

Council Meeting Agenda

Meeting to be held at

Council Chambers - Wellington Centre

Foster Street, Sale

Tuesday 18 June 2019, commencing at 6pm

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

ORDINARY MEETING OF COUNCIL – 18 JUNE 2019

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Council Meeting Information

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

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

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





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

PRAYER

"Almighty God, we ask your blessing upon the Wellington
Shire Council, its Councillors, officers, staff and their families.
We pray for your guidance in our decisions so that the
true good of the Wellington Shire Council may result to
the benefit of all residents and community groups."

Amen



A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

ITEM A4 ADOPTION OF MINUTES OF PREVIOUS MEETING/S

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 18 JUNE 2019

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 4 June 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 4 June 2019.

CONFLICT OF INTEREST

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



A5 BUSINESS ARISING FROM PREVIOUS MEETING/S



A6 ACCEPTANCE OF LATE ITEMS



A7 NOTICE/S OF MOTION



A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1) OUTSTANDING PETITIONS

ACTION OFFICER GOVERNANCE DATE: 18 JUNE 2019

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			



A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A10 QUESTIONS ON NOTICE



A11 MAYOR AND COUNCILLOR ACTIVITY REPORT

ITEM A11(1) MAYOR AND COUNCILLOR ACTIVITY REPORT

OFFICER: COUNCILLOR ALAN HALL

DATE: 18 JUNE 2019

RECOMMENDATION

That the Mayor and Councillor Activity report be noted.

11 May to 14 June

40 M	0:	Ola NI - 4 I 4!	O. M. O. d. l. l
13 Mav	Gibbsiand Climate	Change Network meeting.	Cr McCubbin attended

Traralgon

Stratford RSL Women's Auxiliary meeting, Cr Ripper attended

Stratford

RW May Pavilion meeting, Yarram Cr Stephens attended

14 May Neighbourhood House Week, Heyfield Cr Hole attended

Port Albert

15 May Gippsland Community Leadership Program Mayor Hall, Cr McCubbin and

2019 Leadership Address, Sale. Chief Executive Officer, David

Morcom attended

16 May TAFE in Gippsland announcement, with The

Hon Gayle Tierney MP, Morwell Executive Officer, David

Morcom attended

Mayor Hall and Chief

The Australian Small Business Improvement

Groups Graduation Event, Sale

Mayor Hall attended

Youth focused Q&A session with Gippsland

candidates. Sale

Mayor Hall, Cr Ripper and Chief Executive Officer, David

Morcom attended

Meeting with Victorian Agricultural Minister's

Chief of Staff: Drought, Melbourne

Cr Hole attended

17 May MAV State Council meeting, Melbourne Cr Hole and Cr Rossetti

attended

Gippsland Sports Academy 2019 Annual

Awards, Traralgon

Cr McCubbin attended

19 May Veronica Maybury Memorial Recreation

Reserve's 25th Year Celebration, Golden

Beach

Mayor Hall attended

20 May	Seniors Biggest Morning Tea, Loch Sport	Mayor Hall attended
	Sale City Band Annual General Meeting	Cr McCubbin attended
22 May	Volunteers Week, Sale	Mayor Hall, Cr Bye and Chief Executive Officer, David Morcom attended
23 May	Volunteers Week, Heyfield	Mayor Hall and Cr Maher attended
23-24 May	2019 Future of Local Government National Summit, Melbourne	Cr Hole, Cr Ripper and Cr Rossetti attended
24 May	Volunteers Week, Yarram	Mayor Hall, Cr Stephens and Cr Maher attended
25 May	Regional Arts Victoria AGM & Member Celebration, Stratford	Mayor Hall attended
	Golden Beach Gas Project Community meeting, Golden Beach	Mayor Hall attended
26 May	Briagolong Lions Club Cancer Fundraiser, Briagolong	Cr Ripper attended
27 May	Newry Recreation Reserve Committee of Management Meeting.	Cr Hole attended
29 May	Ramahyuck District Celebration, Sale	Mayor Hall, and Cr McCubbin attended
	LGBTIQ Inclusion Leaders Breakfast and Workshop, Bairnsdale	Cr Ripper attended
	New Professionals Civic Reception, Sale	Mayor Hall, Cr Ripper, Cr Bye, Cr Rossetti and Chief Executive Officer, David Morcom attended
31 May	Gippsland Art Gallery Exhibition Opening, Sale	Mayor Hall, Cr Crossley and Cr Rossetti attended
	Municipal Association of Victoria, Emergency Management Meeting (via video conference)	Cr Hole attended
1 June	Presentation night, Seaspray Surf Lifesaving Club	Mayor Hall attended
4 June	Lions Club of Briagolong Changeover Dinner, Briagolong	Cr Ripper attended
5 June	Community Managed Facilities Strategy feedback session, Sale	Cr Crossley and Cr Bye attended

6 June	MAV Combined Metropolitan & Rural and Regional Forum, Melbourne	Mayor Hall, Cr Hole and Chief Executive Officer, David Morcom attended
7 June	Briagolong Film Festival, Briagolong	Cr Ripper attended
	Lions Club Changeover Dinner, Sale	Cr McCubbin attended
12 June	Official Opening of the Baldwin Recreation Reserve Changeroom Development, Sale	Mayor Hall, Cr Crossley, Cr McCubbin, Cr Hole and Cr Rossetti attended
14 June	Gippsland Rotary Centenary House Official Opening, Traralgon	Mayor Hall attended

COUNCILLOR ALAN HALL MAYOR



A12 YOUTH COUNCIL REPORT

ITEM: A12(1) YOUTH COUNCIL REPORT

OFFICER: YOUTH MAYOR

DATE: 18 JUNE 2019

RECOMMENDATION

That Council receive the Youth Mayor's Quarterly Report.

Good evening Councillors

I'd like to begin by acknowledging the Traditional Owners of this land, the Gunai Kurnai people, and pay respects to their elders past and present.

We last came to Council in March and shared a packed schedule ahead for Youth Council. I'd like to highlight a couple of our activities. On 30 March we held the Colours of the World Colour Run to celebrate both cultural diversity and Youth Week. We had help from many community members including the Centre for Multicultural Youth who are based in Moe, parents, community members and our photographer who captured the smiling faces of those who braved the cold but all in all it was a huge success!

During Youth Week we also had our Skate Fest and the Speed Cubing contest which saw people from all around the region come show off their skills and many were left shocked and surprised in the best way.

At one of our more recent meetings we had the Youth Disability Advocacy Service (YDAS) take Youth Council, and Propellor, through a snippet of their workshop 'Together', to teach us about accessibility and how to advocate for more accessible events and I believe we all gained so much from this workshop and we hope to incorporate our learnings into our events as well as our daily lives from now on.

We also saw our federal candidates come back to be fronted with the questions and concerns on our young people's minds at our recent Youth Q&A. Not without some tension our candidates managed to provide some answers and we really enjoyed the opportunity to have those conversations.

Now what next? We have the 2019 Wellington Youth Awards on the evening of 27 June, at which we will celebrate young people in our local area and we will say goodbye and thank you to some current Youth Councillors, and welcome some new innovative minds to the team for the next term and we look forward to seeing what they will achieve.

Thank you once again for your ongoing support.

Bek Hector

Youth Mayor



B -REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

ITEM C1.1 CHIEF EXECUTIVE OFFICER'S REPORT

OFFICER: CHIEF EXECUTIVE OFFICER

DATE: 18 JUNE 2019

RECOMMENDATION

That the Chief Executive Officer's Report be received.

	•
22 May	Participated in Volunteers Week, Sale alongside Mayor Hall and Cr Bye.
23 May	Met with Shadow Minister for Rural Roads, Ms Roma Britnell, Member for Gippsland East, Mr Tim Bull and Member for Gippsland South, Mr Danny O'Brien. Provided an update on a range of road and transport issues for Wellington and the broader region.
24 May	Attended the Gippsland Local Government Network CEO's meeting, Warragu
29 May	Hosted a New Professionals Civic Reception, Sale. In attendance was Mayor Hall, Cr McCubbin, Cr Ripper, Cr Bye and Cr Rossetti
30 May	Attended the Rural Council's Victoria Project (Services Contributing to Liveability) meeting, Sale.
1 June	Attended an event hosted by Gippsland Real Estate in Maffra.
3 June	Along with Mayor Hall, met with Member for Gippsland South, Mr. Danny O'Brien, to discuss strategic planning issues and flood overlays. In attendance was GM Development John Websdale and Manager Land Use Planning Jose Clydesdale.
	Attended a meeting focused on drought with Federal Minister for Agriculture, the Hon. Bridget McKenzie, Member for Gippsland Darren Chester, the Mayor and CEO of East Gippsland Shire Council, Member for Gippsland South, Mr. Danny O'Brien, and a number of key rural stakeholders including representatives of the Victorian Farmers Federation and the East Gippsland Catchment Management Authority. Mayor Hall and General Manager Development John Websdale were also in attendance.
6 June	Attended the Municipal Association of Victoria Combined Rural & Regional Forum, Melbourne. In attendance were Mayor Hall and Cr Hole.
12 June	Attended the Gippsland Destination Management Plan briefing sessions in Traralgon.
13 June	Along with Mayor Hall, met with Upper House Member for Eastern Victoria, Melina Bath, to discuss strategic planning issues and flood overlays. In attendance was GM Development John Websdale and Manager Land Use Planning Josh Clydesdale.
14 June	Met with officers from DELWP in Bairnsdale to discuss ongoing drought response initiatives
17-19 June	Attending the National General Assembly, Canberra alongside Mayor Hall.

ITEM C1.2 MAY 2019 PERFORMANCE REPORT

DIVISION: CHIEF EXECUTIVE OFFICE ACTION OFFICER: CHIEF EXECUTIVE OFFICER

DATE: 18 JUNE 2019

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

OBJECTIVE

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

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

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

BACKGROUND

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

OPTIONS

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

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

PROPOSAL

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

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

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

COMMUNICATION IMPACT

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

LEGISLATIVE IMPACT

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

COUNCIL POLICY IMPACT

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

COUNCIL PLAN IMPACT

Strategic Objective 6.3 states that Council will:

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

Strategy 6.3.3 states that Council will:

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

Strategy 6.2.2 states that Council will:

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

MAY 2019 PERFORMANCE REPORT

MAY 2019 COUNCIL PLAN HIGHLIGHTS

Eventful month in the Gallery

May was a month of big events and new exhibitions in the Gippsland Art Gallery. On 3 May 117 people crammed into the Wellington Room to hear a talk by Annemieke Mein and on 8 May, 70 visitors attended the fun-filled 'Clippy' workshops run by Regional Arts Victoria. On 22 May, 50 people celebrated Volunteers Week at the gallery and the ongoing Art & Elders program attracted coverage in the Gippsland Times.

Creative Victoria grant

The Gippsland Art Gallery received a grant of \$15,000 from Creative Victoria to bring the entire collection of over 2,000 artworks online and searchable through the website.

Art Donations

New displays of the permanent art collection in Galleries 1 and 2 highlight the range of recent donations, including the sleeping princess 'Allerleirauh' by Sale-based artist Klara Jones, which now greets visitors as they enter.

Library book sale

The annual library book sale held at the Sale Memorial Hall this month raised \$2,797. Council thanks volunteers from the Rotary Club of Sale for again conducting this event, which would not be possible without their support.

A Job for Everyone

On 30 May, the Port of Sale library space hosted the launch of "A Job for Everyone" program in Wellington – approximately 60 people attended the event which was for young people with disabilities to address and share experiences with employers.

Highlights from The Wedge

Throughout the month of May, The Wedge held a total of 11 shows, with Foster and Allen completely sold out and two shows, Canned Heat and Celtic Reflections, not far off a full house. We had a range of different genres this month, from country folk, to circus and family, as well as plays and music tributes. The country folk show, Michael Waugh – A Dairy Farmer's Son, saw us bringing in new audiences from around Gippsland.

A particular highlight for this month was the incredible Canned Heat performing their only regional performance, bringing patrons from all over Victoria.

'A Warmer Pool for Yarram'

Progress continued on the 'A Warmer Pool for Yarram' project with an Expression of Interest submitted to Latrobe Valley Authority for support funding. Procurement process is underway for purchase of pool blankets which were funded through the Yarram community's successful application through the Victorian Government's 'Pick My Project' program.

More disabled parking at Aqua Energy

Aqua Energy's disabled person's access and carpark provision was improved with the installation of two additional designated car bays (replacing 3 standard bays) and wheel stop installation to prevent vehicles overhanging the footpaths.

Regional Aquatic Industry Conference

Wellington Shire Council together with Mitchell Shire Council Leisure Services Managers presented at Aquatics and Recreation Victoria's 2019 Regional Aquatic Industry Conference in Bendigo. The topic was Asset Management Constraints, with the Manager Leisure Services providing a case study on the sprung timber floor for Gippsland Regional Sports Complex (GRSC).

Higher participation rates

Participation levels at the new Gippsland Regional Sporting Complex synthetic pitch continue to grow as hockey clubs settle into their winter programs.

Swim School's Term 2 Safety Week was conducted this month and 'Learn to Swim' numbers remain at an all-time 'high' for May at 847, substantially higher than for the same time last year.

Information sharing day

Wellington Shire Council hosted a cross-organisational information sharing day with East Gippsland and Department of Environment, Land, Water and Planning regarding management of public land and support for community committees of management.

Facilities maintenance audits complete

Facilities maintenance audit reports have been completed and sent to Committees of Management of Council community-managed facilities. This will trigger the 2019/20 maintenance cycle as committees begin to plan works and apply to Council for co-funding where needed.

Gordon Street Rec Reserve update

Participants are now using the new netball courts at Gordon Street Recreation Reserve with works 95% complete. Acrylic is to be applied to the netball courts in October or November when the weather is warmer.

Grants endorsed

Community Assistance Grant recommendations were endorsed by Council at its meeting on 21 May to fund nine events and seven projects across the shire.

Councillor community conversation framework

The development of a councillor community conversation framework with a calendar of events and a system for cross organisational development and hosting was established this month.

'Meet the Candidates' event

A 'Meet the Candidates' event was successfully held by the Wellington Shire Youth Council with five of the candidates for the federal election engaged in challenging questions with the young people who were present. The event also used live streaming and web-based polling as engagement mechanisms and these mechanisms will be built upon for similar events in the future.

Accessibility of Cameron Sporting Complex

The Wellington Access & Inclusion Advisory Group reviewed the design of the Cameron Sporting Complex Redevelopment project and undertook a site inspection at the complex in Maffra from an accessibility perspective. The group was satisfied with the level of accessibility included in the design and provided input into signage.

Workshops by YDAS

Well attended and received workshops delivered by Youth Disability Advocacy Service (YDAS) to Wellington Youth Services Network and to Youth Council / Propellor around making programs and services more accessible.

Transition to recovery agreements for bushfires

Transition to recovery agreements to Council from Incident Management Teams after the summer 2019 bushfires are complete for Rosedale and Walhalla bushfires.

Fire Risk Register Updated

Updated data from the Victorian Fire Risk Register is now in Council's Geocortex geographic information system (GIS) so it can be used for strategic fire planning.

Gippsland Arson Prevention Program

Wellington Shire Council hosted the Gippsland Arson Prevention Program meeting this month.

Councils and Emergencies project

Local Government Victoria's Councils and Emergencies project Phase 2 has commenced being an evaluation of all emergency management activities required of Council. Workshops with staff have commenced to give a detailed baseline of Wellington's emergency management capability.

Multi-Agency Debrief

During May, the Municipal Emergency Management Planning Committee undertook a multi-agency debrief of the summer 2019 bushfires, to review collaboration and interaction among agencies and effectiveness of preparedness, response, relief and recovery operations and coordination.

2019 Parks week program

The 2019 Parks week program was a great success. The various elements of the program were very well attended, and event organisers are very pleased with the overall success of this year's program.

- Yarram Early Learning Centre had over 120 children in attendance. Jumping castle, face
 painting, sausage sizzle, pony rides and, highlight for the day, Wulgunggo Ngalu put on a
 performance which was enjoyed by all.
- Teddy Bears Picnic ran by Friends of the Botanic Gardens group had 11 members helping for the day. 137 children attended and the day went very well with children and adults participating in various activities.
- Port Albert Seaside Festival was attended by around 200 people. There were activities for the children, a sausage sizzle, afternoon tea, and displays from the Coast Guard, Police, SES.
- Baby's day out Sale Botanical Gardens theme was superheroes. Several children came
 dressed up in their favourite costumes. It was a great day with lots of activities including a
 petting zoo, face painting, jumping castle, plaster painting, and a uniting care display. Highlight
 of the day was a special appearance by Superwomen, Batgirl and Batman. CWA catered with
 tea, coffee and lovely spread of food.

Sustainability Strategy working group

The Sustainability Strategy working group has now been formed and surveys have been released for public comment in relation to the development of the new Sustainability Strategy.

Port of Sale shortlisted for architecture awards

Wellington's Port of Sale has been shortlisted in two categories of the Victorian Architecture Awards 2019. Final winners will be announced at a presentation dinner on 28 June.

Wellington Youth Awards

Nominations were open for the inaugural Wellington Youth Awards. These awards have been established to celebrate and acknowledge the achievements of young people in Wellington across a range of areas. There are eight award categories, recognising the importance of being a carer, overcoming difficulties, employability, volunteering, arts, trade and advocacy.

Councils join forces on drought advocacy

East Gippsland and Wellington Shire Councils endorsed their Gippsland Drought Response Proposal – Looking Ahead on 24 May. The document details a joint advocacy plan between the two Councils to the Victorian and Commonwealth Governments for drought assistance and recovery into the future.

West Sale Airport

West Sale Airport Runway Extension project is now complete. This milestone represents completion of \$6M of works. Project was completed within 4.8% of budget, noting requirement for additional works to the runway being required as runway pavement was assessed to be in worse condition than originally tested.

ourposes, na	s been illialised	i and will be pre	esented to Cou	псіі іог афорцо	Sale Airport for i n.	



MAY 2019

FINANCE SUMMARY

INCORPORATED IN PERFORMANCE REPORT

OPERATING RESULT For the period ending 31 May 2019

	Y	EAR TO DAT	E	FUL	L YEAR 201	8-19
	Actual	Full Year Forecast	Variance	Full Year Forecast *	Adopted Budget	Variance
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's
Income						
Rates and charges	61,487	61,485	2	61,485	61,411	74
Statutory fees & fines	718	792	(74)	792	811	(19)
User fees	6,450	7,362	(912)	7,362	7,525	(163)
Grants - operating	9,942	10,109	(167)	10,109	8,580	1,529
Contributions - monetary	517	494	23	494	317	177
Other income	2,761	2,736	25	2,736	2,135	601
Total Income	81,875	82,978	(1,103)	82,978	80,779	2,199
Francis differen						
Expenditure	00.000	00.405	0.400	00.405	00.007	500
Employee costs	22,933	26,425	3,492	26,425	26,927	502
Contractors, materials and services	25,662	31,464	5,802	31,464	32,297	833
Bad and doubtful debts	2	92	90	92	86	(6)
Depreciation and amortisation	19,950	23,599	3,649	23,599	24,130	531
Borrowing costs	321	391	70	391	391	-
Other expenses	1,044	1,128	84	1,128	2,453	1,325
Total Expenditure	69,912	83,099	13,187	83,099	86,284	3,185
OPERATING RESULT	11,963	(121)	12,084	(121)	(5,505)	5,384
Country consists and consumers	2 400	2 200	201	2 200	4 647	4 670
Grants - capital recurrent	3,490	3,289	-	3,289	1,617	1,672
Grants - capital non recurrent	10,399 1,003	14,536	(4,137)	14,536	12,219 1,229	2,317
Contributions - monetary - capital	1,003	1,648 284	(645) 10	1,648 284	1,229	419 284
Contributions - non monetary	-	_		_	-	
Recognition of assets	601	237	364	237	-	237
Assets written off	(387)	(381)	(6)	(381)	-	(381)
Derecognition of assets	(426)	(206)	(220)	(206)	-	(206)
Net gain/loss on disposal of property,						
infrastructure, plant & equipment	(585)	(840)	255	(840)	151	(991)
Other Income - capital	535	628	(93)	628	153	475
Surplus/(Deficit)	26,887	19,074	7,813	19,074	9,864	9,210

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

YTD Results vs Full year Forecast

The result at the end of May 2019 reflects a surplus of \$26.9 million against a full year forecast surplus of \$19.1 million. This increase of \$7.8 million is a combination of an operating result of \$12.1 M and the impact of capital income of (\$4.3 M) yet to be received through to June 2019.

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

Operating Income

•(\$0.91 million)

The bulk of the user fees relates to two months of commercial tipping fees of \$391k for waste management services outstanding. Other major forecast income includes; one months of leisure centre fees of \$174k, Saleyard fees of \$118k and registration/permits of \$40k to be received for the remainder of the year.

•(\$0.17 million)

Operating grants expected to be received by 30 June includes funding for Stratford Recreation Reserve Netball Changerooms, Gormandale Lighting upgrade, drought resilience, immunisation and arbovirus programs.

Operating Expenditure

• \$3.50 million

The majority of the remaining employee expenses relates to salaries to be incurred the final month of June 2019 including a year end accrual. It is anticipated that there will be some minor savings due to vacancies and timing of leave taken by staff but part of these underspends will be offset by the use of agency staff to backfill vital customer focus operations.

\$5.80 million

Contractors, materials and services variance includes:

- a. \$1,769k The bulk of the remaining contractor and material expenses will be spent on ongoing community projects and programs and drought community initiatives. Other expenditure associated with IT software maintenance and leisure and operating facilities will be utilised by 30 June 2019.
- b. \$1,236k Expenditure associated with road infrastructure and park maintenance that will be incurred by 30 June.
- c. \$666k Waste management expenses to be incurred for the remainder of the year including monthly kerb collection charges, landfill/transfer station operations, recycling processing charges and outstanding landfill levy payments.
- d. \$530k Utility bills payable across the organisation for operational and community facilities and street lighting for the remainder of the year.
- \$375k Contributions and operating subsidies towards drought resilience initiatives, health services, community programs and events yet to be incurred.
- f. \$367k Building and facility maintenance costs expected to be spent for the rest of the year.

• \$3.71 million

Depreciation charges (non cash) for June 2019 are yet to be processed with the final calculation to be determined at the year end.

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

Capital Income

•(\$3.94 million) The bulk of the major capital grants yet to be received/raised include Cameron Sporting

Complex Stadium Redevelopment \$1.25 million, West Sale Airport Runway Extension \$1.0 million, Sale Tennis Club upgrade \$0.6 million and Rosedale Revitalisation project \$0.5

million.

•(\$0.55 million) Capital contributions are expected to be received for Sale Tennis Club Upgrades and Sale

Toongabbie Roads to Market Program initiative by the year end.

• \$0.36 million Newly recognised assets mainly new roads during the year.

•(\$0.22 million) Derecognised assets (non cash adjustments) within various asset categories throughout

the year.

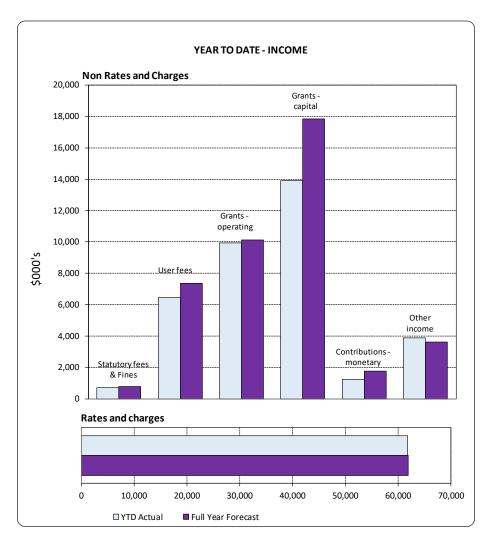
Full Year Forecast to Adopted Budget

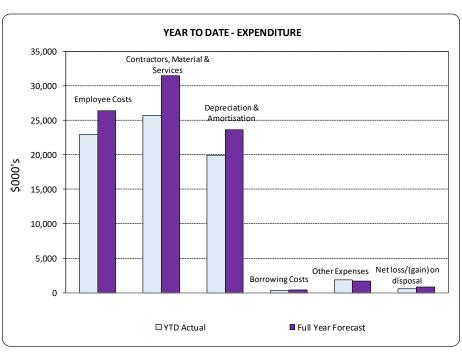
The full year forecast surplus is 9.2 million better than the adopted budget. Made up of:

The operations result of \$5.4 million being better than the loss budgeted and almost breakeven at (\$121k).

The year end <u>capital forecast</u> result is \$3.8 million higher than budgeted mainly due to \$2.2 million of final funding reported in 2018/19 for Port of Sale Cultural Hub, \$500k new funding for E-Waste facilities and additional \$1.7 million of Roads to Recovery funding allocations. In operations \$1.4 million for landfill rehabilitation provision is not required this financial year and higher Victorian Grant Commission allocations of \$768k, drought support and resilience of \$632k and various other operating grants of \$200k. Other operating income (mainly interest) is favourable, and other expense savings will be made by 30 June 2019.

MAY 2019 COMPONENTS AT A GLANCE

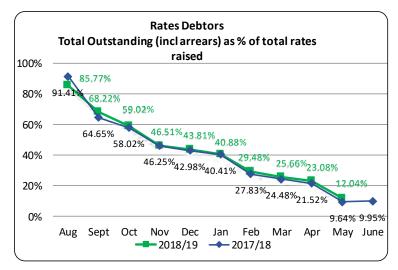




BALANCE SHEET

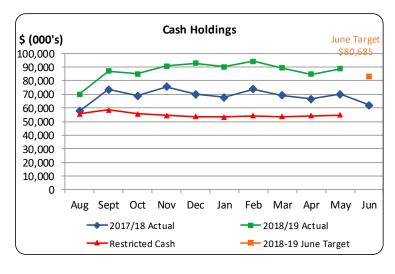
As at 31 May 2019

Actual		Actual	Forecast	Adopted Budget
May 18		May 19	June 19	June 19
\$000's	_	\$000's	\$000's	\$000's
	Assets			
75,943	Total Current Assets	95,641	88,119	71,698
865,643	Total Non Current Assets	904,655	908,454	893,201
941,586	Total Assets	1,000,296	996,573	964,899
	<u>Liabilities</u>			
10,064	Total Current Liabilities	16,258	20,839	24,019
13,877	Total Non Current Liabilities	18,647	18,347	11,869
23,941	Total Liabilities	34,905	39,186	35,888
917,645	Net Assets	965,391	957,387	929,011



The rate debtors outstanding at the end of May 2019 were \$8.2 million (12.0%) compared to May 2018 of \$6.4 million (9.6%).

The final rate instalment for the year 2018/19 was due on 31 May 2019.



Council cash holdings at the end of May 2019 are \$88.6 million and higher than May 2018 of \$69.9 million due to advance funds and lower than expected expenditure.

The current cash holdings includes restricted funds of \$9.1 million to reserves, \$23.3 million to cover provisions and trusts, and \$18.0 million associated with the operating and capital carried forwards.

The balance is generally working capital for ongoing operations coming into a heavy payments period prior to 30 June 2019.

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

CAPITAL EXPENDITURE PROGRAM

For the period ending 31 May 2019

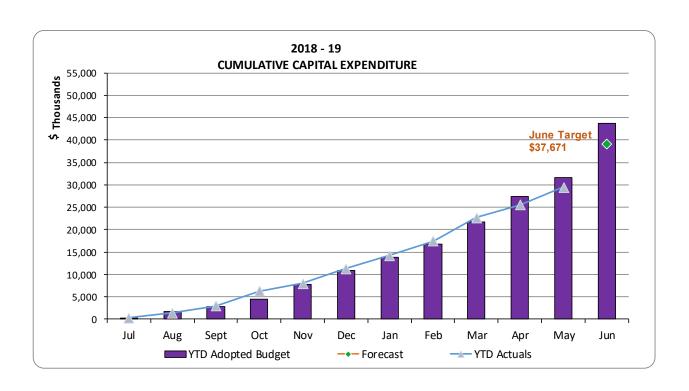
	YEA	R TO DATE 201	FULL YEAR 2018-19			
		Forecast Variance		Forecast	Adopted	
	Actual				Budget	
	\$000's	\$000's	\$000's	\$000's	\$000's	
Property	4,249	4,681	(432)	4,681	6,907	
Infrastructure	23,444	29,794	(6,350)	29,794	33,284	
Plant and Equipment	1,722	3,114	(1,392)	3,114	2,821	
Intangibles	13	82	(69)	82	664	
Grand Total	29,428	37,671	(8,243)	37,671	43,676	

	YEA	YEAR TO DATE 2018-19			FULL YEAR 2018-19	
	Actual \$000's	Forecast \$000's	Variance \$000's	Forecast \$000's	Adopted Budget \$000's	
Renewal	17,169	23,775	(6,606)	23,775	26,341	
Upgrade	7,658	8,567	(909)	8,567	13,175	
Expansion	2,232	2,603	(371)	2,603	3,825	
New Assets	2,369	2,726	(357)	2,726	335	
Grand Total	29,428	37,671	(8,243)	37,671	43,676	

^{*} There is a forecast of \$6.01 million underspend compared to the 2018/19 adopted budget. Commencement of a number of projects have been deferred to 2019/20 awaiting approvals from other government authorities, or resourcing of alternative funding. Efforts to complete projects carried into the year and to meet the anticipated pattern of expenditure has been a continual focus.

Capital works summary for the period ending 31 May 2019

- Overall 95 projects are at practical completion, 35 more projects are underway and 2 project have had contracts awarded but not yet commenced. 10 projects are in PRE-PLANNING (development of the concept design, the detail design, community consultation and seeking quotes or tenders).
- West Sale Runway Project complete with the runway opened prior to Easter and runway grooving works were completed in May 2019.
- Baldwin Reserve Change Room Development has been completed.
- Gordon St Heyfield Netball Courts are essentially complete and were used in the first weekend in May 2019. Due to the current cold temperatures the acrylic surface will be completed in October 2019.
- McMillan Crescent Yarram and Riverview Road Wurruk Special Charge Schemes were completed.





C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1 ASSEMBLY OF COUNCILLORS

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 18 JUNE 2019

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

OBJECTIVE

To report on all assembly of Councillor records received for the period 29 May 2019 to 12 June 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 29 May 2019 to 12 June 2019.

BACKGROUND

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

Below is a summary of all assembly of Councillor records received for the period 29 May 2019 to 12 June 2019.

Assembly of Councillors summary of reports received for the period 29 May 2019 to 12 June 2019.

Date	Matters considered	Councillors and officers in attendance				
Dale	watters considered	Counciliors and officers in attenuance				
4 June 2019 IT / Diary Meeting		Councillor Bye, Councillor Crossley, Councillor Hall, Councillor Hole, Councillor McCubbin, Councillor Maher, Councillor Ripper, Councillor Rossetti, Councillor Stephens David Morcom, Chief Executive Officer Julie Baker, Acting Executive Assistant CEO Unit Damian Norkus, ICT Operation Officer				
4 June 2019	Destination Gippsland (Verbal) Drought Relief Fund (Verbal) Central Gippsland Tourism Annual Report AUSTimber 2020 Flynn Update 2019/20 Budget Initiatives Stratford Courthouse Theatre (Verbal) New Branding Guidelines	Councillor Bye, Councillor Crossley, Councillor Hall, Councillor Hole, Councillor McCubbin, Councillor Maher, Councillor Ripper, Councillor Rossetti, Councillor Stephens David Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Corporate Services John Websdale, General Manager Development Sharon Houlihan, General Manager Community & Culture Chris Hastie, General Manager Built & Natural Environment Paul Johnson, Manager Business Development (Item 3 & 4) Ashley Smirl, Visitor Economy & Events Coordinator (Item 3) Mark Coleman, Economic Development Officer (Item 4) Wendy Reeves, Coordinator Media and Public Relations (Item 7) Craig Brideson, Graphic Design & Web Officer (Item 7)				

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 29 May 2019 to 12 June 2019.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complies with Section 80A of the *Local Government Act 1989*.

COUNCIL PLAN IMPACT

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

Strategic Objective 6.3

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

Strategy 6.3.3

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

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

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING: 4 June 2019

2. ATTENDEES

Councillors:

Name		endance ick)	Name		endance tick)
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin		✓			

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

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

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

• IT / Diary Meeting

4. Conflict of Interest disclosures made by Councillors:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING: 4 June 2019

2. ATTENDEES

Councillors:

Name		endance tick)	Name		endance tick)
	Yes	No		Yes	No
Cr Bye	✓		Cr Maher	✓	
Cr Crossley	✓		Cr Ripper	✓	
Cr Hall	✓		Cr Rossetti	✓	
Cr Hole	✓		Cr Stephens	✓	
Cr McCubbin (items 5-7)	✓				

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

Others in attendance: (list names and item in attendance for)					
John Websdale, External Presenter Terry Robinson Chief Executive Officer Destination Gippsland	1				
John Websdale	2				
Paul Johnson, Ashley Smirl, External Presenter Nathan Smith President Central Gippsland Tourism	3				
Paul Johnson, Mark Coleman, External Presenter Dionne Olson Event Coordinator	4				
David Morcom, Arthur Skipitaris, John Websdale, Chris Hastie, Sharon Houlihan	5				
Sharon Houlihan	6				
Wendy Reeves, Craig Brideson	7				

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

- 1. Destination Gippsland (Verbal)
- 2. Drought Relief Fund (Verbal)
- Central Gippsland Tourism Ánnual Report
 AUSTimber 2020 Flynn Update
- 5. 2019/20 Budget Initiatives
- 6. Stratford Courthouse Theatre (Verbal)
- 7. New Branding Guidelines

4. Conflict of Interest disclosures made by Councillors:

Nil



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1 MONTHLY PLANNING DECISIONS - APRIL

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER LAND USE PLANNING

DATE: 18 JUNE 2019

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

OBJECTIVE

To provide a report to Council on recent planning permit trends and planning decisions made under delegation by Statutory Planners during the month of April 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 April and 30 April 2019.

