	-	-	-	-	Yes - Ref No H1258	No	No
FULHAM								
HO59	Fulham Park 413 Myrtlebank Road, Fulham	-	-	-	-	Yes - Ref No H0331	No	No
GLENCAIRN								
HO108	Barkly River Bridge Licola-Glencairn Road, Glencairn	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions							
	HEDLEY							
HC081	Gellondale Briquette Plant Coal Pit Road (Lanes Road) and South Gippsland Highway, Hedley	-	-	-	-	Yes - Ref No H1058	No	No
	HEYFIELD							
HC003	Heyfield Soldiers' Memorial and Pencil Pines George Street, Heyfield	Yes - including cleaning	No	Yes	No	No	No	Not assessed
HC004	St Michael's Catholic Church 2-6 George Street, Heyfield	Yes	Yes	No	No	No	No	Not assessed
HC005	Railway Hotel 24 George Street, Heyfield	Yes	No	No	No	No	No	Not assessed
HC006	Police Station (former) 6 MacFarlane Street, Heyfield	No	No	No	Yes - stables	No	No	Not assessed
HC007	Heyfield Uniting Church and Memorial 46 MacFarlane Street, Heyfield	Yes	Yes	No	No	No	No	Not assessed
HC008	Post Office (former) 7 Temple Street, Heyfield	Yes	No	No	No	No	No	Not assessed
HC009	St James Anglican Soldiers Memorial Church & Memorials 15 Temple Street, Heyfield	Yes	Yes	No	No	No	No	Not assessed

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
H0310	Heyfield Primary School & 1875 Church of England (former) 22-40 Temple Street	Yes	No	No	Yes - school entrance gateway & arch	No	No	Not assessed
H0311	Commercial Hotel 68 Temple Street, Heyfield	Yes	No	No	No	No	No	Not assessed
HIAWATHA								
H0110	Hiawatha 'A' Frame Bridge, Little Albert River crossing Albert River Road, Hiawatha	-	-	-	-	Yes - Ref No H2069	No	No
MAFFRA								
H0312	Beet Sugar Factory Office (former) & Weighbridge Apex Park, McMahon Drive, Maffra	Yes	Yes - c1897 building only	No	Yes - weighbridge	No	No	Not assessed
H053	Strathavon Nunfin RMB 6196, Beet Road via Maffra Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
H074	Primary School No. 861 Church Street, Maffra	Yes	No	No	No	No	No	No
H0313	St John's Anglican Church Complex 14 Church Street, Maffra	Yes	Yes - church entry, nave, chancel, apse, organ-chamber, Lych Gate	Yes - Turkey Oak	Yes - Lych Gate, 1950s brick columbarium, fence &	No	No	Not assessed

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
					gates; timber & wire fence to rectory			
HO314	St Mary's Catholic Church Complex Duke Street, Maffra	Yes	Yes - 1871 & 1893 Church; 1924 Church	Yes - Canary Island Date Palms	Yes - Callanan grave site & headstone, Bell	No	No	Not assessed
HO315	Maffra Soldiers' Memorial Johnson Street (road reserve), Maffra	Yes - including cleaning	No	Yes	No	No	No	Not assessed
HO316	Macalister Hotel 2 Johnson Street, Maffra	Yes	Yes - to c1863 fabric	No	No	No	No	Not assessed
HO317	Commercial Bank of Australia (former) 50 Johnson Street, Maffra	Yes	No	No	Yes - brick fence along Thomson Street	No	No	Not assessed
HO71	National Bank of Australasia (former) 64 Johnson Street, Maffra	-	-	-	-	Yes - Ref No H0309	No	No
HO72	Court House Johnson Street, Maffra Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	Yes	No	No	No	No	No
HO362	Foster Building 67-71 Johnson Street, Maffra	-	-	-	-	Yes - Ref No H2308	Yes	No
HO73	Shop 75 Johnson Street, Maffra	Yes	No	Yes	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HO318	<i>Metropolitan Hotel (former)</i> 95 Johnson Street, Maffra	Yes	No	No	No	No	No	Not assessed
HO319	<i>Maffra Hotel</i> 122 Johnson Street, Maffra	Yes	No	No	No	No	No	Not assessed
HO320	<i>Mechanics Institute, Memorial Hall Complex & Memorials</i> 150-158 Johnson Street & 11-15 Foster Street, Maffra	Yes	Yes - RSL room of the 1922 Great War Peace Memorial Hall only	No	No	No	No	Not assessed
HO321	<i>Young's Arcade</i> 160 Johnson Street, Maffra	Yes	No	No	No	No	No	Not assessed
HO75	<i>Boisdale</i> 494 Maffra-Briarolong Road, Maffra Includes the homestead, garden, outbuildings and water tower Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO322	<i>St Andrew's Uniting Church</i> 7 Pearson Street, Maffra	Yes	Yes - nave & tower	No	Yes - fence	No	No	Not assessed
HO76	<i>Mewburn Park</i> Tinamba Road (Translagon Maffra Road), Maffra	Yes	No	Yes	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Includes the stables Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions							
	NEWRY							
HO00	Mechanics' Institute Bonsdale-Newry Road, Newry	Yes	No	Yes	No	No	No	No
	PALMERSTON/PORT ALBERT							
HO24	House 6 Albany Street (CA 4/1), Palmerston Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO25	House 2-4 Brisbane Street, Palmerston Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO26	House 15 Denison Street (CA 5/5), Palmerston Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO30	Police Station & Immigration Barracks (former)	-	-	-	-	Yes - Ref No HO495	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	6 Denison Street and 5 Colville Street (CA 3, 4/4), Palmerston							
HO26	House 22 Fitzroy Street (CA 6/8), Palmerston Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO23	Tarravonga 70 Port Albert-Tarraville Road (CA 79A), Palmerston Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
	PORT ALBERT							
HO34	Port Albert Heritage Precinct Incorporated plan Port Albert Heritage Precinct <i>Incorporated Plan</i> Permit Exemptions	No	No	Yes - Norfolk Island Pines	No	No	No	No
HO26	Port Albert Maritime Museum (former Bank of Victoria) Tarraville Road, Port Albert	-	-	-	-	Yes - Ref No H1210	No	No
HO32	Footings of former Powder Magazine (off) Bay Street, near East Street, Port Albert Incorporated plan Port Albert Heritage Precinct <i>Incorporated Plan</i> Permit Exemptions	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO35	Old Port foreshore reserve (south of) Old Port Road, Port Albert Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO119	Roberts' drapers shop (former), residence & tree 63-65 Tarraville Road, Port Albert Incorporated plan Port Albert Heritage Precinct <i>Incorporated Plan</i> Permit Exemptions	No	No	Yes - Cordyline	No	No	No	No
HO135	Ship Inn Hotel (former) & tree 73 Tarraville Road, Port Albert Incorporated plan Port Albert Heritage Precinct <i>Incorporated Plan</i> Permit Exemptions	No	No	Yes - Cordyline	No	No	No	No
HO174	Port Albert Mechanics' Institute 20 Victoria Street, Port Albert Incorporated plan Port Albert Heritage Precinct <i>Incorporated Plan</i> Permit Exemptions	No	Yes	No	No	No	No	No
HO116	Turnbull Orr and Co Bond Store and Office (former) 41-43 Wharf Street, Port Albert	-	-	-	-	Yes - Ref No H1779	No	No
ROSEDALE								

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO56	St Mark's Anglican Church 55-61 Albert Street, Rosedale	-	-	-	-	Yes - Ref No HO599	No	No
HO323	Rosedale Shire Offices (former) and English Elms 1-3 Cansick Street, Rosedale	Yes	No	Yes - English Elms	No	No	No	Not assessed
HO324	McCarthy House 10 Lyons Street, Rosedale	Yes	No	No	No	No	No	Not assessed
HO111	Railway bridge over Latrobe River & floodplain Dandenong-Sale (Main Gippsland) Railway, Rosedale	No	No	No	No	No	No	No
HO325	Lyons Street Beautification Trees and Memorial Reserve Lyons Street (median strip), Rosedale	Yes - including cleaning	No	Yes	No	No	No	Not assessed
HO60	Rosedale Hotel 29-31 Lyons Street, Rosedale	-	-	-	-	Yes - Ref No HO645	No	No
HO57	Primary School (1871 building) Prince Street, Rosedale	Yes	No	Yes	No	No	No	No
HO62	Mechanics' Institute Prince Street, Rosedale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO64	Masonic Hall Prince Street, Rosedale	Yes	No	Yes	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HO65	Old Post Office Prince Street, Rosedale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO326	Exchange Hotel (former) 2-10 Prince Street, Rosedale	Yes	No	No	No	No	No	Not assessed
HO327	Bank of Australasia (former) 25-27 Prince Street, Rosedale	Yes	No	No	No	No	No	Not assessed
HO69	Nambrok Princes Highway, Rosedale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO328	St Rose of Lima Catholic Church 4-6 Queen Street, Rosedale	Yes	Yes - church nave, chancel & porch	No	No	No	No	Not assessed
HO329	Presbyterian Manse (former) & Cork Oak 44 Queen St, Rosedale	Yes	No	Yes - Cork Oak	No	No	No	Not assessed
HO330	St Andrews Uniting Church 48-52 Queen St, Rosedale	Yes	Yes - porch, nave & chancel	No	No	No	No	Not assessed
HO63	Ridge Station	Yes	No	Yes	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	29 Rosedale-Hayfield Road, Rosedale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions							
HO70	Holey Plain Rosedale-Longford Road, Rosedale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO82	Rosedale Railway Station complex 26 Willung Road, Rosedale	-	-	-	-	Yes - Ref No H1589	No	No
SALE								
HO86	Sale Town Centre Precinct Incorporated plan Sale town centre heritage precinct permit exemptions	No	No	Yes	No	No	No	No
HO121	Sale Victoria Park Precinct Incorporated plan Sale residential heritage precinct permit exemptions (amended September 2015)	No	No	Yes – street trees & Victoria Park only	No	No	No	No
HO122	Sale St Mary's Precinct Incorporated plan Sale residential heritage precinct permit exemptions (amended September 2015)	No	No	Yes – street trees only	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO123	<i>Sale Lake Guthridge Landscape Precinct</i> Incorporated plan <i>Sale residential heritage precinct permit exemptions (amended September 2015)</i>	No	No	Yes – streets & public reserves only	No	No	No	No
HO124	<i>Sale Esso Executive Housing Precinct</i> Incorporated plan <i>Sale residential heritage precinct permit exemptions (amended September 2015)</i>	No	No	No	No	No	No	No
HO125	<i>Sale Railway Precinct</i> Incorporated plan <i>Sale residential heritage precinct permit exemptions (amended September 2015)</i>	No	No	No	No	No	No	No
HO126	<i>Sale State Bank Houses Precinct</i> Incorporated plan <i>Sale residential heritage precinct permit exemptions (amended September 2015)</i>	No	No	No	No	No	No	No
HO128	<i>Sale Stawell & Market Streets Precinct</i> Incorporated plan <i>Sale residential heritage precinct permit exemptions (amended September 2015)</i>	No	No	Yes – street trees only	No	No	No	No
HO129	<i>Sale Thomson Street Precinct</i> Incorporated plan <i>Sale residential heritage precinct permit exemptions (amended September 2015)</i>	No	No	No	No	No	No	No
HO131	<i>Sale Netherlands Rural Area Precinct</i> Incorporated plan	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sale Rural Heritage Precinct Permit Exemptions							
HO07	Sale Cemetery Back Maffra Road & Cemetery Road, Sale	Yes	No	No	No	No	No	No
HO08	Myrtlebank School (former) Lot 1 LP 64352, Back Maffra Road, Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO09	House & front fence 7 Barkly Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes – front fence	No	No	No
HO10	House & front fence 15 Barkly Street Incorporated plan Sale residential heritage precinct permit exemptions (amended September 2015)	No	No	No	Yes – front fence	No	No	No
HO11	House 18 Codrington Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO12	Bishopscourt 4 Cranwick Crescent, Sale	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HO154	House 5 Cunninghame Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO100	House (Medical Clinic) 36 Cunninghame Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO153	Pipe crossing Cunninghame Street, Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO06	Remnant trees Cunninghame Street, Sale	No	No	Yes	No	No	No	No
HO100	St Paul's Anglican Cathedral 149 Cunninghame Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO127	House & front fence 167-69 Cunningslane Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	Yes – front fence	No	No	No
HO207	House & tree 175-77 Cunningslane Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	No	No	Yes – Caucasian Fir tree	No	No	No	No
HO144	Municipal Pound (former) 14 Dargo Street, Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO136	Drying Barn 50-54 Dargo Street (CA 14), Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO87	Bon Accord 153-155 Dawson Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO237	Peppercorn trees	No	No	Yes	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Desailly Street, Sale							
HO141	Elm Trees Corner of Desailly & McMillan Streets, Sale	No	No	Yes	No	No	No	No
HO249	House & front fence 29 Desailly Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	Yes – front fence	No	No	No
HO250	Presbyterian Manse 30-40 Desailly Street, Sale Incorporated plan Sale town centre heritage precinct permit exemptions	Yes	No	No	No	No	No	No
HO181	House & front fence 185 Desailly Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes – front fence	No	No	No
HO182	House & front fence 190 Desailly Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes – front fence	No	No	No
HO187	The Minters 207 Desailly Street, Sale	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HC227	<i>St Helen's Private Hospital (former)</i> 37-39 Elgin Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HC247	Stables 67-69 Elgin Street (rear of), Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HC233	House & front fence 80 Elgin Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes – front fence	No	No	No
HC178	Gay Nor 11 Fitzroy Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes – front fence & garage	No	No	No
HC175	House 47 Fitzroy Street, Sale Incorporated plan	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (township areas) Permit Exemptions							
H0236	House & front fence 148-148 Fitzroy Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes – front fence	No	No	No
H0146	House 3 Foster Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H0104	St Mary's Catholic Cathedral, former Convent, organ, and Primary School 47-57 Foster Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	No	No	No	No
H0261	House (Diocesan Centre Office) 63-65 Foster Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	No	No	No	No
H0143	Former ESSO BHPP Offices (Wellington Shire Council Offices) 66-70 Foster Street, Sale	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO83	Sale Court House 79-87 Foster Street, Sale	-	-	-	-	Yes - Ref No H1484	No	No
HO252	Borough of Sale Municipal Offices (former) 128-30 Foster Street, Sale Incorporated plan Sale town centre heritage precinct permit exemptions	Yes	Yes	Yes - Schinus molle	No	No	No	No
HO223	House 189 Foster Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	No	No	No	No
HO220	House 215 Foster St (corner of Foster & Palmerston Streets), Sale Incorporated plan ~~Individual Heritage Places~~ Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO45	Grassdale 8 Grassdale Road, Sale	-	-	-	-	Yes - Ref No H0281	No	No
HO216	House 22 Guthridge Parade, Sale Incorporated plan ~~Individual Heritage Places~~	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (township areas) Permit Exemptions							
H0218	House 52 Guthridge Parade, Sale Incorporated plan Individual Heritage Places Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes - Peppercorns	No	No	No	No
H0222	Moneenroe 124-126 Guthridge Parade, Sale Incorporated plan Individual Heritage Places Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
H091	Fitzpatrick House 143-138 Guthridge Parade, Sale Incorporated plan Individual Heritage Places Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
H0223	Plane Tree, Sale Hospital 143-71 Guthridge Parade, Sale	No	No	Yes	No	No	No	No
H0234	The Cottage 146-50 Guthridge Parade, Sale Incorporated plan Individual Heritage Places	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (township areas) Permit Exemptions							
HQ231	Sunnyside 216 Guthridge Parade, Sale Incorporated plan Individual Heritage Places Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HQ225	Blangowrie House 26 Inglis Street, Sale Incorporated plan Individual Heritage Places Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HQ235	House 65-66 Lansdowne Street, Sale Incorporated plan Individual Heritage Places Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HQ236	House 91 Lansdowne Street, Sale Incorporated plan Individual Heritage Places Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO155	Former Woolen Mills (Nylex Factory) 31-47 McGhee Street, Sale	No	No	No	No	No	No	No
HO155	St Patrick's College Footbridge Macalister Street, Sale Incorporated plan ~~Individual Heritage Places~~ Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO156	House 2 Macalister Street, Sale Incorporated plan ~~Individual Heritage Places~~ Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
HO157	House 6-8 Macalister Street, Sale Incorporated plan ~~Individual Heritage Places~~ Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO158	House 10-12 Macalister Street, Sale Incorporated plan ~~Individual Heritage Places~~ Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO101	Victoria Hall 47-49 Macalister Street, Sale Incorporated plan Sale town centre <i>heritage precinct</i> permit exemptions	Yes	No	No	No	No	No	No
HO254	City of Sale Municipal Offices, Hall & Gallery (former) 82-84 Macalister Street, Sale Incorporated plan Sale town centre <i>heritage precinct</i> permit exemptions	Yes	Yes	No	Yes	No	No	No
HO65	Criterion Hotel 90-94 Macalister Street, Sale	-	-	-	-	Yes - Ref No HO215	Yes	No
HO102	Victoria Park 101-103 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (<i>amended September 2015</i>)	No	No	Yes	No	No	No	No
HO255	House 120 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (<i>amended September 2015</i>)	Yes	No	No	No	No	No	No
HO84	Primary School No. 545 123-35 Macalister Street, Sale Incorporated plan	Yes	Yes	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sale residential heritage precincts permit exemptions (amended September 2015)							
HQ256	House & front fence 143 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	Yes - front fence	No	No	No
HQ257	House & tree 152 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	Yes - Magnolia grandiflora	No	No	No	No
HQ258	House & tree 154 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	Yes - Magnolia grandiflora	No	No	No	No
HQ259	House 155 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	Yes - garage	No	No	No
HQ260	House & tree 156 Macalister Street, Sale Incorporated plan	Yes	No	Yes - Oak in front yard	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sale residential heritage precincts permit exemptions (amended September 2015)							
H0261	Oak tree 158 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	No	No	Yes - Oak in front yard	No	No	No	No
H0262	House & hedge 159 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	Yes - hedge	No	No	No	No
H0263	House & tree 162-64 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	Yes - mature Elms	No	No	No	No
H0264	House 188 Macalister Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	No	No	No	No
H0265	House 190 Macalister Street, Sale Incorporated plan	Yes	No	No	Yes - front fence	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sale residential heritage precincts permit exemptions (amended September 2015)							
H002	Gables 118-120 Macarthur Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
H008	House 123 Macarthur Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H009	House 125 Macarthur Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H010	House 133 Macarthur Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H011	House 135 Macarthur Street, Sale Incorporated plan	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (township areas) Permit Exemptions							
H0212	Leslie House 152-58 Macarthur Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
H0229	House 190-92 Macarthur Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H0232	House 209 Macarthur Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H0284	Pine Tree Maffra-Sale Road, Sale	No	No	Yes	No	No	No	No
H0196	Woodella Park 1480 Maffra-Sale Road, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
H0406	Glebe 1406 Maffra-Sale Road (CA 94), Sale	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	incorporated plan <i>Individual Heritage Places (township areas) Permit Exemptions</i>							
HO197	Myrtledowns 1500 Maffra-Sale Road, Sale Incorporated plan <i>Individual Heritage Places (township areas) Permit Exemptions</i>	No	No	No	No	No	No	No
HO198	Sale Showgrounds Part CA 92, Maffra-Sale Road, Sale Incorporated plan <i>Sale & District Agricultural Society Showgrounds Heritage Permit Exemptions</i>	No	No	Yes	No	No	No	No
HO214	House 11 Market Street, Sale Incorporated plan <i>Individual Heritage Places (township areas) Permit Exemptions</i>	No	No	Yes	No	No	No	No
HO288	Annie Pain Memorial Kindergarten Hall 61-63 Market Street, Sale Incorporated plan <i>Sale residential heritage precincts permit exemptions (amended September 2015)</i>	Yes	Yes	No	No	No	No	No
HO213	House 15 Marley Street, Sale Incorporated plan	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (township areas) Permit Exemptions							
H0267	House & front fence 45 Marley Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	Yes - front fence	No	No	No
H0281	Delbridge Hall 64-66 Marley Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	Yes	No	No	No	No	No
H0266	House, garden & front fence 60-64 Marley Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	Yes	Yes - front fence	No	No	No
H0221	House 13 Palmerston Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H0666	Charles and Elizabeth Ayres Memorial Nurses Home 36-48 Palmerston Street, Sale	Yes	No	No	No	No	No	No
H0035	House	No	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	51 Palmerston Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HQ234	House 83-85 Palmerston Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HQ137	Redgate Reserve CA 7A, Park Street, Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HQ228	House 65 Patten Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HQ289	Diocese of Sale Bishop's Office & front fence 8-10 Pearson Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	No	Yes - front fence	No	No	No
HQ103	St Patrick's College	Yes	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	29-41 Pearson Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)							
HO179	House 155 Pearson Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO180	House & Trees 166 Pearson Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes - Pomegranate, Pear & Oak trees	No	No	No	No
HO200	Pooley's Bridge Pooley's Road, Sale	No	No	No	No	No	No	No
HO106	King George V Jubilee Avenue Princes Highway, Sale	No	No	Yes	No	No	No	No
HO147	Bridges & Road Alignment Princes Highway, Sale	No	No	No	No	No	No	No
HO139	Boat Shed Part CA 23E, Punt Lane, Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO190	House 1 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO191	House 5 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO192	Brick Works (former) 7 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO199	House 8 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO188	House 22 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO193	Maralinga	No	No	Yes	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	31 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
H0194	Lyndhurst 67-69 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
H0245	House 100 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H0246	House 105-07 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H0243	House 150 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
H0239	House 174 Raglan Street, Sale	No	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HQ041	House, front fence & trees 197 Raglan Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	Yes - front fence	No	No	No
HQ095	St Anne's and Gippsland Grammar School 52-66 Raymond Street, Sale	Yes	No	No	No	No	No	No
HQ090	Sale High School (former) 63-67 Raymond Street, Sale	Yes	No	No	No	No	No	No
HQ070	Beaurepaire Tyre Service Pty Ltd (former) 60-68 Raymond Street, Sale Incorporated plan Sale town centre heritage precinct permit exemptions	Yes	No	No	No	No	No	No
HQ071	Bank of Australasia (former) 104-06 Raymond Street, Sale Incorporated plan Sale town centre heritage precinct permit exemptions	Yes	No	No	No	No	No	No
HQ072	AMP Society offices (1930 - former) 118-24 Raymond Street, Sale Incorporated plan	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sale town centre <i>heritage precinct</i> permit exemptions							
HQ273	Commercial Bank (former) 123-25 Raymond Street, Sale Incorporated plan Sale town centre <i>heritage precinct</i> permit exemptions	Yes	No	No	No	No	No	No
HQ274	St Columba's church complex & Loggia Reserve 131-71 Raymond Street, Sale Incorporated plan Sale town centre <i>heritage precinct</i> permit exemptions	Yes	No	Yes	No	No	No	No
HQ275	Shop 142 Raymond Street, Sale Incorporated plan Sale town centre <i>heritage precinct</i> permit exemptions	Yes	No	No	No	No	No	No
HQ276	AMP Society building (1919 – former) 164-66 Raymond Street, Sale Incorporated plan Sale town centre <i>heritage precinct</i> permit exemptions	Yes	No	No	No	No	No	No
HQ277	Star Hotel 173-85 Raymond Street, Sale Incorporated plan	Yes	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Sale town centre <i>heritage precinct</i> permit exemptions							
HO89	Cobb & Co Stables 190 Raymond Street, Sale <i>Incorporated plan</i> Sale town centre <i>heritage precinct</i> permit exemptions	Yes	No	No	No	No	No	No
HO278	Miss Pilon's Arcade (former) 229-239 Raymond Street, Sale <i>Incorporated plan</i> Sale town centre <i>heritage precinct</i> permit exemptions	Yes	No	No	No	No	No	No
HO167	House 458 Raymond Street, Sale <i>Incorporated plan</i> Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO169	Hawthorne Dairy & House 462-64 Raymond Street, Sale <i>Incorporated plan</i> Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO172	House 478 Raymond Street, Sale <i>Incorporated plan</i>	No	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (township areas) Permit Exemptions							
HO166	House 479-81 Raymond Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO283	House (Lochee) 433 Raymond Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes - garage	No	No	No
HO170	House 493 Raymond Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
HO171	House 499-501 Raymond Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO186	Latrobe Hotel (former) 511 Raymond Street, Sale Incorporated plan	No	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (township areas) Permit Exemptions							
HO184	House 517 Raymond Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO183	House, outbuildings & well 525-27 Raymond Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	Yes - stables & dairy	No	No	No
HO209	Benacre 1-3 Rebecca Drive, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
HO145	HM Prison Sale (former) 13-15 Reeve Street, Sale	No	No	No	No	No	No	No
HO159	House 39 Reeve Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO177	House 138 Reeve Street, Sale	No	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HO61	<i>Lalrope River Swing Bridge</i> Swing Bridge Drive, Sale and Longford	-	-	-	-	Yes - Ref No H1438	No	No
HO133	<i>Thomson River Jetty</i> South Gippsland Highway, Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO134	<i>Robinson Park Trees</i> CA 18C, 23F, & 23G, South Gippsland Highway, Sale	No	No	Yes	No	No	No	No
HO136	<i>Sale Canal</i> CA 3 & 18A, South Gippsland Highway & Canal Road, Sale Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO163	<i>House</i> 38 Stawell Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO164	<i>House</i> 40-42 Stawell Street, Sale	No	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HO105	House 44 Stawell Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO108	House 77 Stawell Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO279	House, garden & front fence 154-56 Stawell Street, Sale Incorporated plan Sale residential heritage precincts permit exemptions (amended September 2015)	Yes	No	Yes	Yes - front fence	No	No	No
HO65	Powder Magazine (former) 37-45 Stephenson Street, Sale Incorporated plan Sale Rural Heritage Precincts Permit Exemptions	Yes	No	No	No	No	No	No
HO132	Ladrobe Wharf, Swan Hotel & Victoria Hotel Site Swing Bridge Drive, Sale	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions							
HO161	House 46 Thomson Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO280	House 62 Thompson Street, Sale Incorporated plan Sale Residential Heritage Precincts Permit Exemptions	No	Yes	No	No	No	No	No
HO178	Terray 122 Thomson Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO152	Sale Waterworks Pumping Station and Treatment Plant Part CA 42D, Waterworks Road, Sale	No	No	No	No	No	No	No
HO215	Post Box Corner York & Macalister Streets, Sale	No	No	No	No	No	No	No
HO140	House 8 York Street, Sale Incorporated plan	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (rural areas) Permit Exemptions							
HO142	House 57-59 York Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	Yes	No	No	No	No
HO093	Mechanics' Institute Group 125-141 York Street, Sale	Yes	No	No	No	No	No	No
HO201	Milk Dairy 178 York Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO202	Shop 184 York Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO203	Fire Station (former) 203-07 York Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO204	Baptist Church 209-13 York Street, Sale	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan Individual Heritage Places (township areas) Permit Exemptions							
HC005	Gentofte 222-30 York Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HC006	Laurie 304-06 York Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No
HO094	<i>Our Lady of Sion Convent</i> 341-49 York Street, Sale Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
	SALEWURRUK							
HO149	Wurruk Primary School No. 2518 15-19 Fisk Street, Wurruk	No	No	No	No	No	No	No
HO150	Tom's Cottage 10-12 Otway Street, Wurruk Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	No	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO146	House 2 (Part CA 3) Riverview Road (Princes Highway), Wurruk Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	No	No	No	No	No
HO68	Kilmory Park 1613 Settlement Road, 148A, 148B, 148C, 148D and 148E Reid Drive, 148E and 148F Reid Drive, and part Annup Drive, Wurruk	Yes	Yes, Mansion and Meat house only	Yes, mature exotic trees	Yes, Meat house, 3 underground water tanks, Men's quarters, stables, school, Sloyd Room, Recreation Centre, McClelland Memorial Gate posts and plaque.	No	No	Not assessed
HO151	Oak Tree Settlement Road & Reid Drive, Wurruk Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	No	No	Yes	No	No	No	No
STRATFORD & PERRY BRIDGE								
HO353	Avon River Rail Bridge Avon River, Stratford	-	-	-	-	Yes - Ref No H2389	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO50	Stratford Post Office, Court House (former) & Council Chambers (former) 64-66 Tyers Street (Princes Highway), Stratford	Yes	No	No	Yes - the fence section under the porch on the south elevation	No	No	No
HO52	Wesleyan Methodist Church (former) 14 Hobson Street, Stratford	Yes	No	Yes	No	No	No	No
HO331	Mechanics Institute and Boer Memorial Plaque 17 Hobson St, Stratford	Yes	Yes - original fabric of entry hall, hall & stage & Boer memorial plaque	No	No	No	No	Not assessed
HO332	Holy Trinity Anglican Church, Hall, Rectory & Memorials Lot 6 (LP215327) & 28 McFarlane Street, Stratford	Yes	Yes, church	No	No	No	No	Not assessed
HO333	St Patricks Catholic Church 2 Merrick Street, Stratford	Yes	Yes	No	No	No	No	Not assessed
HO55	Knob Reserve Old Redbank Road, Stratford Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	Yes	No	No	No	No
HO334	Stratford Railway Station and Crane Railway Reserve Road & McFarlane Street, Stratford	Yes	No	No	Yes - crane	No	No	Not assessed
HO56	Ramahyuck Cemetery Reserve	Yes	No	Yes	No	No	No	Yes

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Ramahyuck Road, Perry Bridge, via Stratford							
HO46	Strathfieldsaye 324 Strathfieldsaye Road, Perry Bridge, via Stratford	-	-	-	-	Yes - Ref No H0262	No	No
HO335	Stratford Soldiers' Park and Soldiers' Memorial Tyers Street, Stratford	Yes - including cleaning	No	Yes	Yes	No	No	Not assessed
HO336	Bakery (former), Shop and Residence 20 Tyers Street, Stratford	Yes	No	No	No	No	No	Not assessed
HO337	Carter's Corner and Residence 23 Tyers Street, Stratford	Yes	No	No	Yes - large timber hipped roof building attached to the SW corner of the house	No	No	Not assessed
HO338	State Savings Bank (former) 58 Tyers Road, Stratford	Yes	No	No	Yes - front fence	No	No	Not assessed
TARRAVILLE								
HO37	House Bridge Street, Tarraville (CA 2/4) Incorporated plan Individual Heritage Places (township areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO41	Farm House	Yes	No	No	No	No	No	No

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Loughnan Street, Tarraville (Lot E of Block 13) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions							
HO18	Woodcot Park Tannery Road (Manns Beach Road), Myrtle Point/Tarraville (CA 29)	-	-	-	-	Yes - Ref No H0649	-	-
HO19	Farm house Tannery Road (Manns Beach Road), Myrtle Point (CA 30) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO21	House Tannery Road (Manns Beach Road), Myrtle Point/Tarraville (CA 105 D&E) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO36	Christ Anglican Church Tyers Street, Tarraville (CA 3-6/1)	-	-	-	-	Yes - Ref No H0999	No	No
HO38	Residence Stawell Street, Tarraville	-	-	-	-	Yes - Ref No H2272	No	No
HO42	Green Hills Ray's Road, Tarraville (Lot 18a) Incorporated plan	Yes	No	No	No	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Individual Heritage Places (rural areas) Permit Exemptions							
HO40	House (former Commercial Hotel) 20 Reeve Street, Tarraville (Section 1) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO44	Farm complex Shaws Road, Tarraville (CA 7) Incorporated plan Individual Heritage Places (rural areas) Permit Exemptions	Yes	No	No	No	No	No	No
HO38	State School Stewart Street, Robertsons Beach Road, and McCrae Street, Tarraville (CA 9-10/0)	Yes	No	No	No	No	No	No
	TINAMBA							
HO39	St Matthews Anglican Memorial Church Memorials & Trees 11 Tinamba-Seaton Road, Tinamba	Yes	Yes	Yes - those planted in 1965	No	No	No	Not assessed
	YARRAM							
HO30	St Mary's Catholic Church and Presbytery 5 Buckley Street, Yarram	Yes	Yes - church	No	No	No	No	Not assessed
HO341	Mechanics Institute 2-4 Church Road, Yarram	Yes	Yes - hall only	No	No	No	No	Not assessed

