



**WELLINGTON**

SHIRE COUNCIL

*The Heart of Gippsland*

## **Council Meeting Agenda**

**Meeting to be held at**

**Council Chambers - Wellington Centre**

**Foster Street, Sale**

**Tuesday 7 April 2020, commencing at 3pm**

**or join Wellington on the Web:**

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

**ORDINARY MEETING OF COUNCIL – 7 APRIL 2020**  
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## Council Meeting Information

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

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

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



## **A - PROCEDURAL**



### **STATEMENT OF ACKNOWLEDGEMENT**

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



### **PRAYER**

***“Almighty God, we ask your blessing upon the Wellington  
Shire Council, its Councillors, officers, staff and their families.***

***We pray for your guidance in our decisions so that the  
true good of the Wellington Shire Council may result to  
the benefit of all residents and community groups.”***

***Amen***



## **A - PROCEDURAL**

# **A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S**

**ITEM A4**

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

ACTION OFFICER:

GENERAL MANAGER CORPORATE SERVICES

DATE:

7 APRIL 2020

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**OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 17 March 2020.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 17 March 2020.*

**CONFLICT OF INTEREST**

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



## A - PROCEDURAL

# A5 BUSINESS ARISING FROM PREVIOUS MEETING/S



## A - PROCEDURAL

# A6 ACCEPTANCE OF LATE ITEMS



## A - PROCEDURAL

### A7 NOTICE/S OF MOTION



## **A - PROCEDURAL**

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

**ITEM A8(1)**

**OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

7 APRIL 2020

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| ITEM | FROM MEETING | COMMENTS | ACTION BY |
|------|--------------|----------|-----------|
| Nil  |              |          |           |



## A - PROCEDURAL

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



## **A - PROCEDURAL**

# **A10 QUESTIONS ON NOTICE**



# B –REPORT

# DELEGATES



# C1 - REPORT

# CHIEF EXECUTIVE OFFICER



## C2 - REPORT

# GENERAL MANAGER CORPORATE SERVICES

**ITEM C2.1****ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES  
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES  
 DATE: 7 APRIL 2020

| 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 12 March 2020 to 1 April 2020.

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

***That Council note and receive the attached Assembly of Councillor records for the period 12 March 2020 to 1 April 2020.***

**BACKGROUND**

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

Below is a summary of all assembly of Councillor records received for the period 12 March 2020 to 1 April 2020.

**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 12 March 2020 to 1 April 2020.

## **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 – 17 March 2020

| MEETING                   | COUNCILLORS AND OFFICERS IN ATTENDANCE<br>(NAME AND POSITION) |            |  |            | CONFLICT/S OF INTEREST<br>OR ACTION ITEMS |
|---------------------------|---|------------|--|------------|---|
| <b>IT / Diary Meeting</b> | Name  | Attendance | Name   | Attendance |   |
|                           | Cr Bye  | Yes        | Cr Ripper                                    | Yes        | N/A                                       |
|                           | Cr Crossley   | Yes        | Cr Rossetti                                  | Yes        | N/A                                       |
|                           | Cr Hall   | Yes        | Cr Stephens                                  | Yes        | N/A                                       |
|                           | Cr Hole   | Yes        | David Morcom, CEO                            | Yes        | N/A                                       |
|                           | Cr McCubbin   | Yes        | Viktoria Pope, EA CEO                        | Yes        | N/A                                       |
|                           | Cr Maher  | Yes        | Damian Norkus, ICT Operations Officer        | Yes        | N/A                                       |
| MEETING                   | COUNCILLORS AND OFFICERS IN ATTENDANCE<br>(NAME AND POSITION) |            |  |            | CONFLICT/S OF INTEREST<br>OR ACTION ITEMS |
| <b>Workshops</b>          | Name  | Attendance | Name   | Attendance |   |
|                           | Cr Bye  | Yes        | Cr Rossetti                                  | Yes        |   |
|                           | Cr Crossley   | Yes        | Cr Stephens                                  | Yes        |   |
|                           | Cr Hall   | Yes        | David Morcom, CEO                            | Yes        |   |
|                           | Cr Hole   | Yes        | Arthur Skipitaris, GM Corporate Services     | Yes        |   |
|                           | Cr McCubbin   | Yes        | Sharon Houlihan, GM Community & Culture      | Yes        |   |
|                           | Cr Maher  | Yes        | Chris Hastie, GM Built & Natural Environment | Yes        |   |
|                           | Cr Ripper   | Yes        | Brent McAlister, GM Development              | Yes        |   |

|                              | <b>MATTERS/ITEMS<br/>CONSIDERED AT THE<br/>MEETING</b>                 | <b>OTHERS IN ATTENDANCE<br/>(NAME AND POSITION)</b>  | <b>SUMMARY &amp;<br/>ACTION ITEMS</b>                          |
|------------------------------|--|--|--|
| <b>Workshops<br/>(cont.)</b> | <ul style="list-style-type: none"> <li><b>Brief Updates</b></li> </ul> | <ul style="list-style-type: none"> <li>EA10 – Arthur Skipitaris</li> <li>Stephenson Park Changeroom Redevelopment and Sale City Football Netball Club – Sharon Houlihan</li> <li>Relocation of the 1915 Melbourne Cup – Sharon Houlihan</li> <li>Coronavirus Update – Sharon Houlihan</li> </ul> <p><i>Conflict of Interest: Nil</i></p> | Councillors noted updates.<br>Action: N/A                      |
|                              | <b>1. Victorian and Federal Government Bushfire Funding Briefing</b>   | <ul style="list-style-type: none"> <li>Brent McAlister, General Manager Development</li> <li>Paul Johnson, Manager Business Development</li> <li>Geoff Hay, Senior Business Development Officer</li> </ul> <p><i>Conflict of Interest: Nil</i></p>   | Councillors noted & agreed with updates.<br>Action: N/A        |
|                              | <b>2. Final Environmental Sustainability Strategy</b>                  | <ul style="list-style-type: none"> <li>Tim Rowe, Manager Natural Environment and Parks</li> <li>Joanna Rule, Sustainability Projects Officer</li> <li>Samantha Nock, Coordinator Waste and Sustainability</li> <li><i>Conflict of Interest: Nil</i></li> </ul>   | Councillors noted & agreed with updates.<br>Action: N/A        |
|                              | <b>3. New Council Agenda Format</b>                                    | <ul style="list-style-type: none"> <li>Denise Teo, Governance Officer</li> <li>Arthur Skipitaris, General Manager Corporate Services</li> </ul> <p><i>Conflict of Interest: Nil</i></p>  | Councillors noted & agreed with updates<br>Action: N/A         |
|                              | <b>4. WSC Cashflow Modelling</b>                                       | <ul style="list-style-type: none"> <li>Ian Carroll, Manager Corporate Finance</li> </ul> <p><i>Conflict of Interest: Nil</i></p>   | Councillors noted & agreed with updates<br>Action: N/A         |
|                              | <b>5. FTE Overview</b>   | <ul style="list-style-type: none"> <li>Sara Crees, Manager People and Capability</li> <li>Ian Carroll, Manager Corporate Finance</li> </ul> <p><i>Conflict of Interest: Nil</i></p>  | Councillors noted & agreed with recommendations<br>Action: N/A |
|                              | <b>6. Burley Place, Maffra Update</b>                                  | <ul style="list-style-type: none"> <li>Joshua Clydesdale, Manager Land Use Planning</li> <li>John Traa, Coordinator Statutory Planning</li> </ul> <p><i>Conflict of Interest: Nil</i></p>  | Councillors noted & agreed with updates<br>Action: N/A         |

|  |   |  |  |
|--|---|--|--|
|  | <b>7. 2020/21 Strategic Planning Project Priorities</b> | <ul style="list-style-type: none"> <li>• Joshua Clydesdale, Manager Land Use Planning</li> <li>• Barry Hearsey, Coordinator Strategic Planning</li> </ul> <p><i>Conflict of Interest:</i><br/> <i>Manager Land Use Planning declared a conflict of interest with the potential rezoning of land in Longford project option due to land ownership in the Longford Development Plan area however this was not discussed during the workshop.</i><br/> <i>Darren McCubbin declared a conflict as he is on the Board of the Elderly Citizens which may be detailed in this workshop regarding work that may be conducted on contaminated sites of which Elderly Citizens is one.</i></p> | <p>Councillors noted &amp; agreed with updates<br/> Action: N/A</p>  |
|  | <b>8. Rail Projects Update</b>                          | <ul style="list-style-type: none"> <li>• Tim Rowe, Manager Natural Environment and Parks</li> <li>• Chris Hastie, General Manager Built and Natural Environment</li> </ul> <p><i>Conflict of Interest: Nil</i></p>   | <p>Councillors noted &amp; agreed with updates.<br/> Action: N/A</p> |

**ITEM C2.2****REMUNERATION COMMITTEE MINUTES**

DIVISION: CORPORATE SERVICES  
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES  
 DATE: 7 APRIL 2020

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

**OBJECTIVE**

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 3 March 2020.

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

***That:***

- 1. Council note and receive the minutes from the Remuneration Committee meeting held on 3 March 2020 as attached; and***
- 2. Council endorse the actions from the Remuneration Committee meeting held on 3 March 2020 as detailed in the attached minutes.***

**OPTIONS**

Council has the following options available:

1. Note and receive the minutes from the Remuneration Committee meeting held on 3 March 2020 and endorse the actions from the meeting; or
2. Not note and receive the minutes from the Remuneration Committee meeting held on 3 March 2020 or endorse the actions from the meeting and seek further information for consideration at a future Council meeting.

**PROPOSAL**

It is proposed that Council:

1. Note and receive the minutes from the Remuneration Committee meeting held on 3 March 2020 as attached; and
2. Endorse the actions from the Remuneration Committee meeting held on 3 March 2020 as detailed in the attached minutes.

## **CONFLICT OF INTEREST**

No Staff involved in the compilation of this report have declared a Conflict of Interest.

## **COUNCIL POLICY IMPACT**

The Remuneration Committee reviews Councillor entitlements, expenses, reimbursements and gifts and ensures alignment with Council policy direction and governance in relation to Councillor benefits.

## **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”*

This report supports the above Council Plan strategic objective and strategies in Council Plan 2017-21.



## REMUNERATION COMMITTEE MINUTES

**Tuesday 3 March 2020 – 9am Carang Carang Room, Port of Sale**

### MINUTES

---

**PRESENT:** Councillor Malcolm Hole (Chair)  
Councillor Garry Stephens  
David Morcom (Chief Executive Officer)  
Arthur Skipitaris (General Manager Corporate Services)

**APOLOGIES:** Councillor Carolyn Crossley

**1. Declaration of Conflicts of Interest:**  
No Conflicts of Interest were declared.

**2. Minutes of Previous Meeting:**

The minutes of the previous meeting on 15 October 2019 were accepted.

**3. Actions from previous minutes**

Noted.

**4. Councillor Costs and Reimbursements**

Councillor Costs and Reimbursements spreadsheets were reviewed, discussed and accepted.

- Councillor Expense Summary Report YTD – 31 January 2020 (Attachment 1)

**5. General Business**

Nil

**The meeting closed at 9.20am**

**Attachment 1 - Councillor Expense Summary Report YTD – 31 January 2020**

**Attachment 1 - Councillor Expense Summary Report YTD – 31 January 2020**

| Wellington Shire Council   |                               |                 |  |                               |                               |
|--|-------------------------------|-----------------|--|-------------------------------|-------------------------------|
| Councillors  |                               |                 |  |                               |                               |
| 01100. Councillors Master Account  |                               |                 |  |                               |                               |
| Activity Details   |                               |                 |  |                               |                               |
| Councillor Expenses and Reimbursements - Period 1 July 2019 to 31 January 2020 |                               |                 |  |                               |                               |
|  | YTD Actuals<br>(incl oncosts) | Commitments     | Left to<br>spend/ receive<br>after commitments | 2019/ 20<br>Adopted<br>Budget | 2019/20<br>Adjusted<br>Budget |
| Councillor and Mayoral Allowances  | 372.36                        | -               | 2,127.64                                       | 2,500.00                      | 2,500.00                      |
| Other Councillor expenses  | 253,750.58                    | 1,483.17        | 173,579.25                                     | 428,813.00                    | 428,813.00                    |
| <b>Grand Total</b>   | <b>254,122.94</b>             | <b>1,483.17</b> | <b>175,706.89</b>                              | <b>431,313.00</b>             | <b>431,313.00</b>             |

**ITEM C2.3****S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION  
(PLANNING AND ENVIRONMENT ACT 1987 ONLY) - BIMAL  
NARAYAN**

DIVISION: CORPORATE SERVICES  
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES  
 DATE: 7 APRIL 2020

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

**OBJECTIVE**

The report seeks Council's approval for the designated Council Officer responsible for administration and enforcement of the *Planning and Environment Act 1987* (the Act) to be authorised and appointed as an Authorised Officer under the Act.

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

***That Council, in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached S11A Instrument of Appointment and Authorisation (the instrument), resolve that:***

- 1. Council Officer Bimal Narayan be appointed and authorised as set out in the instrument as provided at Attachment 1; and***
- 2. The instrument be signed and sealed by the Chief Executive Officer.***

**BACKGROUND**

Council Officers whose duties include administration and enforcement under the *Planning and Environment Act 1987* must now be authorised and appointed as an Authorised Officer by a resolution of Council. Previously this authorisation and appointment was achieved through the "Council to Chief Executive Officer" delegation process.

**OPTIONS**

Council has the following options available:

1. To appoint and authorise the officer as outlined in the attached Instrument of Appointment and Authorisation, or;
2. To not authorise the officer and seek further clarification and or information.

## **PROPOSAL**

It is proposed that Council appoint and authorise the officer as outlined in the attached Instrument of Appointment and Authorisation.

## **CONFLICT OF INTEREST**

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

## **LEGISLATIVE IMPACT**

Section 188(2)(c) of the *Planning and Environment Act 1987* provides Council with the authority to approve the S11A Instrument of Appointment and Authorisation.

## **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.

## **RESOURCES AND STAFF IMPACT**

Following adoption, our processes ensure that all staff are notified including updating of Council processes and procedures as required.

Maddocks Delegations and Authorisations

*S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)*

**Wellington Shire Council**

**Instrument of Appointment and Authorisation**  
***(Planning and Environment Act 1987 only)***

##Note that in this document we have used the following abbreviations to provide guidance as to who might be appropriate officers to appoint or authorise in respect of the relevant legislation:

- [PO] means Planning Officer; and
- [EHO] means Environmental Health Officer.

These are suggestions only and councils may decide that officers in other roles may be appropriate in each instance.

**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Bimal Narayan

**By this instrument of appointment and authorisation** Wellington Shire Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Wellington Shire Council  
on

The Common Seal of WELLINGTON )  
 SHIRE COUNCIL was hereunto affixed )  
 this            day of            2020            )  
 in accordance with Local Law No 1            )  
 in the presence of:            )

.....  
Chief Executive Officer



## C3 - REPORT

# GENERAL MANAGER DEVELOPMENT

**ITEM C3.1****QUARTERLY BUILDING REPORT - Q4 2019**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER MUNICIPAL SERVICES

DATE: 7 APRIL 2020

| 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 October 2019 to December 2019, for information.

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

***That Council note the report of building permits issued from 1 October 2019 to 31 December 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: *Wellington Permits Issued* 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 31 December 2019.

Attachments: *Graph 1 Number of Building Permits* and *Graph 2 Value of Building Permits* provides an historical representation of permits issued in Wellington Shire and compares this data against the broader Gippsland region.

For the period October 2019 to December 2019 there were 258 permits issued with an estimated value of work at \$39,258,637.

The major projects include:

- MAFFRA – Cameron Sporting Complex – Stage 2 – Completion of works
- ROSEDALE – New Service Station
- SALE – Alterations/Additions to school – Catholic College & Alterations/Additions to Aged care facility – Ashleigh House
- STRATFORD – Residential Development – Blackburn St Subdivision

In the previous quarter, July 2019 to September 2019, there were 244 permits issued with an estimated value of work at \$50,081,107.

## **OPTIONS**

Council has the following options available:

1. Receive this Building Permits report; or
2. Not receive this Building Permits report and seek further information for consideration at a future Council meeting.

## **PROPOSAL**

That Council note the report on building permits issued within Wellington Shire from 1 October 2019 to 31 December 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**

The Council Plan 2017-21 Theme 2 Services & 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 PERMITS ISSUED

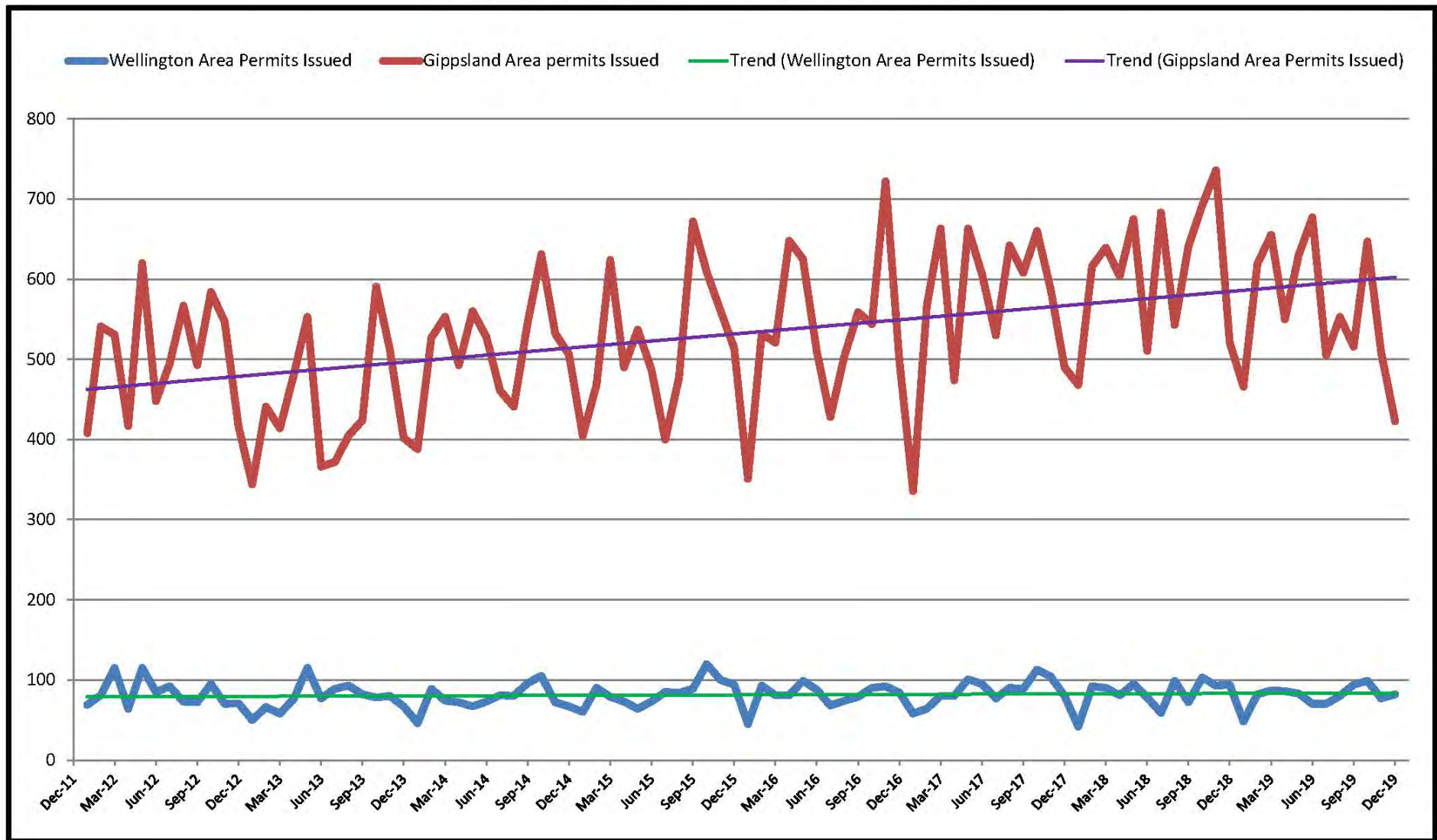
Number of Applications and their Estimated Value Each Month

|                        | October        | November       | December       | Total          |
|------------------------|----------------|----------------|----------------|----------------|
| <b>ALBERTON</b>        | 0<br>\$0       | 0<br>\$0       | 1<br>\$9,950   | 1<br>\$9,950   |
| <b>BINGINWARRI</b>     | 1<br>\$15,000  | 0<br>\$0       | 0<br>\$0       | 1<br>\$15,000  |
| <b>BOISDALE</b>        | 1<br>\$27,380  | 0<br>\$0       | 1<br>\$180,600 | 2<br>\$207,980 |
| <b>BRIAGOLONG</b>      | 4<br>\$268,620 | 0<br>\$0       | 1<br>\$149,578 | 5<br>\$418,198 |
| <b>BUNDALAGUAH</b>     | 1<br>\$225,000 | 0<br>\$0       | 0<br>\$0       | 1<br>\$225,000 |
| <b>CALLIGNEE SOUTH</b> | 0<br>\$0       | 0<br>\$0       | 1<br>\$47,300  | 1<br>\$47,300  |
| <b>CARRAJUNG</b>       | 0<br>\$0       | 1<br>\$15,100  | 0<br>\$0       | 1<br>\$15,100  |
| <b>CARRAJUNG LOWER</b> | 2<br>\$40,870  | 0<br>\$0       | 0<br>\$0       | 2<br>\$40,870  |
| <b>CLYDEBANK</b>       | 0<br>\$0       | 1<br>\$5,000   | 0<br>\$0       | 1<br>\$5,000   |
| <b>COONGULLA</b>       | 1<br>\$150,000 | 1<br>\$31,558  | 1<br>\$15,500  | 3<br>\$197,058 |
| <b>DARGO</b>           | 2<br>\$40,622  | 0<br>\$0       | 0<br>\$0       | 2<br>\$40,622  |
| <b>DENISON</b>         | 0<br>\$0       | 1<br>\$47,258  | 0<br>\$0       | 1<br>\$47,258  |
| <b>EAST SALE</b>       | 1<br>\$24,884  | 0<br>\$0       | 0<br>\$0       | 1<br>\$24,884  |
| <b>FULHAM</b>          | 2<br>\$290,629 | 0<br>\$0       | 0<br>\$0       | 2<br>\$290,629 |
| <b>GLENMAGGIE</b>      | 2<br>\$48,825  | 2<br>\$64,800  | 2<br>\$152,166 | 6<br>\$265,791 |
| <b>GLOMAR BEACH</b>    | 1<br>\$15,800  | 0<br>\$0       | 0<br>\$0       | 1<br>\$15,800  |
| <b>GOLDEN BEACH</b>    | 2<br>\$209,165 | 2<br>\$285,000 | 4<br>\$300,512 | 8<br>\$794,677 |
| <b>GORMANDALE</b>      | 1<br>\$22,779  | 0<br>\$0       | 0<br>\$0       | 1<br>\$22,779  |

