



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

**COUNCIL MEETING AGENDA
ORDINARY MEETING**

Meeting to be held via Skype

Tuesday 2 March 2021, commencing at 3:00 PM

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

**ORDINARY MEETING OF COUNCIL
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COUNCIL MEETING INFORMATION

As the COVID-19 physical distancing requirements continue to remain in place, the “Minister’s Good Practice Guideline MGPG-1: Virtual Meetings”, issued by the Minister for Local Government, continue to apply. Pursuant to section 87 of the Local Government Act 2020, these guidelines ensure that local Government decision making can continue in line with COVID-19 requirements and further details can be found on the Local Government Victoria website.

This guideline first took effect on 1st May 2020 and has been extended through to 26th April 2021.

While members of the public cannot attend this meeting in person, we have provided options for you to interact with us virtually via our Council Meetings page on the Wellington Shire Council Website.

You are able to interact with Council in two ways:

- email through a specific question or comment relating to a particular Council Agenda item no later than 1:00pm on the day of the Council Meeting; or*
- for general communication with Council, via the online webform early in the meeting to ensure that your submissions can be dealt with at the end of the meeting.*

While we continue to remain flexible through different ways of gathering, we thank you for your ongoing support and look forward to continuing this new way of keeping in touch with all of Wellington Shire.

ACKNOWLEDGEMENT OF COUNTRY

“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

1. APOLOGIES

2. DECLARATION OF CONFLICT/S OF INTEREST

3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To adopt the minutes of the Ordinary Council Meeting of 16 February 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 February 2021.

CONFLICT OF INTEREST

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

4. BUSINESS ARISING FROM PREVIOUS MEETINGS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

5. ACCEPTANCE OF LATE AND URGENT ITEMS

6. NOTICE/S OF MOTION

7. RECEIVING OF PETITION OR JOINT LETTERS

7.1. OUTSTANDING PETITIONS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

9. QUESTION/S ON NOTICE

9.1. OUTSTANDING QUESTION/S ON NOTICE

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

10. DELEGATES REPORT

11. GENERAL MANAGER CORPORATE SERVICES

11.1. ASSEMBLY OF COUNCILLORS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

OBJECTIVE

To report on all assembly of Councillor records received for the period 8 February 2021 to 21 February 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 8 February 2021 to 21 February 2021.

BACKGROUND

Section 80A of the *Local Government Act 1989* required a written record be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, matters considered and any conflict of interest disclosures made by a Councillor. These records were required to be reported at an ordinary meeting of the Council and recorded in the minutes. Under the new *Local Government Act 2020*, this requirement is no longer provided for however, under Council's good governance framework, Council will continue to provide records of assemblies of Councillors to ensure that the community are kept informed of Councillors activity and participation.

Following is a summary of all Assembly of Councillor records received for the period 8 February 2021 to 21 February 2021.

ATTACHMENTS

1. Assembly of Councillors SLUPP 9 February 2021 [11.1.1 - 2 pages]
2. Assembly of Councillors and Workshop Follow Up 16 February 2021 [11.1.2 - 2 pages]

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 8 February 2021 to 21 February 2021.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

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

COMMUNICATION IMPACT

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

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complied with Section 80A of the *Local Government Act 1989* however, without prescription under the *Local Government Act 2020*, Council will continue to provide these records as part of Council's good governance framework.

COUNCIL POLICY IMPACT

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

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

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

COMMUNITY IMPACT

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

ENVIRONMENTAL IMPACT

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

ENGAGEMENT IMPACT

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

RISK MANAGEMENT IMPACT

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

ASSEMBLY OF COUNCILLORS – 9 FEBRUARY 2021

MEETING	COUNCILLORS, OFFICERS AND OTHERS IN ATTENDANCE (NAME AND POSITION)					
STRATEGIC LAND USE PLANNING PROJECT REVIEW GROUP	Councillor Name	Attendance	Conflict of Interest	Officer Name	Attendance	Item No.
	Cr Ian Bye	Yes	None declared	D Morcom, CEO	No	
	Cr Carolyn Crossley	No		A Skipitaris, GMCS	No	
	Cr Malcolm Hole	No		S Houlihan, GMC&C	No	
	Cr Marcus McKenzie	No		C Hastie, GMB&NE	Yes	All
	Cr Gayle Maher	Yes	None declared	B McAlister, GMD	Yes	All
	Cr Scott Rossetti	No				
	Cr Garry Stephens	No				
	Cr John Tatterson	Yes	None declared			
Cr Jill Wood	No					
OTHERS IN ATTENDANCE (NAME AND POSITION)			MATTERS/ITEMS CONSIDERED AT THE MEETING			
Josh Clydesdale (Manager Land Use Planning)			Meeting Agenda – 9 February 2021			
Anthony Greenfield (Strategic Planner)			Strategic Planning Priorities			
Barry Hearsey (Coordinator Strategic Planning)			Incoming Correspondence			
Paul Johnson (Manager Business Development)			Rezoning Requests			
John Traa (Principal Planner)			Other Business			
Sam Pye (Coordinator Infrastructure Development)						

ASSEMBLY OF COUNCILLORS – 16 FEBRUARY 2021

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE (NAME AND POSITION)				CONFLICT/S OF INTEREST OR ACTION ITEMS
	Name	Attendance	Name	Attendance	
IT / Diary Meeting	Cr Bye	Yes	Cr Stephens	Yes	N/A
	Cr Crossley	Yes	Cr Tatterson	Yes	N/A
	Cr Hole	Yes	Cr Wood	Yes	N/A
	Cr McKenzie	Yes	David Morcom, CEO	Yes	N/A
	Cr Maher	No	Leah Carubia, EA CEO	Yes	N/A
	Cr Rossetti	Yes	Damian Norkus, Business Systems Officer	Yes	N/A

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE VIA SKYPE (ONLINE MEETING ONLY)				CONFLICT/S OF INTEREST OR ACTION ITEMS
	Name	Attendance	Name	Attendance	
Workshops	Cr Bye	Yes	Cr Tatterson	Yes	
	Cr Crossley	Yes	Cr Wood	Yes	
	Cr Hole	Yes	David Morcom, CEO	Yes	
	Cr McKenzie	Yes	Arthur Skipitaris, GM Corporate Services	Yes	
	Cr Maher	Yes from workshop 3 onwards	Sharon Houlihan, GM Community & Culture	Yes	
	Cr Rossetti	Yes	Chris Hastie, GM Built & Natural Environment	Yes	
	Cr Stephens	Yes	Brent McAlister, GM Development	Yes	