WELLINGTON PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO342	Yarram Soldiers' Memorials Commercial Road (road reserve), Yarram	Yes - including cleaning	No	No	Yes - fence	No	No	Not assessed
HO343	Court House 170 Commercial Road, Yarram	-	-	-	-	Yes - Ref No H1491	No	No
HO343	Holy Trinity Anglican Memorial Church & Memorials 95-99 Commercial Road, Yarram	Yes	Yes - church nave, chancel, narthex, south porch	No	No	No	No	Not assessed
HO344	St Andrews United Church and Hall 109-113 Commercial Road	Yes	Yes, church tower & bell, nave & chancel	No	No	No	No	Not assessed
HO345	Ventnor house and former surgery, and Palms 135 Commercial Road, Yarram	Yes	No	Yes - 5 Canary Island Date Palms	No	No	No	Not assessed
HO346	Regent Theatre 208-212 Commercial Road, Yarram	Yes	Yes	No	No	No	No	Not assessed
HO347	Yarram Post Office 216 Commercial Road, Yarram	Yes	No	No	No	No	No	Not assessed
HO348	Stockwell's Building 275-281 Commercial Road, Yarram	Yes	No	No	No	No	No	Not assessed
HO349	Yarram Club Hotel 287 Commercial Road, Yarram	Yes	No	No	No	No	No	Not assessed
HO350	Union Bank of Australia (former) 290-292 Commercial Road, Yarram	Yes	No	No	No	No	No	Not assessed

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO27	Yarram Butter Factory Commercial Road (South Gippsland Highway), Yarram Statement of Significance: Yarram Butter Factory	Yes	Yes	No	No	No	Yes	Not assessed
HO43	Heathorn Bank Pound Road, Yarram	-	-	-	-	Yes - Ref No H0256	-	-
HO351	Federal Coffee Palace (former) 303-305 Commercial Road, Yarram	Yes	No	No	No	No	No	Not assessed
OTHER								
HO112	Morning Star Gold Battery Site Morning Star Creek (Donnelly Creek Goldfields), Yangourra	-	-	-	-	Yes - Ref No H1285	No	No
HO117	Goodwood Sawmill Mullungdung State Forest, South Gippsland Highway, Darriman	-	-	-	-	Yes - Ref No H2011	No	No
HO118	Vallejo Gantner Hut Mount Howitt Walking Track, Howitt Plains	-	-	-	-	Yes - Ref No H0060	No	No

2017/2018
404/40 Proposed C10 Rev

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0 Incorporated documents

2017/2018
404/40 Proposed C10 Rev

Name of document	Introduced by:
Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, Standards Australia Limited, 2015	VC107
Basslink – Land Use and Development Controls, 2002	C15
Hollands Landing Estate Restructure Plan Sheet 1 of 2 and Sheet 2 of 2, 15 June 2000	NPS1
Ninety Mile Beach Development and Subdivision Controls Golden Beach to Glomar Beach, Incorporated Document, March 2012 comprising: • Stage R7, DRG No 3421019-00-001 • Stage R8, DRG No 3421019-00-002 • Stage R9, DRG No 3421019-00-003 • Stage R10, DRG No 3421019-00-004 • Stage R11, DRG No 3421019-00-005 • Stage R12, DRG No 3421019-00-006 • Stage R13, DRG No 3421019-00-007 • Stage R14, DRG No 3421019-00-008 • Stage R15, DRG No 3421019-00-009 • Stage R16, DRG No 3421019-00-010A • Stage R17, DRG No 3421019-00-011 • Stage R18, DRG No 3421019-00-012 • Stage R19, DRG No 3421019-00-013A • Stage R20, DRG No 3421019-00-014A • Stage R21, DRG No 3421019-00-015A • Stage R22, DRG No 3421019-00-016 • Index Sheet, DRG No 3421019-00-017	C71
Ninety Mile Beach Restructure Plan Stage R1 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R2 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R3 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R4 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R5 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R6 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R23 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R24 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R25 & R26 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R27 & R28 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R29 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R30 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R31 (15 June 2000)	NPS1

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Name of document	Introduced by:
Ninety Mile Beach Restructure Plan Stage R32 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R33 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R34 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R35 & R36 (15 June 2000)	NPS1
Ninety Mile Beach Restructure Plan Stage R37 Sheet 1 of 2 and Sheet 2 of 2 (15 June 2000)	NPS1
Princes Highway Duplication, Traralgon to Kilmany, Incorporated Document (November 2012)	C76
Sale Golf Club Re Development Concept Masterplan (March 2006)	C89
Sale Golf Club Re-Development Landscape Strategy Plan (June 2006)	C89
Wellington Shire Heritage Controls comprising:	
• Alberton Cemetery Heritage Permit Exemptions	C26(Part 1)
• Individual Heritage Places (Rural areas) Permit Exemptions	C26(Part 1)
• Individual Heritage Places (Township areas) Permit Exemptions	C26(Part 1)
• Port Albert Heritage Precinct Permit Exemptions	C26(Part 1)
• Sale & District Agricultural Society Showgrounds Heritage Permit Exemptions	C26(Part 2)
• Sale Residential Heritage Precincts Permit Exemptions (amended September 2015)	C83
• Sale Rural Heritage Precinct Permit Exemptions	C26(Part 1)
• Sale Town Centre Heritage Precinct Permit Exemptions	C26(Part 1)
~~Wellington Shire Heritage Place Citations 2007 (amended June 2016)~~ Wellington Shire Heritage Place Citations 2007 (amended June 2016)	C100
Wellington Shire Stage 2 Heritage Study, Volume 2: Citations, September 2016 (amended August 2017)	C92(Part 2)

26/07/2019 10:41:00
 6/10/2019 Proposed C102000

SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

SALE WESTERN WURRUK GROWTH AREA—WURRUK

1.0 Objectives

26/07/2019 10:41:00
 6/10/2019 Proposed C102000

None specified.

2.0 Requirement before a permit is granted

26/07/2019 10:41:00
 6/10/2019 Proposed C102000

A permit may be granted to construct or carry out minor works to an existing building prior to the approval of a development plan if the responsible authority is satisfied that the granting of a permit does not prejudice the intended outcomes of the development plan.

A permit for subdivision must be considered against the staging plan identified in the approved development plan.

3.0 Conditions and requirements for permits

26/07/2019 10:41:00
 6/10/2019 Proposed C102000

The following conditions and/or requirements apply to permits:

- A permit application for subdivision must include:
 - A subdivision plan.
 - A Stormwater Management Plan.
- Any permit for subdivision and development must include conditions reflecting guidelines, requirements and conditions as stated in the approved development plan.
- Any permit regarding land containing a native tree where retention is required or deemed achievable, must contain a condition giving effect to tree protection (including canopy and root system) during subdivision construction. The existing agreement under Section 173 of the *Planning and Environment Act 1987* for specific trees within the development plan area will lapse once the tree protection strategy is fully implemented.
- Any permit regarding land where at least 25 per cent of the perennial understorey is made up of native grasses must contain a condition requiring an approved Offset Management Strategy prior to Statement of Compliance.
- Any permit regarding land where onsite waste water management systems are used must show the building and effluent disposal envelopes on the subdivision plan.
- Any permit regarding land containing a designated waterway must contain a condition requiring a Water Management Plan.
- Any permit regarding land containing or abutting a place of cultural heritage significance (including Kilmany Park Estate) must contain a condition which gives effect to any recommendations for the protection, enhancement and interpretation of the place as referred to in the approved development plan.
- Any permit regarding land containing the two existing oak trees at the existing Settlement Road entrance to the Kilmany Park Estate must include an agreement under Section 173 of the *Planning and Environment Act 1987* between the landowner and the responsible authority to protect the oak trees for the duration of their practical lifespan.
- Any permit for subdivision must include an agreement under Section 173 of the *Planning and Environment Act 1987* between the landowners and the responsible authority to acknowledge the arrangements (e.g. payments or works-in-lieu) of infrastructure contributions identified in

the development plan. If such an agreement already exists providing for the required infrastructure contributions, the landowner(s) are not required to enter into a new agreement. The agreement will lapse once all specified requirements of the agreement have been satisfied.

4.0 Requirements for development plan

4.0.1 Development Plan A development plan must include the following requirements:

There must be a single development plan for the whole development plan area to which this schedule applies.

Concept plan and design principles

The development plan must be generally in accordance with the concept plan shown in Map 1 below and address the following design principles:

- A distinctive neighbourhood with a strong sense of place through:
 - Utilising the natural topography of the area to create rural views and vistas from key public areas and roads to its surroundings.
 - Enhancing and protecting heritage features such as Kilmany Park Estate, significant Aboriginal sites and other objects of cultural or historical significance.
 - Retaining significant native vegetation, particularly scattered trees.
- A connected and integrated movement network by providing:
 - A permeable, sealed and safe road network based on a practical road hierarchy, directly connected with abutting residential areas. Cul-de-sacs are to be used sparingly.
 - Continuous and direct routes for pedestrians and cyclists between proposed and established residential areas and the neighbourhood activity centre, public open space, Wurruk Primary School, Sale CBD, public transport and other key public areas.
 - Opportunities for the provision of public transport services within the area in particular to service the Neighbourhood Activity Centre.
- A centrally located and accessible community area for use of the whole Wurruk community, capable of containing:
 - A district open space not less than five hectares with at least a regional playground; Open Age Premier/regional cricket oval; cricket training facilities; fit for purpose building including change rooms; shelter with barbeque and public toilets.
 - A neighbourhood activity centre with total building footprint of not less than 1,500 square metres for commercial and community uses such as child care centre, convenience store and take-away.
 - Opportunities to facilitate formal and informal community gathering and social interaction.
- An attractive and safe neighbourhood through:
 - Distinctive neighbourhood entrances from the Princes Highway and Settlement Road.
 - A prominent highway frontage that provides an attractive entrance into Sale.
 - Appropriate interfaces with Kilmany Park Estate, existing low density residential areas and the neighbourhood activity centre.
 - Lots fronting to major roads, shared paths, waterways, flood plains, public open space and reserves.
 - Natural surveillance to create a sense of safety and security.

Specialist reports required to inform development plan

The development plan must be accompanied by and incorporate recommendations of the following specialist reports, and others as requested by the responsible authority:

- A Transport Impact Assessment Report (TIAR) which as a minimum must address traffic and access issues arising from the proposed development, predicted traffic generation and the impact of the development on the existing arterial road network in all relevant peak periods, in particular its impact on the following intersections with Princes Highway; Reid Drive, Hunt Place, The Ridge and Settlement Road.
- A Pedestrian and Cyclist Movement Traffic Study including the proposed linkages with the established residential areas and the path network north of the Princes Highway.
- An updated South Warrak Stormwater Plan 2016 including the impact of increased stormwater volume on downstream farming land and pumping costs, and a review of the proposed stormwater quality infrastructure to ensure the impacts of increased volume are addressed.
- A Native Vegetation Assessment including a Biodiversity Assessment Report.
- A Cultural Heritage Management Plan, if required.

The specialist reports must address the design principles and concept plan included in this schedule and any relevant background studies previously undertaken.

Development plan

The development plan must incorporate the road reserve west of Lot 6 PS702630.

The development plan must be informed and accompanied by a detailed design response based on an analysis of the natural, cultural and strategic context of the site and reflecting the recommendations of all specialist reports.

The development plan must contain:

- A description of the proposed neighbourhood vision and character enhancing the existing heritage, cultural and natural features.
- A site responsive and functional subdivision lay-out including the identification of:
 - Lots in a variety of sizes and densities.
 - All public open space and land to be used for drainage or conservation purposes.
 - The neighbourhood activity centre.
 - The road network, integrated with surrounding residential areas including:
 - (shared) path network for pedestrians and cyclists including arterial road crossings;
 - bus capable roads within the precinct; and
 - the direct accesses from the arterial network via existing intersections and a fourth leg of the Hunt Place roundabout. No other direct access points from the arterial road network are permitted
 - View corridors and heritage features.
- A landscape strategy with a consistent theme based on the proposed vision and character for the whole development including guidelines to support water sensitive urban design, details of street furniture; entrance statements from the Princes Highway and Settlement Road, and the native vegetation to be retained in public open space.
- A draft concept plan for the neighbourhood activity centre and district open space, including location of a sports oval, play space, general footprint of building(s), vehicle access points, location of parking; areas for delivery and waste disposal, integration with the pedestrian and bicycle path network, provision of bus services and interfaces with abutting development.

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- Urban design guidelines for the whole development providing for high quality built form, heritage recognition, active frontages, sense of place and security, and all ability access.
- Urban design guidelines and concept plans for interfaces with the Princes Highway, established residential areas, the existing industrial area north of the Princes Highway, Kilmany Park Estate, Settlement Road and the flood plain at the southern boundary.

Development plan implementation

The development plan must be accompanied by:

- A Land Budget, including lot yield targets for each stage.
- A Staging Plan identifying the required interim and ultimate infrastructure requirements based on an indicative Servicing Plan showing all required utilities, services and infrastructure.
- A Developer Contributions Plan addressing anticipated timing and details of all required infrastructure associated with the development, including interim and ultimate infrastructure requirements.

Assessment of the development plan or amendment to the development plan

In assessing the development plan or an amendment to the development plan, the responsible authority must be satisfied that it:

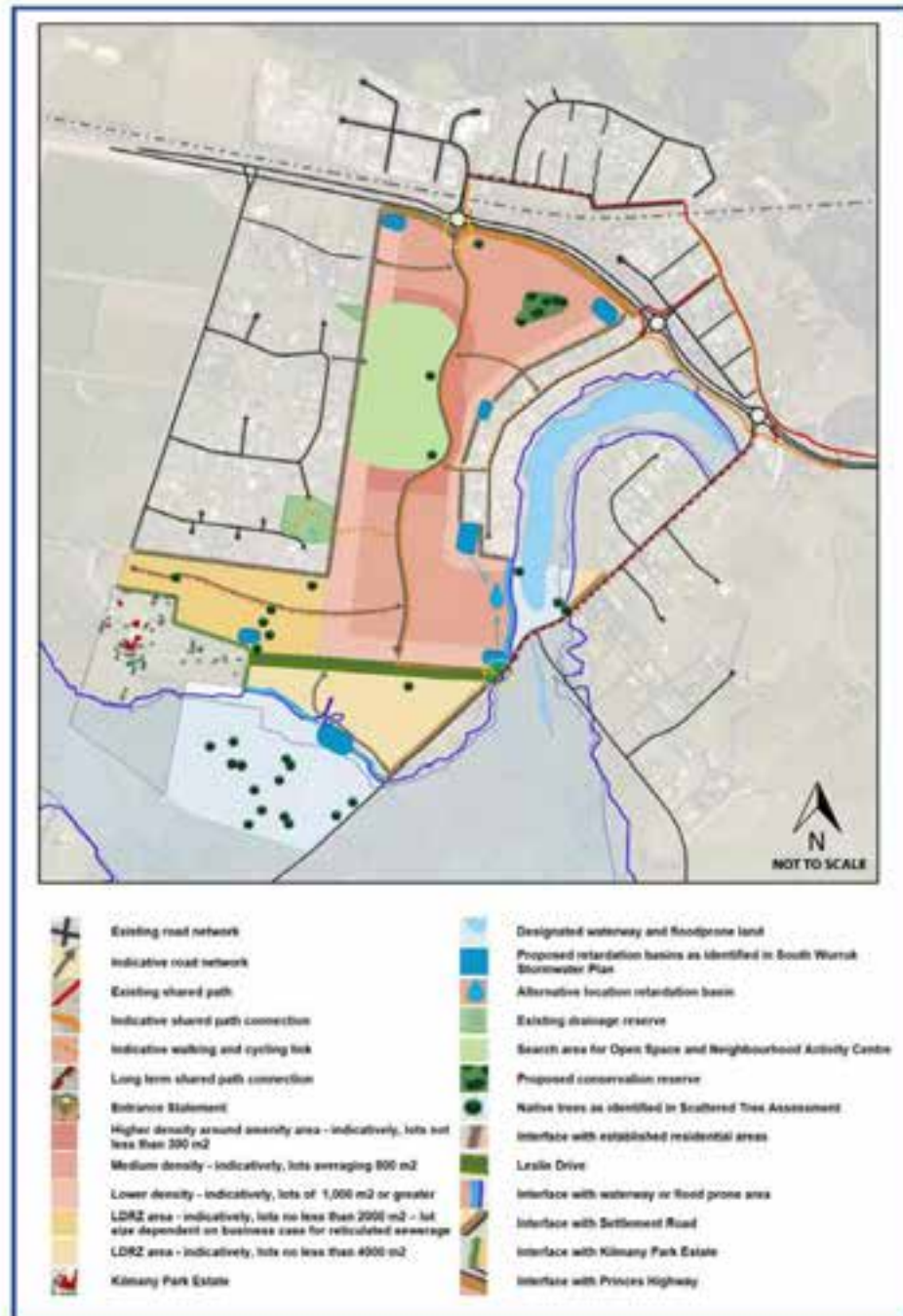
- Achieves the design principles specified in this Clause.
- Is consistent with the background document Sale, Wurruk and Longford Structure Plan (2010), Scattered Tree Assessment (June 2014), Land Capability Assessment (March 2016) and any other specialist reports.
- Provides all essential services, community facilities, pedestrian and cycling links and roads.
- Is prepared to the satisfaction of the responsible and external authorities including EPA, CFA, VicRoads, Public Transport Victoria, Department of Economic Development, Jobs, Transport and Resources – Transport Group, West Gippsland Catchment Management Authority, Gippsland Water, Aboriginal Affairs Victoria, Department of Environment Land Water and Planning and relevant service authorities.
- Is developed with the appropriate level of community participation as determined by the responsible authority.
- Implements development requirements as set out in the:
 - Background document Infrastructure Design Manual (IDM);
 - Background document Guidelines for Transport Impact Assessment Reports for Major Use and Development Proposals;
 - Background document Austroads Guidelines: Guide to Traffic Management Part 12: Traffic Impacts of Development, 'Safe System' philosophy and 'Smart Roads' plans;
 - VicRoads Tree Planting Policy; and
 - other requirements as determined by relevant authorities.
- Supports design and development principles as set out in:
 - Supportive Environments for Physical Activity (SEPA) principles of healthy urban design—refer to the background document *Healthy by Design: A planners' guide to environments for active living* (National Heart Foundation of Australia, 2004)

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- Water Sensitive Urban Design (WSUD), including recycling infrastructure and use of treated water;
- Crime Prevention Through Environmental Design (CPTED)
- Is in accordance with any relevant agreement prepared under Section 173 of the *Planning and Environment Act 1987*.

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Map 1: to the Schedule to Clause 43.04



26/07/2019 - 2nd Review
 04/08/2019 - Proposed C100

SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

FIREBRACE ROAD TRANSITION ZONE

Purpose

To implement the Municipal Planning Strategy and Planning Policy Framework.

To implement the long term transition of this area from Industrial 1 Zone to predominantly residential, while not compromising all industrial operations operating from 63 – 97 Firebrace Road (see map 1) in the short to medium term.

To provide for light industries and other appropriate uses, which do not affect the safety and amenity of adjacent, sensitive land uses.

To allow dwellings and caretakers houses to establish within this zone on land outside the threshold distance of all industrial operations operating from 63 – 97 Firebrace Road (see map 1).

1.0

Table of uses (++)

26/07/2019 - 2nd Review
 04/08/2019 - Proposed C100

Section 1 - Permit not required

Use	Condition
Boat and caravan storage	
Convenience shop	
~~Animal keeping (other than Domestic animal husbandry (other than Domestic animal boarding))~~	Must be no more than 2 animals
~~Boat and caravan storage~~	
~~Convenience shop~~	
Home based business	
Informal outdoor recreation	
Minor utility installation	
Racing dog husbandry	Must be no more than 2 animals
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation (other than Bed and breakfast and Dependent person's unit)	Must be outside the threshold distance (pursuant to Clause 53.10 from all industrial operations operating from 63 – 97 Firebrace Road (see map 1))
~~Animal Keeping (other than Animal Boarding) - if the Section 1 condition is not met~~	~~Must be no more than 5 animals~~
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence Must be outside the threshold distance (pursuant to Clause 53.10 from all industrial operations operating from 63 – 97 Firebrace Road (see map 1))
Dependent person's unit	Must be the only dependent person's unit on the lot

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Use	Condition
	Must be outside the threshold distance (pursuant to Clause 53.10 from all industrial operations operating from 63 – 97 Firebrace Road (see map 1)
Domestic animal husbandry (other than Domestic animal boarding) - if the Section 1 condition is not met	Must be no more than 5 animals
Education centre	Must not be a primary or secondary school
Industry (other than Materials recycling and Transfer station)	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Office	The leasable floor area must not exceed 200 square metres
Place of Assembly (other than Amusement Parlour, Carnival, Circus and Nightclub)	
~~Utility installation (other than Minor utility installation and Telecommunications facility)~~	
Racing dog husbandry	Must be no more than 5 animals
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than fuel depot and milk depot)	The leasable floor area must not exceed 200 square metres
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Animal ~~boarding~~ training
~~Animal training~~
Amusement parlour
Brothel
Nightclub
Cinema based entertainment facility
Domestic animal boarding
Fuel depot
Hospital
Intensive animal ~~husbandry~~ production
Materials recycling and Transfer Station
Major sports and recreation facility
Milk depot
Motor racing track
Shop (other than Convenience shop)
Service station
Use in Section 2 when a condition is not met

2.0**Use of land**

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 5/10/2019 Proposed C102.docx

**Amenity of the neighbourhood**

A non-residential use must not adversely affect the amenity of the surrounding sensitive land uses, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

A residential use must not adversely affect the operations of the surrounding non-residential land uses and must consider:

- The siting and orientation of the activity relative to any non-residential activity.
- The design and materials of the building to assist in mitigating the effect of emissions from non-residential activities.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

An application to use land for any use listed in Section 2 must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the *Occupational Health and Safety (Major Hazard Facilities) Regulations 2000* is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the *Dangerous Goods (Storage and Handling) Regulations 2000* is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

3.0**Subdivision**

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The minimum lot size is 2000 square metres.

Each lot must be connected to reticulated supply of water, electricity, reticulated sewerage and a drainage system.

Each lot must have access to a road constructed to the requirements of the responsible authority.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

An application for subdivision must demonstrate that the lot size and configuration has had regard to the land use requirements and the purpose of the zone.

An application must include a drainage plan to the satisfaction of the Responsible Authority and relevant Catchment Management Authority.

4.0**Buildings and works (++)**

Subsisting **Proposed** **Clause**

A permit is required to construct a building or construct or carry out works.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Site Analysis, which must show the boundaries and dimensions of the site, relevant ground levels, the location and cross section of adjoining roads, the location of any existing vegetation, drainage lines, water features, retarding basins and flood ways, sites of biological, heritage or archaeological significance, sites that are potentially contaminated and any other relevant features;
- A plan, drawn to scale, showing:
 - Is responsive to the features identified in the Site Analysis.
 - Has regard to the purpose of the zone and adjoining uses.
 - Contains details of required buffer treatment where mitigation measures are necessary to protect the amenity and surrounding properties and the safety of the public.
 - The location, height and purpose of existing and proposed buildings and works
 - Driveway, access, parking areas and any loading areas, including a Parking and Access management plan.
 - Elevations of all buildings indicating materials, finishes and colours;
 - Details of existing and proposed landscaping, along with a Vegetation Management Plan to explain how the existing and proposed landscaping will be maintained;
 - External storage
 - The drainage discharge plan
- A Sustainability Management Plan which outlines sustainable building and design techniques proposed. The plan must provide for but is not limited to energy use and efficiency, waste management, water conservation and reuse.
- Other details as required by the responsible authority.

5.0**Signs (++)**

Subsisting **Proposed** **Clause**

None specified.

6.0**Decision guidelines**

Before deciding on an application to use or subdivide land or to construct a building or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must be satisfied that the plan has regard to the following information:

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- Structure plans, policy, strategy or guidelines adopted by the Responsible Authority that relate to the subject land.
- SEPA principles of healthy urban design – refer to the background document *Healthy by Design: A planners' guide to environments for active living* (National Heart Foundation of Australia, 2004).
- The applicable State Protection Policy or relevant guidelines of the Environment Protection Authority.
- The purpose of the zone.
- The longer term vision for Firebrace Road (as set out in 21.04 - Settlement) and whether the development supports the transition of this area, while protecting both all industrial operations operating from 63 – 97 Firebrace Road (see map 1) and the amenity of sensitive activities in the short to medium term.
- The nature of the proposed use and its proximity to existing industrial activities and the effect these industries may have on the proposed use.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The provision of building setbacks and landscaping.
- The ability of the activity to be appropriately serviced.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The interface and connectivity with adjoining existing and future areas.
- The storage of rubbish and materials for recycling.

Map 1 to Schedule 4 to Clause 37.01



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SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ1.

SALE GOLF CLUB REDEVELOPMENT COMPREHENSIVE DEVELOPMENT PLAN

The *Sale Golf Club Redevelopment Comprehensive Development Plan 2006* comprises the *Sale Golf Club Re-Development Concept Masterplan* (Thomson Perrett, Revised 23 March 2006) and the *Sale Golf Club Re-Development Landscape Strategy Plan* (Thomson Perrett, Revised 15 June 2006).

Land

The existing Sale Golf Club, Longford-Rosedale Road, Longford, comprising Certificates of Title Vol. 8557 Fol. 616, Vol. 8617 Fol. 424, Vol. 8537 Fol. 607, Vol. 9522 Fol. 870 and Vol. 7880 Fol. 119, and land to the west of the existing golf course comprising part of Certificates of Title Vol. 9021 Fol. 067 and Vol. 9485 Fol. 976.

Purpose

To establish an integrated, fully serviced, recreational, tourism and residential use and development focused on a high quality golf course generally in accordance with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.

To provide for golf facilities and associated tourism, accommodation and resort development.

To ensure development is compatible with the landscape character of the area.

To ensure use and development has regard to natural values of the land and nearby land or natural processes.

To ensure that use and development has regard to the cultural heritage values of the land.

To ensure use and development has regard to the amenity of adjacent properties and the surrounding area.

To ensure that the land is developed in an orderly manner.

1.0

Table of uses

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Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal-keeping, Animal training, Apiculture, Aquaculture, Crop raising and intensive animal, Domestic animal husbandry, Intensive animal production and Racing dog husbandry)	
Apiculture	Must meet the requirements of the <i>Apiary Code of Practice</i> , May 1997
Car park	Must be generally in accordance with the <i>Sale Golf Club Redevelopment Comprehensive Development Plan 2006</i>
Carnival	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997
Circus	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997
Convenience shop	Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment
Dependent person's unit	Must be the only dependent person's unit on the lot

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Use	Condition
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot Must be generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006
Food and drink premises (other than Hotel and Tavern)	Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment
Group accommodation	Must be generally located on the site nominated as "Resort" on the Sale Golf Club Redevelopment Comprehensive Development Plan 2006
Home based business	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.06-2
Minor utility installation	
Motel	Must be generally located on the site nominated as "Resort" on the Sale Golf Club Redevelopment Comprehensive Development Plan 2006
Natural systems	
Office	Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment
Outdoor recreation facility (other than Paintball games facility, Amusement park and Zoo)	Must be generally in accordance with the Sale Golf Club Redevelopment Comprehensive Development Plan 2006
Place of assembly (other than Amusement parlour, Carnival, Cinema, Circus, Drive-in theatre, Nightclub, Place of worship and Restricted place of assembly)	Must be associated with leisure and recreation or accommodation facilities of the Sale Golf Club Redevelopment
Road	
Search for stone	Must not be costeaning or bulk sampling
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution, Dwelling, Group accommodation and Motel)	
Bed and breakfast	
Child care centre	
Display home	
Hotel	
Medical centre	

WELLINGTON PLANNING SCHEME

Use	Condition
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Restricted place of assembly	
Rural industry (other than Abattoir and Sawmill)	
Service industry (other than Panel beating)	
Store	
Tavern	
Utility installation (other than minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	
Any use in Section 1 if the condition is not met	

Section 3 - Prohibited

Use	
Abattoir	
Amusement parlour	
Animal-keeping	
Brothel	
Corrective institution	
Domestic animal husbandry	
Extractive industry	
Industry (other than Rural industry and Service industry)	
Intensive animal husbandry production	
Motor racing track	
Paintball games facility	
Panel beating	
Racing dog husbandry	
Retail premises (other than Convenience shop and Food and drink premises)	
Saleyard	
Sawmill	
Transport terminal	
Warehouse (other than Store)	

2.0

Use of land

Use of land must be generally in accordance with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Application requirements

- An application to use land must be accompanied by the following information, as appropriate:
 - The purpose of the use and the types of activities which will be carried out.

WELLINGTON PLANNING SCHEME

- The likely effects, if any, on adjoining land including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- Maintenance of areas not required for immediate use.
- Details of consistency with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.

Exemption from notice and appeal

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The contents and intent of the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The protection of cultural heritage values, including the *Sale Golf Club Redevelopment Cultural Heritage Assessment prepared by Tardis Enterprises (Feb. 2006)*.
- The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.
- The *Guidelines for the Protection of Water Quality (NEPRC, 2001)* and the *Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999)*.

3.0

Subdivision

A subdivision must be generally in accordance with the *Sole Golf Club Redevelopment Comprehensive Development Plan 2006*.

Not more than 300 residential lots shall be created.

Subdivision may occur in stages.

No public open space requirement will be required under either Section 18 of the *Subdivision Act 1988* or Clause 53.01 of the planning scheme.

The owner of the land to be subdivided may, and must if the responsible authority so requires, enter into an agreement under Section 173 of the Act to provide for:

- design guidelines in relation to the use and development of the land;
- the provision of infrastructure or services required for any use or development of the land; and
- native vegetation management measures to ensure 'net gain' under the background document *Victoria's Native Vegetation Management – A Framework for Action* (Department of Natural Resources and Environment, 2002).

A notation must be placed on any planning permit issued for the creation of residential lots on the land, stating:

This land is identified as subject to aircraft noise associated with the operation of RAAF Base East Sale.

WELLINGTON PLANNING SCHEME

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Application requirements

An application to subdivide land must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - Subdivision layout, including roads, reserves and any areas of common property.
 - Staging of subdivision.
- An Environmental Management Plan for the proposed subdivision or stage addressing potential impacts on the site and on adjoining areas in terms of:
 - Vegetation and habitat.
 - Groundwater and drainage.
 - Soil disturbance, erosion and sedimentation.
 - Public safety.
 - Turf management.
 - Any sites of archaeological significance.
- A detailed Landscape Plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering, maintaining and monitoring the landscape area. The Landscape Plan must be generally in accordance with the *Sale Golf Club Re-Development Landscape Strategy Plan 2006*.
- Details of the provision of utility services, including sewerage, water supply and drainage.
- Details of the provision of at least one playground within the overall subdivision.
- Details of consistency with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.
- The potential extent of flooding on the land, which must be established by ground level survey to AHD. The floor levels of future buildings must be constructed at least 300 millimetres above the applicable 100-year ARI flood level.