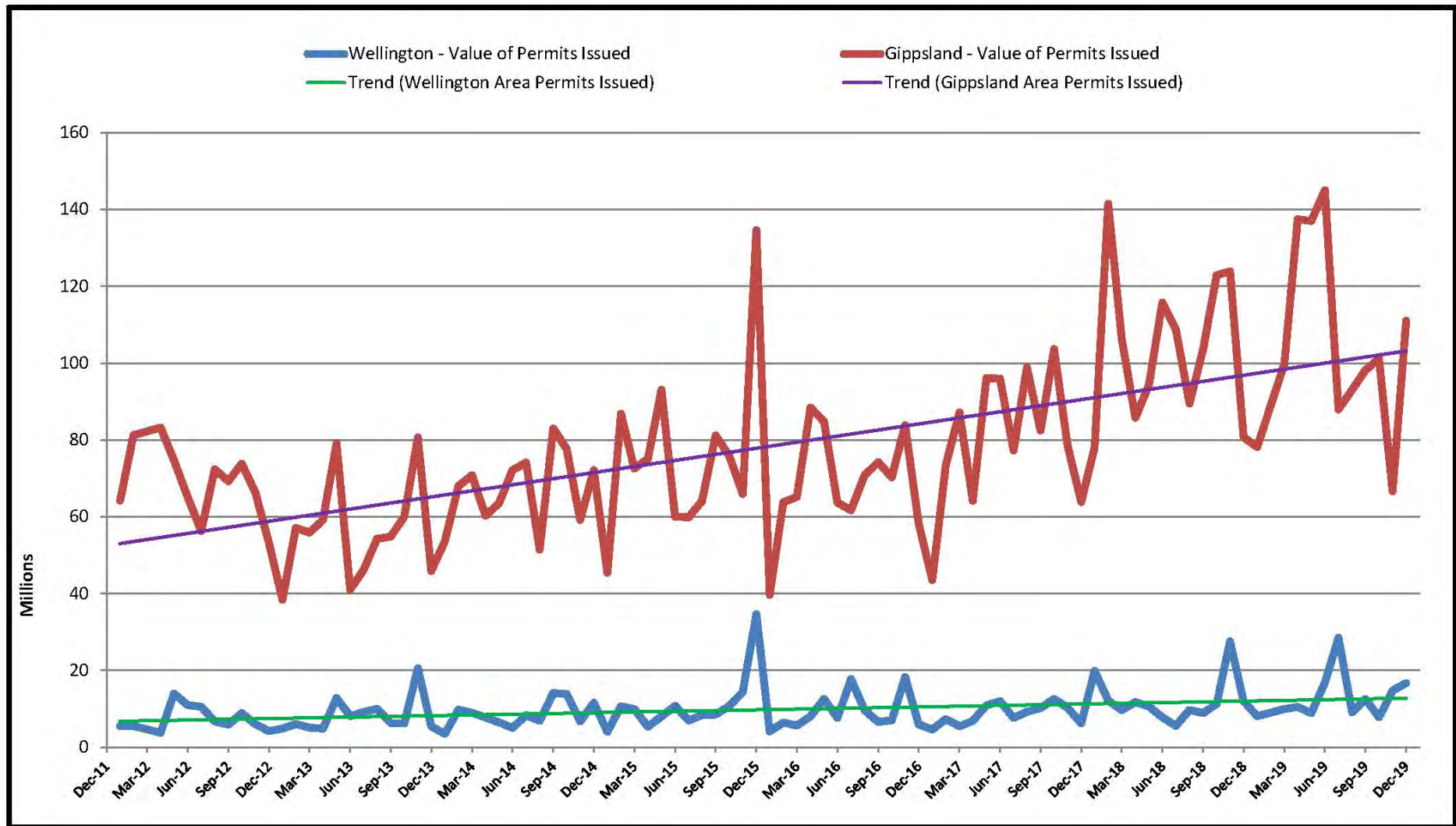
|                          | October           | November          | December          | Total              |
|--------------------------|-------------------|-------------------|-------------------|--------------------|
| <b>HEYFIELD</b>          | 6<br>\$92,810     | 3<br>\$377,256    | 5<br>\$499,478    | 14<br>\$969,544    |
| <b>KILMANY</b>           | 0<br>\$0          | 0<br>\$0          | 1<br>\$330,000    | 1<br>\$330,000     |
| <b>LANGSBOROUGH</b>      | 2<br>\$2,620      | 0<br>\$0          | 0<br>\$0          | 2<br>\$2,620       |
| <b>LLOWALONG</b>         | 0<br>\$0          | 1<br>\$9,500      | 0<br>\$0          | 1<br>\$9,500       |
| <b>LOCH SPORT</b>        | 7<br>\$1,043,260  | 6<br>\$57,675     | 3<br>\$135,399    | 16<br>\$1,236,334  |
| <b>LONGFORD</b>          | 3<br>\$122,825    | 6<br>\$1,238,305  | 0<br>\$0          | 9<br>\$1,361,130   |
| <b>MAFFRA</b>            | 9<br>\$728,300    | 6<br>\$6,576,118  | 6<br>\$1,020,778  | 21<br>\$8,325,196  |
| <b>MAFFRA WEST UPPER</b> | 1<br>\$61,533     | 0<br>\$0          | 0<br>\$0          | 1<br>\$61,533      |
| <b>MANNS BEACH</b>       | 1<br>\$24,050     | 0<br>\$0          | 0<br>\$0          | 1<br>\$24,050      |
| <b>MUNRO</b>             | 0<br>\$0          | 1<br>\$10,450     | 1<br>\$55,000     | 2<br>\$65,450      |
| <b>NAMBROK</b>           | 2<br>\$28,937     | 0<br>\$0          | 0<br>\$0          | 2<br>\$28,937      |
| <b>NEWRY</b>             | 0<br>\$0          | 0<br>\$0          | 1<br>\$20,000     | 1<br>\$20,000      |
| <b>PARADISE BEACH</b>    | 2<br>\$27,100     | 1<br>\$100,000    | 1<br>\$190,943    | 4<br>\$318,043     |
| <b>PEARSONDALE</b>       | 1<br>\$28,600     | 0<br>\$0          | 0<br>\$0          | 1<br>\$28,600      |
| <b>PERRY BRIDGE</b>      | 1<br>\$15,840     | 0<br>\$0          | 0<br>\$0          | 1<br>\$15,840      |
| <b>PORT ALBERT</b>       | 1<br>\$5,000      | 1<br>\$10,000     | 0<br>\$0          | 2<br>\$15,000      |
| <b>RIVERSLEA</b>         | 0<br>\$0          | 1<br>\$38,740     | 0<br>\$0          | 1<br>\$38,740      |
| <b>ROBERTSONS BEACH</b>  | 1<br>\$12,420     | 0<br>\$0          | 0<br>\$0          | 1<br>\$12,420      |
| <b>ROSEDALE</b>          | 2<br>\$118,000    | 3<br>\$405,945    | 8<br>\$3,952,247  | 13<br>\$4,476,192  |
| <b>SALE</b>              | 16<br>\$1,477,818 | 13<br>\$1,745,251 | 17<br>\$6,987,346 | 46<br>\$10,210,415 |

|                  | October                       | November                       | December                       | Total                           |
|------------------|-------------------------------|--------------------------------|--------------------------------|---------------------------------|
| SEASPRAY         | 1<br>\$77,225                 | 0<br>\$0                       | 0<br>\$0                       | 1<br>\$77,225                   |
| SEATON           | 1<br>\$35,475                 | 0<br>\$0                       | 0<br>\$0                       | 1<br>\$35,475                   |
| STRATFORD        | 11<br>\$1,735,530             | 17<br>\$2,694,881              | 12<br>\$1,429,620              | 40<br>\$5,860,031               |
| TARRAVILLE       | 0<br>\$0                      | 1<br>\$200,000                 | 0<br>\$0                       | 1<br>\$200,000                  |
| THE HONEYSUCKLES | 1<br>\$41,395                 | 1<br>\$15,874                  | 1<br>\$13,000                  | 3<br>\$70,269                   |
| TINAMBA          | 1<br>\$21,590                 | 0<br>\$0                       | 1<br>\$14,000                  | 2<br>\$35,590                   |
| TOONGABBIE       | 0<br>\$0                      | 1<br>\$50,200                  | 0<br>\$0                       | 1<br>\$50,200                   |
| VALENCIA CREEK   | 0<br>\$0                      | 0<br>\$0                       | 1<br>\$150                     | 1<br>\$150                      |
| WINNINDOO        | 1<br>\$55,000                 | 0<br>\$0                       | 0<br>\$0                       | 1<br>\$55,000                   |
| WON WRON         | 0<br>\$0                      | 1<br>\$31,980                  | 0<br>\$0                       | 1<br>\$31,980                   |
| WOODSIDE         | 0<br>\$0                      | 2<br>\$644,609                 | 4<br>\$270,583                 | 6<br>\$915,192                  |
| WOODSIDE BEACH   | 1<br>\$15,980                 | 0<br>\$0                       | 0<br>\$0                       | 1<br>\$15,980                   |
| WOODSIDE NORTH   | 0<br>\$0                      | 0<br>\$0                       | 1<br>\$60,257                  | 1<br>\$60,257                   |
| WURRUK           | 1<br>\$46,830                 | 2<br>\$73,007                  | 3<br>\$157,000                 | 6<br>\$276,837                  |
| YARRAM           | 5<br>\$600,045                | 2<br>\$23,000                  | 5<br>\$717,966                 | 12<br>\$1,341,011               |
| <b>Total</b>     | <b>99</b><br><b>7,797,757</b> | <b>77</b><br><b>14,751,507</b> | <b>82</b><br><b>16,709,373</b> | <b>258</b><br><b>39,258,637</b> |

**GRAPH: NUMBER OF BUILDING PERMITS**



### GRAPH: VALUE OF BUILDING WORKS



**ITEM C3.2****QUARTERLY STRATEGIC LAND USE PLANNING UPDATE**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

7 APRIL 2020

| 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 first quarter (January – March) of 2020.

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

*That Council receive the first quarterly update on the strategic land use planning work program included in the 'Strategic Planning Projects and Amendments' table attached 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 the 'Strategic Planning Projects and Amendments' table attached.

**OPTIONS**

Council has the following options available:

1. Receive the first quarterly update on the strategic land use planning work program; or
2. Not receive the first 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 first 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 POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN**

The Council Plan 2017-21 Theme 2 Services & 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."*

Strategy 2.3.2: *"Ensure sufficient land supply to provide for a range of lifestyle."*

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.

## **COMMUNITY IMPACT**

Community impacts are considered through individual planning projects and Planning Scheme Amendments.

## **ENVIRONMENTAL IMPACT**

Environmental impacts are considered through individual planning projects and Planning Scheme Amendments.

## **ENGAGEMENT IMPACT**

Community engagement occurs via individual planning projects and Planning Scheme Amendments.

## 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.

### **West Sale and Wurruk Industrial Land Supply Strategy – Technical Report Preparation** Priority: High    Anticipated completion: 20/21

#### **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: 20/21

**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 Planning Scheme Amendment process to formalise all of the work.

**Port of Sale East Bank Redevelopment Study**  
Priority: High    Anticipated completion: 20/21

**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 a period of community consultation, 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 for future Council 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 which is expected to begin in mid-2020. Further details and updates will be provided on Councils website as the study progresses.

It is anticipated that the Structure Plan will be completed 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 future Planning Scheme Amendment will be undertaken to formally incorporate new controls into the Wellington Planning Scheme.

## Current 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: 20/21

#### Status

Detailed background work in compiling minor policy-neutral technical errors within the Wellington Planning Scheme (i.e. mapping and grammatical anomalies) is complete.

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 adoption in April 2020 prior to seeking formal approval from the Minister for Planning.

## Current 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.



## C4 - REPORT

# GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

**ITEM C4.1****ADOPTION OF SUSTAINABILITY STRATEGY 2020-2024**

DIVISION: BUILT AND NATURAL ENVIRONMENT  
 ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS  
 DATE: 7 APRIL 2020

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

**OBJECTIVE**

For Council to consider the adoption of the Sustainability Strategy 2020-2024 as the key driver of Council's four-year objectives, goals and actions in relation to Council and community sustainability.

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

***That Council adopt the Sustainability Strategy 2020-2024 as the key driver of Council's four-year objectives, goals and actions in relation to Council and community sustainability.***

**BACKGROUND**

Council's first Environmental Sustainability Strategy was formally adopted in 2011 and was identified as requiring an update due to significant changes in policy, community sentiment, the rapidly evolving knowledge of climate change and the declining condition of our natural environment over time.

The second iteration of the Sustainability Strategy has been developed and is based on a combination of:

- updated knowledge about key trends and issues affecting Council and the community;
- detailed research on each theme;
- community aspirations and priorities identified in Wellington 2030, representative surveys of community, staff views and the community feedback on the draft document;
- learnings from the implementation of the previous Environmental Sustainability Strategy and the Council Plan;
- experience of practice from other local government areas.

Public exhibition of the draft strategy commenced immediately after the Council resolution on 17 December 2019 to release it for a period of eight weeks for public comment, closing on 31 February 2020. A series of drop-in sessions were held in Sale, Maffra, Stratford, Yarram and Heyfield. Partners and community were also invited to provide feedback through email and/or online form. Twenty formal submissions were received and were considered for the final strategy.

The community consultation period was advertised across local paper, social media and by direct invitation for comment to key partners.

The main changes as a result of community feedback are:

- stronger links to the United Nations Sustainability Goals
- updating of language to reflect greater urgency around climate change
- greater clarification around some of the goals
- actions linked directly to each theme, instead of a list at the end of the document
- renamed the strategy to Sustainability Strategy, from Environmental Sustainability Strategy
- a final statement/conclusion at the end of the document.

## **OPTIONS**

Council has the following options available:

1. to approve the Sustainability Strategy 2020-2024, as attached; or
2. to not to approve the Sustainability Strategy 2020-24, as attached.

## **PROPOSAL**

That Council adopt the Sustainability Strategy 2020-2024, as attached.

## **CONFLICT OF INTEREST**

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

## **FINANCIAL IMPACT**

The strategy outlines a list of actions to be implemented over the four years, many of which can be completed with existing staff resources. In order to meet emission reduction targets, investment into renewable energy and energy efficiency projects will be required.

Energy efficiency projects will be prioritised by estimated payback period, with projects that deliver payback periods below seven years being targeted. An additional amount per year may be required in anticipation of co-investment opportunities from government grants and stakeholder partnerships. Actions within the circular economy theme are expected to be funded through the waste infrastructure charge as per normal processes and state/federal government funding.

## **COMMUNICATION IMPACT**

The Sustainability Strategy will be made publicly available via Council's website. The final design of the strategy will be completed in-house by the Communications and Media team.

A yearly achievements report for the strategy will be developed in line with Council's annual reporting processes.

## LEGISLATIVE IMPACT

In Victoria, the *Local Government Act (1989)* requires councils to act in the long-term interests of their local community. This needs to include addressing the viability and sustainability of key economic, social and environmental issues.

While there is no direct legislative requirement for the development of a Sustainability Strategy, the goals, objectives and actions contained within the strategy provide a clear pathway for Council to meet environmental obligations, particularly those that relate to Duties of Care.

In addition, Council is responsible under the *Climate Change Act 2017*, as part of the pledge commitments made under the Take 2 program. The extent of these obligations under the Act are unclear, however this strategy and associated actions build upon the stated pledges under the Take 2 program and can be considered a greater step towards a more sustainable outcome for Council.

The Environment Protection Authority (EPA) has new environmental laws which will come into effect from 1 July 2020. They give the EPA more powers and tools to prevent risks to the environment and human health. The General Environmental Duty (GED) is central to the new laws and places the obligation to manage risks to human health and the environment that their activities create. The new law sits at the heart of the occupational health and safety laws throughout Australia. Council's Sustainability Strategy is a key document which helps identify and minimise any potential risks that Council business has on environmental and human health.

## COUNCIL POLICY IMPACT

The adoption of the Sustainability Strategy will necessitate the review of the existing Environmental Sustainability Policy.

In addition, the strategy outlines the need for a review of all existing council policies, to seek opportunities for greater regulation and promotion of sustainability in core Council business. This will be conducted within normal Council policy review processes.

## COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 1 Communities states the following strategic objectives and related strategies:

**Strategic Objective 1.1:** *"Maintain friendly, safe communities providing opportunities for residents to lead healthy and active lifestyles."*

Strategy 1.1.2: *"Work in partnership to provide leadership and strategic direction on issues relating to community safety."*

**Strategic Objective 1.4:** *"Enhance resilience in our towns and our communities."*

Strategy 1.4.1: *"Continue to engage collaboratively with communities and external agencies to ensure a best practice approach to emergency planning, relief and recovery management."*

Strategy 1.4.2: *"Mitigate the potential effects of natural disasters on our communities by supporting appropriate development in accordance with responsible land use planning practices."*

The Council Plan 2017-21 Theme 2 Services & Infrastructure states the following strategic objectives and related strategies:

**Strategic Objective 2.2:** *"Council assets are responsibly, socially, economically and sustainably managed."*

Strategy 2.2.3: *"Continue to maintain and enhance Council's built environment for public amenity and long-term sustainability."*

**Strategic Objective 2.3:** *"Wellington Shire is well planned, considering long term growth and sustainability."*

Strategy 2.3.1: *"Continue to provide strategic planning to encourage long term growth and sustainability in Wellington Shire."*

The Council Plan 2017-21 Theme 3 Natural Environment states the following strategic objectives and related strategies:

**Strategic Objective 3.1:** *"Conserve and protect our natural environment through responsible and sustainable management practices."*

Strategy 3.1.1: *"Ensure development is appropriate to conserve our environmentally sensitive landscapes for future generations."*

Strategy 3.1.2: *"Work in partnership to protect and preserve Wellington Shire's natural environment, biodiversity, resources and environmental heritage."*

Strategy 3.1.3: *"Manage Council's high quality, attractive open spaces and streetscapes in accordance with agreed service levels."*

**Strategic Objective 3.2:** *"Demonstrate leadership in waste and water management, and energy efficiency."*

Strategy 3.2.1: *"Review Council's provision of waste services."*

Strategy 3.2.2: *"Provide leadership and education in sustainable living practices."*

Strategy 3.2.3: *"Advocate for and provide leadership toward a low carbon economy."*

**Strategic Objective 3.3:** *"Build resilience in our communities and landscapes to mitigate risks from a changing climate."*

Strategy 3.3.1: *"Design and maintain landscapes and infrastructure appropriate for a changing climate."*

Strategy 3.3.2: *"Consider climate risk impact in planning decisions. Ensure planning schemes use the most up to date, relevant data regarding climate change impacts."*

The Council Plan 2017-21 Theme 5 Economy states the following strategic objectives and related strategies:

**Strategic Objective 5.1:** *"Support and develop our existing businesses."*

Strategy 5.1.2: *"Leverage from our existing business and assets to diversify the economy through value adding activities, identifying opportunities and building on our strengths."*

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

**Strategic Objective 6.3:** *“Maintain a well governed, transparent, high performing, ethical and accountable organisation.”*

Strategy 6.3.4: *“Ensure effective and accountable risk management and occupational health and safety systems.”*

**Strategic Objective 6.4:** *“Act and lobby on behalf of the priorities of the community.”*

Strategy 6.4.1: *“Council strategies and plans reflect the aspirations of our diverse communities.”*

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

## **RESOURCES AND STAFF IMPACT**

As outlined in the financial impact, budget requirements will be sought as per yearly budget processes. Council officers will seek to build co-investment opportunities through state and federal government and private grant processes where available. The recent reforms to Victoria’s waste management framework have necessitated a review of waste management services which will impact future service provision in this essential service.

## **COMMUNITY IMPACT**

The strategy responds to the growing concern across the community for sustainability and climate change impacts. This concern is evidenced across a range of sources from key partners and through the 2019 Community Sustainability Survey.

On successful delivery of the strategy we anticipate we will:

- Increase the capacity of the community to assess, prioritise and manage climate change risk and recover quickly from extreme climatic-driven natural disaster;
- Assist the community, through education, leadership and advocacy, to reduce their carbon emissions through a range of energy efficiency programs;
- Increase our communities understanding of, and value for, our natural environments and the ecosystem services it provides;
- Facilitate a shift from the ‘take, make, dispose’ approach of the past by educating our community and leading by example.

## **ENVIRONMENTAL IMPACT**

The strategy sets a clear pathway to achieve the longer term vision of *“happy people, healthy environment and thriving communities”* in the heart of Gippsland. By setting clear targets, particularly in relation to climate change, we can ensure that we keep on track. The targets are in line with state government directions and are based on science backed evidence.

## **RISK MANAGEMENT IMPACT**

Adoption of the Sustainability Strategy signals a formal commitment by Council to minimise environmental and human health risk from the operation of council business and services.

Council's exposure to environmental related risk has been assessed and prioritised as part of the development of the strategy.

Recent changes to Environment Protection Authority legislation regarding the General Environmental Duty places an increased risk of personal liability on council officers and governing body. Climate change litigation is also expanding across jurisdictions, including local government.



WELLINGTON  
SHIRE COUNCIL

*The Heart of Gippsland*

# Wellington Shire Council

## Sustainability Strategy 2020-2024

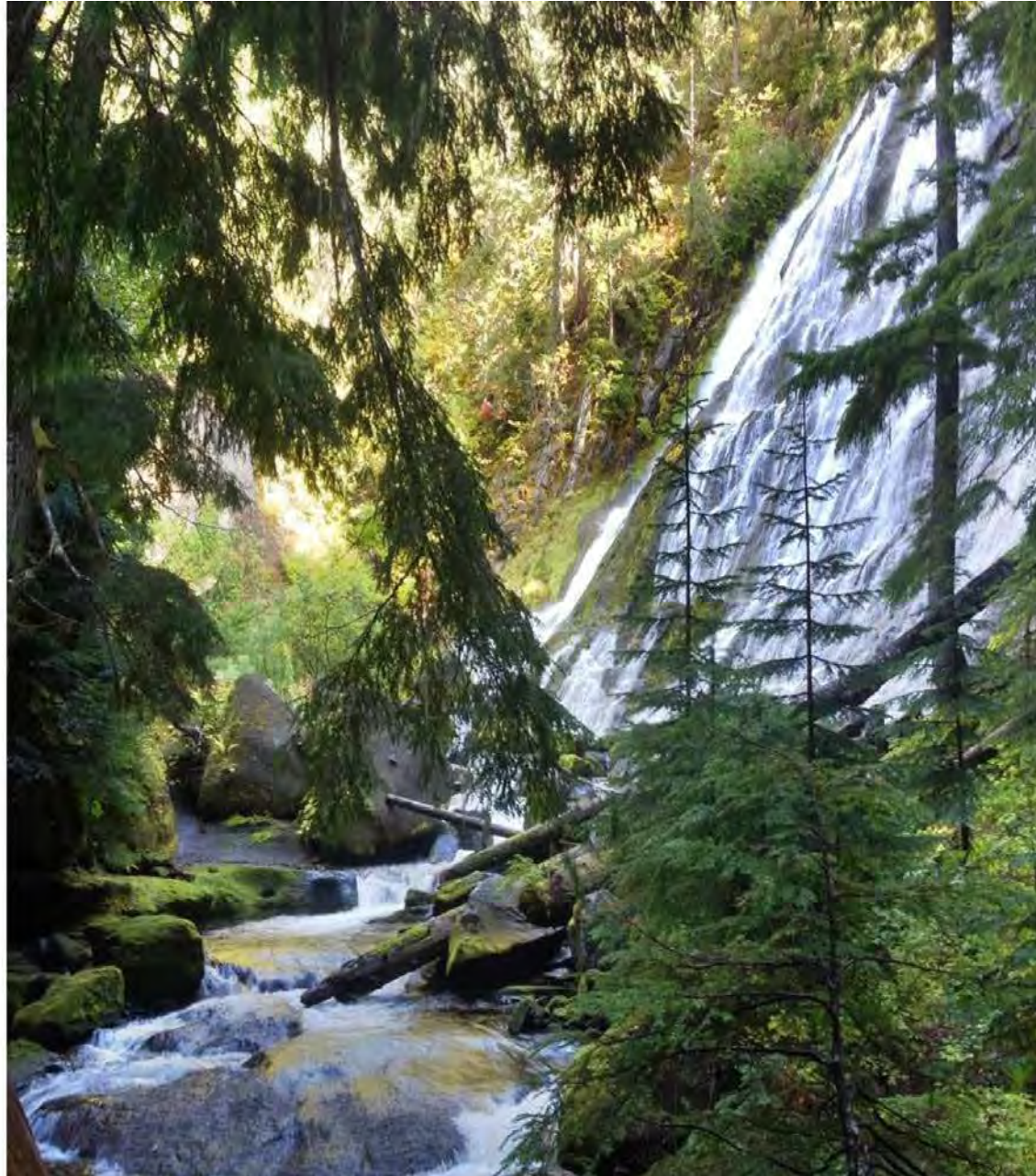
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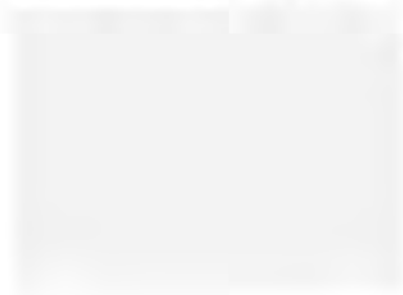
## Acknowledgement of Country

Wellington Shire Council acknowledges the Traditional Owners of the land, the Gunaikurnai people, and pay our respects to their Elders past, present and emerging. We acknowledge and uphold their continuing relationship to this land and water on which we rely.