BACKGROUND

Statutory Planners have delegated authority under the *Planning and Environment Act 1987* to make planning decisions in accordance with the *Planning and Environment Act 1987* and the Wellington Planning Scheme, including the issue of planning permits, amended permits, extensions of time, refusal of planning permits and notices of decision to grant a planning permit.

A copy of planning permit decisions made between 1 April and 30 April 2019 is included in Attachment 1.

Attachment 2 provides an overview of recent planning permit trends including decisions made, efficiency of decision making and the estimated value of approved development (derived from monthly planning permit activity reporting data).

OPTIONS

Council may choose to note this report, alternatively, Council may choose to seek further information and refer this report to another meeting.

PROPOSAL

That Council note the report of recent planning permit trends and planning application determinations between 1 April and 30 April 2019.

CONFLICT OF INTEREST

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

COMMUNICATION IMPACT

The monthly report communicates information about planning trends and determinations including the issue of planning permits, amended permits, refusal of planning permits, and notices of decision to grant a planning permit.

LEGISLATIVE IMPACT

All planning decisions have been processed and issued in accordance with the *Planning and Environment Act 1987* and the Wellington Planning Scheme.

COUNCIL POLICY IMPACT

All planning decisions have been issued after due consideration of relevant Council policy, including Council's Heritage Policy, and the requirements of the Planning Policy Framework in the Wellington Planning Scheme.

COUNCIL PLAN

The Council Plan 2017–2021 Theme 2: Services and Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.3

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

Strategy 2.3.3

'Recognise and advocate for best practice land development which considers energy efficiency and sustainability for housing.'

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

ENVIRONMENTAL IMPACT

Planning decisions are made in accordance with the relevant environmental standards to ensure that environmental impacts are minimised.

PLANNING APPLICATION DETERMINATIONS BETWEEN 1/04/2019 AND 30/04/2019

Application No/Year	Date Received	Property Title & Address	Proposal	Status
357-3/2011	19/12/2018	Assessment No. 10157 LOT: 4 PS: 27844 110 PEARSON ST	Amendment to permit for revised location of building envelope.	NOD issued by Delegate of Respon/Auth 8/04/2019
		SALE		
234-2/2017	22/01/2019	Assessment No. 12245 PC: 156311 488 RAYMOND ST	Subdivision of the land into 2 lots.	Permit Issued by Delegate of Resp/Auth
		SALE		17/04/2019
333-2/2017	4/04/2019	Assessment No. 45674	Buildings and works associated	Permit Issued by Delegate of
		PC: 166390 29-41 PEARSON ST SALE	with alterations to school building.	Resp/Auth 26/04/2019
9-2/2018	26/03/2019	Assessment No. 440776	Buildings and works associated	Permit Issued by Delegate of
2/3/3/3		LOT: 1 PS: 804065P 124 MACALISTER ST	with construction of a dwelling.	Resp/Auth
		SALE		1/04/2019
66-2/2018	22/02/2019	Assessment No. 110361	Use and development of an indoor recreation facility (horse arena).	NOD issued by Delegate of Respon/Auth
		LOT: 3 PS: 300238 635 CAIRNBROOK RD GLENGARRY		23/04/2019
229-2/2018	4/04/2019	Assessment No. 245514 LOT: 1120 LP: 54791	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth
		39 VICTORIA ST LOCH SPORT		10/04/2019
306-1/2018	29/08/2018	Assessment No. 279034 LOT: 1 TP: 822803	Building & works/5 dwellings/shop/reduction in car	Permit Issued by Delegate of Resp/Auth
		33 WHARF ST PORT ALBERT	parking.	29/04/2019
323-2/2018	8/04/2019	Assessment No. 108274 CA: 16 SEC: D	Buildings & works / construction of a replacement dwelling.	Permit Issued by Delegate of Resp/Auth
		142 TYLERS RD PEARSONDALE		11/04/2019
337-2/2018	22/03/2019	Assessment No. 80028 LOT: 4 PS: 220706V	Use of the land for restricted recreation facility (gymnasium).	Permit Issued by Delegate of Resp/Auth
		21 PRINCES HWY STRATFORD		24/04/2019
390-1/2018	5/11/2018	Assessment No. 47308	Use and development/place of assembly/reduction in car parking.	Permit Issued by Delegate of
		LOT: 1 LP: 40955 199 RAYMOND ST SALE	assemony reduction in car parame.	2/04/2019
430-1/2018	6/12/2018	Assessment No. 215350	Buildings and works for the	Permit Issued by Delegate of
		LOT: 450 LP: 52647 59 FAIRWAY AVE	construction of an outbuilding.	Resp/Auth
		GOLDEN BEACH		1/04/2019

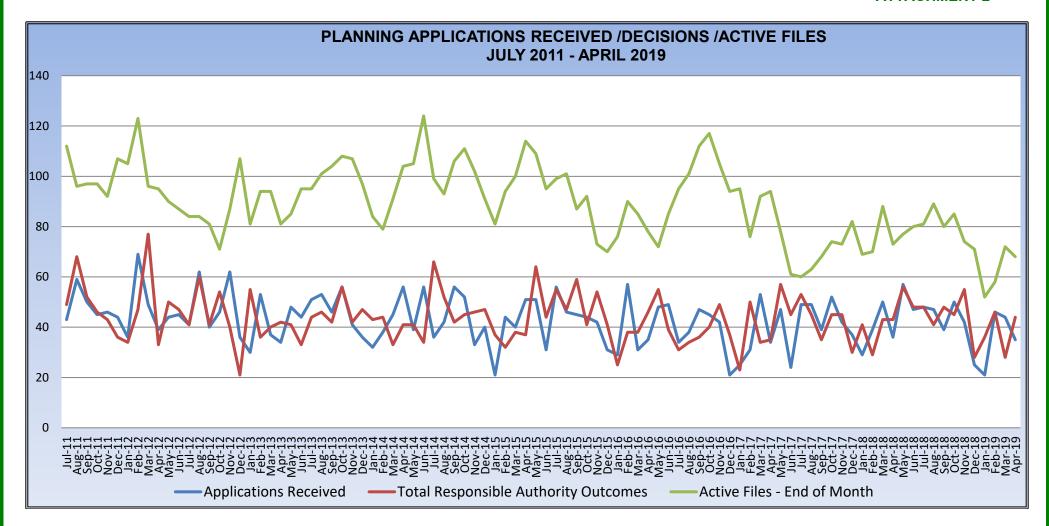
Application No/Year	Date Received	Property Title & Address	Proposal	Status
439-2/2018	18/02/2019	Assessment No. 200774 LOT: 1 TP: 869325K 2.045	Buildings and works associated with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth
		WILLUNG		11/04/2019
1-1/2019	2/01/2019	Assessment No. 86231	Buildings and works associated with extensions to existing shed.	Permit Issued by Delegate of Resp/Auth
		LOT: 1 PS: 319914 128 SOMERTON PARK RD SALE		8/04/2019
8-1/2019	24/01/2019	Assessment No. 272591	Two lot subdivision to excise a	Permit Issued by Delegate of
		PC: 376165F STRINGY BARK LANE WOODSIDE	dwelling	Resp/Auth 4/04/2019
9-1/2019	24/01/2019	Assessment No. 324236	Use of the land for an annual event.	Permit Issued by Delegate of
		LOT: 1 TP: 434470C		Resp/Auth
		5 LICOLA-JAMIESON RD LICOLA		24/04/2019
21-1/2019	1/02/2019	Assessment No. 295204 LOT: 16 LP: 14225	Use and development of a dwelling.	Permit Issued by Delegate of Resp/Auth
		58 FAIRVIEW AVE YARRAM		23/04/2019
32-1/2019	8/02/2019	Assessment No. 256511	Buildings and works with	Permit Issued by Delegate of
		PC: 352549	construction of a garage	Resp/Auth
		77 FIFTH AVE PARADISE BEACH		4/04/2019
40-1/2019 12/02/201	12/02/2019	Assessment No. 261578	Buildings and works associated with construction of a warehouse.	Permit Issued by Delegate of
		LOT: 3 PS: 300837U 7 PROGRESS RD	with constitution of a warehouse.	Resp/Auth
		LOCH SPORT		17/04/2019
49-1/2019	LOT:1L	Assessment No. 11213	Use of the land for Industry (Window Manufacture)	NOD issued by Delegate of Respon/Auth
		LOT: 1 LP: 127290 135-143 RAGLAN ST	(william Manuacture).	Kespon Kum
		SALE		18/04/2019
53-1/2019	25/02/2019	Assessment No. 2089 LOT: B PS: 342640D	Remove a heritage listed tree.	Permit Issued by Delegate of Resp/Auth
		97-103 CUNNINGHAME ST SALE		29/04/2019
55-1/2019	26/02/2019	Assessment No. 273094	Use and development of the land	Withdrawn
		LOT: 1 TP: 170561S	for a research and development centre	
		2,568 SOUTH GIPPSLAND WOODSIDE		5/04/2019
56-1/2019	26/02/2019	Assessment No. 321281	Use the land for manufacturing	Permit Issued by Delegate of
		PTP: 2 TP: 231092Q	sales and alter access to a road zone.	Resp/Auth
		67 MAFFRA RD HEYFIELD	549.000 PM	2/04/2019
58-1/2019	28/02/2019	Assessment No. 442707	Use and development of the land	Permit Issued by Delegate of
		LOT: 2 PS: 736786C	for an office and a warehouse.	Resp Auth
		10-12 WELLINGTON PARK SALE		15/04/2019

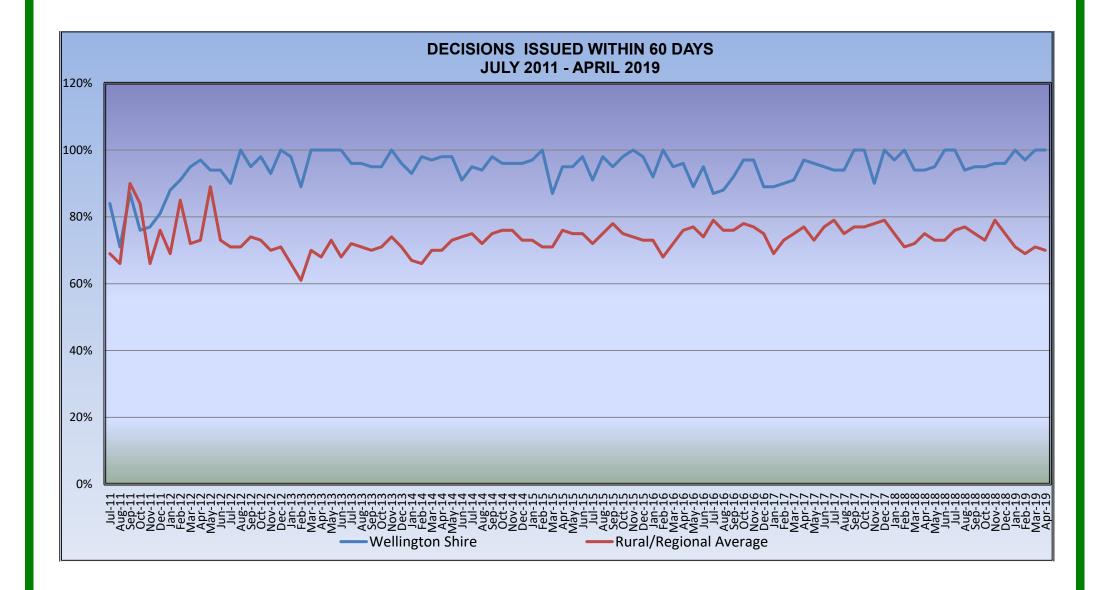
Application No/Year	Date Received	Property Title & Address	Proposal	Status
67-1/2019	8/03/2019	Assessment No. 189860 LOT: 1 LP: 64760 23 DUKE ST	Buildings and works associated with construction of a garage.	Permit Issued by Delegate of Resp/Auth
		ROSEDALE		4/04/2019
71-1/2019	13/03/2019	Assessment No. 414300	Buildings and works associated	Permit Issued by Delegate of
		LOT: 1 PS: 631493D	with construction of a dwelling.	Resp/Auth
		259 REDBANK RD STRATFORD		23/04/2019
74-1/2019	15/03/2019	Assessment No. 101048	Buildings and works associated	Permit Issued by Delegate of
		CA: 10 SEC; C	with a crossover.	Resp/Auth
		3 FRESHWATERS RD KILMANY		23/04/2019
76-1/2019	18/03/2019	Assessment No. 291203	Buildings and works associated	Permit Issued by Delegate of
		LOT: 1 TP: 544071	with construction of a storage shed.	Resp/Auth
		COMMERCIAL RD VARRAM		4/04/2019
86-1/2019	21/03/2019	Assessment No. 443903	Buildings and works associated	Permit Issued by Delegate of
15.40.70		LOT: 3 PS: 747771E	with construction of an outbuilding	Resp/Auth
		55 SALE-COWWARR RD		1/04/2019
ad Consta		FULHAM	and the second residence of the first	W. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
90-1/2019	25/03/2019	Assessment No. 283457	Works associated with filling a disused claypit.	Permit Issued by Delegate of Resp/Auth
		TP: 5298G 8.543 SOUTH GIPPSLAND		
		ALBERTON		9/04/2019
91-1/2019 26/0	26/03/2019	Assessment No. 264879	Buildings and works / extension to an existing dwelling.	Permit Issued by Delegate of Resp/Auth
		CA: 10A SEC: A 319 ROBERTS RD	an existing owening.	Kesp Auu
		MACKS CREEK		1/04/2019
92-1/2019	26/03/2019	Assessment No. 55681	Buildings and works associated	Permit Issued by Delegate of
		CA: 11 SEC: E1	with construction of a carport.	Resp/Auth
		97-111 STEPHENSON ST SALE		1/04/2019
93-1/2019	27/03/2019	Assessment No. 349928	Buildings and works associated	Permit Issued by Delegate of
		PC: 376156	with construction of a farm shed.	Resp/Auth
		255 WOMBAT RD VALENCIA CREEK		9/04/2019
94-1/2019	28/03/2019	Assessment No. 243824	Buildings and works associated	Permit Issued by Delegate of
		LOT: 2004 LP: 70938	with the construction of an	Resp/Auth
		106 TOORAK AVE	outbuilding	3/04/2019
A 1 4 1 5 7 1	42.00	LOCH SPORT		7
96-1/2019 28/03/2	28/03/2019	Assessment No. 358895	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth
		LOT: 1 PS: 525736V 113 CORNWELLS RD		
		RIVERSLEA		10/04/2019
97-1/2019 2	29/03/2019	Assessment No. 247247	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of
		LOT: 1562 LP: 58872		Resp/Auth
		62 WATTLE GVE LOCH SPORT		2/04/2019

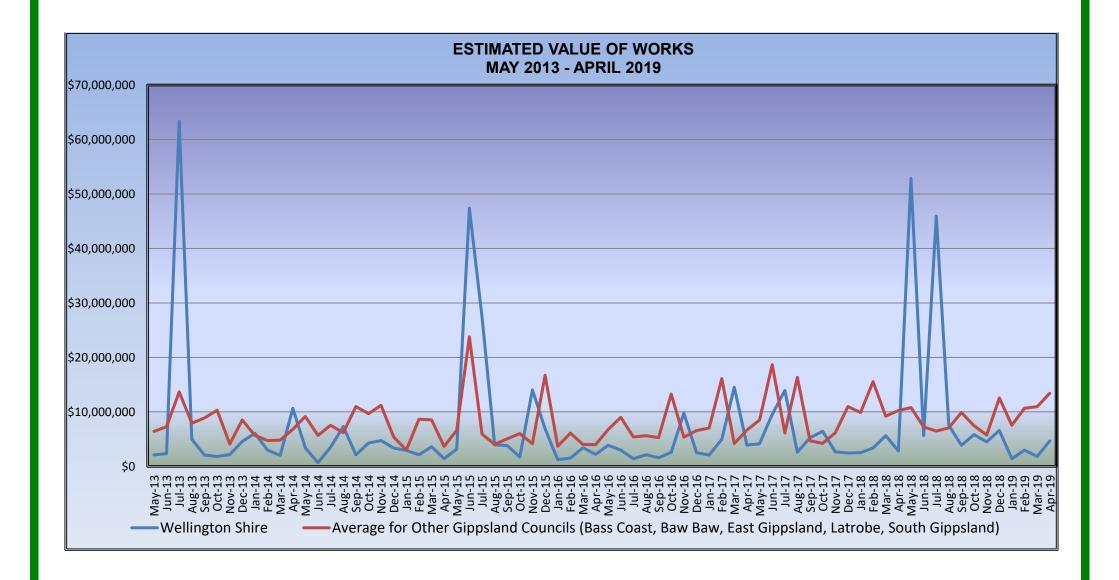
Application No/Year	Date Received	Property Title & Address	Proposal	Status	
99-1/2019	29/03/2019	Assessment No. 243618	Buildings and works associated	Permit Issued by Delegate of	
		PC: 352615K	with construction of an outbuilding.	Resp/Auth	
		62-64 TOORAK AVE LOCH SPORT		10/04/2019	
106-1/2019	3/04/2019	Assessment No. 102731	Buildings and works associated	Permit Issued by Delegate of	
		LOT: 1 PS: 646222D 361 KILLEENS RD	with construction of a farm shed	Resp/Auth 8/04/2019	
		NAMBROK		8/04/2019	
107-1/2019	4/04/2019	Assessment No. 208215	Buildings & works associated with	Permit Issued by Delegate of	
		LOT: 1 LP: 209942W	the construction of an outbuilding.	Resp/Auth	
		170 TIP RD SEASPRAY		9/04/2019	
108-1/2019	4/04/2019	Assessment No. 277939	Buildings and works associated	Permit Issued by Delegate of	
		LOT: 1 PS: 209286F	with construction of a dwelling.	Resp/Auth	
		13 SOUTH ST PORT ALBERT		17/04/2019	
109-1/2019	5/04/2019	Assessment No. 273094	Use of the land for a research and	Permit Issued by Delegate of	
		LOT: 1 TP: 170561S	development centre.	Resp/Auth	
		2,568 SOUTH GIPPSLAND WOODSIDE		16/04/2019	
111-1/2019	9/04/2019	Assessment No. 433607	Buildings and works associated	Permit Issued by Delegate of	
		LOT: 2 PS: 724773E	with the construction of a farm shed	Resp/Auth	
		1,108 DENISON RD DENISON	Saleti.	12/04/2019	
112-1/2019	10/04/2019	Assessment No. 425793	Buildings and works associated	Permit Issued by Delegate of	
		LOT: 2 PS: 703121U	with construction of an outbuilding.	Resp/Auth	
		61B MOLPHY CRT HEYFIELD		15/04/2019	
113-1/2019	10/04/2019	Assessment No. 42622	Buildings and Works associated	Permit Issued by Delegate of	
		LOT: 1 TP: 405125	with the installation of solar panels.	Resp/Auth	
		174 MACALISTER ST SALE		15/04/2019	
125-1/2019	17/04/2019	Assessment No. 329094	Buildings and works associated	Permit Issued by Delegate of	
		LOT: 2 PS: 542970Q	with extensions to existing	Resp/Auth	
		447 RIVERVIEW RD HEYFIELD	dwelling.	18/04/2019	

Total No of Decisions Made: 44

ATTACHMENT 2







ITEM C3.2 PLANNING SCHEME AMENDMENT C99 – FLOOD MAPPING AND

FLOOD POLICY UPDATE

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER LAND USE PLANNING

DATE: 18 JUNE 2019

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

OBJECTIVE

To seek a Council resolution requesting the Minister for Planning to Authorise Council as the Planning Authority to prepare Amendment C99 to the Wellington Planning Scheme.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council resolve to request the Minister for Planning to Authorise Council as the Planning Authority to prepare Amendment C99 to the Wellington Planning Scheme (refer to Attachment 1); and
- 2. Council seek the advice of the relevant Catchment Management Authority for any planning permit applications received (from 18 June 2019) on newly mapped flood areas affected by Amendment C99.

BACKGROUND

Wellington Shire Council has a statutory duty to ensure flood risk and community safety in flood prone areas is appropriately and effectively managed.

It is a requirement of both State Government Planning Policy and the Victorian Floodplain Management Strategy to ensure that flood-prone land is mapped in the Wellington Planning Scheme, including land predicted to be inundated by future sea level rise, using the most up-to-date data available.

Amendment C99 to the Wellington Planning Scheme proposes to replace the existing overlay controls – the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) - throughout the municipality, with a revised FO and LSIO to reflect new flood information held by the East and West Gippsland Catchment Management Authorities, including introduction of the LSIO to land identified as being subject to coastal inundation in the year 2100 (as required by the Victorian Floodplain Management Strategy).

Amendment C99 proposes to:

 Update flood mapping across the whole Shire to accurately identify land assessed as being flood prone. This includes land affected by riverine and coastal inundation (including land predicted to be inundated by future sea level rise).

- Introduce an exemption from the need for a planning permit for a single dwelling on residentially zoned land subject to specified criteria including that the finished floor level is above the level specified by the relevant Catchment Management Authority (and in the case of rural land where the Catchment Management Authority consents in writing).
- Introduce additional exemptions from the need for a planning permit for a range of minor buildings and works (e.g. small sheds).
- Introduce new application information requirements to help ensure that the appropriate information is available to guide decision making for planning permit applications.
- Introduce a new Floodplain Management Policy to provide clarity and guidance regarding flood issues in Wellington Shire and to help guide future decision making.

A copy of Amendment C99 is included in **Attachment 1**.

OPTIONS

- To request the Minister for Planning to Authorise Council, as the Planning Authority, to prepare Amendment C99 – Flood Mapping Update, pursuant to Section 8A of the *Planning* and Environment Act 1987; or
- 2. To not request the Minister for Planning to Authorise Council, as the Planning Authority, to prepare Amendment C99 Flood Mapping Update; or
- 3. To seek additional information prior to considering a further report at a future Council Meeting.

PROPOSAL

That Council resolve to request the Minister for Planning to Authorise Council as the Planning Authority to prepare Amendment C99 to the Wellington Planning Scheme (Attachment 1).

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The financial cost of the Planning Scheme Amendment process has been accommodated in the Strategic Planning budget for 2019/2020, inclusive of grant funds received from the Floodplain Management Unit of the Department of Environment, Land, Water and Planning (DELWP). Council is required to pay the relevant statutory fees to the Minister for Planning for this Amendment.

COMMUNICATION IMPACT

The Amendment will affect areas of land across the Shire that are currently subject to riverine and coastal inundation as well as some townships where flood controls currently don't exist and will be introduced - including Dargo and Port Albert.

On this basis, the Amendment is expected to generate significant community interest. To ensure that opportunities exist for all affected landowners to provide feedback about what is being proposed, an engagement strategy has been prepared, the details of which can be found in the 'Engagement Impact' section of this Report.

LEGISLATIVE IMPACT

Amendment C99 has been prepared having regard to the *Planning and Environment Act 1987* and the provisions of the Wellington Planning Scheme - including the relevant state and local planning policies.

The Amendment process will be undertaken in accordance with the relevant requirements of the *Planning and Environment Act 1987*, including referring any unresolved submissions to an Independent Planning Panel appointed by the Minister for Planning.

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

COUNCIL POLICY IMPACT

While Amendment C99 is being progressed, it is recommended that any planning permit applications received (from 18 June 2019) on newly mapped Flood Overlay (FO) or Land Subject to Inundation Overlay (LSIO) areas be sent to the relevant Catchment Management Authority for advice and in doing so, ensure that Council's existing Policy 3.1.2 'Assessment of Development in Relation to Potential Sea Level Rise', continues to be applied.

The provisions of Amendment C99 will, however, seek to update and ultimately replace Policy 3.1.2 by introducing new planning policy into the Wellington Planning Scheme. Most significantly, should Amendment C99 ultimately be adopted by Council and subsequently approved by the Minister for Planning, Council policy will require development to be assessed and constructed at 2100 flood levels (in areas affected by sea level rise), although Amendment C99 proposes to exempt (subject to specified requirements) new single dwellings on residentially zoned land from requiring a planning permit (and in the case of rural land where the Catchment Management Authority consents in writing).

COUNCIL PLAN IMPACT

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

Strategic Objective 1.1

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

Strategy 1.1.2

Work in partnership to provide leadership and strategic direction on issues relating to community safety.

Strategic Objective 1.4

Enhance resilience in our towns and our communities

Strategy 1.4.2

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

Strategic Objective 2.3

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

Strategy 2.3.1

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

Strategic Objective 3.3

Build resilience in our communities and landscapes to mitigate risks from a changing climate.

Strategy 3.3.2

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

Amendment C99 to the Wellington Planning Scheme supports the above Council Plan strategic objectives and strategies.

PLANNING POLICY IMPACT

Planning Scheme Amendment C99 has been prepared having regard to relevant State Planning Policy. In particular, *Clause 13.01-2S – 'Coastal Inundation and Erosion'* and *Clause 13.03-1S 'Floodplain Management'*. As referred to above, Amendment C99 also proposes to introduce updated flood and sea level rise policy into the Wellington Planning Scheme.

COMMUNITY IMPACT

Amendment C99 will enhance resilience within the Shire's towns and communities and assist in the protection of life, property and community infrastructure from flood hazard by applying appropriate planning controls to areas identified as being at risk of flooding. This ensures that the most up-to-date flood information is available so that informed decisions can be made in assessing development proposals within flood-prone areas.

While many community members are likely to react negatively to Amendment C99, it is a statutory duty for Council to ensure its Planning Scheme reflects the best available information and to comply with State planning policy.

Amendment C99 seeks to strike an appropriate balance between regulation and managing future flood risk, for example, by exempting single dwellings in township areas from requiring a planning permit when specified requirements are met, but ensuring that any proposals which seek to intensify development in a flood prone locality (e.g. a multi dwelling development on a single lot) is more stringently assessed by the Catchment Management Authority through the planning permit process.

ENVIRONMENTAL IMPACT

Amendment C99 will assist in the protection of the natural flood carrying capacity and storage function of floodplains and waterways, as well as floodplain areas of environmental significance and importance to river health.

ENGAGEMENT IMPACT

Following Ministerial Authorisation being received, the Amendment process will include an extensive engagement and consultation program to ensure that all affected landowners, occupiers, statutory authorities and other key stakeholders are not only informed of the detail of the proposed Amendment, but also have ample opportunity to provide feedback. This will include:

- Notice of preparation of the Amendment in the Victorian Government Gazette, Yarram Standard, Gippsland Times and Latrobe Valley Express.
- Standard notification letters as required by the Planning and Environment Act 1987, to all
 affected landowners and authorities. A detailed Frequently Asked Question sheet (FAQ) will
 be enclosed with the Notice.
- A formal public exhibition of the Amendment over a two (2) month period (expected to be between August and September 2019).
- Media releases at key stages of the Amendment process.
- A dedicated 'Amendment C99' page on Council's website, including an online mapping
 portal to view the proposed flood mapping extents. The website will be available for viewing
 from 19 June 2019 and will contain relevant background information and supporting
 information to assist the community in understanding the Amendment.
- Updates on Council's website and letters to submitters at each stage of the Amendment process.
- One-on-one Session: During the first month of the formal public exhibition period (expected
 to be August 2019), officers from both Council and the Catchment Management Authorities
 will be available to meet with landowners on a 'one-on-one' basis (as flood impacts will be
 different from one lot to another). The sessions will provide the opportunity for individuals to
 book a dedicated time slot for a meeting to ask questions, discuss concerns and provide
 feedback.

Sessions will be held in Sale, Port Albert, Dargo, Loch Sport, Golden Beach, Heyfield, Stratford, Maffra, Rosedale and Yarram. Full details of all sessions - including dates and times, will be included in the FAQ sheet sent to affected landowners and will also be posted on the Amendment C99 page on Council's website.

• All Amendment material will be available to view in hard copy at Council Service Centres and libraries for public viewing.

Landowners wanting to discuss Amendment C99 prior to the commencement of the formal public exhibition period will have an opportunity to book a timeslot with Council and Catchment Management Authority officers at one of the following two sessions:

Monday 1 July 2019 Sale Service Centre 18 Desailly Street, Sale 10.00am - 4.00pm Tuesday 2 July 2019 Yarram Service Centre 156 Grant Street, Yarram 10.00am – 2.00pm

RISK MANAGEMENT

From a risk and community safety perspective, it is critical that Council ensures its Planning Scheme reflects the best available information. It is also considered that the level of risk and any potential future liability is lessened by Council planning for 2100 flood levels in areas affected by future sea level rise.

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME AMENDMENT C99

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Wellington Shire Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Wellington Shire Council

Land affected by the Amendment

The Amendment applies to:

- All land currently in the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO)
- Inland waterways and floodplains identified as being flood prone in a 1% Annual Exceedance Probability (AEP) flood event
- Coastal land currently susceptible to storm surge inundation, as well as land anticipated to be impacted by coastal inundation (including storm surge inundation) in the year 2100.

What the Amendment does

The Amendment replaces the existing Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) across the municipality with a revised FO and LSIO to reflect new flood extents established by the East and West Gippsland Catchment Management Authorities including introduction of the LSIO to land identified as subject to coastal inundation in the year 2100; amends the schedules to Clause 44.03 and 44.04 to introduce application requirements and additional planning permit exemptions, strengthens Clause 21.14 to provide clarity and guidance regarding flood issues in Wellington Shire and on the exercising of discretion for development in floodplains, including coastal areas and; introduces two new reference documents at Clause 21.20.

The Amendment proposes to:

- Delete existing LSIO and FO mapping
- Insert new LSIO and FO mapping to
 - Improve the mapping accuracy of existing LSIO and FO controls
 - Introduce the LSiO and FO to waterways and land that are not currently affected by inundation planning controls to implement recent flood studies undertaken by the West Gippsland CMA and East Gippsland CMA
 - Apply the LSIO to coastal areas not currently affected by inundation planning controls. The coastal LSIO includes mapping of anticipated sea level rise and storm surge impacts at the year 2100
- Amend Clause 21 04 to update sections relating to Climate Change and coastal inundation
- Amend Clause 21.14 to introduce additional contextual information, objectives and strategies in relation to flooding issues in Wellington Shire
- Amend Clause 21,20 to introduce two new reference documents:
 - West Gippsland Catchment Management Authority Flood Guidelines: Guidelines for development in flood prone areas February 2013 (or any superseding document)
 - Guidelines for Coastal Catchment Management Authorities: Assessing development in relation to sea level rise, June 2012 (or any superseding document)
- Amend the Schedule to Clause 44.03 to introduce additional planning permit exemptions
- Amend Clause 44 04 to introduce application requirements and additional planning permit
 exemptions

Why is the Amendment required?

The Amendment is required to implement new data arising from a number of flood studies that have been completed in recent years (outlined below). This information will be implemented into the Wellington Scheme through the application of the LSIO and FO to land that these studies have identified as being either.

- flood prone in a 1%AEP flood event or
- subject to coastal inundation due to storm surge and sea level rise (up to the year 2100).

The FO will be applied to High Hazard locations. The criterion for delineating the Flood Overlay considers both vehicle and people safety, and are as follows:

- Depth > 0.3 m
- Velocity > 1.5 m/s.
- Depth x velocity > 0.3 m2/s.

If any of the above criteria is exceeded, the area is considered to be High Hazard and the FO is proposed for these locations.

The LSIO will be applied to Low Hazard areas. Low Hazard areas are locations within the flood extent, but do not exceed any of the above criteria.

The Amendment is also required to strengthen flood management and risk at Clause 21.14-1 and 21.14-3 to provide clarity and guidance regarding flood issues in Wellington Shire and on the exercising of discretion for development in floodplains, including coastal areas.

How does the Amendment implement the objectives of planning in Victoria?

The Amendment implements the objectives of planning in Victoria, specifically:

- To provide for the fair, orderly, economic and sustainable use, and development of land (s4(1)(a))
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity (s. 4(1)(b));
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria (s. 4(1)(c)).
- To balance the present and future interests of all Victorians (s.4(1)(g)).

The Amendment implements these objectives by identifying flood prone land to ensure that development within identified areas is appropriately designed and located and doesn't impact the natural flood carrying capacity or flood storage function of rivers, streams, floodplains and floodways.

How does the Amendment address any environmental, social and economic effects?

Social and Economic Effects

Flooding carries the potential to severely disrupt communities and, in extreme cases, cause extensive damage to public and private property, agricultural losses, personal hardship and loss of life. By more effectively identifying areas prone to flooding and accordingly applying the FO and LSIO, the proposed amendment will help manage new development and earthworks, such that future flood impacts to properties and persons are minimised. The amendment therefore has significant social and economic merit.

Environmental Effects

It is accepted that flooding is a naturally occurring event, and is an integral part of the environment and the environment's continued health. Floodplains are natural water storageareas, provide valuable flora and fauna habitat and are a rich agricultural asset. Inappropriate development and works on the floodplains threatens these environmental services and puts other land and assets at risk.

The amendment will have a positive effect on the environment by ensuring that areas prone to flooding are properly identified by relevant planning controls which in most circumstances will trigger the need for a planning permit in these areas. This allows Council to assess any development proposals to ensure that development in floodplains does not detract from the ability to store and convey floodwaters, minimising resultant impact on flora and fauna communities, animal habitats, and quality of waterways.

Does the Amendment address relevant bushfire risk?

It is acknowledged that many areas within the Wellington Shire are within designated bushfire prone areas (BPA) and/or subject to the Bushfire Management Overlay (BMO).

This proposed amendment notes that there are no direct bushfire implications resulting from the improvements to flood risk mapping.