Exemption from notice and appeal

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The contents and intent of the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.

- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The protection of cultural heritage values, including the *Sale Golf Club Redevelopment Cultural Heritage Assessment prepared by Tardis Enterprises (Feb. 2006)*.
- The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.
- The *Guidelines for the Protection of Water Quality* (NEPRC, 2001) and the *Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO, 1999).

4.0

Buildings and works

*Subsisting and/or
Proposed C122*

A permit is not required for the construction or extension of one dwelling on a residential lot of at least 300 square metres within the zone provided the dwelling is connected to a reticulated sewerage system and a reticulated potable water supply, and is in accordance with any design guidelines approved by the responsible authority. The development of a dwelling must be in accordance with any housing design guidelines approved by the responsible authority.

The floor levels of future buildings must be constructed at least 300 millimetres above the applicable 100-year ARI flood level.

The collection and discharge of drainage waters shall be to the satisfaction of the responsible authority.

Any works within the bed or banks of Boggy Creek, which is a declared waterway, will require the approval of the West Gippsland Catchment Management Authority under Bylaw No. 1.

Any development for a use, which will produce wastewater or effluent, must be provided with reticulated sewerage to the satisfaction of the responsible authority.

The construction or extension of a dwelling on a lot of less than 300 square metres must meet the requirements of Clause 54. The construction of two or more dwellings on a lot must meet the requirements of Clause 55.

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed uses.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
 - All driveways, vehicle parking and loading areas.
- Scaled elevation drawings to identify the colour and materials of all buildings and works.

- An Environmental Management Plan that addresses the impacts of the buildings and works on the site and on adjoining areas in terms of:
 - Vegetation and habitat.
 - Groundwater and drainage.
 - Soil disturbance, erosion and sedimentation.
 - Public safety.
 - Turf management.
 - Any sites of archaeological significance.
- A detailed Landscape Plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering, maintaining and monitoring the landscape area. The Landscape Plan must be generally in accordance with the *Sale Golf Club Re-Development Landscape Strategy Plan 2006*.
- Details of the provision of utility services, including sewerage, water and drainage.
- Details of consistency with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006* and any design guidelines approved by the responsible authority.

Exemption from notice and appeal

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally in accordance with the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

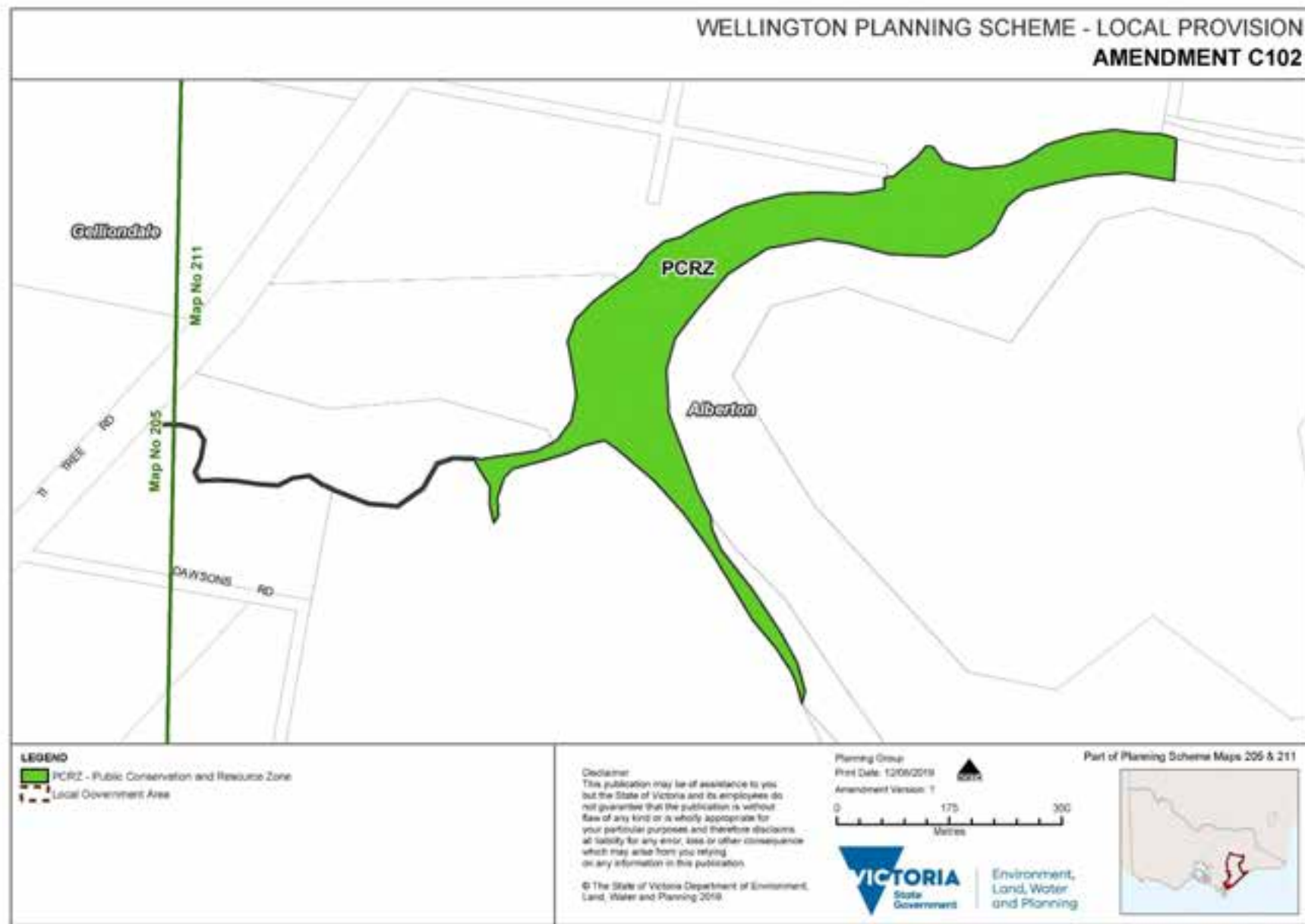
- The contents and intent of the *Sale Golf Club Redevelopment Comprehensive Development Plan 2006*.
- Any design guidelines approved by the responsible authority.
- Any Environmental Management Plan for the land approved by the responsible authority.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage (to buildings requiring wastewater disposal), water, drainage, electricity and telecommunications.
- The protection of cultural heritage values, including the *Sale Golf Club Redevelopment Cultural Heritage Assessment prepared by Tardis Enterprises (Feb. 2006)*.
- The *Guidelines for the Protection of Water Quality* (NEPRC, 2001) and the *Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO, 1999).

5.0

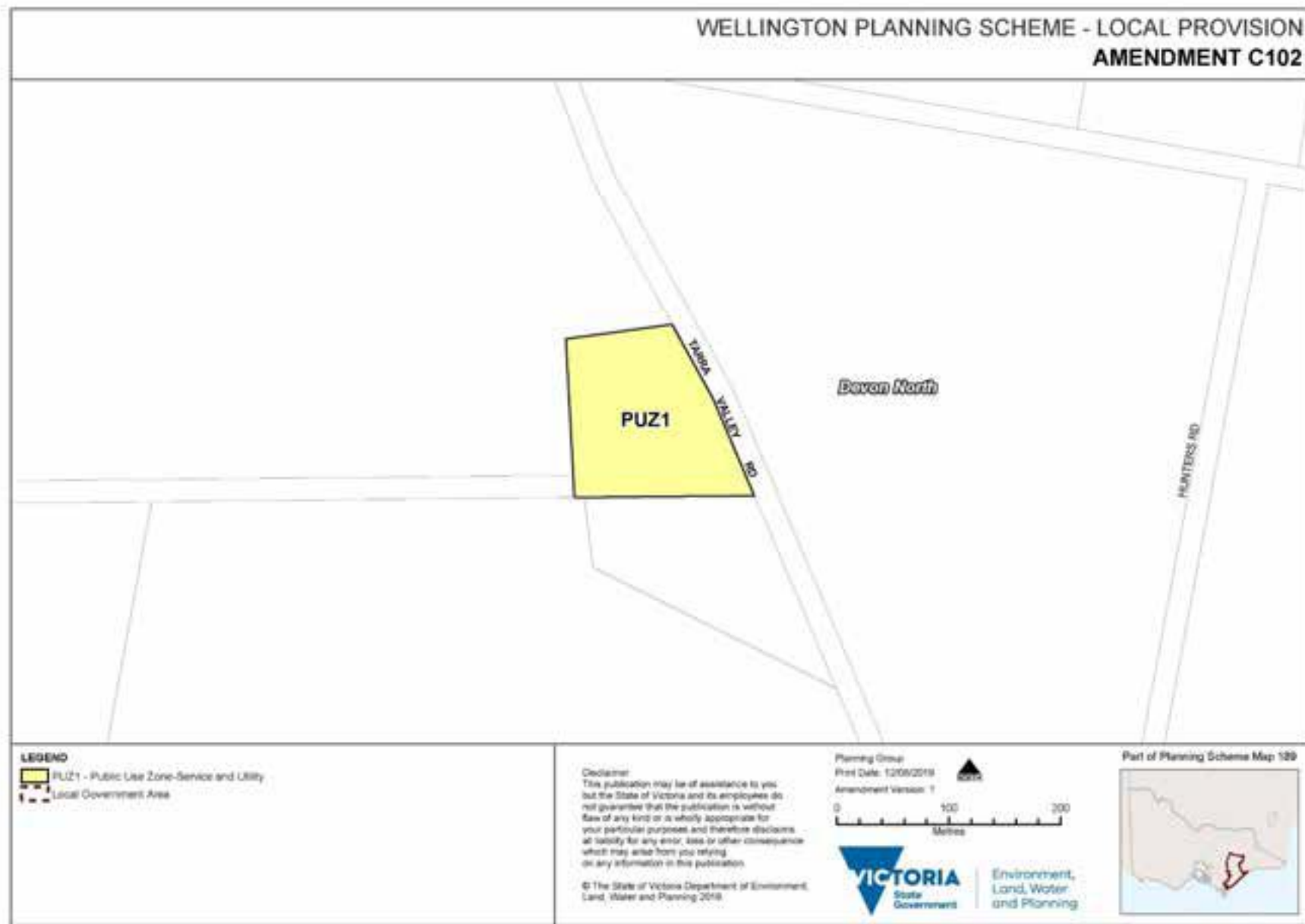
Signs

2014/2015 Annual Plan
4000m² Proposed C100m² None specified.





001



002

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND
 FZ - Farming Zone
 Local Government Area



Part of Planning Scheme Maps 175 & 189

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WELLINGTON PLANNING SCHEME - LOCAL PROVISION **AMENDMENT C102**



LEGEND

-  PUZ1 - Public Use Zone - Service and Utility
-  Local Government Area



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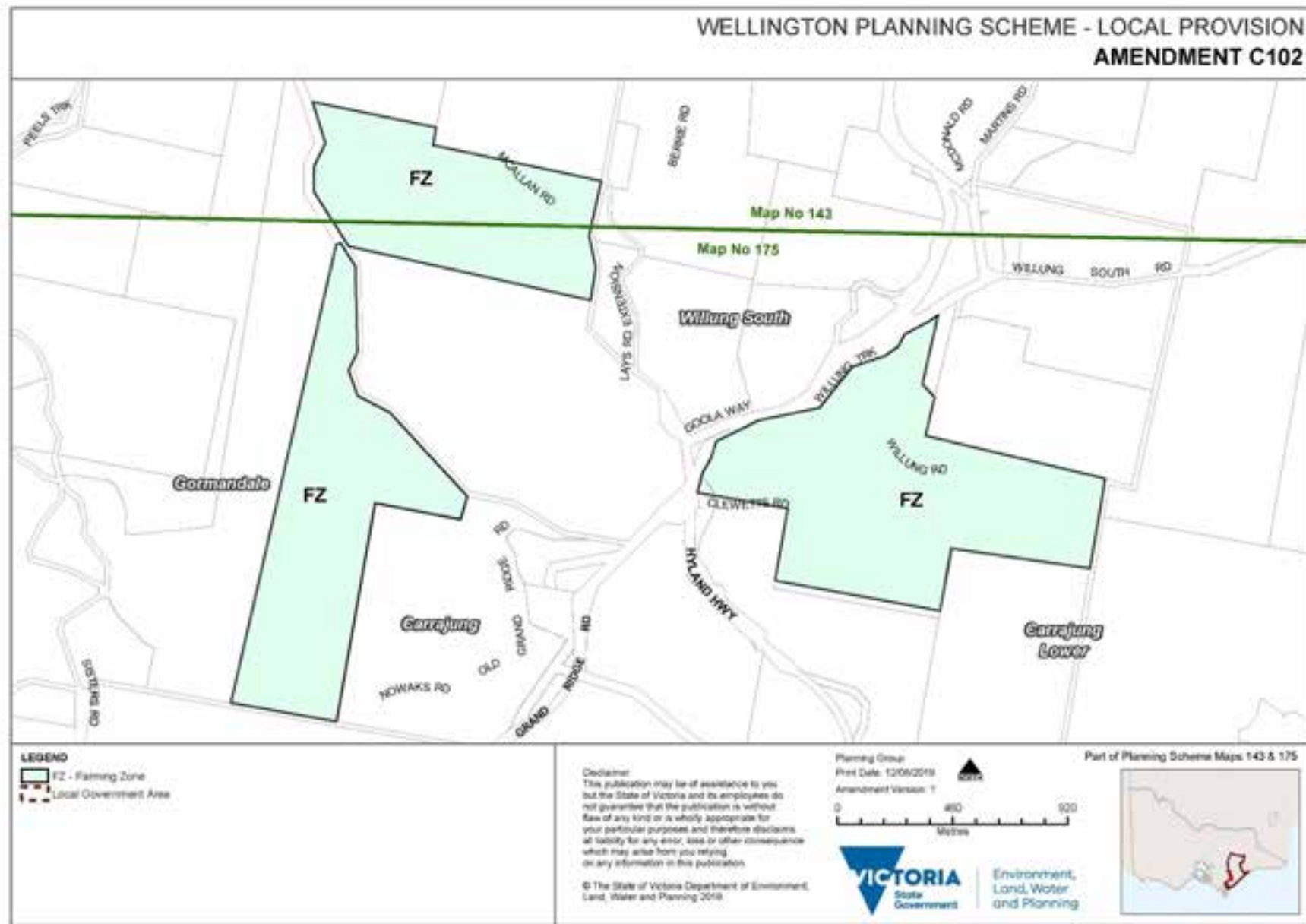
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WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

-  FZ - Farming Zone
-  Local Government Area



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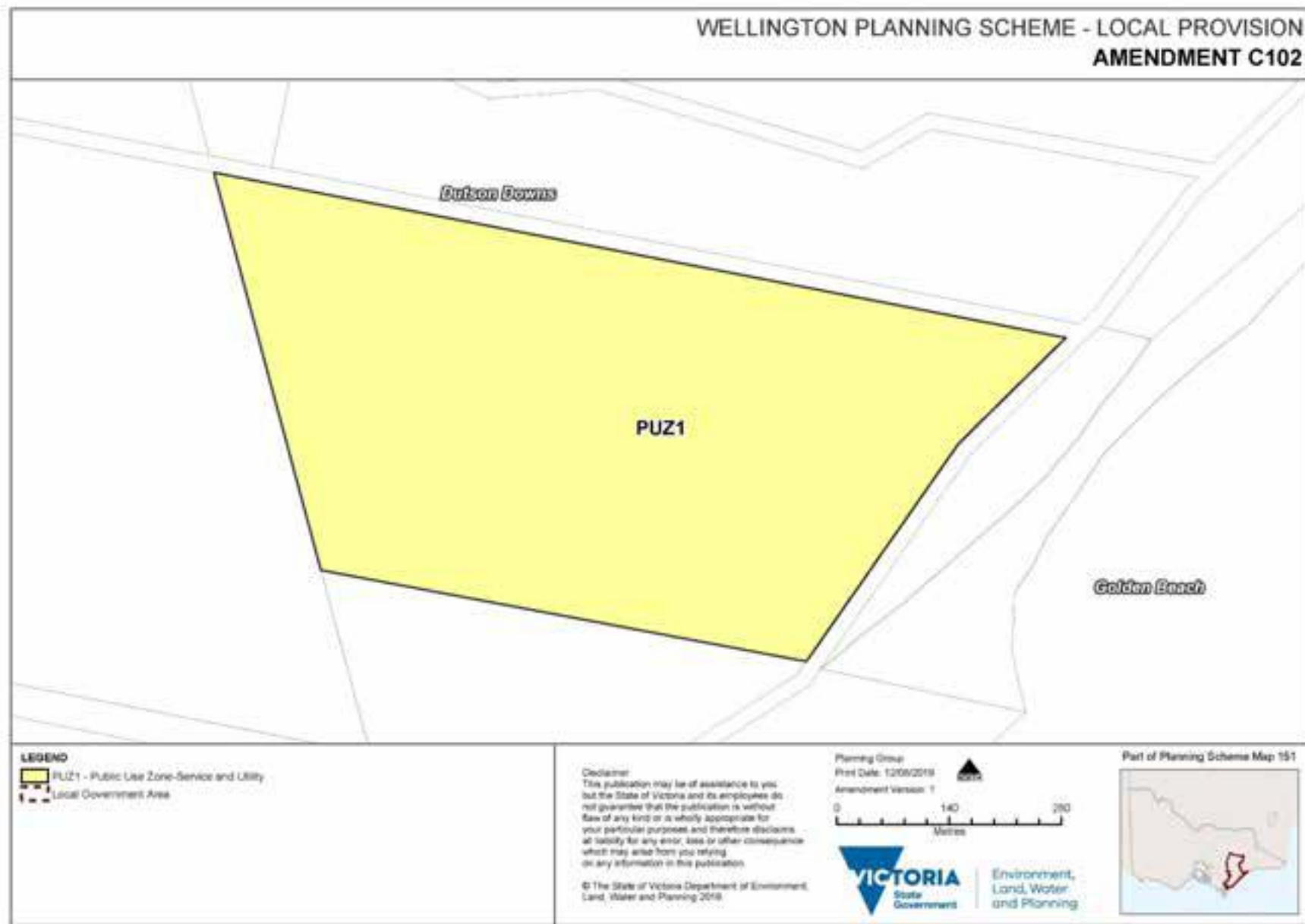
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WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

- PUZ1 - Public Use Zone-Service and Utility
- Local Government Area



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WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

-  PUZ1 - Public Use Zone-Service and Utility
-  Local Government Area



Part of Planning Scheme Map 139

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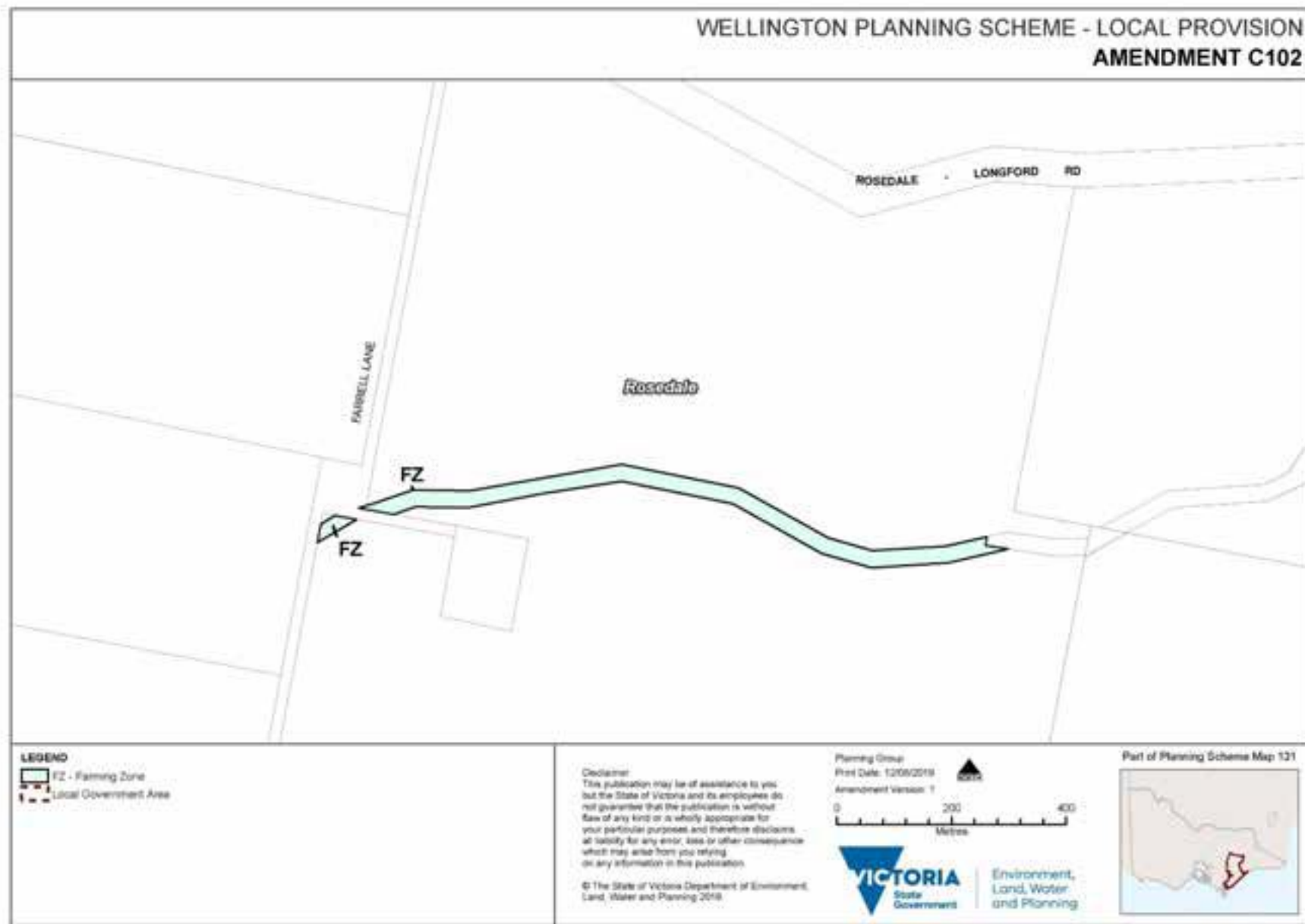


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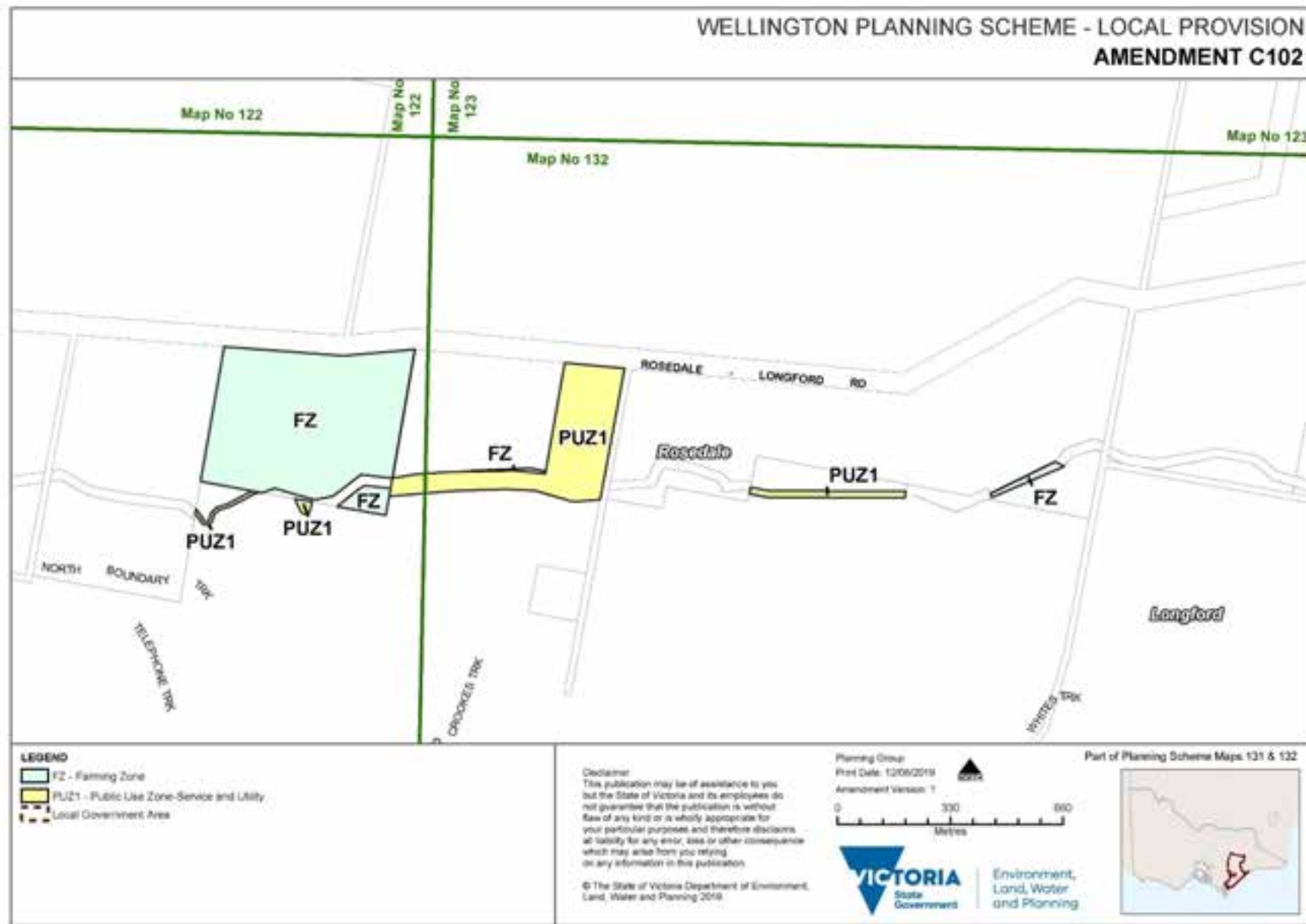


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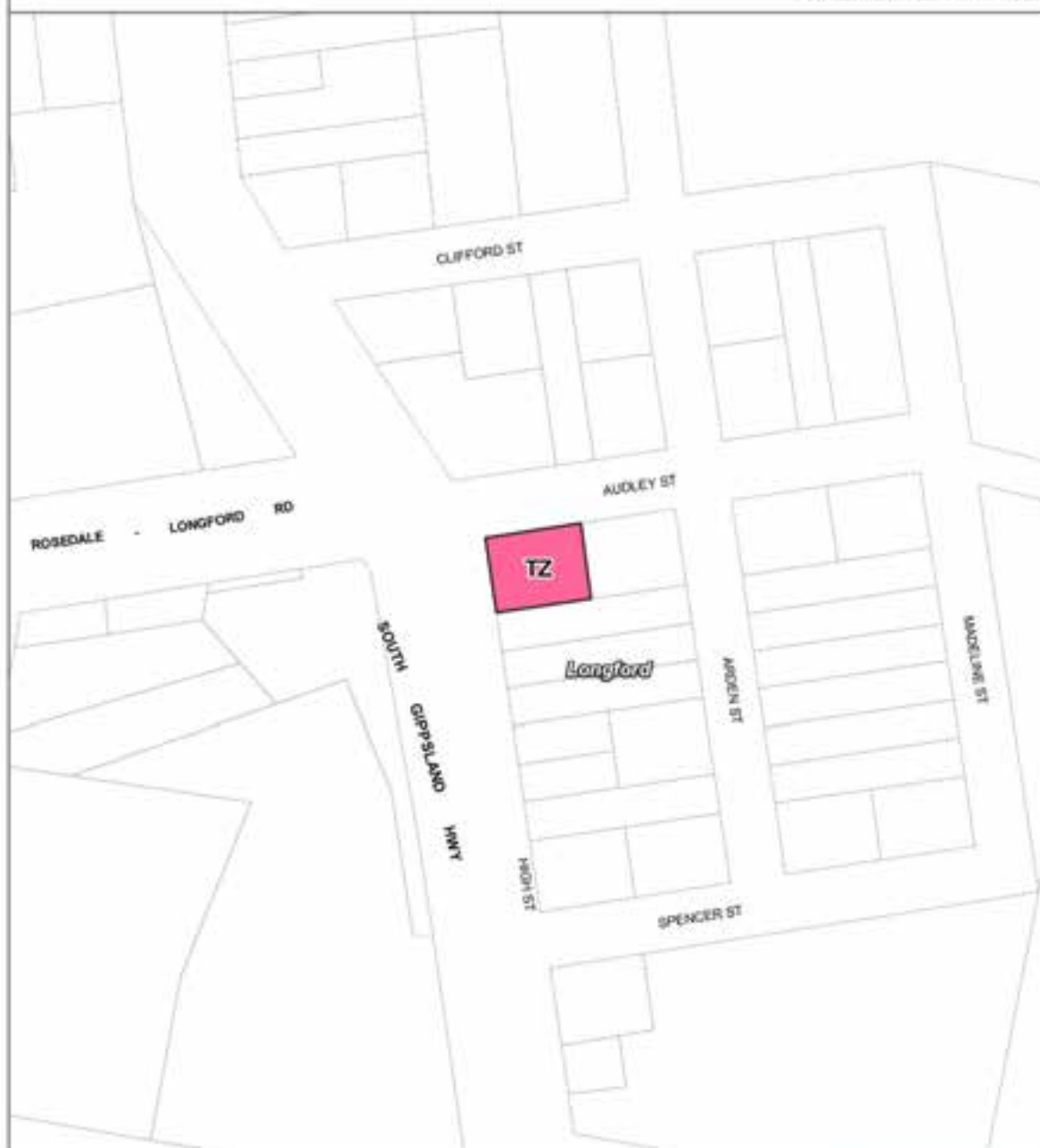
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WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

- TZ - Township Zone
- Local Government Area



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LEGEND
 PUZ1 - Public Use Zone-Service and Utility
 Local Government Area



Part of Planning Scheme Map 119

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LEGEND

- PUZ1 PUZ1 - Public Use Zone - Service and Utility
- Local Government Area Local Government Area