The Gunaikurnai are the Traditional Owners of the land encompassed by Wellington Shire and hold Native Title to the region. The Bratualung Clan occupied the southern area including the waters and islands of Nooramunga for more than 600 years. The Tatungalung Clan lived around the Gippsland Lakes, the Brayakaulung Clan around the current site of Sale, Providence Ponds, Avon and Latrobe rivers and the Brabralung Clan were further to the west.



## Message from the Mayor



To be developed

Cr Alan Hall  
Mayor

## Executive Summary

The Sustainability Strategy 2020-2024 sets out Wellington Shire Council's strengthened commitment to environmental sustainability for Council and our wider community. It outlines how Council will improve sustainability within its own operations and how it will support and advocate on behalf of the community. The Strategy directly complements the United Nations 2030 Sustainable Development Goals that focus on clean water and sanitation, affordable and clean energy, sustainable cities and communities, responsible consumption and production, climate action, life below water, life on land, and partnerships for the goals. We take a Global to Local Action approach to benefit our wider community.

While council has significant ability to influence sustainable outcomes, it cannot do this alone. Every individual, business, community and level of government has a key part to play in our collective journey to reduce our impact on the environment and ensure adaptation and resilience in the face of climate change. Under current warming scenarios we are already seeing escalating and accelerating changes in our climate. Urgent action is required for our global community to have a chance to stay under 2°C warming to limit the severity of impacts.

Council and community have already demonstrated a range of actions to reduce their impact on the environment and we know that residents view the environment and Council leadership in this area as a high priority issue.

The strategy places our community's health and wellbeing at the centre of its vision as outlined by Wellington 2030.

The strategy is based on a combination of

- updated knowledge about key trends and issues affecting Council and the community,
- detailed research on each theme,
- community aspirations and priorities identified in Wellington 2030, representative surveys of community, staff views and the community feedback on the draft,
- learnings from the implementation of the previous Environmental Sustainability Strategy and the Council Plan,
- experience of practice from other local government areas.

### OUR VISION

*"Happy people, healthy environment and thriving communities in the heart of Gippsland"* – **Wellington 2030**



To assist Council and the community to achieve our vision, the Strategy focuses on five key themes each with goals, objectives and targets identified for each of these themes. Where council has direct operation control, council targets have been identified. For those areas outside the direct control, community aspirational targets have been identified where Council can support or advocate for community driven change.

The following outlines the five themes and their goals.



Implementation of this strategy will be through various council strategies, plans and policies that relate to each of the themes. Reporting of Council and community progress towards the objectives and targets will form the basis of future Annual Sustainability reports. These reports provide transparency and convey Council's commitment to achieving a sustainable shire.

## Introduction

### Think local, Act Global

The World Commission on Environment and Development (1987)<sup>1</sup> provided an early and still widely accepted definition of sustainability as being the ability to "meet the needs of the present without compromising the ability of future generations to meet their own needs". It is not only about protecting the environment but also plays an integral role in the maintenance of environmental, social and economic stability. Living more sustainably, has a range of obvious benefits for the environment. There are also a range of personal benefits such as saving money through lower energy bills, improved health by being active, making greater connections to our community and growing your knowledge and skills. There is also a personal satisfaction and sense of accomplishment that comes from doing the right thing for a collective community benefit.

The Sustainability Strategy 2020-2024 is a key document for Wellington Shire Council and will be used to inform the decision and direction that council will take to help realise the vision. It establishes the strategic framework that will help maximise the benefits of an integrated approach to sustainability. It is a continuation of Wellington Shire Council's longstanding commitment to sustainability. Council first adopted a Local Environmental Sustainability Priority Statement in March 2010 as a requirement of signing up to the Victorian Local Sustainability Accord in 2009 and followed with its first targeted strategy in 2011.

Council has already been implementing some outstanding initiatives including:

- The retrofitting of 70% of streetlights across the shire to energy efficient LED technology in 2017. This streetlighting efficiency initiative continues to save on energy consumption, reducing maintenance and running costs as well as reducing council carbon emissions.
- Partnering with Sustainable Australia Fund to bring low interest loans to local business to support uptake of environmental upgrades to buildings including solar PV and batteries, water efficiency and waste management infrastructure.
- Partnering with the Latrobe Valley Community Power Hub to deliver the Gippy Bulk buy program, which provides local, lower costs solar solutions for residents.
- Installing rooftop solar on council buildings and initiating energy efficiency upgrades.
- Delivering sustainability education to our younger generation through the Sustainable Living Education program
- Using stormwater to irrigate public open space resulting in cost and potable water savings.

1. World Commission on Environment and Development (1987) Our Common Future, Oxford University Press

The strategy also recognises the important role that the council plays in relation to the 17 UN Sustainable Development Goals (SDG's) and its responsibility to participate at the global level. The sustainable development goals are a blueprint to achieve a better and more sustainable future for all. They address the global challenges that we face, including those related to poverty, inequality, climate change, environmental degradation, peace and justice. While we acknowledge that a majority of our residents fare better than communities in many of our neighbouring developing countries, parts of our community experience poverty and inequality, impacting their health and wellbeing. Local government not only has a role to play when it comes to achievement and delivery of the Sustainable Development Goals, it also has opportunities to reap benefits from them.

Council has the opportunity to use the SDGs to:

- Drive transformation, particularly on SGD 11, Sustainable Cities and SGD 13 Climate Action
- Integrate the SDG into its framework
- Align to a diverse set of partners in this universal agenda
- And engage our employees and communities to help achieve the goals.

Our Council Plan, Wellington 2030 and our key strategies contribute to the achievement of the global goals by delivering at the local level, where the impacts of climate change, environmental degradation, and socio-economic issues are felt most.

Over the next four years, Council will work towards achieving the vision by:

- strengthening our internal sustainability culture,
- playing a leadership role for our community by advocating for change and demonstrating a action,
- supporting community and business to help them play their part, and
- collaborating with partners for shared solutions to our environmental issues.

The strategy seeks to embed change and collaborative action across all Council business units to achieve an integrated approach.



## Policy Context

The Sustainability Strategy is an important document that sits beneath the Wellington 2030 Community Vision and Council Plan as indicated in the adjacent diagram.

Wellington 2030 is our communities vision for the future. Council facilitated the development of this vision and plays a role in supporting community to achieve it.

The original Wellington 2030 Strategic Vision was developed through community consultation in 2008. The need to revise the vision in 2016 was due to significant regional, national and global changes affecting the Shire and impacts of these on our population. Five key themes were identified through the community engagement process. These are:

1. Communities
2. Services and Infrastructure
3. Natural Environment
4. Lifelong Learning
5. Economy

The sustainability strategy straddles all of the key themes and will continue to be an integral part of council policy and action.



**State policy directions**

Council delivers a range of essential services and infrastructure which are regulated through state policies, including those that relate to environmental management and climate change. Victorian Councils have responsibilities under more than 120 different pieces of Victorian legislation.

Victoria's Climate Change Act 2017 was introduced as a platform to create obligations to ensure that government prepares Victoria for the impacts of climate change and drives transition to net zero emissions, and progress towards climate resilient communities and economy.

Under the Act, local council pledges made by Wellington Shire Council in 2017 under the Take 2 program imposes certain minimum requirements on how we work. Victoria's Climate Change Adaptation Plan 2017-2020, soon to be revised, includes a commitment by the state government to partnering with local government on adaptation to help build local government capacity and collaborative action.

There is also obligation for councils to consider the impacts of climate change when preparing the Municipal Health and Wellbeing Plans under the Act.

At the time of writing this strategy, the state government is preparing to take major reforms in the waste and recycling sector through a new Circular Economy policy – Recycling Victoria: a new economy, for which it is anticipated that council will be a key delivery partner.



**13%** Employment In Agriculture, Forestry and Fisheries

**5.4%** Unemployment



Third largest municipality in Victoria

**10,024** square km



## Our Regional Profile

Gippsland has always been an important driver of the Victorian economy because of its vital role in supplying energy, earth resources, timber, water and food. It also comprises nationally recognised tourist destinations and some of the state's most important environmental and cultural heritage assets.

It is home to diverse landscapes of natural beauty and high environmental value from the Victorian Alps, Gippsland Lakes and Hinterland, to the Strzelecki Ranges. These environments support a range of endangered and vulnerable species including the Eastern Dwarf Galaxias, Green and Golden Bell Frog, Spotted Tree Frog, Regent Honey Eater and the critically endangered Orange-bellied Parrot.

Wellington Shire, in the heart of Gippsland, is the third largest council area in Victoria, with an area of 11,000 square kilometres. Our unique environment supports a dynamic agricultural industry, the biggest industry employer in the region. It reflects a strong dairy sector and increasing growth in vegetable farming, supported by the Macalister Irrigation District supplying reliable water for agriculture. The regions potential role as the future primary food hub for Victoria under a changing climate is well acknowledged. Other key industries include forestry and tourism, which require healthy ecosystems to remain viable into the future. We can leverage off these rich regional assets to help create a healthy and thriving community, which is supported by a vibrant and diverse economy

Our community is spread across thirty different townships and communities with over 13,000 people living in the regional centre at Sale. Our community appreciates rural living and the proximity and access to our natural assets.

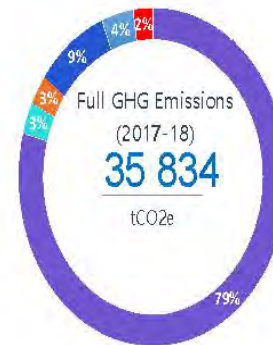
This is the community and environment that we are committed to protecting and enhancing.

### Corporate Greenhouse Gas Emissions excl. Methane Landfill emissions\*



- Waste - Landfill (28,368 tCO2e)
- Natural Gas & Stationary Fuel (1,086 tCO2e)
- Transport (Fleet & Plant) (1,016 tCO2e)
- Corporate Electricity (3,142 tCO2e)
- Electricity - Streetlights (1,373 tCO2e)
- Water Use and Distribution losses (848 tCO2e)

### Full Greenhouse Gas Emissions including methane landfill emissions



24%

Of the Shire area is protected through national parks or private covenants



600

Hectares of open space managed by Wellington Shire Council

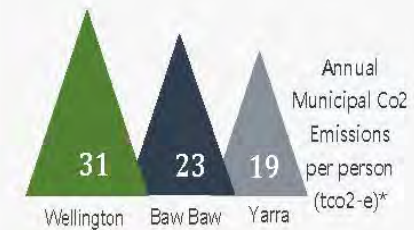
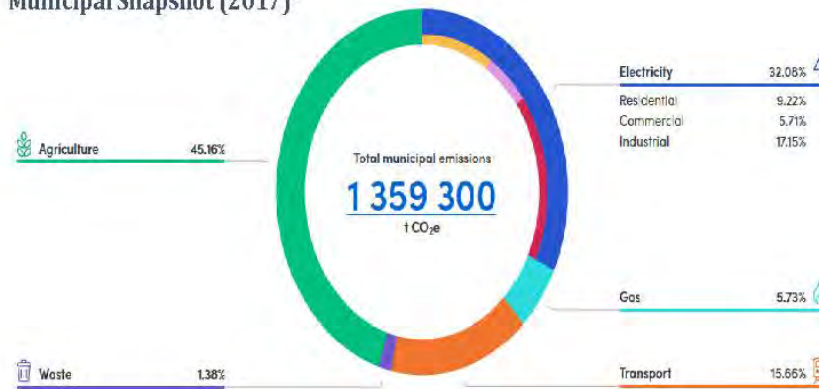


12 11

Days Above 30 degrees in 2018

- Data source: Snapshot community climate tool led by Beyond Zero Emissions and Ironbark Sustainability ([www.snapshotclimate.com.au](http://www.snapshotclimate.com.au)). Councils Emission have been calculated internally in accordance with the the NGERs methodology.
- Although council has operational control of our landfills, community plays a strong part in shaping these emissions through practicing better recycling methods at home.

### Municipal Snapshot (2017)\*



## Our Key Drivers

### Climate Change

Climate change is one of the most pressing social challenges of our time. There is a growing sense of urgency around the need for action. It is now affecting every country on every continent, and poses significant challenges to our ecosystems, communities and economy. Changes in rainfall patterns pose challenges for our water security and our key agricultural assets, while higher temperatures increase the risk of large intense bushfires and impact on human health. There are also serious impacts from rising sea levels for the Gippsland region, particularly 90 Mile Beach and Lake Wellington. Wellington's key industries - Agriculture, Forestry and Tourism will all need to build their resilience so that they will be able to adapt to climatic variability. While there will be challenges, we will seek to take advantage of the opportunities that arise.

### Legislation & Policy

All Victorian councils must comply with state and federal legislation and policy relating to climate change, which is constantly under review and subject to change. We seek to be agile under new policy environments and ensure that we continue to advocate on behalf of our community where policy directly affects us. We also see this dynamic space as an opportunity for council to seek additional state and federal funding for our region to benefit environment, social and economic outcomes.

**“There is a growing sense of urgency around the need for climate action”**

### Food Security

Agriculture has the largest physical presence in the Shire and generates a total output close to \$5 billion. Over 10% of Wellington's workforce is employed in the sector. The outlook for the agricultural sector is heavily tied to the climate outlook and the potential impacts of climate change. Further, employment and outputs in the sector are moving in different directions due to the trend towards fewer, larger farms and more capital intense methods of production. There has been a recent influx of irrigators into the area as they look to "future-proof" their businesses. Keeping our agricultural sector resilient, in the face of climate change, is a necessity for our region, as is diversification of our industry base.

## Community Health

We place our community's health and wellbeing at the centre of our strategy vision. Our region currently has higher relative socio-economic disadvantage which typically demonstrates poorer social outcomes for population health, early childhood outcomes, and drug, alcohol and mental health treatment. There is now rapidly growing awareness that a thriving natural environment not only conserves biological diversity but also sustains the health and wellbeing of people and communities.

**“The renewable energy sector provides immense opportunities through jobs creation...”**

## An Energy Economy

Gippsland is identified as a key growth area for renewable energy development due to its availability of distribution infrastructure. While federal government policy has room for further support of renewable energy development, investors, business and state governments are pushing forward. The renewable energy sector provides immense opportunities through job creation and manufacturing investment, driving downward pressure on power prices for families and business. The oil and gas sector is mature and unlikely to expand much further. There are also opportunities for further growth of the household, business and community solar to achieve better energy security and cost savings.

## Listening to Our Community


We will need to work collaboratively with community to meet our sustainability challenges. We are proud to have a community that is passionate about sustainability and have voiced their concerns through Wellington 2030 and our 2019 community sustainability values and beliefs survey.

The survey revealed that our community is passionate about sustainable outcomes for our region and want to see Council lead the way in supporting and promoting change. Our community also acknowledge that the individual plays a key role in to supporting this change through adoption of better practices.

### What we heard:

- Our community is becoming increasingly concerned about the future of our environment and our own wellbeing.
- Waste, litter and recycling issues are a key concern for community
- The diversity and beauty of our natural environment is valued
- Our access to the natural environment should be balanced with the need to conserve and protect
- The use of alternative renewable energy sources is encouraged and supported
- Our community is seeking access to more information and education to support sustainable living.

The community vision helps guide the prioritisation of our key initiatives and actions. We are committed to taking action and support community to do the same. Together we can create energy smart lifestyles, ensure our developments minimise energy and water use, drive renewable energy uptake, minimise our waste into landfill and enhance our natural environment through biodiversity initiatives.



A community working together to grow a resilient, hopeful and caring future for all"

"I would like to see the Wellington Shire to reach as high as they can in terms on being as sustainable as they can. As the next generation, I am so anxious about the future"

- anonymous quotes from the 2019 community survey

## Our Guiding Principles

Guiding principles assist Council and the community to work together to implement the aims and actions of the strategy. Where there are choices or decisions to make, we use these principles to help us choose wisely. We will endeavour to follow these key principles:

### Promote Integration

Pursue a 'whole of council' approach to ensure economic, social and environmental considerations are pursued. We will consider whole of life costs in our operations and service delivery.

### Be inclusive, get involved and participate

Listen to and respond to the needs of the community. Empowered and educated communities are required to affect more sustainable societies. Form partnerships where needed for the best outcomes.

### 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.

### 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.

### Embed Intergenerational Equity

Present and future generations of all species should have fair and equal access to resources and opportunities

### Adopt Precautionary Behavior

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.

### Built Environment

#### Potential impacts of climate change

- Damage or loss of built environment and public infrastructure (e.g. roads, drains, parks, waste facilities, sports areas, urban forest)
- Increased maintenance costs
- Threats to tourism infrastructure

#### Potential health and wellbeing impacts

- Public services may be reduced
- Reduced social connectivity and decrease in individual/community wellbeing.



### Social Environment

#### Potential impacts of climate change

- Increase in pollutants and allergens
- Changing patterns of disease
- More extreme temperatures

#### Potential health and wellbeing impacts

- Increased risk to human health will increase pressure on health and community services
- May reduce the quality and accessibility of healthcare particularly for those that can't afford increased costs
- Increased risk of infectious disease, causing social isolation and inability to work



### Economic Environment

#### Potential impacts of climate change

- Problems with reliability to food security
- Changes to rural communities due to seasonal conditions and economic pressures
- Problems with water quality and quantity, particularly for irrigators
- Reduced visitation due to environmental degradation
- Contraction of emissions intensive industry and associated jobs
- Insurance costs escalate and become unaffordable

#### Potential health and wellbeing impacts

- Increased cost of food and decreased availability of fresh produce leading to negative health impacts
- Loss of income, social connections, family support leading to anxiety, depression and psychological trauma

### Natural Environment

#### Potential impacts of climate change


- May decrease the natural environments capacity to act as a buffer and limit negative impacts
- Increase in environmental degradation
- Loss of biodiversity and changing landscape (more weeds)
- Problems with water quality and water security


#### Potential health and wellbeing impacts


- People have a cultural connection to the environment and may grieve its loss
- Increase in water-borne disease


### Climate Projections


Gippsland has been getting warmer and drier  
In the future we can expect


 Temperatures continue to increase year round


 More frequent and more intense downpours

 Warmer and more acidic oceans

 More hot days and warm spells and fewer frosts

 Less rainfall in autumn, winter and spring

 Harsher fire weather and longer fire season

 Increased frequency and height of extreme sea level events

Source: DELWP, 2018- Regional Adaptation Snapshot



# Resilient Communities

**What success looks like:** Wellington communities, particularly those who are most vulnerable, can assess, prioritise and manage climate change risk and recover quickly from extreme climatic-driven natural disasters.

## Our position

Wellington Shire Council acknowledges that:

- The UN Intergovernmental Panel on Climate Change' s (IPCC) consensus on human-induced climate change is real.
- Global warming is already impacting on our communities and if emissions continue unabated these impacts will significantly jeopardise the health, livelihoods and socio-economic basis of our communities. We will plan for a range of scenarios.
- Climate change will have both negative and potential positive effects on the region, and understanding those impacts are critical for effective long-term planning.
- Our vulnerable communities with high exposure to climate change impacts combined with low socio-economic status, pre-existing health and mental health issues require support to build their capacity to adapt. In a reduced funding environment, vulnerable people should be prioritised.
- The built environment, climate change and public health are closely connected.

## What we are already doing

- Investigating opportunities to support appropriate planning and development in high-risk climate change prone areas.
- Participating in regional adaptation planning programs and forums, including those that target agricultural adaptation.
- Strategic planning with key partners as part of the Integrated Municipal Public Health and Wellbeing Plan.
- Delivering Emergency response and recovery across our region with our key partners.
- Providing support for our agricultural industry during drought.



## Strategy Objectives

1. Build knowledge of how climate change will impact Council operations and service delivery.
2. Integrate climate change measures into corporate policies, strategies and planning.
3. Work with our key partners to ensure our community understand their exposure to climate risk and strategies they can adopt to minimise the impact on their health and financial wellbeing.
4. Proactively seek and support opportunities that arise from a changing climate.
5. Enhance the capacity of Council staff to apply climate change adaptation into business decision-making processes.

### Key partners:

Gippsland Climate Change Network, DELWP, Latrobe Valley Authority, Department of Health and Human Resources,

### Key Strategies:

Wellington Shire Agricultural Position Paper, Wellington Municipal Emergency Management Plan, Wellington Municipal Heat Health Plan, 2017-21 Healthy Wellington Integrated Municipal Public Health Plan, Victorian Climate Adaptation Plan 2017-2020, Victorian Public Health and Wellbeing Plan 2019-2023, National Climate Resilience and Notes.

### Adaptation Strategy 2015.

1. The Department of Environment assessed local councils across Victoria in 2017 against a range of criteria including governance structures, policies and strategies to assess progress towards climate adaptation. Council will self assess against the report provided to ensure it is in line with state expectations.

2. IN January 2014 there were 11 deaths across Wellington Shire attributed to extreme climate heat as reported in the Municipal Health and Wellbeing



## Council Targets

100%

Score against the DELWP Climate Adaptation Governance Scorecard up from 13%<sup>1</sup>



Processes established to ensure major projects are assessed in design stage to consider climate adaptation requirements



## Community Targets










Zero

Excess deaths attributed to extreme weather and/or climate driven natural disaster<sup>2</sup>







Council actively engaging with community to increase understanding of climate risk exposure and management

### Four year Action Plan

| Objective  | No. | Action  | Council's Role  | Key Internal delivery partners         | Resourcing                | Time Frame |
|--|-----|---|---|--|---------------------------|------------|
| Build Knowledge of how climate change will impact Wellington council operation and services.   | 1.1 | Investigate and report on potential long-term costs of climate change to council service delivery and public infrastructure assets through risk and resilience pathway planning, outlining hazard and risk reduction options.   |    | Sustainability/<br>Finance             | Budget                    | 2020-21    |
| Integrate climate change measures into corporate policies, strategies and planning.  | 1.2 | Update Municipal Emergency Management Plan in line with the new Emergency Management Legislation Amendment Act 2018 which establishes a new integrated, comprehensive and co-ordinated framework for emergency management planning to build community resilience and prepare for effects of climate change. |       | Emergency Management                   | Within existing resources | 2021-22    |
|  | 1.3 | Review and update key decision-making tools to ensure capital works projects undertake climate change assessments early in development stage and apply to project planning and delivery.  |    | Built Environment/<br>Sustainability   | Within existing resources | 2020       |
|  | 1.4 | Review all council policies and strategies to identify opportunities to integrate climate adaptation and make recommendations for revision.   |    | Sustainability                         | Within existing resources | Ongoing    |
| Work with our key partners to ensure our community understand their exposure to climate risk and strategies they can adopt to minimise the impact on their health and financial wellbeing. | 1.5 | Work with community and partners to develop a Community Engagement and communication strategy to assist community to identify key physical, social and economic risks, and strategies to minimise these risks.  |   | Community Wellbeing/<br>Sustainability | Budget/<br>Funding        | 2022-23    |
|  | 1.6 | Participate and support the Gippsland Regional Climate Change Adaptation Strategy program with key partners including DELWP, Councils, and community groups.  |   | Sustainability                         | Within existing resources | Ongoing    |

| Objective  | No.  | Action  | Council Role  | Key internal delivery partners               | Resourcing                | Time Frame |
|--|------|---|---|--|---------------------------|------------|
|  | 1.7  | Support Committees of Management and community groups to apply climate adaptation thinking in facilities maintenance and program delivery by providing up to date guidance and education materials. |     | Sustainability/<br>Community Wellbeing       | Within existing resources | Ongoing    |
| <b>Proactively seek and support opportunities that arise from a changing climate</b>   | 1.8  | Identify regional opportunities that arise from a changing climate and seek to promote, advocate for and target programs to drive a sustainable economic foundation for Wellington into the future. |    | Sustainability and Business Development      | Within existing resources | Ongoing    |
| <b>Enhance the capacity and capability of council staff to apply climate change adaptation into core business decision making processes.</b> | 1.9  | Facilitate legal guidance for Councillors and executives on emerging climate change litigation risk and duties of care obligations.   |    | Sustainability/<br>Corporate Management Team | Budget                    | Ongoing    |
|  | 1.10 | Develop and deliver training package for appropriate council staff to build climate change adaptation awareness and risk assessment into programs and services.                                     |     | Sustainability/<br>Human Resources           | Within existing resources | Ongoing    |
|  | 1.11 | Support and encourage participation of appropriate council staff in climate change adaptation forums/conferences and workshops.   |   | Corporate Management Team                    | Budget                    | Ongoing    |

 Control  Partner/Support  Influence  Monitor

# Low Carbon Economy

**What Success looks like:** Council and community reduce greenhouse gas emissions in line with science-based targets to minimise global warming to under 2 degrees Celsius, as part of our obligations to act for the benefit of the wider global community.