Indirectly, it is noted that there is potential for development to be pushed away from flood prone areas into areas that are not at risk of flooding. This can potentially increase population densities in surrounding townships and localities affected by BPA or BMO; however, this is not proposed to be controlled or assessed through this amendment. These impacts will be assessed on a case-by-case basis through the planning permit process in consultation with the CFA as needed.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

The amendment was prepared having regard to the following Ministerial Directions:

- Ministerial Direction The Form and Content of Planning Schemes
- Minister's Direction No. 11 Strategic Assessment of Amendments.
- Ministerial Direction 13 Managing Coastal hazards and the coastal impacts of climate change.
- Ministerial Direction 15 the planning scheme amendment process

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

12.02 - Coastal Areas

12.02-18 - Protection of coastal areas

The objective of this clause is to recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources. Amendment C99 achieves this objective by ensuring development is appropriately located outside of flood prone areas so that it doesn't impact natural drainage patterns within and adjacent to coastal estuaries, wetlands and waterways.

13.01 - Climate Change Impacts

13.01-1S - Natural hazards and climate change and 13.01-2S Coastal Inundation and Erosion

The objectives of these clauses are:

- To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.
- to plan for and manage the potential coastal impacts of climate change.

Amendment C99 implements these objectives by planning for possible sea level rise of 0.8 metres by 2100 and identifies areas, via the LSiO, that will be affected by this predicted increase.

The LSIO ensures the consideration of the risks associated with rising sea levels is undertaken in planning and management decision-making processes, where the need for a permit is triggered.

13.03 - Floodplains

13.03-1S - Floodplain Management

The objective of this clause is to assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

The Amendment implements this objective through the identification of land affected by flooding thereby ensuring that development occurs in appropriate locations and responds to the identified hazard.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

21.04 - Settlement and Housing

Clause 21.04-3 - Settlement Strategies includes the following relevant strategies:

Urban and Rural Townships

- Restrict the development of towns and settlements where such development is subject to flooding (including the effects of tidal flooding), or subsidence (particularly around the Gippsland Lakes).
- Restrict urban development in areas subject to flooding and fire hazard.

Infrastructure

 Minimise development (including the construction of roads) within prominent areas such as hillsides, promontories, ridge-lines and headlands, and in fragile, unstable and flood prone areas to lessen their impacts.

The amendment supports these strategies by identifying flood prone land using relevant planning controls which will seek to discourage intensification of land use in the flood plain.

21.08 Heyfield Strategic Framework

Clause 21.08-2 — Diversity of housing choice, aims to facilitate housing choice that is strategically located, well designed, sustainable, inclusive and affordable. One of strategies specified to achieve this is objective is to discourage development in flood prone areas.

21.08-11 – Implementation seeks to implement the above strategy by requiring consideration of current flood data available from West Gippsland Catchment Management Authority and through the application of Clause 44.03 FO and Clause 44.04 LSIO on land identified by West Gippsland Catchment Management Authority as being flood prone to ensure that development maintains the free passage and temporary storage of floodwaters.

The Amendment implements the objective of Clause 21.08-2 as it will result in current flood data being reflected in the Wellington Planning Scheme, and therefore able to be considered, through the application of the LSIO and FO to areas in and around Heyfield that have been identified as flood prone.

21.10 - Rosedale Strategic Framework

The objective of Clause 21.10-7 – Diversity of Housing Choice is to improve housing choice and diversity and ensure a sufficient land supply. A relevant strategy in the context of the proposed

amendment is to facilitate future growth while minimising encroachment of development into floodplains and protecting communities from flooding. Clause 21.10-11 specifies that this strategy will be implemented by:

- Considering current Flood Data available from West Gippsland Catchment Management Authority
- Applying Clause 44.03 Floodway Overlay and Clause 44.04 Land Subject to Inundation Overlay on land identified by West Gippsland Catchment Management Authority as being flood prone to ensure that development maintains the free passage and temporary storage of floodwaters.
- Implementing the outcome of the Rosedale Flood Study by updating the Land Subject to Inundation Overlay, Flood Overlay and determine which areas are appropriate for residential and industrial development.

The Amendment proposes to implement the outcomes of the Rosedale Flood Study though the application of the LSIO and FO to areas identified in the study as flood prone, thereby allowing consideration of the most up to date flood data available. In doing so, the Amendment directly supports the above objective.

21.14 - Environmental Risk

Clause 21.14-1 – Climate Change Impacts acknowledges the potential impacts of climate change on land use and development within Wellington Shire, including sea level rise and seeks to manage these impacts.

Through the identification of land subject to inundation in the year 2100, the Amendment will ensure land use and development planning and proposals are cognisant of and respond appropriately to possible sea level rise.

Clause 21.14-3 – Flooding recognises flooding as a risk in the municipality and it is an objective of this clause to protect the community from the natural hazard of flooding.

The Amendment is consistent with this objective and implements both strategies specified in the Clause being:

- · Restrict development on flood plains and land liable to inundation, and
- Discourage residential development and associated uses in areas that are subject to flooding.

The introduction of additional objectives and strategies at Clause 21.14-1 and 21.14-3 builds on the existing strategies at these clauses and in doing so provides a greater level of guidance on the exercising of discretion for development in floodplains, including coastal areas.

21.15 - Natural Resource Management

Clause 21.15-2 - Sustainable Land Management includes the objective to protect, improve and sustainably manage the Shire's natural environment and diverse landscapes and aims to do this by discouraging residential development and associated uses in areas which have high agricultural value, environmental and/or scenic significance, are near main landfill sites or are in areas that are subject to high fire <u>or flood risk.</u>

The Amendment supports the objective of 21.15-2 by implementing controls to identify land that is flood prone and providing guidance, via additional objectives and strategies at Clause 21.14-1 and 21.14-3, on how development in these locations should be managed.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions (VPP), and especially demonstrates consistency with Planning Practice Note 12: 'Applying the flood provisions in Planning Schemes – A guide for Councils' by:

 Applying the FO to areas of mainstream flooding that convey active flood flows and/or store floodwater.

- Applying the LSIO to areas of mainstream flooding that have a lower risk of flooding than areas in the FO.
- · Amending the FO and LSIO schedules to include additional exemptions.

How does the Amendment address the views of any relevant agency?

The Amendment has been prepared in consultation with the East and West Gippsland Catchment Management Authorities.

Other relevant agencies will be consulted during the exhibition period.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not likely to have an adverse impact on the transport system as defined by the Transport Integration Act 2010.

Resource and administrative costs

 What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The new provisions introduced by the Amendment will have minimal impact on the resources and administrative costs of the responsible authority.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Wellington Shire Council Sale Service Centre 18 Desailly Street Sale VIC 3850

Strafford Library 70 Tyers Street Strafford VIC 3862

Heyfield Library Heyfield Hub Complex 42 Macfarlane Street Heyfield VIC 3858 Wellington Shire Council Yarram Service Centre 156 Grant Street Yarram VIC 3971

Maffra Library 150 Johnson Street Maffra VIC 3860

Rosedale Library Rosedale Community Centre Cansick Street Rosedale VIC 3847

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 30 September 2019.

A submission must be sent to:

Strategic Planning

Wellington Shire Council PO Box 506 SALE VIC 3850

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]]

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SETTLEMENT & HOUSING

21.04-1

Overview

Characters

Urban townships

Sale is the main employment, education, medical and commercial centre of the Shire. It also fills a service role for its rural hinterland and the smaller towns and settlements. The Shire's other main towns (with populations greater than 1,000) are Maffra, Yarram and Heyfield. These towns act primarily as service centres for surrounding rural communities as well as providing community services, employment and recreation facilities. They are experiencing either low population growth or decline. Most have reticulated sewerage and water supply, and drainage services, and have had urban growth areas identified. The towns of Stratford and Rosedale (populations also greater than 1000) are located on the Princes Highway and have developing specialist functions, such as tourism based retailing and as stopping points for highway travellers.

Rural townships

There are a number of smaller inland townships (populations less than 1,000) throughout the Shire which are typically minor rural service centres providing a limited range of commercial, community and recreational facilities to the local population. They generally do not have reticulated sewerage or drainage. Durgo and Licola are recognised access points to the High Plains and Alpine National Park and attract large numbers of visitors, including four wheel drive enthusiasts, horse riders, bushwalkers and fishing enthusiasts.

Rural Areas

The Shire contains sparsely populated areas used for broad hecture agriculture. These areas feature a lack of reticulated services and are often far removed from townships. Development within these areas should be associated with agricultural purposes.

Rural lifestyle

There are numerous low density residential and rural living areas in the Shire. They are predominantly located in attractive rural or natural settings accessible to township services but beyond the urban fringe and away from urban growth corridors. Key characteristics of these areas include a clustering of lots between 4,000 square metres and 8 hectares, a lack of reticulated services and limited drainage. Longford is well positioned to enter for a significant proportion of the demand for rural living in the Sale area, in accordance with the Sale, Wurrak and Longford Structure Plan. 2010.

Infrastructure

Physical infrastructure includes dosinage, water, waste and energy services, open space and recreation facilities, roads, pedestrian and cycle paths, railways and airfields. Most larger settlements are connected to reticulated services except for low density residential properties that operate on-site effluent disposal systems. Some rural towns, including Maffra and Yarram, have significant drainage issues and limited infrastructure.

The extent to which residents and visitors to the Shire can access human services is also important. Human services include all of those services and facilities which satisfy the basic needs of the Shire's population and include child care, aged care, hospitals, youth services, public transport, crisis accommodation etc.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.04

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Coastal areas

There are a number of coastal settlements along the Ninety Mile Beach, the largest being the townships of Loch Sport and Port Albert.

Loch Sport's population has declined in recent years; however its earlier growth occurred in a largely unregulated manner. It has no reticulated water infrastructure and only limited drainage facilities. The town has limited commercial and community facilities, with no recognised 'town centre'.

There are significant environmental issues facing development of the existing township area. The soil in the town is excessively porous and little or no purification of waste effluent is achieved prior to the discharge of waste into adjacent coastal waters. Investigations have revealed evidence of groundwater contamination at Loch Sport. This is a major impediment to the growth of the town.

Port Albert is a place of special heritage significance in Gippsland.

Where the other coastal townships have no suitable system for effluent disposal the resultant environmental impacts of inappropriate development are of concern. Any further expansion of urban boundaries should be subject to investigation into the impacts of such growth on the environment, the need for provision of infrastructure, and the development of necessary commercial and community facilities. The development of inappropriate subdivisions in the Coastal areas needs to be restricted and environmental constraints taken into account.

There are over 11,000 subdivided lots along the Ninety Mile Beach between Paradise Beach and the Honeysuckles, east of Seaspray. These lots occur both on the sand dunes of the Ninety Mile Beach and on the adjacent sandy soils. None of the lots are connected to reticulated water or sewerage systems.

The "Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach", February 2007, provides a preferred settlement structure for the Wellington Coast between Paradise Beach and The Honeysuckles, as a way to encourage development that responds appropriately to environmental values and community needs, and prohibits unplanned development outside the defined settlement boundaries shown in Clause 22.08 'Ninety Mile Beach Policy'. Due to existing constraints and acknowledged coastal hazard risks (crosion and inundation) development is prohibited in the area outside the defined settlement nodes apart from some limited exceptions at Glomar Beach.

Seaspray is located on the sandy soils behind the primary sand dunes of the Ninety Mile Beach. The township has considerable ground water quality problems as a result of using septic systems in the past. Tourism is an important part of the town's economy, however, the impacts of summer tourist activity on the town's effluent management is likely to be a significant problem.

The issue of climate change, in particular potential sea level rise, is an important consideration for constal communities in this region. New development in uses identified as being volumeable to inundation from storm wave and sea level rise impacts up to the year 2000 noods to recognize and removal to this harmed through appropriate built form and other messages that provide effective mitigation, and is currently under investigation in other related county database. The outcomes from throse studies need to be considered in detail in relation to the fidure planning and development of county communities. In the interime Council will exercise its discretion through the planning permit process to require a climate change response plan for new development in oreas identified as being vulnerable to sea level rise and mandation.

The Gippoland Courtal Board and State government and the Monra and Courtal Council should continue its work in assessing climate change impacts on the coast in Gippsland together with Wellington Shire Council, other government agencies and the Gippsland coastal communities.

MUNICIPAL STRATIGIC STATEMENT - CLAUSE 21.04

PAGE 2 OF T

21.04-2 Settlement Objectives

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- To accommodate future population growth over the next fifteen years in those settlements that can accommodate change and are expected to grow.
- To provide adequate infrastructure to existing urban settlements and to identified urban growth areas.
- To ensure that urban design and development provides for greater connectivity and amenity that encourages use of public transport services and physical activity (including walking and cycling) throughout the Shire.
- To ensure all development in coastal areas has the necessary infrastructure to protect
 environmental values, particularly water quality of the Gippsland Lakes.
- To provide rural lifestyle opportunities in appropriate locations.
- To discourage major development outside existing centres other than when a genuine need has been demonstrated and there will be minimal adverse impact on the natural environment.
- To promote improved sewerage infrastructure especially to constal towns around the Gippsland Lakes and rural townships.
- To provide and improve stormwater systems so that high nutrient and sediment concentrations are prevented from entering waterways and wetlands.
- To protect coal related land and other assets such as airports from inappropriate encroachment by urban settlement.
- To protect agricultural land from inappropriate encroschment by urban settlement.
- To ensure that the aged and other members of the Wellington community with special needs (housing, medical facilities, transportation etc.) are adequately catered for
- To support and reinforce the regional role of Sale.
- To avoid residential development in farming areas unless it is required for the agricultural
 use of the land.

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Settlement Strategies

Urban and rural townships

- Ensure that development occurs in accordance with the town strategy plans and other relevant plans included in Clauses 21.05 – 21.12.
- Ensure that rezonings to residential zones only occur when it is demonstrated as necessary to satisfy housing needs within 10 – 15 years or to provide a choice of residential locations.
- Encourage urban development to be consolidated within existing town boundaries and in identified urban growth areas.
- Promote compact urban forms which fully utilise existing residential areas and infrastructure.
- Promote the consolidation of retail, community, civic, education and other important services at key destination points that can be served by public transport and easily 'walkable' for the local community.
- Promote urban design that encourages physical activity and promotes accessibility to public open spaces as part of a broader network of walking and cycling opportunities.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.04

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- Ensure that the future development of land identified for urban growth is not compromised by inappropriate rural residential development.
- Ensure future growth directions on the periphery of towns do not detrimentally affect high quality agricultural land or environmental features.
- Ensure that future urban development in rural and coastal townships without adequate effluent disposal systems is contained within the perimeter of such towns.
- Encourage increased housing densities and choice throughout the main townships of the Shire in areas that are close to their town centres.
- Encourage infill medium density housing close to the town centres to provide greater housing choices for the town's ageing population.
- Restrict the development of towns and settlements where such development threatens water quality and ecosystem values of the Gippsland Lakes and coastline.
- Restrict the development of towns and settlements where such development is subject to flooding (including the effects of tidal flooding), or subsidence (particularly around the Giposland Lakes).
- Restrict the development of towns and settlements where such development minimises the availability of high quality agricultural land.
- Require that development is sympathetic to the existing character and heritage of townships throughout the Shire.
- Require that the scale, height and building materials of development are in keeping with the landscape and heritage character of the townships and their surrounds.
- Encourage planning for land use and development to minimise potential conflicts between industrial and residential land uses.
- Restrict population growth and urban development in environmentally sensitive parts of the Shire, such as coastal areas.
- Restrict urban development in areas subject to flooding and fire hazard.
- Ensure that development adjacent to highways and other main traffic routes throughout the Shire is of a standard, style and overall form which reflects the importance of the area and improves the impression that development in such locations can create.
- Ensure that access to and use of highways and other main traffic routes throughout the Shire reflects the importance of these corridors to all road users, including vehicles, cyclists, pedestrians and the mobility impaired.
- Encourage the incorporation of appropriate streetscape and landscape treatments in the development of industrial areas, particularly where such sites are highly visible to the town centre and town entries.
- Provide suitable land for the development of future noxious or offensive industries such as food and animal processing industries, together with appropriate value adding industries.
- Encourage physical activity and social interaction in new residential areas through development which provides community facilities, open space, recreational activities, pedestrian and cycle paths and spaces.
- Integrate local walking and cycling paths with tourist attractions, natural destinations
 and other existing infrastructure where appropriate (e.g. drainage channels) to encourage
 low impact access that links key destinations or creates opportunities for physical
 activity.
- Restrict development on rural township sites incapable of treating and managing waste disposal until reticulated sewerage is installed.

Rural lifestyle

- Locate rural living areas in close proximity to developed settlements, to utilise existing social, cultural, and infrastructure facilities.
- Encourage rural living proposals to have regard to environmental features and constraints, in particular wastewater and effluent disposal.
- Ensure rural living activities do not reduce or adversely impact on the productive capacity
 of high quality agricultural land.
- Discourage dwellings in agricultural areas except where there is a clear connection between the use of the dwelling and a legitimate rural activity on the land (eg. farming, mining, timber production, caretakers dwelling, etc.).

Rural areas

- Discourage subdivision and dwellings unless they are directly related to the agricultural use of the land.
- · Encourage the consolidation of small lots.
- Maintain the right of existing farms to continue their operations without being adversely
 affected or constrained by residential concerns.

Infrastructure

- Ensure adequate effluent and stormwater discharge systems are provided in order to lessen existing and future environmental impacts from townships.
- Maintain and further develop existing open space networks and recreation systems throughout the Shire within the framework of Council's Recreation Plan.
- Prevent high concentrations of nutrients and sediments entering waterways, wetlands and groundwater through stormwater systems.
- Discourage the discharge of wastes (particularly to areas of high conservation significance) unless it can be demonstrated that the wastes can be assimilated without detrimental effect to the receiving environment.
- Minimise development (including the construction of roads) within prominent areas such
 as hillsides, promontories, ridge-lines and headlands, and in fragile, unstable and flood
 prone areas to lessen their impacts.
- Require that tourist developments provide adequate infrastructure to treat effluent and stormwater run-off, and minimise erosion and loss of vegetation.
- Ensure that new residential developments in outlying areas provide for access to community services and facilities including taking into consideration the needs of an ageing population.
- Ensure that development provides an appropriate effluent treatment system within the boundaries of the lot.
- Ensure that cost effective infrastructure is provided for the present and future development of the Shire's towns.
- Require that development plans achieve efficient utilisation of existing urban infrastructure.
- Require that development plans provide for re-subdivision of low density areas where they are supported with full services, including sewerage.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.04

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Coastal areas

- Discourage development that generates and disposes of wastewater on-site within the setback distances of waterways and/or wetlands as prescribed by the Environment Protection Authority.
- Concentrate development in existing coastal settlements with established physical, social, and economic infrastructure through infill development within existing town or settlement boundaries and restricting development distant from these settlements.
- Consider proposed major developments outside existing coastal centres only when a
 genuine need has been demonstrated and environmental capability adequately assessed
 to ensure minimal adverse impact.
- Maintain coastal settlements with little or no existing infrastructure at their present development density and confine development within zone boundaries.
- Maintain the natural condition of the coastline between settlements.
- Consolidate residential development within coastal settlement boundaries before developing new areas for residential purposes.
- Prevent unplanned development outside defined settlement boundaries in accordance with the Wellington Coast Subdivision Strategy, Clause 22.08: Ninety Mile Beach Policy.
- Ensure any further expansion of urban boundaries is subject to investigation into the impacts of such growth on the environment, the need for provision of infrastructure, and the development of necessary commercial and community facilities.
- Require all new coastal residential development or use to provide utility services.
- Encourage all new coastal residential subdivision to have lot sizes of at least 0.4 ha if reticulated sewerage cannot be provided.
- Protect sensitive or dynamic areas such as primary or secondary sand dunes, or the Lake Reeve islands by strongly discouraging new residential subdivision or development.
- Facilitate the restructuring of old and inappropriate coastal subdivisions where restructure is an appropriate strategic response and where the development of such lots will not result in significant environmental impacts.
- Ensure that use or development does not adversely impact on adjacent coastal parks.
- Ensure new buildings in coastal areas are designed to complement the identified or valued character of coastal settlements.
- Ensure development and works within a wetland are associated with the ongoing use of the land as a wetland.
- Promote coastal tourism in areas with attractive natural attributes and appropriate access and infrastructure.
- Encourage the concentration of coastal tourist and commercial recreation development in established centres.
- Consider major developments on freehold land outside existing settlements where they
 will not have adverse environmental and social impacts.
- Ensure tourist developments along the coastline and lakes foreshore locate on environmentally suitable sites.
- Encourage major tourism uses or developments which are not dependent on a coastal location to develop inside the main existing townships of Loch Sport and Port Albert.
- Encourage commercial facilities in coastal areas to develop within existing town boundaries, and preferably close to the 'town centre' where one exists.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.04

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- Encourage a diversity of commercial activity in coastal areas, particularly where it is related to environmentally sustainable tourism.
- Promote low density agricultural uses such as extensive animal husbandry in coastal areas, provided they are not detrimental to the surrounding natural environment.
- Encourage the integration of conservation and agricultural production in constal areas.
- Promote the conservation of the locality's natural resources through the considerations
 of potential impacts from proposals including farm size, productive capacity of land to
 sustain the rural enterprise and whether the use, development or subdivision will have an
 adverse impact on traditional land uses
- Promote urban design in coastal towns that encourages physical activity and promotes accessibility to public open spaces as part of a broader network of walking and cycling opportunities.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.04

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21.14 ENVIRONMENTAL RISK

22/06/0017

PRODUCTION

This Clause provides a local context to Clause 13 Environmental Risks of the State Planning Policy Framework.

Overview

There are a number of environmental risks facing Wellington Shire Council which may impact on land use and development decisions. The key environmental risks are detailed in this clause and include:

- · Climate change
- · Fire
- · Flooding
- · Salinity and land degradation

21.14- Climate Change Impacts

1 19120013 CT0 Climate change has the potential to significantly impact land use and development within the Shire of Wellington, in particular the coastal areas. Wellington's coastal settlements may be the subject of coastal vulnerability from changes to the climate including the possibility of sea level rise. Climate change presents several significant challenges including loss of biodiversity (particularly in coastal, alpine and fragmented landscapes), increased salinisation of wetlands (particularly the Gippsland Lakes), shoreline recession, storm surge, increased fire risk, increased frequency of drought and high temperatures.

Objective

To manage the potential impacts of climate change on the environment including in areas of coastal vulnerability.

Strategies

- Ensure land use and development planning and proposals are cognisant of possible sea level rise and its potential impacts on the Shire's coastal settlements.
- Discourage development in areas of significant coastal vulnerability.
- Assess the viability of development proposals on land affected by sea level rise against the 2100 Ps. AEP flood level

21.14-2

Fire

A Municipal Fire Prevention Plan has been prepared for the municipality with the objective of creating a safer community. In addition to specifying works and responsibilities, the Plan identifies actions the community can undertake to minimise the risk and to help prepare for fire.

Additionally the municipality has identified five different fire landscapes, which are identified on the following plan.

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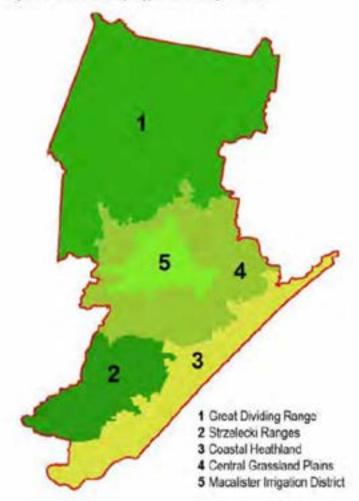


Figure 1 - Fire landscape types in Wellington Shire

Fire Landscape Type 1: Great Dividing Range

The mountainous terrain to the north of the Shire, has been described as the Great Dividing Range (GDR) as per figure 1 above. Several vegetation types exist throughout the GDR lands cape including dry sclerophyll mixed forest, wet sclerophyll forests, rainforest, alpine forests and alpine plains. The general rainfall throughout the mid to lower slopes of the GDR is around 600-800 mm per annum, which leads to forest types dominated by dry sclerophyll forests. There are two townships in Wellington's portion of the GDR, Licola and Dargo. Several other Wellington townships exist in the southern foothills of the GDR that including Seaton, Glenmaggie, Coorgulla and Briagolong.

Much of the GDR was burnt at some intensity in the 2002/03, 2005/06 and 2013 fires. This area is subject to the Department of Environment and Primary Industry (DEPI) Fire Operations Plan. The GDR fire landscape area has a rich fire history, and it is likely that it will be subject to fire in the future.

The dominant forest type throughout the GDR has evolved around fire, and typically has a natural fire frequency of around 5-40 year intervals. Fires in the GDR area are generally of minor to

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moderate intensity due to the volume of fuel available for combustion; however fires of higher intensity are not uncommon.

Fire Landscape Type 2: Strzelecki Ranges

The Strzelecki Ranges are mountainous and comprise a mosaic of native vegetation, timber plantations and agricultural land use. The Strzelecki's contain a large proportion of wet sclerophyll forests due to the higher average annual rainfall of around 1,000mm per year. Plantations throughout the area are eucalypt and pine. There are a number of settlements throughout the Strzelecki's including; Gormandale, Carrajung, Won Wron and Devon North. Settlements around the foothills of the Strzelecki's include Yarram, Rosedale, Woodside and Longford.

The southern Strzelecki Ranges were impacted by the 2009 Black Saturday fires north of Yarram and east of Callignee. The fire burnt through pine plantation, eucalypt plantation, native forest, agricultural land as well as the Devon North, Won Wron and Carrajung townships.

The Strzelecki Ranges are generally heavily forested (either native forest or plantation) with relatively high fuel loads. These fuel loads, combined with mountainous terrain, favourable climate history and weather conditions creates the potential for extremely intense fires. The wet sclerophyll native forest in the Strzeleckis has a much wider window of fire frequency than dry sclerophyll forests. Data suggests that a major fire will pass through this landscape every 20 - 400 years, and the local ecology has adapted to this scenario. The fire intensity that could be expected in these areas is very high to extreme.

Fire Landscape Type 3: Coastal Heathland

The coastal heathland of Wellington Shire exists in one form or another from Dog Island in the west through to Rotomah Island in the east. The area is dominated by the Ninety Mile Beach and three main landscapes including dry land agriculture, wetlands, tall and short heathlands. Banksia, tea tree and eucalypt dominate the area. Rainfall averages across this landscape are between 600 – 800 mm per year. Settlements in the coastal heathland are predominately a mixture of permanently occupied houses and houses owned by absentee owners in the towns of Port Albert, Robertsons Beach, Manns Beach, McLoughlins Beach, Woodside Beach, Seaspray, The Honeysuckles, Glomar Beach, Flamingo Beach, Golden/Paradise Beach, Seacombe and Loch Sport.

The coastal heathlands has a mixed fire history. There has been a mosaic of relatively small fires throughout this landscape over time, whilst some areas have not seen any fire for some time. Fires have been recorded since the early 1980s of varying intensities. The area is also managed as part of the Department of Environment and Primary Industry Fire Operations Plan area.

The coastal heathlands are extremely prone to fire and have typically evolved around a firefrequency of around 15-40 years. Significant fuel loads can accumulate without the presence of fire in this lands cape. A continuous fuel ladder from the ground surface through to the tree canopy is not uncommon and can lead to extreme fire behaviour and intensity that may generate a severe threat to people and property within this lands cape.

Fire Landscape Type 4: Central Grassland Plains

The central grassland plains and open woodland describes the relatively flat landscape that lie south of GDR; north of the Strzelecki's in the west and the coastal heathland in the east. An irrigation island known as the Macalister Irrigation District covers a substantial area in and around the Thompson River and Macalister River catchments. Natural rainfall is approximately 600 – 800mm per annum through the Central Grassland Plains. The area is dominated by dry land agriculture with remnant patches of native grasslands and woodlands. The grassland plains is predominantly covered by improved pastures, with very limited native grasslands remaining.

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Small scale grassland plain fires are a regular occurrence throughout the landscape, Larger grassland fires are generally uncommon throughout this landscape, however in 2006/07 some significant areas were burnt around the Cowwarr district. Grasslands typically recover quickly, either through seed storage in the soil or re-sowing of paddocks. Native grasslands recover in a short period also through existing root stock, seed storage and seed dispersal.

Grasslands can present various risks to settlements and dwellings either through fires transitioning from the forest into forest/grasslandinterfaceor a grassland fire becomingestablishedindependently. Grassland fires spread relatively quickly and can vary in intensity depending on fuel load throughout the landscape. Grassland fires only pose a significant threat to the perimeter, of around 100 metres, of any town or settlement. Settlements and towns in this fire landscape area include Yarram, Heyfield, Sale, Maffra, Briagolong, Boisdale, Rosedale, Stratford, Longford, Woodside, Alberton and Tarraville.

Fire Landscape Type 5: Macalister Irrigation District

Significant areas of floodplain in and around the Thomson River and the Macalister River are known as the "Macalister Irrigation District." These areas access irrigation water from Lake Glenmaggie and Cowwarr Weir and the area is gazetted as a declared water catchment by Southern Rural Water.

There has been very little fire through the Macalister Irrigation District over time, with only some small scale fires in existing reserves and roadsides. Some 'stubble' fires have been deliberately lit as a part of on farm management and have required the assistance of the fire services, however, they have been relatively easy to contain.

The majority of the towns and settlements within the Macalister Irrigation District interface with non-irrigated grasslands, therefore these localities are represented two landscape fire types. Towns such as Briagolong, Boisdale, Maffra, Heyfield and Sale all interface both the Macalister Irrigation District and non-irrigated grasslands. The perimeters of those towns, to a depth of around 100 metres, are likely to be subject to grassland fire threat. The interior of these towns would have little exposure to grass fires.

Objective

To protect the community from natural hazards such as fire.

Strategies

- Ensure that new land use or development, particularly within the identified fire landscapes does not increase the level of fire risk and includes adequate fire protection measures.
- Ensure appropriate buffers are applied between new urban settlement and bushland to mitigate the risk of fire.
- Require dwellings in rural areas to be sited to minimise fire risk and minimise the need for removal of native vegetation.
- Discourage residential development and associated uses in areas which are in areas that are subject to high fire risk.
- Recognise the five fire landscapes and their implication on land use and development and the risk of fire.

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Flooding is another recognised environmental risk. Detailed flood mapping has been carried out by the catchment management authority identifying land subject to flooding.

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Riverine flooding occurs frequently within Wellington Shire, affecting a number of the Shire's townships and resulting in large areas of rural land being inundated.

In the Gippsland Lakes system, flooding can result from high inflows from the incoming river systems as well as high tides and storm conditions off the coast, Floodwaters in the lakes can take a week or more to recede, with properties isolated for up to two weeks.

The coastline in Wellington Shire is subject to coastal inundation as a result of storm surge, Flooding in coastal areas will occur more frequently and at higher levels as sea levels rise into the future due to climate change.

The following locations are subject to significant flood risk:

- Parts of the urban areas of Loch Sport, Seaspray, Rosedale, Sale, McLoughlins Beach, Tinamba, Boisdale, Newry and Port Albert
- The rural areas along the:
 - Dargo River at Dargo
 - Avon River from Valencia Creek to Lake Wellington
 - Tarra River downstream to Tarraville
 - Thomson River and Rainbow Creek from the Cowwarr Weir to the confluence with the Macalister River
 - Macalister River from the Glemmaggie Weir to the Thomson River confluence
 - Thomson River from the Macalister River confluence to the confluence with the Latrobe River south of Sale
 - Lower Latrobe River from Flynn to Lake Wellington
 - Boggy Creek around Tinamba and Riverslea
 - Albert and Jack Rivers
- Rural areas adjacent to the Ninety Mile Beach from Seaspray to Loch Sport

Objective

- To minimise flood risk to life, properly and community infrastructure and to promote sustainable use and development of the floodplain.
- To ensure that development in the floodplain;
 - Maintains the free passage and temporary storage of floodwaters;
 - Minimises flood damage;
 - Will not cause any significant rise in flood level or flow velocity;
 - Will not cause any adverse impact on neighbouring properties
- To recognise the natural flood carrying capacity of rivers, streams and wetlands and the flood storage function of floodplains.
- To protect surface and ground water quality and preserve important wetlands and areas of environmental significance.
- To minimise risk associated with overland flow of storm water.

To protect the community from the natural hazard of flooding-

Strategies

- · Restrict development on flood plains and land liable to inundation:
- Discounge residential development and associated uses in areas that are subject to
 flooding. Assess the viability of all development against the relevant Floodplain
 Management Authority's policies including "Guidelines for development in flood prone
 areas" (WGCMA, 2013) or any superseding document.

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- Discourage the import of fill to land within the 1% AFP flood extent.
- Discourage the construction of levees in areas regarded by the floodplain management authority as important for flood storage and/or environmental values.
- Discourage earthworks that obstruct natural flow paths or drainage lines
- Ensure buildings and works are appropriately designed and sited to avoid impacts on waterways and floodplain wetlands.

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Salinity and Land Degradation

Salinity and land degradation can create issues for the viability of agriculture as well as reduce the quality of the environment.

Objective 1

To protect groundwater quality and aquifer recharge areas, particularly from the impacts of urban run-off.

Strategy

 Encourage the revegetation of riparian buffers along waterways, gullies, ridge-lines, property boundaries and recharge areas.

Objective 2

To achieve integrated catchment management that addresses salinity, crosion, sedimentation, water quality, biodiversity and native vegetation retention.

Strategy

 Locate and design activities such as abattoirs and intensive animal husbandry to minimise environmental damage and loss of amenity to surrounding areas taking into account matters such as effluent control, odour, noise, soil compaction, crosion and protection of water quality.

Objective 3

To achieve responsible land management in areas of soil crosion and salinity.

Strategy

 Encourage agroforestry, particularly in areas of low agricultural value and environmental degradation.

Implementation

These strategies for environmental risks will be implemented by:

Using zones, overlays, policy and the exercise of discretion

- · Applying appropriate zones and overlays
- Applying the Special Water Supply Catchment Areas policy at Clause 22.01
- Applying the Poural policy at Clause 22.02
- Implement any relevant coastal action plan
- Use County Fire Authority guidelines on subdivision, group accommodation, and recreation accommodation in assessing whether a development proposal adequately addresses fire safety issues.

