



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

## **COUNCIL MEETING AGENDA ORDINARY MEETING**

**Meeting to be held at**

**Wellington Centre – Wellington Room**

**Foster Street, Sale**

**and via MS Teams**

**Tuesday 5 April 2022, commencing at 3:00 PM**

**or join Wellington on the Web:  
[www.wellington.vic.gov.au](http://www.wellington.vic.gov.au)**

**ORDINARY MEETING OF COUNCIL  
TABLE OF CONTENTS**

<b>0.1. TABLE OF CONTENTS .....</b>	<b>2</b>
<b>1. APOLOGIES .....</b>	<b>5</b>
<b>2. DECLARATION OF CONFLICT/S OF INTEREST .....</b>	<b>5</b>
<b>3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S.....</b>	<b>5</b>
3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING .....	5
<b>4. BUSINESS ARISING FROM PREVIOUS MEETINGS .....</b>	<b>6</b>
<b>5. ACCEPTANCE OF LATE AND URGENT ITEMS .....</b>	<b>6</b>
<b>6. NOTICE/S OF MOTION .....</b>	<b>6</b>
<b>7. RECEIVING OF PETITION OR JOINT LETTERS.....</b>	<b>6</b>
7.1. OUTSTANDING PETITIONS .....	6
<b>8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS .....</b>	<b>7</b>
<b>9. QUESTION/S ON NOTICE .....</b>	<b>7</b>
9.1. OUTSTANDING QUESTION/S ON NOTICE.....	7
<b>10. DELEGATES REPORT.....</b>	<b>8</b>
<b>11. GENERAL MANAGER CORPORATE SERVICES .....</b>	<b>9</b>
11.1. ASSEMBLY OF COUNCILLORS.....	9
11.2. AUDIT & RISK COMMITTEE MINUTES.....	14
11.3. APPROVAL OF INSTRUMENTS OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987 ONLY) - LAURA POSPISIL, STATUTORY PLANNER .....	25
<b>12. GENERAL MANAGER DEVELOPMENT .....</b>	<b>31</b>
12.1. QUARTERLY BUILDING REPORT - OCTOBER TO DECEMBER 2021.....	31
12.2. QUARTERLY STRATEGIC LAND USE PLANNING UPDATE - Q1 2022.....	39
<b>13. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT .....</b>	<b>48</b>

13.1. PARK AVENUE COWWARR SPECIAL CHARGE SCHEME - INTENTION TO  
DECLARE .....48

**14. GENERAL MANAGER COMMUNITY AND CULTURE .....69**

14.1. COUNCIL COMMITTEES AND COMMITTEES OF MANAGEMENT HIGHLIGHTS.....69

**15. FURTHER GALLERY AND ONLINE COMMENTS.....74**

**16. IN CLOSED SESSION .....75**

## COUNCIL MEETING INFORMATION

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*Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the online webform 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.*

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## ACKNOWLEDGEMENT OF COUNTRY

*"We acknowledge the traditional custodians of this land, the Gunaikurnai people, and pay respects to their Elders past and present"*

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## 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 15 March 2022.

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

#### **RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 15 March 2022.*

#### **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**

<b>ITEM</b>	<b>FROM MEETING</b>	<b>COMMENTS</b>	<b>ACTION BY</b>
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**

<b>ITEM</b>	<b>FROM MEETING</b>	<b>COMMENTS</b>	<b>ACTION BY</b>
COVID-19 Public Health Approach	15 March 2022	A petition was received requesting Council revise its approach to COVID-19 public health management and take a more pro-choice approach to vaccinations.	Manager Regulatory Services

**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 7 March 2022 to 27 March 2022.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

*That Council note and receive the attached Assembly of Councillor records for the period 7 March 2022 to 27 March 2022.*

#### 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 is kept informed of Councillors' activity and participation.

Following is a summary of all Assembly of Councillor records received for the period 7 March 2022 to 27 March 2022.

#### ATTACHMENTS

1. Assembly of Councillors - Council Day - 15 March 2022 [11.1.1 - 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 7 March 2022 to 27 March 2022.

## **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**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

## **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 – 15 MARCH 2022

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 McKenzie ( <i>via MS Teams</i> )	Yes	Cr Wood	Yes	N/A
	Cr Maher	Yes	David Morcom, CEO	Yes	N/A
	Cr Ripper	Yes	Viktoria Pope, EA CEO	Yes	N/A
	Cr Rossetti	Yes	Damian Norkus, ICT Operations Officer	Yes	N/A

MEETING	COUNCILLORS AND OFFICERS IN ATTENDANCE				CONFLICT/S OF INTEREST OR ACTION ITEMS
	Name	Attendance	Name	Attendance	
Workshops	Cr Bye	Yes	Cr Tatterson	Yes	N/A
	Cr Crossley	Yes	Cr Wood	Yes	N/A
	Cr McKenzie ( <i>via MS Teams</i> )	Yes	David Morcom, CEO	Yes	N/A
	Cr Maher	Yes	Arthur Skipitaris, GM Corporate Services	Yes	N/A
	Cr Ripper	Yes	Julie Foat, GM Community & Culture	Yes	N/A
	Cr Rossetti	Yes	Chris Hastie, GM Built & Natural Environment	Yes	N/A
	Cr Stephens	Yes	Brent McAlister, GM Development	Yes	N/A

	MATTERS/ITEMS CONSIDERED AT THE MEETING	OTHERS IN ATTENDANCE
Workshops (cont.)	1. DAWSON ST, SALE PUBLIC ACQUISITION OVERLAY – FUTURE USE OF SITE	<ul style="list-style-type: none"> <li>Joshua Clydesdale, Manager Land Use Planning</li> </ul> <i>Conflict of Interest: Nil</i>
	2. 2022/23 CAPITAL PROGRAM PART 3	<ul style="list-style-type: none"> <li>Dean Morahan, Manager Assets and Projects</li> </ul> <i>Conflict of Interest: Nil</i>
	3. PROPOSED WIND FARM - NEOEN (LOY YANG)	<ul style="list-style-type: none"> <li>Damien Hegarty, State Leader (Vic) – Neoen (external via MS Teams)</li> <li>Nathan Kelly, Project Manager – Neoen (external)</li> </ul> <i>Conflict of Interest: Nil</i>
	4. GIPPSLAND REGIONAL LIVESTOCK EXCHANGE 6 MONTHLY UPDATE - JULY TO DECEMBER 2021	<ul style="list-style-type: none"> <li>Kate Foster, Manager Economic Development</li> <li>Daniel Gall, Coordinator Commercial Property</li> <li>Rebecca Shaw, GRLE Team Leader</li> </ul> <i>Conflict of Interest: Nil</i>
	5. COUNCIL COMMITTEES AND COMMITTEES OF MANAGEMENT HIGHLIGHTS	<ul style="list-style-type: none"> <li>Julie Foat, General Manager Community and Culture</li> </ul> <i>Conflict of Interest: Nil</i>
	6. DEVELOPMENT DIVISION UPDATE: PLANNING, MUNICIPAL & ECONOMIC DEVELOPMENT	<ul style="list-style-type: none"> <li>Brent McAlister, General Manager Development</li> <li>Kate Foster, Manager Economic Development</li> <li>Joshua Clydesdale, Manager Land Use Planning</li> <li>Vanessa Ebsworth, Manager Regulatory Services</li> </ul> <i>Conflict of Interest: Nil</i>
	7. 90 MILE BEACH IMPLEMENTATION PLAN UPDATE	<ul style="list-style-type: none"> <li>Joshua Clydesdale, Manager Land Use Planning</li> <li>Kim Phillips, Coordinator Major Land Use Planning Projects</li> </ul> <i>Conflict of Interest: Nil</i>
	8. SALE WESTERN GROWTH AREA DEVELOPMENT PLAN (WURRUK)	<ul style="list-style-type: none"> <li>Joshua Clydesdale, Manager Land Use Planning</li> <li>Barry Hearsey, Coordinator Strategic Planning</li> </ul> <i>Conflict of Interest: Nil</i>
	9. AMENDMENT C109 - PLANNING SCHEME REWRITE	<ul style="list-style-type: none"> <li>Joshua Clydesdale, Manager Land Use Planning</li> </ul> <i>Conflict of Interest: Nil</i>

## 11.2. AUDIT & RISK COMMITTEE MINUTES

### ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

#### PURPOSE

To receive and note the minutes of the Audit & Risk Committee meeting held on 7 March 2022.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

***That:***

- 1. Council receive and note the minutes in brief of the Audit & Risk Committee 7 March 2022 (as attached) and the confidential attachment Audit & Risk Committee Minutes of 7 March 2022; and***
- 2. The information contained in the confidential document Audit & Risk Committee Minutes of 7 March 2022 of this Council meeting agenda and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the Chief Executive Officer on 17 March 2022 because it relates to the following grounds: e) legal privileged information; and l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.***

#### BACKGROUND

Council maintains an Audit & Risk Committee in accordance with section 53 of the *Local Government Act 2020*. The Audit & Risk Committee is an independent advisory Committee to Council and its primary objective is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development. Minutes of the Audit & Risk Committee are reported direct to Council.