## Our position

Wellington Shire Council acknowledges that:

- To transition to a low carbon economy, we must use energy more efficiently in the first instance through better building design, followed by production of renewable low carbon energy, a move to electrification and cleaner fuels, and finally offset any remaining emissions.
- Climate change is a major threat to Australia's financial stability and the costs of mitigation and modelling by the Climate Council show the economic benefits of emissions reduction far out way the costs<sup>1</sup>.
- the Victorian Government's "Net zero emissions by 2050" target is in line with science-based targets to keep global warming under 2 degrees Celsius and Council will strive to reach this target for its corporate emissions (excluding landfill emissions) by 2040.
- Landfill emissions will be reduced to an aspirational target of Net Zero Emissions by 2050 through a range of initiatives including removal of organic waste, landfill gas flaring technologies, behaviour change programs and offsetting, dependant on state and federal government leadership.

## What we are already doing

- Partnering with government and community groups to deliver energy efficiency programs as opportunities arise.
- Identified and analysed our carbon emissions profile
- Implementing the urban paths network to facilitate uptake of passive transport by the community (walking, riding, skating).
- Installing solar across Council buildings (160kw installed to date).
- Converting streetlights to LED (70% already converted).
- Partnering with the Victorian state government in its climate change pledge intuitive TAKE2.

1. "Compound Costs: How Climate Change is Damaging Australia's Economy" Climate Council of Australia 2019



## Strategy Objectives

1. Accelerate renewable energy uptake, low carbon building development and efficient operations to reduce greenhouse emissions from council operations in line with set targets.
2. Actively reduce legacy landfill GHG emissions through flaring/and or capture technology and prevent further methane generation by minimising the organic waste stream from entering education solutions.
3. With support from key stakeholders, help community, business and industry reduce greenhouse gas emission through reductions in energy consumption, increase uptake of adoption of low carbon agriculture, through education and awareness raising.

### Key partners:

Gippsland Climate Change Network, Better Building Finance, Sustainability Victoria, Latrobe Valley Community Power Hub (LVCPH), Heyfield Community Resource Centre, DELWP, Department of Economic Development, Jobs, Transport and Resources, Latrobe Valley Authority

### Key Strategies:

Victoria's Renewable Energy Action Plan, National Strategy for Ecologically Sustainable Development, Victoria's Renewable Energy Roadmap 2015

### Notes:

1. Data from Australian Bureau of Statistics. This data can be used to monitor the transition of transport emissions across Wellington. In 2018 the ABS reported that 3.7% of registered vehicles in Wellington were green.
2. Data from the Australian PV Institute – In 2018 the solar penetration rate for Wellington LGA was 21%. We have consciously decided against setting Community Emission targets as accessibility to future Municipal emissions data cannot be guaranteed.



## Council Targets

### NET ZERO by 2040

landfill through processing and the policy framework to guide strong ESD standards into design and construction of council buildings in place by 2024.



the policy framework to guide strong ESD standards into design and construction of council buildings in place by 2024.

### NET ZERO by 2050

renewable energy power generation and Councils seeks to reduce landfill GHG emissions with key support from state and federal government initiatives or regulations



## Community Targets





### 50% by 2050






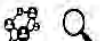
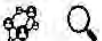
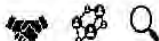




Increase in the number of registered Electric/dual-fuel and LPG powered vehicles within Wellington Shire LGA<sup>1</sup>

### 50% by 2050

Increased the Solar Penetration rate across Wellington Shire from 2018 baseline<sup>2</sup> by 2050 in line with state government Renewable Energy Targets

## Four year Action Plan

| Objective  | No.  | Action   | Councils Role   | Key internal delivery partners                               | Resourcing                | Time frame |
|--|------|--|---|--|---------------------------|------------|
| <b>Accelerate renewable energy uptake, low carbon buildings and efficient operations to reduce carbon emissions from council operations in line with short term targets.</b> | 2.1  | Install a minimum of 400Kw of solar photovoltaic across appropriate council buildings or equivalent carbon emissions reduction through alternative energy upgrades.  |    | Sustainability, Built Environment                            | Budget                    | 2020-24    |
|  | 2.2  | Support the local renewable energy industry by investigating options to purchase renewable energy through Power Purchase Agreements.   |    | Sustainability   | Within existing resources | Ongoing    |
|  | 2.3  | Set strong standards in a new council ESD building policy to ensure new council buildings demonstrate environmental sustainability and climate resilience principles throughout design, construction and operation.        |    | Sustainability,<br>Community Wellbeing,<br>Built Environment | Within existing resources | 2020-21    |
|  | 2.4  | Undertake frequent external energy audits across high consuming facilities to provide options for further emission reduction investment.   |    | Sustainability/<br>Facilities/Site managers                  | Budget                    | Ongoing    |
|  | 2.5  | Progressively transition facilities off gas energy supply as opportunities arise.  |     | Sustainability/<br>Facilities/Site managers                  | Budget                    | Ongoing    |
|  | 2.6  | Update Council Fleet policy to support and incentivise immediate uptake of hybrid and plug-in hybrid vehicles and promote higher efficiency standards where dual-fuel alternatives are not available.                      |    | Fleet Management/<br>Sustainability                          | Within existing resources | 2020       |
|  | 2.7  | Develop and implement Staff Travel Policy to promote passive and public transport use for travel to Melbourne.   |    | Sustainability/<br>People & Capability                       | Within existing resources | 2020       |
|  | 2.8  | Develop and implement business case for Electric Vehicle (EV) trial and behaviour change program within passenger pool fleet and installation of EV charging infrastructure, for large scale fleet transition around 2025. |     | Sustainability   | Budget                    | 2020       |
|  | 2.9  | Monitor opportunities for transition of heavy vehicle fleet to hydrogen.   |    | Sustainability   | Within existing resources | Ongoing    |
|  | 2.10 | Explore options for community car sharing schemes or opportunities to reduce reliance on high fuel consumption vehicles.   |     | Sustainability   | Seek funding              | 2022-23    |

| Objective  | No.  | Action   | Councils Role   | Key internal delivery partners  | Resourcing  | Time frame  |
|--|------|--|---|---|---|---|
| <b>Actively reduce legacy landfill emissions through flaring/and or capture technology and prevent further methane generation by minimising the organic waste stream from entering landfill through processing and education solutions.</b>  | 2.11 | Reduce landfill carbon emissions through the development of flaring or combustion technologies at the Kilmany landfill site.   |            | Waste & Sustainability  | Budget  | Ongoing   |
|  | 2.12 | Reduce landfill emission through the introduction of Organic and Green waste recovery process and supporting behaviour change program.   |            | Waste and Sustainability  | Budget  | 2021-22   |
|  | 2.13 | Advocate for state and federal government leadership in the support for development of alternative organic waste treatment processes and facilities.   |            | Sustainability/<br>Business Development   | Within existing resources   | Ongoing   |
| <b>With support from key stakeholders, help community, business and industry reduce greenhouse gas emission through reductions in energy consumption, increase uptake of renewable energy power generation and adoption of low carbon agriculture through education and awareness raising.</b> | 2.14 | Increase promotion of the Environmental Upgrade Finance program to local businesses.   |            | Business Development/<br>Sustainability   | Within existing resources   | Ongoing   |
|  | 2.15 | Continue support for collaborative bulk-buy programs or other cost-effective programs that increase adoption of renewables across the community.   |            | Sustainability  | Budget  | 2020-24   |
|  | 2.16 | Increase awareness of Environmentally Sustainable Design standards and solutions through existing education program and communications targeting local builders and developers and home builders/renovators. |           | Sustainability  | Within existing resources   | Ongoing   |
|  | 2.17 | Facilitate installation of electric vehicle charge stations by local business by providing planning guidance, case studies and advice  |          | Sustainability/<br>Business Development   | Within existing resources   | 2022-24   |
|  | 2.18 | Seek opportunities to support our local Agricultural industry, as a key employer in the region, to become more sustainable.  |          | Sustainability/Parks<br>Business Development  | Seek funding  | Ongoing   |
|  |      |  |  Control |  Partner/Support |  Influence |  Monitor |

# protecting nature

**What success looks like:**

Our natural environment is healthy and resilient to emerging threats and is valued both in its own right and for the essential contribution to our health and wellbeing through its provision of a range of ecosystem services.

**Our position**

Wellington Shire Council acknowledges that:

- Functioning natural systems underpin the economy, society and human well-being through provision of a range of ecosystem services .
- Water is an essential component of ecosystem function and health and is best managed through an Integrated Water Management (IWM) approach.
- Council owned urban open space and street trees are valuable for improving urban amenity, urban cooling, biodiversity and protecting our natural water cycle.

**What we are already doing**

- Implementing Council’ s Urban Biodiversity Plan and Roadside weed management as required under the Catchment and Land Protection Act 1994.
- Implementing Council’ s Roadside Fire Mitigation Program, Electricity Line Clearance Management Plan and overseeing state government native vegetation clearing guidelines.
- Managing open space, parks and gardens in line with service standards in the context of a changing climate
- Ensuring protection of rivers and wetlands through management of wastewater via the implementation of the combined East Gippsland Shire Council and Wellington Shire Council Wastewater Management Plan in conjunction with key strategic partners.

Ecosystem services are what nature provides us for free



Image: Living Planet Report 2018 – World Wide Fund for Nature



## Strategy Objectives

1. Provide a high-quality network of local parks, open spaces and urban forests which are managed for social and environmental benefit now and into the future.
2. Increase the adoption of the 'Integrated Water Management' approach to ensure effective and efficient management of the water cycle while enhancing the liveability of our region.
3. Support regional partnerships and collaborative action to improve biodiversity, soil and water and coastal health at the broader catchment scale.
4. Engage with the community to increase their awareness of the value of urban forests, open space and water-cycle health.

**Key partners:** Landcare, Gippsland Water, South Gippsland Water, Southern Rural Water, West Gippsland Catchment Management Authority, East Gippsland Catchment Management Authority, Other Gippsland Councils, Parks Victoria, Trust for Nature, DELWP, Environment Protection Authority

**Key Strategies:** Wellington Urban Biodiversity Strategy, Wellington Open Space Strategy, Wellington Urban Paths Strategy, Domestic Wastewater Management Plan, Australia's Strategy for Nature 2019-2030, Protecting Victoria's Environment - Biodiversity 2037, Our Catchments Our Communities - Integrated Catchment Management in Victoria 2016-2019, West Gippsland CMA Regional Catchment Strategy 2013-2019

### Notes:

1. Data from Australian Bureau of Statistics. This data can be used to monitor the transition of transport emissions across Wellington. In 2018 the ABS reported that 3.7% of registered vehicles in Wellington were green.
2. Data from the Australian PV Institute - In 2018 the solar penetration rate for Wellington LGA was 21%.



## Council Targets

50 Hectares

Increase the area of mixed native species on council owned land from 21 ha to 50 ha.

10%

Reduction in potable water use across council operations (122 ML in 2018)



Maintain yearly property inspections for domestic waste water management compliance (293 inspections)



## Community Indicators




















Case studies and communication tools developed and disseminated to increase community awareness

40%

Canopy cover within town boundaries increasing property values, reducing urban heat island affect and biodiversity.

## Four year Action Plan

| Objective  | No. | Action  | Councils role   | Key internal delivery partners   | Resourcing                | Time frames |
|--|-----|---|---|----------------------------------|---------------------------|-------------|
| Provide a high-quality network of local parks, open spaces and urban forests which are managed for community and environmental benefit now and into the future | 3.1 | Continue to successfully deliver the open space, biodiversity, park and vegetation management plans and strategies.   |    | Open Space/<br>Parks             | Within existing resources | Ongoing     |
|  | 3.2 | Complete the establishment of the Significant Tree register, including the spatial registration of approved trees and placement on the Councils Asset register.   |    | Open Space                       | Within existing resources | 2020        |
|  | 3.3 | Complete Sale Botanical Gardens Management Plan and "Care for the Rare" program, to protect rare endemic local species.   |   | Open Space/<br>Parks             | Within existing resources | 2020        |
|  | 3.4 | Undertake canopy analysis at town level and expand urban forest and street trees at priority areas and investigate feasibility of incentive programs for community and industry participation.  |   | Open Space                       | Budget/<br>Seek funding   | 2020        |
|  | 3.5 | Identify and classify natural assets (trees, wetlands, remnant native vegetation) on council land and asset owner on council land for spatial registration and placement on the Council Asset register and develop guidelines around their consideration. |    | Parks/GIS                        | Within existing resources | 2020-22     |
|  | 3.6 | Undertake review of councils environmental offsets program and rate reduction program for landholders under Trust for Nature and explore options for expansion.   |    | Sustainability/Parks/<br>Finance | Budget                    | 2021-22     |

| Objective  | No.  | Action  | Councils role   | Key Internal delivery partners            | Resourcing                | Time frames |
|--|------|---|---|---|---------------------------|-------------|
| Increase the adoption of the Integrated Water Management approach to ensure effective and efficient management of the water cycle while enhancing the liveability of our region. | 3.6  | Undertake water use audit across council managed facilities and implement any recommendations on water reduction.   |    | Sustainability<br>Facility Managers       | Budget                    | 2020-22     |
|  | 3.7  | Implement recommendations from the Integrated Water Management Strategy for Wellington (under development)-may include Environmental Significance Overlays, Educations programs, Developer guidance, Water recycling. |     | Sustainability/Built Environment/Planning | Budget                    | Ongoing     |
| Support regional partnerships and collaborative action to improve land, soil, biodiversity, water and coastal health at the broader catchment scale.                             | 3.8  | Investigate feasibility of Introduction of a Cat Curfew for Wellington.   |    | Local Laws                                | Within existing resources | 2021-2022   |
|  | 3.9  | Seek opportunities to develop and deliver a large-scale bio-link program with key partners in a priority catchment area targeting priority water supply catchments.   |     | Parks/<br>Sustainability                  | Seek Funding              | 2020-24     |
| Increase the activity in and appreciation of the natural environment in the community  | 3.10 | Expand Parks Week program to include natural environment and sustainability awareness raising and identify opportunities for an independent Sustainability Festival.  |    | Parks/Sustainability                      | Budget                    | Ongoing     |

 Control  Partner/Support  Influence  Monitor

# towards a circular economy

## What success looks like:

Our community moves away from the ‘take-make-dispose’ approach of the past and supports the growth of a circular economy with minimal remaining residual landfill waste managed in accordance with Best Management Practices.

## Our position

Wellington Shire Council acknowledges:

- Avoidance of waste generation in the first instance is the most desirable outcome for a waste strategy.
- Almost all matter currently considered as waste has resource potential.
- Council plays a key role in supporting a circular economy.
- The community places a high priority on improving our waste management services and make good decision when they are well-informed.

## What we are already doing

- Meeting EPA legislative requirements for waste and landfill management at our landfill and transfer stations.
- Delivering online guidance and information to community through the “Get it Sorted” campaign.
- Advocating for policy changes at state and federal government levels to reduce plastics and packaging and support for recycling industries.
- Delivering the Sustainable Living Education Program across Wellington schools, targeting various waste streams from the perspective of avoid, reuse, repair and recovery.
- Reviewing waste service contracts

## What is a Circular Economy?

A circular economy is one that exchanges the typical cycle of make, use and dispose in favour of as much re-use and recycling as possible.

The longer materials and resources are in use, the more value is extracted from them. It is an opportunity to create new business opportunities and revenue streams, while minimising the environmental impact of resource extraction, use and manufacture.



## Strategy Objectives

1. Manage waste services and landfill operations in line with Best Management Practice to ensure compliance with EPA regulations for best use of land resources.
2. Reduce the total amount of waste going to landfill by identifying and encouraging local solutions for the processing of waste resources and uptake of the use of recycled and/or renewable materials.
3. Provide ongoing education and behaviour change programs to facilitate the reduction in waste generation across the community.

Sustainable living is about making lifestyle choices and decisions to reduce our use of our natural resources. As our global population rises, so too does our need to balance our production and consumption patterns to ensure future generations have access to the resources we have long enjoyed. The increasing pressure on our water, forests, earth resources and the earth's atmosphere are contributing to climate change and challenging our notion of environmental sustainability.

**Key Partners:** Resource Recovery Gippsland, Gippsland Waste and Resource Recovery Group, Sustainability Victoria, Wellington Businesses, DELWP, Environment Protection Authority

**Key Strategies:** Victorian Governments Circular Economy Policy, Gippsland Waste and Resource Recovery Implementation Plan 2017, Victorian Waste Education Strategy, Our Environment, Our Health – EPA



## Council Targets



Increase uptake of recyclable or renewable materials within council operations

10% ↓

Reduction in the total tonnes of council waste sent to landfill by 2024



## Community Indicators

50% by 2024








Increase diversion of garbage, recyclables and green organics collected from Kerbside bins















From 2

Increase in the number of local recycling or circular economy businesses in Wellington Shire.

#### Four year Action Plan

| Objective  | No. | Action  | Councils role   | Key internal delivery partners                                   | Resourcing                | Time frames |
|--|-----|---|---|--|---------------------------|-------------|
| <b>Manage waste services and landfill operations in line with Best Management Practice to ensure compliance with EPA regulations for best use of resources.</b>  | 4.1 | Increase efficiency of waste recovery across Maffra/Stratford area by implementing Best Management Principles for transfer stations.  |    | Waste & Sustainability   | Budget                    | 2021-22     |
|  | 4.2 | Facilitate efficient long-term waste management by developing supporting policy framework and masterplan.   |    | Waste & Sustainability   | Within existing resources | 2020-21     |
|  | 4.3 | Finalize Longford Rehabilitation in line with EPA requirements.   |    | Waste & Sustainability   | Budget                    | 2021-22     |
| <b>Reduce the total amount of waste going to landfill by identifying and encouraging local solutions for the processing of waste resources and uptake of the use of recycled and/or renewable materials.</b> | 4.4 | Identify and work with major waste generators, potential biomass generators in Gippsland to develop regional niche waste recovery industries as outlined in Council's Economic Development Strategy.                      |    | Business Development Sustainability                              | Within existing resources | Ongoing     |
|  | 4.5 | Undertake review of resource and material use across councils' operations and services to identify opportunities for increased uptake of recyclable/alternative materials in line with current and emerging technologies. |    | Sustainability Procurement/ Built Environment/ Community Culture | Within existing resources | 2021-22     |

| Objective   | No. | Action   | Councils role   | Key internal delivery partners                              | Resourcing                | Time frames |
|---|-----|--|---|---|---------------------------|-------------|
|   | 4.6 | Develop and deliver program to reduce plastic use and other waste streams at council sites and events aiming for program expansion to target local businesses and industry.  |     | Sustainability<br>Business Development<br>Community Culture | Within existing resources | 2020-24     |
|   | 4.7 | Work with key stakeholders to assess the risk to waste and resource recovery infrastructure during anticipated increased frequency of emergency events and ensure contingency measures formally recognised in existing Emergency Management Framework. |    | Emergency Management/<br>Waste Management                   | Within existing resources | 2020-24     |
| <b>Provide ongoing education and behaviour change programs to facilitate the reduction in waste generation across the community</b> | 4.8 | Enhance digital access to regional waste information, potentially using applications and mapping formats.  |    | Communications/<br>Sustainability                           | Seek funding              | 2020-21     |
|   | 4.9 | Seek to diversify the Sustainable Living Education Program to engage a broader cross section of the community through workshops, talks and other creative mediums.   |     | Sustainability  | Within existing resources | Ongoing     |

 Control  Partner/Support  Influence  Monitor

# environmental stewardship

## **What success looks like:**

Residents, business and industry across Wellington Shire are adopting sustainable practices through the leadership and advocacy provided by council and its partners.

## **Our position**

Wellington Shire Council acknowledges that:

- As a government body, Council has a responsibility to act to protect the environment for the wellbeing of our community.
- Good leaders must lead by example and must communicate their actions and achievements.
- Incentivising change leads to behaviour change and improvements.
- Staff are our greatest asset and we must support them to make change.

## **What we are already doing**

- Promoting and educating community through EcoNews, the Sustainable Living Education and ResourceSmart school's programs.
- Supporting community groups to apply for grants and opportunities.
- Advocating on behalf of community by responding to emerging policy and legislative issues.



## Strategy Objectives

1. Develop a supporting framework to ensure sustainability is embedded into core council operations and services where appropriate.
2. Enhance the capacity and capability of both council staff and the business and community leaders through education, incentives and advocacy.
3. Demonstrate leadership and market council's own achievements to the Wellington and broader community

**Key Partners:** All Council Business Units, Sustainability Victoria, Cities Power Partnership, Gippsland Business Awards, Sustainability Victoria, Gippsland Local Government Network, DELWP

**Key strategies:** Wellington 2030, Wellington Shire Council Plan 2017-21

**Notes:**

1. Council performance is assessed through the annual state-wide Local Government Community Satisfaction survey. In 2018 Wellington shire achieved a score of 63 against the Environmental Sustainability Service Area.



### Council Targets



Awards presented to community and council sustainability champions



To 75 Points

Increase in the performance for the "Environmental Sustainability Service Area" by 2024























Relevant staff undertake sustainability education or training through formal, or informal pathways



Council publishes an annual sustainability performance report

## Four year Action Plan

| Objective  | No. | Action   | Council's Role  | Key partners                           | delivery | Resourcing                | Time frame |
|--|-----|--|---|--|----------|---------------------------|------------|
| Develop a supporting framework to ensure sustainability is embedded into core council operations and services. | 5.1 | Seek to incorporate sustainability as a council core value signalling a formal commitment to sustainable outcomes across the organisation.   |    | Sustainability/<br>Council             |          | Within existing resources | 2020-21    |
|  | 5.2 | Join the Cities Power Partnership and other global initiatives to demonstrate leadership and access to key knowledge bases to support the switch to clean energy and sustainability.   |       | Sustainability/ Council                |          | Within existing resources | 2020-21    |
|  | 5.3 | Develop and deliver a Sustainable Events policy for all council run events/programs.   |    | Sustainability/<br>Community & Culture |          | Within existing resources | 2021-22    |
|  | 5.4 | Ensure relevant council policy considers and acknowledges objectives within the Environmental Sustainability Strategy and identifies opportunities to reduce energy, waste or water in delivery of council services where appropriate. |       | Sustainability/CMT                     |          | Within existing resources | Ongoing    |
|  | 5.5 | Incorporate key actions within this strategy into reporting processes to ensure good accountability, monitoring and reporting of strategy outcomes across all business units.  |   | Sustainability/CMT                     |          | Within existing resources | Ongoing    |

| Objective  | No.  | Action   | Council's Role  | Key internal delivery partners                | Resourcing                      | Time frame |
|--|------|--|---|---|---------------------------------|------------|
| Enhance the capacity and capability of both council staff and the business and community leaders through education, incentives and advocacy. | 5.6  | Include 'excellence in sustainability' category into staff achievements program to incentivise uptake of sustainable practice across council.  |    | Sustainability/<br>CMT/People &<br>Capability | Budget                          | Ongoing    |
|  | 5.7  | Introduce a range of "sustainability" or "environmental" awards for business, citizens and community groups to incentivise community driven change   |     | Sustainability/Business<br>Development/CMT    | Budget                          | Ongoing    |
|  | 5.8  | Develop and deliver internal "Council Sustainability" Learning and Development package for all staff.  |    | Sustainability/<br>People & Capability        | Within<br>existing<br>resources | Ongoing    |
| Demonstrate leadership and market councils own achievements to the Wellington and broader community.   | 5.9  | Confirm design detail, funding and management of the proposed Lake Guyatt Environmental Education Centre.  |     | Sustainability/<br>Assets and projects        | Seek<br>funding                 | 2020-21    |
|  | 5.10 | Update Council Community Grants application forms to provide sustainability guidance and specification for council-funded programs and initiatives.  |    | Community Wellbeing                           | Within<br>existing<br>resources | 2020       |
|  | 5.11 | Undertake frequent community engagement to promote council achievements through Council publications, broader media avenues and professional/industry publications, including targeted programs showcasing major sustainability initiatives. |     | Sustainability/<br>Communications             | Within<br>existing<br>resources | Ongoing    |
|  | 5.12 | Report sustainability progress in Council's Annual report.   |    | Sustainability/CMT                            | Within<br>existing<br>Resources | Ongoing    |

 Control  Partner/Support  Influence  Monitor

## The Way Forward

The strategic objectives across the five themes provide a framework for what Council will strive for over the next four years. The 60 individual actions have been carefully planned to set a solid foundation on which we can build upon as part of future strategies. This is a long term proposition for council. By strengthening the internal framework we will enable a greater commitment to sustainable outcomes that will result in more effective sustainability program delivery across council business. The challenges for council are building commitment of all council staff, embedding sustainability into the culture of the organisation, adaptation to and learning new ways of operating and demonstrating sustainability and setting an example.