Part of Planning Scheme Map 117

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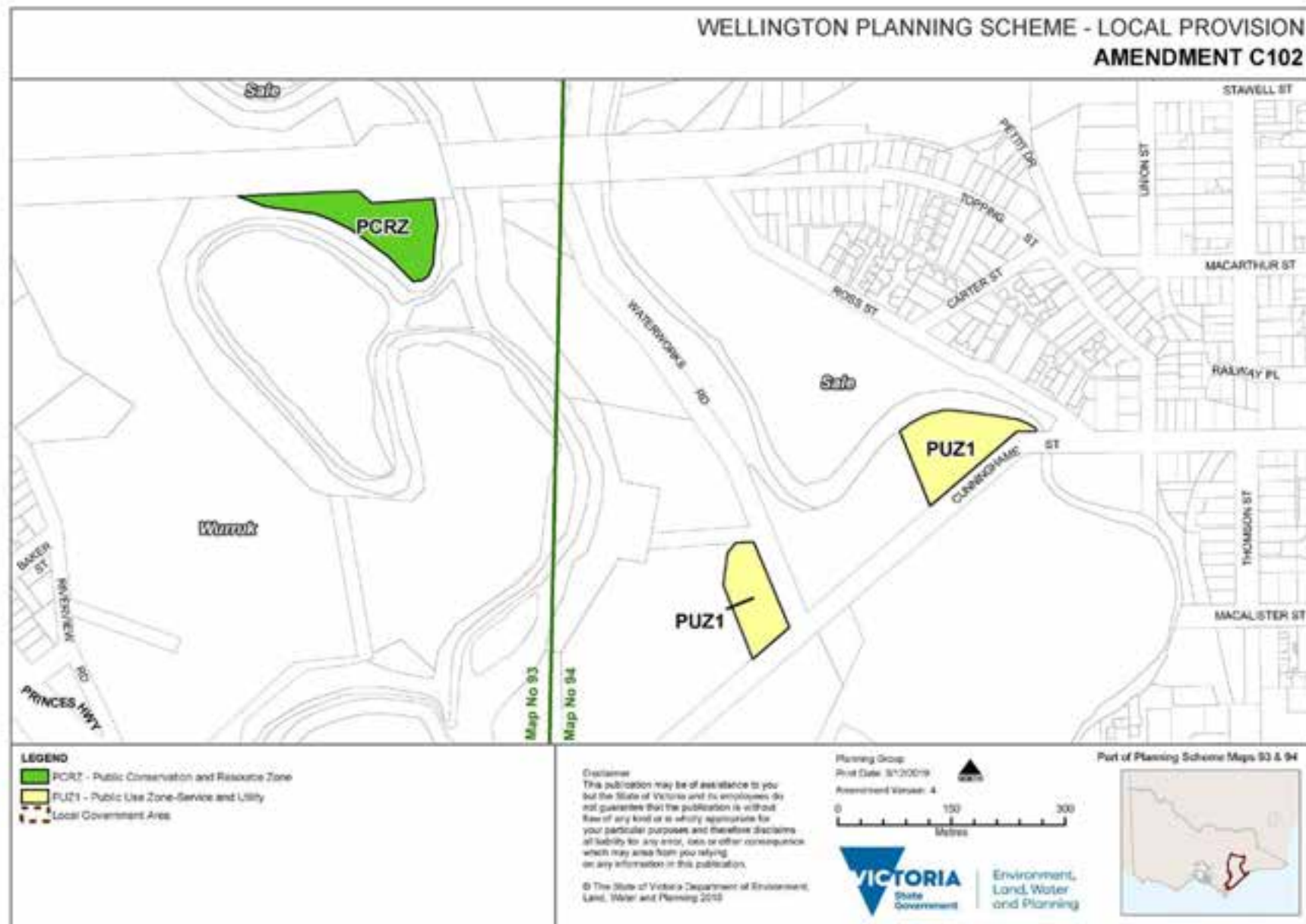


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WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

- PUZ1 - Public Use Zone - Service and Utility
- Local Government Area



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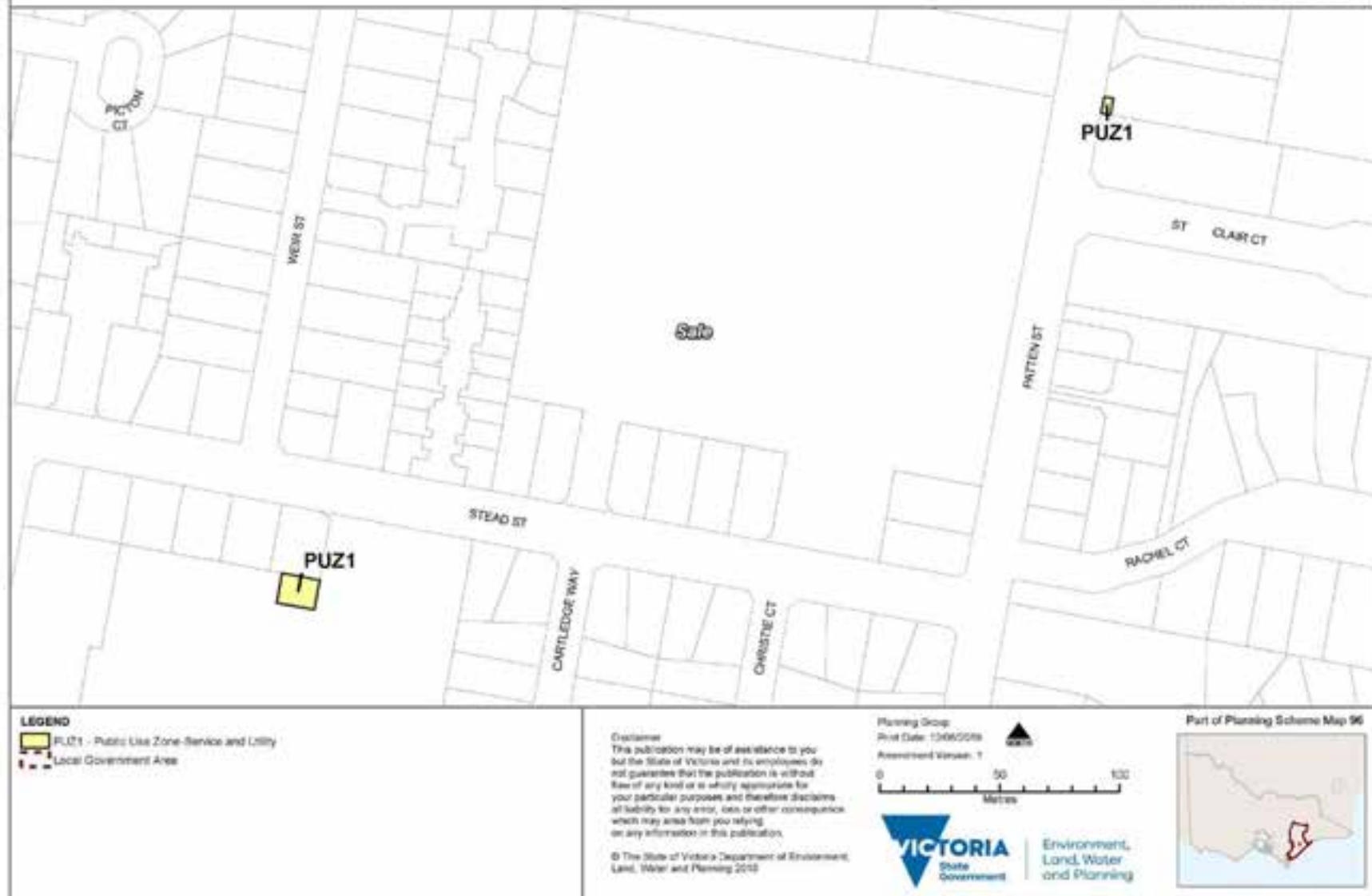
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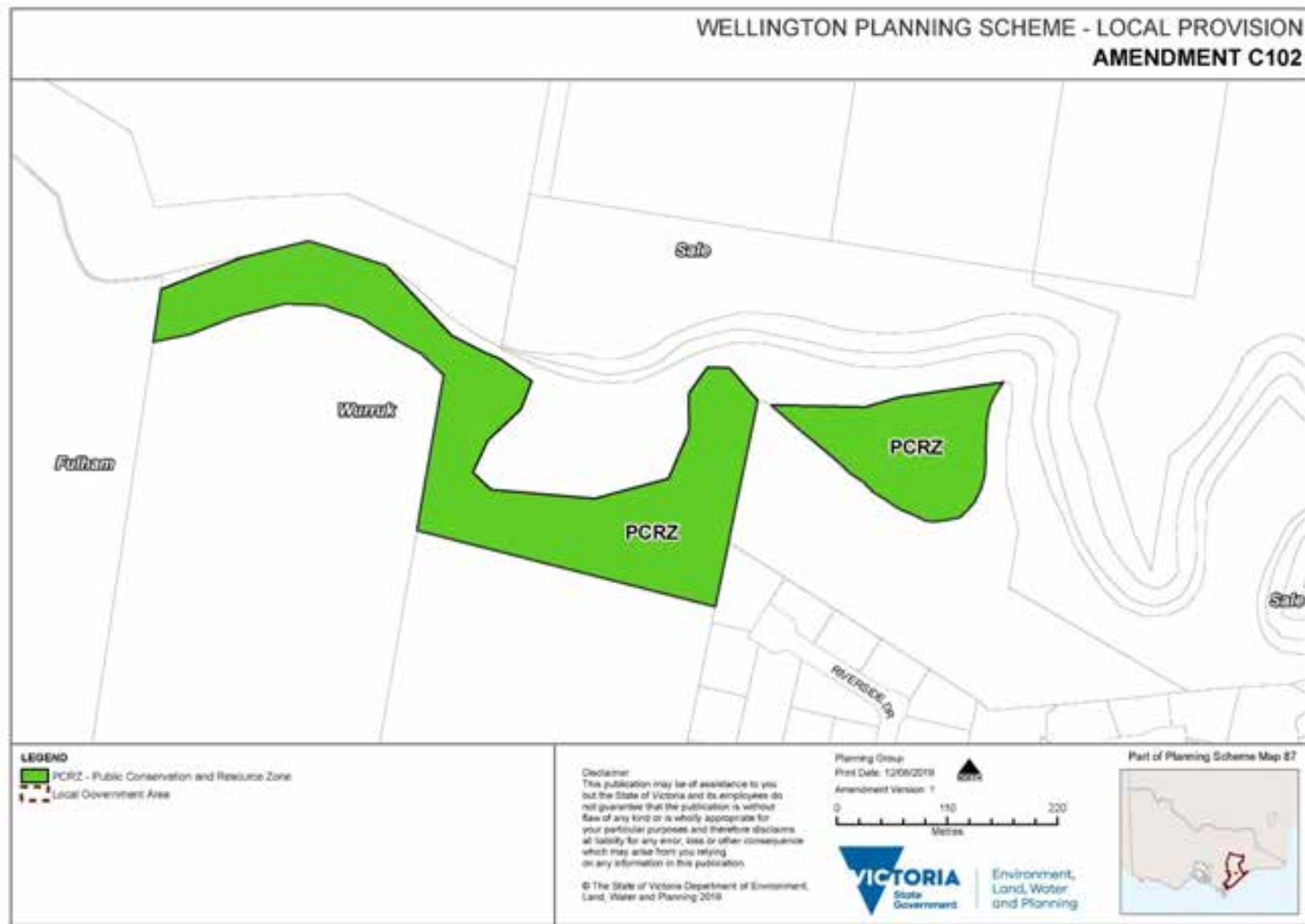
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017

WELLINGTON PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C102



018



WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



620

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



021

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

-  PUZ1 - Public Use Zone Service and Utility
-  Local Government Area

Part of Planning Scheme Map 89



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602

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LEGEND

-  PUZ1 - Public Use Zone-Service and Utility
-  Local Government Area



Part of Planning Scheme Map 90

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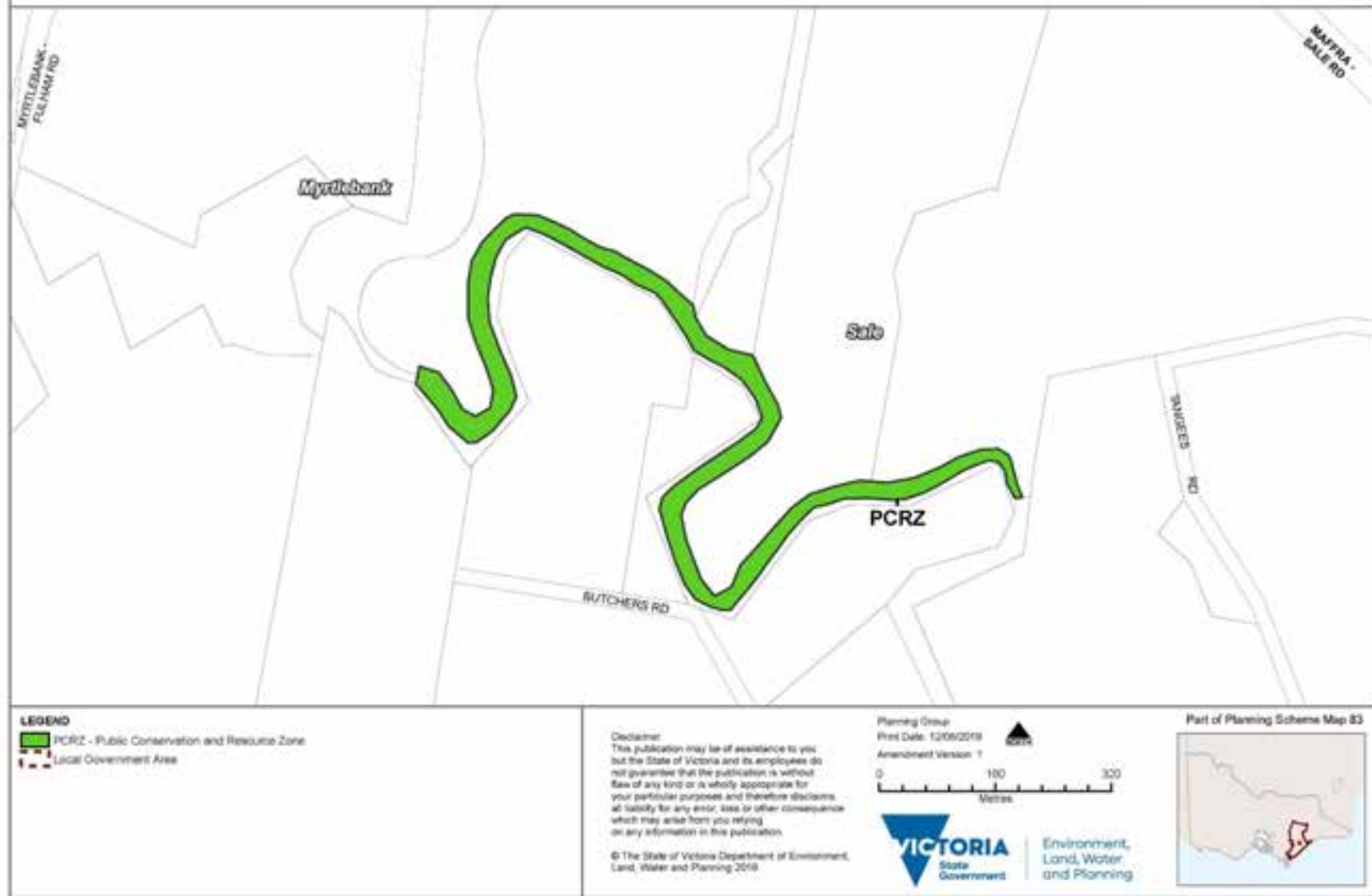
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Environment,
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021

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

-  PUZ1 - Public Use Zone-Service and Utility
-  Local Government Area



Part of Planning Scheme Map 85

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025

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND
 FZ - Farming Zone
 Local Government Area



Part of Planning Scheme Map 102

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028

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

-  PUZ1 - Public Use Zone-Service and Utility
-  Local Government Area

Part of Planning Scheme Map 109



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WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND
 PUZ1 - Public Use Zone Service and Utility
 Local Government Area



Part of Planning Scheme Maps 112 & 113

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LEGEND
 FZ - Farming Zone
 Local Government Area



Part of Planning Scheme Map 72

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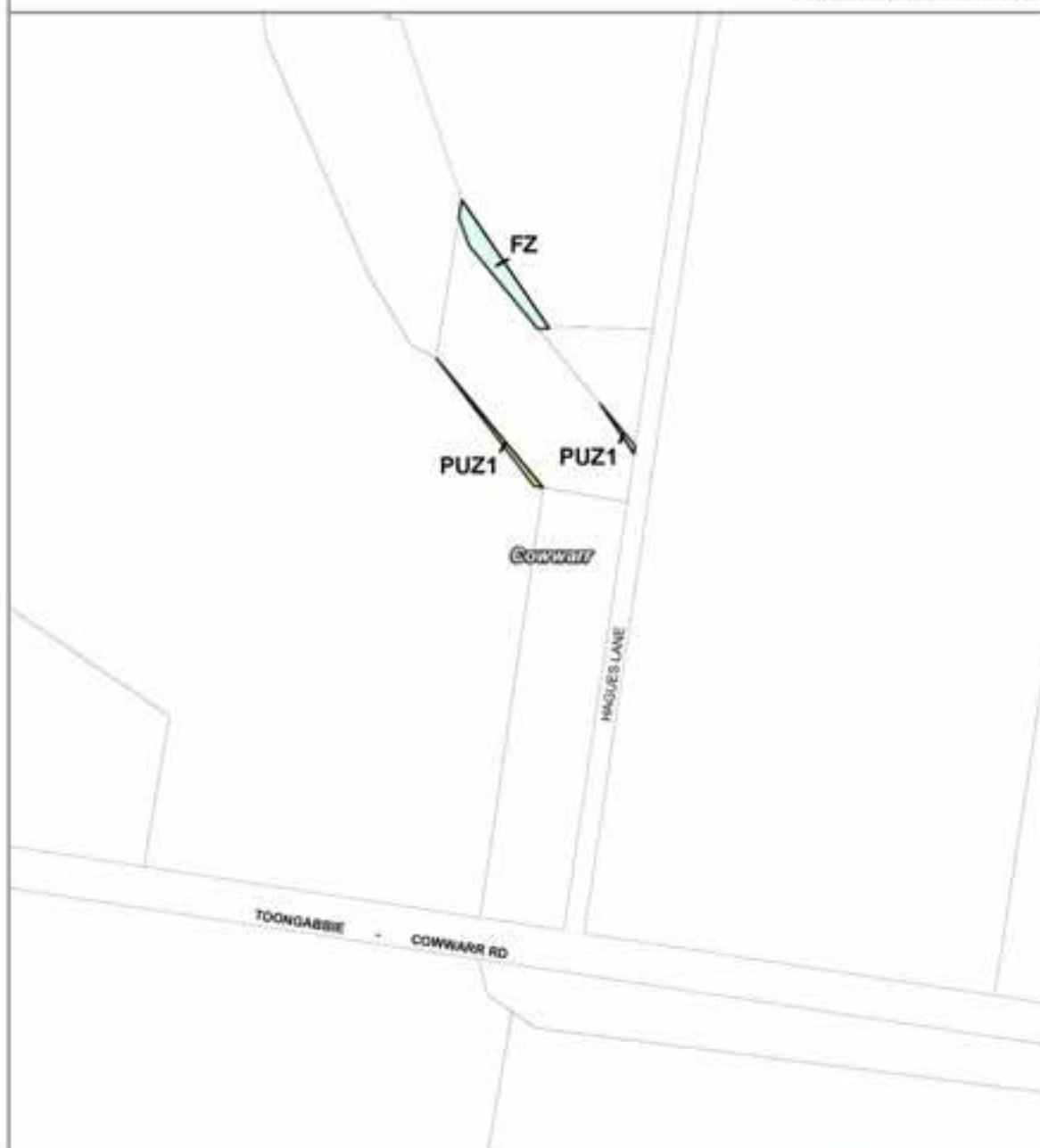
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028

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

- FZ - Farming Zone
- PUZ1 - Public Use Zone - Service and Utility
- Local Government Area

Part of Planning Scheme Map 96



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020

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND
 PPRZ - Public Park and Recreation Zone
 Local Government Area



Part of Planning Scheme Map 70

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LEGEND

-  PUZ1 - Public Use Zone-Service and Utility
-  Local Government Area

Part of Planning Scheme Map 55



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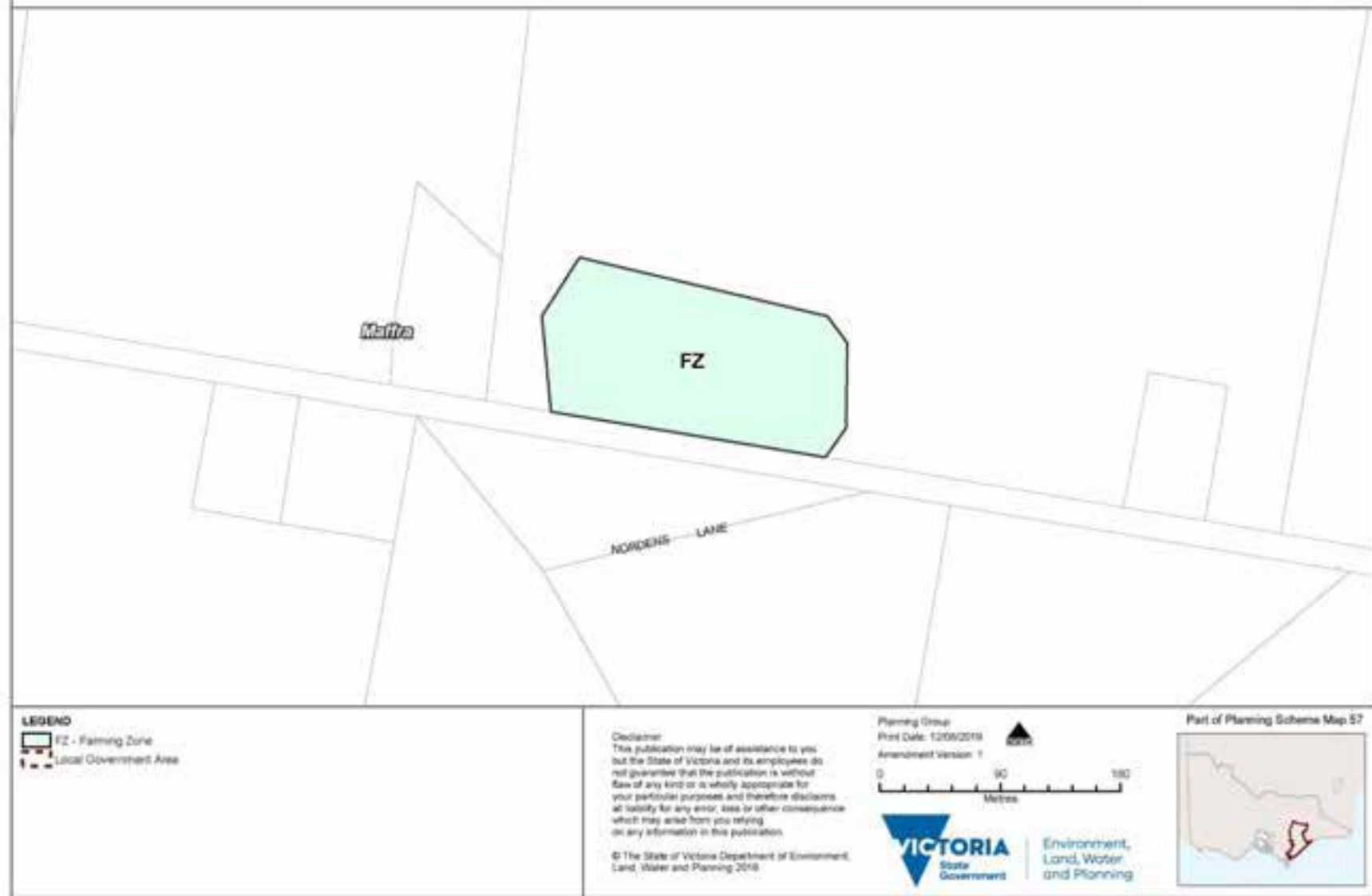


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WELLINGTON PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C102



255

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



- LEGEND**
- FZ - Farming Zone
 - PUZ1 - Public Use Zone - Service and Utility
 - Local Government Area



Part of Planning Scheme Map 45

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Metres



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WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND
 PPRZ - Public Park and Recreation Zone
 Local Government Area



Part of Planning Scheme Map 58

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028

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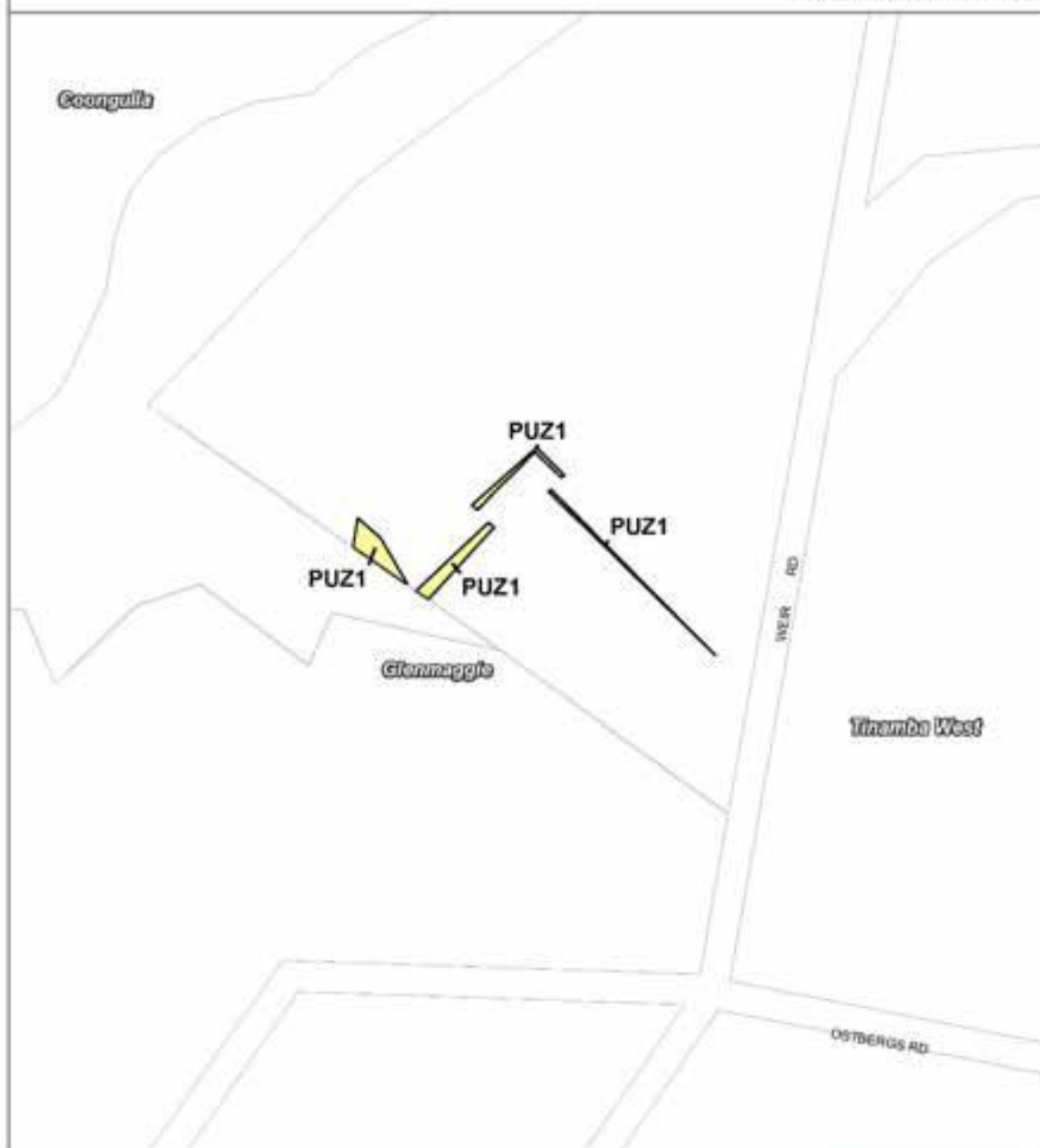


028



040

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

- PUZ1 - Public Use Zone-Service and Utility
- Local Government Area

Part of Planning Scheme Map 37



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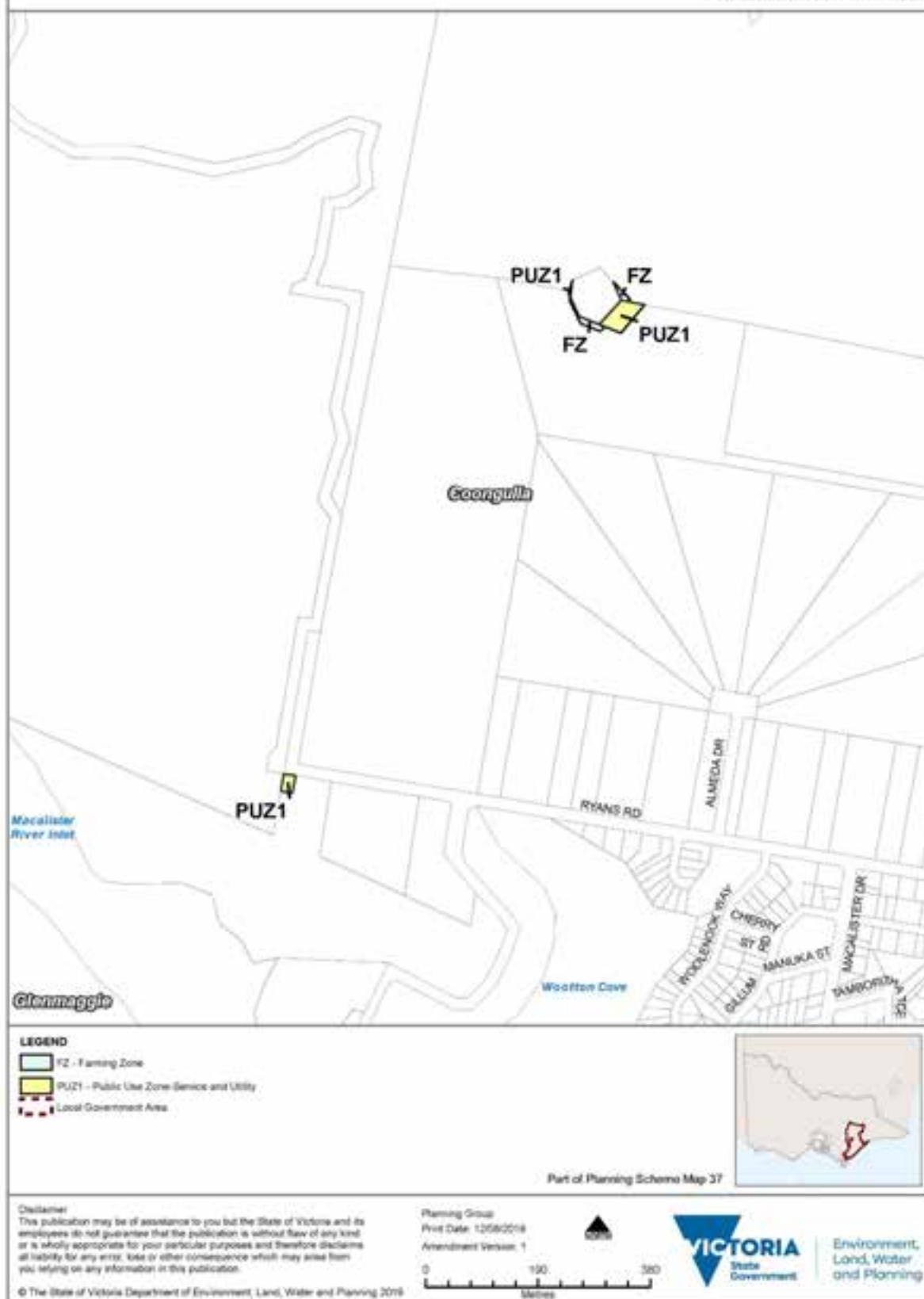
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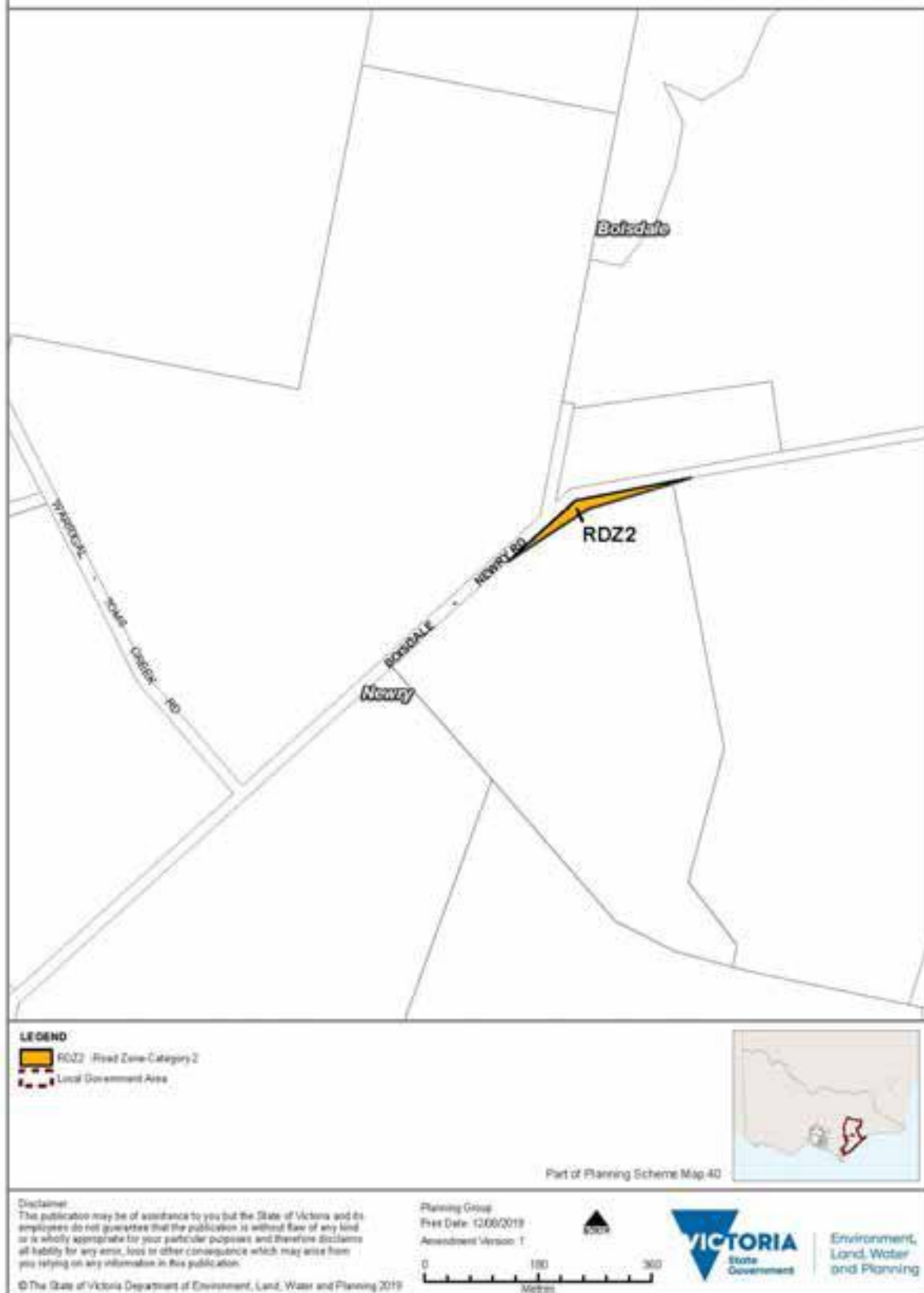
381

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



043

WELLINGTON PLANNING SCHEME - LOCAL PROVISION **AMENDMENT C102**



044

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND
 FZ - Farming Zone
 Local Government Area



Part of Planning Scheme Map 40

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045

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



248

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



LEGEND

- D-HO - Area to be deleted from a Heritage Overlay
- Local Government Area

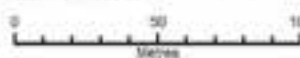


Part of Planning Scheme Map 65HO

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048

WELLINGTON PLANNING SCHEME - LOCAL PROVISION AMENDMENT C102



050

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LEGEND
 GRZ1 - General Residential Zone
 Local Government Area



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ITEM C3.8**DROUGHT FUNDING ALLOCATION**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER BUSINESS DEVELOPMENT

DATE: 17 DECEMBER 2019

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

OBJECTIVE

This report seeks Council approval for an application to be made to the Minister for Agriculture, Jaclyn Symes seeking the reallocation of \$500,000 of the Community Priorities Fund drought funding currently provided for community projects to be used for farmer rate relief.