	MATTERS/ITEMS CONSIDERED AT THE MEETING	OTHERS IN ATTENDANCE VIA SKYPE (ONLINE MEETING ONLY)
Workshops (cont.)	BRIEF UPDATES <ul style="list-style-type: none"> • AVON RAIL BRIDGE UPDATE 	<ul style="list-style-type: none"> • Emma Steel, Senior Advisor, Communications and Stakeholder Relations – Rail Projects Victoria <i>Conflict of Interest: Nil</i>
	1. ROAD MANAGEMENT PLAN REVIEW	<ul style="list-style-type: none"> • Sam Pye, Acting Manager Built Environment • Zac Elliman, Coordinator Road Planning <i>Conflict of Interest: Nil</i>
	2. COMMUNITY ENGAGEMENT STRATEGY – CONSULTATION OUTCOMES	<ul style="list-style-type: none"> • Bodye Darvill, Coordinator Council Plan Engagement <i>Conflict of Interest: Nil</i>
	3. VAGO REPORT: SEXUAL HARASSMENT IN LOCAL GOVERNMENT	<ul style="list-style-type: none"> • Arthur Skipitaris, General Manager Corporate Services • Sara Crees, Manager People and Capability <i>Conflict of Interest: Nil</i>
	4. 2020/21 BUDGET REVIEW AND UPDATE INCLUDING COVID IMPACT AND DECEMBER 2020 QUARTERLY PERFORMANCE REPORT	<ul style="list-style-type: none"> • Ian Carroll, Manager Corporate Finance <i>Conflict of Interest: Nil</i>
	5. 2021/2022 FEES AND CHARGES REVIEW INCLUDING CAPITAL PROGRAM	<ul style="list-style-type: none"> • Ian Carroll, Manager Corporate Finance • Dean Morahan, Manager Assets and Projects <i>Conflict of Interest: Nil</i>
	6. WASTE, RECYCLING AND SUSTAINABILITY UPDATE	<ul style="list-style-type: none"> • Samantha Nock, Coordinator Waste and Sustainability • Joanna Rule, Sustainability Projects Officer <i>Conflict of Interest: Nil</i>
	7. DEVELOPMENT DIVISION UPDATE: PLANNING, BUILDING & BUSINESS DEVELOPMENT	<ul style="list-style-type: none"> • Paul Johnson, Manager Business Development • Joshua Clydesdale, Manager Land Use Planning • Vanessa Ebsworth, Manager Municipal Services <i>Conflict of Interest: Nil</i>
	8. MAFFRA STRUCTURE PLAN - DISCUSSION PAPER AND EMERGING DIRECTIONS REPORT	<ul style="list-style-type: none"> • Joshua Clydesdale, Manager Land Use Planning • Barry Hearsey, Coordinator Strategic Planning <i>Conflict of Interest: Nil</i>

12. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

12.1. ABELS ROAD AND BOYLE ROAD, LONGFORD SPECIAL CHARGE STREET CONSTRUCTION SCHEME - DECLARATION OF SCHEME

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider to formally proceed with the proposed 'Abels Road and Boyle Road Special Charge Street Construction Scheme Number 2004' by way of formal declaration as a Special Charge Scheme under section 163(1) of the *Local Government Act 1989* for the construction of Abels Road and Boyle Road in Longford.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council, having considered that no submissions were received and taken account that no objections were lodged and having complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act), and otherwise according to law, and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that Abels Road and Boyle Road, Longford (Street) or any component of the Street has not previously been constructed by way of a special rate or charge, hereby proceeds to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Street and providing all and any ancillary works, including surface drainage and vehicle crossings.***
- 2. Council directs that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision.***
- 3. For the purposes of resolution 2, the reasons of Council for making the Declaration are that –***
 - (a) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;***
 - (b) Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;***
 - (c) All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;***

(d) The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;

(e) The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and

(f) The works proposed for the construction and drainage of the Street are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street.

4. The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.

BACKGROUND

Abels Road and Boyle Road in Longford are located within the rural-residential area of Longford (**Street**) between Boggy Creek Road and the South Gippsland Highway. Boyle Road extends north off Abels Road. Currently these roads consist of a formed but unsealed pavement of variable width with an approximate combined length of 1450m in length, both roads have irregular table drains. These roads are primarily rural type roads in appearance with the unsealed sections extending for their full length. Both roads are managed and maintained by Wellington Shire Council.

A formal investigation of a special charge scheme (**Scheme**) commenced following ongoing property owner concerns in relation to dust, rutting and the maintenance grading regime and has included preparation of concept design and a cost estimation.

The proposed Abels Road and Boyle Road Construction Scheme would provide for the construction, forming and sealing of the road to a 6.2m width, kerbing at intersections, formation of table drains, driveway culverts and sealing vehicle crossings.

The construction and sealing of Abels Road and Boyle Road would reduce Wellington Shire Council's need for maintenance intervention, while providing a higher level of service and safety for adjacent properties, as well as the general public.

It is considered that the properties which abut this section of Abels Road and Boyle Road will derive a special benefit by the proposed upgrade works, as a result of:

- a reduction in dust;
- an enhancement to the amenity of the area;
- the creation of improved riding surfaces;
- an improvement to access and egress from properties;
- an improvement to drainage.

Following further investigation of potential methods to facilitate construction works in Abels Road and Boyle Road, it was concluded that a Special Charge Scheme, generally in line with Council's Residential Road and Street Construction Plan, was the preferred approach, as this process requires public advertising and is a transparent process that informs the community of Council's financial contribution.

A public meeting was not held to outline the street scheme proposal in this instance due to COVID 19 health restrictions, although council officers were available to discuss details with individual property owners if requested. A letter with a survey form was sent to each property owner, (along with an estimated apportionment cost applicable to the property), to assess support for, or objection to the scheme. The letters were mailed out 16 July 2020.

The results of the survey are shown in the table below.

	SUPPORT SCHEME		OPPOSE SCHEME		DID NOT REPLY	
Property Owners (17)	15	88%	0	0%	2	12%
Properties (17)	15	88%	0	0%	2	12%

There is one exempt / non-rateable property within the scheme boundary.

Overall, based on these survey results, the level of support for the scheme exceeds the minimum level required under the Residential Road and Street Construction Plan 2019' (being 60%) and it is considered that there is sufficient level of initial support for the proposed Special Charge Scheme.

FORMAL AND STATUTORY SUBMISSIONS AND OBJECTIONS

Following Council's previous resolution in relation to its intention to commence the statutory process to declare the Special Charge Scheme, public notice was given in a newspaper circulating generally in the municipal district (Gippsland Times), and a separate written notice was sent to all property owners concerning Council's proposal.

As a result of this, Council received no written submission/objection from any property owners within the scheme.

This Report now addresses whether or not Council wishes to proceed with the proposed 'Abels Road and Boyle Road Special Charge Street Construction Scheme Number 2004' by way of formal declaration as a Special Charge Scheme under section 163(1) of the Act for the construction of Abels Road and Boyle Road in Longford, and related works, including surface drainage and vehicle crossings.

ATTACHMENTS

1. Declaration of Special Charge [12.1.1 - 7 pages]
2. Maximum Total Levy [12.1.2 - 8 pages]

OPTIONS

Council has the following options available:

1. To progress the proposed Special Charge Scheme through a full cost recovery apportionment method, by advertising the declaration of the Special Charge Scheme; or
2. Having first trialed and considered other methods of apportionment, to progress the proposed Scheme through the 'fixed fee method' as outlined in 'Council's Residential Road and Street Construction Plan', by advertising the declaration of the Special Charge Scheme; or
3. To not progress the declaration of the Special Charge Scheme.