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- Apply the following standards for use, development and subdivision in areas subject to firerisk:
 - Buildings, public open space and roads are to be sited, designed and constructed to minimise the impact of emergency conditions arising from fire.
 - Development associated with residential and public use is to incorporate fire prevention measures in accordance with relevant fire prevention guidelines.
 - Access, fencing, and location of dams are to maximise fire fighting potential and minimise interference with fire fighting measures.
 - Plantations are to be designed to minimise the risk of fire.
 - The modification of fuel levels to suitably minimise fire risk.

Undertaking further strategic work

- Actively support and contribute to completing the remaining Maffra related stages of the Flord Data Transfer Project with a view to amending the Wellington Planning Scheme to reflect these changes.
- Actively support the proposed West Gippsland Catchment Management Authority flood monitoring program for the Yarram district with a view to amending the Wellington Planning-Scheme to reflect relevant findings.
- Prepare an overlay identifying land subject to salinity.
- · Investigate options to address landslip.
- Develop a policy to promote water sensitive urban design in the Shire in relation to urban runoff.

Other actions

- · Implement the Municipal Fire Prevention Plan.
- Implement the Municipal Domestic Wastewater Management Plan.
- · Council/EPA to identify further candidate sites for the Environmental Audit Overlay.
- Use Integrated Catchment Management Plans, Salinity Action Plans, and Whole Farm Plans to promote responsible resource management in rural areas.

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REFERENCE DOCUMENTS

The following strategic studies have informed the preparation of this planning scheme. All relevant material has been included in the Scheme. Decision makers should use these for background research only. Material in these documents that potentially provides policy guidance on decision making but which is not specifically referenced to by the Scheme, should not be given any weight.

- Assessment of Agricultural Quality of Land in Gippsland, Swan and Volum, 1984
- City of Sale Restoration and Conservation Guidelines, May 1983
- City of Sale Heritage Study, March 1994
- Coastal Spaces Landscape Assessment Study, Municipal Reference Document 2006
- Coastal Spaces Landscape Assessment Study, State Overview Report 2006
- East Gippuland Regional Catchment Strategy
- Gippsland Lokes Coastal Action Plan, 1999
- Gippsland Lakes Future Directions and Action Plans, 2002.
- Gippsland Lakes Shore Erosion and Revegetation Strategy, Department of Natural Resources and Environment, Gippsland Coastal Board, 2002
- Group accommodation and Safety guidelines, Country Fire Authority, February 1997
- Guidelines for the Assessment of Heritage Planning Applications Port Albert and District, 2002
- Citalelines for Countel Catchment Audiornies, Assessing development in relating to sealevel rise, June 2012 for any supersyding documents.
- Healthy by Design: A planners' guide to environments for active living, National Heart Foundation of Australia, 2004
 - Heyfield Low Density Residential Land Supply Study, March 2017
 - Heyfield Structure Plan, December 2011, including update; Strategic Justification Firebrace Road August 2013
 - · Infrastructure Design Manual (IDM)
 - · Integrated Coastal Planning for Gippsland Coastal Action Plan, Gippsland Coastal Board
 - Longford Development Plan, November 2015
 - Mapped Salinity Discharge and Potential for Recharge within the Wellington Shire and showing Domestic Water Supply Catchinents, Department of Natural Resources and Environment
 - Municipal Reference Document, Wellington Shire, Coastal Spaces Landscape Assessment Study, 2006
 - Planning conditions and guidelines for subdivisions. Country Fire Authority. September 1991
 - Port Albert Conservation Study, 1982
 - Port Albert Masterplan, 2002
 - Port Albert & Palmerston Urban Design Guidelines, 2007
 - Recreational accommodation and Safety Guidelines, Country Fire Authority, February 1997
 - Rosedale Structure Plan, 7 August 2012
 - · Sale and Region Business Opportunities Study, 2003
 - Sale, Wurruk and Longford Structure Plan, 2010 and updates; Relocation of Sale Greyhound Racing Club Strategic Justification (NBA Group, 2014)
 - · Sale CBD Precinct Plan, 2010
 - Siting and Design Guidelines for Structures on the Victorian Coast, 1998

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- Stratford Townscape Study, 1993
- Victorian Coastal Strategy, 2014
- Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach, February 2007
- Wellington Shire Council, Golden Beach Paradise Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Loch Sport Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Manns Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, McLoughlins Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Robertsons Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Seaspray Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, The Honeysuckles Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Woodside Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- · Wellington Shire Heritage Study: Stage 1, May 2005
- Wellington Shire Stage 2 Heritage Study, September 2016 (amended August 2017)
- Wellington Shire Stormwater Management Plan, 2002
- West Gippeland Catchment Management Authority Flood Guidelines, Guidelines for development in flood propa areas February 2013 (or any superseding document)
- West Sale Airport Moster Plan Update 2017 (or any superseding documents).
- West Sale Aerodrome Public Authority Management Agreement, June 2003 (or any superseding documents)
- West Gippsland Regional Catchment Strategy 2013 (or any superseding document)
- Wellington Economic Development and Tourism Strategy 2011 15 (or any superseding document)
- Wellington Shire Fairal Zones Review, Volume 1 and 2, January 2009

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SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as FO1 or RFO1.

FLOODWAYS

1.0 Floodway objectives to be achieved

-4-0

None specified

2.0 Statement of risk

None specified

3.0 Permit requirement

A permit is not required for the following:

Dwellings

A single dwelling (excluding any fill) on a vacant lot in a residential zone provided that
the finished floor level of the dwelling (excluding outbuildings) is at or above the floor
level specified in Table 1 and the under-floor area of the dwelling will not restrict the
free passage of floodwater, to the satisfaction of the relevant floodplain management
authority:

Table 1

Township	Finished Floor Level	
Loch Sport	3.00m AHD	
Paradise Beach/Golden Beach	3.00m AHD	
Honeysucides	3.00m AHD	
Port Albert	2.90m AHD	
Robertsons Beach	2.90m AHD	
Manns Beach	2.80m AHD	
Woodside Beach	2.94m AHD	

Floor levels in Table 1 may be varied in the event that updated flood data becomes available subject to the written agreement of the West Gippsland Catchment Management Authority.

- A single dwelling (excluding any fill) on a vacant lot in a residential zone in a location other than those specified in Table 1, provided that it meets the requirements specified in written advice from the floodplain management authority that is no more than 3 months old
- A single dwelling (excluding any fill), where the land is not in a residential zone, provided that it meets the requirements specified in written advice from the floodplain management authority that is no more than 3 months old.

Extensions

- An upper storey extension to an existing building within the existing building footprint, provided that the total number of bedrooms is not increased;
- The internal alteration of an existing building where the original building footprint remains the same and no change to the use of the building is proposed.

FLOODWAY OVERLAY - SCHEDULE

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Buildings

- A non-habitable outbuilding, including replacement of existing outbuildings, provided that:
 - The floor area is less than 20m²; and
 - The relevant floodplain management authority has advised in writing within the previous three months that the impact on flood storage will be negligible and the flow path will not be obstructed.
- A replacement building (excluding non-habitable outbuildings) where:
 - The floor level is at or above the applicable level specified in written advice by the floodplain management authority; and
 - the under-floor area of the building will not restrict the free passage of floodwater, to the satisfaction of the relevant floodplain management authority; and
 - The footprint of the replacement building is the same or less than the original building; and
 - Safe access from the building to emergency services and relief facilities is available during a 1% AEP flood event, to the satisfaction of the relevant floodplain management authority.
- An agricultural shed with permanently open sides;
- A rainwater tank associated with an existing dwelling, provided that the footprint of all
 rainwater tanks associated with the dwelling does not exceed 20m²;
- A pump shed;
- A pergola, carport, deck, verandah or in-ground swimming pool associated with an
 existing dwelling that does not impede the flow of floodwaters;
- A mast, antenna, power pole, light pole, or telecommunication tower;
- An outdoor advertising sign/structure, provided it does not alter flood flows or floodplain storage capacity.

Fences

 Open type fencing (excluding paling fencing, colourbond fencing, brick and concrete walls) and maintenance to existing fencing;

Works

- Works ancillary to an existing building, including landscaping and pathways, that do not alter the surface by more than 100 mm;
- Earthworks in accordance with a whole farm plan approved by the responsible authority and floodplain management authority;
- Works associated with vine or horticultural trellises or watering systems; and
- Routine and maintenance works that do not affect the height, length or location of a levee, embankment or road.
- Road works or works to any access way (public or private), including construction of driveways, vehicle crossovers, footpaths or bicycle paths if there is no change to existing surface levels or if the relevant floodplain management authority has advised in writing that the impact on flood storage will be negligible and the flow path will not be obstructed.

FLOODWAY OVERLAY - SCHEDULE

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Buildings & Works

- Buildings and works undertaken by Gippsland Ports including jetties, boardwalks, landings, beach refurbishment, swing moorings, navigational aids, beacons and signs.
- Buildings and works carried out by a Water Corporation to maintain and replace infrastructure related to sewer and water supply that do not alter the existing surface.

4.0 Application requirements

An application to construct a building or construct or carry out works must be accompanied by:

- Written advice from the floodplain management authority that is no more than three months old, which assesses the viability of the proposed development; and
- Four sets of plans, drawn to scale, which show:
 - A location plan showing the boundaries and dimensions of the site, surrounding uses and the layout of existing and proposed buildings and works.
 - Elevation plans showing natural ground level, finished ground level and the floor levels of any proposed buildings in relation to Australian Height Dutum, taken by or under direction of a licensed surveyor.
 - For inland waterways, the 1% AEP flood level as specified in written advice by the relevant floodplain management authority. The flood level information must not be greater than three months old; and
 - Any additional information requested in writing from the floodplain management authority.

5.0 Decision Guidelines

None specified

FLOODWAY OVERLAY - SCHEDULE

-/-00-

SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

LAND SUBJECT TO INUNDATION

1.0 Land subject to inundation objectives to be achieved

None Specified

2.0 Statement of risk

None Specified

3.0 Permit requirement

A permit is not required to construct a building or carry out works for:

Dwellings

A single dwelling (excluding any fill) on a vacunt lot in a residential zone
provided that the finished floor level of the dwelling (excluding outbuildings) is
at or above the floor level specified in Tuble 1, and the under-floor area of the
dwelling will not restrict the free passage of floodwater, to the satisfaction of the
relevant floodplain management authority:

Table 1

Township	Finished Floor Level	
Loch Sport	3.00m AHD	
Paradise Beach/Golden Beach	3.00m AHD	
Honeysuckles:	3.00m AHD	
Port Albert	2.90m AHD	
Robertsons Beach	2.90m AHD	
Manns Beach	2.80m AHD	
Woodside Beach	2.94m AHD	

Floor levels in Table 1 may be varied in the event that updated flood data becomes available subject to the written agreement of the West Gippsland Catchment Management Authority.

- A single dwelling (excluding any fill) on a vacunt lot in a residential zone in a
 location other than those specified in Table 1, provided that it meets the
 requirements specified in written advice from the floodplain management
 authority that is no more than 3 months old.
- A single dwelling (excluding any fill) where the fand is not in a residential zone, provided that it meets the requirements specified in written advice from the floodplain management authority that is no more than 3 months old.

Extensions

- An extension to a non-habitable outbuilding (other than industrial or commercial) provided that:
 - the floor wea is less than 20m², or
 - where the floor area exceeds 20m², the finished floor level must be above the applicable floor level as specified in written advice by the relevant floodplain management authority within the previous three months, and

OVERLAYS - CLADIE 44.04 - SCHEDOLE I

PAGE 1 or 4

- the under-floor area of the building will not restrict the free passage of floodwater, to the satisfaction of the relevant floodplain management authority;
- An extension to an existing building used for accomodation (including a dwelling) provided that:
 - where the floor area is less than 20m², the proposed floor level must be at or above the highest point of the existing floor level; or
 - where the floor area exceeds 20m², the proposed floor level must be above the applicable floor level as specified in written advice by the relevant floodplain management authority within the previous three months; and
 - the under-floor area of the building will not restrict the free passage of floodwater, to the satisfaction of the relevant floodplain management authority.
- An upper storey extension to an existing building within the existing building footprint;

Buildings

- A non-habitable outhuilding ancillary to a dwelling (including a pergola, deck or verandah, open sided garage, carport or in-ground swimming pool) provided that the following conditions are all met:
 - The finished floor level of the outbuilding must be at or above the existing natural surface level
 - All electrical outlets in the outbuilding must be installed at or above the Nominal Flood Protection Level, as specified in written advice by the floodplain management authority within the last three months.
 - All high value and hazardous goods must be stored at or above the Nominal Flood Protection Level, as specified in written advice by the floodplain management authority within the last three months
 - Flood resistant building materials must be used up to the Nominal Flood Protection Level, as specified in written advice by the floodplain management authority within the last three months
- A non-habitable building (other than industrial or commercial) provided that:
 - the floor area is less than 20m² or;
 - where the floor area exceeds 20m², the finished floor level must be above the applicable floor level specified in written advice by the relevant floodplain management authority within the previous three months, and
 - the under-floor area of the building willnot restrict the free passage of floodwater, to the satisfaction of the relevant floodplain management authority;
- A replacement building (excluding non-habitable outbuildings) where:
 - the floor level is at or above the applicable finished floor level, as specified in written advice by the relevant floodplain management authority within the previous three months, and
- the under-floor area of the building will not restrict the free passage of floodwater, to the satisfaction of the relevant floodplain minagement authority, andthe footprint of the replacement building is the same or less than the original building. An agricultural farm building, or structure, with permanent open sides.
- A rainwater tank associated with an existing dwelling or the agricultural use of land, provided that the footprint of all rainwater tanks does not exceed 20m².

- A non-domestic disabled access ramp;
- A pump shed.
- A mast, antenna, power pole, light pole, or telecommunication tower,
- An outdoor advertising sign/structure, provided it does not after flood flows or floodplain storage capacity.

Fences

- Open type fencing (excluding paling and Colorbond style fencing, brick and concrete walls) and maintenance to existing fencing.
- A replacement fence of the same materials as an existing fence, in the same location.

Works

- Works ancillary to an existing building, including landscaping and pathways that
 do not alter the existing surface by more than 100 mm;
- Earthworks in accordance with a whole farm plan approved by the floodplain management authority;
- Works associated with vine or horticultural trellises or watering systems; and
- Works associated with roads, roadsides or any other access ways (public or private) carried out by a public authority that have received written consent from the floodplain management authority within the previous three months;
- Routine and maintenance works that do not affect the height, length or location of a levee, embankment or road.
- Road works or works to any access way (public or private), including, construction of driveways, vehicle crossovers, footpaths or becycle paths if there is no change to existing surface levels or if the relevant floodplain management authority has advised in writing that the impact on flood storage will be negligible and the flow path will not be obstructed.
- Works associated with dams with less than 3,000 cubic metres capacity, where no fill is imported to the site and where no embankment is proposed above natural ground level.

Buildings and Works

- Buildings and works undertaken by Gippsland Ports including jetties, bourdwalks, landings, beach refurbishment, swing moorings, ravigational sids, beacons and signs.
- Buildings and works carried out by a Water Corporation to maintain and replace infrastructure related to sewer and water supply that do not alter the existing surface.

4.0 Application requirements

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 - A location plan showing the boundaries and dimensions of the site, surrounding uses and the layout of existing and proposed buildings and works.

OVERLAYS - CLAUSE 44.04 - SCHEDULE I

PAGE 3 OF 4

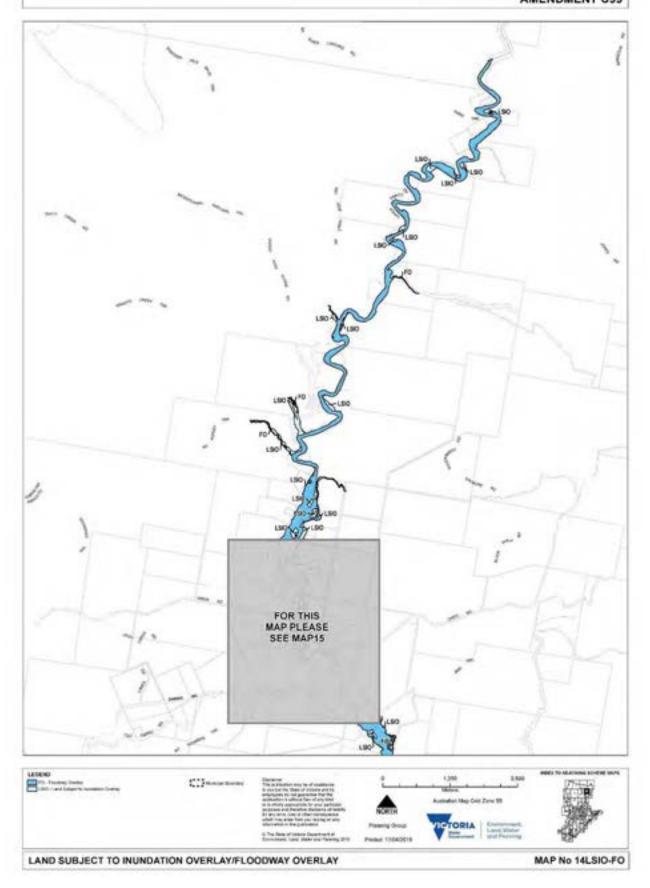
- Elevation plans showing natural ground level, finished ground level and the floor levels of any proposed buildings in relation to Australian Height Datum, taken by or under direction of a licensed surveyor.
- For inland waterways, the 1% AEP flood level as specified in written advice by the relevant floodplain management authority. The flood level information must not be greater than three months old; and
- Any additional information requested in writing from the floodplain management authority

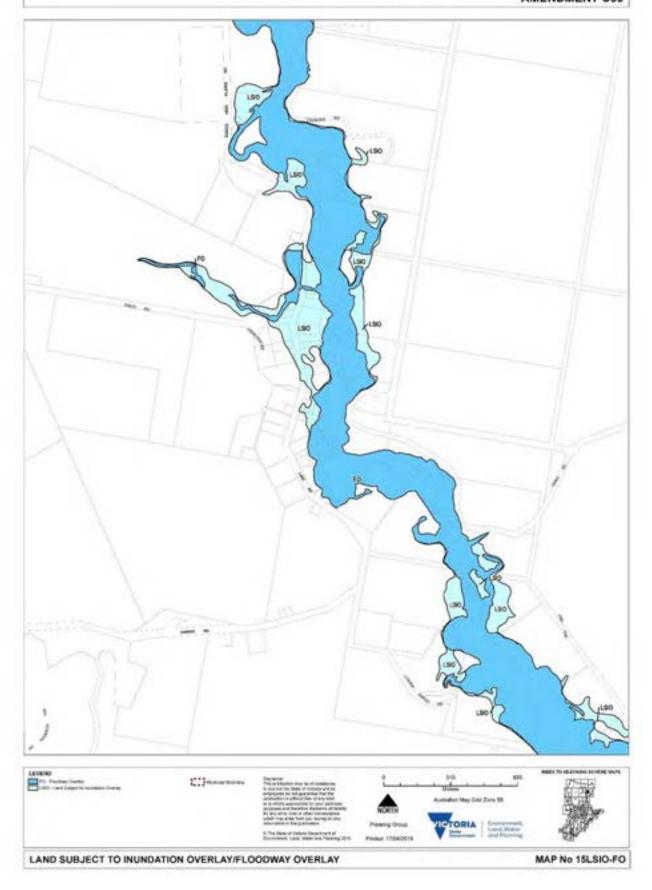
5.0 Decision Guidelines

None Specified

OVERLAYS - CLADIE 44.04 - SCHEDULE I

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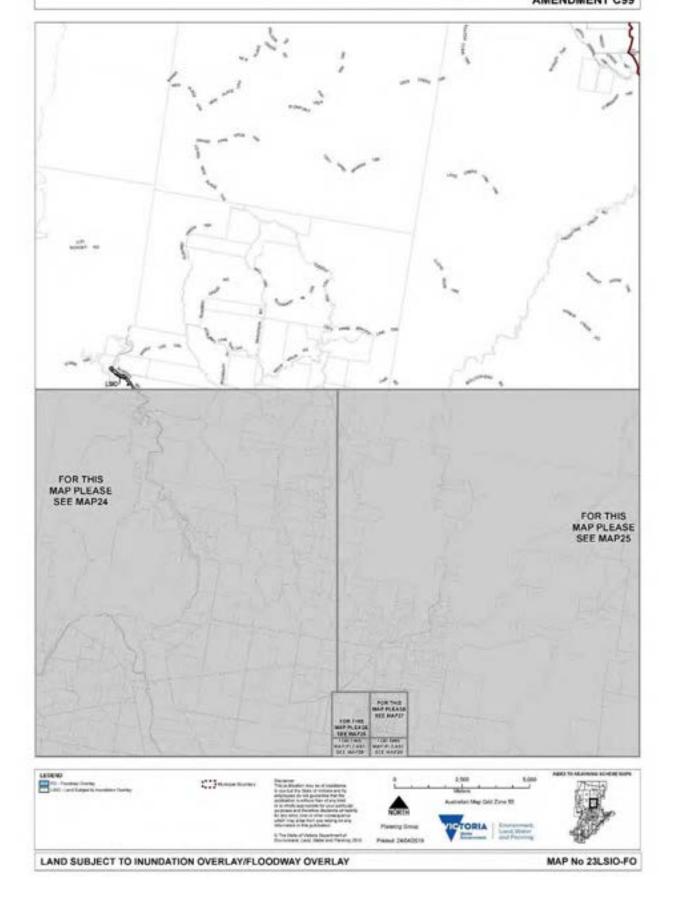