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

That Council write to the Minister for Agriculture, Jaclyn Symes, seeking approval to use the State Government's \$500,000 Community Priorities Fund to provide additional rate relief for farming families consistent with Council's resolution at Item C3.1 of the 6 November 2019 Council meeting minutes.

BACKGROUND

In October 2019 Premier Andrews announced a \$31M drought funding package for Victoria. As part of this package Wellington Shire received a total of \$3.81M (\$3.31M Local Government Support Payment and \$500,000 Community Priorities Fund.)

Council officers met with its Agriculture Industry Representative Group (AIRG) to gain industry input regarding where Council should direct this funding.

As a result, on 6 November 2019 Council resolved to allocate the \$3.31M Local Government Support Payment directly to rate relief.

Since that decision, Council has been notified that it will receive a further \$1M from the Federal Government and this funding, combined with the balance of Council's Drought Support Initiative Fund of approx. \$490,000 (balance from debit card initiative) should provide the financial resources required to implement a number of key recommendations outlined in Council's "Looking Ahead" document.

On that basis, it is considered appropriate that the State Government's \$500,000 Community Priorities Fund be added to the \$3.31M to provide direct rate relief for farming families.

OPTIONS

The following options are available to Council:

1. Seek approval to reallocate the \$500,000 Community Priorities Fund to farmer rate relief; or
2. Don't seek approval to reallocate the \$500,000 Community Priorities Fund to rate relief.

PROPOSAL

That Council write to the Minister for Agriculture, Jaclyn Symes, seeking approval to use the State Government's \$500,000 Community Priorities Fund to provide additional rate relief for farming families consistent with Council's resolution at Item C3.1 of the 6 November 2019 Council meeting minutes.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The allocation of the \$500,000 Community Priorities Fund will have no impact on Council's financial resources as it is fully funded by the State Government.

Should Council support the recommendation, it is anticipated that farming families will spend these savings in the local region and therefore there will be significant flow on benefit to local businesses and the broader economy.

COMMUNICATION IMPACT

Consultation with the AIRG will continue as initiatives are scheduled and will be supported by a communications plan to promote this initiative and to ensure appropriate levels of awareness.

COUNCIL PLAN IMPACT

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

Strategic Objective 5.1 – Support and develop our existing businesses.

Strategy 5.1.1 – Provide development and training opportunities for local businesses.

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

COMMUNITY IMPACT

Council can expect a positive response across the community because Council is offering direct support to drought affected farmers.

Projects identified in Council's Looking Ahead document will be able to be funded from Council's Drought Support Initiative Fund and from the Federal Government's \$1M grant.

ENGAGEMENT IMPACT

Officers engaged Council's Agriculture Industry Reference Group (AIRG) and other key stakeholders.

The AIRG consists of representatives from the following organisations:

- Victorian Farmers Federation;
- Macalister Customer Consultative Committee;
- Ausveg;
- West Gippsland Catchment Management Authority;
- Landcare;
- Southern Farming Systems;
- Beef industry.

Officers will also continue to collaborate with the East Gippsland Shire in the delivery of current, and future, drought support initiatives.



C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**DRAFT ENVIRONMENTAL SUSTAINABILITY STRATEGY
2020-2024**

DIVISION: BUILT AND NATURAL ENVIRONMENT
ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS
DATE: 17 DECEMBER 2019

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

OBJECTIVE

The purpose of this report is to seek council approval to release the Draft Environmental Sustainability Strategy for public and stakeholder feedback as part of our engagement strategy.

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

That Council authorise the public release of the Draft Environmental Sustainability Strategy 2020-2024 as part of stakeholder engagement processes.

BACKGROUND

The second iteration of Council's Environmental Sustainability Strategy provides greater direction and clarity around the specific actions required to meet our stated objectives. It aims to show greater leadership by council particularly in the response to the emerging risks to our environment and communities from a warming climate. The strategy places the community and human wellbeing at the core of the strategy.

The strategy centres around five themes; Resilient Communities, Low Carbon Economy, Towards a Circular Economy, Protecting Nature and Environmental Stewardship.

Each of the themes should be measured against an agreed set of indicators and targets, to allow us to effectively monitor progress and achievements. Specific corporate targets are included where council has the ability to directly manage its operations to provide outcomes that benefit council.

The draft strategy was presented to council in a workshop 6 November 2019. Councillors had the opportunity to provide feedback. Feedback was received and has been incorporated into the strategy.

The revision includes:

- Messaging around the need for urgency around carbon mitigation actions in line with the Inter-governmental Panel on Climate Change.
- An outline of how the sustainability themes relates to the UN Sustainable Development goals.

- Clearer messaging and more targeted action around the impact of climate change on our vulnerable community members.

OPTIONS

Council has the following options:

1. To authorise the public release of the Draft Environmental Sustainability Strategy 2020-2024 as part of stakeholder engagement processes; or
2. To not authorise the public release of the Draft Environmental Sustainability Strategy 2020-2024 as part of stakeholder engagement processes.

PROPOSAL

That Council authorise the public release of the Draft Environmental Sustainability Strategy 2020-2024 as part of stakeholder engagement processes.

CONFLICT OF INTEREST

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

COMMUNICATION IMPACT

The public release of the strategy will be seeking community and stakeholder feedback between December to end of February for a period of approximately eight weeks. It is anticipated that feedback will be positive, however greater urgency and action around carbon emission abatement may be signalled by community.

COUNCIL PLAN IMPACT

The Council Plan 2017–21 Theme 3 Natural Environment states the following strategic objectives;

Strategic Objectives

- 3.1 *Conserve and protect our natural environment through responsible and sustainable management practices.*
- 3.2 *Demonstrate leadership in waste and water management, and energy efficiency*
- 3.3 *Build resilience in our communities and landscapes to mitigate risks from a changing climate.*

The draft strategy aligns with these strategic objectives.

RESOURCES AND STAFF IMPACT

Officers have the capacity to undertake the community consultation within existing resource level.

COMMUNITY IMPACT

The strategy responds to the concern expressed by community as evaluated by the 2019 Community Sustainability survey. The strategy demonstrates stronger leadership by Council.

ENVIRONMENTAL IMPACT

The strategy directly supports greater environmental action on behalf of Council.

ENGAGEMENT IMPACT

The draft strategy has been prepared in consultation with the internal strategy working group, Business Unit Managers, General Managers and community through an online 2019 Environmental Sustainability Community Survey which was completed by 288 community members.

The engagement process will involve:

- Formal invitation for comment to be sent to key delivery partners and stakeholders. The formal invitation will seek opportunities for Council to further collaborate and partner with stakeholders.
- Invitation for community comment to be advertised across website and social media platforms and within local newspapers/radio.
- A series of community question and answer drop-in sessions across Wellington Shire in February.
- Hosting of online question and answer sessions.

Upon adoption of the final strategy (approximately March/April 2020), we anticipate that a formal release of the Strategy will be held in conjunction with the proposed Renewable Energy Forum/Playing the Climate Game Summit (both under development) in mid-April 2020.

ITEM C4.2**PLACE NAMES COMMITTEE - MINUTES**

DIVISION: BUILT & NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER ASSETS & PROJECTS
 DATE: 17 DECEMBER 2019

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

OBJECTIVE

The purpose of this report is for Council to receive the minutes from the Place Names Committee meeting held on 3 December 2019.

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

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 3 December 2019.***
- 2. The name DAVIDSON be added to the Council Approved Road Names Register for the Stratford area.***
- 3. That the name WOOLLARD LANE be used for the subdivisional road at 172 Pearson Street, Sale.***
- 4. That the reserve proposed as part of the new subdivision off Blackburn Street, Stratford, be named MARY TREASURE RESERVE.***
- 5. That the name HOGAN, in recognition of Kevin Hogan, be approved for a road within the Cobains Estate subdivision.***
- 6. That the following ANZAC names be added to the Council Approved Road Names Register for the areas listed within the municipality in the attached minutes: ANQUETIL, ASPINALL, BARTON, BOTTOMLEY, BRAIN, BURGESS, CLAYTON, COUSENS, COX, DAVEY, DODDS, GARLAND, GEMMILL, GUY, HARRISON, HIGGINS, HUGHES, JOY, KELLY, LANGTIP, MCCOOEY, MELDRUM, MINCHIN, MOLES, NOONAN, O'NEILL, PEEL, RICHARDS, ROTH, SEE, SLAVIN, TUESKI and WHITFORD.***

BACKGROUND

The Place Names Committee is an advisory committee that meets quarterly to make recommendations to Council on geographical place name issues.

OPTIONS

Council have the following options available:

1. To receive the minutes of the Place Names Committee and consider each of the recommendations; or
2. Seek further information and consider at a future meeting.

PROPOSAL

That:

1. Council receive and note the minutes of the Place Names Committee meeting held on 3 December 2019.
2. The name DAVIDSON be added to the Council Approved Road Names Register for the Stratford area.
3. That the name WOOLLARD LANE be used for the subdivisional road at 172 Pearson Street, Sale.
4. That the reserve proposed as part of the new subdivision off Blackburn Street, Stratford, be named MARY TREASURE RESERVE.
5. That the name HOGAN, in recognition of Kevin Hogan, be approved for a road within the Cobains Estate subdivision.
6. That the following ANZAC names be added to the Council Approved Road Names Register for the areas listed within the municipality in the attached minutes: ANQUETIL, ASPINALL, BARTON, BOTTOMLEY, BRAIN, BURGESS, CLAYTON, COUSENS, COX, DAVEY, DODDS, GARLAND, GEMMILL, GUY, HARRISON, HIGGINS, HUGHES, JOY, KELLY, LANGTIP, MCCOOEY, MELDRUM, MINCHIN, MOLES, NOONAN, O'NEILL, PEEL, RICHARDS, ROTH, SEE, SLAVIN, TUESKI and WHITFORD.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

The *Local Government Act 1989* provides Council the power to approve, assign or change the name of a road. Council in exercising this power must act in accordance with the guidelines provided for under the *Geographical Place Names Act 1998*.

COMMUNITY IMPACT

The process for the naming or changing of a road or feature name will be followed by contacting the Office of Geographic Names where emergency services are notified and relevant databases are updated.



PLACE NAMES COMMITTEE MEETING

3 DECEMBER 2019 AT 4.00 PM

AVON RIVER ROOM MINUTES

ATTENDEES:

Councillor Darren McCubbin (Chair)
Councillor Gayle Maher
Councillor Scott Rossetti
Dean Morahan (Manager Assets & Projects)
Sandra Rech (Coordinator Asset Management)
James Blythe (GIS Officer)

APOLOGIES: Nil

MEETING OPENED: 4:15pm

CONFLICT OF INTEREST: Nil

1.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

It was moved:

Cr Maher / Cr Rossetti

That the minutes of the previous Place Names Committee meeting on 28 May 2019 be accepted.

CARRIED

2.0 CURRENT ISSUES

2.1 Street addressing issues, Earl Street, Woodside

There are several issues regarding Earl Street, Woodside (see attached). The street numbering is not consistent and the constructed road segments are not contiguous.

It was moved at the May 2016 Place Names Committee meeting that a letter be sent to the Yarram Historical Society, Woodside Cemetery Trust and Woodside Primary School asking for road name submissions with a connection to the Woodside area and that Councillors arrange a road trip to visit the area.

Suggested names:

- Brennan – large property owner in Woodside

- Collins – large property owner in Woodside and local hotelier
- Buntine – prominent settler in the district. His wife gave birth to the first white child born in Gippsland.

It was moved at 8 August 2017 Place Names Committee meeting that the proposed names BRENNAN, COLLINS and BUNTINE be considered, along with the name LEAR from the ANZAC Commemorative Project; and
That the Committee visit the Woodside area to view the roads.

It was moved at 14 November 2017 Place Names Committee meeting that the section of Earl Street east of High Street and ending at Queen Street, remain named as EARL STREET; and
That the trafficable section of Earl Street west of High Street, Woodside, be renamed BUNTINE ROAD after a prominent settler in the district; and
That the section of Earl Street north of Victoria Street be renamed LEAR LANE after Eric Nightingale Lear, who died in France during the First World War and is commemorated on the Won Wron State School honour roll; and
That all properties accessing these sections of road be advised of this proposal and that it be advertised and that if no negative response is received within 30 days then apply to the Registrar of Geographic Names to formalise these names.

Letters were sent to the affected residents and one letter of objection has been received. See attachment.

It was moved at 27 February 2018 Place Names Committee meeting that

- (i) Apply to the Registrar of Geographic Names for the trafficable section of Earl Street west of High Street to be renamed Buntine Road; and
- (ii) The section of Earl Street north of Victoria Street be renamed Lear Lane; and
- (iii) Letters be sent to affected property owners outlining the history behind the names selected.

On 20 March 2018, Council endorsed the above and the names were submitted to the Office of Geographic Names and are awaiting approval.

It was moved at 8 May 2018 Place Names Committee meeting that a letter be sent to the objector advising of the appeals process of Geographic Names Victoria as outlined in the Naming Rules for Places in Victoria and that this item remains open.

A letter was sent to the objector advising of the appeals process. Geographic Names Victoria has received a letter of appeal and no further advice has been received.

It was moved at 14 August 2018 Place Names Committee meeting that this item remains open.

Correspondence was received from Geographic Names Victoria and in response at the November 2018 Place Names Committee meeting it was decided that Councillor McCubbin and Councillor Maher make contact with local historians for further information and at the February 2019 Place Names Committee meeting that this item remains open.

Following historical information received from several local historians that Agnes Buntine was worthy of recognition, it was moved at the 25 May 2019 Place Names Committee meeting that a letter be written to Geographic Names Victoria to reaffirm the decision to rename the trafficable section of Earl Street west of High Street, Woodside, BUNTINE ROAD.

It was moved:
Cr McCubbin / Cr Maher

That this item remains open.

CARRIED

2.2 Request to name a new road in a subdivision in Heyfield

A request has been received to name a new road in a subdivision in Heyfield



The developer has nominated the name Bella after Bella Clarke.

"Bella Clark was the last person to live in the old house that was on site. She was a very passionate supporter of the Heyfield Football Club, and I was a Pall bearer at her funeral. My brother [REDACTED] used to mow her lawns and he was her favourite. The Clark brothers Jack and Reg kept their horses on this site when they weren't driving cattle all over the place. From what I can determine the Clark house was here for 100 years".

It was moved at the November 2018 Place Names Committee meeting that a letter be written to the proponent with a list of suggested names for the proposed subdivision from Councils Approved Road Name Register for consideration. Further information has been provided to support the name Bella (see attached). It was moved at the February 2019 Place Names Committee meeting that a letter be sent to the Developer, along with a copy of the naming guidelines from Geographic Names Victoria and Council's Approved Road Name Register, requesting that a suitable name be proposed in accordance with naming guidelines. If a suitable name is not proposed by the Developer, then the Place Names Committee will nominate a name from the Approved Road Name Register.

Place Names Committee has received a further submission regarding this proposal. See attachments for letter of support.

At the 25 May 2019 Place Names Committee meeting, it was re-affirmed that a first name will not be used for this road and that the name Clarke is already recognised in the Heyfield district. It was moved that the road be named FITZPATRICK Court, after the ANZAC brothers Samuel and Theodore Fitzpatrick who were born in Heyfield. Samuel was awarded the Military Cross and Theodore was awarded the Military Medal.

A letter was sent to the proponent with Council's decision on the name Fitzpatrick. No further correspondence has been received.

It was moved:
Cr Rossetti / Cr McCubbin

That this item be closed.

CARRIED

2.3 Request to name a road after family name Olsson

A request has been submitted to name a road after the family name Olsson (see attached). It was moved at the February 2019 Place Names Committee meeting that a letter be sent to the Sale and District Historical Society to validate the information submitted by proponent.

Place Names Committee have received a reply from Sale and District Historical Society. A response has been received (see attached).

It was moved at the 25 May 2019 Place Names Committee meeting that a letter be written to the proponent declining the proposed name be added to Councils Approved Road Name Register at this time due to insufficient evidence to support the application.

A letter was sent to the proponent regarding Council's decision. No further correspondence has been received.

It was moved:
Cr Maher / Cr McCubbin

That this item be closed.

CARRIED

2.4 Change Lawrence Street sign/name to Port Albert-Tarraville Road all the way through

A request has been submitted to change the Lawrence Street sign/name to Port Albert-Tarraville Road all the way through, with the requestor advising that people are getting lost looking for Port Albert-Tarraville road because of the signage.

A request was received in 2013 to consider changing the name of Lawrence Street along with some other streets in the Port Albert area and after consideration it was decided to leave the road names as they currently stand.

It was moved at the February 2019 Place Names Committee meeting that Geographic Names Victoria is consulted regarding the renaming of the road extension and approval sought for the road name duplication.

The response from Geographic Names Victoria follows:

The Registrar of Geographic Names, has considered the request and is not supportive of the proposal for the following reasons:

- *Destination-to-destination road names, are unacceptable - 3.2.4 Unacceptable road names.*
- *Renaming therefore as a continuation of the existing Port Albert - Tarraville Road, is not supported, as it only perpetuates the issues surrounding destination to destination road names; also not supported by emergency services.*
- *Duplication is also an issue, there is already duplication of the existing Port Albert with Old Port Albert in close proximity, therefore the proposal does not meet the requirements of Principle (D) Ensuring names are not duplicated.*
- *We are also not clear as to why the road has two names, please advise.*
- *The signage at the entrance of Lawrence Street, appears to make reference to Old Port Albert - Tarraville Road. Perhaps the more practical and easiest solution to reducing confusion is to review signage at the intersection of Lawrence Street at the round-about with South Street*

It was moved:

Cr Maher / Cr McCubbin

That it be recommended that signage at the roundabout at the entrance to Lawrence Street be reviewed, such that the direction to Port Albert-Tarraville Road be made clearer and then this item be closed.

CARRIED

2.5 Government Road off Dalmore Road, Dargo

There is a road that is being formally created as part of the Dalmore Road, Dargo road exchange and part of this road is incorrectly shown on plans as Government Road which will not be accepted by the Titles Office.



Plan showing name that was not approved by Titles Office



It was moved at the 25 May 2019 Place Names Committee meeting that a letter be sent to GLAWAC to seek an appropriate cultural name to the Dargo area before the next meeting.

A letter was sent to GLAWAC and has been raised with GLAWAC officers although no correspondence or response has been received to date.

It was moved:
Cr McCubbin / Cr Rossetti

That this item remains open.

CARRIED

3.0 GENERAL BUSINESS

3.1 Rue Grande Monde, Sale

A request has been received to correct the spelling of Rue Grande Monde in Sale, to Rue Grand Monde which is the grammatically correct spelling in French.

The original plan of subdivision shows the name 'Rue Grand Monde'. Existing street sign and databases record the name 'Rue Grande Monde'.

**It was moved:
Cr Rossetti / Cr McCubbin**

That a letter be written to affected property owners, recommending that the current spelling of the road name be corrected to Rue Grand Monde, and if no negative responses are received within 30 days, then the name be corrected.

CARRIED

3.2 Request to name a road after Davidson family, Stratford

A request has been received to consider naming a road in Stratford after the Davidson family which has been connected to the area since the 1920s. Keith Davidson was a foundation member of the Stratford Fire Brigade, foundation president of the Stratford Bowls Club, was a JP for 33 years and a member of many other sporting clubs. He also served as Councillor for Shire of Avon and was president at the time of meeting Queen Elizabeth II in Sale in 1954.

**It was moved:
Cr Maher / Cr Rossetti**

That the name DAVIDSON, in recognition of Keith Davidson, be added to the Council Road Name Register for the Stratford area.

CARRIED

3.3 Request to name a subdivisional road off 172 Pearson Street, Sale

The property being subdivided at 172 Pearson St, Sale, requires a road name. The developer has selected three names from the Council Approved Road Names Register in order of preference:

- WOOLLARD (note correction to spelling): Albert Frank Woollard served in France and was awarded the Meritorious Service Medal. Prior to enlisting he was a woodwork teacher at Sale Agricultural High School.
- CLEAVER: Edward Cleaver died in the Charge of the 4th Light Horse Brigade at Bersheeba.
- CENTRA: Centra family migrated to Sale from Italy in the 1950s, with successive generations also settling in Sale and recognised for their contributions to the local community.

**It was moved:
Cr McCubbin / Cr Rossetti**

That the name WOOLLARD LANE be recommended for the subdivisional road at 172 Pearson Street, Sale.

CARRIED

3.4 Proposal to name a road off Blackburn Street and Redbank Road, Stratford (P182/2015 and P362/2017)

This item has been re-opened since it was closed at the Place Names Committee meeting on 14 November 2017.

A request was received to name a road "Winshaven Way" in a proposed subdivision created by P182/2015 & P362/2017 in Stratford. It was moved at the meeting on 9 May 2017 that a response be sent to the proponent rejecting the name Winshaven Way (as it did not meet the naming guidelines), with a list of suggested names from the Council Approved Road Names Register, in particular ANZAC names, with a connection to Stratford.

Another letter (attached) was submitted by the proponent on 27 November 2019 with a new proposal, requesting approval to name the road WINSTON WAY in memory of Pat Winston.

In 1999, Mrs Pat Winston shifted from Glenburn to Stratford. Shortly after, she purchased an 11-acre paddock at the western corner of Redbank Road and Killeen Street. Apart from 7 mature redgums, the paddock was bare. She progressively planted an extensive garden and many trees. In addition, Pat fenced off and encouraged significant self-seeded redgum regrowth.

Sometime later, Pat began investigating the possibility of subdividing her property and eventually obtained a Planning Permit for a 40-lot subdivision in 2009. Pat came up with the name 'Winshaven Way' for the road created by the subdivision. She created the first word of the name by using the first part of her surname combined with the fact that her work over the years had created a significant haven for the local native birds.

During her 14 years in Stratford she (with the help of a friend) set up an arts and craft group and regularly volunteered at the local op shop.

Towards the end of 2013 Pat was planning to proceed with Stage 2 but she became ill and died on 2nd April 2014 at the age of 94. Pat is buried in Stratford Cemetery.

**It was moved:
Cr McCubbin / Cr Maher**

That:

- **The name WINSTON WAY is not accepted as it does not meet the naming rules; and**
- **A letter be sent to the developer, with a link to the naming rules from Geographic Names Victoria and Council's Approved Road Name Register, requesting that a suitable name be proposed; and**
- **If a suitable name is not proposed by the developer, then the Place Names Committee will nominate a name from the Approved Road Name Register.**

CARRIED

3.5 Proposal to name a Reserve on Blackburn Street, Stratford

A proposal, accompanied by various letters of support, has been put forward to name a park as part of a new subdivision off Blackburn Street, Stratford. The proposed name, Mary Treasure Park (or Reserve), recognises Mary Treasure who had a long-time association with Stratford and proposed the park for the preservation of the old redgum trees on the property.

Mary Treasure was active in the Stratford and broader community, having contributed to a range of activities and was also a teacher at Sale College.

It was moved:

Cr McCubbin / Cr Maher

That the reserve proposed as part of the new subdivision off Blackburn Street, Stratford, be named MARY TREASURE RESERVE.

CARRIED

3.6 Cobains Estate subdivision road naming proposal (P345/2010)

The name HOGAN has been proposed for a subdivisional road off Swan Lake Drive, Sale, in recognition of the late Kevin Hogan for his contribution to the Gippsland sporting community for over 50 years.

The Hogan family has consented to the proposal and provided details of his life (summarised as follows – see attachment for full draft):

After playing in the VFL for South Melbourne, Kevin relocated to Sale and from 1961 coached the senior and junior football teams for 15 years. In 1965, Kevin began writing articles for the Gippsland Times and broadcasting on the local ABC radio, a spot he held for 54 years, tirelessly promoting cricket and football at regional level.

Kevin helped reform the Sale Cricket Club in 1961 that had been in recess. He was captain of the Sale Premiership team in 1967-68 and was awarded Sale Cricket Club life membership in 1980. Kevin was also awarded life membership of the Sale Football Netball Club, the Gippsland League and Sale Maffra Cricket Association and was named Country Footy Legend by the Victorian Country Football League.

In 1984 he was awarded the Order of Australia Medal for his services to both football and cricket.

It was moved:

Cr Rossetti / Cr McCubbin

That the name HOGAN, in recognition of Kevin Hogan, be approved for a road within the Cobains Estate subdivision.

CARRIED

3.7 Potential ANZAC names for Approved Road Name Register

In order to increase the pool of names on the Approved Road Name Register, a list of names recommended by the Wellington Shire Heritage Network as part of the ANZAC Commemorative Naming Project has been received. All names have passed the duplicate names criteria.

Lost soldiers:

ASPINALL, Alfred (Stratford)
BARTON, Walter Ernest (Stratford)
BRAIN, Edward George (Stratford)
BURGESS, Ebenezer (Stratford)
COUSENS, Alfred Thomas (Stratford)
COX, Sydney Douglas (Perry Bridge, Meerlieu)
DODDS, James (Dargo)
GUY, William James (Maffra, Crooked River)
JOY, Clark Mansfield (Dargo)
MELDRUM, Lawrence Robert (The Heart, Sale)
NOONAN, Leonard (Briagolong, Tarraville)
PEEL, Walter George (Blackwarry)
RICHARDS, Norman Chesney (Stratford)
SEE, Robert (Maffra, Dargo)
TUESKI, Henry Edward Cyril (Stratford)

Those who received gallantry awards and were lost:

ANQUETIL, Henry Stewart (Binginwarri – Awarded Military Medal and Bar)
GARLAND, Eugene (Port Albert – Awarded Military Medal)
HARRISON, Edward Harrison (Upper Maffra – Awarded Military Medal)
O'NEILL, John Albert (Staceys Bridge, Alberton West – Awarded Military Medal)
ROTH, Louis Carl (Sale – Awarded Military Cross)
SLAVIN, John Leonard (Balloong, Tarraville, Yarram – Awarded Military Medal)

Those who received gallantry awards and returned:

BOTTOMLEY, Arthur George (Wonyip – Awarded Distinguished Conduct Medal)
CLAYTON, Charles Cecil (Boisdale – Awarded Military Medal)
DAVEY, Sydney Ward (Gormandale – Awarded Croix de Guerre, Belgium)
GEMMILL, David (Mullungdung – Awarded Military Medal)
HIGGINS, Thomas Joseph (Dargo, Awarded Military Medal)
HUGHES, Felix Joseph (Willung – Awarded Military Medal and Bar)
KELLY, James Browne (Dargo, Mentioned in Despatches, recommended for Meritorious Service Medal)
LANGTIP, Leslie Oliver (Port Albert – Awarded Distinguished Conduct Medal)
MINCHIN, Clive Ellerslie (Cowwarr – Awarded Distinguished Conduct Medal)
MCCOOEY, Frank Sylvester (Boisdale – Awarded Distinguished Conduct Medal)
MOLES, Arthur O'Connor (Maffra – Awarded Military Medal)
WHITFORD, Lewis Edmund (Won Wron – Awarded Military Cross). Brother to Roy Victor (lost). Other Whitford soldiers were brothers Albert Henry (lost) and Reginald James (returned)

**It was moved:
Cr McCubbin / Cr Maher**

That the list of ANZAC names researched as part of the ANZAC Commemorative Naming Project and recommended by the Wellington Shire Heritage Network be added to the Council Approved Road Name Register and a letter of acknowledgement be sent thanking them for their work.