PROPOSAL

The proposal, which is now presented for Council's determination, is for Council (following what has been a consideration of the submission and objection) to proceed with the proposed Special Charge Scheme generally through (and in accordance with) the funding framework outlined in Council's 'Residential Road and Street Construction Plan' and to proceed to declare a Special Charge Scheme for the construction of Abels Road and Boyle Road in Longford and for the provision of road construction and ancillary works, as outlined in this and previous reports which have been considered by Council.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The total costs applicable to the Special Charge Scheme are estimated to be \$430,000. The amounts to be recovered under the Scheme do 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 the total special benefits and community benefits to be provided by the works, \$61,200.00 of the costs are to be apportioned to properties within the Special Charge Scheme area, with the balance being funded by Council from the Roads to Recovery program.

On this basis, the following figures are presented for Council's approval –

Amount apportioned to properties within the Scheme:	\$ 61,200.00
Portion of costs to be recovered from Council as direct costs:	\$368,800.00
Total estimated cost of the Scheme:	\$430,000.00

There are no multiple property owners. There is one non-rateable parcel of land located within the Scheme boundary.

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, refer attached **Declaration of Special Charge Schedule 2 (Methods 1 and 2)**.

This included the completion of property apportionment charges based on access only, as well as a combination of access and frontage in the distribution of the 'Maximum Total Levy Amount' as that amount has been separately calculated using the 'Benefit Ratio' calculations for the proposed Special Charge Scheme, refer attached **Maximum Total Levy**

On this basis, the cost per property under such other apportionment methods would have been between either \$12,148.22 and \$33,958.74 or \$20,741.18 considerably more on an average per property owner basis, than the method of distribution which is being proposed for Council's 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 the attached Declaration of Special Charge**), is considered to be fair and reasonable.

Property owners who are 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 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 **Maximum Total Levy**.

COUNCIL POLICY IMPACT

The scheme has been prepared in accordance with Council's Special Charge Schemes – Roads, Street and 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 and 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 and Projects Unit. 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 positive community impact as it will result in Abels Road and Boyle Road, Longford being fully sealed in line with current service standards. Community benefit is reflected in Council's contribution towards 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:

- Initial Information letter advising property owners of street works proposal;
- Mail out survey of all property owners, 16 July 2020;
- Follow up phone calls and emails requesting replies to the survey; and
- Formal public notice under sections 163B and 223 of the *Local Government Act 1989*.

RISK MANAGEMENT IMPACT

Implementation of the scheme will produce a substantial reduction in risk to motorists, and other road users through improved visibility (reduction of dust), improved road surfacing and drainage.

DECLARATION OF SPECIAL CHARGE**'Abels Road & Boyles Road, Longford - Special Charge Street Construction
Scheme Number 2004'**

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 Abels Road & Boyles Road in Longford (**Street**) 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 'Abels Road & Boyle Road - Special Charge Street Construction Scheme Number 2004'.
2. The criteria which will form the basis of the declaration of the Special Charge are the ownership of rateable properties in the area of the Scheme (being properties within the 'rural - residential area' of Longford) and based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to Abels Road & Boyle Road (as the properties are set out in paragraphs 7 and 8 of the proposed declaration), the overall benefits which it is considered the properties in the Scheme (based on the physical and other benefits) will receive from the works to be provided under the Scheme.
3. In proposing the declaration of the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Shire of Wellington, in particular the provision of proper, safe and suitable roads and property services within the area for which the proposed Special Charge is to be declared (**Works**).
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the Works) is \$430,000 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 \$61,200
6. The Special Charge will commence on the date on which it is levied by Council and will remain in force for a period of 5 years.
7. The area for which the 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 declaration (being **Schedule 1**).
8. The land in relation to which the 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 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 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 Special Charge is to be declared and levied relates substantially to the provision of capital works, special ratepayers will be given an instalment plan under which –
- (a) Quarterly instalments are to be paid over a 5 year period, or other such period as negotiated; and
 - (b) Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimated borrowing costs of Council in respect of the construction of the Road by more than 1 per cent.
12. Council will consider cases of financial and other hardship, and may consider other payment options for the Special Charge.
13. No incentives will be given for the payment of the Special Charge before the due date for payment.

14. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge, and directly and indirectly as a result of the expenditure 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 roads;
 - (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 0.82 or 82%, 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 \$61,200.

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

ABELS ROAD & BOYLES ROAD – LONGFORD
PLAN OF SPECIAL CHARGE SCHEME AREA.

Scheme Boundary 



Schedule 2

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

WELLINGTON SHIRE COUNCIL
ABELS RD & BOYLE RD CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX. LEVY AMOUNT - 50% ACCESS & 50% FRONTAGE

ASSES NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS OF PROPERTY	ACCESS BENEFIT (AB)	FRONTAGE (F)	SIDEAGE & REARAGE (S&R)	TOTAL APPORTIONED LENGTH (AL=Fx0.35&R)	SCHEME AMOUNT DUE (=ABxR+ALxR)
1	197376	10636	Lot 1 TP761728	1	41.5		41.50	\$14,041.04
2	197368	10635	Lot 2 LP31154	1	50.5		50.50	\$14,837.04
3	207357	10634	Lot 3 LP31154	1	50.5		50.50	\$14,837.04
4	197343	10632	CA 17D	1	94.5		94.50	\$18,728.60
5	369074	46234	CA 17C	1	247.2		247.20	\$32,234.07
6	197335	10628	CA 17B	1	266.7		266.70	\$33,958.74
7	380667	47885	CA 17E	1	189.9		189.90	\$27,166.20
8	185116	9359	CA 10E	1		247.0	74.10	\$16,924.33
9	185124	9360	Lot 1 TP166621	1	72.4		72.40	\$16,773.97
10	185132	9361	CA 10A	1	159.5		159.50	\$24,477.49
11	185140	9362	CA 14E	1	202.7		257.24	\$33,122.06
12	411827	56034	Lot 4 PS623658	1	49.0	181.8	49.00	\$14,704.37
13	411066	56033	Lot 3 PS623658	1	49.0		49.00	\$14,704.37
14	185470	9395	CA 14C	1	177.0		177.00	\$26,025.27
15	185462	9394	CA 13	1	20.1		20.10	\$12,148.32
16	185447	9392	Lot 1 LP115283	1	98.4		98.40	\$19,073.53
17	185454	9393	Lot 2 LP115283	1	95.8		95.80	\$18,843.57
18	185157	48258	CA 14F	1	exempt property			
TOTALS				17	1864.7	428.8	1993.34	\$352,600.00
TOTAL ESTIMATED COST OF SCHEME					\$ 430,000			
COUNCIL CONTRIBUTION					\$ 77,400			
APPORTIONED AMOUNT					\$ 352,600			
AMOUNT APPORTIONED TO ACCESS - 50%					\$ 176,300			
AMOUNT APPORTIONED TO FRONTAGE 50%					\$ 176,300			
Apportionment Rate - (Access Benefit Units)					\$ 10,370.59	per ABU (R)		
Apportionment Rate - (Abutment Length)					\$ 88.44	per m (R)		

Method 2 - Maximum Levy at 100% Access Benefit

WELLINGTON SHIRE COUNCIL
 ABELS RD & BOYLE RD CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAX. LEVY AMOUNT - ACCESS ONLY