While internal capacity building is an important part of the strategy, we are also focused on a commitment to build the capacity of our community, local business and industry through strategic partnerships with our key stakeholders that deliver a range of services across land management, healthcare, water management, resource efficiency and business development. Although local government cannot mandate changes to an individual's lifestyle, it has a leadership role in building community awareness and promoting change in the way we utilise and conserve our environment. The challenges for our community will be engaging with local government, reducing the ecological footprint and educating and encouraging action by others.

We commit to measuring our performance by reporting on our progress. We will report on the achievements of the strategy and the progress towards our targets. This includes:

- Quarterly reporting to the internal executive leadership team
- Yearly reporting to the community
- A Full review in 2024 and develop the next strategy

## Jargon Buster

**Net Zero** refers to balancing the amount of emitted greenhouse gases with the equivalent emissions that are either offset or sequestered. This can be achieved through reduction in carbon emissions, but where zero can't be achieved, offsetting through carbon credits or sequestration through forestry or carbon capture and storage can be utilised.

**Ecosystem services** are the many and varied benefits that we freely gain from the natural environment including food, raw materials, water, medicinal resources, energy, nutrient cycling, climate regulation, purification of water and air, and cultural, spiritual and recreational experiences and provision of habitat. Water plays a key role in maintaining ecosystem services.

**Integrated Water Management** is a collaborative approach to planning that brings together organisations that influence all elements of the water cycle, including waterways and wetlands, waste-water management, alternative and potable water supply, stormwater management and water treatment. It seeks to achieve a range of positive outcomes for biodiversity, liveability and water security now and into the future.

**ITEM C4.2****LLOYD STREET SPECIAL CHARGE STREET CONSTRUCTION SCHEME – INTENTION TO DECLARE SCHEME**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

DATE: 7 APRIL 2020

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

**OBJECTIVE**

The purpose of this report is for Council to consider the proposed Lloyd Street (North) Special Charge Street Construction Scheme Number 1902 for declaration as a Special Charge Scheme for the construction of Lloyd Street in Stratford.

**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 Lloyd Street south of Redbank Road in Stratford and providing all and any ancillary works, including drainage and vehicle crossings; and***
- 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 16 June 2020 in accordance with the Proposed Declaration of Special Charge Scheme Number 1902 in the form of the attachment to this report for the construction of Lloyd Street (North) in Stratford (Proposed Declaration of Special Charge); and***
- 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 16 June 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; and***
- 4. Council appoint three Councillors as determined by Council plus an alternative representative to form the 'Lloyd Street (North) 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; and***

- 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; and**
- 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; and**
- 7. Council modify the Residential Road and Street Construction Plan to include the construction of driveways within the fixed fee model.**

## **BACKGROUND**

Lloyd Street in Stratford is located within the residential area of Stratford. Currently the road south of Redbank Road consists of an ill formed and unsealed gravel pavement of approximately 160m in length with irregular table drains. The formation of this road is primarily of a rural type road. 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 and has included preparation of concept designs and a cost estimation. The proposed Lloyd Street Construction Scheme would provide for the construction and sealing of the road to a 7.3m width. Kerb, improved drainage and stormwater management will form part of the proposed works.

The construction and sealing of Lloyd Street 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 Lloyd Street 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 Lloyd Street, 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 19 August 2019 to outline the proposal. A follow up letter with a survey form was sent to each property owner following this public meeting, along with an estimated apportionment cost, to assess support for, or objection to, the scheme was mailed out 5 September 2019.

Results of the survey:

All of the property owners replied to the survey and 71% of these replies were in favour of the proposed scheme.

|                     | SUPPORT SCHEME |     | OPPOSE SCHEME |     | DID NOT REPLY |    |
|---------------------|----------------|-----|---------------|-----|---------------|----|
| Property Owners (7) | 5              | 71% | 2             | 29% | 0             | 0% |
| Properties (8)      | 6              | 75% | 2             | 25% | 0             | 0% |

One property owner in Lloyd Street owns two properties and overall there is a 75% level of support for the scheme to proceed.

## OPTIONS

Council has the following options available:

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. To 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 Lloyd Street in Stratford 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.

## FINANCIAL IMPACT

Total costs applicable to the Special Charge scheme are estimated to be \$450,000. 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, \$42,000.00 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:               | \$ 42,000.00 |
| Portion of cost to be recovered from Council as direct costs: | \$408,000.00 |
| Total estimated cost of scheme:                               | \$450,000.00 |

There is one multiple property owner and there is Crown Land on one entire side of the road located within the scheme boundary.

The resultant financial impact is a cost to Council estimated at \$408,000 is 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 Proposed Declaration of Special Charge - Schedule 2 (Methods 1 & 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 Maximum Total Levy**.

On this basis, the cost per property under such apportionment methods would have been between either \$21,898 and \$42,127 and \$27,480 or \$36,640, 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 Proposed Declaration of Special Charge**), 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 40 quarterly instalments (ten years), including an interest component aligned to Council's cost of finance.

## COMMUNICATION IMPACT

A comprehensive public consultation process has been entered into with affected property owners including information letters, surveys and meetings. If the scheme progresses, then ongoing communication will continue with the recommendations of this report.

## 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 subsection (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 Maximum Total Levy**.

## **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 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

**Strategic Objective 2.4:** *"Continued improvement to Wellington Shire's connectivity with further developed, accessible transport networks."*

Strategy 2.4.2: *"Continue to maintain and enhance Council's road assets infrastructure."*

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

## **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 community impact as it will result in Lloyd Street, Stratford being fully sealed in line with current service standards. Community benefit is reflected in Council 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 7 August 2019
- Public meeting held at Stratford, 19 August 2019

- Mail out survey of all property owners, 5 September 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.

## PROPOSED DECLARATION OF SPECIAL CHARGE

### 'Lloyd Street (North), Stratford - Special Charge Street Construction Scheme Number 1902'

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 Lloyd Street in Stratford (**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 'Lloyd Street (North), Stratford - Special Charge Street Construction Scheme Number 1902'.
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 'residential area' of Stratford) and, based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to Lloyd Street (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 \$450,000 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 \$42,000
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 10 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 10 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 0.57 or 57%, 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 \$42,000.

#### **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 & 50% Frontage

Method 2 - Maximum Levy at 100% Access Benefit

Method 3 - Fixed Fee

Schedule 1

LLOYD STREET – STRATFORD  
PLAN OF SPECIAL CHARGE SCHEME AREA.

Scheme Boundary 



Schedule 2

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

**WELLINGTON SHIRE COUNCIL**

**LLOYD STREET CONSTRUCTION SCHEME ( EST. COST) - MAX LEVY AMOUNT - 50% ACCESS & 50% FRONTAGE**

| ASSESS. No.                                      | PARCEL No. | TITLE DETAILS  | STREET ADDRESS                        | ACCESS BENEFIT UNITS             | FRONTAGE      | SIDEAGE & REARAGE | TOTAL APPORIONED LENGTH | ESTIMATED COST   |
|--|------------|----------------|---------------------------------------|----------------------------------|---------------|-------------------|-------------------------|------------------|
| <b>LLOYD STREET</b>                              |            |                |                                       |                                  |               |                   |                         |                  |
| 1  | 411512     | Lot 4 PS532269 | 16 Lloyd Street STRATFORD VIC 3862    | 1                                | 20            | 0.00              | 20.00                   | \$33,160         |
| 2  | 403485     | Lot 3 PS532269 | 18 Lloyd Street STRATFORD VIC 3862    | 1                                | 20            | 0.00              | 20.00                   | \$33,160         |
| 3  | 385047     | Lot 2 PS532269 | 20 Lloyd Street STRATFORD VIC 3862    | 1                                | 30.47         | 0.00              | 30.47                   | \$42,127         |
| 4  | 409516     | Lot 1 PS532269 | 20A Lloyd Street STRATFORD VIC 3862   | 1                                | 10            | 0.00              | 10.00                   | \$24,596         |
| 5  | 75861      | Lot 1 PS328770 | 1/ 22 Lloyd Street STRATFORD VIC 3862 | 1                                | 23.02         | 0.00              | 23.02                   | \$35,746         |
| 6  | 75879      | Lot 2 PS328770 | 2/ 22 Lloyd Street STRATFORD VIC 3862 | 1                                | 13.93         | 0.00              | 13.93                   | \$27,961         |
| 7  | 75887      | Lot 3 PS328770 | 3/ 22 Lloyd Street STRATFORD VIC 3862 | 1                                | 25.48         | 0.00              | 25.48                   | \$37,853         |
| 8  | 75903      | Lot 4 PS328770 | 4/ 22 Lloyd Street STRATFORD VIC 3862 | 1                                | 6.85          | 0.00              | 6.85                    | \$21,898         |
| <b>TOTALS</b>                                    |            |                |                                       | <b>8</b>                         | <b>149.75</b> | <b>0.00</b>       | <b>149.75</b>           | <b>\$256,500</b> |
| <b>TOTAL ESTIMATED COST OF SCHEME</b>            |            |                |                                       |                                  |               |                   |                         |                  |
| <b>COUNCIL CONTRIBUTION</b>                      |            |                |                                       | \$450,000                        |               |                   |                         |                  |
| <b>ESTIMATED APPORTIONABLE AMOUNT</b>            |            |                |                                       | \$193,500                        |               |                   |                         |                  |
| <b>AMOUNT APPORTIONED TO ACCESS - 50%</b>        |            |                |                                       | \$256,500                        |               |                   |                         |                  |
| <b>AMOUNT APPORTIONED TO FRONTAGE - 50%</b>      |            |                |                                       | \$128,250                        |               |                   |                         |                  |
| <b>Apportioned Rate - (Access Benefit Units)</b> |            |                |                                       | \$16,031 per Access Benefit Unit |               |                   |                         |                  |
| <b>Apportioned Rate - ( Abuttal Length)</b>      |            |                |                                       | \$856 per Metre                  |               |                   |                         |                  |
| <b>Contribution Wellington Shire Council</b>     |            |                |                                       | \$193,500 43%                    |               |                   |                         |                  |
| <b>Contribution Property Owners</b>              |            |                |                                       | \$256,500 57%                    |               |                   |                         |                  |

Method 2 - Maximum Levy at 100% Access Benefit

WELLINGTON SHIRE COUNCIL

LLOYD STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX LEVY AMOUNT - ACCESS ONLY

| ASSESS NO.          | PARCEL NO. | TITLE DETAILS  | STREET ADDRESS                        | ACCESS BENEFIT UNIT (ABU) | ABU FACTOR APPLIED FOR COMMON | APPORTIONED ABU's | SCHEME CONTRIBUTION RATE | AMOUNT DUE          |
|---------------------|------------|----------------|---------------------------------------|---------------------------|-------------------------------|-------------------|--------------------------|---------------------|
| <b>LLOYD STREET</b> |            |                |                                       |                           |                               |                   |                          |                     |
| 1                   | 411512     | Lot 4 PS532269 | 16 Lloyd Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$36,640.00              | \$36,640.00         |
| 2                   | 403485     | Lot 3 PS532269 | 18 Lloyd Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$36,640.00              | \$36,640.00         |
| 3                   | 385047     | Lot 2 PS532269 | 20 Lloyd Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$36,640.00              | \$36,640.00         |
| 4                   | 409516     | Lot 1 PS532269 | 20A Lloyd Street STRATFORD VIC 3862   | 1                         |                               | 1                 | \$36,640.00              | \$36,640.00         |
| 5                   | 75861      | Lot 1 PS328770 | 1/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         | 0.75                          | 0.75              | \$36,640.00              | \$27,480.00         |
| 6                   | 75879      | Lot 2 PS328770 | 2/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         | 0.75                          | 0.75              | \$36,640.00              | \$27,480.00         |
| 7                   | 75887      | Lot 3 PS328770 | 3/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         | 0.75                          | 0.75              | \$36,640.00              | \$27,480.00         |
| 8                   | 75903      | Lot 4 PS328770 | 4/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         | 0.75                          | 0.75              | \$36,640.00              | \$27,480.00         |
| <b>TOTALS</b>       |            |                |                                       | <b>8</b>                  |                               | <b>7</b>          |                          | <b>\$256,480.00</b> |

**TOTAL ESTIMATED COST OF SCHEME** \$450,000  
**COUNCIL CONTRIBUTION** \$193,500  
**APPORTIONED AMOUNT (Maximum Levy)** \$256,500

**Apportioned Rate (ABU)** \$36,640 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 | Propert | Total | No of Prope | Factor |
|---------------------|----------------|------------|---------|-------|-------------|--------|
| 1/22, 2/22 Lloyd St | 1              | 1          | 1       | 2     | 2           | 0.75   |
| 3/22, 4/22 Lloyd St | 1              | 1          | 1       | 2     | 2           | 0.75   |

Method 3 – Fixed Fee – Access Benefit (Revised Maximum Levy)

WELLINGTON SHIRE COUNCIL

LLOYD STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - WITH REVISED MAX LEVY - ACCESS ONLY

| ASSES NO.           | PARCEL NO. | TITLE DETAILS  | STREET ADDRESS                        | ACCESS BENEFIT UNIT (ABU) | ABU FACTOR APPLIED FOR COMMON | APPORTIONED ABU's | SCHEME CONTRIBUTION RATE | AMOUNT DUE         |
|---------------------|------------|----------------|---------------------------------------|---------------------------|-------------------------------|-------------------|--------------------------|--------------------|
| <b>LLOYD STREET</b> |            |                |                                       |                           |                               |                   |                          |                    |
| 1                   | 411512     | Lot 4 PS532269 | 16 Lloyd Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 2                   | 403485     | Lot 3 PS532269 | 18 Lloyd Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 3                   | 385047     | Lot 2 PS532269 | 20 Lloyd Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 4                   | 409516     | Lot 1 PS532269 | 20A Lloyd Street STRATFORD VIC 3862   | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 5                   | 75861      | Lot 1 PS328770 | 1/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         |                               | 0.75              | \$6,000.00               | \$4,500.00         |
| 6                   | 75879      | Lot 2 PS328770 | 2/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         |                               | 0.75              | \$6,000.00               | \$4,500.00         |
| 7                   | 75887      | Lot 3 PS328770 | 3/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         |                               | 0.75              | \$6,000.00               | \$4,500.00         |
| 8                   | 75903      | Lot 4 PS328770 | 4/ 22 Lloyd Street STRATFORD VIC 3862 | 1                         |                               | 0.75              | \$6,000.00               | \$4,500.00         |
| <b>TOTALS</b>       |            |                |                                       |                           |                               |                   | <b>7</b>                 | <b>\$42,000.00</b> |

TOTAL ESTIMATED COST OF SCHEME \$450,000  
 COUNCIL CONTRIBUTION \$408,000  
 APPORTIONED AMOUNT (Revised Max. Levy) \$42,000

Apportioned Rate (ABU) \$6,000 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 Property | Total No of Properties | Factor |
|---------------------|----------------|---------------------|------------------------|--------|
| 1/22, 2/22 Lloyd St | 1              | 1                   | 2                      | 0.75   |
| 3/22, 4/22 Lloyd St | 1              | 1                   | 2                      | 0.75   |

## LLOYD STREET (NORTH), STRATFORD – SPECIAL CHARGE STREET CONSTRUCTION SCHEME NUMBER 1902

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 Lloyd Street and a short section of Scott Street in Stratford (to be known as the 'Lloyd Street (North) - Special Charge Street Construction Scheme Number 1902') (*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 Lloyd Street south of Redbank Road in Stratford.

Lloyd Street is located within a residential area and currently consists of an ill formed (but unsealed) gravel pavement of approximately 5m wide and 160m in length, with irregular table drains. The road is primarily a rural-type road, with the unsealed section extending for the 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 7.3m width, with barrier kerbing, and improved drainage and stormwater management.

The construction and sealing of Lloyd Street 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, Lloyd Street is designated as a 'Local Access B Road' and (as required by the Plan) 60% or more of property owners have expressed support for its construction.

Consistent with the Plan, it is considered that the 8 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 Lloyd Street, 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 10 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.

|  |                  |
|--|------------------|
| <b>Total Scheme Cost</b>                 | <b>\$450,000</b> |
| 'Benefit Ratio' Determination            | 0.57             |
| <b>Maximum Total Levy Amount</b>         | <b>\$256,500</b> |
| <b>Further Council Contribution</b>      | <b>\$214,500</b> |
| <b>Revised Maximum Total Levy Amount</b> | <b>\$ 42,000</b> |

## D. Identify Special Beneficiaries

It is considered that all 8 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 8 properties and the location of the road to be constructed) is shown in on the plan below.



#### E. Determine Properties to Include

For the purposes of calculating the Benefit Ratio, a notional benefit value – to be called a Benefit Unit (BU) – will be used. A BU is a deemed benefit equal to the *average* benefit for each and every property included in the Scheme. This average benefit is considered to comprise *both* access and amenity benefits.

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 –

$$(TSB = TSB_{(in)} + TSB_{(out)})$$

$TSB_{(in)}$  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 (8) | $0.5 \times 8 = 4$ BU | $0.5 \times 8 = 4$ BU |
| <b><math>TSB_{(in)} =</math></b>   | <b>8 BU</b>           |                       |

$TSB_{(out)}$  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.  $TSB_{(out)} = 0$

## 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 Lloyd Street 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 60 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 4 BU (this is based on approximately 48 vehicle movements per day (8 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 Lloyd Street 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–

$$TCB_{\text{traffic}} = 4 \times (60 / 48)$$

$$TCB_{\text{traffic}} = 5$$

#### *Improved drainage and water quality*

Sealing of the roads will result in improved drainage and better water quality: It is recommended therefore that **0.5 BU** be allowed for this benefit, which is however considered to be a marginal benefit.

$$TCB_{\text{drainage}} = 0.5$$

*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 **0.5 BU** be allowed for this benefit, which again is considered to be a marginal benefit.

$$TCB_{\text{maintenance}} = 0.5$$

Therefore,

$$\begin{aligned} TCB_{\text{total}} &= TCB_{\text{traffic}} + TCB_{\text{drainage}} + TCB_{\text{maintenance}} \\ &= 5 + 0.5 + 0.5 \end{aligned}$$

$$TCB_{\text{total}} = 6$$

**H. Calculating the 'Benefit Ratio'**

The Benefit Ratio is calculated as follows –

$$\begin{aligned} R &= \frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB} \\ &= 8 / (8 + 0 + 6) \\ &= 8 / 14 \end{aligned}$$

$$\text{Benefit Ratio (R)} = 0.57$$

**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

|  |
|--|
| <b>Maximum Total Levy Amount (R x C = S)</b> |
| 0.57 x \$450,000 = \$256,500                 |

Council may levy up to 57% of total costs, or **\$256,500**

## J. Other relevant considerations

Council notes that if it levies the Maximum Total Levy Amount of \$256,500 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 2019<sup>1</sup>.

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 \$214,500 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$42,000 (***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.

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<sup>1</sup> Refer to section 6.2 of the Plan by which a fixed rate contribution model of \$6,000 has been proposed and adopted by Council for Small and Coastal Towns (like Stratford) where sealed roads are to be provided.

**ITEM C4.3****MCMILLAN STREET SPECIAL CHARGE STREET CONSTRUCTION SCHEME – INTENTION TO DECLARE SCHEME**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

DATE: 7 APRIL 2020

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

**OBJECTIVE**

To consider the proposed McMillan Street (East) Special Charge Street Construction Scheme Number 1904 for declaration as a Special Charge Scheme for the construction of McMillan Street in Stratford.

**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 McMillan Street east of Davis Street in Stratford and providing all and any ancillary works, including drainage and vehicle crossings; and***
- 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 16 June 2020 in accordance with the Proposed Declaration of Special Charge Scheme Number 1904 in the form of the attachment to this report for the construction of McMillan Street (East) in Stratford (Proposed Declaration of Special Charge); and***
- 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 16 June 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; and***
- 4. Council appoint three Councillors as determined by Council plus an alternative representative to form the 'McMillan Street (East) 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; and***

- 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; and**
- 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; and**
- 7. Council modify the Residential Road and Street Construction Plan to include the construction of vehicle crossings within the fixed fee model.**

## **BACKGROUND**

McMillan Street in Stratford is located within the residential area of Stratford. Currently the road east of Davis Street consists of a formed but unsealed gravel pavement of approximately 6m in width and 310m in length with irregular table drains. This road is primarily a rural type road, with the unsealed section extending for its full length east of Davis Street and includes a small section of Scott Street. The full length of the road is managed and maintained by Wellington Shire Council.

A formal investigation of a special charge scheme commenced following ongoing property owner concerns in relation to the maintenance grading regime and has included preparation of concept designs and a cost estimation. The proposed McMillan Street Construction Scheme would provide for the construction and sealing of the road to a 7.3m width. Kerb, improved drainage and stormwater management will form part of the proposed works.

The construction and sealing of McMillan Street would reduce the need for maintenance intervention, while providing a higher level of service and safety for these adjacent properties as well as other road users and pedestrians.

It is considered that the properties which abut this section of McMillan Street 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 McMillan Street, 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 18 September 2019 to outline the proposal. A follow up letter with a survey form was sent to each property owner following this public meeting, along with an estimated apportionment cost and concept plan, to assess support for, or objection to, the scheme was mailed out 3 October 2019.

Results of the survey:

The results of the survey show that 90% of the property owners replied and 78% of these replies were in favour of the proposed scheme.

|                      | SUPPORT SCHEME |     | OPPOSE SCHEME |     | DID NOT REPLY |     |
|----------------------|----------------|-----|---------------|-----|---------------|-----|
| Property Owners (10) | 7              | 70% | 2             | 20% | 1             | 10% |
| Properties (10)      | 7              | 70% | 2             | 20% | 1             | 10% |

There is a 70% level of support from those returning the survey for the proposed special charge scheme to proceed.

## OPTIONS

Council has the following options available:

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. To not progress the intention to declare the Special Charge Scheme.

## PROPOSAL

That Council progresses 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 McMillan Street in Stratford 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.

## FINANCIAL IMPACT

Total costs applicable to the Special Charge scheme are estimated to be \$685,000. 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, \$60,000.00 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:               | \$ 60,000.00 |
| Portion of cost to be recovered from Council as direct costs: | \$625,000.00 |
| Total estimated cost of scheme:                               | \$685,000.00 |

There are no multiple property owners and 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 \$625,000, 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 Proposed Declaration of Special Charge - Schedule 2 (Methods 1 & 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 Maximum Total Levy**.