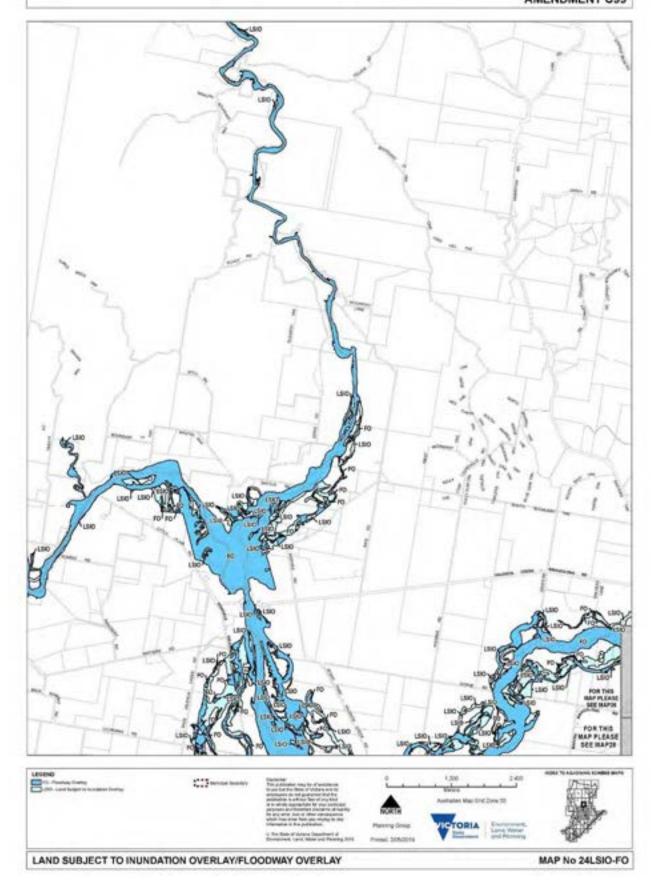






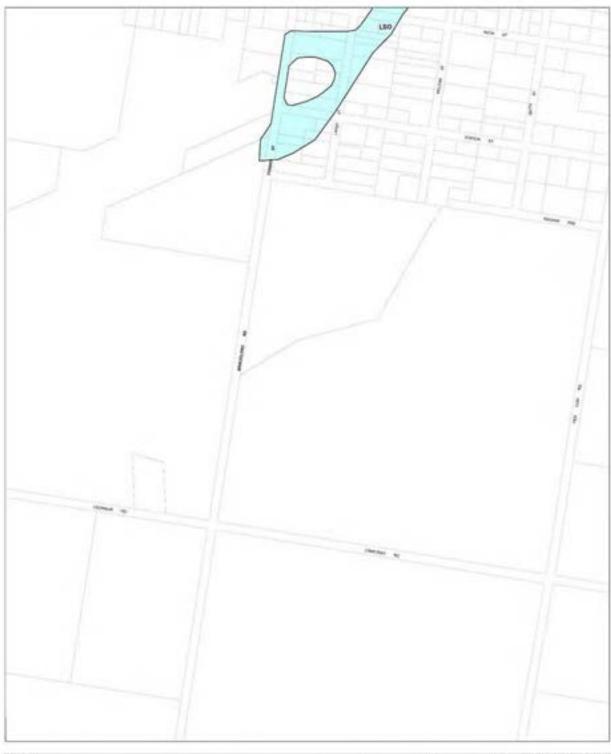




















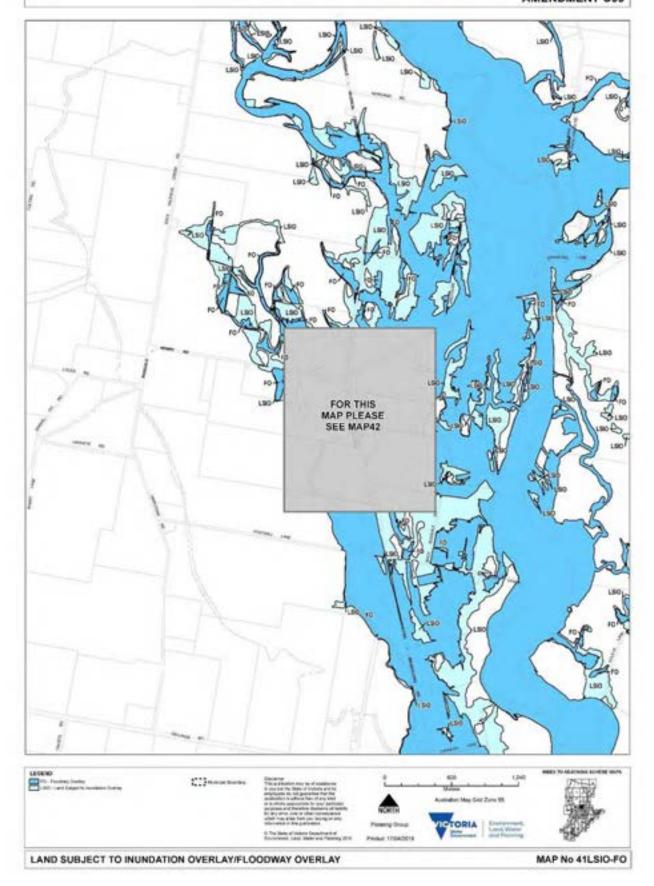


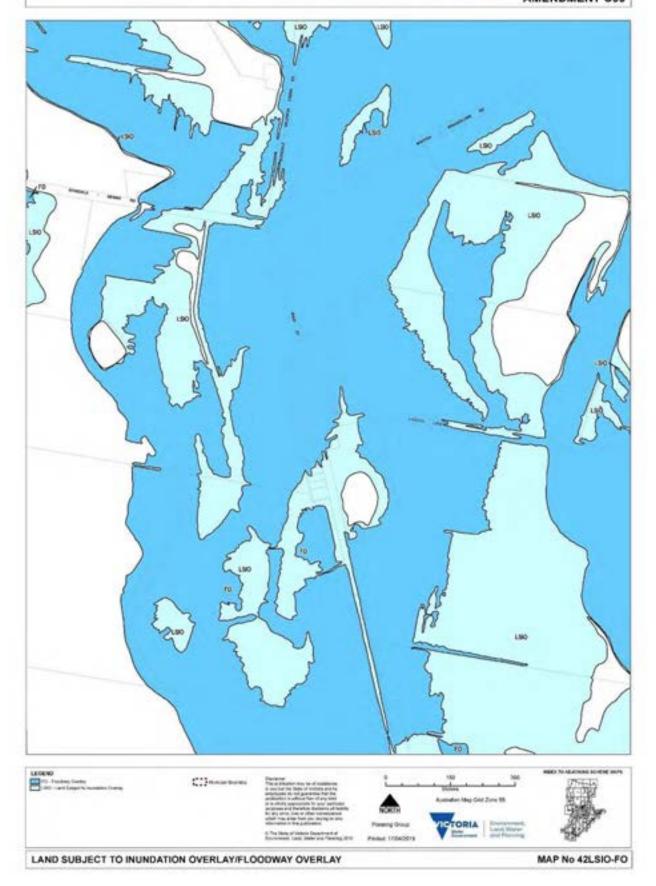








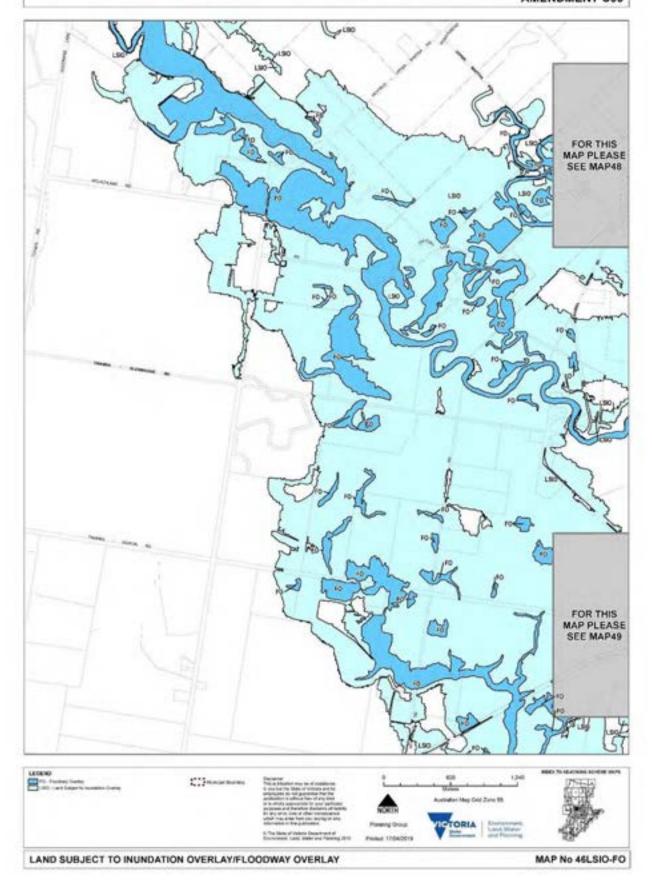


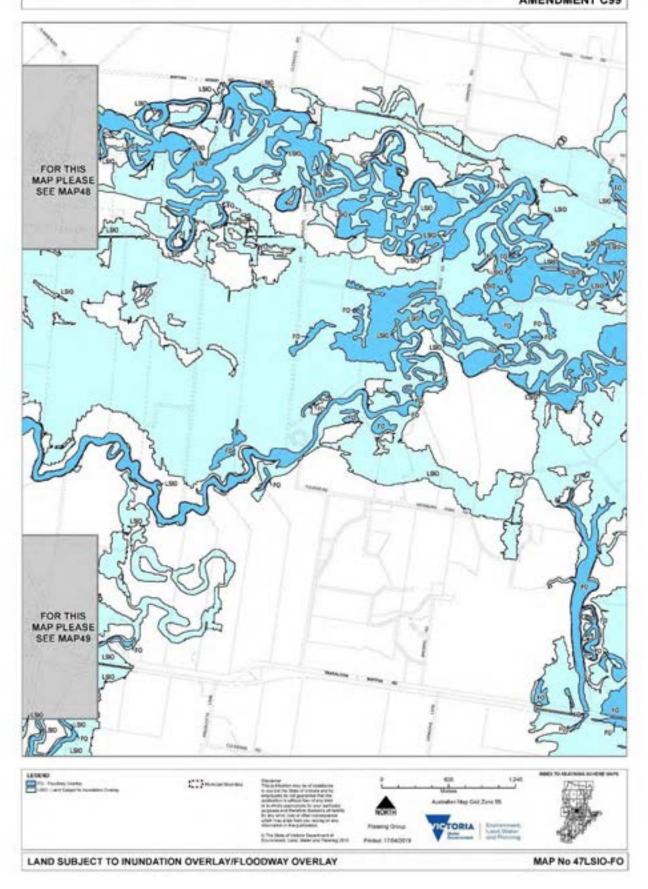


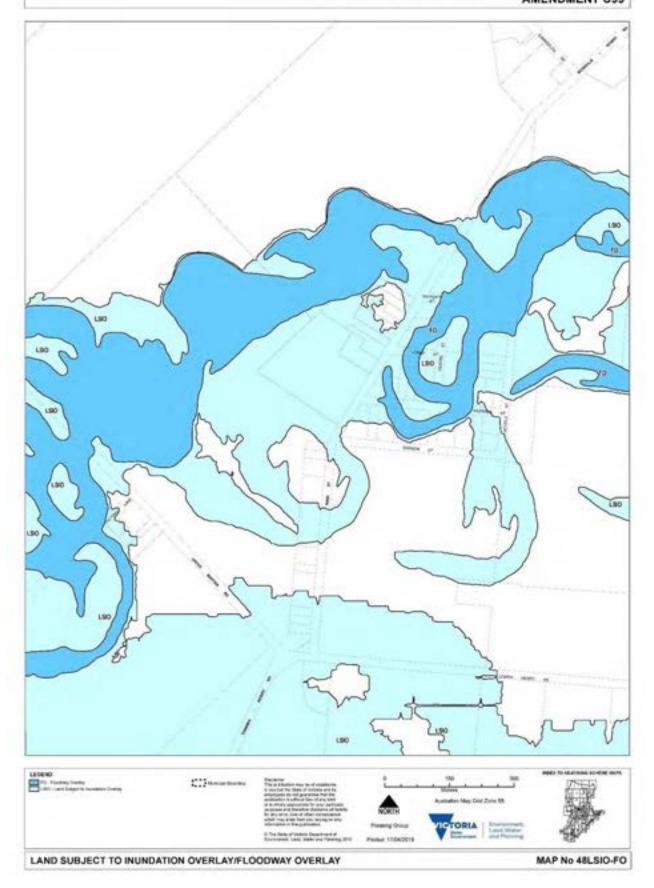


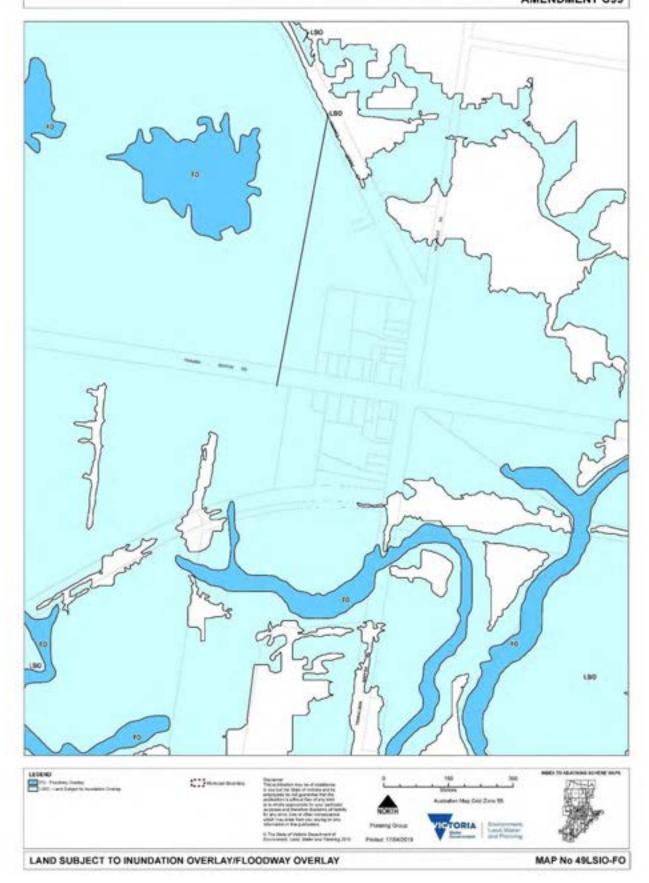


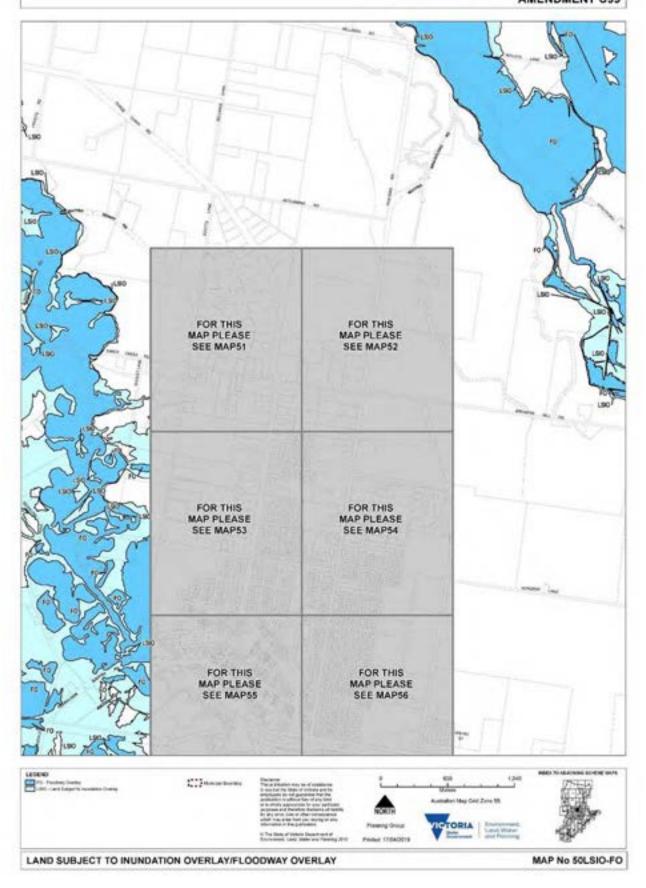






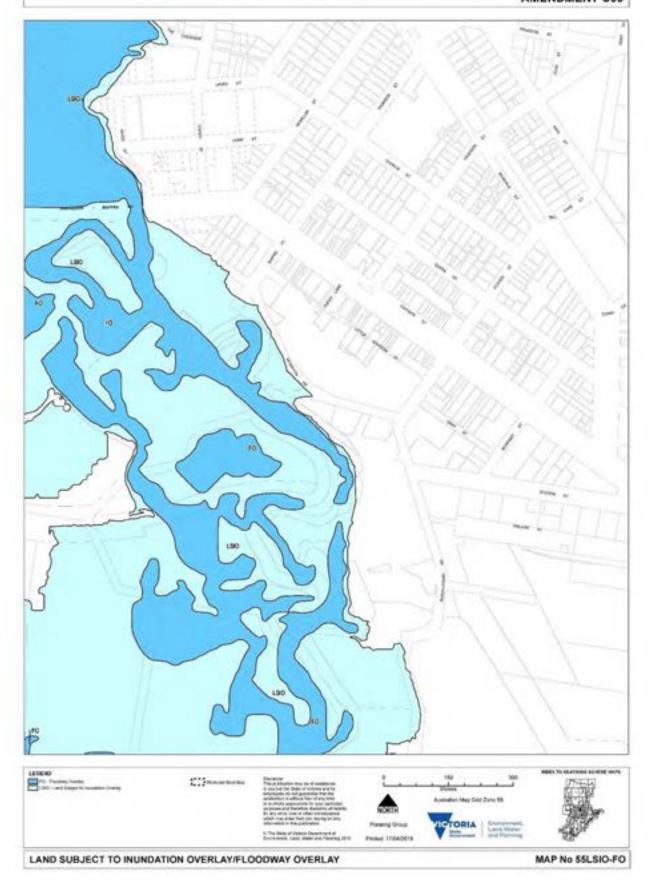


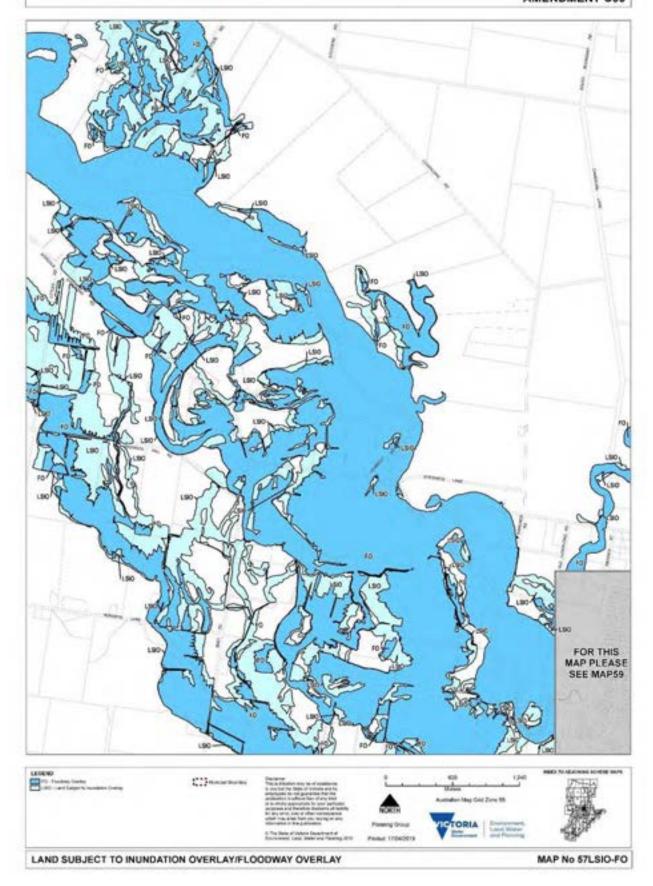






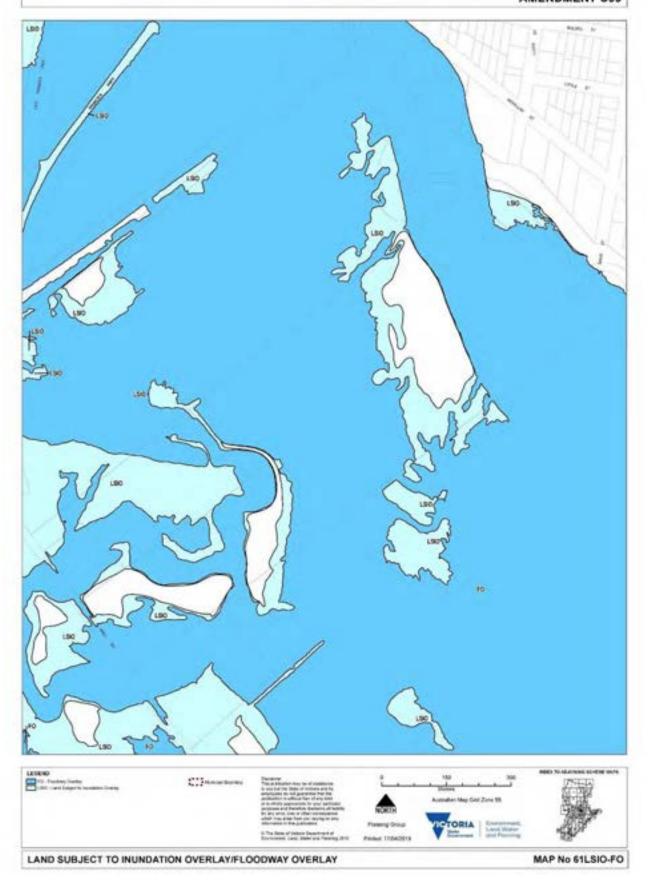




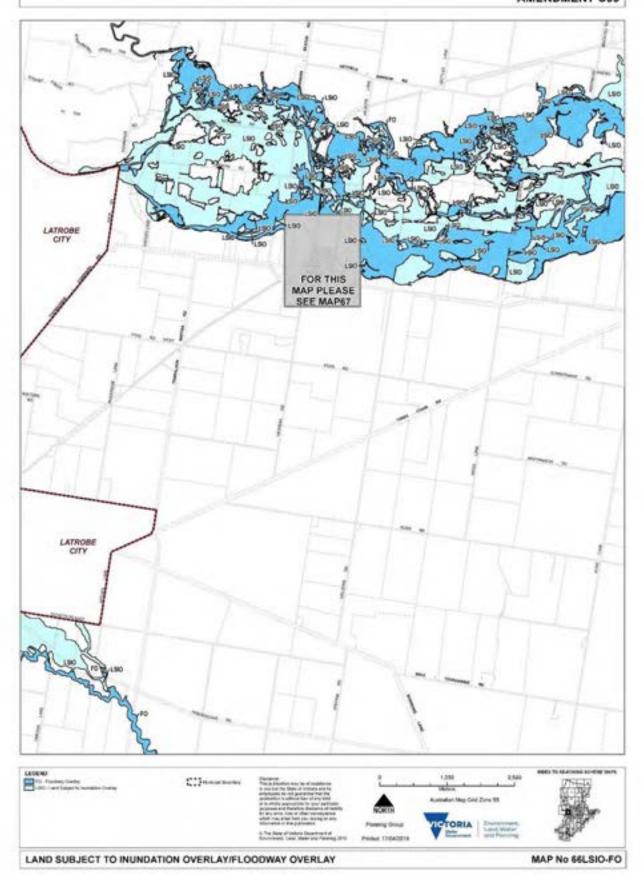






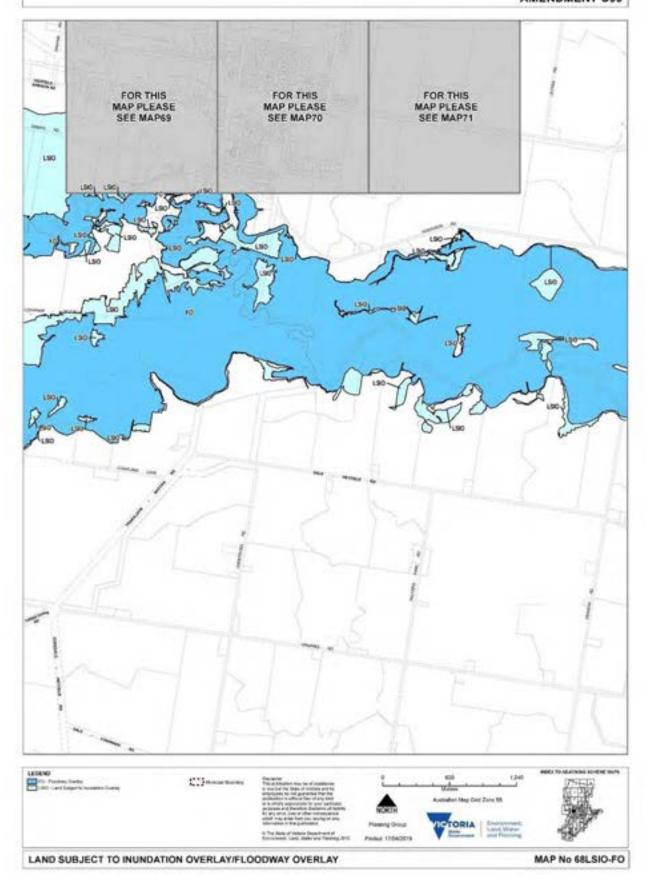






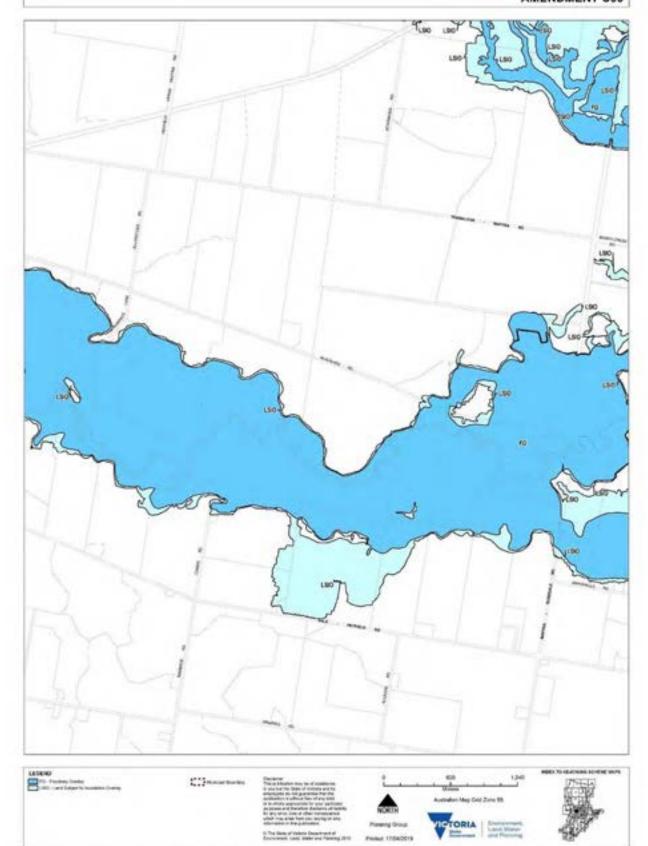






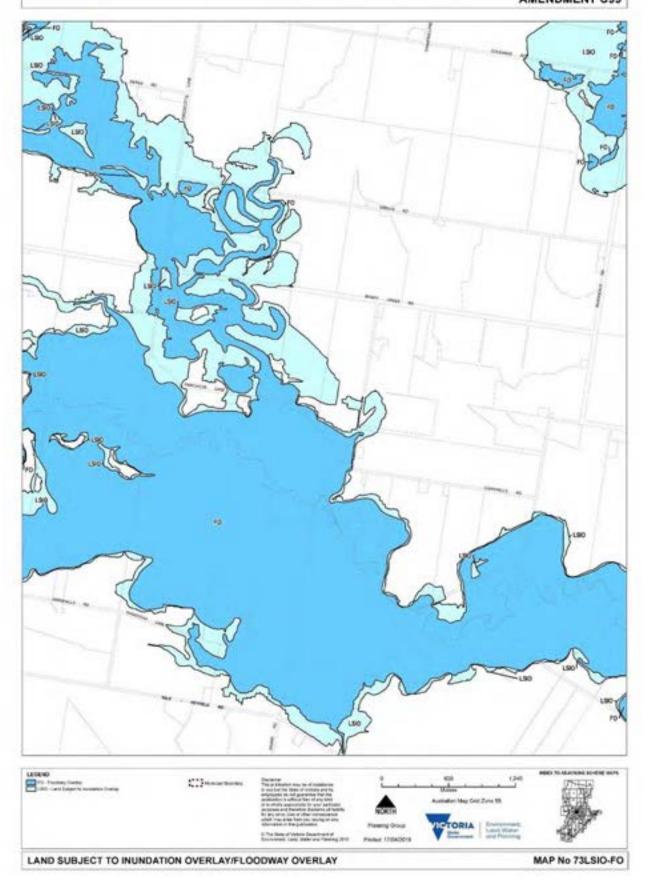


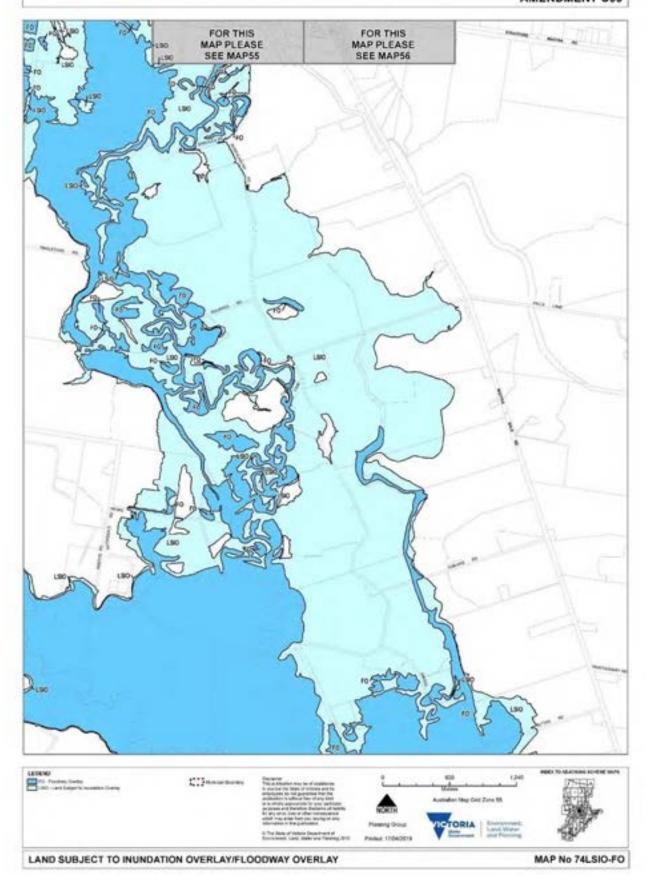


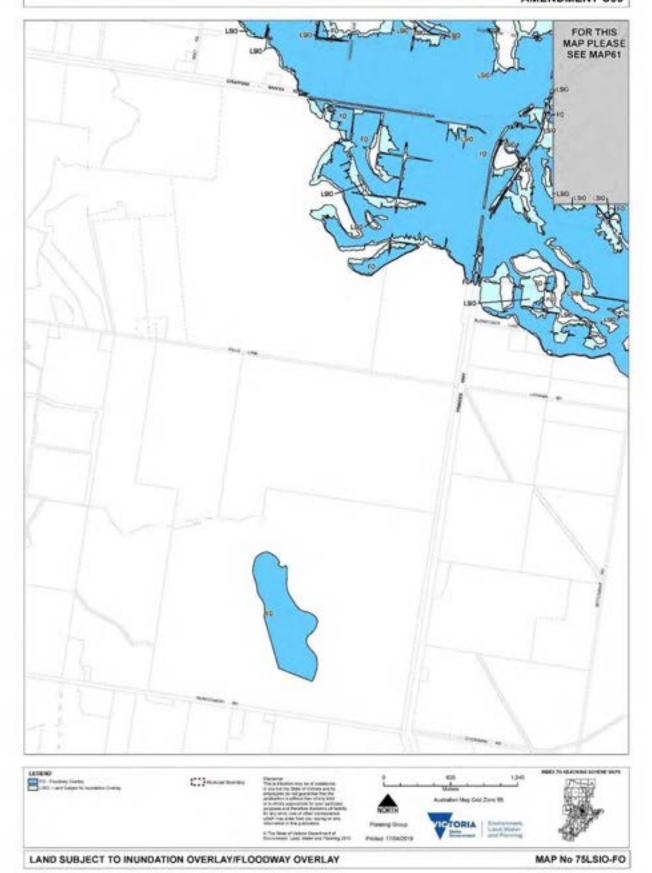


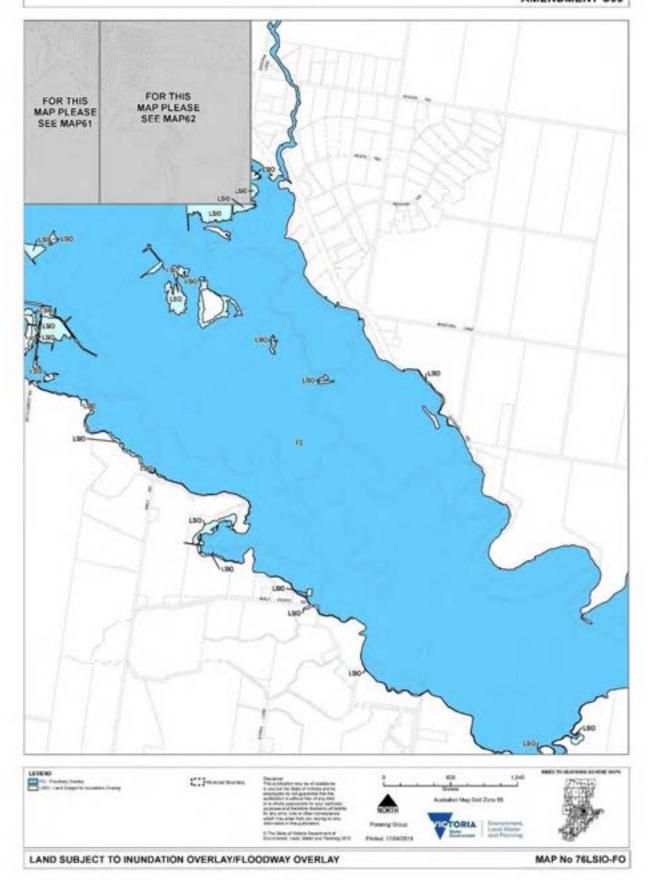
LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