ASSESS NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS OF PROPERTY	ACCESS BENEFIT	ACCESS BENEFIT FACTOR APPLIED FOR COMM. PROP.	APPORTIONED ACCESS BENEFIT (AAB)	FIXED RATE CONTRIBUTION (FRC)	SCHEME AMOUNT DUE (= AAB x FRC)
1	197376	10636	Lot 1 TP761728	1		1	\$20,741.18	\$20,741.18
2	197368	10635	Lot 2 LP31154	1		1	\$20,741.18	\$20,741.18
3	207357	10634	Lot 3 LP31154	1		1	\$20,741.18	\$20,741.18
4	197343	10632	CA 17D	1		1	\$20,741.18	\$20,741.18
5	369074	46234	CA 17C	1		1	\$20,741.18	\$20,741.18
6	197335	10628	CA 17B	1		1	\$20,741.18	\$20,741.18
7	380667	47885	CA 17E	1		1	\$20,741.18	\$20,741.18
8	185116	9359	CA 10E	1		1	\$20,741.18	\$20,741.18
9	185124	9360	Lot 1 TP166621	1		1	\$20,741.18	\$20,741.18
10	185132	9361	CA 10A	1		1	\$20,741.18	\$20,741.18
11	185140	9362	CA 14E	1		1	\$20,741.18	\$20,741.18
12	411827	56034	Lot 4 PS623658	1		1	\$20,741.18	\$20,741.18
13	411066	56033	Lot 3 PS623658	1		1	\$20,741.18	\$20,741.18
14	185470	9395	CA 14C	1		1	\$20,741.18	\$20,741.18
15	185462	9394	CA 13	1		1	\$20,741.18	\$20,741.18
16	185447	9392	Lot 1 LP115283	1		1	\$20,741.18	\$20,741.18
17	185454	9393	Lot 2 LP115283	1		1	\$20,741.18	\$20,741.18
18	185157	48258	CA 14F	1	exempt property	1	\$20,741.18	\$20,741.18
TOTALS				17		17		\$352,600.00

TOTAL ESTIMATED COST OF SCHEME	\$ 430,000
COUNCIL CONTRIBUTION	\$ 77,400
APPORTIONED AMOUNT	\$ 352,600

ABU FACTOR CALCULATION FOR COMMON PROPERTY
 Calculation - First property at 100% with 50% for each additional property divided by number of properties

Address Nil
 Factor

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

WELLINGTON SHIRE COUNCIL
ABELS RD & BOYLE RD CONSTRUCTION SCHEME - APPORTIONMENT OF COST - REVISED MAX. LEVY AMOUNT - ACCESS ONLY

ASSESS NO.	PARCEL NO.	TITLE DETAILS	STREET ADDRESS OF PROPERTY	ACCESS BENEFIT	ACCESS BENEFIT FACTOR APPLIED FOR COMM. PROP.	APPORTIONED ACCESS BENEFIT (AAB)	FIXED RATE CONTRIBUTION (FRC)	SCHEME AMOUNT DUE (= AAB x FRC)
1	197376	10636	Lot 1 TP761728	1		1	\$3,600.00	\$3,600.00
2	197368	10635	Lot 2 LP31154	1		1	\$3,600.00	\$3,600.00
3	207357	10634	Lot 3 LP31154	1		1	\$3,600.00	\$3,600.00
4	197343	10632	CA 17D	1		1	\$3,600.00	\$3,600.00
5	369074	46234	CA 17C	1		1	\$3,600.00	\$3,600.00
6	197335	10628	CA 17B	1		1	\$3,600.00	\$3,600.00
7	380667	47885	CA 17E	1		1	\$3,600.00	\$3,600.00
8	185116	9359	CA 10E	1		1	\$3,600.00	\$3,600.00
9	185124	9360	Lot 1 TP166621	1		1	\$3,600.00	\$3,600.00
10	185132	9361	CA 10A	1		1	\$3,600.00	\$3,600.00
11	185140	9362	CA 14E	1		1	\$3,600.00	\$3,600.00
12	411827	56034	Lot 4 PS623658	1		1	\$3,600.00	\$3,600.00
13	411066	56033	Lot 3 PS623658	1		1	\$3,600.00	\$3,600.00
14	185470	9395	CA 14C	1		1	\$3,600.00	\$3,600.00
15	185462	9394	CA 13	1		1	\$3,600.00	\$3,600.00
16	185447	9392	Lot 1 LP115283	1		1	\$3,600.00	\$3,600.00
17	185454	9393	Lot 2 LP115283	1		1	\$3,600.00	\$3,600.00
18	185157	48258	CA 14F	1	exempt property	1	\$3,600.00	\$3,600.00
TOTALS				17		17		\$61,200.00

TOTAL ESTIMATED COST OF SCHEME	\$ 430,000
COUNCIL CONTRIBUTION	\$ 368,800
APPORTIONED AMOUNT	\$ 61,200

ABU FACTOR CALCULATION FOR COMMON PROPERTY
 Calculation - First property at 100% with 50% for each additional property divided by number of properties

Address Nil
 Factor

**ABELS ROAD & BOYLE ROAD, LONGFORD – SPECIAL CHARGE STREET
CONSTRUCTION SCHEME NUMBER 2004**

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 Abels Road and Boyle Road in Longford (to be known as the ‘Abels Road & Boyle Road - Special Charge Street Construction Scheme Number 2004’) (**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 of Abels Road & Boyle Road in Longford

Abels & Boyle Roads are located within a rural - residential area and currently consists of a formed (but unsealed) gravel pavement of approximately 5 - 6m width and a combined 1450m in length with irregular surface drains. The roads are primarily a rural type road, with the unsealed sections extending for the full lengths of the roads. The roads are 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 roads. 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 6m width, with kerbing at intersections, and improved surface drainage and stormwater management.

The construction and sealing of Abels Road & Boyle Road will reduce Council's need for ongoing maintenance intervention, while providing a higher level of service for property owners and the general public. Under Council's Road Management Plan, Abels & Boyle Roads are designated as a 'Local Access A Road' and 'Local Access B Road' respectively and (as required by the Plan), 88% or more of property owners have expressed support for its construction.

Consistent with the Plan, it is considered that the 17 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 with modern road 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;
- Increased community satisfaction via the provision of infrastructure that meets expectations;

Following further investigation of potential methods to facilitate the construction works in Abels Road & Boyle Roads, a further consideration of survey results and further discussions 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 surface drainage improvement works to be located within the Scheme area will provide a special benefit to the 17 rateable property owners located within the Scheme boundaries, and are otherwise physically connected to the purpose set out in A.

C. Calculate Total Costs

The implementation of the Special Charge is regulated by section 163 of Act. Ministerial Guidelines made pursuant to the Act require Councils to be transparent about how they calculate the 'Maximum Total Levy'.

For this project, the Maximum Total Levy has been calculated in accordance with the Act and the Guidelines. The Maximum Total Levy, and other relevant information, is summarised in the table below.

Total Scheme Cost	\$430,000
'Benefit Ratio' Determination	0.82 or 82%
Maximum Total Levy Amount	\$352,600
Further Council Contribution	\$291,400
Revised Maximum Total Levy Amount	\$ 61,200

D. Identify Special Beneficiaries

It is considered that all 17 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.