On this basis, the cost per property under such apportionment methods would have been between either \$22,948 and \$48,519 and \$35,620, 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 Proposed Declaration of Special Charge**), 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 40 quarterly instalments (ten years), including an interest component aligned to Council's cost of finance.

## COMMUNICATION IMPACT

A comprehensive public consultation process has been entered into with affected property owners including information letters, surveys and meetings. If the scheme progresses, then ongoing communication will continue with the recommendations of this report.

## 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 subsection (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 Maximum Total Levy**.

### **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 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

**Strategic Objective 2.4:** *"Continued improvement to Wellington Shire's connectivity with further developed, accessible transport networks."*

Strategy 2.4.2: *"Continue to maintain and enhance Council's road assets infrastructure."*

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

### **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 community benefit as it will result in McMillan Street, Stratford being fully sealed in line with current service standards. Community benefit is reflected in Council 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 23 August 2019
- Public meeting held at Stratford, 18 September 2019
- Mail out survey of all property owners, 3 October 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.

## PROPOSED DECLARATION OF SPECIAL CHARGE

### 'McMillan Street (East), Stratford - Special Charge Street Construction Scheme Number 1904'

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 McMillan Street in Stratford (**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 'McMillan Street (East), Stratford - Special Charge Street Construction Scheme Number 1904'.
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 'residential area' of Stratford) and, based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to McMillan Street (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 \$685,000 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 \$60,000
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 10 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 10 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 0.52 or 52%, 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 \$60,000.

#### **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 & 50% Frontage

Method 2 - Maximum Levy at 100% Access Benefit

Method 3 - Fixed Fee



Schedule 2

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

WELLINGTON SHIRE COUNCIL

McMILLAN STREET CONSTRUCTION SCHEME ( EST. COST) - MAX LEVY AMOUNT - 50% ACCESS & 50% FRONTAGE

| ASSES. No. | PARCEL No. | TITLE DETAILS                             | STREET ADDRESS                           | ACCESS BENEFIT UNITS | FRONTAGE | SIDEAGE & REARAGE | TOTAL APPORIONED LENGTH | ESTIMATED COST                   |
|------------|------------|---|--|----------------------|----------|-------------------|-------------------------|----------------------------------|
|            |            | McMILLAN ST                               |  |                      |          |                   |                         |                                  |
| 1          | 76935      | 27134 CA9 SEC42                           | 82 McMillan Street STRATFORD VIC 3862    | 1                    | 40.43    | 0.00              | 40.43                   | \$35,006                         |
| 2          | 391474     | 27132 CA7 SEC42                           | 86 McMillan Street STRATFORD VIC 3862    | 1                    | 51.9     | 0.00              | 51.90                   | \$39,884                         |
| 3          | 76927      | 27130 CA6 & 2 SEC42                       | 90 McMillan Street STRATFORD VIC 3862    | 1                    | 46.27    | 0.00              | 46.27                   | \$37,489                         |
| 4          | 409284     | 54715 Lot 8 P5548372                      | 91-95 McMillan Street STRATFORD VIC 3862 | 1                    | 72.2     | 0.00              | 72.20                   | \$48,518                         |
| 5          | 76919      | 27128 CA5 & 3 SEC42                       | 94 McMillan Street STRATFORD VIC 3862    | 1                    | 46.27    | 0.00              | 46.27                   | \$37,489                         |
| 6          | 407445     | 54714 Lot 7 P5548372                      | 97 McMillan Street STRATFORD VIC 3862    | 1                    | 32.96    | 0.00              | 32.96                   | \$31,828                         |
| 7          | 76901      | 27126 CA4 SEC42                           | 100 McMillan Street STRATFORD VIC 3862   | 1                    | 46.27    | 0.00              | 46.27                   | \$37,489                         |
|            |            | SCOTT ST                                  |  |                      |          |                   |                         |                                  |
| 8          | 78055      | 27275 CA1 SEC47                           | 2 Scott Street STRATFORD VIC 3862        | 1                    | 53.3     | 0.00              | 53.30                   | \$40,479                         |
|            |            | THOMSON ST                                |  |                      |          |                   |                         |                                  |
| 9          | 78261      | 27301 CA1 SEC43                           | 2 Thomson Street STRATFORD VIC 3862      | 1                    | 0        | 56.89             | 17.07                   | \$25,069                         |
|            |            | BUCKLEY ST                                |  |                      |          |                   |                         |                                  |
| 10         | 410365     | 56943 Lot 2 P5627867                      | 4-6 Buckley Street STRATFORD VIC 3862    | 1                    | 0        | 40.27             | 12.08                   | \$22,948                         |
|            |            | TOTALS                                    |  | 10                   | 389.60   | 97.16             | 418.75                  | \$356,200                        |
|            |            | TOTAL ESTIMATED COST OF SCHEME            |  |                      |          |                   |                         | \$685,000                        |
|            |            | COUNCIL CONTRIBUTION                      |  |                      |          |                   |                         | \$328,800                        |
|            |            | ESTIMATED APPORTIONABLE AMOUNT            |  |                      |          |                   |                         | \$356,200 Max Levy Amount        |
|            |            | AMOUNT APPORTIONED TO ACCESS - 50%        |  |                      |          |                   |                         | \$178,100                        |
|            |            | AMOUNT APPORTIONED TO FRONTAGE - 50%      |  |                      |          |                   |                         | \$178,100                        |
|            |            | Apportioned Rate - (Access Benefit Units) |  |                      |          |                   |                         | \$17,810 per Access Benefit Unit |
|            |            | Apportioned Rate - ( Abuttal Length)      |  |                      |          |                   |                         | \$425 per Metre                  |
|            |            | Contribution Wellington Shire Council     |  |                      |          |                   |                         | \$328,800 48%                    |
|            |            | Contribution Property Owners              |  |                      |          |                   |                         | \$356,200 52%                    |

Method 2 - Maximum Levy at 100% Access Benefit

WELLINGTON SHIRE COUNCIL

McMILLIAN STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX LEVY AMOUNT - ACCESS ONLY

| ACCESS NO.         | PARCEL NO. | TITLE DETAILS        | STREET ADDRESS                           | ACCESS BENEFIT UNIT (ABU) | ABU FACTOR APPLIED FOR COMMON | APPORTIONED ABU's | SCHEME CONTRIBUTION RATE | AMOUNT DUE          |
|--------------------|------------|----------------------|--|---------------------------|-------------------------------|-------------------|--------------------------|---------------------|
| <b>McMILLAN ST</b> |            |                      |  |                           |                               |                   |                          |                     |
| 1                  | 76935      | 27134 CA9 SEC42      | 82 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| 2                  | 391474     | 27132 CA7 SEC42      | 86 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| 3                  | 76927      | 27130 CA6 & 2 SEC42  | 90 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| 4                  | 409284     | 54715 Lot 8 PS548372 | 91-95 McMillan Street STRATFORD VIC 3862 | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| 5                  | 76919      | 27128 CA5 & 3 SEC42  | 94 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| 6                  | 407445     | 54714 Lot 7 PS548372 | 97 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| 7                  | 76901      | 27126 CA4 SEC42      | 100 McMillan Street STRATFORD VIC 3862   | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| <b>SCOTT ST</b>    |            |                      |  |                           |                               |                   |                          |                     |
| 8                  | 78055      | 27275 CA1 SEC47      | 2 Scott Street STRATFORD VIC 3862        | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| <b>THOMSON ST</b>  |            |                      |  |                           |                               |                   |                          |                     |
| 9                  | 78261      | 27301 CA1 SEC43      | 2 Thomson Street STRATFORD VIC 3862      | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| <b>BUCKLEY ST</b>  |            |                      |  |                           |                               |                   |                          |                     |
| 10                 | 410365     | 56943 Lot 2 P5627867 | 4-6 Buckley Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$35,620.00              | \$35,620.00         |
| <b>TOTALS</b>      |            |                      |  | <b>10</b>                 |                               | <b>10</b>         |                          | <b>\$356,200.00</b> |

TOTAL ESTIMATED COST OF SCHEME \$685,000  
 COUNCIL CONTRIBUTION \$328,800  
 APPORTIONED AMOUNT \$356,200 Max Levy Amount  
 AppORTIONED Rate (ABU) \$35,620 per access benefit

Method 3 – Fixed Fee - Access Benefit (Revised Maximum Levy)

WELLINGTON SHIRE COUNCIL

McMILLAN STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - WITH REVISED MAX LEVY - ACCESS ONLY

| ASSESS NO.         | PARCEL NO. | TITLE DETAILS        | STREET ADDRESS                           | ACCESS BENEFIT UNIT (ABU) | ABU FACTOR APPLIED FOR COMMON | APPORTIONED ABU's | SCHEME CONTRIBUTION RATE | AMOUNT DUE         |
|--------------------|------------|----------------------|--|---------------------------|-------------------------------|-------------------|--------------------------|--------------------|
| <b>McMILLAN ST</b> |            |                      |  |                           |                               |                   |                          |                    |
| 1                  | 76935      | 27134 CA9 SEC42      | 82 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 2                  | 391474     | 27132 CA7 SEC42      | 86 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 3                  | 76927      | 27130 CA6 & 2 SEC42  | 90 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 4                  | 409284     | 54715 Lot 8 P5548372 | 91-95 McMillan Street STRATFORD VIC 3862 | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 5                  | 76919      | 27128 CA5 & 3 SEC42  | 94 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 6                  | 407445     | 54714 Lot 7 P5548372 | 97 McMillan Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 7                  | 76901      | 27126 CA4 SEC42      | 100 McMillan Street STRATFORD VIC 3862   | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| <b>SCOTT ST</b>    |            |                      |  |                           |                               |                   |                          |                    |
| 8                  | 78055      | 27275 CA1 SEC47      | 2 Scott Street STRATFORD VIC 3862        | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| <b>THOMSON ST</b>  |            |                      |  |                           |                               |                   |                          |                    |
| 9                  | 78261      | 27301 CA1 SEC43      | 2 Thomson Street STRATFORD VIC 3862      | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| <b>BUCKLEY ST</b>  |            |                      |  |                           |                               |                   |                          |                    |
| 10                 | 410365     | 56943 Lot 2 P5627867 | 4-6 Buckley Street STRATFORD VIC 3862    | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| <b>TOTALS</b>      |            |                      |  | <b>10</b>                 |                               | <b>10</b>         |                          | <b>\$60,000.00</b> |

TOTAL ESTIMATED COST OF SCHEME \$685,000  
 COUNCIL CONTRIBUTION \$625,000  
 APPORTIONED AMOUNT (Revised Max. Levy) \$60,000

Apportioned Rate (ABU) \$6,000 per access benefit

## MCMILLAN STREET (EAST), STRATFORD – SPECIAL CHARGE STREET CONSTRUCTION SCHEME NUMBER 1904

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 McMillan Street and a short section of Scott Street in Stratford (to be known as the 'McMillan Street (East) - Special Charge Street Construction Scheme Number 1904') (*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 McMillan Street east of Davis Street and includes a small section of Scott Street in Stratford.

McMillan Street is located within a residential area and this section of McMillan Street east of Davis St, currently consists of a formed (but unsealed) gravel pavement of approximately 6m width and 310m 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 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 7.3m width, with barrier kerbing, and improved drainage and stormwater management.

The construction and sealing of McMillan Street 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, McMillan Street is designated as a 'Local Access A Road' and (as required by the Plan) 60% or more of property owners have expressed support for its construction.

Consistent with the Plan, it is considered that the 10 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 McMillan Street, 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 10 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.

|  |                  |
|--|------------------|
| <b>Total Scheme Cost</b>                 | <b>\$685,000</b> |
| 'Benefit Ratio' Determination            | 0.52             |
| <b>Maximum Total Levy Amount</b>         | <b>\$356,200</b> |
| <b>Further Council Contribution</b>      | <b>\$296,200</b> |
| <b>Revised Maximum Total Levy Amount</b> | <b>\$ 60,000</b> |

#### **D. Identify Special Beneficiaries**

It is considered that all 10 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 10 properties and the location of the road to be constructed) is shown in on the plan below.



### E. Determine Properties to Include

For the purposes of calculating the Benefit Ratio, a notional benefit value – to be called a Benefit Unit (BU) – will be used. A BU is a deemed benefit equal to the *average* benefit for each and every property included in the Scheme. This average benefit is considered to comprise *both* access and amenity benefits.

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 –

$$(TSB = TSB_{(in)} + TSB_{(out)})$$

$TSB_{(in)}$  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 (10) | 0.5 x 10 = 5 BU | 0.5 x 10 = 5 BU |
| <b><math>TSB_{(in)} =</math></b>  | <b>10 BU</b>    |                 |

$TSB_{(out)}$  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.  $TSB_{(out)} = 0$

## 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 McMillan Street 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 115 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 8 vehicle movements per day). Therefore, the Total Special Benefits for 'road access' by the Special Benefit (in) properties is determined to be 5 BU (this is based on approximately 80 vehicle movements per day (10 x 8) (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 McMillan Street 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–

$$TCB_{\text{traffic}} = 5 \times (115 / 80)$$

$$TCB_{\text{traffic}} = 7.2$$

#### *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,

$$\begin{aligned} TCB_{\text{total}} &= TCB_{\text{traffic}} + TCB_{\text{drainage}} + TCB_{\text{maintenance}} \\ &= 7.2 + 1 + 1 \end{aligned}$$

$$TCB_{\text{total}} = 9.2$$

### **H. Calculating the 'Benefit Ratio'**

The Benefit Ratio is calculated as follows –

$$\begin{aligned} R &= \frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB} \\ &= 10 / (10 + 0 + 9.2) \\ &= 10 / 19.2 \end{aligned}$$

$$\text{Benefit Ratio} = 0.52$$

### **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) |
|---------------------------------------|
| 0.52 x \$685,000 = \$356,200          |

Council may levy up to 52% of total costs, or **\$356,200**

## J. Other relevant considerations

Council notes that if it levies the Maximum Total Levy Amount of \$356,200 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 2019<sup>1</sup>.

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 \$328,800 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$60,000 (***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.

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<sup>1</sup> Refer to section 6.2 of the Plan by which a fixed rate contribution model of \$6,000 has been proposed and adopted by Council for Small and Coastal Towns (like Stratford) where sealed roads are to be provided.

**ITEM C4.4****GUTHRIDGE PARADE (SOUTH) SPECIAL CHARGE STREET CONSTRUCTION SCHEME – INTENTION TO DECLARE SCHEME**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

DATE: 7 APRIL 2020

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

**OBJECTIVE**

The purpose of this report is to consider the proposed Guthridge Parade (South) Special Charge Street Construction Scheme Number 1903 for declaration as a Special Charge Scheme for the construction of Guthridge Parade south of Montgomery Street in Sale.

**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 Guthridge Parade south of Montgomery Street in Sale and providing all and any ancillary works, including drainage and 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 16 June 2020 in accordance with the Proposed Declaration of Special Charge Scheme Number 1903 in the form of the attachment to this report for the construction of Guthridge Parade (South) in Sale (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 16 June 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 'Guthridge Parade (South) 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**

Guthridge Parade in Sale is located within the residential area of Sale. Currently the road south of Montgomery Street consists of a formed and sealed pavement of approximately 450m in length with irregular table drains. This road has a sealed width of approximately 5.5m and is managed and maintained by Wellington Shire Council.

Guthridge Parade is a collector road and provides the main entry and exit points into Stephenson Park. The reserve provides for a range of sporting clubs and their activities. As a collector road the proposed street construction width allows for parallel parking along the western side of Guthridge Parade adjacent to the reserve. Additionally, improvements to the two entry points into the reserve will be undertaken concurrently with the street scheme. Road entry works within the reserve beyond the property line will be undertaken under a separately funded Council project.

A formal investigation of a special charge scheme was commenced following ongoing property owner concerns in relation to the maintenance and drainage issues and has included preparation of concept designs and a cost estimation. The proposed Guthridge Parade Special Charge Street Construction Scheme would provide for the construction and sealing of the road to an 11m width. Kerb, improved drainage and stormwater management will form part of the proposed works.

The construction and widening of Guthridge Parade 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 Guthridge Parade will derive a special benefit by the proposed upgrade works, as a result of:

- 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 Guthridge Parade, 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.

During the consultation, council officers were made aware that a contribution for the construction cost of kerb and channel and roadworks had been made to the City of Sale in 1991. This contribution was paid as a requirement of a planning permit condition for a subdivision of four lots (36-44 Guthridge Parade). On this basis, these four properties have been excluded from the scheme.

A public meeting was held on 21 August 2019 to outline the proposal. A follow up letter with a survey form was sent to each property owner following this public meeting, along with an estimated apportionment cost and concept plan, to assess support for, or objection to, the scheme was mailed out 20 September 2019.

Results of the survey:

All of the property owners replied to the survey and 83% of these replies were in favour of the proposed scheme.

|                     | SUPPORT SCHEME |     | OPPOSE SCHEME |     | DID NOT REPLY |    |
|---------------------|----------------|-----|---------------|-----|---------------|----|
| Property Owners (6) | 5              | 83% | 1             | 17% | 0             | 0% |
| Properties (6)      | 5              | 83% | 1             | 17% | 0             | 0% |

Overall, there is an 83% level of support for the scheme to proceed.

Council as the Crown Land Administrator over the Stephenson Park Reserve has not been included in the property owner surveys results.

## OPTIONS

Council has the following options available:

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. To 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 Guthridge Parade (South) in Sale 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.

## FINANCIAL IMPACT

Total costs applicable to the Special Charge Scheme are estimated to be \$902,000. 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, \$36,000.00 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:               | \$ 36,000.00 |
| Portion of cost to be recovered from Council as direct costs: | \$866,000.00 |
| Total estimated cost of scheme:                               | \$902,000.00 |

There are no multiple property owners and there is Crown Land (administered by Council) on one entire side of the road located within the scheme boundary.

The resultant financial impact is a cost to Council estimated at \$866,000 and is 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 Proposed Declaration of Special Charge - Schedule 2 (Methods 1 & 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 Maximum Total Levy**.

On this basis, the cost per property under such apportionment methods would have been between either \$6,544 and \$17,287 and \$8,719.33, 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 Proposed Declaration of Special Charge**), 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 40 quarterly instalments (ten years), including an interest component aligned to Councils cost of finance.

## COMMUNICATION IMPACT

A comprehensive public consultation process has been entered into with affected property owners including information letters, surveys and meetings. If the scheme progresses, then ongoing communication will continue with the recommendations of this report.

## 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 Maximum Total Levy**.

## **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 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

**Strategic Objective 2.4:** *"Continued improvement to Wellington Shire's connectivity with further developed, accessible transport networks."*

Strategy 2.4.2: *"Continue to maintain and enhance Council's road assets infrastructure."*

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

## **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 community impact as it will result in Guthridge Parade, Sale being fully constructed in line with current service standards. Community benefit is reflected in Council contribution toward the works outcome.

## **ENVIRONMENTAL IMPACT**

Implementation of this scheme will have no adverse environmental impact.

## **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 7 August 2019
- Public meeting held at Sale, 21 August 2019
- Mail out survey of all property owners, 20 September 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 not 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.

## PROPOSED DECLARATION OF SPECIAL CHARGE

### 'Guthridge Parade (South), Sale - Special Charge Street Construction Scheme Number 1903'

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 Guthridge Parade in Sale (*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 'Guthridge Parade (South), Sale - Special Charge Street Construction Scheme Number 1903'.
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 'residential area' of Sale) and, based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to Guthridge Parade (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 \$902,000 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 \$36,000
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 10 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 10 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) Enhance the amenity and character of the land, and local area;
- (b) Create improved riding surfaces for the Road;
- (c) Improve access and egress from properties;
- (d) Improve road drainage; and
- (e) 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 0.058 or 5.8%, 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 \$36,000.

#### **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 & 50% Frontage

Method 2 - Maximum Levy at 100% Access Benefit

Method 3 - Fixed Fee

Schedule 1

GUTHRIDGE PARADE – SALE  
PLAN OF SPECIAL CHARGE SCHEME AREA.

Scheme Boundary 



Schedule 2

Method 1 - Maximum Levy at 50% Access Benefit & 50% Frontage

**WELLINGTON SHIRE COUNCIL**

**GUTHRIDGE PARADE CONSTRUCTION SCHEME ( EST. COST) - MAX LEVY AMOUNT - 50% ACCESS & 50% FRONTAGE**

| ASSESS. No.                                      | PARCEL No. | TITLE DETAILS        | STREET ADDRESS                         | ACCESS BENEFIT UNITS            | FRONTAGE      | SIDEAGE & REARAGE | TOTAL APPORIONED LENGTH | ESTIMATED COST  |
|--|------------|----------------------|--|---------------------------------|---------------|-------------------|-------------------------|-----------------|
| <b>GUTHRIDGE PDE</b>                             |            |                      |  |                                 |               |                   |                         |                 |
| 1  | 39263      | 4458 CA1 SEC1        | 10 - 22 Guthridge Parade SALE VIC 3850 | 1                               | 100.60        | 0.00              | 100.60                  | \$17,287.67     |
| 2  | 375089     | 47052 Lot 2 PS410231 | 24 Guthridge Parade SALE VIC 3850      | 1                               | 18.52         | 0.00              | 18.52                   | \$6,739.65      |
| 3  | 428318     | 59296 Lot 3 PS717815 | 34 Guthridge Parade SALE VIC 3850      | 1                               | 18.00         | 0.00              | 18.00                   | \$6,672.83      |
| 4  | 39305      | 4464 Lot 1 LP123605  | 46 Guthridge Parade SALE VIC 3850      | 1                               | 24.77         | 0.00              | 24.77                   | \$7,542.83      |
| 5  | 39313      | 4465 Lot 2 LP123605  | 48 Guthridge Parade SALE VIC 3850      | 1                               | 24.66         | 0.00              | 24.66                   | \$7,528.70      |
| 6  | 443150     | 59844 Lot 2 PS729754 | 50 Guthridge Parade SALE VIC 3850      | 1                               | 17.00         | 0.00              | 17.00                   | \$6,544.32      |
| <b>TOTALS</b>                                    |            |                      |  | <b>6</b>                        | <b>203.55</b> | <b>0.00</b>       | <b>203.55</b>           | <b>\$52,316</b> |
| <b>TOTAL ESTIMATED COST OF SCHEME</b>            |            |                      |  | \$902,000                       |               |                   |                         |                 |
| <b>COUNCIL CONTRIBUTION</b>                      |            |                      |  | \$849,684                       |               |                   |                         |                 |
| <b>ESTIMATED APPORTIONABLE AMOUNT</b>            |            |                      |  | <b>\$52,316</b>                 |               |                   |                         |                 |
| <b>AMOUNT APPORTIONED TO ACCESS - 50%</b>        |            |                      |  | \$26,158                        |               |                   |                         |                 |
| <b>AMOUNT APPORTIONED TO FRONTAGE - 50%</b>      |            |                      |  | \$26,158                        |               |                   |                         |                 |
| <b>Apportioned Rate - (Access Benefit Units)</b> |            |                      |  | \$4,360 per Access Benefit Unit |               |                   |                         |                 |
| <b>Apportioned Rate - (Abuttal Length)</b>       |            |                      |  | \$129 per Metre                 |               |                   |                         |                 |
| <b>Contribution Wellington Shire Council</b>     |            |                      |  | \$849,684 94%                   |               |                   |                         |                 |
| <b>Contribution Property Owners</b>              |            |                      |  | \$52,316 6%                     |               |                   |                         |                 |

Method 2 - Maximum Levy at 100% Access Benefit

WELLINGTON SHIRE COUNCIL

GUTHRIDGE PARADE CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX LEVY AMOUNT - ACCESS ONLY

| ASSESS NO.           | PARCEL NO. | TITLE DETAILS        | STREET ADDRESS                         | ACCESS BENEFIT UNIT (ABU) | ABU FACTOR APPLIED FOR COMMON | APPORTIONED ABU's | SCHEME CONTRIBUTION RATE | AMOUNT DUE         |
|----------------------|------------|----------------------|--|---------------------------|-------------------------------|-------------------|--------------------------|--------------------|
| <b>GUTHRIDGE PDE</b> |            |                      |  |                           |                               |                   |                          |                    |
| 1                    | 39263      | 4458 CA1 SEC1        | 10 - 22 Guthridge Parade SALE VIC 3850 | 1                         |                               | 1                 | \$8,719.33               | \$8,719.33         |
| 2                    | 375089     | 47052 Lot 2 PS410231 | 24 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$8,719.33               | \$8,719.33         |
| 3                    | 428318     | 59296 Lot 3 PS717815 | 34 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$8,719.33               | \$8,719.33         |
| 4                    | 39305      | 4464 Lot 1 LP123605  | 46 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$8,719.33               | \$8,719.33         |
| 5                    | 39313      | 4465 Lot 2 LP123605  | 48 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$8,719.33               | \$8,719.33         |
| 6                    | 443150     | 59844 Lot 2 PS729754 | 50 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$8,719.33               | \$8,719.33         |
| <b>TOTALS</b>        |            |                      |  | <b>6</b>                  |                               | <b>6</b>          |                          | <b>\$52,316.00</b> |

TOTAL ESTIMATED COST OF SCHEME \$902,000  
 COUNCIL CONTRIBUTION \$849,684  
 APPORTIONED AMOUNT (Maximum Levy) \$52,316

Apportioned Rate (ABU) \$8,719 per access benefit

Method 3 – Fixed Fee (Revised Maximum Levy)

WELLINGTON SHIRE COUNCIL

GUTHRIDGE PARADE CONSTRUCTION SCHEME - APPORTIONMENT OF COST - WITH REVISED MAX LEVY AMOUNT - ACCESS ONLY

| ASSESS NO.           | PARCEL NO. | TITLE DETAILS        | STREET ADDRESS                         | ACCESS BENEFIT UNIT (ABU) | ABU FACTOR APPLIED FOR COMMON | APPORTIONED ABU's | SCHEME CONTRIBUTION RATE | AMOUNT DUE         |
|----------------------|------------|----------------------|--|---------------------------|-------------------------------|-------------------|--------------------------|--------------------|
| <b>GUTHRIDGE PDE</b> |            |                      |  |                           |                               |                   |                          |                    |
| 1                    | 39263      | 4458 CA1 SEC1        | 10 - 22 Guthridge Parade SALE VIC 3850 | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 2                    | 375089     | 47052 Lot 2 PS410231 | 24 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 3                    | 428318     | 59296 Lot 3 PS717815 | 34 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 4                    | 39305      | 4464 Lot 1 LP123605  | 46 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 5                    | 39313      | 4465 Lot 2 LP123605  | 48 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| 6                    | 443150     | 59844 Lot 2 PS729754 | 50 Guthridge Parade SALE VIC 3850      | 1                         |                               | 1                 | \$6,000.00               | \$6,000.00         |
| <b>TOTALS</b>        |            |                      |  | <b>6</b>                  |                               | <b>6</b>          |                          | <b>\$36,000.00</b> |

TOTAL ESTIMATED COST OF SCHEME \$902,000  
 COUNCIL CONTRIBUTION \$866,000  
 APPORTIONED AMOUNT (Maximum Levy) \$36,000

Apportioned Rate (ABU) \$6,000 per access benefit

## GUTHRIDGE PARADE (SOUTH), SALE – SPECIAL CHARGE STREET CONSTRUCTION SCHEME NUMBER 1903

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 Guthridge Parade and a short section of Scott Street in Sale (to be known as the 'Guthridge Parade (South) - Special Charge Street Construction Scheme Number 1903') (*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 Guthridge Parade South of Davis Street and includes a small section of Scott Street in Sale.