MAP No 72LSIO-FO





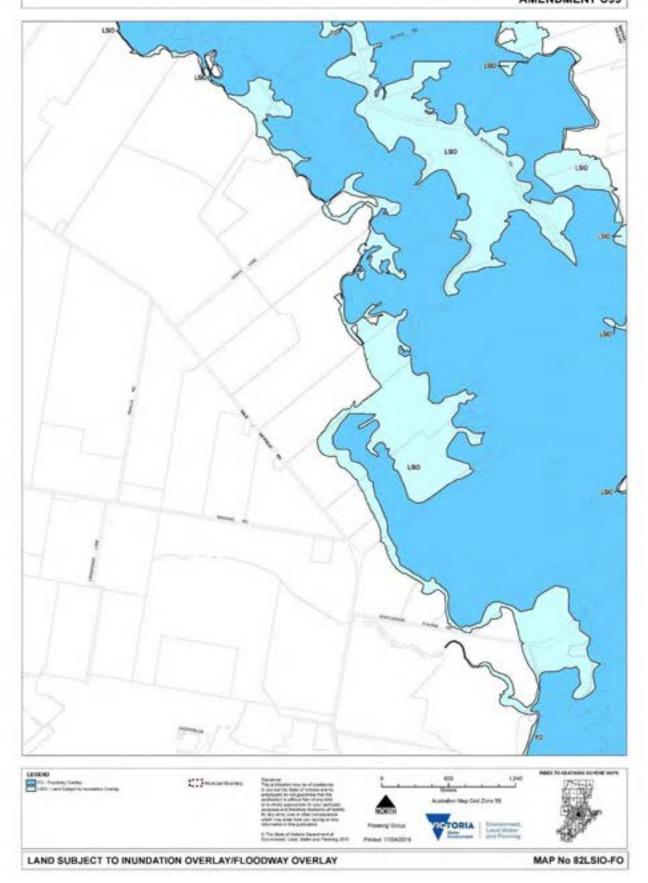






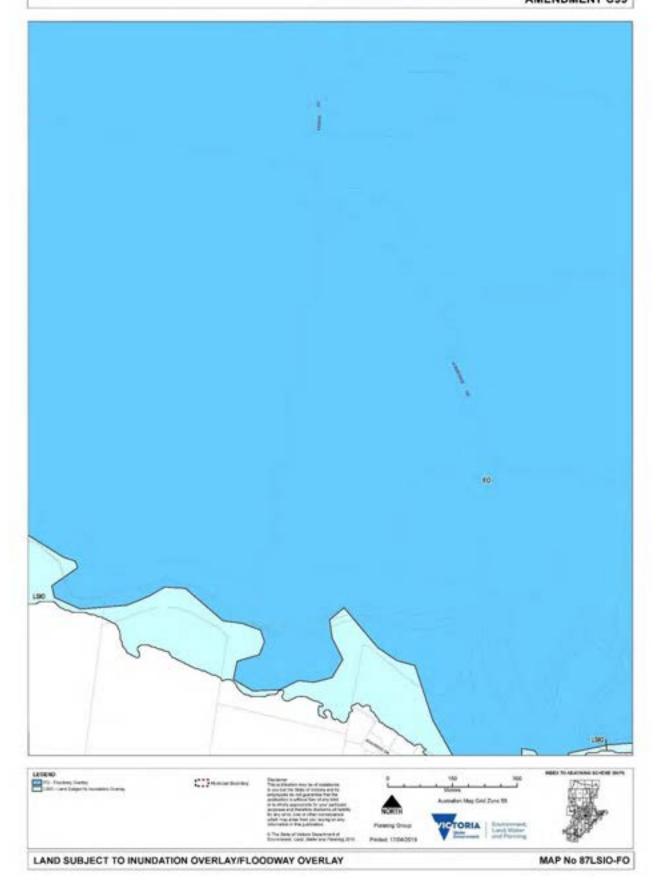


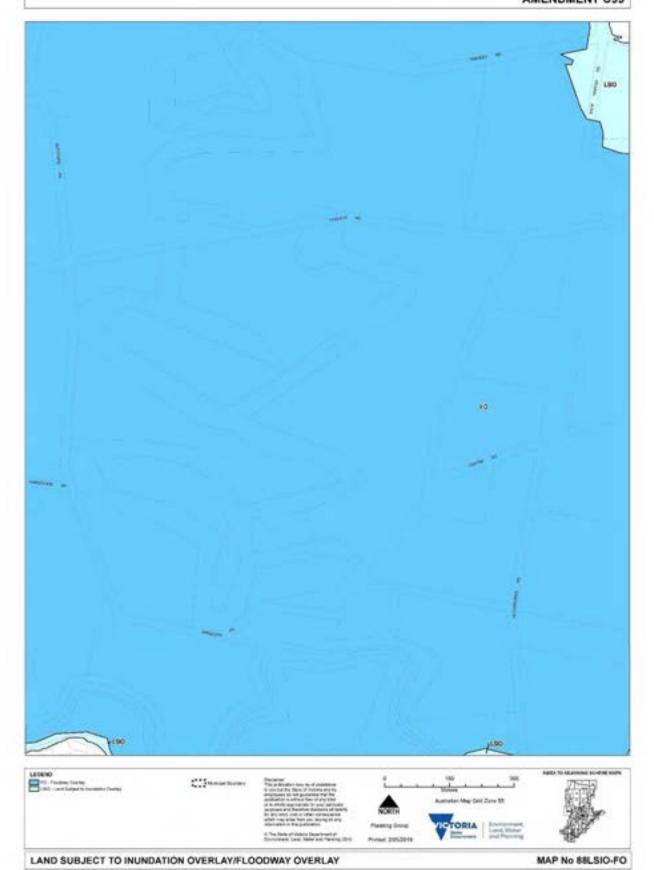








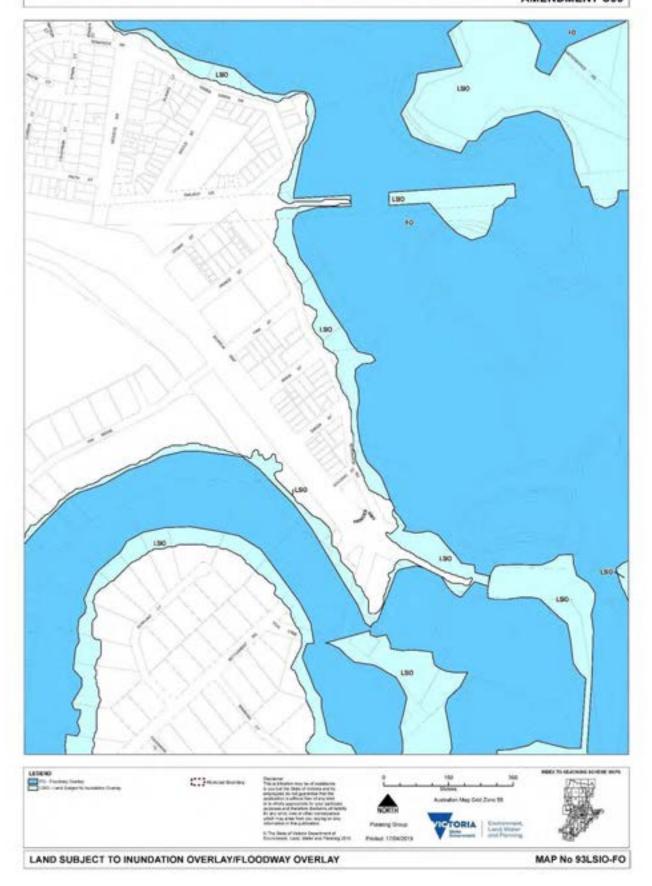


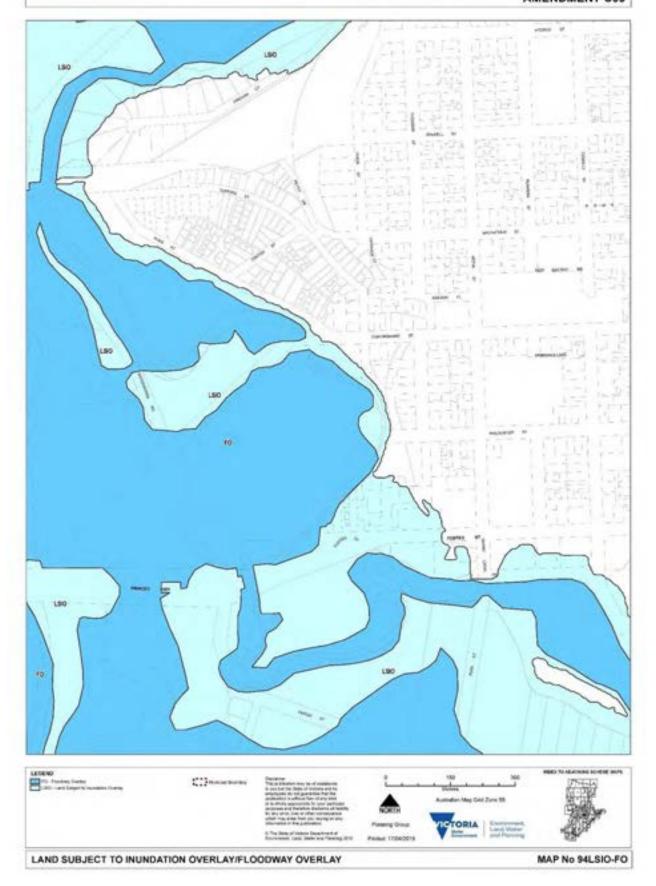


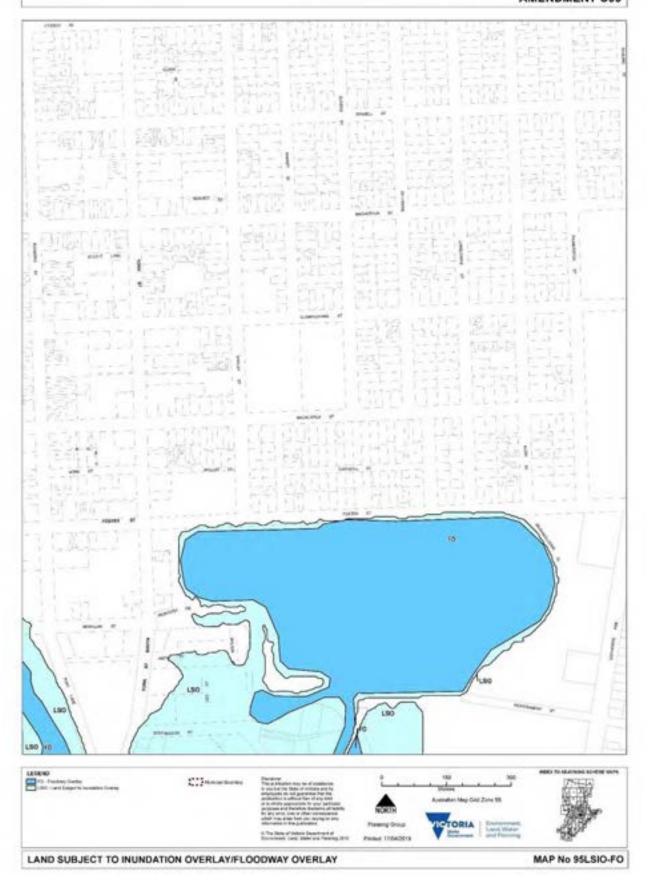






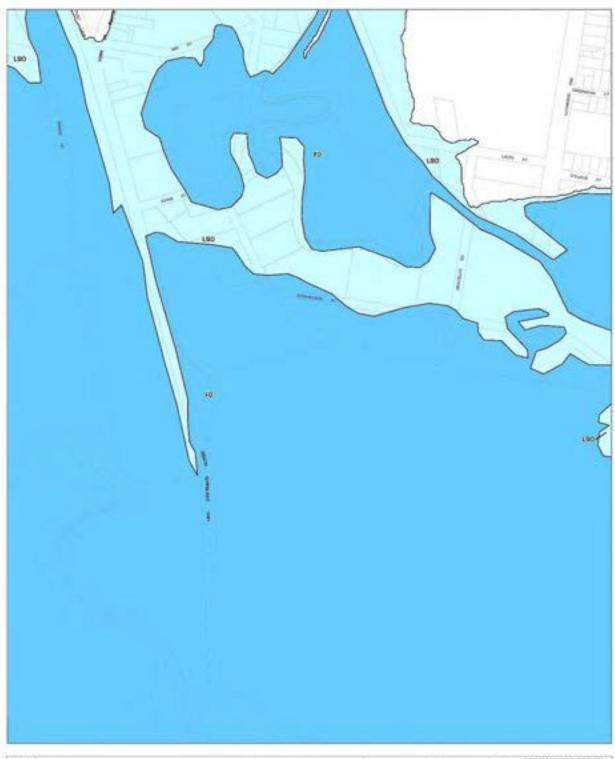






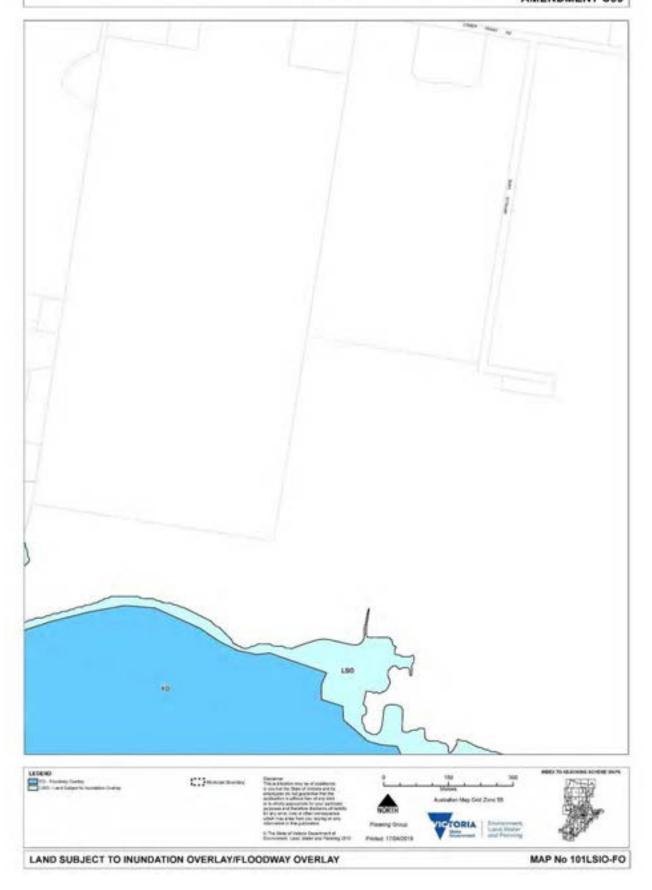




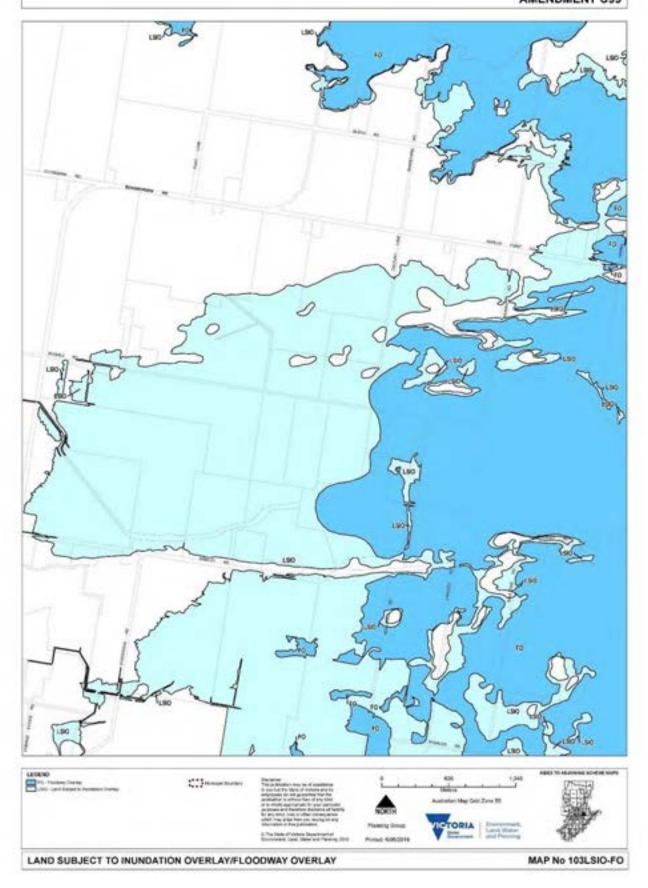










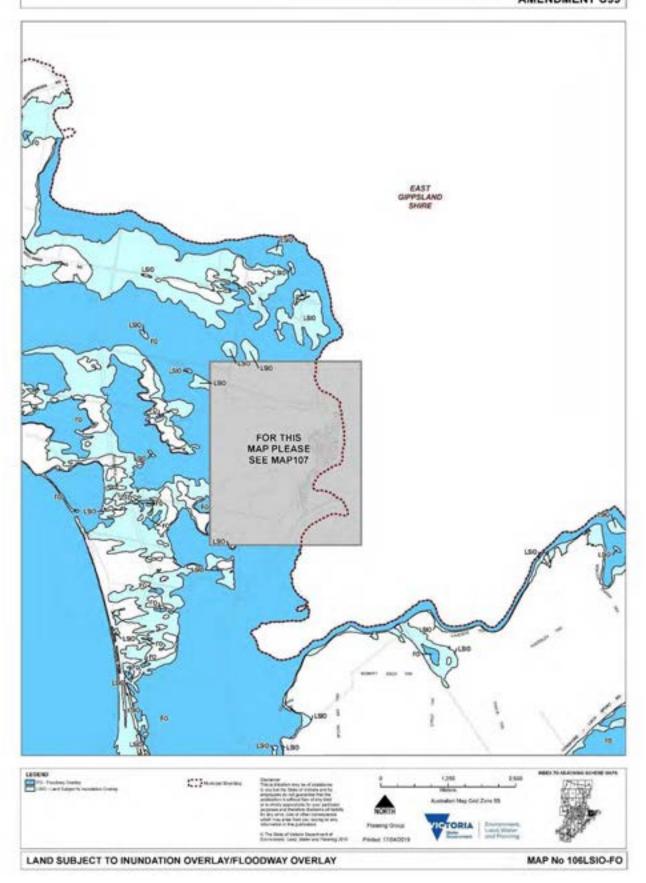


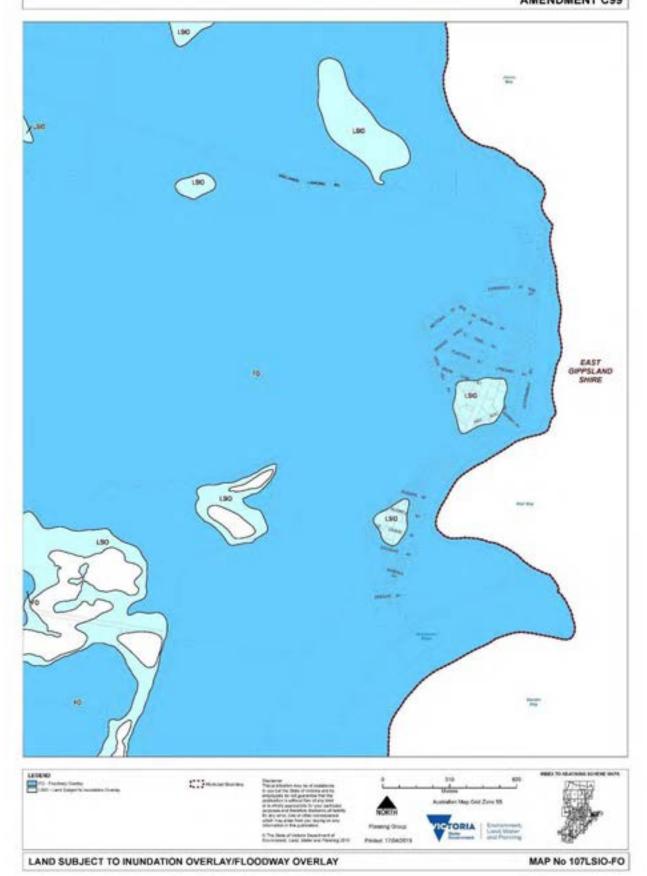


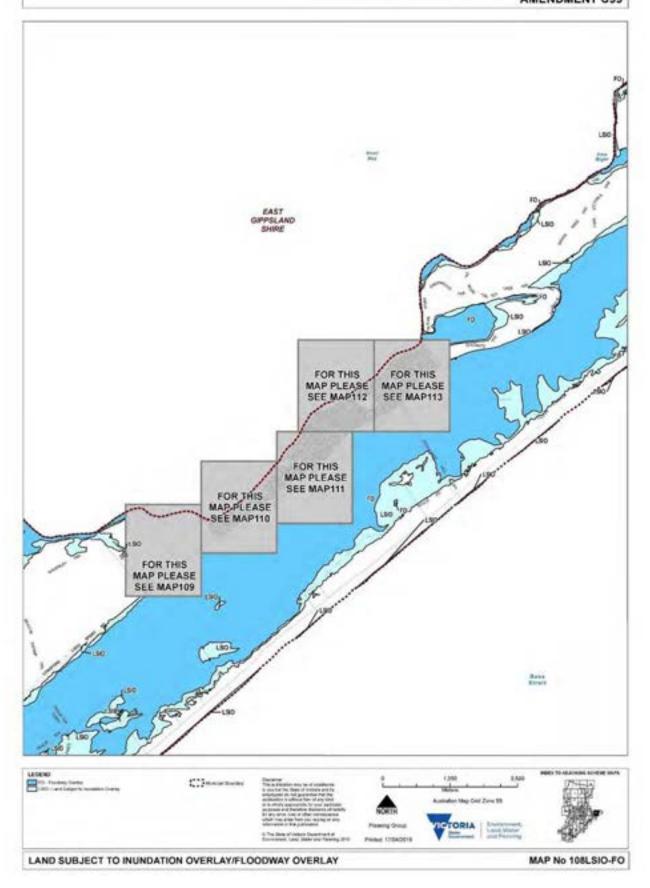




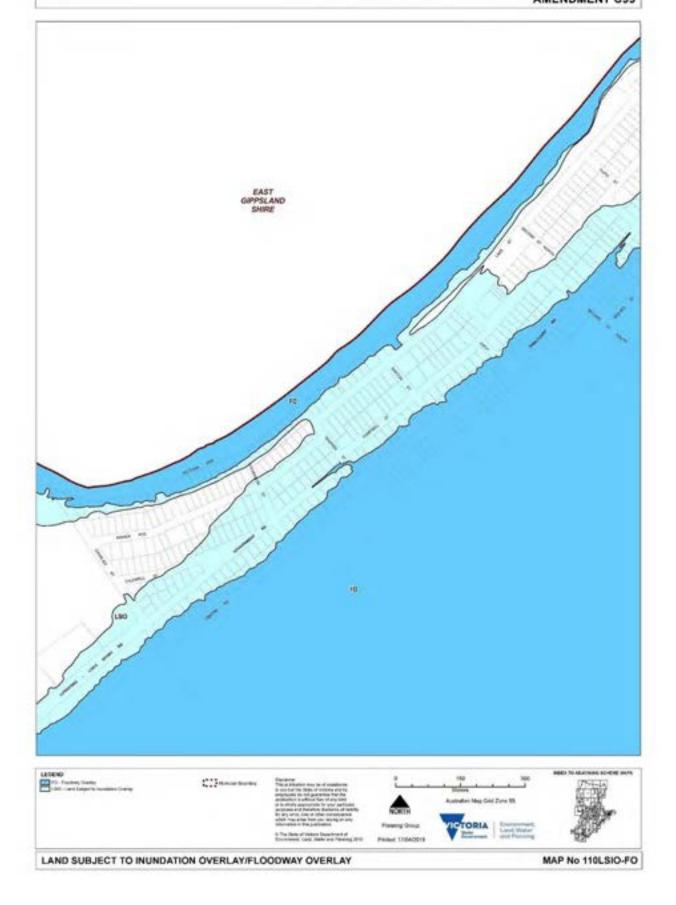


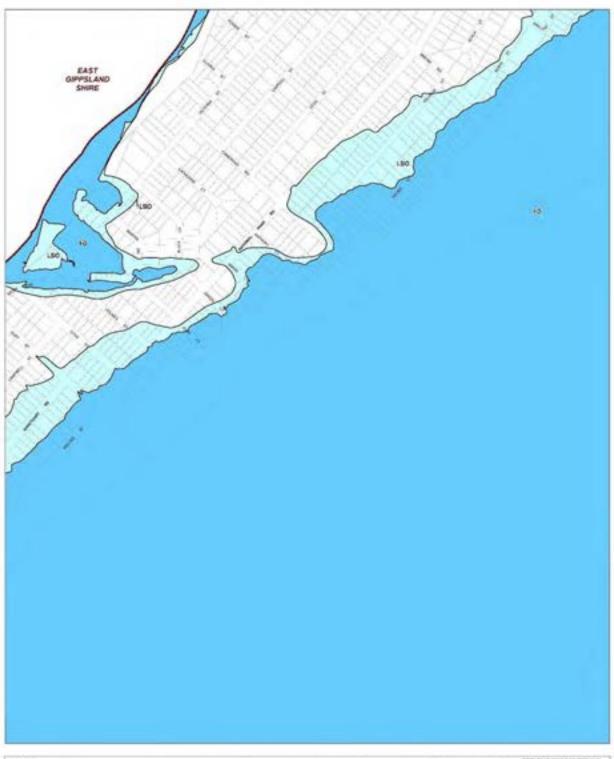




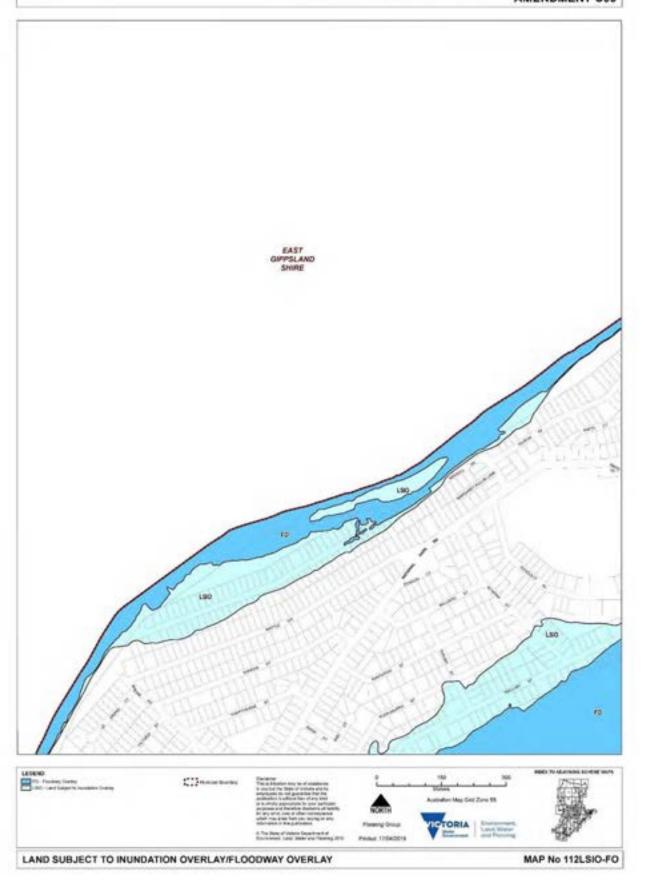




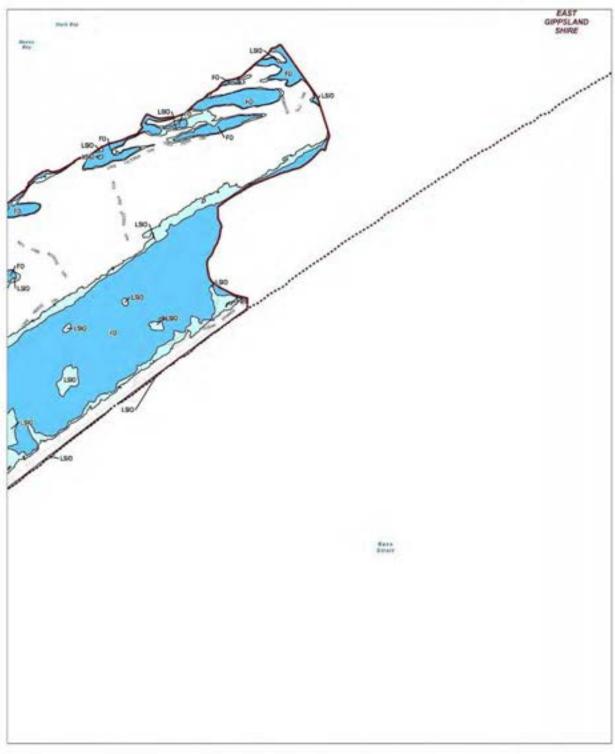




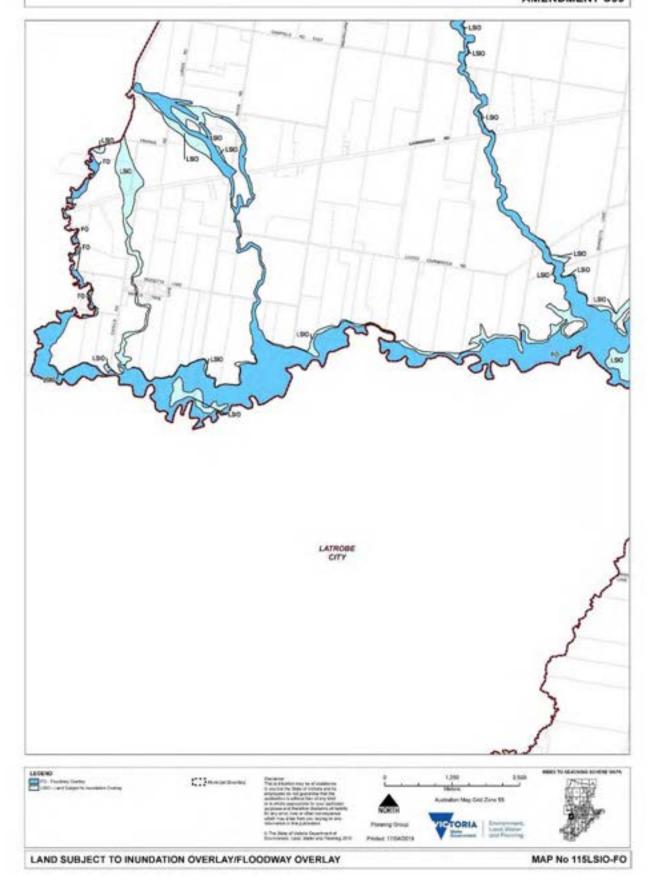


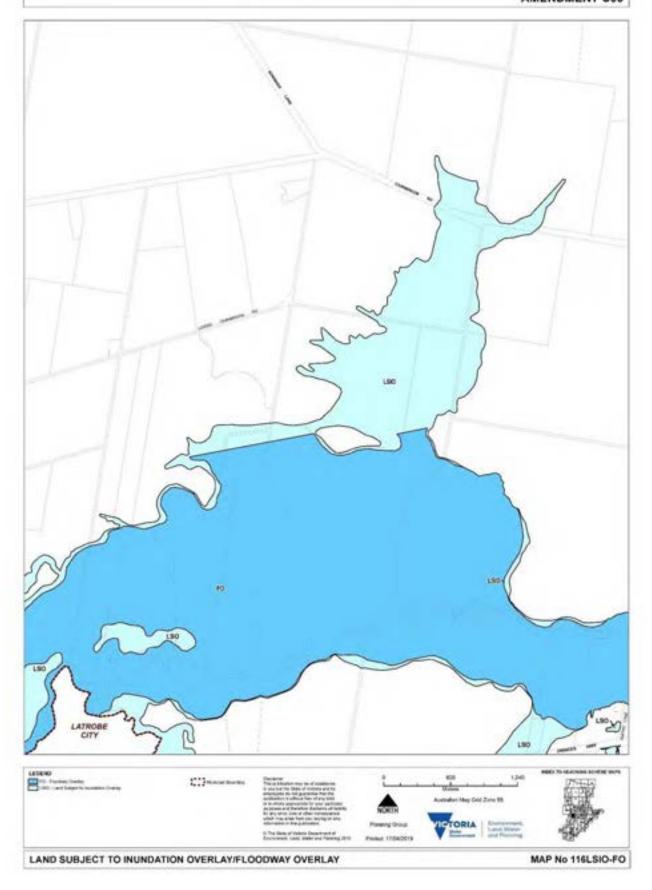




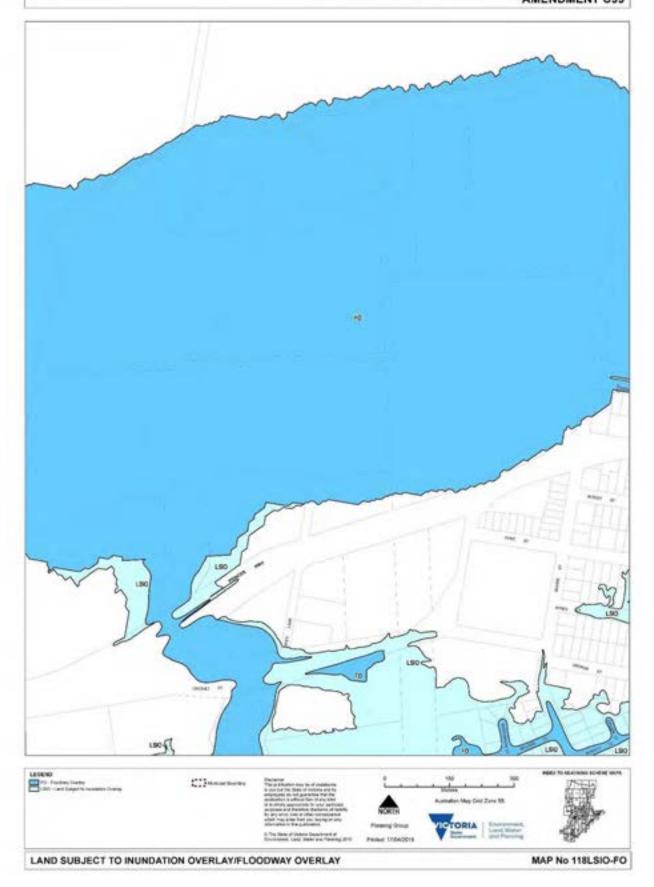




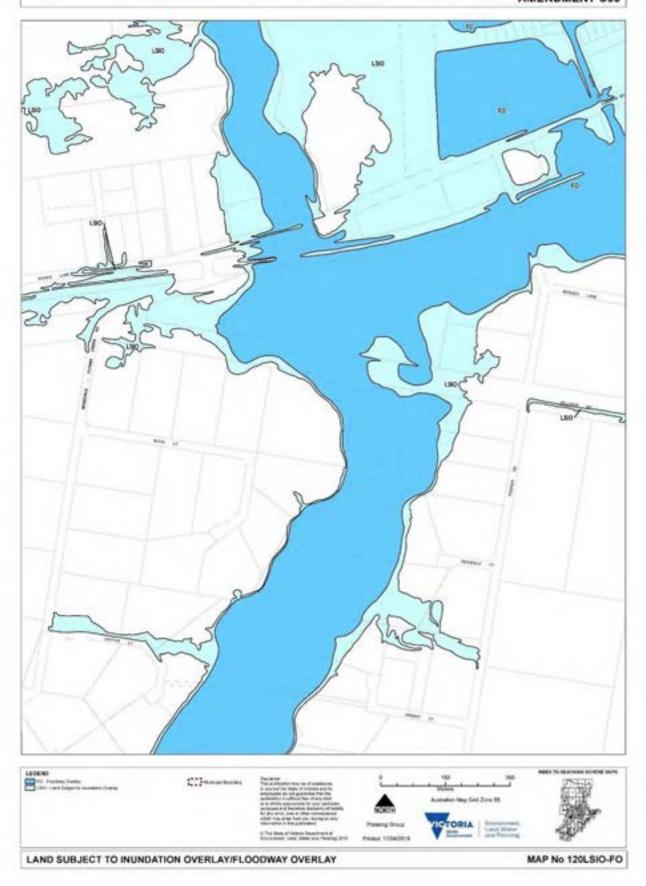




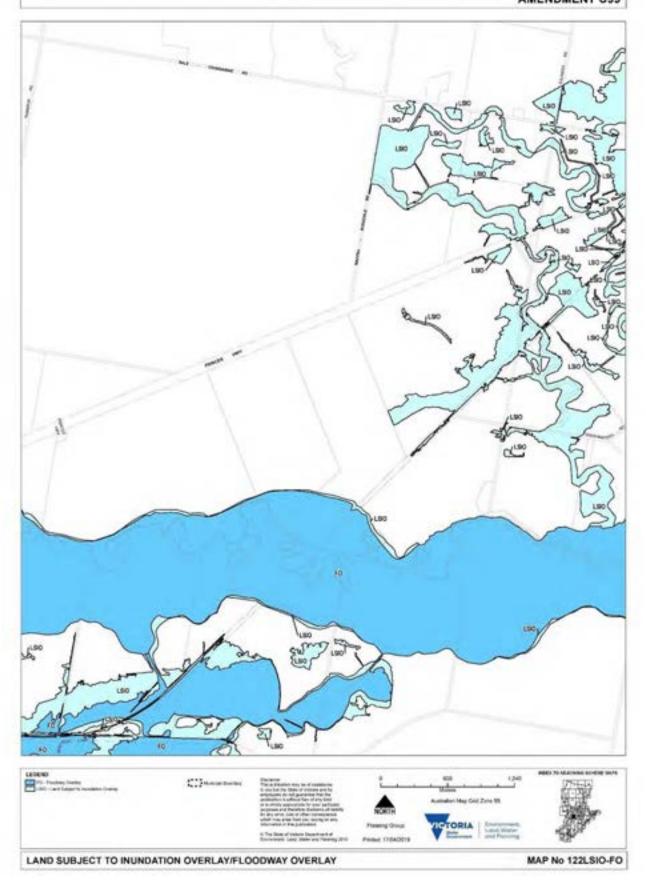


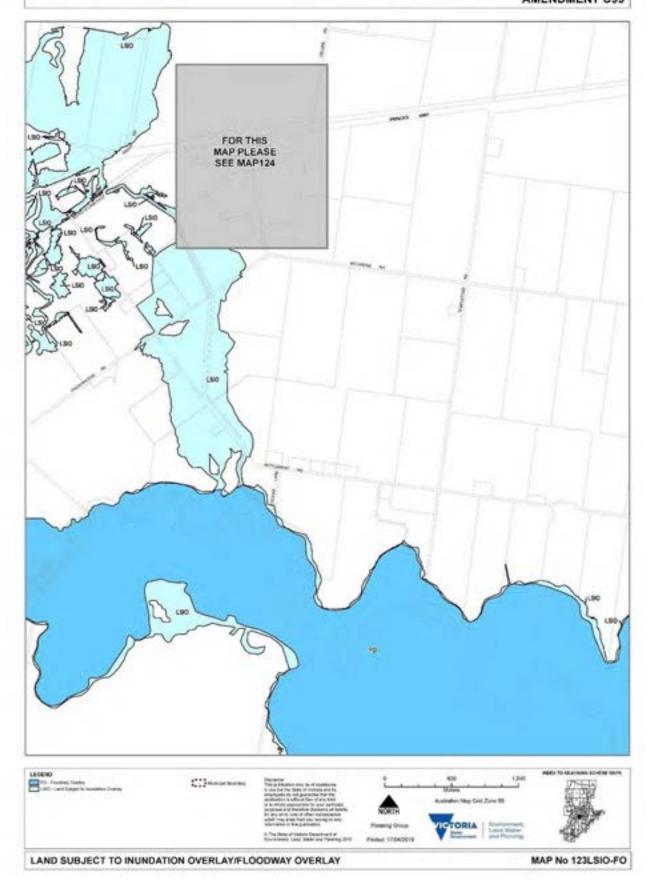


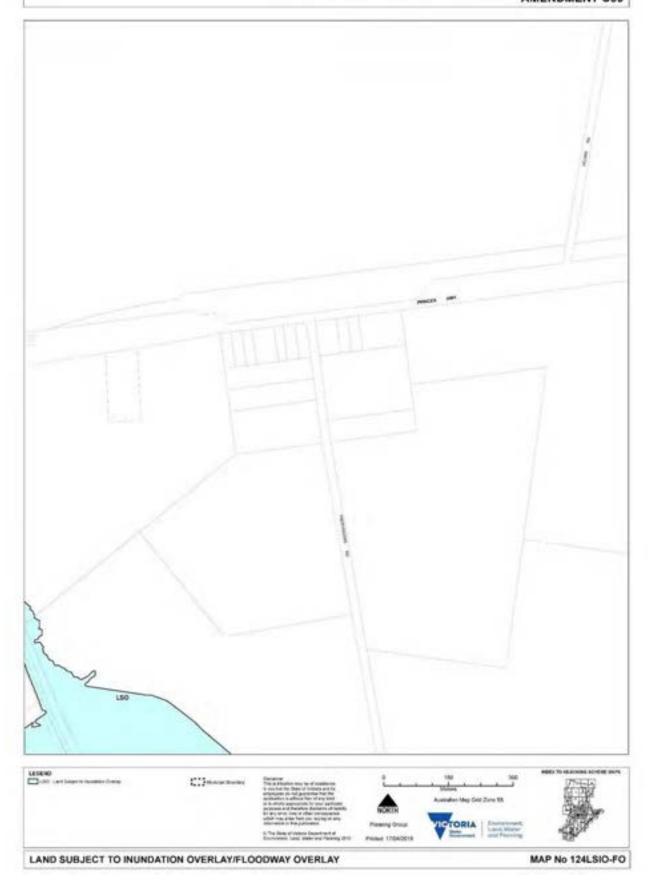




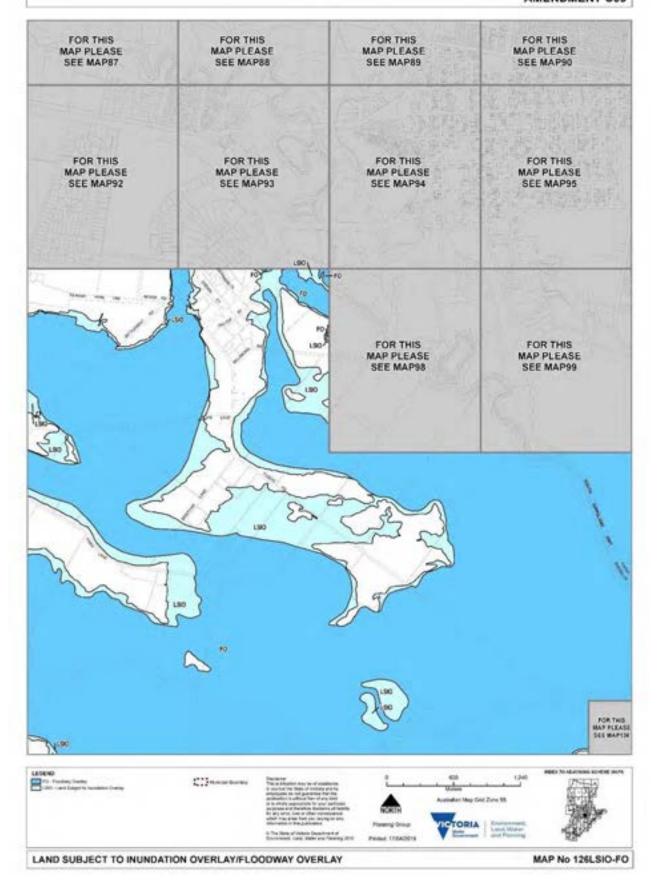


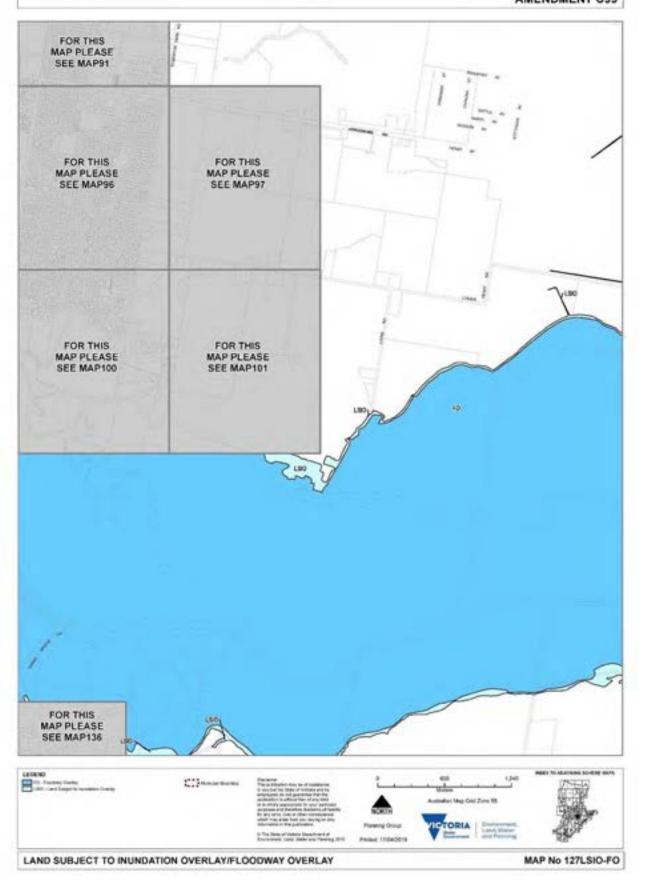


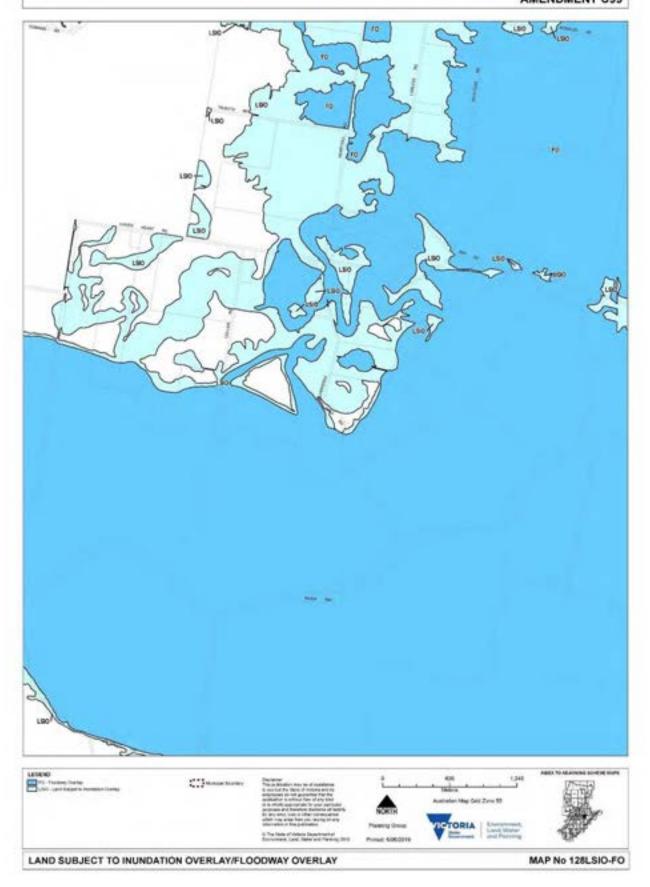


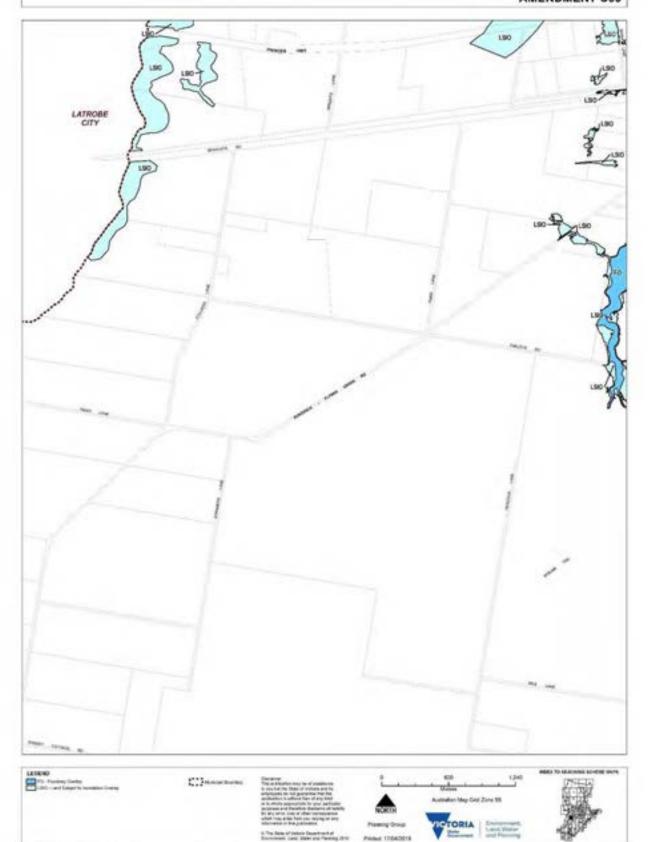