A copy of the minutes in brief from the Audit & Risk Committee meeting of 7 March 2022 is attached and is provided for the information of Council and the public in general.

#### ATTACHMENTS

1. Audit & Risk Committee Minutes - 7 March 2022 - Minutes in Brief [11.2.1 - 7 pages]
2. Confidential Header Audit & Risk Committee Minutes [11.2.2 - 1 page]
3. CONFIDENTIAL REDACTED - Audit & Risk Committee Minutes - 7 March 2022 - Full Minutes [11.2.3 - 181 pages]

## **OPTIONS**

Council has the following options available:

1. To receive and note the minutes from the Audit & Risk Committee meeting of 7 March 2022 or
2. To seek further information and consider the minutes at a future meeting.

## **PROPOSAL**

To receive and note the minutes of the Audit & Risk Committee meeting held on 7 March 2022.

## **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 *Local Government Act 2020*, section 53(1) requires Council to establish an audit committee. Council's Audit & Risk Committee is an Advisory Committee to Council and operates within the Terms of Reference and Charter adopted by Council.

The Audit & Risk Committee Terms of Reference require the minutes of the Audit & Risk Committee to be forwarded to an ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.

This report complies with the legislative requirements and the Audit & Risk Committee Terms of Reference requirements.

## **COUNCIL POLICY IMPACT**

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

## **COUNCIL PLAN IMPACT**

The Council Plan 2021-25 Theme 4 "Services and Infrastructure" states the following strategic outcome:

**Strategic Outcome 4.1:** *"A financially sustainable, high performing organisation."*

This report supports the above Council Plan strategic outcome.

### **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**

The Audit & Risk Committee Charter identifies the management of risk as one of the primary objectives of the Audit & Risk Committee. The Audit & Risk Committee monitors the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems in place.

**WELLINGTON SHIRE COUNCIL AUDIT & RISK COMMITTEE MINUTES IN  
BRIEF – 7 MARCH 2022**

Present: Mr Chris Badger (Chair) (via Teams)  
Ms Sarah Heath (via Teams)  
Mr Tony Smith (via Teams)  
Councillor Marcus McKenzie (temporary Chair Items 1 – 6)  
Councillor Ian Bye

In attendance: Mr David Morcom (Chief Executive Officer)  
Mr Arthur Skipitaris (General Manager Corporate Services)  
Mr Ian Carroll (Manager Corporate Finance) (via Teams)  
Ms Irene Hills-Jones, HLB Mann Judd (via Teams)  
Mr Kapil Kukreja, HLB Mann Judd (via Teams)  
Mr Phillip Phillipou, Manager Information Services  
Mr Marcus Vella, Manager People & Capability  
Mrs Sheryl Saynor (Executive Support Officer)

1. **Welcome**

2. **Apologies** - Councillor Garry Stephens

3. **Closure of Meeting to Public:-**

*Councillor McKenzie/Sarah Heath*

*That the meeting be closed to the public under Section 66(5) of the Local Government Act 2020 to discuss legal privileged information and information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

**CARRIED**

4. **Declaration of Conflict(s) of Interest:-**  
Nil

5. **Adoption of Previous Minutes – 24 November 2021:-**

*Councillor McKenzie/Sarah Heath*

*That the Committee adopt the minutes of the previous meeting held on 24 November 2021.*

**CARRIED**

6. **In Camera Session (to be conducted at 1.30pm)**

7. **Election of Chairperson**

The election of the Chair occurred during In Closed Session and Chris Badger was elected as Chair.

**Councillor Bye/Tony Smith**

***That the Audit & Risk Committee recommend to Council that Chris Badger be appointed as Chairperson.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

**8. Action Items from Previous Minutes**

**Sarah Heath/Councillor McKenzie**

***That the Audit & Risk Committee recommend to Council that it receive the report.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

**9. Internal Audit Report – Organisational/Legislative Compliance**

**Tony Smith/Sarah Heath**

***That the Audit & Risk Committee recommend to Council that it receive the report.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

Irene and Kapil left the meeting at 2.32pm.

**10. Status of Audit Recommendations**

**Councillor McKenzie/Sarah Heath**

***That the Audit & Risk Committee recommend to Council that it receive the report.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

11. Status of Identified Improvements from various Agencies

**Councillor McKenzie/Tony Smith**

*That the Audit & Risk Committee recommend to Council that it receive the report.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(I) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

12. Review of Council Policies

**Tony Smith/Sarah Heath**

*That the Audit & Risk Committee recommend to Council that the suggested changes be incorporated into the policies prior to the next approval by Council or Chief Executive Officer.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(I) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*Be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

13. VAGO Assurance Review: Council Waste Management Services

**Councillor McKenzie/Tony Smith**

*That the Audit & Risk Committee recommend to Council that it receive the report.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(I) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

14. VAGO Report: Results of 2020-21 Audits: Local Government

**Councillor Bye/Councillor McKenzie**

*That the Audit & Risk Committee recommend to Council that it receive the report.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(I) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

15. Update on VAGO Report: Sexual Harassment in Local Government

**Tony Smith/Councillor McKenzie**

***That the Audit & Risk Committee recommend to Council that it receive the report.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

Marcus Vella left the meeting at 3.28pm.

**16. Update on establishment of new Organisational Performance and Governance team**

**Councillor Bye/Tony Smith**

***That the Audit & Risk Committee recommend to Council that it receive the report.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

**17. Update on Strategic Risks**

**Tony Smith/Sarah Heath**

***That the Audit & Risk Committee recommend to Council that it receive the report.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

**18. Conflict of Interest and Conflict of Duty**

**Councillor McKenzie/Councillor Bye**

***That the Audit & Risk Committee recommend to Council that it receive the report.***

***That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:***

***(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

***be designated confidential information under Clause 3(1) of the Local Government Act 2020.***

**CARRIED**

**19. Related Party Transactions**

**Sarah Heath/Councillor McKenzie**

*That the Audit & Risk Committee recommend to Council that it receive the report.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

**20. CEO Credit Card Expenditure**

*Tony Smith/Councillor Bye*

*That the Audit & Risk Committee recommend to Council that it receive the report.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

**21. Information Services & Cyber Security Update**

*Councillor Bye/Tony Smith*

*That the Audit & Risk Committee recommend to Council that it receive the report.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*be designated confidential information under Clause 3(1) of the Local Government Act 2020*

**CARRIED**

Phillip Phillipou left the meeting at 4.03pm.

**22. Financials**

*Councillor McKenzie/Sarah Heath*

*That the Audit & Risk Committee recommend to Council that it receive the report.*

*That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

**23. Fraud Report**

*Tony Smith/Councillor McKenzie*

*That the Audit & Risk Committee recommend to Council that it receive the report.  
That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*  
*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*  
*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

**24. Excessive Staff Leave**

*Tony Smith/Councillor Bye  
That the Audit & Risk Committee recommend to Council that it receive the Report.  
That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*  
*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*  
*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

**25. Current Key Risk Matters**

*Sarah Heath/Councillor McKenzie  
That the Audit & Risk Committee recommend to Council that it receive the report.  
That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*  
*e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;*

**CARRIED**

**26. Insurance Report**

*Tony Smith/Councillor Bye  
That the Audit & Risk Committee recommend to Council that it receive the report.  
That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*  
*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*  
*be designated confidential information under Clause 3(1) of the Local Government Act 2020.*

**CARRIED**

**27. Register of Commissioned Reports**

*Councillor McKenzie/Sarah Heath  
That the Audit & Risk Committee recommend to Council that it receive the report.  
That the information contained in this document and designated under Section 3(1) Confidential Information of the Local Government Act 2020 as confidential by the Chief Executive Officer on 28 February 2022 because it relates to the following grounds:*

*(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.  
be designated confidential information under Clause 3(1) of the Local Government Act 2020.*  
**CARRIED**

**28. General Business**

Nil

**29. Rotating Assessment of and Feedback on Meeting**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 4.22PM.**



WELLINGTON  
SHIRE COUNCIL

*The Heart of Gippsland*

## ORDINARY COUNCIL MEETING 5 APRIL 2022

On this 17 March 2022, in accordance with Section 3(1) Confidential Information of the *Local Government Act 2020*; I, Arthur Skipitaris (Delegate) declare that the information contained in the attached document **WELLINGTON SHIRE COUNCIL AUDIT & RISK COMMITTEE - MINUTES** is confidential because it relates to the following grounds:

***e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;***

***l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.***

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

### **11.3. APPROVAL OF INSTRUMENTS OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987 ONLY) - LAURA POSPISIL, STATUTORY PLANNER**

#### **ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

#### **PURPOSE**

This report seeks Council's approval for the designated Council Officer responsible for the administration and enforcement of the *Planning and Environment Act 1987* to be appointed and authorised as an Authorised Officer under the provisions and powers of the *Local Government Act 1989* and the *Planning and Environment Act 1987*.