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 (17)	0.5 x 17 = 8.5 BU	0.5 x 17 = 8.5 BU
TSB_(in) =	17 BU	

TSB_(out) has been calculated as follows –

Because –

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

there is one **TSB_(out)** properties. **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 and 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 Abels Road and Boyle Road following its construction;
- Improved drainage and water quality; and
- Reduced ongoing maintenance costs for Council.

Broader traffic use

To calculate the level of Community Benefit which it is considered will be attributable to persons who are not accessing or servicing the properties within the Scheme boundary (but who will nevertheless use the road for wider access purposes), an assessment of vehicle movements has been undertaken. Based on a Traffic Count taken in September 2020, it was determined that there are 120 vehicle movements per day along Abels 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 scheme (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 8.5 BU (this is based on approximately 102 vehicle movements per day (17 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 along Abels Road would not significantly increase, meaning that it is anticipated that there will be little additional vehicle movements per day following construction of the roads. 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–

$$\begin{aligned} \text{TCB}_{\text{traffic}} &= 8.5 \times (1 - 102 / 120) \\ &= 8.5 \times 0.15 \end{aligned}$$

$$\text{TCB}_{\text{traffic}} = 1.3$$

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.

$$\text{TCB}_{\text{drainage}} = 0.5$$

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

$$TCB_{\text{maintenance}} = 1$$

Therefore,

$$\begin{aligned} TCB_{\text{total}} &= TCB_{\text{traffic}} + TCB_{\text{drainage}} + TCB_{\text{maintenance}} \\ &= 1.3 + 0.5 + 1 \end{aligned}$$

$$TCB_{\text{total}} = 2.8$$

H. Calculating the 'Benefit Ratio'

The Benefit Ratio is calculated as follows –

$$\begin{aligned} R &= \frac{TSB_{\text{(in)}}}{TSB_{\text{(in)}} + TSB_{\text{(out)}} + TCB} \\ &= 17 / (17 + 1 + 2.8) \\ &= 17 / 20.8 \end{aligned}$$

$$\text{Benefit Ratio (R)} = 0.82$$

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)
0.82 x \$430,000 = \$352,600

Council may levy up to **82%** of total costs, or **\$352,600**

J. Other relevant considerations

Council notes that if it levies the Maximum Total Levy Amount of \$352,600 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 2019¹.

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 \$291,400 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$61,200 (***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.

¹ Refer to section 6.2 of the Plan by which a fixed rate contribution model of \$3,600 has been proposed and adopted by Council for Small & Coastal Towns where sealed roads are to be provided.

12.2. TOONGABBIE-COWWARR AND WEIR ROAD RECONSTRUCTION AND WIDENING

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the reconstruction of approximately 3.7km of Toongabbie-Cowwarr and Weir Roads, Cowwarr.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening; and***
- 2. The information contained in the confidential attachment Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on the 22 February 2021 because it relates to the following grounds: private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

Wellington Shire Council maintains approximately 1510 km of sealed roads and as part of that program renews and reconstructs roads that are failing or requiring more maintenance as they age. The selection criteria for choosing roads to reconstruct is based on condition assessments and traffic usage.

Toongabbie-Cowwarr Road and Weir Road are also on the shared boundary of Wellington Shire Council and Latrobe City. The maintenance responsibility rests with Wellington Shire Council, however the costs for capital works are shared.

Agreement has been reached on the standard and method of construction with Latrobe City and the project was tendered and the tenders have been evaluated and a report has been prepared for Council's consideration.

ATTACHMENTS

1. Confidential Header - 2021-041 - Tender Evaluation Report - Toongabbie- Cowwarr and Weir Roads [12.2.1 - 1 page]
2. CONFIDENTIAL REDACTED - 2021-041 - Tender Evaluation Report - Toongabbie- Cowwarr and Weir Roads [12.2.2 - 5 pages]

OPTIONS

Council has the following options available:

1. Adopt the recommendations contained in the attached confidential Tender Evaluation Report for Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening; or
2. Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Toongabbie-Cowwarr and Weir Roads are boundary roads with Latrobe City and the costs for construction will be shared. The Wellington Shire Council portion will be funded from the Federal Government's Road to Recovery Program.

COMMUNICATION IMPACT

Wellington Shire Council's standard consultation practices will be implemented on this project.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the Victorian *Local Government Act 1989* and the Victorian Local Government Code of Tendering.

COUNCIL POLICY IMPACT

These works are in line with Council's policies of maintaining and enhancing Council's road asset infrastructure networks.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services and 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

This project will be undertaken with the resources of the Assets and Projects unit.

COMMUNITY IMPACT

The community will benefit from having access to a wider and safer road that meets current standards.

ENVIRONMENTAL IMPACT

The proposed works will have minimal environmental impact, with the contractors providing an Environmental Management Plan which will be strictly monitored.

ENGAGEMENT IMPACT

Wellington Shire Council's standard consultation practices will be implemented on this project.

RISK MANAGEMENT IMPACT

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



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

**ORDINARY COUNCIL MEETING
2 March 2021**

On this day, 22 February 2021, in accordance with Section 66 Clause (2)(a) of the *Local Government Act 2020*; I, Chris Hastie, General Manager Built and Natural Environment declare that the information contained in the attached document **TENDER EVALUATION TOONGABBIE-COWWARR AND WEIR ROADS RE-CONSTRUCTION AND WIDENING** is confidential because it relates to the following grounds under Section 3(1) of the *Local Government Act 2020*:

- g) private commercial information**, being information provided by a business, commercial or financial undertaking that—
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

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

13. GENERAL MANAGER COMMUNITY AND CULTURE

13.1. COMMUNITY ENGAGEMENT STRATEGY 2021

ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES

PURPOSE

For Council to approve the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

For Council to approve the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices.

BACKGROUND

Under the *Local Government Act 2020*, Victorian councils' community engagement strategies and policies need to be reviewed and adopted.

A key change in the *Local Government Act 2020* is the requirement for councils to engage using 'deliberative' practices for significant strategies and documents including their community vision, council plan, asset plan and finance plan.

The characteristics of deliberative engagement are:

- authentic engagement with the community;
- good representation of the community in engagement activities;
- clear demonstration of how all views have been considered;
- accessible and relevant information available to the community to ensure the decision-making process and the community's level of influence is clear in each instance and that participants are fully informed.

Council's Community Engagement Strategy 2021 and Community Engagement Policy have been reviewed and updated to incorporate deliberative practices. Both documents were released for community feedback for a seven-week public consultation period from 17 December 2020 to 4 February 2021.

The objectives of the updated Community Engagement Strategy and Policy are to:

- strengthen representation in decision making
- ensure the community understands how, when, and why they can expect Council staff to engage with them on issues of importance to them.

- ensure all Wellington Shire Council staff understand and can deliver on the commitment by Council to involve the public in the decision-making process about issues that affect them.
- ensure all Wellington Shire Council staff operate under the same code of conduct and set of guiding principles thereby bringing consistency and understanding to any community engagement process.