Guthridge Parade is located within a residential area and currently consists of a formed sealed pavement of approximately 5.5m in width and 450m in length, with irregular table drains. The road is primarily a rural-type road, with the sealed 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 11m width, with barrier kerbing, and improved drainage and stormwater management.

The construction and sealing of Guthridge Parade 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, Guthridge Parade is designated as a 'Collector Road' and (as required by the Plan) 60% or more of property owners have expressed support for its construction.

Consistent with the Plan, it is considered that the 6 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 health related issues currently experienced in poorly drained 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 Guthridge Parade, 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 6 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.

|  |                   |
|--|-------------------|
| <b>Total Scheme Cost</b>                 | <b>\$ 902,000</b> |
| 'Benefit Ratio' Determination            | 0.058             |
| <b>Maximum Total Levy Amount</b>         | <b>\$ 52,316</b>  |
| <b>Further Council Contribution</b>      | <b>\$ 16,316</b>  |
| <b>Revised Maximum Total Levy Amount</b> | <b>\$ 36,000</b>  |

## D. Identify Special Beneficiaries

It is considered that all 6 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 –

- 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 6 properties and the location of the road to be constructed) is shown in on the plan below.



#### **E. Determine Properties to Include**

For the purposes of calculating the Benefit Ratio, a notional benefit value – to be called a Benefit Unit (BU) – will be used. A BU is a deemed benefit equal to the *average* benefit for each and every property included in the Scheme. This average benefit is considered to comprise *both* access and amenity benefits.

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 –

$$(TSB = TSB_{(in)} + TSB_{(out)})$$

$TSB_{(in)}$  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 (6) | $0.5 \times 6 = 3$ BU | $0.5 \times 6 = 3$ BU |
| <b><math>TSB_{(in)} =</math></b>   | <b>6 BU</b>           |                       |

$TSB_{(out)}$  has been calculated as follows –

Because –

- All of the properties in the Scheme (including common property) are rateable; and
- There is one property (Council as administrator of Stephenson Reserve) in the Scheme receiving a special benefit which are not required to pay the Special Charge–

$$TSB_{(out)} = 1$$

## 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 Guthridge Parade 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 950 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 10 vehicle movements per day). Therefore, the Total Special Benefits for 'road access' by the Special Benefit (in) properties is determined to be 6 BU (this is based on approximately 60 vehicle movements per day (6 x 10) 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 Guthridge Parade 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–

$$TCB_{\text{traffic}} = 6 \times (950 / 60)$$

$$TCB_{\text{traffic}} = 95$$

#### *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,

$$\begin{aligned} TCB_{\text{total}} &= TCB_{\text{traffic}} + TCB_{\text{drainage}} + TCB_{\text{maintenance}} \\ &= 95 + 1 + 1 \end{aligned}$$

$$TCB_{\text{total}} = 97$$

### **H. Calculating the 'Benefit Ratio'**

The Benefit Ratio is calculated as follows –

$$\begin{aligned} R &= \frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB} \\ &= 6 / (6 + 1 + 97) \\ &= 6 / 104 \end{aligned}$$

$$\text{Benefit Ratio} = 0.058$$

### **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

|  |
|--|
| <b>Maximum Total Levy Amount (R x C = S)</b> |
| 0.058 x \$902,000 = \$52,316                 |

Council may levy up to 5.8% of total costs, or **\$52,316**

## J. Other relevant considerations

Council notes that if it levies the Maximum Total Levy Amount of \$52,316 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 2019<sup>1</sup>.

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 \$16,316 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$36,000 (***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.

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<sup>1</sup> Refer to section 6.2 of the Plan by which a fixed rate contribution model of \$6,000 has been proposed and adopted by Council for Small and Coastal Towns (like Stratford) where sealed roads are to be provided.

**ITEM C4.5****MAV UTILITIES SERVICE CONTRACT NATURAL GAS SUPPLY**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

DATE: 7 APRIL 2020

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

**OBJECTIVE**

The objective of this report is for Council to consider the outcomes of the MAV recommendation report for the Supply of Natural Gas to large sites MAV EC 8310 – 2019.

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

- 1. Council adopt the outcomes of the MAV recommendation report for the Supply of Natural Gas to large buildings and facilities MAV EC 8310 – 2019 as attached at Item F1.1 of the Council Meeting Agenda; and***
- 2. The information contained in the confidential document at Item F1.1 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 Built & Natural Environment because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: c) Contractual matters be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.***

**BACKGROUND**

On behalf of participating Councils, the Municipal Association of Victoria (MAV) engaged Trans-Tasman Energy Group (TTEG) to conduct a multisite tender process for the supply of natural gas to nominated Council facilities.

Council has in the past participated in the MAV collaborative procurement for natural gas in accordance with the organisational procurement policy, and the current contract with Origin Energy is a result of the last tender process. This contract has expired and is currently in overholding.

**OPTIONS**

Council has the following options available:

1. Adopt the outcomes of the MAV recommendation report for the Supply of Natural Gas to large buildings and facilities MAV EC 310 – 2019 as attached; or

2. Not adopt contract with the successful tenderer for retail supply of natural gas and revert to current market retail prices.

## **PROPOSAL**

Council adopt the outcomes of the MAV recommendation report for the Supply of Natural Gas to large buildings and facilities MAV EC 310 – 2019 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 186 of the *Local Government Act 1989* (the Act), Council is required to undertake a competitive process prior to entering into a contract. Council signed an Agency Agreement with MAV to participate in a national tender through MAV for supply of natural gas to small tariff sites. This Agency Agreement complies with the requirements of Section 186 of the Act.

## **COUNCIL PLAN IMPACT**

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

**Strategic Objective 2.2:** *“Council assets are responsibly, socially, economically and sustainably managed.”*

Strategy 2.2.2: *“Ensure that community facilities within the municipality continue to meet the expectations and service needs of all current and future residents.”*

Strategy 2.2.3: *“Continue to maintain and enhance Council’s built environment for public amenity and long-term sustainability.”*

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



## C5 - REPORT

# GENERAL MANAGER COMMUNITY AND CULTURE

**ITEM C5.1****GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES TO COUNCIL MARCH 2020**

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER ARTS AND CULTURE  
 DATE: 7 APRIL 2020

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

**OBJECTIVE**

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 March 2020.

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

***That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 2 March 2020.***

**BACKGROUND**

The Gippsland Art Gallery Advisory Group is a committee of Council that meets every three months. The membership of the advisory group includes a Councillor and representation from professional artists, art educators, Friends of the Gallery members and community.

The committee's Instrument of Delegation reflects the desire to seek community input, advice and feedback on the operations of the Gippsland Art Gallery and to present this information to Council.

It is to be noted these minutes have yet to be formally ratified by a future advisory group meeting and are provided as current information for Council.

**OPTIONS**

Council has the following options available:

1. To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 March 2020; or
2. Request additional information and receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 March 2020 at a future meeting.

## PROPOSAL

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 March 2020.

## CONFLICT OF INTEREST

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

## COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.1.4 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

## COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services & 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 2.1.2: *"Provide access to a diverse range of recreational opportunities for all sectors of the community."*

The Council Plan 2017-21 Theme 4 Lifelong Learning states the following strategic objective and related strategy:

**Strategic Objective 4.1:** *"Improve people's access to opportunities to challenge and extend their thinking, promote independence, stimulate ideas, further develop leadership skills and lead meaningful lives."*

Strategy 4.1.3: *"Provide accessible cultural opportunities and activities for all sectors of the community."*

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

## COMMUNITY IMPACT

Council staff directly manage this community facility, and utilise the input, advice and feedback provided by the Advisory Group regarding the requirements and aspirations of the community with regards to the Gippsland Art Gallery.

## ENGAGEMENT IMPACT

The Gippsland Art Gallery Advisory Group comprises a balanced mix of nine community representatives. General community members, practicing artists, Friends of the Gallery delegates and art educators all have a role to liaise with the community, make enquiries, canvas public views and prepare information for recommendation and discussion at the regular meetings regarding the Art Gallery's programs, activities and exhibitions.

**GIPPSLAND ART GALLERY ADVISORY GROUP**

**Carang Carang Room**

Monday 2 March 2020, 5:30pm

**MINUTES**

**Present:** Brian Castles (Chair), Bruce Arnup, Bianca Taylor, Robbie Aitken, Klara Jones, Gillian Kline, Cr. Scott Rossetti  
**In Attendance:** Simon Gregg (Art Gallery Director), Stephen Dempsey (Manager Arts & Culture)

| NO       | ACTIVITY                | DISCUSSION  | DECISION  | WHO                           | ACTION         |
|----------|-------------------------|---|---|-------------------------------|----------------|
| <b>1</b> | <b>ATTENDANCE</b>       |   |   |                               |                |
| 1.1      | Apologies               | Dr Rob Ziffer   |   |                               |                |
| 1.2      | Assembly of Councillors | Cr Scott Rossetti   |   | Simon Gregg                   | Form Submitted |
| <b>2</b> | <b>PREVIOUS MINUTES</b> |   |   |                               |                |
| 2.1      | Minutes                 | Monday 2 December, 2019   | Vote to accept the previous minutes. Moved and carried. | Bianca Taylor & Robbie Aitken |                |
| <b>3</b> | <b>REPORTS</b>          |   |   |                               |                |
| 3.1      | Friends Report          | <ul style="list-style-type: none"> <li>The Friends have generously donated \$3,000 towards the cost of importing the donated artworks by J.H. Scheltema from The Netherlands.</li> <li>The Friends will hold their annual NGV Winter Masterpieces Dinner on Saturday 25 July, with guest speaker Miranda Wallace (NGV guest curator).</li> <li>Friends President Rhonda Jacobs has stepped down for family reasons. Former Vice-President Helen Lanigan has been elected President, and Committee Member Jim McLeod has been elected Vice-President.</li> <li>The Friends are making improvements to record keeping to assist in times of Committee changeovers.</li> <li>The winner of the Friends competition for lapsed members was Gavin Roberts, who received a \$100 gift voucher.</li> </ul> |   | Klara Jones                   |                |

|          |  |  |  |                              |  |
|----------|--|--|--|------------------------------|--|
| 3.2      | Director's Report  | Director gave report on recent and upcoming events, gallery attendances, the exhibition program, and recent acquisitions   |  | Simon Gregg                  |  |
| <b>4</b> | <b>BUSINESS ARISING</b>  |  |  |                              |  |
| 4.1      | Planning and monitoring of programs, events and activities in the Art Gallery  | <p>The Gallery Director discussed upcoming exhibitions and events as part of the Director's report. Also discussed:</p> <ul style="list-style-type: none"> <li>• Attendance figures are higher than this time last year, generated in part by the popularity of Art Aid (February average of 107 visits per day), however January visits were down due to Gippsland bushfires.</li> <li>• The Gallery is receiving lots of entries for the John Leslie Art Prize.</li> <li>• Update on recent and upcoming events including Annemieke Mein book signing on 1 February and First Friday program.</li> <li>• Good feedback from Members regarding last opening night 14 February.</li> </ul> |  | Simon Gregg                  |  |
| 4.1.1    | Acquisition of artworks from Art Aid auction   | <p>The John Leslie Foundation has pledged \$30,000 to the Gallery to purchase artworks from Art Aid for the permanent collection.</p> <p>As purchases will not, on this occasion, be presented to the Advisory Group for approval in the normal manner (given the nature of the auction) the Advisory Group voted in favour of granting the Gallery Director approval to purchase artworks that meet the Gallery's Acquisition Policy and/or will enhance the Gallery collection (the example of Yvette Coppersmith's Self Portrait was given, of a work that may be acquired).</p>  | All voted in favour of purchasing artwork from Art Aid at the discretion of the Gallery Director | All                          | Action purchases and report back at next meeting |
| 4.2      | Expansion and encouraging of volunteer participation and community interest in the Art Gallery, and to assist with promoting the Art Gallery's events and facilities to visitors | <p>The Director updated the Advisory Group on recent news:</p> <ul style="list-style-type: none"> <li>• Currently 18 volunteers assisting.</li> <li>• The Director put the question to the Group regarding whether volunteer Gallery Attendants should be offered Port of Sale T-shirts to wear. Brian Castles replied that this would be good.</li> </ul>   | Gallery Director will arrange for branded T-shirts for Gallery Attendants                        | Simon Gregg<br>Brian Castles |  |

|       |  |   |                                       |  |                                    |
|-------|--|---|---------------------------------------|--|------------------------------------|
| 4.3.1 | Proposed acquisition   | <ul style="list-style-type: none"> <li>Louisa Waters, <i>Tracing Landscapes</i> (purchase)</li> </ul>   | All voted in favour of accepting work | Simon Gregg                                    | Action purchase                    |
| 4.3.2 | Proposed acquisition   | <ul style="list-style-type: none"> <li>Susan Purdy, <i>Australia Phoenix</i> (purchase)</li> </ul>  | All voted in favour of accepting work | Simon Gregg                                    | Action purchase                    |
| 4.4   | Maintenance, augmentation and development of the permanent collection of the Art Gallery   | \$8,000 has been pledged towards costs of importing J.H. Schellema donated artworks (\$3,000 from Friends of the Gallery and \$1,000 each from five private donors). A preview of the exhibition will be held for those donors on 20 March.   |                                       | Simon Gregg                                    |                                    |
| 4.5   | Cultural and artistic matters relating to the Art Gallery, including promoting cooperation between the Art Gallery and other services of Council | <p>The Director updated the Advisory Group on recent news:</p> <ul style="list-style-type: none"> <li>Art Aid has been a good project for bringing different business units together, such as the Gallery, the Wedge, Finance and ITC.</li> <li>The Group were informed that Annemieke Mein's bronze artworks, formerly on display at the Wedge, have recently been taken off display. Brian Castles noted his disappointment that the Advisory Group had not been consulted about this decision and questioned the value of an Advisory Group if they are not consulted on such matters.</li> </ul> <p>Brian requested that the Art Gallery Advisory Group be informed and consulted about public artworks in future prior to anything being installed or removed.</p> <p>Scott Rossetti replied that in this instance the decision was made by Council and was made with the feeling that the Wedge foyer is not exhibition space like the Gallery, however Scott acknowledged Brian's request that in future the Advisory Group is informed and consulted prior to such decisions being made.</p> <p>Scott also informed the Group that Annemieke Mein had notified Council that she was willing to see the bronzes displayed individually in future, and that there was potential to display individual pieces at Yarram or Maffra.</p> |                                       | Simon Gregg<br>Brian Castles<br>Scott Rossetti | Report on progress at next meeting |

|          |  |  |          |                              |   |
|----------|--|--|----------|------------------------------|---|
| 4.6      | Utilise networks to obtain support for the Art Gallery, both financial and non-financial, and to assist with philanthropic support of these activities | <p>The Director reported on progress of Foundation.</p> <p>Meetings have taken place between the Gallery Director, Foundation chair John Gibson, and potential financial advisors. A preferred financial advisor will be put the Foundation Trustees at their next meeting.</p> <p>Launch to be held on Friday 4 September at the Gallery (note change of date).</p> <p>Brian Castles and Friends President Helen Lanigan have met to review the list of Gallery 'Life Members' (active for the period 1965 to 1994) with a view to honouring these memberships.</p> |          | Simon Gregg<br>Brian Castles | Report on progress at next meeting                      |
| 4.7      | Gallery Exhibition Plan  | <p>The Director tabled the draft Exhibition Plan, a guide for Gallery staff to programming future exhibitions to ensure diversity and sufficient weighting to Gippsland artists and themes.</p> <p>The Advisory Group provided positive feedback, noting the balance of male and female artists, balance of exhibitions, and the benefits of standardising artist fees.</p>  | Approved | Simon Gregg                  | Exhibition Plan to be adopted and used by Gallery staff |
| <b>5</b> | <b>GENERAL BUSINESS</b>  |  |          |                              |   |
| 5.1      | Discussion about wider cultural landscape.   |  |          |                              |   |
| <b>6</b> | <b>NEXT MEETING:</b> Monday 1 June 2020, 5.30pm  |  |          |                              |   |

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

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING  
 DATE: 7 APRIL 2020

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

**OBJECTIVE**

For Council to receive the minutes from the Briagolong Recreation Reserve Committee of Management’s General Meeting held on 10 February 2020.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

***That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management’s General Meeting held on 10 February 2020.***

**BACKGROUND**

The Briagolong Recreation Reserve Committee of Management is a special committee of council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a council approved instrument of delegation.

The objectives of the special committee are:

1. To manage, operate and maintain the Briagolong Recreation Reserve for the community in an efficient, effective and practical manner.
2. To undertake activities designed to protect, promote, utilise and develop the Briagolong Recreation Reserve for the use and enjoyment of the local community in line with council policy and relevant council strategic documents.
3. To keep the council informed on the operations, improvements and advancements of the Briagolong Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the annual report.
4. To set, maintain and collect appropriate user charges.
5. To ensure that the Briagolong Recreation Reserve’s capital assets are adequately maintained.
6. To provide advice to council on matters relating to the Briagolong Recreation Reserve.

As provided under the committee’s instrument of delegation the minutes of all meetings are to be presented to council and highlight the day to day activities being undertaken by the committee.

Conflict of interest: It was noted that conflicts of interest were called for at the commencement of the ordinary meeting, with no conflicts being declared. Meetings held by the Briagolong Recreation Reserve Committee of Management are open to the public.

## **OPTIONS**

Council has the following options available:

1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 10 February 2020; or
2. Seek further information to be considered at a future council meeting.

## **PROPOSAL**

That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 10 February 2020.

## **CONFLICT OF INTEREST**

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

## **LEGISLATIVE IMPACT**

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

## **COUNCIL POLICY IMPACT**

This report is in accordance with Council Policy 5.1.4 which establishes a framework for the guidance of council in relation to the roles and responsibilities of committees.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017-21 Theme 2 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."*

This report supports the above council plan strategic objective and strategy.

**BRIAGOLONG RECREATION RESERVE  
Special Committee of Council  
ANNUAL GENERAL MEETING  
MINUTES**

**Tuesday 10<sup>th</sup> February 2020  
Briagolong Recreation Reserve**

**Meeting opened. 7.35pm**

**1. Present / Apologies**

| <b>NAME</b>    | <b>TITLE</b> | <b>REPRESENTING</b> | <b>PRESENT/APOLOGY</b> |
|----------------|--------------|---------------------|------------------------|
| Carmel Ripper  | Councillor   |                     | Apology                |
| Denis Murphy   | Chairperson  | Cricket Club        | Present                |
| Melissa Conway | Secretary    | Football Club       | Apology                |
| Vanessa Randle | Treasurer    | Community           | Present                |
| Tracie Binger  |              | Tennis Club         | Present                |
| Gerard Condon  |              | Tennis Club         | Present                |
| Luke Brayshaw  |              | Pony Club           | Present                |
| Jackie Wheeler |              | Pony Club           | Present                |
| Darren Randle  |              | Community           | Present                |
| Josh Harry     |              | Community           | Apology                |
| Briony Padman  |              | Cricket Club        | Apology                |
| Rosie Davidson |              | Football Club       | Present                |
|                |              |                     |                        |
|                |              |                     |                        |

**Quorum Achieved Yes**

**2. Declarations of Conflicts of Interest**

**3. Confirmation of Minutes of Previous Annual General Meeting**

**Moved** Denis Murphy **Seconded** Vanessa Randle

**4. Business Arising from Previous AGM**

- Tennis lights are working at the moment but it was discussed to run another power line to the courts.
- Denis sent an email to shire in regards to the half flush on the toilets but has has no response yet.
- Sanitary bins have been purchased by Vanessa.

**5. Correspondence In.**

- Email from council confirming Vanessa and Jackies nominations.
- Booking from cricket club for meeting room for tomorrow nights meeting.

- Email from tennis club to book dates for social rooms starting on the 24<sup>th</sup> Feb for six weeks, and also on the 25<sup>th</sup> February for junior breakup.
- Pony club booking for the 17<sup>th</sup> and the 19<sup>th</sup> June
- Football Club booking for the 23<sup>rd</sup> February AGM, 1<sup>st</sup> March Footy registration day.
- Potential booking for a surprise 40<sup>th</sup> either the 18<sup>th</sup>, 25<sup>th</sup> April or 2<sup>nd</sup> May date to be confirmed.
- Gippsland Water regarding water restrictions. Darren has made a water use plan.

## 6. Correspondence Out

- Email regarding toilet and gutters dripping.