#### **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), section 147(4) of the Planning and Environment Act 1987 and the other legislation referred to in the attached Instruments of Council Resolution and of Appointment and Authorisation, resolve that:***

- 1. Council Officer Laura Pospisil be appointed and authorised as set out in the instruments as provided at Attachments 1 and 2; and***
- 2. The S11A Instrument of Appointment and Authorisation be signed and sealed by the Chief Executive Officer.***

#### **BACKGROUND**

Section 224 of the *Local Government Act 1989* (currently, this remains a saved provision under the 1989 Act and there is no provision under the 2020 Act at this time) provides for the appointment of a Council officer to be an authorised officer for the administration and enforcement of a number of Acts as set out in the S11A Instrument of Appointment and Authorisation. These Acts are allocated based on the responsibilities required of the Authorised Officer and detailed within the instrument.

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 using the S10A Council Resolution instrument (Attachment 1). Previously this authorisation and appointment was achieved through the "Council to Chief Executive Officer" delegation process.

Authorised Officers are appointed under s 147(4) to be an authorised officer for the purpose of the *Planning and Environment Act 1987* and authorised under s 313 of the *Local Government Act 2020*, either generally or in a particular case, to institute proceedings for offences against the Acts and regulations described in Attachment 2.

#### **ATTACHMENTS**

1. S10A - Council Resolution for Appointment and Authorisation under PE Act\_Laura Pospisil\_Statutory Planner [11.3.1 - 1 page]

2. S11A - Instrument of Appointment (P&E Act)\_Laura Pospisil\_Statutory Planner [11.3.2 - 2 pages]

## **OPTIONS**

Council has the following options available:

1. To appoint and authorise Laura Pospisil as an Authorised Officer as outlined in the attached Instruments of Council Resolution and of Appointment and Authorisation, or;
2. To not appoint and authorise Laura Pospisil and seek further clarification and or information.

## **PROPOSAL**

It is proposed that Council appoint and authorise Laura Pospisil as an Authorised Officer as outlined in the attached Instrument of Appointment and Authorisation and under the powers set out in the S10A Council Resolution.

## **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**

Section 147(4) of the *Planning and Environment Act 1987* provides Council with the authority to approve the S11A Instrument of Appointment and Authorisation and authorise the CEO to seal the instrument for immediate effect.

## **COUNCIL POLICY IMPACT**

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

## **COUNCIL PLAN IMPACT**

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

This report supports the above Council Plan strategic outcome.

## **RESOURCES AND STAFF IMPACT**

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

## **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.



Maddocks

Maddocks Delegations and Authorisations

***S10A Council Resolution – Appointment and Authorisation  
(Planning and Environment Act 1987)***

**Council Resolution  
Appointment and Authorisation**

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, Wellington Shire Council (**Council**) **RESOLVES THAT –**

1. The member of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.
2. The instrument comes into force immediately once it is signed by Council's Chief Executive Officer and the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it.
3. The instrument be sealed.

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)**

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

In this instrument "officer" means -

**Laura Pospisil**

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 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- comes into force immediately upon its execution;
- 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 2022 )  
in accordance with Local Law No 1 )  
in the presence of: )

.....  
**DAVID MORCOM**  
**Chief Executive Officer**  
**Wellington Shire Council**

**Date:** ..... / ..... / 2022

## 12. GENERAL MANAGER DEVELOPMENT

### 12.1. QUARTERLY BUILDING REPORT - OCTOBER TO DECEMBER 2021

#### ACTION OFFICER: MANAGER REGULATORY SERVICES

#### PURPOSE

To provide a report to Council on building permits issued in the Wellington Shire during the quarter 1 October 2021 to 31 December 2021, for information.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

*That Council note the report of building permits issued from 1 October 2021 to 31 December 2021.*

#### 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 2021.

Attachments "Graph 1 - Number of Building Permits and Graph 2 - Value of Building Works" provide an historical representation of the number and value of permits issued in Wellington Shire and compares this data against the broader Gippsland region.

For the period 1 October 2021 to 31 December 2021 there were 291 permits issued with an estimated value of work at \$45,261,017.

The major projects include:

- **Macks Creek:** Works at Wulgunggo Ngalu Learning Place (former Won Wron Prison Site)
- **Maffra:** Tennis Club – Alterations and additions to facilities
- **Sale:** NAB Bank – relocation and tenancy fit out
- Land estate areas in Longford, Maffra, Sale and Stratford are continuing to show elevated levels in residential development.

In the previous quarter, 1 July 2021 to 30 September 2021, there were 358 permits issued with an estimated value of work at \$50,088,552.

## **ATTACHMENTS**

1. Graph 1 - Number of Permits [**12.1.1** - 1 page]
2. Graph 2 - Value of Permits [**12.1.2** - 1 page]
3. Wellington Permits Issued [**12.1.3** - 3 pages]

## **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 2021 to 31 December 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**

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 IMPACT**

The Council Plan 2021-25 Theme 4 “Services and Infrastructure” states the following strategic outcome:

**Strategic Outcome 4.3:** *"Well planned and sustainable towns, facilities, and infrastructure that service community need."*

This report supports the above Council Plan strategic outcome.