ATTACHMENTS

1. Community Engagement Policy 16.2.2020 [**13.1.1** - 2 pages]
2. Community – Engagement - Strategy 22.2.2021 [**13.1.2** - 16 pages]

OPTIONS

Council has the following options available:

1. Approve the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices; or
2. Not approve the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices and seek further information.

PROPOSAL

That Council approves the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

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

COMMUNICATION IMPACT

The Community Engagement Strategy 2021 and Community Engagement Policy will be made publicly available via Council's web page.

Both documents will be used to shape and improve engagement practice across council, which will be evidenced in the 'Your Wellington, Your Say' online engagement portal, as well as a range of other communication methods both electronically and in person.

LEGISLATIVE IMPACT

In Victoria, the *Local Government Act 2020* requires councils to review their Community Engagement Policy and to incorporate the concept of 'deliberative engagement'. Wellington

Shire Council has delivered this content in the form of a strategy which the policy document refers to. This approach has been taken because the strategy is a document that is easier for the community to read and understand and which can explain Council's approach in more detail than the policy format.

COUNCIL POLICY IMPACT

The Community Engagement Policy has been updated as a part of this review. Process improvements to support the updated policy will be developed following its adoption.

COUNCIL PLAN IMPACT

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

Strategic Objective 6.2: *"Community engagement and customer service excellence is central to Council's decision making process."*

Strategy 6.2.1: *"Provide proactive, quality customer service to all stakeholders."*

Strategy 6.2.2: *"Actively engage with both internal and external stakeholders to appropriately inform about council business."*

Strategy 6.2.3: *"Ensure sound processes are in place to facilitate input into Council deliberations and decision making."*

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

RESOURCES AND STAFF IMPACT

Depending on the extent of community engagement process improvements to support the updated policy, effectively delivering process improvements and engagement training may require internal resourcing that has not currently been allocated. The level of reform to current processes will need to be balanced against available resources.

COMMUNITY IMPACT

This is a significant strategy for improved community 'voice' and relationships with Council. Successful delivery of this strategy and policy, via community engagement process improvements will:

- strengthen community representation in decision-making,
- give the community more opportunity to understand how, when, and why they can expect Council staff to engage with them about issues of importance to them,
- support Wellington Shire Council staff to understand and deliver on our commitment to involve the public in the decision-making process about issues which affect them, and
- ensure all Wellington Shire Council staff operate under the same set of guiding principles thereby improving consistency and understanding for any community engagement process.

ENVIRONMENTAL IMPACT

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

ENGAGEMENT IMPACT

The adoption of the Community Engagement Strategy and Policy will lead to improved engagement practices and processes by Council officers.

RISK MANAGEMENT IMPACT

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

COMMUNITY ENGAGEMENT POLICY

Policy Number:	5.1.6
Approved by:	Council
Date Approved:	
Date of Next Review:	
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	General Manager Community & Culture
Statutory Reference:	<i>Local Government Act 2020</i>

OVERVIEW

The purpose of this policy is to establish the expectations on Wellington Shire Council staff in conducting effective community engagement during council planning, decision making and management of projects.

THE POLICY

Staff at Wellington Shire Council will conduct genuine and effective engagement that involves those who will be impacted by decisions and projects at the right level for the issue being engaged on.

Individual Responsibilities

It is the responsibility of all staff to follow appropriate processes for effective community engagement.

Responsibilities for Managers and Supervisors

It is the responsibility of Managers and Supervisors to ensure staff follow the appropriate processes and store community engagement plans for audit.

The Community Engagement Process

The Wellington Shire Council approach to engagement is set out in the Community Engagement Strategy 2021 and associated processes.

The Community Engagement Strategy 2021 provides:

- meaning to the term community engagement
- meaning to the term deliberative engagement;
- the context in which community engagement is undertaken;
- core values in community engagement; and
- an explanation of why community engagement is an effective way of doing business leading to better outcomes for the organisation and the community.

Wellington Shire Council will update templates and resources to assist staff with delivering community engagement plans that align with this policy and with the Community Engagement Strategy 2021. These resources will support an effective and consistent approach to community engagement across the organisation.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	To be updated during 2021
Strategy	Wellington Shire Council Community Engagement Strategy 2021



COMMUNITY ENGAGEMENT STRATEGY

2021

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**ALONE WE CAN DO SO LITTLE;
TOGETHER, WE CAN DO SO MUCH**
[HELEN KELLER]

Wellington Shire Council acknowledges the Gunaikurnai people as the Traditional Owners of the land now known as Wellington Shire. We pay our respects to Elders both past and present.

EXECUTIVE SUMMARY

In 2017 we came to the community with the promise that Wellington Shire Council is committed to genuine and effective community engagement in council planning and decision making. This has not changed as we update our Community Engagement Strategy in 2021 to meet the requirements of the *Local Government Act 2020*. Good engagement allows Council and those with whom it engages to understand wider perspectives and aspirations of communities and to look at alternative solutions. Community Engagement processes also provide the basis for productive relationships, improved dialogue and deliberation, and ultimately, better democracy.

This Community Engagement Strategy applies to all of Council's work – our projects, services, programs, infrastructure, facilities, and spaces – and guides those working within Wellington Shire Council to design appropriate community engagement. The deliberative engagement approach included in the strategy particularly applies to the development of our community vision, council plan, financial plan, asset plan and financial management including revenue and rate planning. Deliberative engagement principles and the varied engagement approaches outlined in this strategy apply to all the ways Council reaches out to our community.

Alongside this strategy will sit a refreshed set of tools to assist Council staff in planning, preparing, implementing, and reporting on community engagement processes.

Wellington Shire is home to over 44,000 people who live across more than 30 communities that range in size from a handful of people to 14,000 in the major centre of Sale. The needs of these people and communities differ and must be considered in different ways.

The *Local Government Act 2020* outlines principles for community engagement and tasks Councils to be 'deliberative' about how they engage in a two-way conversation with their community. It is up to each Council, in partnership with their community, to define how this will look and feel.

In reviewing the Strategy for 2021, it was recognised that Wellington Shire Council has already built many of the best-practice expectations of engagement into our existing approach. However, some of the key learnings over the past four years have been the importance of:

- 1. Ensuring that decisions are not 'pre-decided' before the community is consulted. There must be a meaningful ability to influence the outcome of the consultation for it to be valuable.**
- 2. Closing the feedback loop in community engagement processes, and;**
- 3. The development of and commitment to consistent community engagement practices across the organisation.**

OBJECTIVES

The Objectives of the Community Engagement Strategy are to:

- Strengthen representation in decision-making.
- Ensure the community understands how, when, and why they can expect Council staff to engage with them on issues of importance to them.
- Ensure all Wellington Shire Council staff understand and can deliver on the commitment by Council to involve the public in the decision-making process about issues that affect them.
- Ensure all Wellington Shire Council staff operate under the same code of conduct and set of guiding principles thereby bringing consistency and understanding to any community engagement process.

This Strategy acknowledges that many of Council's engagement activities are dictated by statutory requirements e.g., minimum public notice requirements for permit applications. Where statutory requirements and Community Engagement Strategy requirements come into conflict, statutory requirements will be followed.



WHAT IS COMMUNITY ENGAGEMENT?