## 7. Club Reports

### a. Chairperson's Report

Nil

### 7.2. Treasurer's Report

See attached. Moved Vanessa Seconded Rosie

### 7.3 User Group Reports

#### Pony Club

- Due to poor weather they have had reschedule event.
- January they had a pony club camp was successful.
- The 3<sup>rd</sup> May there is a Show jumping event in Sale

#### Football Club

- Trying to field under 10,12, and under 14 teams this season.
- The draw will not be available until April.
- AGM will be held on the 23<sup>rd</sup> February 2020.
- Looking for an under 14 coach.

#### Cricket Club

- Meeting to be held 11<sup>th</sup> February 2020.
- A grade not doing well, B grading are 6<sup>th</sup> on ladder, D grade will make finals, under 16 are doing ok and under 14 are battling.
- Everyone is enjoying the season.

#### Tennis Club

- Open tennis event will commence on the 24<sup>th</sup> of February and will run for six weeks.
- Tracie will send an email to the cricket club to thank them for their support due to the weather.
- Everything else is going ok

#### Volunteers Report

- Café has reopened.
- Post office/general store to change hands on the 2<sup>nd</sup> March 2020.
- School to celebrate 150 yrs next year.
- John Wilson due to injury wont be able to mow with the punch mower but is looking at using the ride on.

## 8. OHS

- Leaking gutters
- Committee is yet to receive the hand over manual from council.
- Tennis Lights are still and issue.
- Tennis surface is still causing safety issues, the asphalt is showing deviations in the surface.

**New Rules of the Committee it be endorsed by Council**

Nil

**9. General Business**

- Darren is continuing to build a proposal for the pony club redevelopment, hoping to access some funding. Luke to be named project manager, and Darren project coordinator. The committee will endorse Darrens proposal.
- Denis to remind the cricket club to book dates for the social/meeting room.
- Denis to get white board for bookings.

**Meeting closed 9pm**

**Net meeting 9<sup>th</sup> March 2020 7.30 pm**

**Treasurers Report for meeting held February 10 2020**  
 Reconciled Statement for January 31st 2020

|  |                  |
|--|------------------|
| <b>Cash at Bank as at 31/12/2019</b>               | <b>19,554.42</b> |
| <br>   |                  |
| <u>Income:</u>                                     |                  |
| <u>January</u>                                     |                  |
| WSC - GST return                                   | 82.42            |
|  | 82.42            |
| <br>   |                  |
| <u>Payments:</u>                                   |                  |
| <u>January</u>                                     |                  |
| Abicor - hand towel, toilet paper                  | 219.13           |
|  | 219.13           |
| <br>   |                  |
| <u>Reconciled Bank Balance to date</u>             | <u>19,417.71</u> |
| <i>unpresented chq's &amp; deposits</i>            |                  |
| B Padman - lawn seed                               | 13.58            |
|  | 13.58            |
| <b>closing balance of accounts to date</b>         | <b>19,404.13</b> |
| <br>   |                  |
| Cheques to be authorised                           |                  |
| CFA - extinguisher inspection                      | 90.20            |
| Salie Water Specialist - irrigation hose           | 254.20           |
| Salie Water Specialist - repair to bore pump       | 4,492.51         |
| Salie Water Specialist - repairs to oval sprinkler | 49.87            |
| Camodys - Mower fuel - Dec & Jan                   | 109.28           |
| BBCC - Meal for Open Day                           | 530.00           |
| BBCC - Market bond reimbursement                   | 1,000.00         |
| V Randle - sanitary bins x 4 & bin liners          | 38.20            |
|  | 6,564.06         |
| <b>Balance Remaining to date...</b>                | <b>12,840.07</b> |
| <br>   |                  |
| <i>correspondence:</i>                             |                  |
| <br>   |                  |
| <u>BENDIGO ACCOUNT - Balance at 31/12/2019</u>     | <u>6,895.55</u>  |
| <br>   |                  |
| <b>Balance as at 31/01/2020</b>                    | <b>6,895.55</b>  |

## Treasurers Report for meeting held February 10 2020

Reconciled Statement for December 31st 2019

|   |                      |
|---|----------------------|
| <b>Cash at Bank as at 30/11/2019</b>                            | <b>8,184.15</b>      |
| <br><u>Income:</u>  |                      |
| <u>December</u>   |                      |
| WSC - Operating Subsidy   | 15,867.18            |
| Laser Plumbing - Tree replacement                               | 590.00               |
| WSC - GST return  | 538.11               |
|   | <b>16,995.29</b>     |
| <br><u>Payments:</u>  |                      |
| <u>December</u>   |                      |
| Cassidy Concreting - shed works                                 | 990.00               |
| Sale Water specialsts - sprinkler repair                        | 179.03               |
| Spider Sprayers   | 520.00               |
| Energy Australia - facilities - \$841.86 & pump shed - \$901.60 | 1,743.46             |
| Southern Rural Water - Licence                                  | 385.00               |
| Carmodys - fuel   | 120.13               |
| Sign Torque - Art work for Open Day                             | 308.00               |
| DMG - Audit   | 363.00               |
| BBCC - Sausages, drinks- Open Day                               | 530.00               |
| Sale mowers - Toro service                                      | 486.40               |
|   | <b>5,625.02</b>      |
| <br><u>Reconciled Bank Balance to date</u>                      | <br><b>19,554.42</b> |
| <br><i>unpresented chq's &amp; deposits</i>                     |                      |
| Ablcor - hand towel, toilet paper                               | 219.13               |
| B Padman - lawn seed  | 13.58                |
|   | <b>232.71</b>        |
| <br>closing balance of accounts to date                         | <br><b>19,321.71</b> |
| <br>Cheques to be authorised                                    |                      |
|   | <b>0.00</b>          |
| <b>Balance Remaining to date...</b>                             | <b>19,321.71</b>     |
| <br><i>correspondence:</i>                                      |                      |
| <br><u>BENDIGO ACCOUNT - Balance at 30/11/2019</u>              | <br>6,895.55         |
| <br><b>Balance as at 31/12/2019</b>                             | <br><b>6,895.55</b>  |

**ITEM C5.3****GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE  
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING  
 DATE: 7 APRIL 2020

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

**OBJECTIVE**

For Council to receive the minutes from the Gordon Street Recreation Reserve Committee of Management’s general meeting held on 24 February 2020.

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

***That Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management’s general meeting held on 24 February 2020.***

**BACKGROUND**

The Gordon Street Recreation Reserve Committee of Management is a special committee of council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a council approved instrument of delegation.

The objectives of the special committee are:

1. To manage, operate and maintain the Gordon Street Recreation Reserve for the community in an efficient, effective and practical manner.
2. To undertake activities designed to protect, promote, utilise and develop the Gordon Street Recreation Reserve for the use and enjoyment of the local community in line with council policy and relevant council strategic documents.
3. To keep the council informed on the operations, improvements and advancements of the Gordon Street Recreation Reserve by forwarding copies of all minutes of all ordinary and extraordinary meetings and the annual report.
4. To set, maintain and collect appropriate user charges.
5. To ensure that the Gordon Street Recreation Reserve’s capital assets are adequately maintained.
6. To provide advice to council on matters relating to the Gordon Street Recreation Reserve.

As provided under the committee’s instrument of delegation the minutes of all meetings are to be presented to council and highlight the day to day activities being undertaken by the committee.

Conflict of interest: It was noted that conflicts of interest were called for at the commencement of the ordinary meeting, with no conflicts being declared. Meetings held by the Gordon Street Recreation Reserve Committee of Management are open to the public.

## **OPTIONS**

Council has the following options available:

1. Receive the minutes from the Gordon Street Recreation Reserve Committee of Management's general meeting held on 24 February 2020; or
2. Seek further information to be considered at a future council meeting.

## **PROPOSAL**

That council receive the minutes from the Gordon Street Recreation Reserve Committee of Management's General Meeting held on 24 February 2020.

## **CONFLICT OF INTEREST**

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

## **LEGISLATIVE IMPACT**

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

## **COUNCIL POLICY IMPACT**

This report is in accordance with Council Policy 5.1.4 which establishes a framework for the guidance of council in relation to the roles and responsibilities of committees.

## **COUNCIL PLAN IMPACT**

The Council Plan 2017-21 Theme 2 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."*

This report supports the above council plan strategic objective and strategy.

# GORDON STREET RECREATION RESERVE Special Committee of Council

## MINUTES

### MEETING DATE, MEETING TIME MEETING VENUE

Meeting Opened Time: 7.03pm

24/02/2020

Gordon Street Reserve

#### 1. Present / Apologies

| Name              | Title          | Representing                     | Present / Apology |
|-------------------|----------------|----------------------------------|-------------------|
| Malcolm Hole      | Councillor     |                                  | Present           |
| Barbara Cook      |                | Heyfield Vintage Machinery Group | Apology           |
| David Reid        |                | Heyfield Junior Football Club    | Apology           |
| Patsy Morris      |                | Heyfield Junior Netball          | Present           |
| Joel Keane        |                | Heyfield Cricket Club            | Apology           |
| Lee Clarke        |                | Heyfield Traders & Tourism Assn  | Present           |
| Scott Anderson    |                | Heyfield Basketball Club         | Present           |
| Tania Burton      |                | Heyfield Tennis Club             | Apology           |
| Peter Padula      |                | Pigeon Club                      | Present           |
| Geoffrey Healy    |                | Heyfield Football Netball Club   | Apology           |
| Brian Brown       | President      | Community                        | Present           |
| Patrick Rodaughan | Secretary      | Community                        | Present           |
| Charles Wojcinski | Treasurer      | Community                        | Present           |
| Craig Bennett     |                | Community                        | Apology           |
| Kelvin Sundermann | Vice President | Community                        | Present           |
| Petra Szabo       | Guest          | Wellington Shire                 | Present           |

**Quorum Achieved?      Yes**

**2. Declaration of Conflicts of Interest; Read Chairperson Brian**

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

**Moved: Brian**

**Seconded: Patsy**

**CARRIED**

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

#### 4. Business Arising from Previous Minutes; Nil

#### 5. Correspondence In:

- 28.10.19 – Lisa Lyndon – Wellington Shire – Community Committees Survey Results
- 28.10.19 – Robyn Dewar – Wellington Shire – 60/40 RV Park Tree Removal
- 31.10.19 – Bodye Darvill – Wellington Shire – Inquiry regarding 60/40 & Invoice
- 06.11.19 – Jess Gell – Heyfield Basketball Association – Inquiry regard GSR Public Liability
- 09.11.19 – Cr Malcolm Hole – Wellington Shire – Firewood Working bee
- 13.11.19 – Lisa Lyndon – Wellington Shire – Energy Efficiency Communities Program Grants
- 22.11.19 – Robyn Dewar – Wellington S hire – 60/40 Maintenance Approval Letter
- 25.11.19 – Barb Cook – H&DVMG – Inquiry regarding rental increase
- 26.11.19 – S & R Mobile Welding – Invoice
- 26.11.19 – Robyn Dewar – Wellington Shire – RV Park Tree Trimming
- 27.11.19 – Brian Brown – GSR – List of goods stolen from GSR shed
- 04.12.19 – Lisa Lyndon – Wellington Shire – Information regarding LVA Community and Facility Fund
- 04.12.19 – Glenmaggie Tree Lopping – Gutter cleaning Invoice
- 11.12.19 – Barb Cook – H&DVMG – Quote for Generator
- 11.12.19 – Lisa Lyndon – Wellington Shire – Community Information Protecting you Water Tank
- 11.12.19 – Tania Burton – Heyfield Tennis Club – List of work to be done at Tennis Club
- 11.12.19 – Bodye Darvill – Wellington Shire – Gippsland Drought Employment Program
- 17.12.19 – Lisa Lyndon – Wellington Shire – Insurance claims Information
- 24.12.19 – Bodye Darvill – Wellington Shire – Heyfield Theft Recovery
- 24.12.19 – Bodye Darvill – Wellington Shire – Christmas message Thanking Committee Volunteers
- 03.01.20 – Sale & District Garage Doors – Quote for new roller door
- 04.01.20 – Lee Clarke – Heyfield Traders & Tourism Association – Update on RV Park Picnic Shelter
- 04.01.20 – Paul Johnson – Wellington Shire Council – Council approval for Picnic Shelter at RV Park
- 08.01.20 – Julie Bryer – Heyfield Resource Center – Energy Efficient Communities Grants
- 15.01.20 – Barb Cook – H&DVMG – Police crime report number
- 20.01.20 – Bodye Darvill – Wellington Shire – Inquiry regarding recovery of stolen GSR goods
- 21.01.20 – Vivienne McCrory – Foundation for Rural & Regional Renewal – Gardiner Foundation Grants
- 20.01.20 – Britt Appleby – Wellington Shire – Follow up information required for insurance claim
- 30.01.20 – Direct Sound & Vision Services – Quote for security cameras
- 30.01.20 – Pantac Security Services – Quote for security cameras
- 30.01.20 – Debbie Darnell – Latrobe Valley Authority – Grant for Solar
- 30.01.20 – Tania Burton – Heyfield Tennis Club – Information for insurance claim
- 01.02.20 – Kelvin Sundermann – Community Rep – Specifications for goal netting posts footings
- 03.02.20 – Barb Cook – H&DVMG – Generator photo's evidence for insurance claim
- 03.02.20 – Sharon Macgowan – Wellington Shire – Information regarding Security Assessment Report
- 03.02.20 – Tania Burton – Heyfield Tennis Club – Contact information for Tennis Club's new Secretary
- 04.02.20 – Britt Appleby – Wellington Shire – Update for insurance claim
- 04.02.20 – Lee Clarke – Heyfield Traders & Tourism Association – RV Park signage
- 05.02.20 – Cr Malcolm Hole – Wellington Shire – RV Park signage sorted
- 07.02.20 – Lisa Lyndon – Wellington Shire – Community Workshops
- 07.02.20 – Bodye Darvill – Wellington Shire – Specs for goal nets
- 11.02.20 – Britt Appleby – Wellington Shire – Insurance claim for H & DVMG knocked back
- 13.02.20 – Sarah Bishop – Southern Rural Water – GSR Water Transfer
- 14.02.20 – Bodye Darvill – Wellington Shire – Confirmation of Water Transfer
- 17.02.20 – Debbie Darnell – Latrobe Valley Authority – Grant for Solar
- 24.02.20 – Lisa Lyndon – Wellington Shire – Gippsland Smart Futures workshop

## 6. Correspondence Out

- 29.10.19 – Pat Rodaughan to Committee members – Community Committees Survey Results
- 30.10.19 – Pat Rodaughan to Lee Clarke – Aerial Picture Middle Oval
- 31.10.19 – Pat Rodaughan to Bodye Darvill – 60/40 enquiry
- 01.11.19 – Pat Rodaughan to Bodye Darvill – Confirmation of Water Share Relating to Crown Land
- 07.11.19 – Pat Rodaughan to Jess Gell – GSR Public Liability
- 15.11.19 – Pat Rodaughan to Lisa Lyndon – GSR Minutes
- 22.11.19 – Pat Rodaughan to Robyn Dewar – 60/40 Application RV Park Tree Trimming
- 26.11.19 – Pat Rodaughan to Charlie Wojcinski – Invoice from S & R Mobile Welding
- 04.12.19 – Pat Rodaughan to Bodye Darvill – Invoice for Gutter Cleaning
- 06.12.19 – Pat Rodaughan to Bodye Darvill – Police Report & List of Stolen Goods Tennis Club
- 09.12.19 – Pat Rodaughan to Robyn Dewar – 60/40 Acquittal
- 11.12.19 – Pat Rodaughan to Bodye Darvill – H&DVMG Generator Quote
- 20.12.19 – Pat Rodaughan to Barb Cook – Copy of Insurance Claim
- 20.12.19 – Pat Rodaughan to Tania Burton – Copy of Insurance Claim
- 20.12.19 – Pat Rodaughan to Bodye Darvill – Invoice for repairs from break-in
- 20.12.19 – Pat Rodaughan to Barb Cook – Copy of Police Report
- 20.12.19 – Pat Rodaughan to Lisa Lyndon – Insurance replacement costs GSR stolen goods
- 06.01.20 – Pat Rodaughan to Lisa Lyndon – Quote for new roller door
- 30.01.20 – Pat Rodaughan to Debbie Darnell – Grant for solar
- 03.02.20 – Pat Rodaughan to Lisa Lyndon – H & DVMG photos of generator
- 03.02.20 – Pat Rodaughan to Kelvin Sundermann – Community Facilities Grants information
- 04.02.20 – Pat Rodaughan to Tania Burton – Insurance claim follow up information
- 04.02.20 – Pat Rodaughan to Lee Clarke – RV Park missing signage
- 07.02.20 – Pat Rodaughan to Bodye Darvill – Specifications for goal net posts footings
- 17.02.20 – Pat Rodaughan to Britt Appleby – Receipts of GSR stolen items
- 17.02.20 – Pat Rodaughan to Britt Appleby – Receipts of Tennis Club's stolen items
- 17.02.20 – Pat Rodaughan to Committee members – GSR General Meeting Minutes
- 17.02.20 – Pat Rodaughan to Tania Burton – Community Facilities Grant information
- 17.02.20 – Pat Rodaughan to Debbie Darnell – Grant for solar submission ID
- 17.02.20 – Pat Rodaughan to Committee members – FRRR & Gardiner Foundation grant
- 17.02.20 – Pat Rodaughan to Committee members – WSC Community workshops
- 17.02.20 – Pat Rodaughan to Kelvin Sundermann – Goal nets Specifications

**Correspondence be accepted: Moved: Pat      Seconded: Lee      Carried**

## 7. Reports

### 7.1 Chairperson's Report

Work has started to repair the dam this week and the contractor is using the paddock beside the dam for site huts and to store materials.

The drought relief program have provided us with some workers who are carrying out maintenance work at the reserve.

Mowing has been a full time job to keep up after the recent rain.

Will organize to get all the buildings sprayed for spiders and pests.

## **7.2 Treasurers Report Attached**

**Moved: Charlie**

**Seconded: Lee**

**CARRIED**

## **7.3 User Groups Report**

### **Heyfield Football Netball Club**

The application for the Community Assistance Grants will be held over until the next round of funding in June due to the wait to have a full Police Security assessment completed.

### **Heyfield Traders & Tourism Association**

The picnic shelter at the RV Park should get started in the next week or two.

### **Heyfield Basketball Association**

Sale hosted a tournament in conjunction with Heyfield with two big days of Basketball being played at the stadium and was a very successful weekend.

### **Heyfield Junior Netball Club**

The Junior Netball Club would like some storage cupboards in the Netball building.

### **Councilor**

Councilor Hole let the user groups know that the building for the Vintage Engines area is in the draft budget for funding.

## **8. Volunteer**

## **9. OHS / Risk / Facility Fault Report:**

## **10. New Rules of the Committee to be endorsed by Council**

## **11. General Business:**

Petra Szabo showed the committee the concept design for the reserve which includes traffic management, car parks, landscaping and paths. Petra will forward the plans via email for Pat to pass on to members to take to their respective committees for discussion and feedback. Pat will organize a Special meeting for committee members to provide suggestions and ideas as feedback for Petra.

Cr Malcolm suggested that the Gordon street entrance via the Kindergarten and a children's playground be included in the draft design.

Charlie asked Cr Malcolm if a new lawn mower was still being offered by the Council. Cr Malcolm said this was not in Council's budget.

Pat gave an update on the solar power application for the LVA grant he submitted some time ago which has been on hold. The original application was with the Department of Premier and Cabinet but the LVA has since transitioned to the Department of Jobs Precincts and Regions and it appears our application is no longer in their system.

**12. Next Meeting: 27/04/2020 at 7.00 pm GSR**


**Meeting Closed Time: 8.05 pm**

**These minutes are:**

**Confirmed as true and correct on ...27/02/2020.....**  
**Date**

**Or**

**Corrections have been made and noted at the meeting on .....**  
**Date**

**Chairperson Signature**  .....

GORDON STREET RESERVE  
MEETING 24/2/2020

GENERAL ACCOUNT

INCOME

|                  |             |
|------------------|-------------|
| WSC GST SEPT     | \$ 274.34   |
| BASKET BALL RENT | \$ 360.00   |
| FOOTBALL RENT    | \$ 7,000.00 |
| TRADERS RENT     | \$ 800.00   |
| TENNIS RENT      | \$ 550.00   |
| WSC OCT GST      | \$ 557.85   |
| WSC 60/40 TOILET | \$ 392.40   |
| VINTAGE RENT     | \$ 800.00   |
| WSC GUTTERS      | \$ 750.00   |
| BASKET BALL RENT | \$ 360.00   |
| PIGEON RENT      | \$ 300.00   |
| JUNIOR FOOTY     | \$ 500.00   |
| IDDLERS 4WD      | \$ 1,375.00 |
| CRICKET RENT     | \$ 1,500.00 |
| WSC DEC GST      | \$ 565.61   |
| AMBULANCE HIRE   | \$ 180.00   |

BALANCE 30.09.2019 \$ 32,304.55

\$ 48,569.75

EXPENDITURE

|                         |              |
|-------------------------|--------------|
| ENERGY AUST             | \$ 141.72    |
| WELLINGTON SHIRE        | \$ 278.00    |
| D & J OBRIEN            | \$ 654.00    |
| VERN GRAHAM             | \$ 547.04    |
| TIMBERLINE              | \$ 220.98    |
| GIPPS WATER             | \$ 2,188.96  |
| ALDESEA HIGGINS         | \$ 293.70    |
| STH RURAL WATER         | \$ 289.12    |
| PANTIC SECURITY         | \$ 145.00    |
| VERN GRAHAM             | \$ 59.70     |
| ROBERT ARTSO            | \$ 90.00     |
| TIMBERLINE              | \$ 203.52    |
| RODWELLS                | \$ 213.12    |
| ALDERSEA HIGGINS        | \$ 58.30     |
| MAFFRA POLY PUMPS       | \$ 310.50    |
| W BUTCHER               | \$ 50.60     |
| GLENMAGGIE TREE LOPPING | \$ 750.00    |
| S R WELDING             | \$ 539.00    |
| PANTAC SECURITY         | \$ 2,900.00  |
| TIMBERLINE              | \$ 195.16    |
| V GRAHAM                | \$ 147.70    |
| CERVIS                  | \$ 36.30     |
| FARMERS ARMS            | \$ 454.00    |
| JR & A GRAHAM           | \$ 1,094.50  |
| ENERGY AUST             | \$ 2,538.08  |
| D ORIEN                 | \$ 103.00    |
| PAULA WOODLAND          | \$ 900.00    |
| ALDESEA HIGGINS         | \$ 288.20    |
| WELLINGTON SHIRE        | \$ 648.40    |
| ENERGY AUST             | \$ 468.50    |
| D OBRIEN                | \$ 735.00    |
| VERN GRAHAM             | \$ 387.95    |
| NEWRY WATER             | \$ 4,279.00  |
| TIMBERLINE              | \$ 59.46     |
| BALANCE 31.01.2020      | \$ 26,301.24 |

\$ 48,569.75





## 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 if your query requires a written response, we will advise you that a response will be forthcoming 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.*

CHAT ROOM –

GALLERY COMMENTS –

Meeting declared closed at: pm

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



**F. CONFIDENTIAL ATTACHMENT/S**

**F. CONFIDENTIAL  
ATTACHMENT/S**

CONFIDENTIAL ATTACHMENT

The information contained in this document has been designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built and Natural Environment on 7 April 2020 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) contractual matters.

**F1.1 MUNICIPAL ASSOCIATION OF VICTORIA (MAV) UTILITIES NATURAL GAS SUPPLY CONTRACT (MAV GC 8210-2019)**



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

**ORDINARY COUNCIL MEETING  
07 April 2020**

On this day 07 April 2020 in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Chris Hastie, General Manager Built and Natural Environment declare that the information contained in the attached document **MUNICIPAL ASSOCIATION OF VICTORIA (MAV) MAV UTILITIES NATURAL GAS SUPPLY CONTRACT (MAV GC 8310 – 2019)** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

**d) contractual matters**

A handwritten signature in black ink, appearing to read 'Chris Hastie', written over a horizontal line.

.....  
**CHRIS HASTIE, GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT**



**G. IN CLOSED SESSION**

**G. IN CLOSED SESSION**

**COUNCILLOR**

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

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

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**IN CLOSED SESSION**

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**COUNCILLOR**

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