## **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.

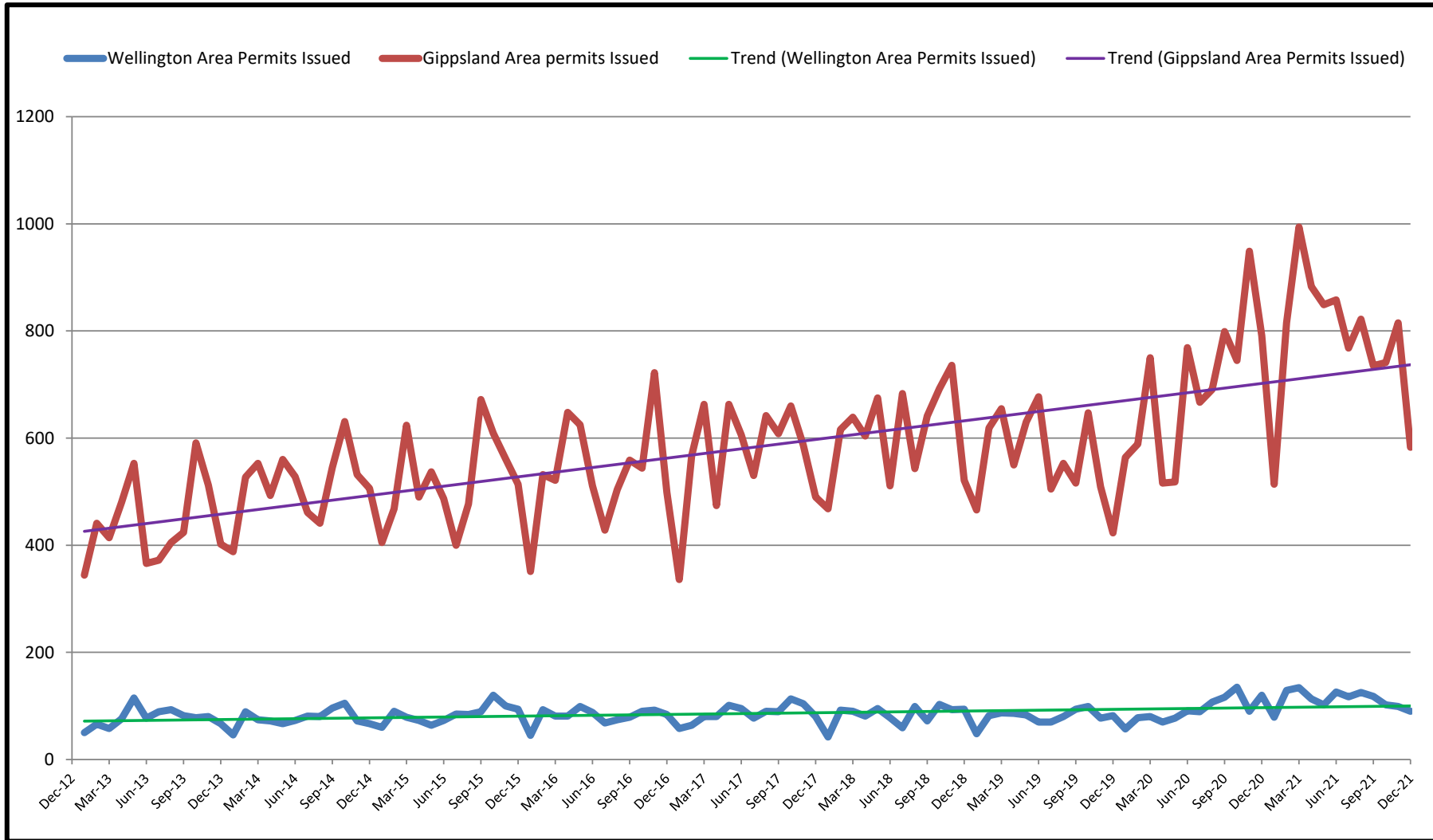
## **ENGAGEMENT IMPACT**

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

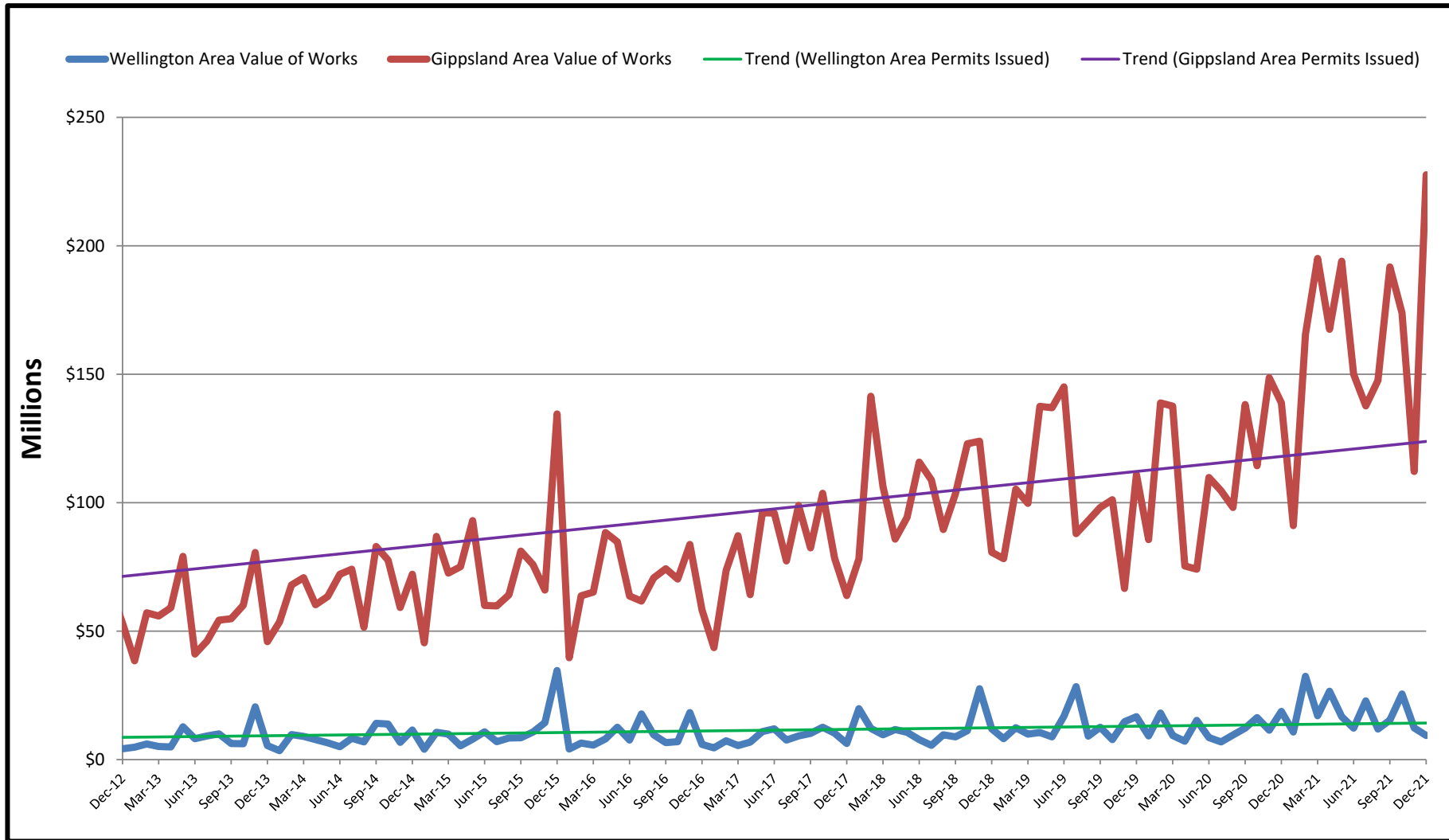
## **RISK MANAGEMENT IMPACT**

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

**GRAPH: NUMBER OF BUILDING PERMITS**



**GRAPH: VALUE OF BUILDING WORKS**



**WELLINGTON PERMITS ISSUED**  
Number of Applications and their Estimated Value Each

	October	November	December	Total
<b>AIRLY</b>	1 \$47,798	0 \$0	0 \$0	1.00 \$47,798
<b>ALBERTON</b>	1 \$19,961	1 \$471,977	1 \$56,500	3.00 \$548,438
<b>BOISDALE</b>	0 \$0	0 \$0	1 \$355,584	1.00 \$355,584
<b>BRIAGOLONG</b>	2 \$29,331	5 \$430,772	4 \$490,750	11.00 \$950,853
<b>BUNDALAGUAH</b>	0 \$0	0 \$0	1 \$407,350	1.00 \$407,350
<b>COBAINS</b>	0 \$0	1 \$28,000	1 \$54,725	2.00 \$82,725
<b>COONGULLA</b>	0 \$0	2 \$32,854	0 \$0	2.00 \$32,854
<b>DARGO</b>	1 \$207,900	0 \$0	0 \$0	1.00 \$207,900
<b>DENISON</b>	2 \$31,000	4 \$241,200	0 \$0	6.00 \$272,200
<b>DEVON NORTH</b>	1 \$71,500	1 \$112,610	0 \$0	2.00 \$184,110
<b>FULHAM</b>	3 \$440,647	0 \$0	0 \$0	3.00 \$440,647
<b>GIFFARD</b>	0 \$0	0 \$0	1 \$21,500	1.00 \$21,500
<b>GLENGARRY</b>	3 \$120,351	0 \$0	1 \$30,000	4.00 \$150,351
<b>GLENMAGGIE</b>	4 \$480,891	1 \$76,000	2 \$66,580	7.00 \$623,471
<b>GOLDEN BEACH</b>	0 \$0	1 \$21,400	2 \$40,000	3.00 \$61,400
<b>GORMANDALE</b>	1 \$120,000	1 \$40,347	1 \$53,760	3.00 \$214,107
<b>HEYFIELD</b>	7 \$920,615	4 \$81,210	5 \$362,267	16.00 \$1,364,092
<b>HIAMDALE</b>	0 \$0	1 \$335,038	0 \$0	1.00 \$335,038

**ATTACHMENT 12.1.3**

	<b>October</b>	<b>November</b>	<b>December</b>	<b>Total</b>
<b>JACK RIVER</b>	1 \$48,686	0 \$0	1 \$418,896	2.00 \$467,582
<b>LOCH SPORT</b>	4 \$253,500	6 \$1,092,278	4 \$172,067	14.00 \$1,517,845
<b>LONGFORD</b>	5 \$1,360,179	5 \$1,786,039	4 \$709,197	14.00 \$3,855,415
<b>MACKS CREEK</b>	1 \$805,467	0 \$0	0 \$0	1.00 \$805,467
<b>MAFFRA</b>	12 \$11,800,462	8 \$619,270	4 \$74,250	24.00 \$12,493,982
<b>MAFFRA WEST UPPER</b>	0 \$0	1 \$20,790	1 \$20,600	2.00 \$41,390
<b>MANN'S BEACH</b>	0 \$0	1 \$32,000	0 \$0	1.00 \$32,000
<b>MCLOUGHLINS BEACH</b>	0 \$0	1 \$12,000	0 \$0	1.00 \$12,000
<b>MUNRO</b>	0 \$0	2 \$641,766	0 \$0	2.00 \$641,766
<b>NEWRY</b>	1 \$317,860	1 \$306,000	1 \$25,000	3.00 \$648,860
<b>PARADISE BEACH</b>	0 \$0	0 \$0	2 \$313,500	2.00 \$313,500
<b>PERRY BRIDGE</b>	1 \$13,697	0 \$0	0 \$0	1.00 \$13,697
<b>PORT ALBERT</b>	2 \$267,035	1 \$41,300	1 \$55,000	4.00 \$363,335
<b>ROBERTSONS BEACH</b>	1 \$8,000	1 \$14,897	0 \$0	2.00 \$22,897
<b>ROSEDALE</b>	3 \$393,897	1 \$12,000	8 \$400,016	12.00 \$805,913
<b>SALE</b>	22 \$3,486,534	25 \$3,218,255	18 \$3,223,434	65.00 \$9,928,223
<b>SEASPRAY</b>	3 \$111,421	2 \$24,500	1 \$180,000	6.00 \$315,921
<b>SEATON</b>	0 \$0	0 \$0	1 \$79,000	1.00 \$79,000
<b>STACEYS BRIDGE</b>	1 \$443,000	0 \$0	0 \$0	1.00 \$443,000
<b>STRADBROKE</b>	1 \$200,000	0 \$0	0 \$0	1.00 \$200,000