The International Association for Public Participation (IAP2), the recognised international leader in community engagement, provides the following definition:


Community engagement is ‘any process that involves the public in problem solving or decision-making and uses public input to make decisions’.

Section 56 of the *Local Government Act 2020* gives further definition around community engagement.

- a) a community engagement process must have a **clearly defined objective and scope**;
- b) participants in community engagement must have **access to objective, relevant and timely information** to inform their participation;
- c) participants in community engagement must be **representative of the persons and groups affected** by the matter that is the subject of the community engagement;
- d) participants in community engagement are entitled to **reasonable support to enable meaningful and informed engagement**;
- e) participants in community engagement are **informed of the ways in which the community engagement process will influence Council decision making**.

Depending on the situation, engagement can be formal or informal, direct or indirect, with the community or within the organisation.

IAP2 has developed core values for community engagement, which Council has adopted and are committed to using in the development and implementation of community engagement processes.



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WHAT IS ‘DELIBERATIVE’ ENGAGEMENT?

The *Local Government Act 2020* requires councils to use deliberative engagement to consult with the community on key strategic documents like the community vision, council plan, financial plan, asset plan and financial management including revenue and rate planning.

Deliberative engagement is not defined in the Act as it is not a fixed notion. Instead, it is grounded in the community engagement principles and is an authentic and transparent commitment to involve the community in decision-making around significant documents and strategies.

Deliberation is an approach to decision-making where citizens consider facts from multiple points of view, talk with each other to think critically about options and enlarge their perspectives, opinions and understandings.

Deliberative engagement places a greater expectation on Council to collaborate with the community and to have a two-way conversation. However, this is balanced by the greater responsibility the community bears in the co-design of strategies, plans and projects.

Wellington Shire Council commits to using deliberative engagement principles as described in the tables on pages 11 and 12.

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WHY IS COMMUNITY ENGAGEMENT IMPORTANT?

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It is now widely recognised that community engagement is an effective way of doing business, leading to better outcomes for the organisation and community.

When using community engagement as our primary approach in working externally and internally, Council:

- Enables our community to work together and respond on issues that matter to them.
- Provides opportunity to build stronger relationships between Council and the community it serves.
- Builds on the communities understanding of Council's role and responsibilities as well as our financial and legislative requirements.
- Improves outcomes through the early identification of issues.
- Improves the quality of service delivery and policy development, to ensure they reflect the needs, interests, and values of community.

COMMUNITY ENGAGEMENT DOES/ DOES NOT



Community engagement **DOES**:

1. Assume that the community have a right to be involved in decisions about actions that could affect their lives.
2. Include the promise that the community's contribution will influence the decision.
3. Promote sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers.
4. Seek out and facilitate the involvement of those potentially affected by or interested in a decision.
5. Seek input from participants in designing how they participate.
6. Provide participants with the information that they need to participate in a meaningful way.
7. Communicate to participants how their input will affect the decision.



Community engagement **DOES NOT**:

1. Take away decision making powers from councillors or the organisation. It adds value to the process by increasing understanding of the issues and adding local context knowledge.
2. Involve gaining community input where a decision has already been made or where the community cannot effectively influence a final decision.
3. Engage on matters that are outside the scope of influence of the community. Constraints, limitations, and non-negotiables will be made clear from the start.
4. Involve a process that expects participants to agree. Instead, it is an open process that creates opportunities to explore and discuss options, alternatives, needs and requirements, problem solve and reach consensus.
5. Apply a rigid model or approach to every project. Community engagement must be flexible, open, and responsive, and should be tailored to each project.

WHO DO WE ENGAGE WITH?

To ensure that all voices are heard on a given topic, it is important that Council is mindful of the varying communities of interest that may be impacted by a decision. The table below identifies the different groups Council may engage with:

INDUSTRY AND BUSINESS

Those that are in a business or are involved in an industry which is directly affected or have an interest in Council decisions, projects, and plans.

COUNCIL STAFF

Anyone who is involved in community engagement activities including Councillors, council management and officers, contractors and consultants associated with Council.

COMMUNITY STAKEHOLDERS

Those identified as being directly affected by the decision or those with an interest in a plan, project or decision made by Council.

GOVERNMENT AND NON-GOVERNMENT AGENCIES

Including health, education, aged care, family services, emergency services, various government departments, youth, disability services, child support services and Aboriginal services.

FUNDING PARTNERS

Organisations that provide sponsorship or funding to support the delivery of programs, services, capital projects and other initiatives.

COMMUNITY GROUPS AND ORGANISATIONS

Those that provide a local service or work directly with community groups and organisations representing the views of their sector including sporting groups, special interest groups and place-based interest groups.

COMMUNITY

The people who live within the shire including individuals that work, visit, and invest in the municipality.

The general public includes residents, ratepayers, landowners, service users, workplace communities, ethnic and religious communities, Aboriginal communities, age-based groups, people with a disability and those who have an interest in Wellington Shire Council.

DECISION-MAKING

Decision-making in Local Government is the responsibility of elected Councillors. Councillors by the very nature of the *Local Government Act 2020* are ultimately responsible for the decisions of Council and to that end are unable to assign full decision-making responsibilities to non-elected individuals. Wellington Shire Council believes that our community can experience the level of 'empower' (or empowerment) in decision-making, when it elects Council every four years.

Council engagement is therefore focussed in four out of the five IAP2 engagement levels – inform, consult, involve and collaborate. In all engagement processes Council will be clear in naming the level of engagement that will be used.

Deliberative engagement practices, where two-way conversation to strongly inform decision-making takes place, will be used for significant documents like the community vision, council plan, financial plan, asset plan and financial management including revenue and rate planning.





LEVELS OF ENGAGEMENT

Different issues and situations will call for different engagement methods. The table below shows a scalable approach to engagement, demonstrating examples of the different levels of engagement and associated methods that might be used. Engagement may be conducted online or in person depending on the issue and the people being engaged with.

Level of Engagement	Example of projects	Possible engagement methods
High level strategic work <i>(Involve, collaborate)</i>  	<ul style="list-style-type: none"> • Community Vision • Council Plan • Financial Plan • Asset Plan • Municipal Public Health and Wellbeing Plan 	<ul style="list-style-type: none"> • Online discussion forum tools • Project steering groups • Working groups/ special interest/ user groups • Representative advisory committee • Workshops • Public 'drop in' sessions or meetings
Medium level strategic work <i>(Consult, involve)</i>  	<ul style="list-style-type: none"> • Local laws • Policy and strategy development e.g. Gender Equity Policy • Budget • Selling or exchanging land • Large projects e.g. Wedge redevelopment 	<ul style="list-style-type: none"> • Project steering group • Round table discussions, possibly a representative panel • Online survey or discussion forum tools • Public 'drop in' sessions • Neighbourhood meetings • Seek public submissions • Focus groups
Local or small-scale projects <i>(Inform, consult)</i>  	<ul style="list-style-type: none"> • Recreation reserve re-developments • Special charge schemes • Australia Day awards • Hard waste collection schedule 	<ul style="list-style-type: none"> • Letters and emails to residents • Meetings with stakeholders • Online project update or survey tools • Wellington Matters • Wellington News • Social media updates • Shopping centre displays



COMMUNITY FEEDBACK

A draft of this strategy was released for a 7-week public consultation between December 2020 and February 2021. Community members had detailed discussions and provided feedback on the strategy and Council's engagement practices via an online survey, two online discussion sessions and three in-person discussion sessions held in Maffra, Sale and Yarram.