CARRIED

4.0 NEXT MEETING

To be confirmed in early 2020

5.0 CLOSE

Meeting closed at 4:45pm.

Attachment for Item 2.1

Earl Street, Woodside

History:

- A submission was made to NES on 10th December 2014 to add to VicMap Transport the extra segments of Earl Street to the South-East of High Street.
- DELWP requested further information for Emergency Services and navigation purposes and noted that there are some addresses assigned are on both sides of South Gippsland Hwy.
- The current addressing/naming scenario does not conform to standards.

Options:

- Do nothing, the potential risk to residents and emergency services will remain.
- Rename the segment to the North-West of High Street and designate as Earl Street one of the two identified segments to the South-East of High Street. The other segment would need to be given a different name.
- Rename the two segments to the South-East of High Street and retain the existing Earl Street in VicMap Transport. This option would appear to be minimise confusion resulting from the change. While four properties will require new addresses, the other options would have required five properties to be readdressed.



19th January 2018

Leah Hepworth
Asset Management Systems Officer
Wellington Shire Council
PO BOX 506,
Sale
VIC 3850

placenames@wellington.vic.gov.au

Dear Leah,

Re:  Earl Street, Woodside – renaming of the street.

I am vehemently opposed to the renaming of the section of Earl Street to the North West of High Street.

The street addressing is an issue mainly because the sections east of High street and north of Victoria Street are not visible on any map. They are not in any Melways, in UBD Gregory's, Google maps, or try finding it on 'Whereis' on line. The section to the northwest of High Street is the only section visible on any of these maps, causing all deliveries or, as you state in your letter of the 8th December 2017, emergency vehicles, to head to the northwest of High Street. If the other sections of Earl Street were to be identified on maps, with street numbers, the locating of addresses would be simplified. Was this solution investigated?

It is also contentious that you have decided that a majority of residents will be required to have a changed address. On the map that you sent with the letter previously mentioned, there are 4 residences in the section northwest of High Street. What was the rationale in deciding to change the street name of that section? There are only two residences that, according to your letter, will retain the Earl Street name.

The new name is another point with which I disagree. There is, and was in the original planning, a theme for naming the streets in the immediate vicinity of Woodside. Buntine does not fit the theme and is connected more with Rosedale and Walhalla than Woodside. It is through Rosedale and to Walhalla that Agnes Buntine drove the bullocks and to quote the Latrobe Valley Express 19/1/18, "she's now a proud fixture in Rosedale's identity". There is not much written about her husband who ran the 'Bush Inn' and minded the 11 children.

There is also the personal attack in the letter of the 8th December 2018. The 3rd paragraph begins "As your property is on the northwest side of High Street it is proposed to rename this section... Buntine Road. This reads as if it is my fault that the Street is to be renamed.

I hope that Council will reconsider the renaming of Earl Street and perhaps look to the original town planning documents during the reconsiderations.

Yours sincerely,



Reply Reply All Forward IM

Tue 27/11/2018 6:00 PM



Darren McCubbin

RE: Place Names Committee Meeting 27 November 2018 Agenda

To: Leah Hepworth; Scott Rossetti; Gayle Maher

Cc: Dean Morahan; Sandra Reddy; James Byrthe

Hi all,

Weird that I have chased this up reasonably quickly....

[REDACTED] (and messenger is a wonderful thing) "If you mean Agnes, there is one story around in *Blood on the Wattle* (not a highly regarded book academically) that she horsewhipped Indigenous people into the sea. It may come from Dunderdale, which is not a true history, rather "faction" That one needs a lot more work. I am not sure I have seen Hugh Buntine linked to massacres - I think he was a little lazy."

Then I messaged [REDACTED] and asked him how I can check. "Sorry Darren, I'm not aware of anywhere you can check but he was in the area fairly soon afterwards as he established his inn near Woodside. Try a few local (ie Seaspray / Darriman / Woodside) historians. I met a historian from down there recently with Libby Balderstone of Warrigal Creek Station"

The historical record regarding the Buntine name is pretty extensive with a note in the ANU database see <http://adb.anu.edu.au/biography/buntine-agnes-12828> and another one with citations <http://www.oddhistorical.com.au/gippsland/the-colourful-life-of-mother-buntine/> It mentions she (Agnes) had a run on the Bruthen creek and was a significant local settler and of course a woman which deserves attention. There is nothing I can find which suggests she was part of any massacres and none of these records mentions her involvement.

Frankly I would be happy to send these citations through to the Office of Geographic place names along with the insistence we have checked with local historians and there is no evidence to suggest that she was connected to the massacres.

Cheers



WELLINGTON

Darren McCubbin

Councillor

M: 0458 006 486

W: www.wellington.vic.gov.au

18 Desailly St, PO Box 506, Sale, Victoria, 3850

[REDACTED]

To Whom it may Concern.

The nameing River St. sub
Bella Clark. lived on this block.
most of her life

She milked a few cows sold milk
around the town

I feel it would be fitting to
name it in her memory.

[REDACTED]

WELLINGTON
SHIRE COUNCIL

27 NOV 2013

RECEIVED

Our Reference: 1300333

19 November 2018

The Chief Executive Officer
Wellington Shire Council
PO Box 506
SALE VIC 3850

Dear Sir

**RE: REQUEST FOR APPROVAL OF NAMING FOR NEW ROAD
"BELLA COURT", LOCATED OFF RIVER STREET IN HEYFIELD**

I refer to the above matter and confirm that we act for [REDACTED]

Our clients are in the process of subdividing their property at 32 River Street, Heyfield. Stage 2 of the subdivision – Plan of Subdivision 823975P – is currently awaiting certification.

The subdivision will create a new road and our clients request that it be named "Bella Court" after Isabella ("Bella") Clarke, a well-known local Heyfield identity and descendent of one of the town's pioneer families. A summary of the known history of Bella Clarke is as follows:

- The Clarke family arrived and settled in Heyfield in the 1860s.
- Arthur Clarke established himself as a local grazier. In 1916, Arthur purchased from the Crown the land now known as 32 River Street which comprises the abovementioned Wojcinski property. The Clarke family house was constructed on this land and existed there until only recently, when it was demolished to facilitate the proposed subdivision.
- Arthur Clarke had 15 children, one of whom was Isabella (known as "Bella"). Bella was born in 1888 and died in 1978. She is buried in the Heyfield Cemetery.
- Bella lived in the abovementioned former dwelling on the subject property and was the last person to reside in it (the dwelling remained unoccupied following her death).
- Bella raised many children during her lifetime in Heyfield and was very active in the local community. Descendants of Bella still reside in the region to this day.

The following documents are attached as supporting evidence:

- Register of Title in Arthur Clarke's name.
- Descendants of Arthur Clarke – First Generation.
- Photograph of Bella Clarke, dated approximately 1900-1905.
- Photographs of the former Clarke house on the subject land now known as 32 River Street.
- Letter of endorsement from [REDACTED]

We trust that this is sufficient information to prove that the name has local significance to the town of Heyfield and respectfully request approval of the name "Bella Court" for the new road created through Plan of Subdivision 823975P.

George V.

Land Acts on and after 29.12.1891.

Entered in the Register Book,
Vol. 4002

Vol. 800359



Carrollson
Assistant Registrar of Titles

190
49/18

by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King Defender of the Faith Emperor of India. To all to whom these presents shall come Greeting. Whereas in conformity with the laws relating to the Sale and Occupation of Crown Lands in our State of Victoria the person hereinafter named has in consideration of the sum of Twenty eight pounds which sum has been duly paid become entitled to a grant in fee simple of the surface and down to the depth of fifty feet below the surface of the land hereinafter described. Now know ye that in consideration of the sum so paid and in pursuance of the law in that behalf enabling We do hereby grant unto Arthur Clark of Heyfield Farmer

his heirs and assigns so much and such parts as lie above the depth of fifty feet below the surface of all that piece of Land in the said State containing seven acres and thirty seven perches more or less being Suburban Allotment fifty seven in the Parish of Lavendera County of Tarral delineated with the measurements and potials thereof in the map drawn in the margin of these presents and therein enclosed yellow. Provided nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any spring or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth. Excepting however unto us our heirs and successors all gold silver and precious and argenteous earth or stone and all mines seams beds and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon and under and within the boundaries of the land hereby granted. And also reserving to us our heirs and successors and our and their agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any argenteous and argenteous earth or stone copper tin antimony coal and other metals and minerals and mineral ores and to search for and work dispose of and carry away the gold silver copper tin antimony coal metals minerals and their ores lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and mineral ores and the working of all mines seams beds and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon or under the land hereby granted to hold unto the said Arthur Clark

his heirs and assigns for ever. Provided always that the said land is and shall be subject to be resumed for mining purposes and to be subject to the right of any person being the holder of a miner's right of a licence to search for metals or minerals or of a mining or mineral lease to enter therein and to mine for gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon or under the land hereby granted and to search for and work dispose of and carry away the gold silver copper tin antimony coal metals minerals and their ores lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and mineral ores and the working of all mines seams beds and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon or under the land hereby granted to hold unto the said Arthur Clark

Provided that compensation shall be paid to the said Arthur Clark

his heirs executors administrators assigns and transferees by such person or persons as shall be deemed to be entitled to such lands by reason of mining thereon such compensation to be determined as provided by the Land Act 1891 and the payment thereof to be a condition precedent to such right of entry.

Dated the twenty sixth day of August in the year of our Lord One thousand nine hundred and nineteen being the day the person herein named became entitled to this Grant.

In testimony whereof we have caused this our Grant to be sealed at Melbourne with the Seal of the said State. Witness our treaty and well-beloved The Honourable Sir ARTHUR LUTHER STANLEY, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor in and over the said State of Victoria and its Dependencies in the Commonwealth of Australia.



REGISTER OF TITLE IN ARTHUR CLARKES NAME

Descendants of Arthur Clarke

Generation 1

1. ARTHUR¹ CLARKE was born in 1838 in Intrim Northan Ireland. He died in 1903 (Heyfield Cemetery). He married Mary Goostrey, daughter of John Goostrey and Alice Mainwaring in 1865 in Melbourne Australia. She was born in 1848 in Manchester Lancshire England. She died in 1903 in Sale Hospital (Heyfield Cemetery).

Arthur Clarke and Mary Goostrey had the following children:

- i. ARTHUR² CLARKE was born in 1866. He died in 1927 (Heyfield Cemetery).
- Old ii. HELEN CLARKE was born in 1868. She died in 1868 (Heyfield Cemetery).
- iii. EMMA CLARKE was born in 1869. *IRIS JACKSON, Wally (CHILDREN OF E)*
- iv. THOMAS ALBERT CLARKE was born in 1871. He died in 1951 (Heyfield Cemetery).
- v. BENJAMIN CLARKE was born in 1873. He died in 1942 (Heyfield Cemetery).
- vi. FRANCIS CLARKE was born in 1876. He died in 1931 (Heyfield Cemetery). *HFC Bates*
- Henry?* vii. HENRY CLARKE was born in 1878. He died in 1956 (Heyfield Cemetery).
- viii. WILLIAM WALTER CLARKE was born in 1881. He died in 1881.
- Sarah* ix. MARION CLARKE was born in 1882. She died in 1953. *Banks Smith Sentia*
- x. WILLIAM WALTER CLARKE was born in 1883. He died in 1884 (Heyfield Cemetery).
- xi. ELIZABETH CLARKE was born in 1884. *Aif Bates*
- xii. ISABELLA CLARKE was born in 1888. She died in 1978 (Heyfield Cemetery).
- xiii. JACK CLARKE was born in 1888. He died in 1969. *Son of Emma*
- xiv. MINNIE CLARKE was born in 1890. She died in 1973. *maybe Dot*
- xv. CHRISTINA CLARKE was born in 1895. She died in 1975. *Sellers*



PHOTO OF BELLA CLARKE AT HEYFIELD METHODIST CHRISTIAN ENDEAVOUR

HEYFIELD METHODIST CHRISTIAN ENDEAVOUR, about 1900 - 1905.

In our previous edition we published a selection of photographs by Con Gleeson, taken around the Heyfield and Licola area from about 1890 to 1930. We are indebted to Miss Gladys McDonald of Maffra who allowed us access to her more complete photograph of the Methodist Christian Endeavour, shown above, and provided the names of a number of those pictured. Back row (left to right): an Evans (possibly Joss), second and third unknown, Ida Mills, Mr Stone (Home Missionary), Ethel Mills (later Mrs Crawford), possibly the Anglican minister Rev. Prentice, Nell Evans (later Mrs Trevor Harvey), Jim Fitzpatrick. Middle row: First two unknown, Mrs Stone, Mrs Fred Stagg (nee Harriet Johns), Miss Stone, Lily Fitzpatrick, Bella Clarke. Front row: Frank Pearson, second unknown, Ida Pearson, fourth unknown.

PHOTOS OF OLD DWELLING AT 32 RIVER STREET, HEYFIELD



LETTER OF ENDORSEMENT FROM LAURIE COX

[REDACTED]

IN CONSIDERATION OF NAME: BELLA COURT HEYFIELD

OUR FAMILY HISTORY GOES BACK TO 1860⁰ WHEN THE CLARKE FAMILY ARRIVED IN HEYFIELD.

THE COURT "BELLA COURT" (ISABELLA CLARKE) IS A MEMBER OF THAT FAMILY.

A STaunch SUPPORTER OF THE HEYFIELD FOOTBALL CLUB. HER BROTHER FRANK WON THE BEST & FAIREST MEDAL ISSUED IN 1894-95. FRANK SERVED IN THE FIRST WORLD WAR.

BELLA RAISED MANY CHILDREN IN THE AREA AS CONDITIONS AND TIMES WERE TOUGH. BESS, BELLA'S SISTER WAS A MISSIONARY IN ST. KILDA.

THEIR EXTENDED FAMILY HAS SUPPORTED THE TOWN OF HEYFIELD:

PLAYER FOR HEYFIELD AND [REDACTED] AMBULANCE OFFICER FOR 27 YEARS. THE FAMILY IS STILL VOLUNTEERING IN THE COMMUNITY TODAY.

WE APPRECIATE WHAT [REDACTED] ENDEAVOURING TO ACHIEVE AND WE SUPPORT HIM WHOLE HEARTEDLY, [REDACTED]

From: [REDACTED]
Sent: Friday, 10 May 2019 6:52 PM
To: Enquiries <enquiries@wellington.vic.gov.au>
Subject: Attention Council: The Proposal to name a Heyfield street Bella Drive

Dear all,

I am a relative of Bella Clark. She was a sister of my maternal grandmother. Passing through Heyfield recently I visited the cemetery which opened up a greater understanding of that side of my family.

Bella's mother, Mary Goostrey, came with her family on the Sarah Dixon in 1858, a voyage noted for its riotous crew and passengers. The ship sank on its return voyage.

Mary married Arthur Clark in 1865 and they settled in Heyfield and Mary bore 14 children. One son, Frank Clark, won a best and fairest for Heyfield FC.

Bella was born in 1888 and was fifteen when both her parents died in 1903. She had three younger sisters to care for.

Over the years she managed to care for other people's children, family and non-family in the wooden farmhouse in River St. She was a member of the Heyfield Methodist Christian Endeavour society. Her home had clay floors and until late, no running water. Yet she was always hospitable. I remember staying there once with my family. My grandmother would send her photos of her children. My mother would write to her as well. Until the house was about to be demolished she had a wartime photo of my uncle above her mantel. He was a POW on the Burma Railway.

When I think of the flimsy reason for street names, I cannot believe the Wellington Shire would overlook a key figure in a key family of the township of Heyfield - one with a giving and generous heart.

I am happy to provide further arguments and details.

Please bring this up at the next shire meeting.

Regards

[REDACTED]
[REDACTED]

Attachment for item 2.5

Request to name a road after family name Olsson

Wellington Shire - Sale..

To - whom it may Concern.

Reference to Street names in Sale.

I would like to enquire as to what the criteria is needed to address the "Referral" above.

As residence and rate payers for many years in Sale I would like to see or have a Street, Drive, Aven etc., in the name of "Olsson" as a legacy to the whole family.

I myself has lived in Sale as rate payers for approx 59 Years.

My brother [REDACTED] for approx 45 Year + his son for 25 Years.

Brother [REDACTED] for approx 20 Years.

My 2 Boys (i) [REDACTED] 19 years.
(ii) [REDACTED] 26 years.

Keep in mind 3 of the OLSSON girls
married & lived in Sale for approx.
~~many years~~ 40 Years.

Having said the above the OLSSON's
have been rate payers for approx 200 Year
all up.

If I may say that the whole
family and grand kids have played
in many sports at Sale. Golf, Cricket,
K. Bowls, Tennis, Swimming and much
more. If I may say again at
this moment that none of us have
been involved with major things
or infringements with the Law.

My Father served in the 1st
World War and I myself have
served in the National Army Training
in 1952. Enclosed are a few
document of proof.

In closing I feel it would be
a great honor to have our name mentioned
& thank you for addressing this
request -

Yours Sincerely


25 March 2019

Place Names Committee
Attn: Leah Hepworth

Dear Place Names Committee

Surname Olsson

With regard to the letter dated 27 February 2019, regarding a request from the Olsson family to place the name Olsson on the Approved Name Register, the Society does not have anything on file or any information on Harold Olsson. Thank you for the enquiry.

Any questions please contact, [REDACTED]

Yours sincerely

[REDACTED]

Attachment for item 3.1

Rue Grande Monde, Sale

-----Original Message-----

From: [REDACTED]
Sent: Friday, 30 August 2019 2:13 PM
To: Enquiries <enquiries@wellington.vic.gov.au>
Subject: Rue Grand Monde

Good afternoon,

I am writing to voice my frustration about the change in the spelling of our street. As you will be aware, the change took place some time ago, but recent difficulties in renewing our passports when the addresses did not match, prompted me to make contact. The original spelling ("Grand" with no "e") was correct. The adjective "grand", big, describes "monde", world, which is masculine, and therefore needs the masculine adjective, which is the "Grand" with no "e". I know this sounds a bit pedantic but it has caused issues, and I wonder why it was changed from its original (correct) spelling?

Kind regards, [REDACTED]

Attachment for item 3.2

Request to name a road after Davidson family, Stratford

From: [REDACTED]
Sent: Tuesday, 1 October 2019 4:22 PM
To: Enquiries <enquiries@wellington.vic.gov.au>
Subject: Built environment Street Naming Stratford

The Davidson family came to Stratford late 1920 Keith Davidson President Avon Shire 1950 s Keith & Ethel Davidson met Queen Elizabeth at R A F Base Sale then in Avon Shire .

Keith & Ethel Davidson members of Sporting Centre .Foundation members of Stratford Bowls Club both holding many positions and always interested in the community .

Both have passed away at the ages of 93 years .

I am their Daughter in law & have continued their interest in Stratford for 60 years .

To the Wellington Shire I am asking if you would please consider the Davidson name to have a street named after them . For further information the Stratford Historical Society have records.

With many thanks

[REDACTED]

STRATFORD AND
DISTRICT HISTORICAL
SOCIETY INC.
EST 1968



14 HOBSON STREET
STRATFORD VIC 3862.

stratfordhs.museum@gmail.com
Facebook: Stratford Museum

Wellington Shire-
re. street names:

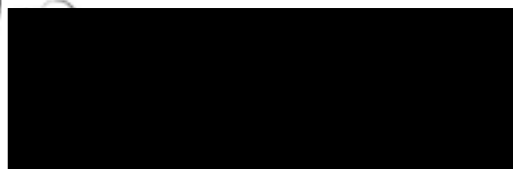
The Stratford & District Historical Society would like to show their support of the nomination of a street name to honour the community service of "Keith Davidson."

Keith gave many years of service to a multitude of organisations.

From our archives, we have been able to assist Jan with her quest for documentation.

For a small community it is an honour to see such recognition paid to a well deserving family

Yours Sincerely





MR KEITH DAVIDSON, Jones St.
Stratford
Community service and sport

A STRATFORD area resident for 60 years, Mr Keith Davidson played football for the town for 22 years, and cricket 24 years. He served as an Avon Shire councillor; is a foundation member Stratford Urban Fire Brigade, foundation president Stratford Bowls Club; has attended every East Gippsland Bowls Association annual meeting for 35 years; a JP for 33 years; is committeeman on five local management committees; life member Stratford Cricket Club, East Gippsland Bowls Association, Stratford Bowls Club, Stratford Sports Centre, member Stratford Water Trust (and chairman several times) for 26 years.



KEITH DAVIDSON SHAKING HANDS WITH
QUEEN ELIZABETH SAGE RAAF BASE 1954
KEITH DAVIDSON AVON SHIRE PRESIDENT TAKEN IN
AVON SHIRE.

TWELVE OUTSTANDING "quiet achievers" are to receive the 1986-87 Advance Australian Foundation Telecom Award of Merit.

THURS. 12/12/86 Tuesday August 12/8/86

EVENTS OF INTEREST

1840	Angus McMillan led the first exploration party into Gipsland.	1925	Third new Bridge over Avon at Stratford.
1841	The Stratford grazing 'run' was taken up.	1927	Electric Light and Power established.
1850	Stratford township develops.	1928	Stratford Waterworks Trust constituted.
1854	First Avon River Bridge at Stratford.	1933	RSSGA/LA Club rooms opened.
1854	Survey of Township.	1939	World War II.
1857	Presbyterian Church erected.	1943	RAAF Base established at 'The Heart'.
1860	Gold rush to Crooked River fields.	1947	Secondary industries introduced to the district.
1863	Ramahyuck Mission established.	1949	Soldiers' Memorial Park opened.
1864	Avon District Road Board created — September 13th., 1864.	1950	Devastating floods in Avon River and tributaries.
1865	Shire of Avon proclaimed — October 10th., 1865.	1950	Stratford Sporting Centre established.
1870	Combined school established.	1951	Avon River Improvement Trust constituted.
1873	Wesleyan Church foundation.	1953	Comfort Station and Infant Welfare Centre opened.
1874	Second bridge over Avon River.	1954	Royal Visit. Her Majesty Queen Elizabeth the Second and His Royal Highness, the Duke of Edinburgh.
1875	Severance of area to Maffra Shire.	1955	'The Swan' — De-licensed after 83 years.
1880	Navigation reaches its peak.	1955	Wonnangatta-Buffera River road survey.
1884	St. Patrick's Church opened.	1956	Historic Council meeting at Dargo.
1885	Dargo area annexed to Shire of Avon.	1956	Governor-General Sir William Slim and Lady Slim visits the municipality.
1885	Stratford Brass Band formed.	1960	Pilgrimage to Grant and gold fields.
1885	Railway reaches Stratford.	1962	New Shire Administrative Offices established.
1888	North Gipsland Railway link opened.	1963	Stratford and District Swimming Pool opened.
1889	Stratford Mechanics Hall opened.	1965	Devastating Bush Fires — February and March.
1899	The Beer War.		
1908	Holy Trinity Church consecrated.		
1914	World War I.		
1918	Repatriation Committee appointed.		
1920	Soldier settlements established.		
1923	Municipal Pipe Works Undertaking established.		
1924	Irrigation extended to South Riding.		



Avon Shire Councillors and others, 28 June 1950. Mr D.W. Bottel (treas), Cr G. Riley, ,
 Mrs J. Jones, Mr E.S. Bock (Sec), Cr B T Spaul, E.G.Lee (pres). K. Davidson, J. Scott,
 Mr J.W.Bremner (overseer), Sister F. Newnham, Cr J.MacLachlan,
 Mr H.G.Hallows (act eng), Cr A.Traill, S. Ross, Mr J.M. Hogan, Cr W.T.Mynard.

02199V'SFH

SHIRE OF AVON PRESIDENTS

Year of Office	Shire President		
1864/65	L. Bolden	1926/27	J. Lee
1865/66	L. Bolden	1927/28	R. Harrison
1866/67	L. Bolden	1928/29	A. Guy
1867/68	W. Little, Snr.	1929/30	W. H. Carter
1868/69	W. Little, Snr.	1930/31	M. Lawless
1869/70	W. Little, Snr.	1931/32	H. L. Treasure
1870/71	T. Lloyd	1932/33	J. Lee
1871/72	G. Davis	1933/34	G. Thomson
1872/73	T. Lloyd	1934/35	J. Scott
1873/74	T. Lloyd	1935/36	G. Riley
1874/75	T. Lloyd	1936/37	R. Harrison
1875/76	G. Glasford	1937/38	A. Guy
1876/77	W. H. C. Thomson	1938/39	E. J. Lee
1877/78	W. H. C. Thomson	1939/40	R. S. Mawley
1878/79	C. Napper	1940/41	R. S. Mawley
1879/80	J. Pruden	1941/42	R. S. Mawley
1880/81	J. Cobain	1942/43	R. S. Mawley
1881/82	W. Norris	1943/44	A. Stewart
1882/83	W. Little, Snr.	1944/45	A. Stewart
1883/84	C. F. Scheer	1945/46	S. A. Ross
1884/85	W. H. C. Thomson	1946/47	S. A. Ross
1885/86	W. H. C. Thomson	1947/48	S. A. Ross
1886/87	W. H. C. Thomson	1948/49	S. A. Ross
1887/88	C. J. Crockett	1949/50	E. J. Lee
1888/89	W. H. Disher	1950/51	E. J. Lee
1889/90	W. H. Disher	1951/52	J. MacLachlan
1890/91	M. Killeen	✓ 1952/53	K. Davidson ✓
1891/92	W. H. C. Thomson	✗ 1953/54	K. Davidson ✗
1892/93	G. J. Crockett	1954/55	W. F. Mynard
1893/94	J. B. Kelly	1955/56	T. Blandford
1894/95	W. Latham	1956/57	J. MacLachlan
1895/96	D. Long	1957/58	W. F. Mynard
1896/97	M. Killeen	1958/59	W. F. Mynard
1897/98	J. R. Lee	1959/60	O. Mathews
1898/99	W. H. C. Thomson	1960/61	O. Mathews
1899/1900	W. Hall	1961/62	L. K. Chinn
1900/01	G. F. Crockett	1962/63	E. J. Lee
1901/02	N. S. Lott	1963/64	E. J. Lee
1902/03	M. Killeen	1964/65	W. F. Mynard
1903/04	W. H. C. Thomson	1965/66	W. F. Mynard
1904/05	J. Connolly	1966/67	O. Mathews
1905/06	W. H. Carter	1967/68	W. F. Mynard
1906/07	M. Killeen	1968/69	A. L. Hamlyn
1907/08	M. Killeen	1969/70	J. A. Boyd
1908/09	W. Hall	1970/71	S. P. Dean
1909/10	R. J. Thomson	1971/72	L. J. Hall/A. L. Hamlyn
1910/11	J. C. Long	1972/73	L. A. Ross
1911/12	R. Lee	1973/74	D. L. Treasure
1912/13	A. B. Taylor	1974/75	G. F. Hughes
1913/14	R. J. Scott	1975/76	G. R. Crouch
1914/15	W. H. Carter	1976/77	E. M. Auriach
1915/16	M. Killeen	1977/78	J. R. Stewart
1916/17	W. Riggall	1978/79	J. A. Boyd
1917/18	G. G. Kirkham	1979/80	L. A. Ross
1918/19	W. J. Chinn	1980/81	A. L. Hamlyn
1919/20	H. L. Treasure	1981/82	S. A. Johnston
1920/21	W. H. Carter	1982/83	S. D. Stothers
1921/22	W. J. Chinn	1983/84	M. A. Ross
1922/23	R. J. Scott	1984/85	G. F. Hughes
1923/24	G. Kirkham	1985/86	J. R. Stewart
1924/25	M. Lawless	1986/87	M. A. Ross
1925/26	W. Riggall	1987/88	G. K. Smith

Attachment for item 3.3

Request to name a subdivisional road off 172 Pearson Street, Sale



Our Reference: 1800612

8 October 2019

Mr J A Traa
Coordinator – Statutory Planning
Wellington Shire Council
PO Box 506
SALE VIC 3850

ACH 006 / RT 235
ABN 56 006 197 235

Sale Office
45 Macalister Street
PO Box 47
Sale VIC 3850
Tel: (03) 5144 3877

beveridgewilliams.com.au

Address:	172 PEARSON STREET, SALE VIC 3850
SPEAR Reference Number:	S139596E
Plan Number:	PS825718A
Permit Reference Number:	P164/2018
Certification Reference Number:	S23/2019

Our client has selected three potential road names from the Council Approved Road Names Register.

In order of preference the three names are as follows:

1. Woolard
2. Cleaver
3. Centra

Attachment for item 3.4

Proposal to name a road off Blackburn Street and Redbank Road, Stratford (P182/2015 and P362/2017)

The Place Names Committee

In May 2017 my family's application to have the road created by [REDACTED] subdivision at 17 Redbank Road in Stratford (P285/2009 then P182/2015) named Winshaven Way was rejected. The name was one that [REDACTED] (Pat Winston) had devised. My recollection is that I was verbally advised the request was rejected because, at that time, only Anzac related names were being accepted.

I now wish, on behalf of my family, to apply to have the road named Winston Way – see attached plan.

Background to the request

- In 1999, at the age of 79, my mother-in-law, Mrs Pat Winston shifted from Glenburn to Stratford to be near her daughter [REDACTED].
- Pat subsequently purchased an 11 acre paddock at 17 Redbank Road, Stratford.
- In 2000 Pat relocated a building from Maffra to the paddock and converted it into a pleasant dwelling and planted an extensive garden and many trees.
- Starting around 2003, Pat began investigating the possibility of subdividing her property and after a number of years and much effort obtained a Planning Permit for a 40 lot subdivision in 2009.
- In 2012 Pat completed the 10 lot Stage 1 of her subdivision in Killeen Street and planned to continue with additional stages when the market was favourable.
- Towards the end of 2013 Pat was planning to proceed with Stage 2 – 7 lots in Blackburn St – when she became ill and died on 2nd April 2014 at the age of 94. Pat is buried in Stratford Cemetery.
- Her estate was sold to [REDACTED] in Jan 2016.

This request is made based on information contained in the Commemorative Names section of Council's 'Council Approved Road Names Register'. This section indicates that an appropriate name for a road can be that of the developer. As can be seen from the background information above, it is clear that Pat Winston was the driving force behind the development.

The request has (a) the approval of the current owners and developers of the subject land – [REDACTED] and the executors of the estate of [REDACTED] and (b) the developers of the adjoining property through which the road will continue – [REDACTED].

My [REDACTED] was a truly loving, kind, generous, gracious, mentally active and extremely creative (both artistically and otherwise) person all her life, forever coming up with plans and schemes for things to be done, both for herself and members of the family – a truly remarkable lady who continues to be sadly missed. The family would be extremely grateful if this request was granted.

Regards

[REDACTED]



Attachment for item 3.5

Proposal to name a Reserve on Blackburn Street, Stratford

A MEMORIAL FOR MARY TREASURE

Mary Treasure Reserve, as she envisaged and
initiated this park.



Mary Treasure and her [REDACTED] purchased a property at 17 Redbank Road Stratford. This was made with the intent of developing the land in accordance with an existing 31 lot plan of subdivision. Mary had two key objectives for the development. First that it would include a children's playground. This would also take advantage and aid in the preservation of the magnificent ancient Redgum trees on the site. Her second objective was that there be a pedestrian path linking to Blackburn Street. Mary wanted this foot way to provide children and family's living in and beyond the subdivision to have safer and better access to the Stratford Primary School and the town. Mary's step children and children had attended this school and she had been active in the school community for over thirty years.