**ATTACHMENT 12.1.3**

	<b>October</b>	<b>November</b>	<b>December</b>	<b>Total</b>
<b>STRATFORD</b>	5 \$904,615	9 \$1,671,570	13 \$1,057,987	27.00 \$3,634,172
<b>THE HONEYSUCKLES</b>	0 \$0	2 \$435,500	1 \$290,000	3.00 \$725,500
<b>TINAMBA</b>	1 \$240,380	0 \$0	0 \$0	1.00 \$240,380
<b>TINAMBA WEST</b>	0 \$0	0 \$0	1 \$30,000	1.00 \$30,000
<b>TOONGABBIE</b>	0 \$0	1 \$12,080	0 \$0	1.00 \$12,080
<b>VALENCIA CREEK</b>	1 \$45,436	0 \$0	1 \$29,425	2.00 \$74,861
<b>WILLUNG</b>	2 \$87,360	0 \$0	0 \$0	2.00 \$87,360
<b>WILLUNG SOUTH</b>	1 \$15,200	1 \$25,000	2 \$146,300	4.00 \$186,500
<b>WINNINDOO</b>	0 \$0	1 \$62,150	0 \$0	1.00 \$62,150
<b>WON WRON</b>	0 \$0	1 \$25,280	0 \$0	1.00 \$25,280
<b>WOODSIDE BEACH</b>	1 \$57,330	0 \$0	0 \$0	1.00 \$57,330
<b>WURRUK</b>	4 \$133,500	2 \$59,375	1 \$59,400	7.00 \$252,275
<b>YARRAM</b>	3 \$105,260	5 \$325,300	5 \$140,358	13.00 \$570,918
<b>Total</b>	102.00 23,588,813	99.00 12,308,758	90.00 9,363,446	291.00 45,261,017

## 12.2. QUARTERLY STRATEGIC LAND USE PLANNING UPDATE - Q1 2022

### ACTION OFFICER: MANAGER LAND USE PLANNING

#### PURPOSE

To update Council on the strategic land use planning work program for the first quarter January – March 2022.

#### 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 Attachment Planning Project and Amendments 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), the Councillor representation for which was appointed by Council at the Ordinary Council meeting of 7 December 2021 at agenda item 11.2 'Appointment of Committees & Delegates 2021/22'.

The Review Group considered it beneficial to provide Council and the community with a quarterly update of the strategic land use planning work program, which comprises various prioritised projects and planning scheme amendments as outlined in Attachment Planning Project and Amendments.

#### ATTACHMENTS

1. Current Strategic Land Use Planning Projects and Amendments [12.2.1 - 6 pages]

#### 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.

## **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**

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 IMPACT**

The Council Plan 2021-25 Theme 1 “Environment and Climate Change” states the following strategic outcome:

**Strategic Outcome 1.1:** *“A climate and disaster resilient community.”*

The Council Plan 2021-25 Theme 2 “Economy and Sustainable Growth” states the following strategic outcomes:

**Strategic Outcome 2.1:** *“A diverse economy that creates jobs and opportunities.”*

**Strategic Outcome 2.3:** *“An increase in variety of housing choice to support equitable access to housing.”*

This report supports the above Council Plan strategic outcomes.

## **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.

# ATTACHMENT 1

## Planning Project and Amendments

### Current Strategic Planning Projects

<p><b>North Sale Developer Contributions Plan</b>  <b>Priority: High    Anticipated completion: 21/22</b></p>
<p><b>Status</b></p>
<p>The North Sale Development Plan was formally adopted by Council in April 2018.</p> <p>An associated draft ‘<i>Infrastructure Funding Arrangement</i>’ (IFA) has now been prepared.</p> <p>The IFA seeks to equitably apportion costs associated with the provision of key infrastructure items such as highway intersections, roundabouts, and drainage, across the whole of the growth area.</p> <p>A copy of the draft IFA was distributed to all landowners within the growth area for comment and ‘one-on-one’ information sessions with Mesh Planning offered to interested parties. Consequently, meetings were held with a number of interested parties to explain the IFA.</p> <p>All feedback received in response to the draft IFA will be considered and where appropriate to do so, used to inform a final IFA.</p>
<p><b>West Sale and Wurruk Industrial Land Strategy – Technical Report Preparation</b>  <b>Priority: High    Anticipated completion: 22/23</b></p>
<p><b>Status</b></p>
<p>The ‘<i>West Sale and Wurruk Industrial Land Supply Strategy (April 2018)</i>’, (the Strategy) was formally adopted by Council at its ordinary 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 and required to be addressed prior to the development of 55Ha of industrial land (to the east of the West Sale Airport).</p> <p>With funding from the Victorian Planning Authority via the ‘<i>Streamlining for Growth</i>’ program, consultants Urban Enterprise have been preparing the technical report, which will ultimately support the detailed master planning of the land.</p> <p>A suite of draft technical reports has been completed and reviewed by Council Officers. The recommendations of the draft reports have identified several matters that continue to be investigated and are required to be resolved. Officers are currently working with the relevant (statutory) authorities to address these issues, prior to finalising the reports.</p>

<p><b>Port of Sale East Bank Redevelopment Study</b>  <b>Priority: High Anticipated completion: 22/23</b></p>
<b>Status</b>
<p>The <i>'Port of Sale East Bank Redevelopment Study'</i>, (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.</p> <p>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.</p> <p>The Study will also inform and complement work associated with the <i>'Port of Sale Precinct Masterplan Review'</i> which was formally adopted by Council in October 2021.</p>
<p><b>Maffra Structure Plan</b>  <b>Priority: High Anticipated completion: 22/23</b></p>
<b>Status</b>
<p>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:</p> <ul style="list-style-type: none"> <li>• provide an up-to-date and relevant strategic land use planning framework for Maffra;</li> <li>• facilitate the coordinated and integrated growth of the township over the next 20 years;</li> <li>• provide an informed direction for the future supply of land for residential, commercial and industrial uses, and</li> <li>• review associated drainage and infrastructure issues holistically.</li> </ul> <p>A draft Maffra Structure Plan was publicly exhibited between 15 November 2021 and 17 January 2022. All feedback received during the exhibition is currently being considered, and where appropriate, will be used to inform the final Structure Plan.</p> <p>It is anticipated that the final Maffra Structure Plan will be presented to Council for formal adoption in May 2022.</p>
<p><b>Review of Planning Controls - RAAF Base East Sale</b>  <b>Priority: Low/Medium Anticipated completion: 22/23</b></p>
<b>Status</b>
<p>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</p>

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.

**Residential Land Supply Stocktake**  
**Priority: High    Anticipated Completion: Completed**

**Status**

Mesh Planning has completed a review of residential land supply and demand across the main urban towns of the Wellington Shire and following stakeholder consultation investigated options for Council to better facilitate and proactively assist with the critical release of residential land for development.

At the Council Meeting of 1 February 2022, Council resolved to adopt the *'Residential Stocktake and Facilitation Strategy Report'* ('Report').

A key recommendation of the Report is the preparation of a formal 'Wellington-specific' Policy to provide a transparent and logical basis for future Council decisions relating to the possible 'forward funding' of key development infrastructure (with shared public benefit) to better expedite greenfield growth across the Shire.

Work will now commence on the drafting of a Council Policy – based on an approach that has been adopted by Shepparton City Council.

**Wellington Growth Management Strategy**  
**Priority: Medium    Anticipated completion: 22/23**

**Status**

Growth Management Strategies (GMS) provide an overarching plan for future growth across the Wellington Shire, as well as to plan for future service and infrastructure provision to facilitate such growth.

Key elements of a GMS include:

- Planning for "natural" rates of growth.
- Planning for the delivery of new houses.
- Planning for a range of different housing types to meet the needs of our future communities.
- Planning for a range of new employment opportunities so that residents have greater opportunities for working locally and within the region.
- Acknowledging and seeking to protect the Shire's rural and resource land because of their special economic, environmental and cultural values.
- Encouraging sustainable growth, which supports existing key townships.