There was a low response to the engagement, with 25 people completing the survey and 9 people attending the discussion sessions. Some of the reasons for this low response could be:

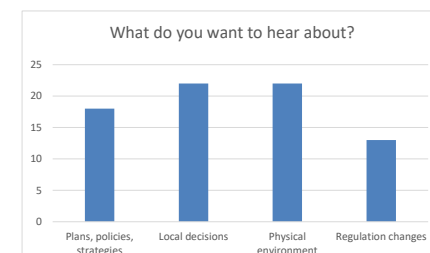
- Time of year (exacerbated by a long experience of COVID-19 lockdowns having been lifted for summer)
- Content (engaging about engagement may not have seemed meaningful or applicable for some people, in the same way discussing an infrastructure project does)
- People who attended the discussions indicated some in the community do not feel they will be listened to by Council and so would not bother attending.

We heard that Council should:

- Seek me out
- Interact throughout a project not just at the start, and follow up with what happened to feedback, even if it's not implemented.
- Make consultation easy and informal: Strategies should be presented simply; with short summaries the community can understand. Council should also advertise the content and significance of Council meetings in a way that is easier to understand.
- Listen and use community feedback: Don't engage if decisions are already made and don't just listen to the loudest voices. Start with a blank slate and give us the constraints; don't bring a design or plan to the community that's already been decided on
 - The community should have more input than small tweaks
 - Local lived experience is valuable
 - People stop engaging when they don't feel listened to. They don't trust enough to come next time.
- Ensure facility developments consult with the broader community, not just user groups
- Link projects together, so the community can see the bigger picture or wholistic view for their place into the future
- Be present and talking to the community regularly, not just for specific projects
- Make sure smaller towns are listened to as well

We heard that the community is responsible for good engagement too, not just Council. This means we all need to leave our emotions at the door and community members need to seek out opportunities to be involved in discussion and make sure they are open to other people's ideas and priorities.

Some members of the community expressed their disappointment that Community Planning Groups are no longer supported by Council.



CHANGES BASED ON FEEDBACK

Much of the feedback the community gave during the consultation period reflected the principles and values that are already captured inside this strategy. This helps to give confidence that the strategy is on the right track and reflects community expectations about how Council should be communicating with them and involving them in decision-making.

It is important to make sure that the approach of every Council officer matches the commitment made by Council inside this strategy. To support that, the focus for change will be on additional training and support for Council staff to be able to understand and deliver on good engagement, as outlined above.

Key changes:

1. Provide leadership to support staff to have a more collaborative approach to decision-making:
 - Emphasise that asking for feedback when you've already decided the outcome makes people feel disempowered.
 - Where possible, officers should start with conversations about issues, include constraints and move to solutions *with* the community
 - Support staff to understand when it is appropriate to 'inform' that a decision has been made and when it is more important to 'consult' and 'collaborate' to arrive at a decision together with the community.
2. Refresh process training with staff around the key stages of engagement:
 - Identify all affected people and groups and provide information they can access
 - Put yourself in the shoes of the community and communicate in a way everyone can understand, providing clear, timely information about the project and what role the community have
 - Understand the value of local knowledge and lived experience and support people to have a meaningful and informed conversation
 - Close the loop on what is happened after consultation to ensure the community understand how their feedback has impacted decision-making.

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KEEPING ENGAGEMENT AT THE FRONT OF COUNCIL ACTIVITY

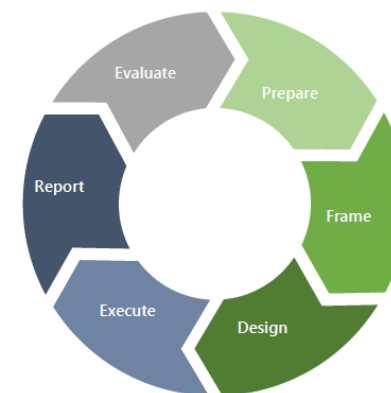
A toolkit and action plan will support the delivery of genuine and effective community engagement across council. It will follow a six-step process to allow us to prepare, frame, design and execute the engagement process. After that we will report back to the community about what was decided and why and then evaluate the results of that engagement to ensure we can learn from what occurred.

Essential to the successful implementation of the strategy will be the training and development of Council staff in the processes of community involvement. Processes will be re-defined during 2021 to ensure that Council is able to appropriately meet both the spirit and the delivery of this strategy.

Measuring success

To be successful, this strategy must lead to improvements in Community Engagement practice.

Strategic objectives	Measure through
Strengthen representation in decision-making.	Improvement against the annual Community Satisfaction Survey 2020 results benchmark: Community decisions: 58 Consultation and engagement: 57
Ensure the community understands how, when, and why they can expect Council staff to engage with them on issues of importance to them.	
Ensure all Wellington Shire Council staff understand and can deliver on the commitment by Council to involve the public in the decision-making process about issues that affect them.	% of staff completing engagement training annually. Annual audit of community engagement plans against all relevant projects delivered across Council. Areas of focus:
Ensure all Wellington Shire Council staff operate under the same code of conduct and set of guiding principles thereby bringing consistency and understanding to any community engagement process.	<ul style="list-style-type: none"> • Was appropriate planning conducted? • Was the appropriate level of engagement used? • Was the outcome reflective of the engagement?





Sale Service Centre

18 Desailly Street (PO Box 506), Sale Victoria 3850
Tel 1300 366 244

Yarram Service Centre

156 Grant Street, Yarram Victoria 3971
Telephone 03 5182 5100

Web www.wellington.vic.gov.au

Email enquiries@wellington.vic.gov.au



Used in the development of this strategy we recognise the work of:

- Rural Councils Victoria and Projectura
- City of Monash
- International Association for Public Participation (IAP2)
- Launceston City Council
- Engaging Canberrans: A guide to Community Engagement
- Warringah Council



THIS DOCUMENT IS DESIGNED TO BE VIEWED DIGITALLY. PLEASE THINK BEFORE YOU PRINT!

14. FURTHER GALLERY AND ONLINE 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.

ONLINE COMMENTS –

GALLERY COMMENTS –

Meeting declared closed at:

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

15. IN CLOSED SESSION

COUNCILLOR

That the meeting be closed to the public pursuant to Section 66(2) of the Local Government Act 2020 to consider matters under Section 66(5)(b) as defined by Section 3(1) being:

- a) Council business information***
- b) Security information***
- c) Land use planning information***
- d) Law enforcement information***
- e) Legal privileged information***
- f) Personal information***
- g) Private commercial information***
- h) Confidential meeting information***
- i) Internal arbitration information***
- j) Councillor Conduct Panel confidential information***
- k) Information prescribed by the regulations to be confidential information***
- l) Information that was confidential information for the purposes of section 77 of the Local Government Act 1989***

IN CLOSED SESSION

COUNCILLOR

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