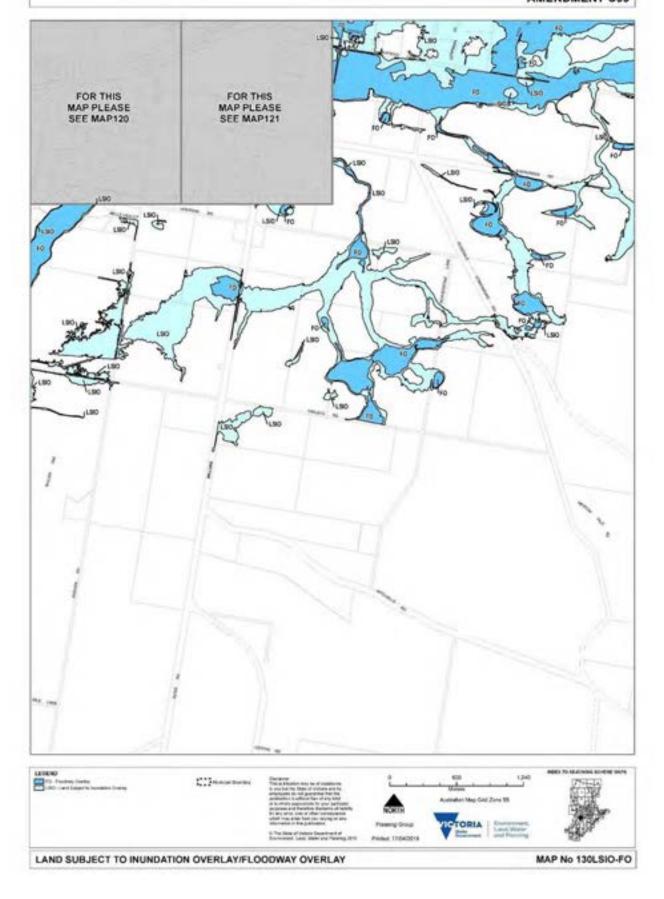


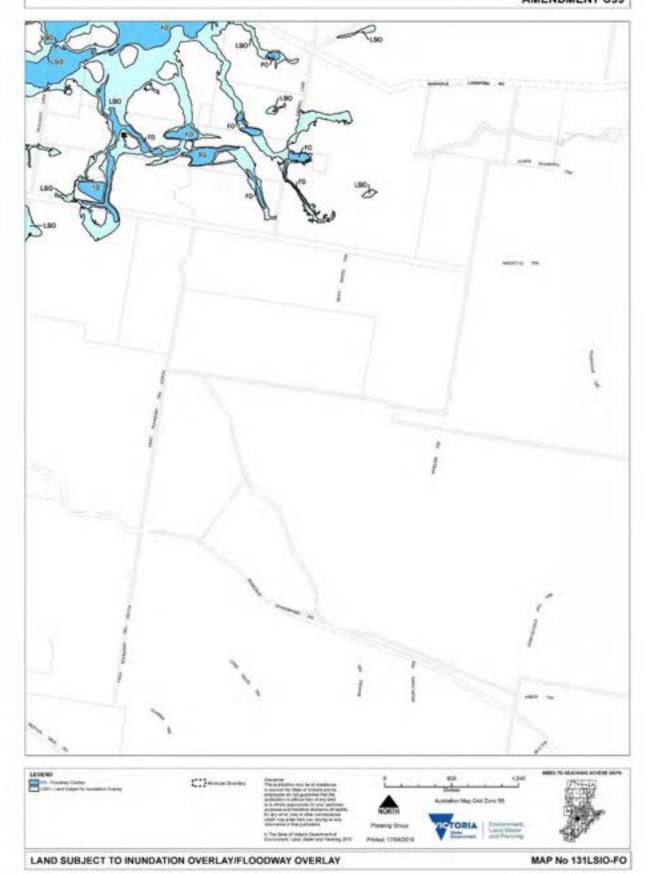




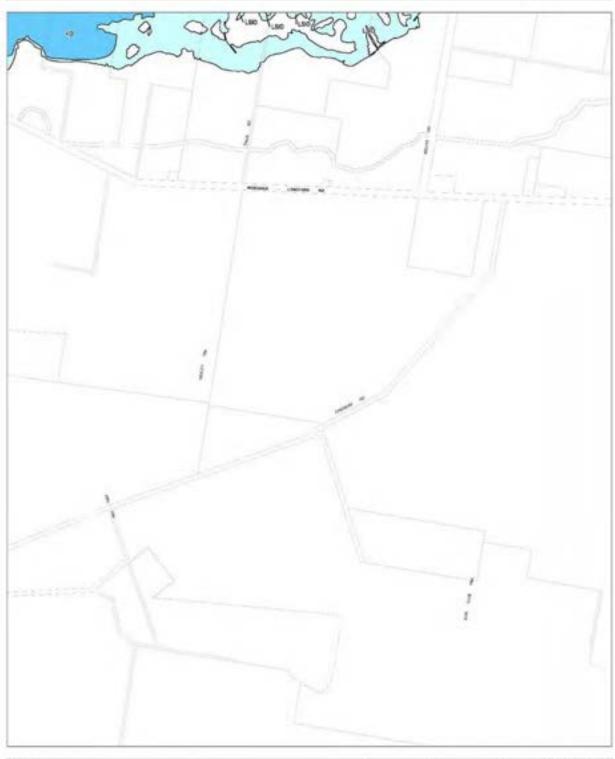
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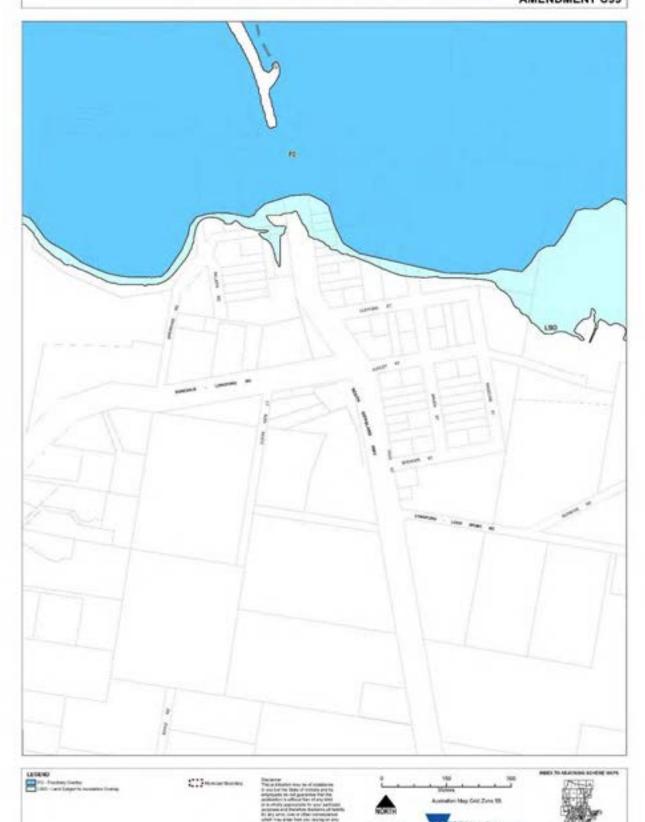






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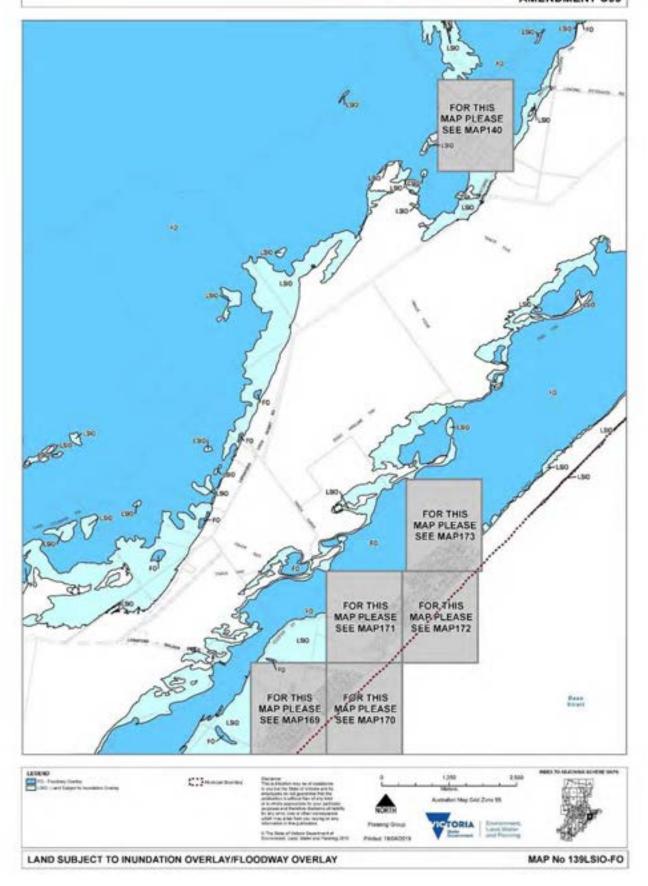
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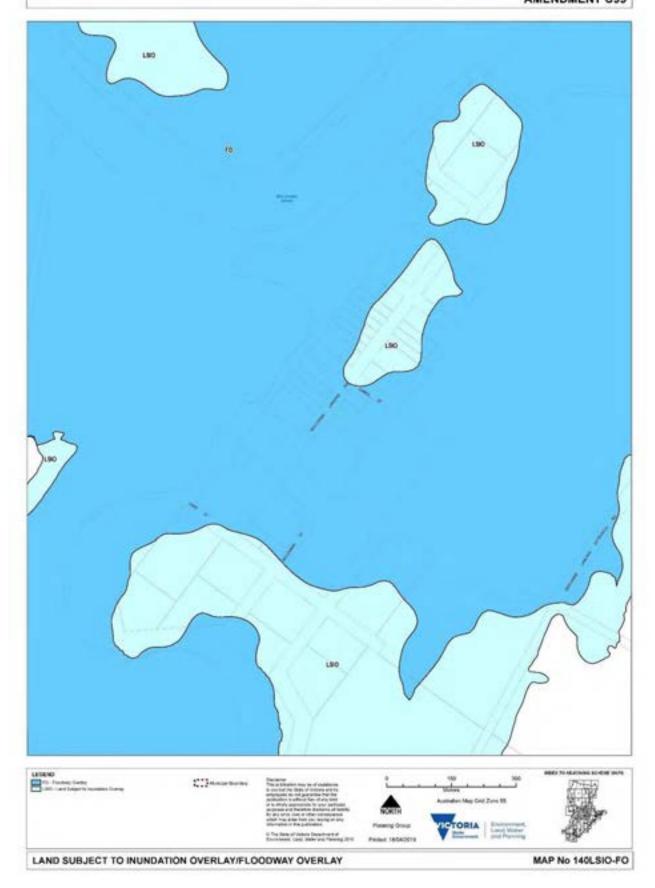
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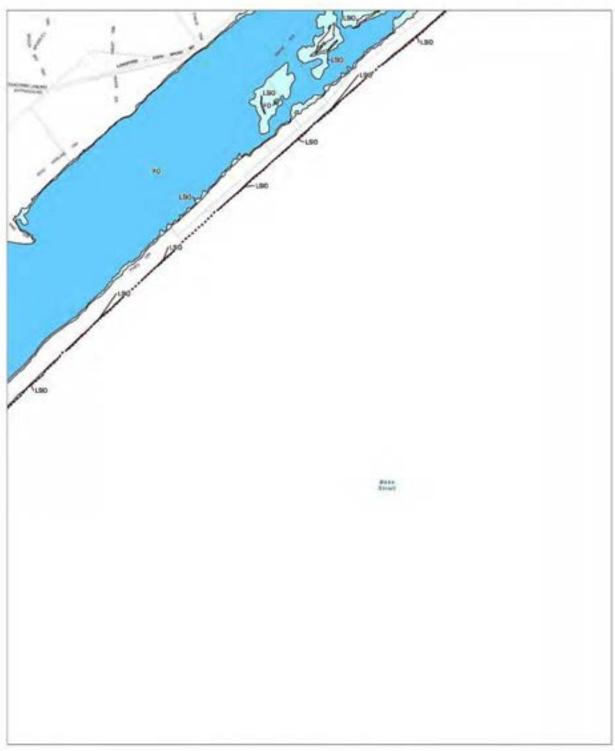




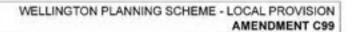


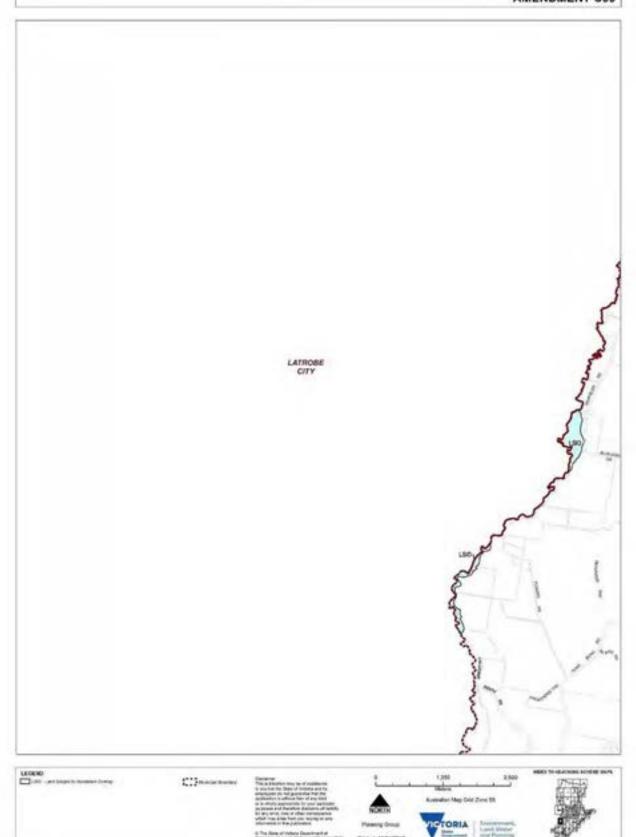






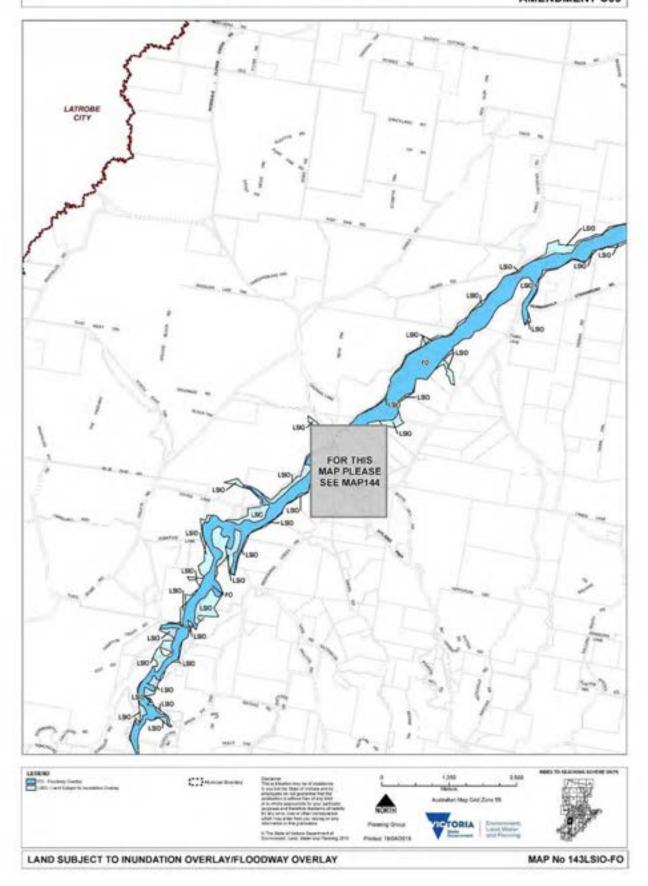






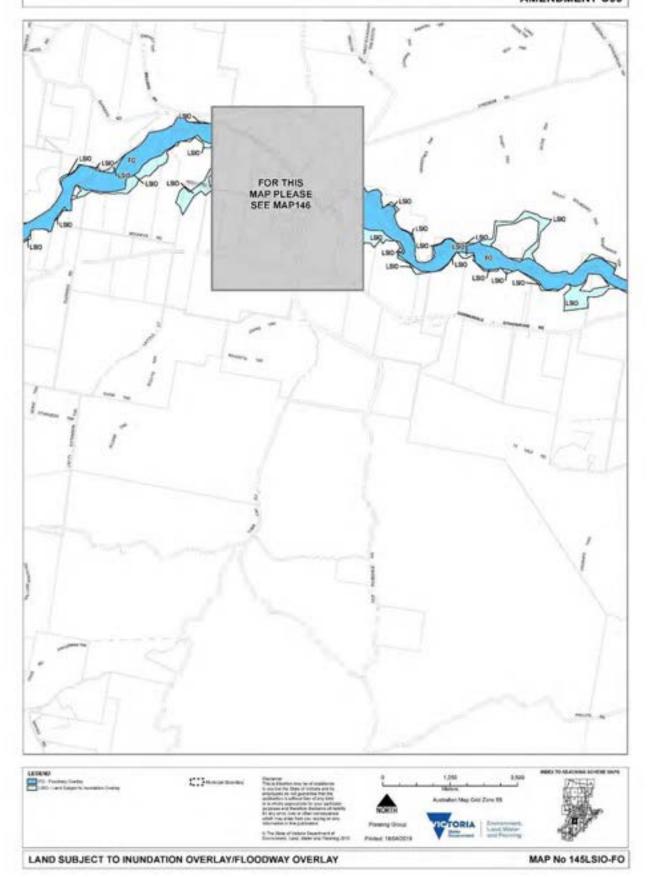
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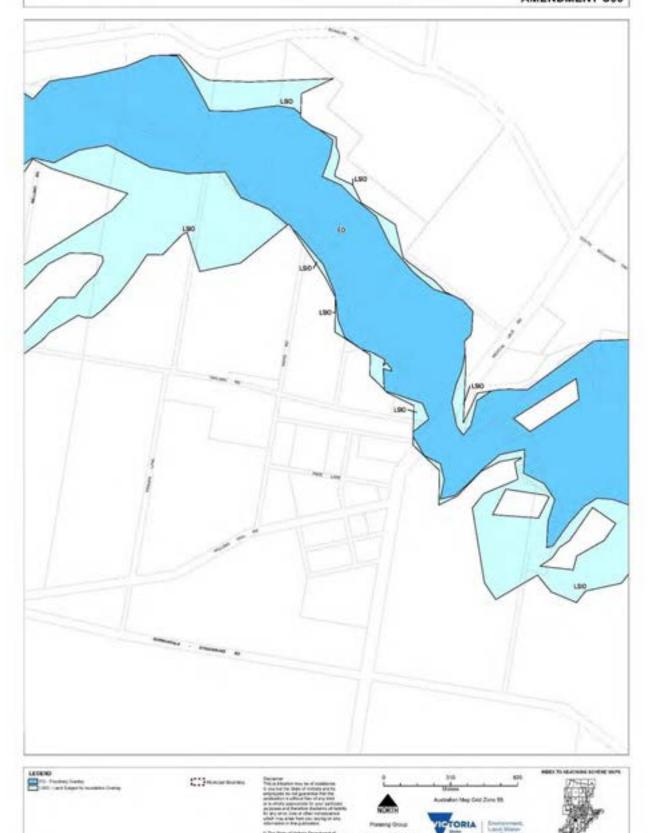
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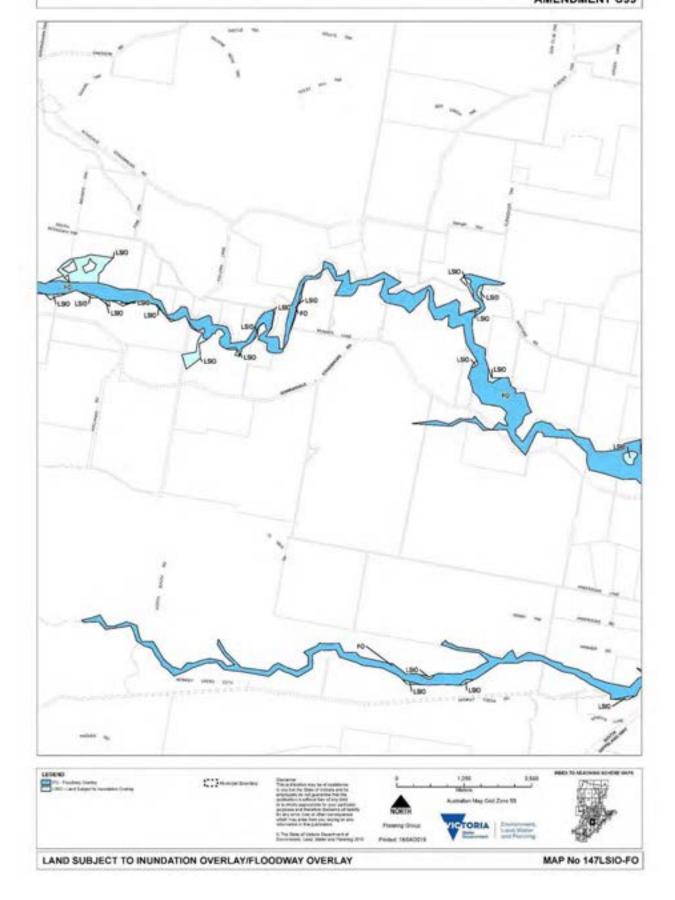


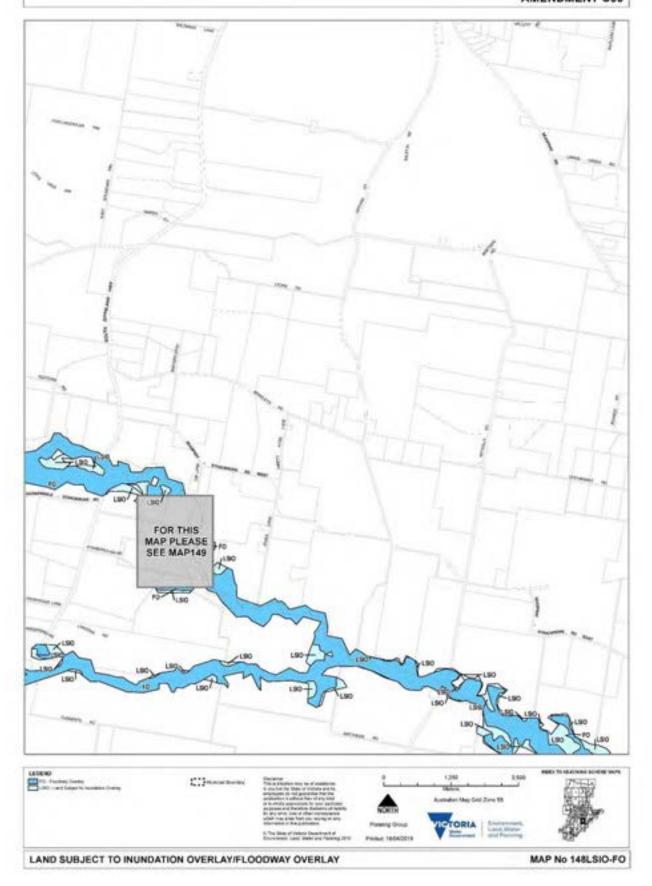


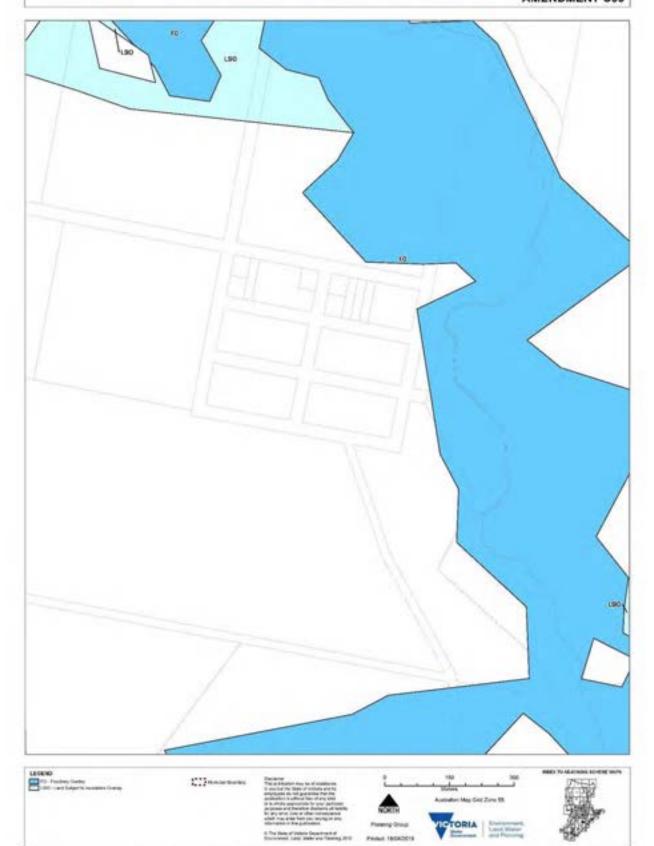


LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

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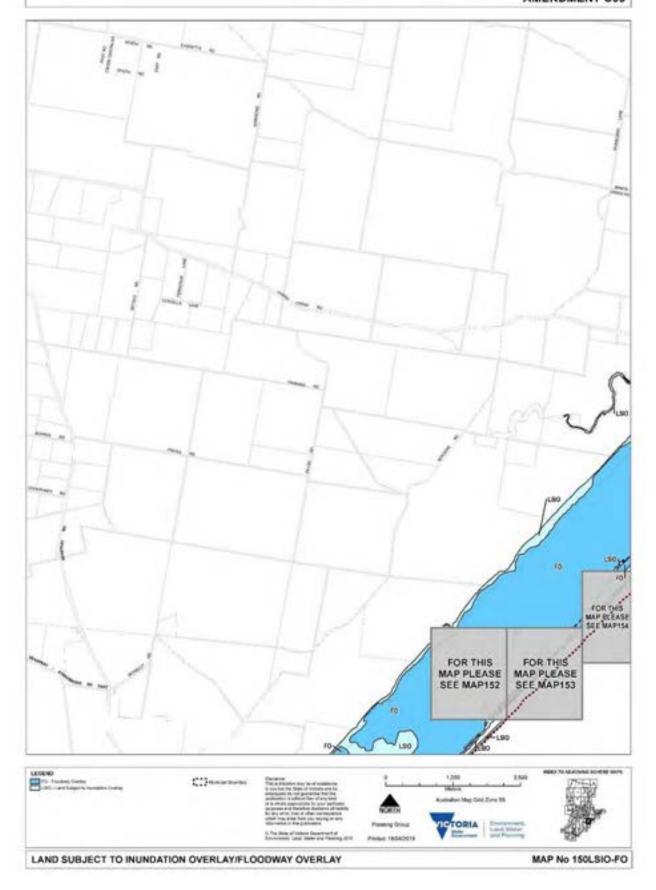


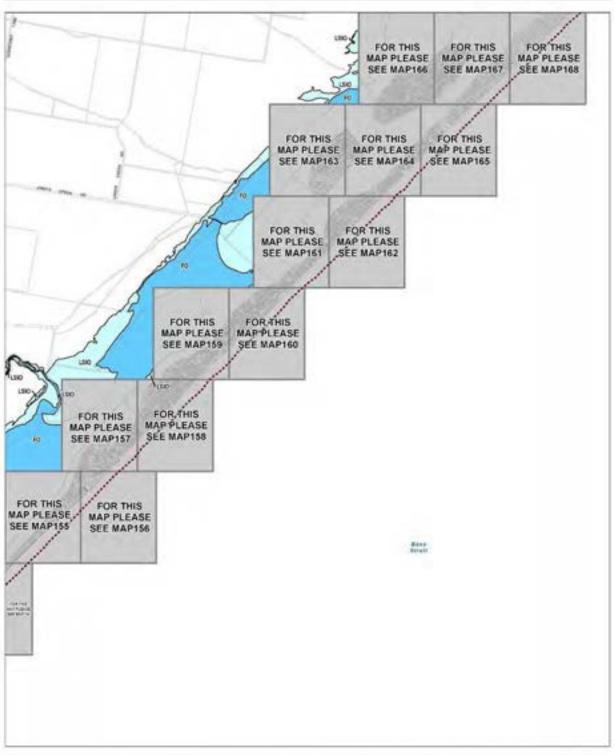




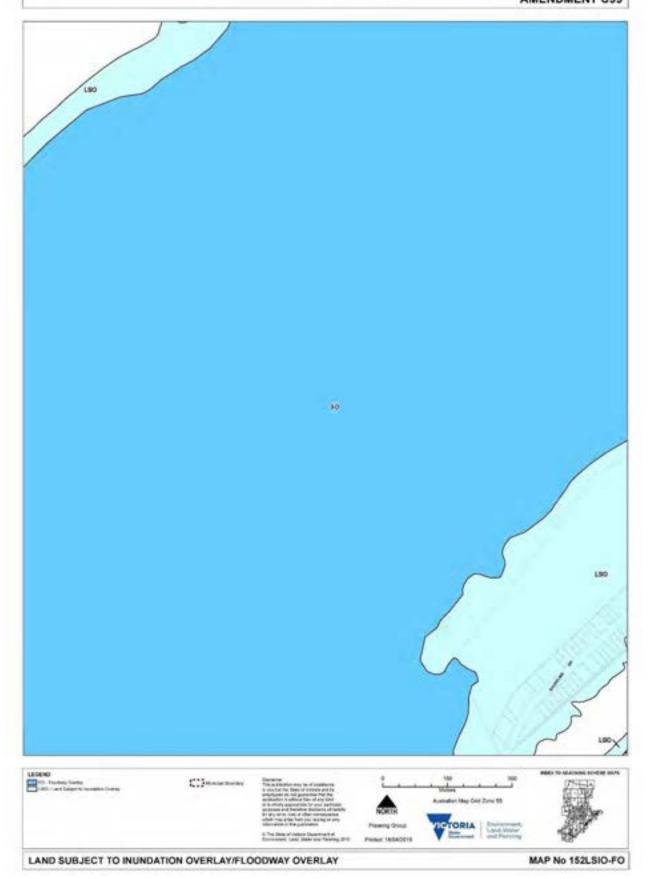
LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