- Making the provision of services and infrastructure deliverable, efficient and viable.

The GMS does not rezone land but provides overarching policy to guide decisions as to where future growth should be best directed.

As a major Shire-wide strategic land use planning exercise, initial background research and analysis for the GMS will occur in due course.

**Sale Western Growth Area – Development Plan**  
**Priority: High    Anticipated Completion: 21/22**

**Status**

The Sale Western Growth Area Development Plan (Development Plan) has been prepared in response to the requirements of the Wellington Planning Scheme. The Development Plan will facilitate the integrated and coordinated development of the western growth area of Sale, which is approximately 180 Ha in area and when fully developed potentially provide around 1,256 lots.

A detailed Draft Development Plan was released for targeted engagement with potentially affected landowners, who were notified of the draft Development Plan on 26 November 2021. The closing date for feedback was 7 January 2022.

A total of 15 submissions were received in response to the engagement process.

All feedback received will be considered and where appropriate used to inform a final Development Plan for Council consideration in due course.

### 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.

#### C109: Implementation of Smart Planning and Planning in the Economic Growth Zone Recommendations

Priority: Medium    Anticipated completion: 22/23

#### Status

In conjunction with the state government, Council has completed several planning studies as part of the 'Planning in the Economic Growth Zone' (PEGZ) initiative. The objectives of PEGZ is to streamline the provisions of the Wellington Planning Scheme (WPS) to make it more efficient and user-friendly through a reduction in the number of triggers for planning permits and stronger planning policy guidance.

The work of the PEGZ initiative has also been complemented by the completion of the state government's, 'Smart Planning Program', which facilitates the restructure of **all** Planning Schemes across Victoria to provide greater consistency and streamlining. This has been achieved through the deletion of redundant provisions, repetition, and the closer realignment of state/regional/local planning policy.

Amendment C109 seeks to implement and formalise the recommendations of both initiatives into the WPS.

At the meeting of 2 June 2020, Council resolved to seek Authorisation from the Minister for Planning to formally proceed with Amendment C109.

A request for Authorisation will be sought imminently.

**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.

Work continues to resolve the (complex) issue of Native Title on the site, which currently prevents the sale of the land for redevelopment purposes.

## 13. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

### 13.1. PARK AVENUE COWWARR SPECIAL CHARGE SCHEME - INTENTION TO DECLARE

#### ACTION OFFICER: MANAGER BUILT ENVIRONMENT

#### PURPOSE

The purpose of this report is for Council to consider its 'intention to declare' the proposed Park Avenue Special Charge Street Construction Scheme Number 2202 as a Special Charge Scheme for its construction in Cowwarr.

#### 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 Park Avenue in Cowwarr and the provision of improved road drainage including driveway crossings and culverts (from road edge to property line); 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 6 September 2022 in accordance with the Proposed Declaration of Special Charge Scheme Number 2202 in the form of the attachment to this report for the construction of Park Avenue in Cowwarr; 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 6 September 2022, 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 'Park Avenue 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 and Natural Environment or the Manager Built Environment (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.**

## **BACKGROUND**

Park Avenue in Cowwarr is located within the residential area at the eastern end of the Cowwarr township. Park Avenue extends northward from Traralgon-Maffra Road (Main Street). Currently the road consists of a formed and unsealed gravel pavement, around 190m in length. The full length of road is of variable width between 5 to 6m with formed, though irregular, table drains, there is an underground drainage system crossing the street at the southern end which traverses along the eastern side of Park Avenue to discharge into Rainbow Creek.

The road (Park Avenue) is primarily a rural-type road in appearance, the unsealed section extending 190m north from the Traralgon-Maffra Road with a turning area located at its northern end. This whole section of road is subject to the proposed street construction scheme. The full-length of the road is managed and maintained by Wellington Shire Council.

A formal investigation of a special charge scheme was commenced following ongoing property owner concerns in relation to dust, rutting and the maintenance grading regime along with surface water drainage issues in areas due to inundation during particularly heavy rain events. An initial scheme proposal was sent to property owners in April 2020, this proposal was not supported by a sufficient number of owners to proceed further. Following subsequent and ongoing requests to address the aforementioned concerns from property owners in Park Avenue a new survey was undertaken in late 2021.

The proposed Park Avenue Construction Scheme would provide for the sealing of the road to a nominal 6.0m width and includes forming table drains, driveway crossovers and culverts and construction of kerb at the Traralgon-Maffra Road intersection as part of the proposed works.

The construction and sealing of Park Avenue would reduce Wellington Shire 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 Park Avenue in Cowwarr 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 road safety for road users;
- Improved road surface drainage;
- Improved access and egress from properties.

Following further investigation of potential methods to facilitate construction works in Park Avenue, 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 decision not to hold a public meeting in April 2020, as initially proposed to outline the street scheme proposal was made due to the implementation of Covid restrictions by the State Government, subsequently a letter and survey form were sent out to property owners. In order to improve property owner understanding of the proposal, an information pamphlet was prepared and included with the letter and survey form to property owners in the second mail out undertaken in late 2021. Council officers were available to discuss details with individual property owners when requested.

This second letter with a survey form and information pamphlet outlining the proposed scheme along with the applicable apportionment cost was mailed out to property owners on 20 September 2021 to assess support for, or objection to, the proposed scheme.

The results of the surveys in relation to the proposed scheme were;

	SUPPORT SCHEME		OPPOSE SCHEME		DID NOT REPLY	
	Count	Percentage	Count	Percentage	Count	Percentage
Properties (7)	5	71%	2	29%	0	0%
Property Owners (7)	5	71%	2	29%	0	0%

There are no owners who own multiple properties. There are no Council owned reserves and there are no other exempt properties.

Based on the survey results, the level of support for the Central Area exceeds the 60% threshold acceptance level outlined in the Residential Road and Construction Plan 2019 and therefore it is considered that there is a sufficient level of support for the proposed Special Charge Scheme for Park Avenue in Cowwarr.

## ATTACHMENTS

1. Proposed Declaration of Special Charge [13.1.1 - 7 pages]
2. Maximum Total Levy [13.1.2 - 8 pages]

## 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. 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 Park Avenue and ancillary works as outlined in this report.

## 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 \$180,000. 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, \$25,200 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:	\$ 25,200
Portion of cost to be recovered from Council as direct costs:	\$154,800
Total estimated cost of scheme:	\$180,000

There are no multiple property owners. There are no non-rateable land or council reserves located within the scheme boundary.

The resultant financial impact is a cost to Council estimated at \$154,800, to be funded through the Roads to Recovery Program or Rates Revenue.

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 – see attached **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 - see attached **Maximum Total Levy**.

On this basis, the cost per property under such apportionment methods would have been between either \$12,247 and \$16,457 (respectively) 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 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, as determined by Council staff. Options for payment include full payment within 45 days or 20 quarterly instalments (over five 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 2021-25 Theme 4 “Services and Infrastructure” states the following strategic outcome:

**Strategic Outcome 4.3:** *"Well planned and sustainable towns, facilities, and infrastructure that service community need."*

This report supports the above Council Plan strategic outcome.

## **RESOURCES AND STAFF IMPACT**

Implementation of the scheme can be undertaken within the resources of the Assets and 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 generally positive community impact as it will result in the rural-residential section of Park Avenue as outlined in the scheme. 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 and proposed Public Meeting – 16 March 2020
- Letter advising that Public Meeting to be postponed – 23 March 2020
- Mail out survey of all property owners - 23 April 2020
- Letter with corrections sent out to property owners – 4 May 2020
- Mail out survey of all property owners - 20 September 2021
- Follow up phone calls and emails seeking survey replies
- Mail out advising of survey results – 18 February 2022

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 and other road users through improved visibility (reduction of dust), improved road surfacing, properly identified through lanes and markings at intersections.

**PROPOSED DECLARATION OF SPECIAL CHARGE****'Park Avenue, Cowwarr - Special Charge Street Construction Scheme  
Number 2202'**

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 Park Avenue in Cowwarr (**Street**) and for providing all and any necessary ancillary works associated with the construction of the Road, including road drainage. The Scheme, if declared, is to be known as the 'Park Avenue - Special Charge Street Construction Scheme Number 2202'.
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 Cowwarr) and based on the application of access benefit units, including having regard to the driveway access of those properties in the Scheme to Park Avenue (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 \$180,000 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 \$25,200
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 proposed Special Charge is to be declared is all of the land shown on the plan set out in the Schedule forming a part of this proposed declaration (being **Schedule 1**).
8. The land in relation to which the proposed Special Charge is to be declared is all that rateable land described in the listing of rateable properties set in the Schedule forming a part of this proposed declaration of Special Charge (being **Schedule 2**).