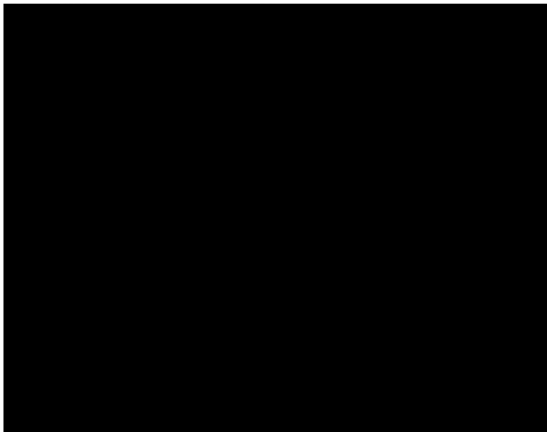
In December 2016 Mary took a proposal to Council to gift a large lot for a park with a playground. This was well received. Council proposed to create a new recreational park and bought adjoining blocks. The area surrounding was progressively being subdivided without any significant public open space. The area contains two very healthy Redgums and the remains of a third. The proposal was agreed and ownership of the park / reserve transferred to Council in 2019.

Mary was a very well known and respected and much loved member of the Gippsland Treasure family and the Stratford community.

Her interests were broad. Her church was important and with them she had been on several trips to Vanuatu with The Eye Care Team bringing better vision to the population. Mary and family participated in several Shakespeare plays that were included in the Shakespeare Festival. The early days of the Stratford Singers she had participated and had hosted for the Stratford of the World. It was a regret that she had not been able to join in the trips. Land Care and rural organisations and increasingly her interest in environmental issues. She was a secondary school teacher and

had a gift to influence many of the students that she taught over the years using every opportunity to advantage.

Mary was intelligent methodical kind compassionate and always very generous. She is greatly missed by many. We believe the Park /Reserve has come into existence because of her initiative and generosity and that it be named The Mary Treasure Park /Reserve in her memory and honour.



[REDACTED]

16th October 2019

Cr Darren McCubbin
Chair Wellington Shire Council, Place Names Committee

I write in support of [REDACTED] application to establish and name a reserve, in the new sub division on the Eastern end of Blackburn Street Stratford, after [REDACTED] Treasure. As [REDACTED]

Segue is an active member of the Healthy in Wellington Strategy group and walking and cycling pathways within the town are an important part of our strategic focus. There is significant internationally acknowledged research as to the health benefits of spending time in nature and also of living close to nature. We have regular walking groups throughout Stratford that use existing pathways and also provide opportunities to enjoy companionship and be active in nature.

The pathways within the subdivision will provide access to the park and connection to other existing paths in nearby streets. The new reserve would provide a resting place on these walking circuits. It will also provide individuals from the estate to join in on [REDACTED] walks around town.

Mary was a well known and active member of the Stratford Community. She was also a female member of an iconic Gippsland farming family. Having prominent women named in public places is important for encouraging girls and women into active citizenship and for their skills and important roles to be acknowledged. The naming of the park/reserve after Mary Treasure is important and it would be good to also have her story told in that place.

[REDACTED] Neighbourhood House, has no hesitation in supporting the application.
Yours Sincerely

[REDACTED]

I have known Mary for many years as a teaching colleague and friend.

We were both involved in activities in Stratford through the raising of our children. Mary was always the happy face in activities and discussions. Mary had a great teaching career, a career she was well suited to because she cared for others.

After retiring, Mary and Doug and Jenny and I were drawn together through Doug and Jenny being diagnosed with cancer, when both couples were travelling to Peter McCallum for treatment.

Mary was always cheerful and supportive through these times of need. During all this time Mary with the help of friends continued to manage the family farm and care [REDACTED]

Within 3 months of each other 2011/12 Jenny and Doug passed away.

After Jenny and Doug's passing we decided to help each other out on our properties and accompany each other to local functions and have a meal together from time to time.

During this time I gained appreciation of the wonderful work Mary was doing in sorting out issues with [REDACTED] he did this

without complaint and tried to involve all in the process.

Unfortunately Mary became very ill and after many doctor's visits was diagnosed with cancer.

Even [REDACTED] Mary made the most of the better times helping out whenever she could.

Even in my last conversation with her she was encouraging me to make the most of life.

I consider myself lucky to have been involved with such a cheerful caring and wonderful person.

I have missed her very much.

Whether it be school children, farm workers, backpackers, business people, tradesmen, mountain cattlemen, historians or family, Mary had an amazing ability to make everybody feel at ease and consequently was respected by all.

One business person commented that he/she had many clients but Mary was special.

[REDACTED]



Hi  my few words.

To whom it may concern.

I had the pleasure of being a part of Mary Treasure's and her husband  circle of friends, acquaintances and their family for many years.

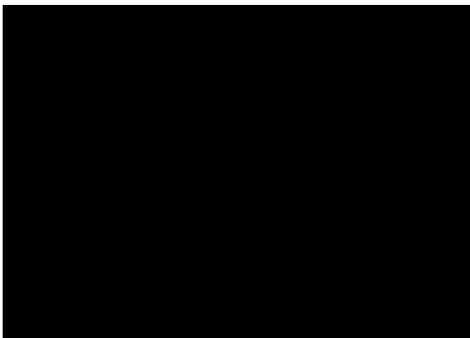
During this time I always found Mary to be a lady of good grace, unpretentious, inclusive and non-judgmental.

She was held in high regard by those who knew her for her individual personality and genuine interest in the welfare of others.

Mary's contribution to the local Stratford community was considerable as was her teacher role at Sale College where she was very popular and respected by her students for her teaching skills, caring traits and guidance.

Mary and her enormous contributions to the Stratford and district community will be remembered and appreciated by all for many years to come.

Yours Faithfully,



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For the Attention of the Wellington Shire Place Names Committee:

Councillors Rossetti, McCubbin and Maher.

Re: Park/Reserve in Blackburn Street, Stratford

I understand there is a petition to name the park/reserve in Blackburn Street, Stratford after Mary Treasure who, as you probably know, was the instigator of this park. I strongly support this petition.

I have known Mary for over 40 years and she was a passionate supporter of Stratford and the local area. She envisaged and initiated this park and I believe the residents of Stratford would welcome the park being named in her honour and applaud you for doing so.

Hoping this reaches you before the decision is made.

With thanks for your time and consideration,

Yours sincerely,



To the Wellington Shire

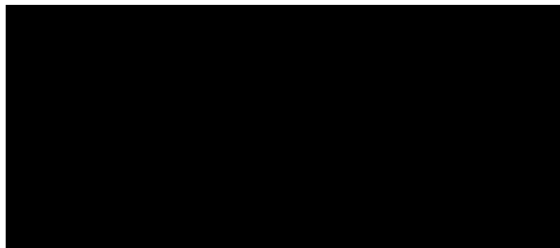
Regarding Naming of the Blackburn Street Reserve, in Stratford.

As a lifelong family friend of Mary Treasure, I would like to support the recommendation to name the reserve on Blackburn St Stratford after her.

Mary not only had a strong association with the Stratford community and the wider surrounding area, she was involved in education and it seems very appropriate to name the reserve for her close to a school.

With her strong commitment to the land, the preservation of the remaining 2 River Red Gums in the reserve is very fitting to protect and respect our natural heritage, something she valued highly.

I therefore strongly support the petition to name the reserve
The Mary Treasure Reserve.





Wellington Shire
Re. Blackburn St. Reserve.

 would like to show their support towards the naming of the 'Blackburn St. Reserve' to honour the contributions of Mary Treasure to this project.

Mary and her family have a history in Stratford and surrounding area that goes back 170 years. Over this time, the early and following generations have very much supported community, church and often the most disadvantaged families.

This park could become a meeting place for early friendships to develop, leading to a bonding of all walks of life, that can follow on in further generations. This engagement and involvement is the lifeblood of a small community such as ours.

With history in mind ,while admiring the 'old ancient redgum' trees at the reserve, one could only wonder what scenes they have witnessed ,from our Indigenous origins, to the safe recreational area of today.

Mary's active involvement in education, welfare and genuine care of community hopefully inspires us all to assist others, and do likewise.

We would feel honoured to see her name there, as we enjoy this family environment.



I knew Mary Treasure for more than forty years.

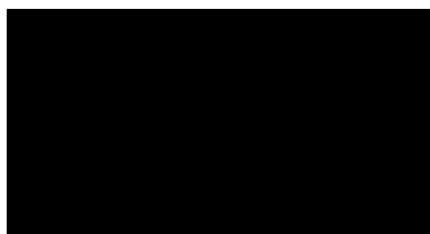
Mary was a delight to know, always full of fun, always humble, always compassionate, always generous, and always looking to help anyone at any time and in any way she could. She loved children and they loved her.

Mary was a much loved member at St. Andrew's Uniting Church in Stratford. She was often asked to give a children's address during the services. Her amazing way of story-telling, brought the bible stories alive, delighting children and adults alike.

Mary loved her family, her farm, her animals and being in the outdoors, and, she loved being with people. I often helped Mary, building fences, or other jobs on the farm. She pitched in and worked with me until it became physically impossible for her to do so, and even then she would come out when she could to offer encouragement and see the work progressing.

Because of her love of people, I am sure that Mary would be so pleased to know that children and people of all ages will have a park where they can play or simply relax.

What better way could there be to honour and remember such a people's person than to call the new park in Stratford *The Mary Treasure Memorial Park/Reserve*.



Attachment for item 3.6

Cobains Estate subdivision road naming proposal (P345/2010)

From: [REDACTED]
Sent: Wednesday, 27 November 2019 11:29 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Place Names Committee - Cobains Estate

Hi Dean,

As discussed would like to propose the name Hogan to be used for the Cobains Estate residential subdivision to recognise the contribution to the local community made by Kevin Hogan who passed away recently. Attached is a summary of Kevin's life which was provided to us by their family. If Hogan is acceptable to the Place Names Committee we would expect that it would be used in the Estate on the northern side of the main reserve (which has been shown as Runic Drive in some other documents). Please contact [REDACTED] if you need any further information.

Yours sincerely

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 26 November 2019 9:02 PM
To: [REDACTED]
Subject: Kevin Hogan

Dear [REDACTED], thank you for considering in naming a street after my father's surname. Please find attached a brief report of my father's life. If you think I need to amend this summary please call me at any time on [REDACTED].
Kind regards [REDACTED]

Kevin Hogan

Born in Violet Town in 1934 and was recruited by South Melbourne as a 19 year old. He played for South Melbourne in the Victorian Football League (VFL) between 1954 and 1960. He played 63 games and won two night premierships.

After his stint at South Melbourne, Kevin coached Sale in 1961, where he would coach senior and junior football teams as well as the 4ths for 15 years. He remained on the committee of the Sale Football club for 6 decades and in 1984 was awarded the Order of Australia medal for his services to both football and cricket.

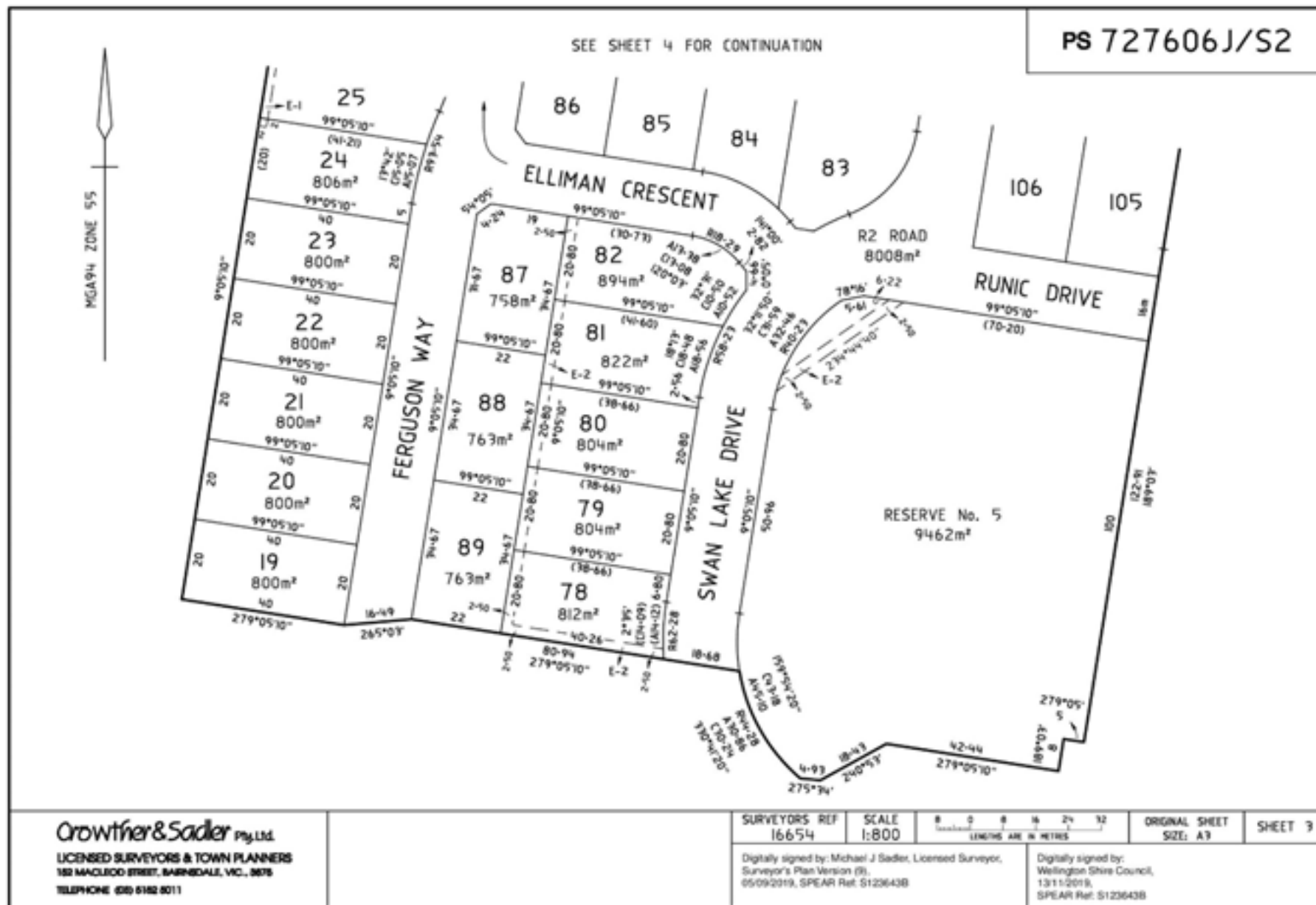
In 1965, Kevin began writing articles for the Gippsland Times and developed his interests in sports photography. Around the same time he began broadcasting on local ABC radio, where he held a regular spot for the next 54 years. A studio room at the radio station is now named in his honour.

In his regular segment, Kevin would relish in interviewing men and women, girls and boys of all ages, from all sports and all occupations. He believed that the ups and downs of sport were hugely beneficial to people's physical fitness, psychological resilience and social wellbeing.

"You're not all winners in sport, there's lots of time when you have days where you get absolutely thrashed, but you've got to handle that and come back and fight back. It's the same in your working life- things don't often go exactly as you want them to, so you've got to be able to handle that situation, get your life back on track and still continue on – and I think because of that you become a better person."

Kevin also enjoyed cricket, and along with Artie Davidson reformed the Sale Cricket Club in 1961 that had been in recess. Kevin was captain of the Sale Premiership team in 1967-68, and was awarded Sale Cricket Club life membership in 1980. Kevin was also awarded life membership of the Sale Football Netball Club, the Gippsland League and Sale Maffra Cricket Association and was named Country Footy Legend by the Victorian Country Football League.

Gippsland MHR Darren Chester said "no-one had made a greater contribution to the Gippsland Sporting community over the past 50 years than Kevin. Gippsland Cricket secretary David Anderson stated that Kevin tirelessly promoted the game of cricket and football at regional level through the Gippsland Times and ABC Radio.



ITEM C4.3**MARLEY STREET (NORTH) SPECIAL CHARGE STREET CONSTRUCTION SCHEME - FINAL COST CERTIFICATE**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER ASSET AND PROJECTS
 DATE: 17 DECEMBER 2019

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

OBJECTIVE

The objective of this report is to present to Council for consideration, the Final Cost Certificate for the Marley Street (North) Special Charge Street Construction Scheme – Scheme No 1604.

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

That:

- 1. Council adopt the Final Cost Certificate for the Marley Street (North) Special Charge Street Construction Scheme – Scheme No 1604; and***
- 2. Council officers prepare the final apportionment amounts due from property owners for the Marley Street (North) Special Charge Street Construction Scheme – Scheme No 1604 based on the initial estimated cost of \$885,000.***

BACKGROUND

At its meeting on 20 December 2016, Council resolved to give notice of the intention to declare the Special Charge Street Construction Scheme for the construction of Marley Street (North) in Sale. There were five submissions received on the proposed scheme with Council resolving to declare the Special Charge Scheme at its 2 May 2017 meeting and to serve a notice on all affected property owners.

The initial estimated cost of the scheme was \$885,000. The initial estimated contribution from property owners to the scheme was \$265,500. Design changes and modifications to the design plans were made to meet infrastructure, water and high-pressure gas main guidelines. The project was subsequently tendered, and a contract was awarded by Council at its meeting on 19 December 2017, the works were undertaken and practical completion was achieved on 1 November 2019.

The contract amount entered into with J W Volk Pty Ltd was \$1,130,713.00 (ex GST) which included an amount of \$99,058 for the replacement of existing kerb and footpath which did not form part of the scheme. Also included in the final contract amount of \$1,249,642.42 were costs for driveway construction of \$96,206.60, which have been individually invoiced to property owners and other variations totalling \$22,722.82. The amount allocated to the scheme from this contract is \$1,054,377.82.

Gippsland Water required a watermain to be lowered at a cost of \$144,684.38 and with ancillary and tendering costs of \$8,570 producing an overall final scheme cost of \$1,207,632.20 (all figures are ex GST). Staff overhead costs and design costs have not been included as part of the scheme.

Under the provisions of section 166 of the *Local Government Act 1989*, Council may vary the special charge to be paid, although if the increase is an amount equal to or greater than 10% of the estimated declared cost then a further declaration would need to be made. The estimated cost of this scheme components was \$885,000 and the overall final cost of the scheme components was \$1,207,632.20, an increase of \$322,632.20 or 36% over the estimated costs.

The increase in costs can be attributed to the revised design from the initial concept to meet infrastructure, water and changed high-pressure gas main guidelines after the initial design was completed. The road design was required to be altered in this location and it presented challenges in obtaining approvals to enable works to proceed in this location.

The estimated cost per property for the scheme ranged from approximately \$1,800 to \$5,600 (average \$3,400) and would increase from approximately \$2,500 through to \$7,600 (average \$4,600) per property if the additional costs are recovered.

A final cost certificate has been prepared for the scheme and is shown in **Attachment 1**.

OPTIONS

Council have the following options available:

1. Accept the final cost certificate as presented and apportion the costs based on the original estimated cost; or
2. Accept the final cost certificate as presented and apportion the costs based on the original cost an amount up to but less than 10%; or
3. Accept the final cost certificate as presented and apportion the costs based on the final overall cost which will require the scheme to be redeclared; or
4. Not accept the final cost certificate as presented.

PROPOSAL

That

1. Council adopt the Final Cost Certificate for the Marley Street (North) Special Charge Street Construction Scheme – Scheme No 1604; and
2. Council Officers prepare the final apportionment amounts due from property owners for the Marley Street (North) Special Charge Street Construction Scheme – Scheme No 1604 based on the initial estimated cost of \$885,000.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Council may under the provisions of section 166 of the *Local Government Act 1989* vary the liability of any property owner to pay the special charge. Where the special charge increase is equal to or greater than 10%, Council must also comply with subsections (1A), (1B) and (1C) of section 163 of the Act and redeclare the scheme which is not required in this instance.

The financial impact of adopting the Final Cost Certificate as detailed, is that property owners will not be liable for an amount above the estimated costs initially provided. The Council contribution for this project is being funded through the Federal Government's Roads to Recovery program and this proposal will increase the Council contribution from the estimated \$619,500 to \$942,132.20.

COMMUNICATION IMPACT

The adoption of the recommendation is unlikely to have an impact as the apportioned cost will equal the estimated cost. Subject to adoption of the recommendation, invoices will be distributed to affected property owners based on the recommended apportioned costs.

LEGISLATIVE IMPACT

This scheme was been prepared in accordance with sections 163, 163A, 163B of the *Local Government Act 1989*. Notification will be in accordance with sections 163 and 223 of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

The scheme was been prepared in accordance with Council's Special Charge Schemes – Roads, Street & Drainage Development Policy 4.2.4 and 2014 Residential Road and Street Construction Plan.

RESOURCES AND STAFF IMPACT

The scheme has been undertaken using the resources of the Assets & Projects Unit. Staff from the Finance Unit will be responsible for serving of accounts on property owners.

ENGAGEMENT IMPACT

A comprehensive public consultation process has been entered into with affected property owners including:

- Numerous discussions between property owners and Council staff during 2016
- Information letter advising property owners of proposal 2 September 2016
- Public meeting held at Sale, 15 September 2016
- Mail out survey of all property owners, 20 September 2016
- Follow up requesting replies to the survey.
- Public Notice of Intention to Declare advertised in a local newspaper on 17 January 2017.
- Copy of Public Notice mailed to property owners liable to pay on 17 January 2017.
- Letter mailed to property owners on 4 May 2017 advising the scheme has been declared including a Notice of Levy.
- Letter mailed to property owners on 4 October 2017 advising tenders are being sought.

WELLINGTON SHIRE COUNCIL**MARLEY STREET (NORTH) SPECIAL CHARGE STREET
CONSTRUCTION SCHEME****SCHEME No. 1604****FINAL COST CERTIFICATE**

Project : Marley Street (North) Special Charge Street Construction Scheme.

Scheme No: 1604

Commencement date: 20/03/2017

Completion date (works): 21/05/2019

Estimated cost of scheme: \$ 885,000.00

Final cost of scheme: \$1,207,632.20

Variation between estimated cost and final cost: 36% increase

Council contribution to scheme as property owner: \$ 0.00

Council contribution to scheme - public benefit: \$ 942,132.20

Property owner contribution to scheme: \$ 265,500.00

Total \$ 1,207,632.20

Prepared by: Tilo Junge, Infrastructure Planner

Approved by: Dean Morahan, Manager Assets and Projects

ITEM C4.4**BOGGY CREEK ROAD SPECIAL CHARGE STREET
CONSTRUCTION SCHEME – INTENTION TO DECLARE SCHEME**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

DATE: 17 DECEMBER 2019

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

OBJECTIVE

To consider the proposed Boggy Creek Road Special Charge Street Construction Scheme Number 1901 for declaration as a Special Charge Scheme for the construction of Boggy Creek Road in Longford.

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

- 1. Council commence the statutory process under the Local Government Act 1989 (the Act) to declare a Special Charge Scheme for the purposes of constructing Boggy Creek Road in Longford and providing all and any ancillary works, including drainage and sealed vehicle crossings.***
- 2. Council in accordance with sections 163(1A) and 163B(3) of the Act, direct that a public notice be given in the Gippsland Times newspaper and on Council's website of the intention of Council to declare the scheme at its ordinary meeting to be held on 21 April 2020 in accordance with the Proposed Declaration of Special Charge Scheme Number 1901 in the form of the attachments to this report for the construction of Boggy Creek Road in Longford (Proposed Declaration of Special Charge).***
- 3. Council direct that in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 21 April 2020, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act.***

- 4. Council appoint three Councillors as determined by Council plus an alternative representative to form the 'Boggy Creek Road Special Charge Scheme Submissions Committee' that is established by Council under section 223(1)(b)(i) of the Act, to consider written submissions/objections and to hear any persons who in their written submissions under Section 223 of the Act have requested that they are heard in support of their submissions.**
- 5. The Chief Executive Officer or the person for the time being acting in that position, be authorised to give public notice of the Proposed Declaration of Special Charge in accordance with Sections 163B and 223 of the Local Government Act 1989.**
- 6. The Chief Executive Officer, the General Manager Built & Natural Environment or the Manager Assets and Projects (or any person for the time being acting in any of those positions), each be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.**
- 7. Council modify the Residential Road and Street Construction Plan to include the construction of driveways within the fixed fee model.**

BACKGROUND

Boggy Creek Road in Longford is located within the rural residential area of Longford. Currently the road consists of a formed but unsealed gravel pavement of approximately 800m in length with irregular table drains. This road is primarily a rural type road, with the unsealed section extending for its full length. The full length of the road is managed and maintained by Wellington Shire Council.

A formal investigation of a special charge scheme was commenced following ongoing property owner concerns in relation to the maintenance grading regime, which has included a site survey and preparation of concept designs and a cost estimation. The proposed Boggy Creek Road Street Construction Scheme would provide for the construction and sealing of the road to a 6.2m seal width. Barrier kerbing is proposed at bends and improved drainage and stormwater management will form part of the proposed works.

The construction and sealing of Boggy Creek Road would reduce Council's need for maintenance intervention, while providing a higher level of service and safety for these adjacent properties.

It is considered that the properties which abut this section of Boggy Creek Road will derive a special benefit by the proposed upgrade works, as a result of:

- Reduction in dust
- Enhance the amenity of the area
- Creation of improved riding surfaces
- Improved access and egress from properties
- Improved drainage.

Following further investigation of potential methods to facilitate construction works in Boggy Creek Road, it was concluded that a Special Charge Scheme, generally in line with Council's Residential Road and Street Construction Plan, was the preferred approach, as this process requires public advertising and is a transparent process that informs the community of Council's contribution.

A public meeting was held on 25 June 2019 to outline the proposal. A follow up letter was mailed out on 9 July 2019 to each property owner following this public meeting, which included an estimated apportionment cost and a concept plan and a survey form to assess support for, or objection to, the scheme.

Results of the survey:

The result of the survey was that 85% of the property owners replied and 79% of these replies were in favour of the proposed scheme.

	SUPPORT SCHEME		OPPOSE SCHEME		DID NOT REPLY	
Property Owners (33)	26	79%	2	6%	5	15%
Properties (35)	26	63%	4	11%	5	26%

Based on the survey results, there is a level of support for the proposed special charge to undertake these construction works. Of the 30 survey results returned there was a 63% level of support for the scheme to proceed.

OPTIONS

Council has the following options:

1. Progress the proposed special charge scheme through a full cost recovery apportionment method, by advertising the intention to declare the Special Charge Scheme; or
2. Having trialed and considered other methods of apportionment, progress the proposed scheme through the 'fixed fee method' as outlined in Council's Residential Road and Street Construction Plan, by advertising the intention to declare the Special Charge Scheme; or
3. Not progress the intention to declare the Special Charge Scheme.

PROPOSAL

That Council progress the proposed scheme through the funding framework generally outlined in Council's Residential Road and Street Construction Plan and advertise its intention to declare a Special Charge Scheme for the construction of the Boggie Creek Road in Longford for the provision of road construction and ancillary works as outlined.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Total costs applicable to the Special Charge scheme are estimated to be \$316,400. The amount to be recovered under the scheme does not include GST.

Based on the funding framework within the Residential Road and Street Construction Plan and as otherwise considered by Council officers to be fair and reasonable based on total special benefits

and community benefits to be provided by the works, \$115,308.00 of the costs are to be apportioned to properties within the Special Charge scheme, with the balance funded by Council.

Amount apportioned to properties within scheme:	\$115,308.00
Portion of cost to be recovered from Council as direct costs:	\$201,092.00
Total estimated cost of scheme:	\$316,400.00

There is one multiple property owner of three properties, there is no Crown Land or other non-rateable land located within the scheme boundary.

The resultant financial impact is a cost to Council estimated at \$201,092 to be funded through the Roads to Recovery Program.

The method of apportioning the costs for this scheme is uniform and is based on access.

To confirm the reasonableness, fairness and appropriateness of the funding framework outlined in Council's Residential Road and Street Construction Plan and otherwise (as being the fairest and most reasonable method of distributing the proposed Special Charge amongst all of the property owners in the Scheme), Council Officers first trialed and considered a number of different methods of apportionment of the Special Charge **Attachment 1 Schedule 2**, and this has included the completion of a property apportionment based on access only and a combination of access and frontage to the Maximum Total Levy Amount as calculated using the Benefit Ratio calculated for this proposed special charge scheme **Attachment 2**.

On this basis, the cost per property under such apportionment methods would have been between either \$4,480 and \$6,687 and \$3,236 to \$18,696, considerably more on an average per property owner basis than the method of distribution which is being proposed for Council's present consideration. Accordingly, and in light of this 'comparative' work undertaken by Council officers, it is recommended to Council that the method of distributing the Special Charge amongst the property owners, as set out in this report (**Method 3 in Schedule 2 of Attachment 1**), is considered to be fair and reasonable.

Property owners liable to pay under the Special Charge scheme will only be invoiced following satisfactory completion of works. Options for payment include full payment within 45 days or 20 quarterly instalments (5 years), including an interest component aligned to Council's cost of finance.

LEGISLATIVE IMPACT

This scheme has been prepared in accordance with Section 163, 163A, 163B of the *Local Government Act 1989*. Public notification will be in accordance with Sections 163 and 223 of the *Local Government Act 1989*. Submissions and objections to the scheme will be considered in accordance with Sections 163A, 163B and 223 of the *Local Government Act 1989*.

Section (2) of Section 163 of the *Local Government Act 1989* requires Council to determine:

- (a) The total amount of the Special Charge to be levied; and
- (b) The criteria to be used as the basis for declaring the special charge.

Section (2A) of Section 163 of the *Local Government Act 1989* provides that for the purpose of Section (2) (a) the total amount of the Special Charge to be levied must not exceed the amount "S" where $S = R \times C$ and;

S = is the maximum total amount that may be levied from all the persons who are liable to pay the special rates or special charges.

R = is the benefit ratio determined by the Council in accordance with sub-section (2B).

C = is the total cost of the performance of the function or the exercise of the power under sub-section (1).

A determination for the purposes of complying with the requirements of sections 163(2)(a), (2A) and (2B) of the Act (which also satisfies the requirements of the Ministerial Guidelines) is included in this report as **Attachment 2**.

COUNCIL POLICY IMPACT

The scheme has been prepared in accordance with Council's Special Charge Schemes – Roads, Street & Drainage Development Policy 4.2.4 and the 2019 Residential Road and Street Construction Plan.

COUNCIL PLAN IMPACT

The Council Plan 2017 – 2021 Theme 2 Services & Infrastructure states the following Strategic Objectives and Strategies:

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 assets infrastructure."

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

PLANNING POLICY IMPACT

The proposal has no impact on Planning Policy.

RESOURCES AND STAFF IMPACT

Implementation of the scheme can be undertaken within the resources of the Assets & Projects unit with the assistance of external contract engineering support for the survey and design of the scheme. In the event the scheme is adopted by Council, construction will be carried out by an approved contractor via a tender process.

COMMUNITY IMPACT

Implementation of this scheme will have a general positive community impact as it will result in Boggy Creek Road, Longford being fully sealed in line with current service standards. Community benefit is reflected in Council's contribution toward the works outcome.

ENVIRONMENTAL IMPACT

Implementation of this scheme will have a positive environmental impact arising from the reduction of dust generated by vehicles as well as improved quality of storm water runoff.