9. The proposed Special Charge will be assessed and levied in accordance with the amounts set out alongside each property in the Schedule forming a part of this proposed declaration (being **Schedule 2**), such amounts having been assessed and determined by Council as (and are based on) a fixed charge for each property having regard to access, including and in particular driveway access. Properties which have a shared driveway access to the street to be constructed via common property will have their access benefits calculated on the basis of 100% for the first property and 50% for each additional property (with access being apportioned to each of the properties so as to equal the sum of the percentages divided by the number of properties with common property access), and any other benefits.

(More particularly, the Special Charge is to be apportioned to properties included in the Scheme on the basis of each property having a driveway access to the street to be constructed under the Scheme being apportioned one (1) Access Benefit Unit (ABU) and properties within an Owners Corporation with a shared driveway access to the street via common property being apportioned an Access Benefit Unit calculated on the basis of 100% for the first property and 50% for each additional property. The Access Benefit Unit is otherwise to be apportioned to each of these properties equaling the sum of the percentages divided by the number of properties with common property access.)

10. Subject to any further resolution of Council, the Special Charge will be levied by Council sending a notice in the prescribed form to the owners of the properties in the Scheme by which the Special Charge is to be paid –
- (a) In full amount within 45 days of the notice; or
  - (b) By way of quarterly instalments in the manner set out in paragraph 11.
11. Because the performance of the function and the exercise of the power in respect of which the proposed Special Charge is to be declared and levied relates substantially to the provision of capital works, special ratepayers will be given an instalment plan under which –
- (a) Quarterly instalments are to be paid over a 5 year period, or other such period as negotiated; and
  - (b) Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimated borrowing costs of Council in respect of the construction of the Road by more than 1 per cent.
12. Council will consider cases of financial and other hardship, and may consider other payment options for the Special Charge.
13. No incentives will be given for the payment of the Special Charge before the due date for payment.
14. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons over and above, or greater than, the benefit that is available to persons who are not subject to the proposed Special Charge, and directly and indirectly as a result of the expenditure

proposed by the Special Charge, the value and the use, occupation and enjoyment of the properties included in the Scheme will be maintained or enhanced through the provision of proper, safe and suitable roads and property services. Without limitation, Council considers that the Works will –

- (a) Reduce dust;
  - (b) Enhance the amenity and character of the land, and local area;
  - (c) Create improved riding surfaces for the 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 0.64 or 64%, 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 \$25,200.

### **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

PARK AVENUE – COWWARR  
PLAN OF SPECIAL CHARGE SCHEME AREA.

Scheme Boundary 



Schedule 2

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

WELLINGTON SHIRE COUNCIL

PARK AVE 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=F+0.3S&R)	SCHEME AMOUNT DUE (=ABxR + ALxR)
1	109355	CA 8 Sec 5	5 Park AVE, COWWARR	1	20	0	20	\$14,926.25
2	403527	Lot 2 PS545545	7-9 Park AVE, COWWARR	1	40	0	40	\$21,623.92
3	109348	Lot 2 LP113498	11 Park AVE, COWWARR	1	20	0	20	\$14,926.25
4	109330	Lot 1 TP561597	13 Park AVE, COWWARR	1	20	0	20	\$14,926.25
5	109322	Lot 1 TP514113	15 Park AVE, COWWARR	1	20	0	20	\$14,926.25
6	108670	CA 2 Sec 5	17-19 Park AVE, COWWARR	1	40	0	40	\$21,623.92
7	113050	Lot 1 PS329019	2813 Traralgon Mafra Road, COWWARR	1	0	40	12	\$12,247.18
<b>TOTALS</b>				<b>7</b>	<b>160.0</b>	<b>40</b>	<b>172.0</b>	<b>\$115,200.00</b>
<b>TOTAL ESTIMATED COST OF SCHEME</b>					<b>\$ 180,000</b>			
<b>COUNCIL CONTRIBUTION</b>					<b>\$ 64,800</b>			
<b>APPORTIONED AMOUNT</b>					<b>\$ 115,200</b>			
AMOUNT APPORTIONED TO ACCESS - 50%					\$ 57,600			
AMOUNT APPORTIONED TO FRONTAGE 50%					\$ 57,600			
Apportionment Rate - (Access Benefit Units)					\$ 8,228.57	per ABU (R)		
Apportionment Rate - (Abuttal Length)					\$ 334.88	per m (R)		

Method 2 - Maximum Levy at 100% Access Benefit

**WELLINGTON SHIRE COUNCIL**  
**PARK AVENUE STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - MAXIMUM LEVY - ACCESS ONLY**

ASSES 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	109355	8602	CA 8 Sec 5	5 Park AVE, COWWARR	1	1	\$16,457.14	\$16,457.14
2	403527	55002	Lot 2 PS545545	7-9 Park AVE, COWWARR	1	1	\$16,457.14	\$16,457.14
3	109348	8601	Lot 2 LP113498	11 Park AVE, COWWARR	1	1	\$16,457.14	\$16,457.14
4	109330	8600	Lot 1 TP561597	13 Park AVE, COWWARR	1	1	\$16,457.14	\$16,457.14
5	109322	51962	Lot 1 TP514113	15 Park AVE, COWWARR	1	1	\$16,457.14	\$16,457.14
6	108670	34874	CA 2 Sec 5	17-19 Park AVE, COWWARR	1	1	\$16,457.14	\$16,457.14
7	113050	9231	Lot 1 PS329019	2813 Trairalgon Mafra Road, COWWARR	1	1	\$16,457.14	\$16,457.14
<b>TOTALS</b>				<b>7</b>		<b>7</b>		<b>\$115,200.00</b>

**TOTAL ESTIMATED COST OF SCHEME**  
 COUNCIL CONTRIBUTION \$180,000.00  
 APPORTIONED AMOUNT \$64,800.00  
 \$115,200.00

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

Address Nil  
 First Property Additional Property Total No of Propert Factor

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

**WELLINGTON SHIRE COUNCIL**  
**PARK AVENUE STREET CONSTRUCTION SCHEME - APPORTIONMENT OF COST - REVISED MAXIMUM LEVY - 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	109355	8602 CA 8 Sec 5	5 Park AVE, COWWARR	1	1	1	\$3,600.00	\$3,600.00
2	403527	55002 Lot 2 PS545545	7-9 Park AVE, COWWARR	1	1	1	\$3,600.00	\$3,600.00
3	109348	8601 Lot 2 LP113498	11 Park AVE, COWWARR	1	1	1	\$3,600.00	\$3,600.00
4	109330	8600 Lot 1 TP561597	13 Park AVE, COWWARR	1	1	1	\$3,600.00	\$3,600.00
5	109322	51962 Lot 1 TP514113	15 Park AVE, COWWARR	1	1	1	\$3,600.00	\$3,600.00
6	108670	34874 CA 2 Sec 5	17-19 Park AVE, COWWARR	1	1	1	\$3,600.00	\$3,600.00
7	113050	9231 Lot 1 PS329019	2813 Traralgon Maffra Road, COWWARR	1	1	1	\$3,600.00	\$3,600.00
<b>TOTALS</b>				<b>7</b>		<b>7</b>		<b>\$25,200.00</b>

TOTAL ESTIMATED COST OF SCHEME \$180,000.00  
 COUNCIL CONTRIBUTION \$154,800.00  
 APPORTIONED AMOUNT \$25,200.00

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 Property	Factor
Nil				

**PARK AVENUE COWWARR – SPECIAL CHARGE STREET CONSTRUCTION  
SCHEME NUMBER 2202**

**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 Park Avenue Cowwarr, north of the Traralgon Maffra Road (to be known as the 'Park Avenue - Special Charge Street Construction Scheme Number 2102') (**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 & sealing improvement of Park Avenue, Cowwarr

Park Avenue located within the residential area of Cowwarr and currently consists of a formed (but unsealed) gravel pavement of approximately 5 - 6m width and around 190m in length with irregular surface drains. The road is primarily a rural type road, with the unsealed section extending for its full length (commencing from the Traralgon Maffra Road / Main Street). 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 dust, surface water drainage and 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 plan and an estimate of costs. Property owners were advised that, if implemented, the Scheme would provide for the construction and sealing of the road to a 6.0 width, with kerbing at the intersection, and improved road surface drainage and driveway crossovers.

The construction and sealing of Park Avenue 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, Park Avenue is designated as a 'Local Access B Road' respectively and (as required by the Plan), 71% or more of property owners have expressed support for its construction.