ENGAGEMENT IMPACT

A comprehensive public consultation process has been entered into with affected property owners including:

- Information letter advising property owners of street works proposal 30 April 2018
- Public meeting held at Longford, 25 June 2019
- Mail out survey of all property owners, 9 July 2019
- Follow up phone calls and emails requesting replies to the survey.

Ongoing consultation will be carried out through recommendations 2 and 3 of this report.

RISK MANAGEMENT IMPACT

Implementation of the scheme will produce a substantial reduction in risk to motorists, cyclists and other road users through improved visibility (reduction of dust), improved road surfacing, properly identified through lanes and markings.

Attachment 1

PROPOSED DECLARATION OF SPECIAL CHARGE

'Boggy Creek Road, Longford - Special Charge Street Construction Scheme Number 1901'

1. Wellington Shire Council (**Council**) proposes to declare a Special Charge (**Special Charge** or **Scheme**) under section 163(1) of the *Local Government Act 1989* (**Act**) for the purpose of defraying any expenses or repaying (with interest) any advance made to or any debt incurred or loan to be raised by Council in relation to the construction of Boggy Creek Road in Longford (**Road**) and for providing all and any necessary ancillary works associated with the construction of the Road, including drainage. The Scheme, if declared, is to be known as the 'Boggy Creek Road, Longford - Special Charge Street Construction Scheme Number 1901'.
2. The criteria which will form the basis of the proposed declaration of the Special Charge are the ownership of rateable properties in the area of the Scheme (being properties within the 'rural residential area' of Longford) and, based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to Boggy Creek Road (as the properties are set out in paragraphs 7 and 8 of the proposed declaration), the overall benefits which it is considered the properties in the Scheme (based on the physical and other benefits) will receive from the works to be provided under the Scheme.
3. In proposing the declaration of the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Shire of Wellington, in particular the provision of proper, safe and suitable roads and property services within the area for which the proposed Special Charge is to be declared (**Works**).
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the Works) is \$316,400 and this amount is the total estimated cost of the Works to be undertaken by the Scheme.
5. The total amount to be levied under the Scheme as the Special Charge is \$115,308
6. The Special Charge will commence on the date on which it is levied by Council and will remain in force for a period of 5 years
7. The area for which the proposed Special Charge is to be declared is all of the land shown on the plan set out in the Schedule forming a part of this proposed declaration (being **Schedule 1**)
8. The land in relation to which the proposed Special Charge is to be declared is all that rateable land described in the listing of rateable properties set in the Schedule forming a part of this proposed declaration of Special Charge (being **Schedule 2**)
9. The proposed Special Charge will be assessed and levied in accordance with the amounts set out alongside each property in the Schedule forming a part of this proposed declaration (being **Schedule 2**), such amounts having been assessed and determined by Council as (and are based on) a fixed charge for each property having regard to access, including and in particular driveway access. Properties which have a shared driveway access to the street to be constructed via common property will have their access benefits calculated on the basis of 100% for the first property and 50% for each additional property (with access being apportioned to each of the properties so as to equal the sum of the percentages divided by the number of properties with common property access), and any other benefits.

(More particularly, the Special Charge is to be apportioned to properties included in the Scheme on the basis of each property having a driveway access to the street to be constructed under the Scheme being apportioned one (1) Access Benefit Unit (ABU) and properties within an Owners Corporation with a shared driveway access to the street via common property being apportioned an Access Benefit Unit calculated on the basis of 100% for the first property and 50% for each additional property. The Access Benefit Unit is otherwise to be apportioned to each of these properties equaling the sum of the percentages divided by the number of properties with common property access.)

10. Subject to any further resolution of Council, the Special Charge will be levied by Council sending a notice in the prescribed form to the owners of the properties in the Scheme by which the Special Charge is to be paid –
 - (a) In full amount within 45 days of the notice; or
 - (b) By way of quarterly instalments in the manner set out in paragraph 11.
11. Because the performance of the function and the exercise of the power in respect of which the proposed Special Charge is to be declared and levied relates substantially to the provision of capital works, special ratepayers will be given an instalment plan under which –
 - (a) Quarterly instalments are to be paid over a 5 year period, or other such period as negotiated; and
 - (b) Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimated borrowing costs of Council in respect of the construction of the Road by more than 1 per cent.
12. Council will consider cases of financial and other hardship, and may consider other payment options for the Special Charge.
13. No incentives will be given for the payment of the Special Charge before the due date for payment.
14. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons over and above, or greater than, the benefit that is available to persons who are not subject to the proposed Special Charge, and directly and indirectly as a result of the expenditure proposed by the Special Charge, the value and the use, occupation and enjoyment of the properties included in the Scheme will be maintained or enhanced through the provision of proper, safe and suitable roads and property services. Without limitation, Council considers that the Works will –
 - (a) Reduce dust;
 - (b) Enhance the amenity and character of the land, and local area;
 - (c) Create improved riding surfaces for the Road;
 - (d) Improve access and egress from properties;
 - (e) Improve road drainage; and
 - (f) Improve road safety for motorists, cyclists.
15. For the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special and community benefits) that will accrue as special benefits to all persons who are liable to pay the Special Charge is in a ratio of 0.677 or 67.7%, noting however that, in the exercise of its discretions, Council has chosen to make a further contribution to the cost of the Works so as to arrive at a Revised Maximum Total Levy Amount of \$115,308.

SCHEDULES TO DECLARATION

Schedule 1 - Scheme plan area

Schedule 2 - Listing of all properties with amount of special charges payable and showing manner of calculation of special charge apportionment;

Method 1 - Maximum Levy at 50% Access Benefit and 50% Frontage

Method 2 - Maximum Levy at 100% Access Benefit

Method 3 - Fixed Fee

BOGGY CREEK ROAD – LONGFORD PLAN OF SPECIAL CHARGE SCHEME AREA.

[illegible]

Schedule 2

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

WELLINGTON SHIRE COUNCIL

BOGGY CREEK ROAD, LONGFORD (ESTIMATED COST) - MAX LEVY - 50% ACCESS & 50% FRONTAGE

ASSES. No.	PARCEL No.	TITLE DETAILS	STREET ADDRESS	ACCESS BENEFIT UNITS	FRONTAGE	SIDEAGE	TOTAL APPORTIONED LENGTH	ESTIMATED COST
BOGGY CREEK ROAD								
1	437012	59620	Lot 2 P0729250	3A Boggly Creek Road LONGFORD VIC 3851	1	2.4	0.00	\$3,236
2	437020	59621	Lot 3 P0729250	3B Boggly Creek Road LONGFORD VIC 3851	1	2.4	0.00	\$3,236
3	437004	59619	Lot 1 P0729250	3C Boggly Creek Road LONGFORD VIC 3851	1	2.4	0.00	\$3,236
4	185439	59034	Lot 1 P0716913	7 Boggly Creek Road LONGFORD VIC 3851	1	37.38	0.00	\$5,807
5	439851	59037	Lot 4 P0716914	9A Boggly Creek Road LONGFORD VIC 3851	1	3.33	0.00	\$3,305
6	439851	59038	Lot 5 P0716915	9B Boggly Creek Road LONGFORD VIC 3851	1	3.33	0.00	\$3,305
7	439851	59036	Lot 3 P0716916	9C Boggly Creek Road LONGFORD VIC 3851	1	3.33	0.00	\$3,305
8	185421	59035	Lot 2 P0716917	11 Boggly Creek Road LONGFORD VIC 3851	1	191	0.00	\$17,095
9	440412	60682	Lot 3 P0743726	21A Boggly Creek Road LONGFORD VIC 3851	1	3.33	0.00	\$3,305
10	437129	60683	Lot 4 P0743727	21B Boggly Creek Road LONGFORD VIC 3851	1	3.33	0.00	\$3,305
11	437137	60684	Lot 5 P0743728	21C Boggly Creek Road LONGFORD VIC 3851	1	3.33	0.00	\$3,305
12	440347	60680	Lot 1 P0743729	23 Boggly Creek Road LONGFORD VIC 3851	1	54.22	0.00	\$7,044
13	391753	51893	Lot 1 P0518802	24 Boggly Creek Road LONGFORD VIC 3851	1	68.51	0.00	\$8,094
14	442780	60681	Lot 2 P0743731	25 Boggly Creek Road LONGFORD VIC 3851	1	54.22	0.00	\$7,044
15	391763	51894	Lot 2 P0518802	30 Boggly Creek Road LONGFORD VIC 3851	1	64.47	0.00	\$7,797
16	185413	9389	Lot 1 P0333595	31 Boggly Creek Road LONGFORD VIC 3851	1	76.32	0.00	\$8,668
17	391771	51895	Lot 3 P0518802	32 Boggly Creek Road LONGFORD VIC 3851	1	64.39	0.00	\$7,791
18	404152	55296	Lot 1 P0333597	38 Boggly Creek Road LONGFORD VIC 3851	1	8	0.00	\$3,648
19	368571	46177	Lot 2 P0333595	41 Boggly Creek Road LONGFORD VIC 3851	1	42.42	0.00	\$6,177
20	391789	55295	Lot 1 P0610654	44 Boggly Creek Road LONGFORD VIC 3851	1	71.85	0.00	\$8,340
21	410357	54643	Lot 2 P0602237	46 Boggly Creek Road LONGFORD VIC 3851	1	10	0.00	\$3,795
22	391797	54644	Lot 1 P0602237	48 Boggly Creek Road LONGFORD VIC 3851	1	65	0.00	\$7,836
23	409466	56036	Lot 7 P0623658	49A Boggly Creek Road LONGFORD VIC 3851	1	58.59	0.00	\$7,365
24	408542	56037	Lot 8 P0623659	49B Boggly Creek Road LONGFORD VIC 3851	1	10	0.00	\$3,795
25	409458	56035	Lot 5 P0623660	49C Boggly Creek Road LONGFORD VIC 3851	1	10	0.00	\$3,795
26	185165	57239	Lot 6 P0637846	49D Boggly Creek Road LONGFORD VIC 3851	1	58.77	0.00	\$7,378
27	402040	54648	Lot 1 P0602238	58 Boggly Creek Road LONGFORD VIC 3851	1	60	0.00	\$7,469
28	391805	54649	Lot 2 P0602238	60 Boggly Creek Road LONGFORD VIC 3851	1	10	0.00	\$3,795
29	391813	55744	Lot 1 P0616490	62A Boggly Creek Road LONGFORD VIC 3851	1	49.19	0.00	\$6,675
30	185165	57260	Lot 8 P0637846	63 Boggly Creek Road LONGFORD VIC 3851	1	158.41	181.29	\$18,696
31	408104	55746	Lot 3 P0616490	66 Boggly Creek Road LONGFORD VIC 3851	1	10	0.00	\$3,795
32	407411	55745	Lot 2 P0616490	68 Boggly Creek Road LONGFORD VIC 3851	1	47.76	0.00	\$6,569
33	409714	56737	Lot 1 P0627881	72 Boggly Creek Road LONGFORD VIC 3851	1	10	0.00	\$3,795
34	197830	56738	Lot 2 P0627881	74 Boggly Creek Road LONGFORD VIC 3851	1	50.31	0.00	\$6,757
ROSEDALE - LONGFORD ROAD								
35	206094	12339	Lot 1 LP148992	2620 Rosedale Longford Road	1	0	117.24	\$5,645
					35	1367.99	298.53	\$214,203
TOTAL ESTIMATED COST OF SCHEME					\$316,400			
COUNCIL CONTRIBUTION					\$102,197			
ESTIMATED APPORTIONABLE AMOUNT					\$214,203			
AMOUNT APPORTIONED TO ACCESS - 50%					\$107,102			
AMOUNT APPORTIONED TO FRONTAGE - 50%					\$107,102			
Apportioned Rate - (Access Benefit Units)					\$3,060			
Apportioned Rate - (Abuttal Length)					\$73			
					per Access Benefit Unit			
					per Metre			
Contribution Wellington Shire Council					\$221,480			
Contribution Property Owners					-\$7,277			
					70%			
					30%			

Method 2 - Maximum Levy at 100% Access Benefit

WELLINGTON SHIRE COUNCIL

BOGGY CREEK ROAD CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX LEVY - ACCESS ONLY

ASSESS NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS	ACCESS BENEFIT UNIT (ABU)	ABU FACTOR APPLIED FOR COMMON PROPERTY	APPORTIONED ABU's	SCHEME CONTRIBUTION RATE	ESTIMATED AMOUNT
BOGGY CREEK ROAD								
1	437012	59620	Lot 2 P0729250	5A Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
2	437020	59621	Lot 3 P0729250	5B Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
3	437004	59619	Lot 1 P0729250	5C Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
4	185439	59034	Lot 1 P0716913	7 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
5	439851	59037	Lot 4 P0716914	9A Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
6	439851	59038	Lot 5 P0716915	9B Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
7	439851	59036	Lot 3 P0716916	9C Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
8	185421	59035	Lot 2 P0716917	11 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
9	440412	60682	Lot 3 P0743726	21A Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
10	437129	60683	Lot 4 P0743727	21B Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
11	437137	60684	Lot 5 P0743728	21C Boggy Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$6,687.57
12	440347	60680	Lot 1 P0743729	23 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
13	391735	51893	Lot 1 P0518802	24 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
14	442780	60681	Lot 2 P0743731	25 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
15	391763	51894	Lot 2 P0518802	30 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
16	185413	9389	Lot 1 P0333595	31 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
17	391771	51895	Lot 3 P0518802	32 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
18	404152	55296	Lot 1 P0333597	38 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
19	368571	46177	Lot 2 P0333595	41 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
20	391789	55295	Lot 1 P0510654	44 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
21	410337	54645	Lot 2 P0602237	46 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
22	391797	54644	Lot 1 P0602237	48 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
23	409466	56036	Lot 7 P0623658	49A Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
24	408342	56037	Lot 8 P0623659	49B Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
25	409436	56035	Lot 5 P0623660	49C Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
26	185165	57259	Lot 6 P0637846	49D Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
27	402040	54648	Lot 1 P0602238	58 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
28	391805	54649	Lot 2 P0602238	60 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
29	391813	55744	Lot 1 P0616490	62A Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
30	185165	57260	Lot B P0637846	63 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
31	408104	55746	Lot 3 P0616490	66 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
32	407411	55745	Lot 2 P0616490	68 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
33	409714	56737	Lot 1 P0627881	72 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57
34	197830	56738	Lot 2 P0627881	74 Boggy Creek Road LONGFORD VIC 3851	1		1	\$6,687.57

ROSEDALE - LONGFORD ROAD

35	206094	12359	Lot 1 LP148992	2620 Rosedale Longford Road	1		1	\$6,687.57
TOTALS					35		32.03	\$214,203.00

TOTAL ESTIMATED COST OF SCHEME

COUNCIL CONTRIBUTION \$916,400

APPORTIONED AMOUNT (Max Levy) \$102,187

Apportioned Rate (ABU) \$214,203

\$6,687.57 per access benefit

ABU FACTOR CALCULATION FOR COMMON PROPERTY

Calculation - First property at 100% with 50% for each additional property divided by number of properties

Address	First Property	Additional Properties	Total No of Props	Factor
5A, 5B, 5C Boggy Creek Rd	1	2	3	0.67
9A, 9B, 9C Boggy Creek Rd	1	2	3	0.67
21A, 21B, 21C Boggy Creek Rd	1	2	3	0.67

Method 3 – Fixed Fee

WELLINGTON SHIRE COUNCIL

BOGGY CREEK ROAD CONSTRUCTION SCHEME - APPORTIONMENT OF COST - REVISED MAX LEVY - ACCESS ONLY

ASSESS NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS	ACCESS BENEFIT UNIT (ABU)	ABU FACTOR APPLIED FOR COMMON PROPERTY	APPORTIONED ABU's	SCHEME CONTRIBUTION RATE	AMOUNT DUE
BOGGY CREEK ROAD								
1	437012	59620 Lot 2 P5729230	5A Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
2	437020	59621 Lot 3 P5729230	5B Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
3	437004	59619 Lot 1 P5729230	5C Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
4	185439	59034 Lot 1 P5716913	7 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
5	439851	59037 Lot 4 P5716914	9A Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
6	439851	59038 Lot 3 P5716915	9B Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
7	439851	59036 Lot 3 P5716916	9C Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
8	185421	59035 Lot 2 P5716917	11 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
9	440412	60682 Lot 3 P5743726	21A Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
10	437129	60683 Lot 4 P5743727	21B Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
11	437137	60684 Lot 3 P5743728	21C Boggie Creek Road LONGFORD VIC 3851	1	0.67	0.67	\$3,600.00	\$2,412.00
12	440347	60680 Lot 1 P5743729	23 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
13	391755	51893 Lot 1 P5333392	24 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
14	442780	60681 Lot 2 P5743731	25 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
15	391763	51894 Lot 2 P5333392	30 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
16	185413	9389 Lot 1 P5333393	31 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
17	391771	51895 Lot 3 P5333392	32 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
18	404152	55296 Lot 1 P5333397	38 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
19	368571	46177 Lot 2 P5333393	41 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
20	391789	55295 Lot 1 P5610654	44 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
21	410357	54645 Lot 2 P5602237	46 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
22	391797	54644 Lot 1 P5602237	48 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
23	409466	56036 Lot 7 P5623638	49A Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
24	408542	56037 Lot 8 P5623639	49B Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
25	409458	56035 Lot 3 P5623660	49C Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
26	185165	57259 Lot 6 P5637846	49D Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
27	402040	54648 Lot 1 P5602238	58 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
28	391805	54649 Lot 2 P5602238	60 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
29	391813	55744 Lot 1 P5616490	62A Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
30	185165	57260 Lot 8 P5637846	63 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
31	408104	55746 Lot 3 P5616490	66 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
32	407411	55745 Lot 2 P5616490	68 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
33	409714	56737 Lot 1 P5627881	72 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
34	197830	56738 Lot 2 P5627881	74 Boggie Creek Road LONGFORD VIC 3851	1		1	\$3,600.00	\$3,600.00
ROSEDALE - LONGFORD ROAD								
35	206094	12359 Lot 1 LP148992	2620 Rosedale Longford Road	1		1	\$3,600.00	\$3,600.00
TOTALS				35		32.03		\$115,308.00
TOTAL ESTIMATED COST OF SCHEME				\$316,400				
COUNCIL CONTRIBUTION				\$201,092				
APPORTIONED AMOUNT				\$115,308				
Apportioned Rate (ABU)				\$3,600 per access benefit				
ABU FACTOR CALCULATION FOR COMMON PROPERTY								
Calculation - First property at 100% with 30% for each additional property divided by number of properties								
Address				First Property	Additional Properties	Total No of Propert	Factor	
5A, 5B, 5C Boggie Creek Rd				1	2	3	0.67	
9A, 9B, 9C Boggie Creek Rd				1	2	3	0.67	
21A, 21B, 21C Boggie Creek Rd				1	2	3	0.67	

Attachment 2

BOGGY CREEK ROAD, LONGFORD – SPECIAL CHARGE STREET CONSTRUCTION SCHEME NUMBER 1901

Determination under Sections 163(2)(a), (2A) and (2B) of the *Local Government Act 1989* – Calculation of Total Amount of Special Charges to be Levied ('Maximum Total Levy')

Introduction

Wellington Shire Council (**Council**) has a legacy of being required to deal with a number of issues associated with sub-standard roads and streets throughout the Shire. A key objective of Council is to renew and improve roads and streets within residential environments with a view to providing proper community infrastructure and improved amenity and liveability, and overall resident satisfaction.

Council has (following a review of its 'Residential Road and Street Construction Plan 2014') adopted the 'Residential Road and Street Construction Plan 2019' (**Plan**). As a strategic policy document, the Plan seeks to provide a sustainable budgetary response to the renewal and improvement of sub-standard roads and streets within residential environments throughout the Shire.

The proposed special charge scheme for the construction and improvement of Boggy Creek Road, Longford (to be known as the 'Boggy Creek Road, Longford - Special Charge Street Construction Scheme Number 1901') (**Special Charge** or **Scheme**) is consistent with, and otherwise supports, the Plan.

This determination is made by Council under and for the purposes of sections 163(2)(a), (2A) and (2B) of the *Local Government Act 1989* (**Act**). It addresses the calculation of the 'benefit ratio' in order to determine the total amount of the special charges that may be levied on those property owners who it is considered will receive a benefit from the proposed works through the imposition of the Special Charge (**'Maximum Total Levy'**).

The calculation of the Maximum Total Levy requires Council to –

- Calculate the total cost of the works; and
- Calculate the 'benefit ratio' based on reasonable estimates being made of –
 - i. The 'total special benefits' to the properties included in the Scheme (TSB(in));
 - ii. The 'total special benefits' to the properties not included in the Scheme (if any) (TSB(out)); and
 - iii. The 'total community benefits' (if any) to be provided by the Scheme (TCB).

A. Define Purpose

The purpose of the Special Charge Scheme is to defray an expense or to repay (with interest) an advance made to or a debt or loan to be raised by Council in connection with the construction, improvement and drainage of Boggy Creek Road, Longford.

Boggy Creek Road is located within a rural residential area and currently consists of a formed (but unsealed) gravel pavement of approximately 800m in length, with irregular table drains. The road is primarily a rural-type road, with the unsealed section extending for the full length of the road. The road is managed and maintained by Council.

A formal investigation of the proposed Special Charge Scheme was commenced following ongoing property owner concerns and complaints in relation to Council's maintenance grading regime, which applied to the road. The initial work undertaken by Council in response to these concerns included a site survey, the preparation of concept designs and an estimate of costs. Property owners were advised that, if implemented, the Scheme would provide for the construction and sealing of the road to a 6.2m width, with barrier kerbing being proposed at bends in the road, and improved drainage and stormwater management.

The construction and sealing of Boggy Creek Road will reduce Council's need for ongoing maintenance intervention, while providing a higher level of service for property owners and the general public. Under Council's Road Management Plan, Boggy Creek Road is designated as a 'Local Access A Road' and (as required by the Plan) ~~more than~~ 60% or more of property owners have expressed support for its construction.

Consistent with the Plan, it is considered that the 35 rateable properties which it is proposed will be included in the Scheme (and the general public) will benefit from the proposed works in the following ways –

- Improved amenity and liveability for residents and community through quality infrastructure and streetscape;
- Removal of dust and health related issues currently experienced in unsealed streets;
- Improved safety for motorists and pedestrians with modern road and path infrastructure, that is less exposed to rapid degradation;
- Decreased maintenance costs incurred by Council, through reduced demand associated with upkeep of poorly constructed roads, streets, drains and paths;
- Increased community satisfaction via the provision of infrastructure that meets expectations;
- Improved high density development opportunities in existing urban environments.

Following further investigation of potential methods to facilitate the construction works in Boggy Creek Road, a further consideration of survey results and further meetings with property owners (who continue to show support for the Scheme), it has been concluded that a Special Charge Scheme, generally in accordance with and supported by the Plan, is the preferred approach to facilitate the project outcomes.

B. Ensure Coherence

The proposed road and drainage improvement works to be located within the Scheme area will provide a special benefit to the 35 rateable property owners located within the Scheme boundaries, and are otherwise physically connected to the purpose set out in A.

C. Calculate Total Costs

The implementation of the Special Charge is regulated by section 163 of Act. Ministerial Guidelines made pursuant to the Act require Councils to be transparent about how they calculate the 'Maximum Total Levy'.

For this project, the Maximum Total Levy has been calculated in accordance with the Act and the Guidelines. The Maximum Total Levy, and other relevant information, is summarised in the table below.

Total Scheme Cost	\$316,400
'Benefit Ratio' Determination	0.677
Maximum Total Levy Amount	\$214,203
Further Council Contribution	\$98,895
Revised Maximum Total Levy Amount	\$115,308

D. Identify Special Beneficiaries

It is considered that all 35 rateable properties in the Scheme (as they are listed in the apportionment spreadsheet) will receive both road- and drainage-related special benefits from the proposed works.

The relevant special benefits which it is considered each property will receive are –

- Reduction in dust;
- Enhancement of the amenity and character of the land and local area;
- Creation of improved riding surfaces for the street;
- Improvement in access and egress from properties;
- Improved road drainage; and
- Improved road safety for motorists and cyclists.

The Scheme area (showing the 35 properties and the location of the road to be constructed) is shown in on the plan below.



It is considered that that all of the properties included within the Scheme will receive a benefit from the works to be provided under the Scheme (being 1 BU for each property), regardless (for the purposes of calculating the Benefit Ratio but not for the purposes of the final distribution of the Special Charge amongst the Special Charge contributors) and regardless of whether or not particular properties have subdivision or other development potential (or, in some cases, further subdivision or development potential). The BU so chosen has been broken up equally into both access benefit and amenity benefit (viz., 0.5 BU for 'improved access' and 0.5 BU for 'improved amenity').

F. Estimate Total Special Benefits

Total Special Benefit Units are defined as follows –

Total Special Benefits = Total Special Benefits In + Total Special Benefits Out, that is –

$$(\text{TSB} = \text{TSB}_{(\text{in})} + \text{TSB}_{(\text{out})})$$

TSB_(in) has been calculated as follows –

Total Special Benefit Units In (TSB _(in))	Access (50%)	Amenity (50%)
Total number of Rateable Properties in Scheme receiving Special Benefit and being required to pay the Special Charge (35)	0.5 x 35 = 17.5 BU	0.5 x 35 = 17.5 BU
TSB_(in) =	35 BU	

TSB_(out) has been calculated as follows –

Because –

- All of the properties in the Scheme (including common property) are rateable; and
- There are no properties in the Scheme receiving a special benefit which are not required to pay the Special Charge –

there are no **TSB_(out)** properties.

G. Estimate Total Community Benefit

In addition to establishing the Total Special Benefits for the Scheme, an assessment of any Community Benefit is also required to be undertaken in order to calculate the Maximum Total Levy.

In terms of assessing the level of any Community Benefit, it is generally considered that the works included in the Scheme will primarily benefit only those properties which are included within the Scheme boundary, and that accordingly the level of benefit to the broader community will be limited.

It is considered that the Community Benefit attributable to the proposed Scheme works will be generated from the broader community receiving some benefits which benefits (in the interest of fairness and equity) Council should be pay for (and not the special charge contributors).

The community benefits are considered to be –

- A wider use of Boggy Creek Road following its construction;
- Improved drainage and water quality; and
- Reduced ongoing maintenance costs for Council.

Broader traffic use

To calculate the level of Community Benefit which it is considered will be attributable to persons who are not accessing or servicing the properties within the Scheme boundary (but who will nevertheless use the road for wider access purposes), an assessment of vehicle movements has

been undertaken. It is estimated that there are 250 vehicle movements per day on the road (in its present form).

Based on these traffic movements, it is considered that the majority (if not all) of these vehicle movements relate to use by persons who are accessing or servicing the Special Benefit (in) properties the (based on an average of 6 vehicle movements per day). Therefore, the Total Special Benefits for 'road access' by the Special Benefit (in) properties is determined to be 17.5 BU (this is based on approximately 210 vehicle movements per day (35 x 6) (averaged out and give or take)).

Based on current traffic volumes (and any projected increases in traffic following construction of the road by persons not receiving special benefits), it is anticipated that the overall traffic on Boggy Creek Road would not significantly increase, meaning that it is anticipated that there will no additional vehicle movements per day following construction of the road. Despite this, an allowance is made for what may be some increase in traffic movements and, accordingly, any projected increase in external traffic will account for the Total Community Benefit, and this will result in the calculation of the following BU's for any such traffic by the broader community.

Total Community Benefit Units for any broader traffic use of the road is calculated as follows –

$$TCB_{\text{traffic}} = 17.5 \times (210 / 250)$$

$$TCB_{\text{traffic}} = 14.7$$

Improved drainage and water quality

Sealing of the roads will result in improved drainage and better water quality: It is recommended therefore that **1 BU** be allowed for this benefit, which is however considered to be a marginal benefit.

$$TCB_{\text{drainage}} = 1$$

Reduced ongoing maintenance costs

There will be less ongoing maintenance costs for Council in having to care for and manage a sealed road, rather than an unsealed road: It is recommended therefore that **1 BU** be allowed for this benefit, which again is considered to be a marginal benefit.

$$TCB_{\text{maintenance}} = 1$$

Therefore,

$$\begin{aligned} TCB_{\text{total}} &= TCB_{\text{traffic}} + TCB_{\text{drainage}} + TCB_{\text{maintenance}} \\ &= 14.7 + 1 + 1 \end{aligned}$$

$$TCB_{\text{total}} = 16.7$$

H. Calculating the 'Benefit Ratio'

The Benefit Ratio is calculated as follows –

$$\begin{aligned} R &= \frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB} \\ &= 35 / (35 + 0 + 16.7) \\ &= 35 / 51.7 \end{aligned}$$

$$\text{Benefit Ratio} = 0.677$$

I. Calculating the Maximum Total Levy

The following formula, as set out in the Act, is used to determine the Maximum Total Levy –

$$R \times C = S$$

where –

R is the Benefit Ratio determined by Council;

C is the total Scheme cost; and

S is the Maximum Total Levy

Maximum Total Levy Amount (R x C = S)
0.677 x \$316,400 = \$214,203

Council may levy up to 67.7% of total costs, or **\$214,203**.

J. Other relevant considerations

Council notes that if it levies the Maximum Total Levy Amount of \$214,603 the special charge contributors would be required to pay by way of special charges amounts which exceed the amounts set out in Council's Residential Road and Street Construction Plan 2019².

In the exercise of its discretions, and otherwise in accordance with the Plan (and the objectives which the Plan seeks to achieve), Council chooses to allocate a further amount of \$98,895 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$115,308 (***Revised Maximum Total Levy Amount***).

The Revised Maximum Total Levy Amount is to be apportioned amongst the property owners within the scheme area in accordance with the method of distribution of the Special Charge to be determined by Council in the declaration of the Special Charge.

² Refer to section 6.2 of the Plan by which a fixed rate contribution model of \$3,600 has been proposed and adopted by Council for Small and Coastal Towns (like Longford) where sealed roads are to be provided.



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.

CHATROOM -

FURTHER GALLERY COMMENTS -

Meeting declared closed at: pm

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



F. CONFIDENTIAL ATTACHMENT/S

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ATTACHMENT/S**

ITEM F1.1

HEADS OF AGREEMENT FOR PROPOSED LEASE FROM WELLINGTON SHIRE COUNCIL TO TELSTRA CORPORATION LIMITED (Refer to Agenda Item C3.4)



**ORDINARY COUNCIL MEETING
17 DECEMBER 2019**

On this 3rd day of December 2019, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, John Websdale declare that the information contained in the attached document **ITEM F1.1 HEADS OF AGREEMENT FOR PROPOSED LEASE FROM WELLINGTON SHIRE COUNCIL TO TELSTRA CORPORATION LIMITED** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- h) any other matter which the Council or special committee considers would prejudice the Council or any person, be designated confidential information under Section 77 Clause (2) (b) of the Local Government Act 1989.***



.....
JOHN WEBSDALE (Delegate)
General Manager Development

ITEM F1.2 HEADS OF AGREEMENT – PROPOSED LEASE 8 FOSTER STREET, SALE
(Refer to Agenda Item C3.6)



**ORDINARY COUNCIL MEETING
17 DECEMBER 2019**

On this 3rd day of December 2019, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, John Websdale declare that the information contained in the attached document **ITEM F1.2 HEADS OF AGREEMENT - PROPOSED LEASE – 8 FOSTER STREET, SALE**, is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- h) any other matter which the Council or special committee considers would prejudice the Council or any person.***



.....
General Manager Development

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*

IN CLOSED SESSION

COUNCILLOR

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