Consistent with the Plan, it is considered that the 7 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 Park Avenue, 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 7 rateable property owners located within the Scheme boundary, 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>\$180,000</b>
'Benefit Ratio' Determination	0.64 or 64%
<b>Maximum Total Levy Amount</b>	<b>\$ 115,200</b>
Further Council Contribution	\$ 90,000
<b>Revised Maximum Total Levy Amount</b>	<b>\$ 25,200</b>

## D. Identify Special Beneficiaries

It is considered that all 7 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 7 properties and the location of the roads 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	0.5 x 7 = 3.5 BU	0.5 x 7 = 3.5 BU
<b><math>TSB_{(in)} =</math></b>	<b>7 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 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 Park Avenue 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 50 vehicle movements per day on the street (in its present form).

Based on these traffic movements, it is considered that the some of these vehicle movements relate to use by persons who are accessing or servicing the Special Benefit properties in 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 3.5 BU (this is based on approximately 42 vehicle movements per day (7 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 Park Avenue 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–

$$\begin{aligned} \text{TCB}_{\text{traffic}} &= 3.5 \times (42 / 50) \\ &= 3.5 \times 0.84 \end{aligned}$$

$$\text{TCB}_{\text{traffic}} = 2.9$$

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

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

Therefore,

$$\begin{aligned} \text{TCB}_{\text{total}} &= \text{TCB}_{\text{traffic}} + \text{TCB}_{\text{drainage}} + \text{TCB}_{\text{maintenance}} \\ &= 2.9 + 0.5 + 0.5 \end{aligned}$$

$$\text{TCB}_{\text{total}} = 3.9$$

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

The Benefit Ratio is calculated as follows –

$$\begin{aligned} R &= \frac{\text{TSB}_{(in)}}{\text{TSB}_{(in)} + \text{TSB}_{(out)} + \text{TCB}} \\ &= 7 / (7 + 0 + 3.9) \\ &= 7 / 10.9 \end{aligned}$$

$$\text{Benefit Ratio (R)} = 0.64$$

### 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>
0.64 x \$180,000 = \$115,200

Council may levy up to **64%** of total costs, or **\$115,200**

### J. Other relevant considerations

Council notes that if it levies the Maximum Total Levy Amount of \$115,200 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 \$90,000 in and towards the cost of the Scheme works, meaning that the Maximum Levy Amount to be charged to the Scheme will be \$25,200 (**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.

<sup>1</sup> 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.

## 14. GENERAL MANAGER COMMUNITY AND CULTURE

### 14.1. COUNCIL COMMITTEES AND COMMITTEES OF MANAGEMENT HIGHLIGHTS

#### ACTION OFFICER: GENERAL MANAGER COMMUNITY AND CULTURE

##### PURPOSE

For Council to receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2021 to February 2022.

##### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

*That Council receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2021 to February 2022.*

##### BACKGROUND

Following the appointment of Councillors to Council committees for 2021/22 and transition to new legislative requirements under the *Local Government Act 2020*, this regular report to Council:

- gives an opportunity for councillor and officer representatives to highlight initiatives and achievements of various committees; and
- replaces previous practice of tabling minutes of Community Asset Committees (previously known as Section 86 committees) and Council advisory groups.

##### HIGHLIGHTS

#### Advisory Committees and other Council Committees:

#### **Gippsland Regional Sporting Complex User Group Committee (Cr Tatterson, Cr Bye – alternate)**

- Sale Amateur Basketball Association planning for major tournament for weekend of 26 February – challenges with additional stadium availability due to Catholic school restrictions
- Group developing a 12-month calendar of events for all home associations, to be led by Council officers
- Sale Netball Association raised the need for better first aid room access, Ops Leader to follow up
- Clubs looking forward to normal operations in 2022
- Next meeting will be held late March/early April once new GRSC Operations Leader commences.

### **Gippsland Art Gallery Advisory Group (Cr Rossetti, Cr Crossley)**

- No meetings held during the reporting period, next meeting will be held in March.

### **Wellington Living Well During Covid-19 Committee (recovery committee) (Cr Crossley)**

- Updates received from Regional Development Victoria; Department of Education; and Victoria Police plus updates on business support packages and media campaigns
- Committee agreed Covid recovery addressed by the Municipal Relief & Recovery Subcommittee to align 'Covid normal' into municipal relief and recovery processes.

### **Business Boost Reference Group (business recovery sub-committee) (Cr Maher, Cr Wood)**

- 31 people participated in the online Creating Thriving Small Towns session held on 3 February 2022
- Creating Thriving Small Towns Walkshop held 10 February 2022, attended by Cr Bye and approximately 40 others
- Discussed the following at recent meeting:
  - Success of Archibald Prize and positive results for local business
  - Sought ideas to expend Outdoor Activation Fund 2.0
  - Offered support for all communities re: Christmas Activation Activities – offer taken up by Sale, Maffra, Loch Sport, Yarram, Port Albert – Dargo event postponed
  - Update of Shire wide events
  - The Middle of Everywhere activity update provided – App, live chat, merch, wedding sector, VFR campaign and signage.

### **Municipal Emergency Management Planning Committee (Cr Wood, Cr Crossley – alternate)**

- Update of Community Emergency Risk Assessment (CERA) voting – 12 risks assessed
- Agency and Subcommittee reports received
- Municipal Relief & Recovery Plan Executive Summary approved
- Update from Chair of the Regional Emergency Management Planning Committee
- Council's internal Training and Exercising Plan outlined
- An Interim meeting is scheduled for April to endorse the MEMPlan Review process – updated MEMPlan due 2023.

### **Wellington Youth Services Network (Cr Wood)**

- The Network has continued to grow, with new organisations joining and a continued strong attendance at meetings
- Information sharing continues to be the Network's strongest resource
- The Network is often first point of contact for opportunities regarding youth, this gives us great understanding of what events, programs and projects are on offer
- Two guest organisations presented on their successful Engage funding applications and related projects.

### **The Wedge Masterplan Advisory Group (Cr Bye, Cr Rossetti – alternate)**

- Met with Randell Arts Management to discuss the initial concept map
- Discussions centred around:
  - the value of adding additional smaller multipurpose spaces – which may be easier and more cost effective for the local community, local creators and groups to utilise
  - Accessibility discussed regarding the addition of extra seating for financial viability, and how this will benefit patrons.
- Randall Arts Management is working to develop the business case, costed concept plan and proposed operating model for potential future development for Council's consideration.

### **Community Asset Committees:**

#### **Maffra Recreation Reserve (Cr Tatterson)**

- Annual General Meeting held on 6 December 2021
- Agricultural Society's dome project is progressing through the planning permit phase
- Considering funding options for security system upgrade following break ins
- Events running again and planning underway for 2022.

#### **Gordon Street Recreation Reserve (Cr Ripper)**

- Approved expenditure for purchase of mowing equipment
- Progressing solar project and potential stadium roof replacement.

#### **Cameron Sporting Complex (Cr Tatterson)**

- Full schedule of activities running and planning underway for 2022.

#### **Briagolong Recreation Reserve (no Councillor appointed)**

- Funding sought for Pony Club solar project.

#### **Newry Recreation Reserve (no Councillor appointed)**

- Discussions continuing regarding golf club use of football clubrooms
- Clubroom works nearing completion with plumbing, plastering and painting left to do.

### **General Committees of Management:**

- Committees continue to require significant support to navigate Covid restrictions i.e. how to apply them to their facility and specific circumstances.
- Committees have shown great resilience despite postponing events and are working within restrictions to offer their communities safe spaces.
- Loch Sport Community House have moved back to the Loch Sport Hall. The Committees have successfully negotiated a Memorandum of Understanding and are working together to offer programs and spaces to the community.

- Committees of Managements that are receiving Risk & Maintenance Subsidies, are using SmartyGrants platform to report each year. Committees can now also use SmartyGrants for 60/40 Maintenance Program Funding applications.
- Preparing for a Combined Halls Meeting on 31 March 2022.

## **ATTACHMENTS**

Nil

## **OPTIONS**

Council has the following options available:

1. Receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2021 to February 2022; or
2. Not receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2021 to February 2022 and seek further information at a future Council meeting.

## **PROPOSAL**

That Council receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2021 to February 2022.

## **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**

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

## **COUNCIL POLICY IMPACT**

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

## **COUNCIL PLAN IMPACT**

The Council Plan 2021-25 Theme 3 “Liveability and Wellbeing” states the following strategic outcome:

**Strategic Outcome 3.2:** *"An actively engaged community."*

The Council Plan 2021-25 Theme 4 “Services and Infrastructure” states the following strategic outcome:

**Strategic Outcome 4.3:** *"Well planned and sustainable towns, facilities, and infrastructure that service community need."*

This report supports the above Council Plan strategic outcomes.

## **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.

## 15. 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 -

FURTHER GALLERY COMMENTS -

Meeting declared closed at:

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

## 16. 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*

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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.*