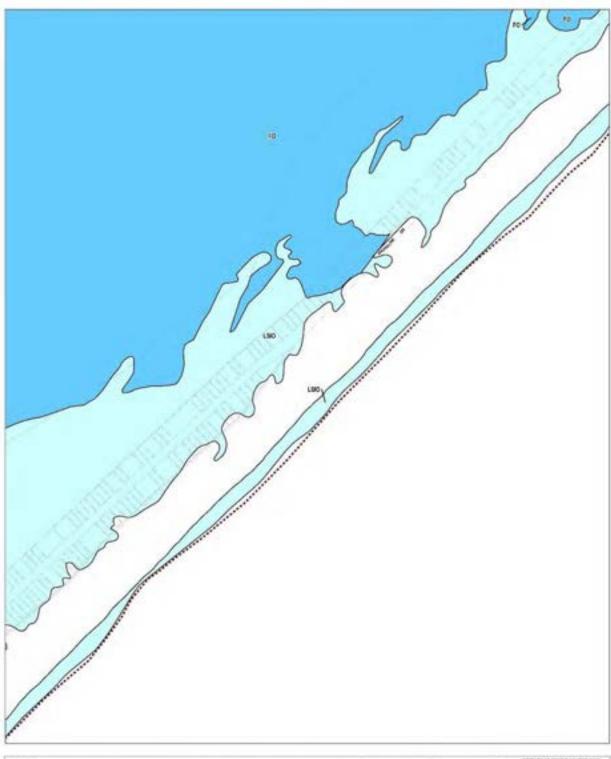
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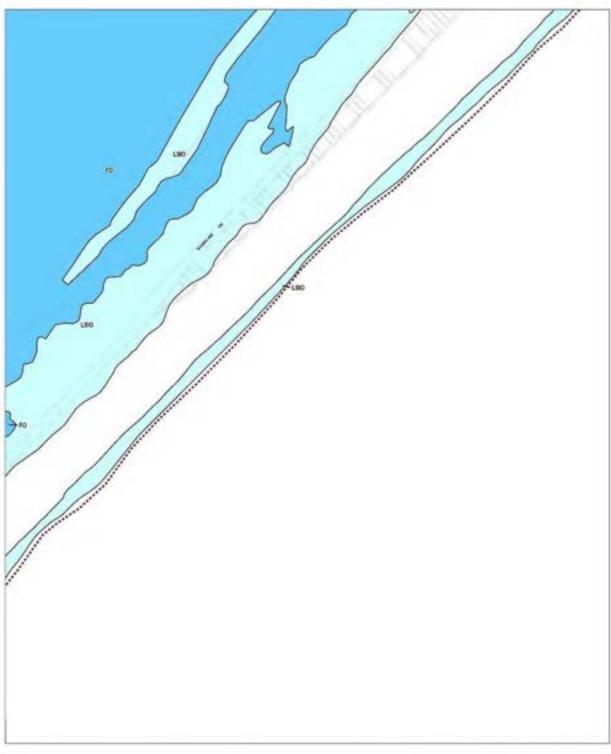










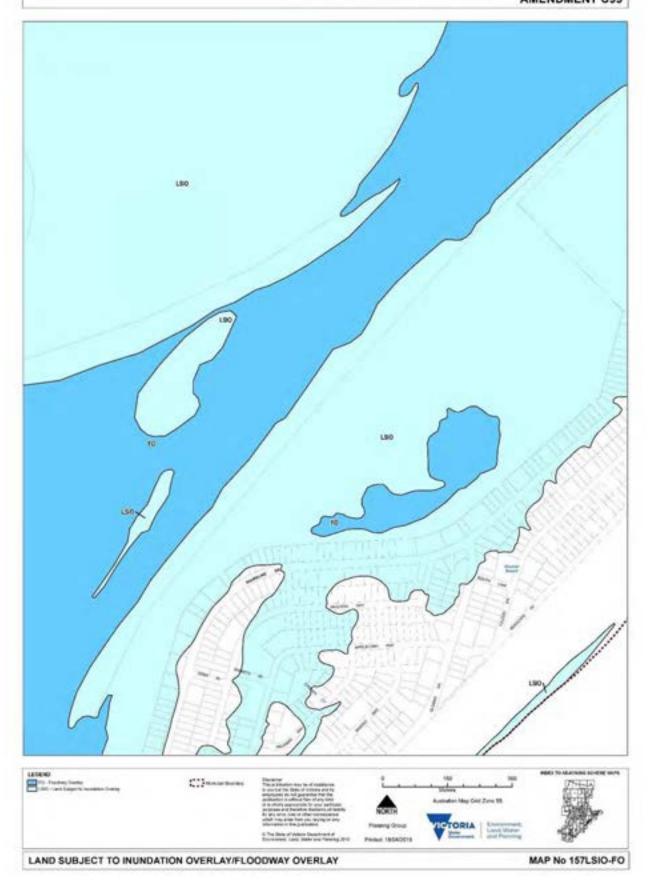


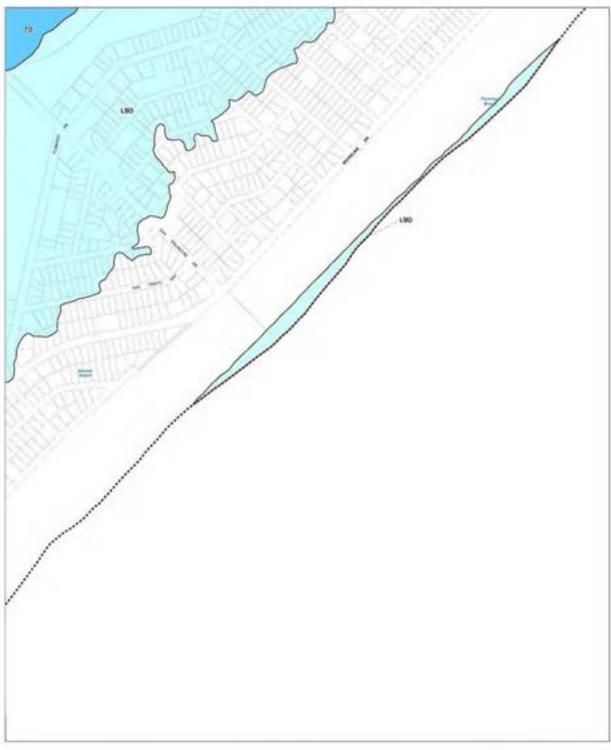










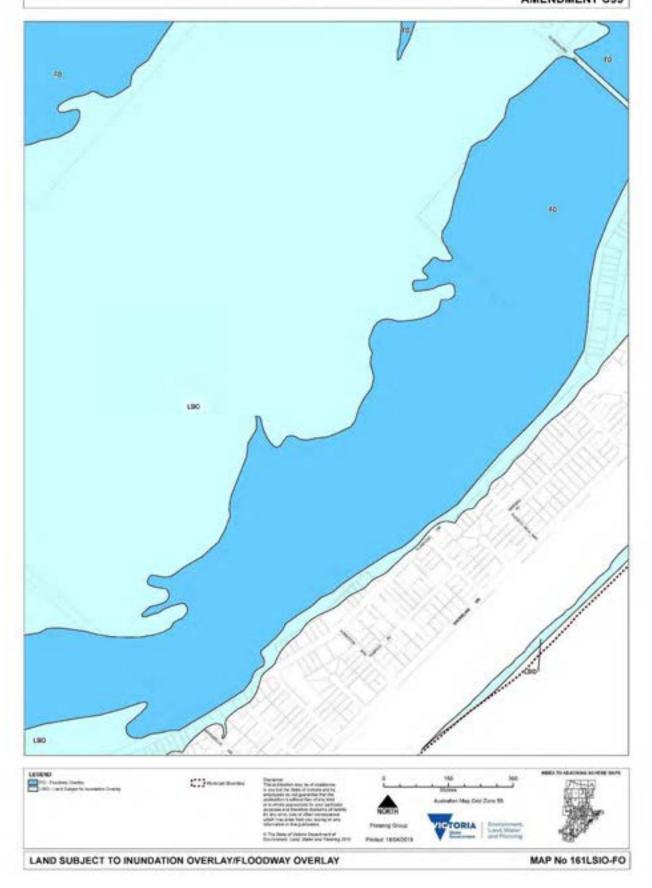


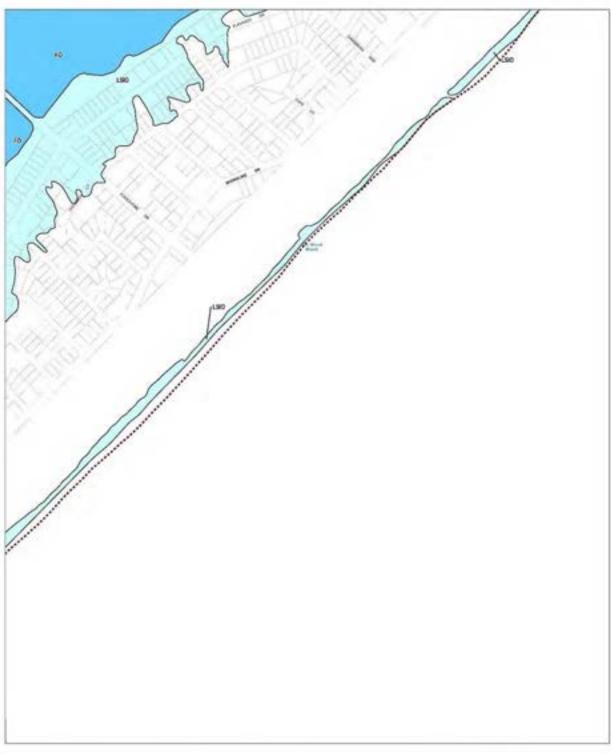












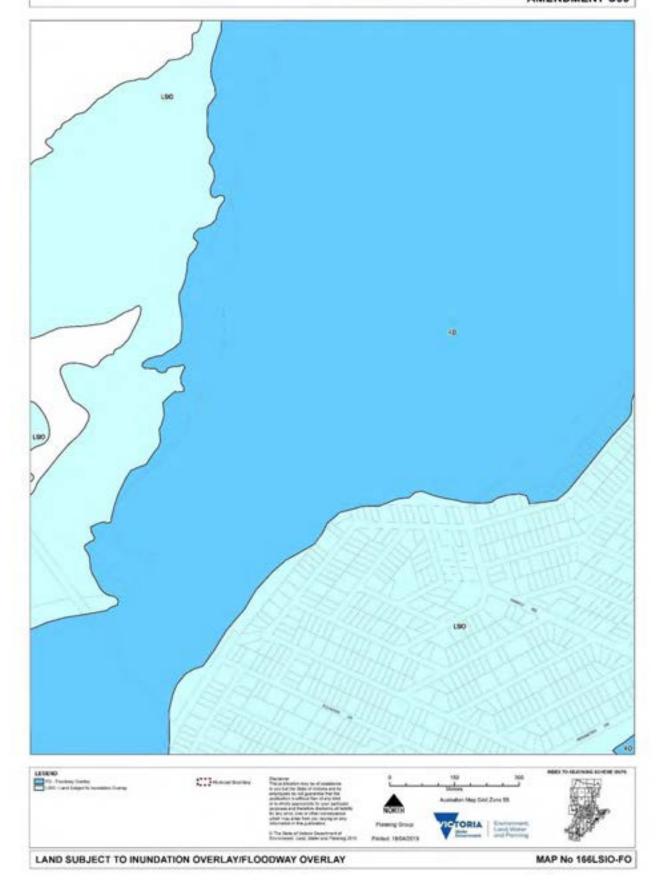




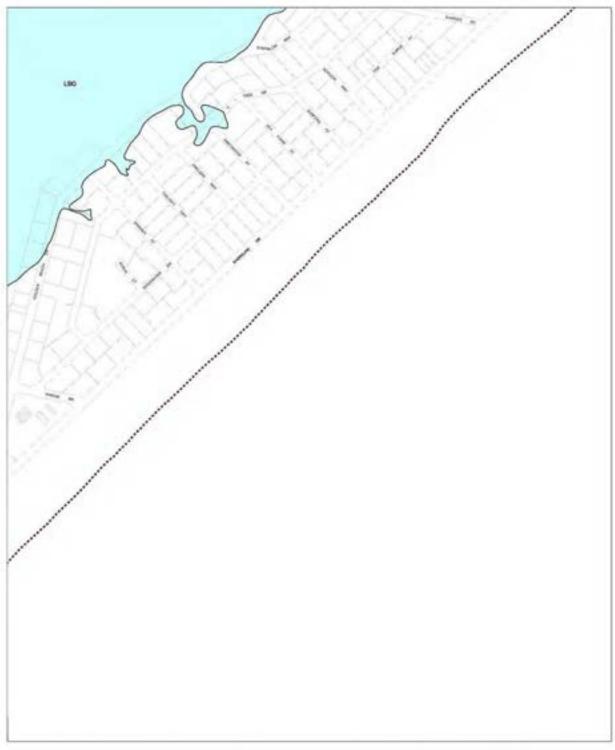




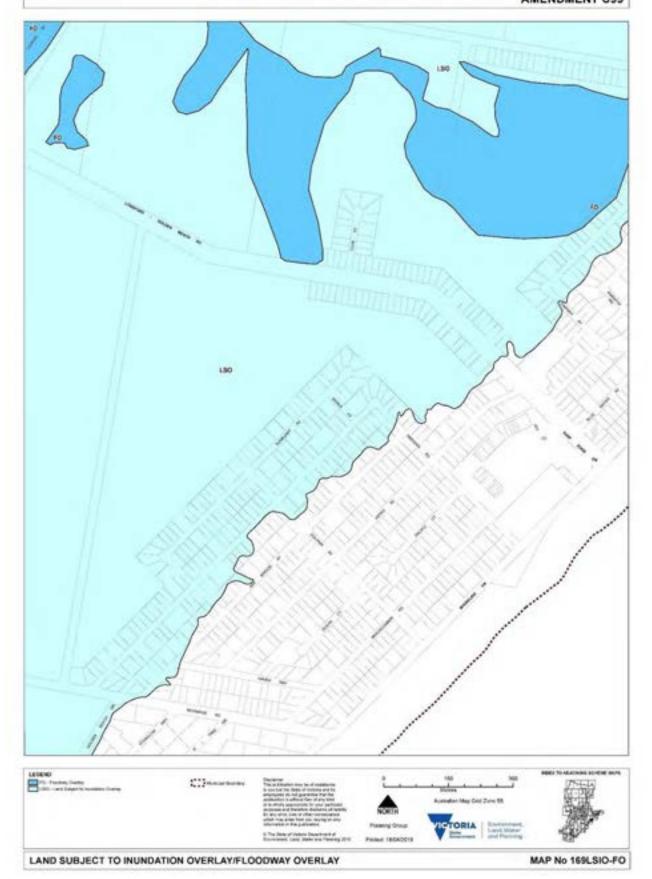






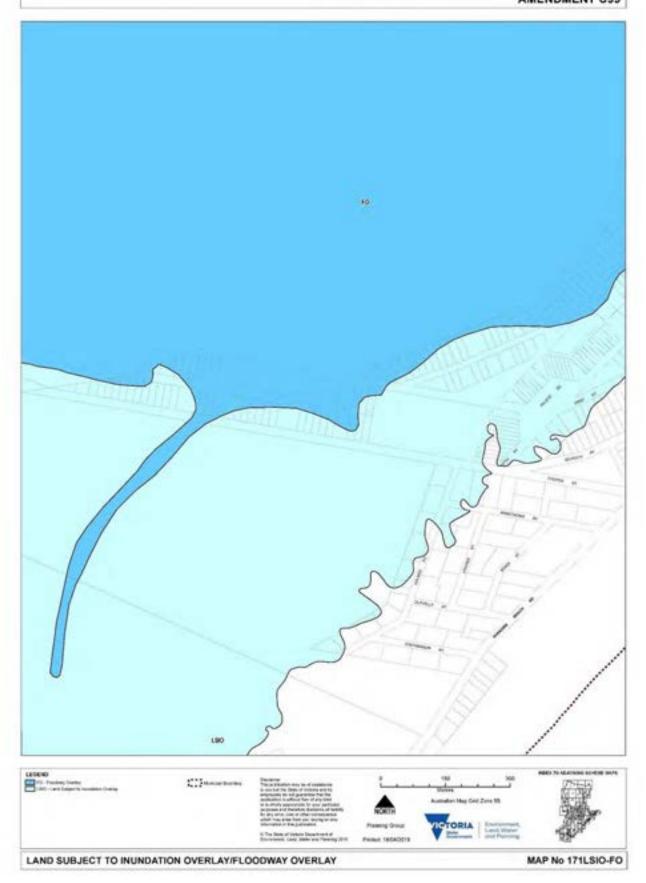


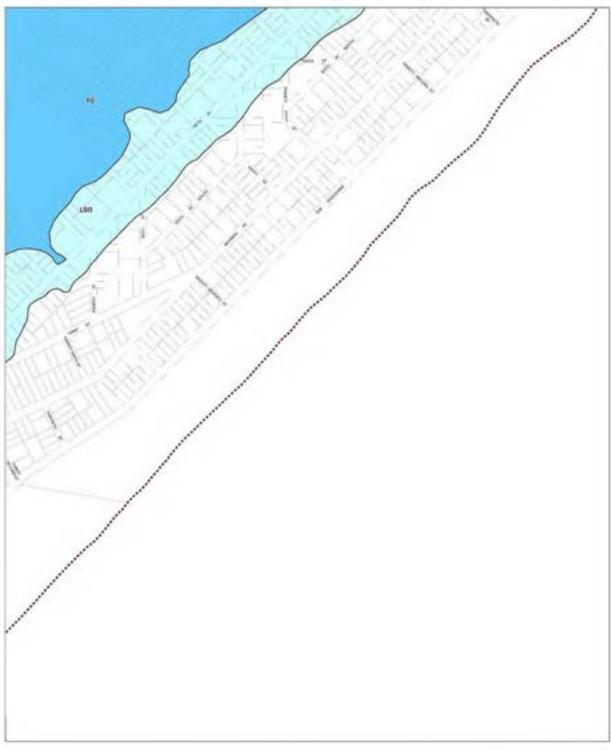




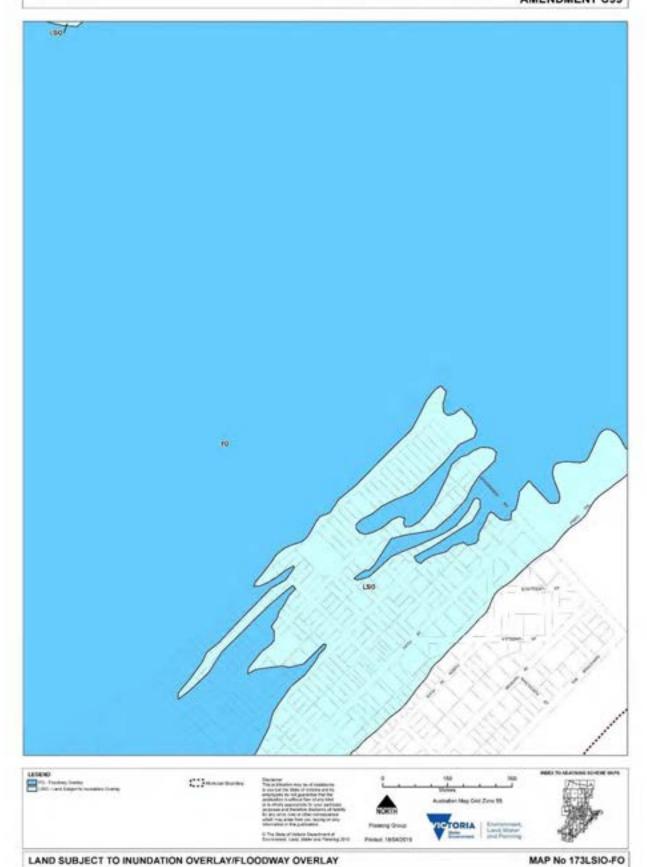


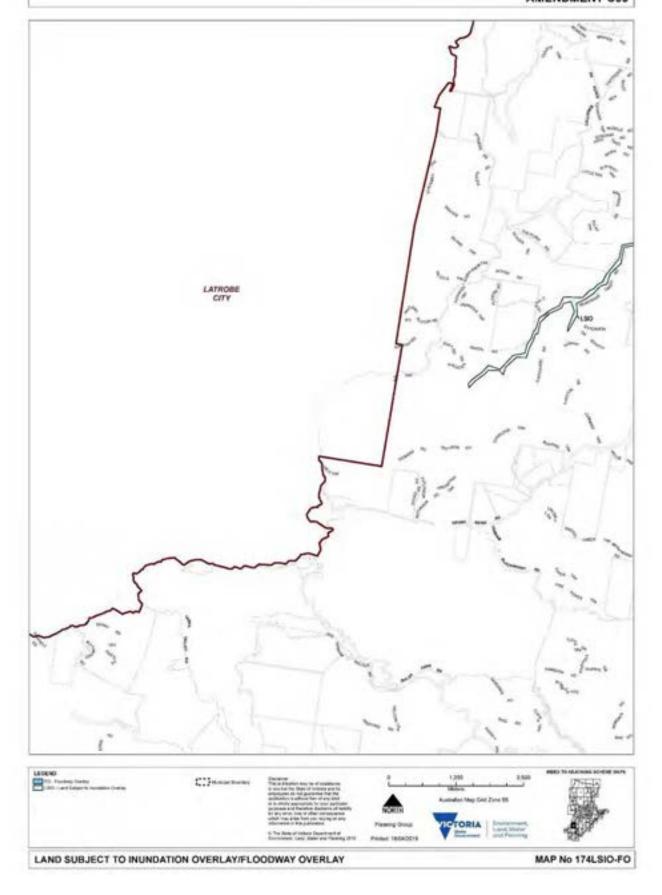


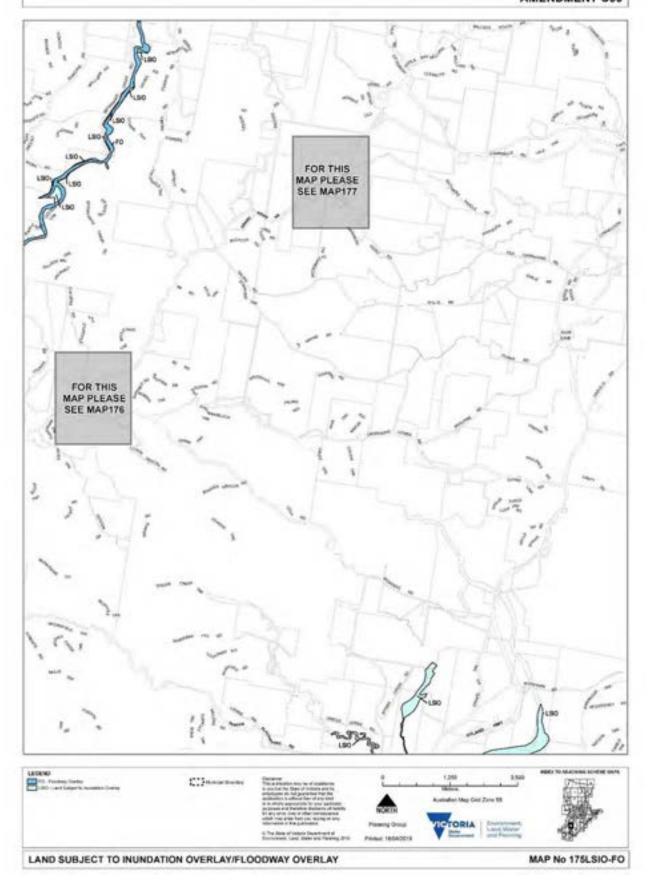




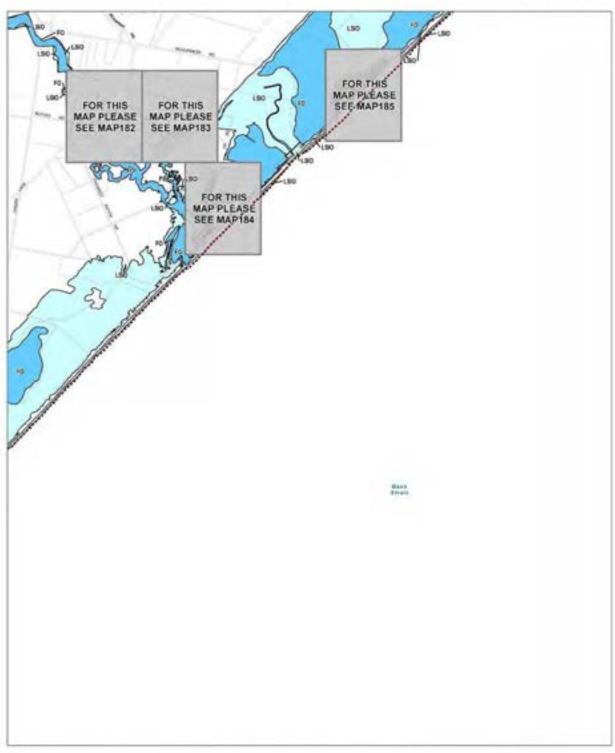






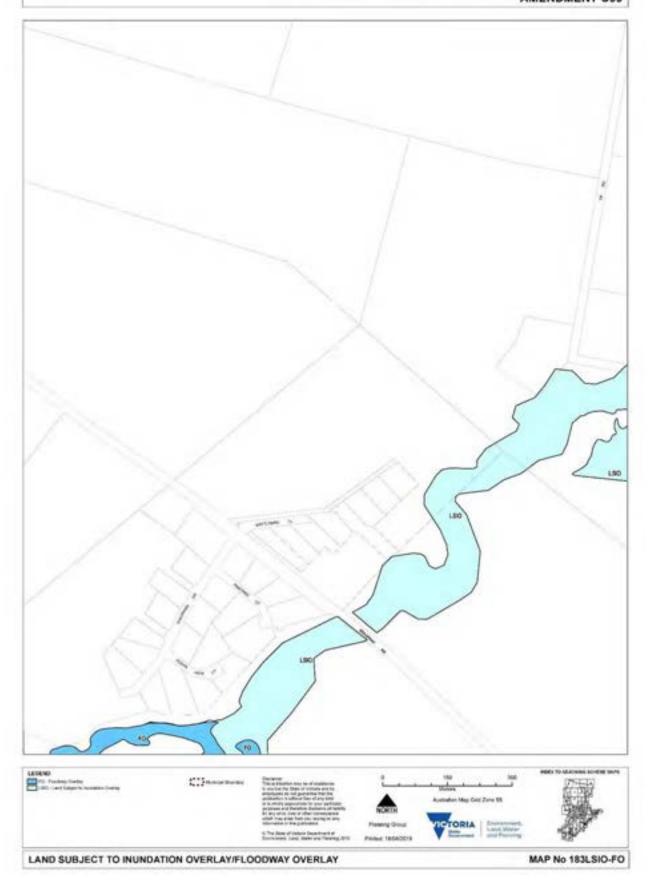


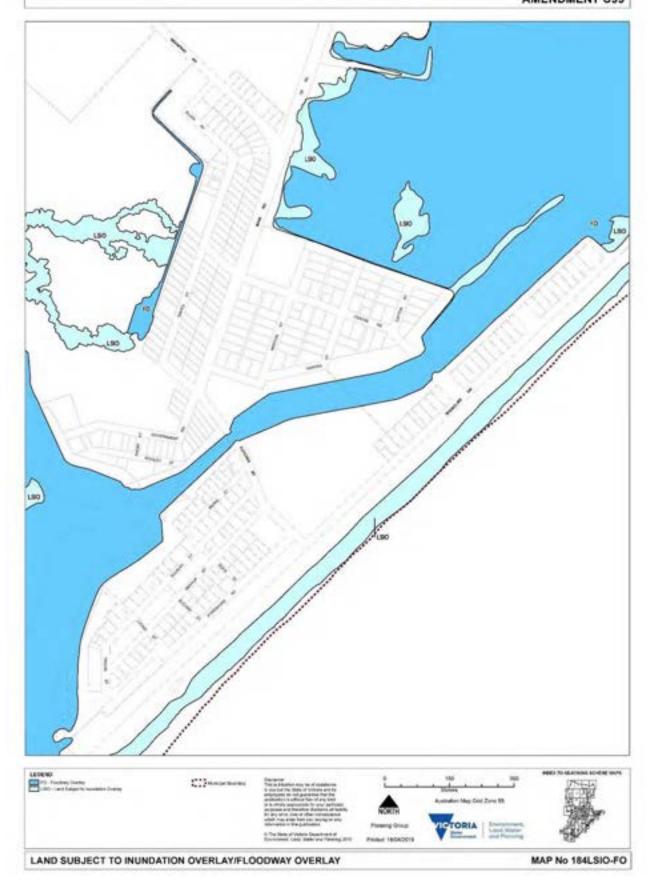


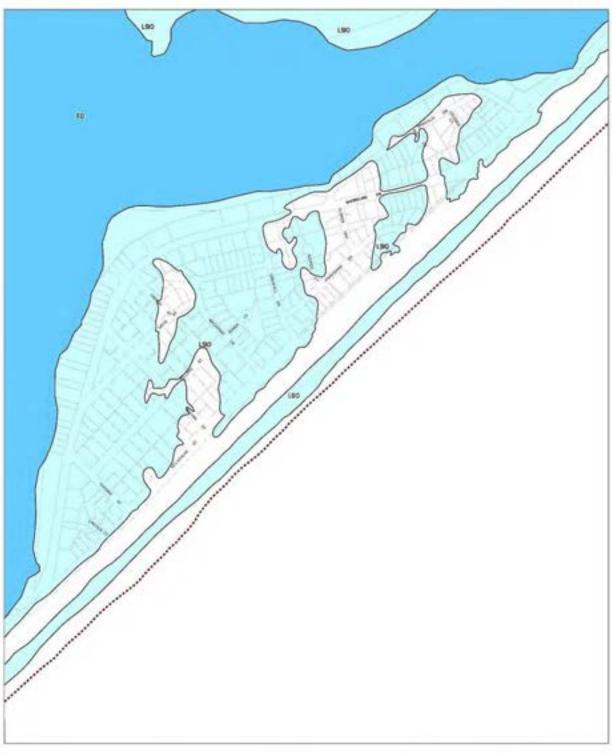




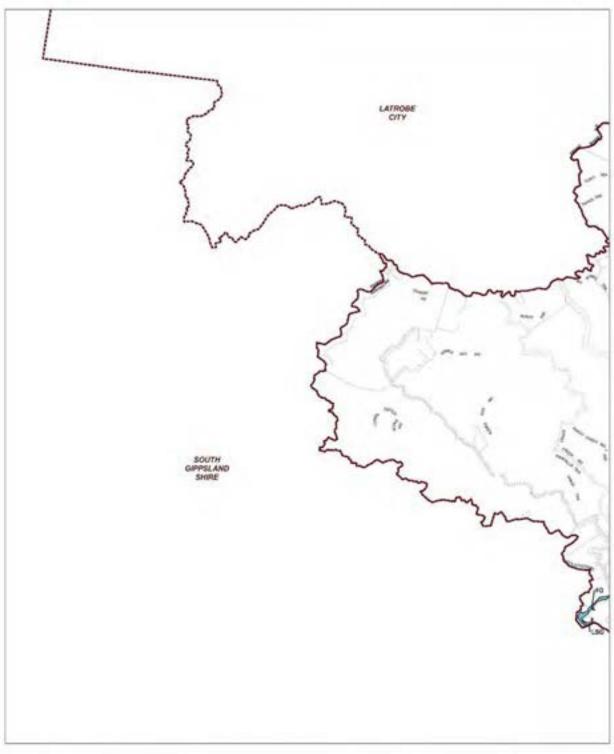












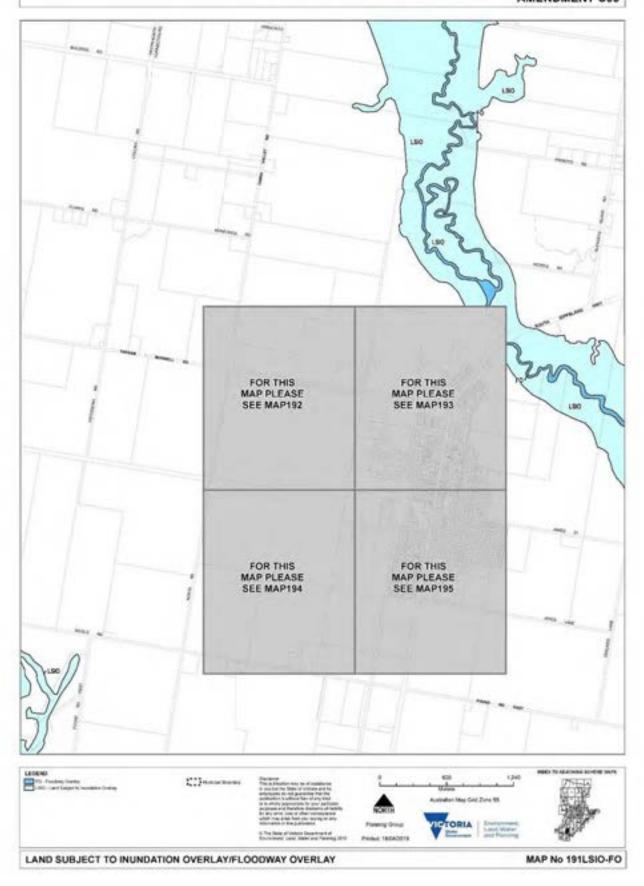






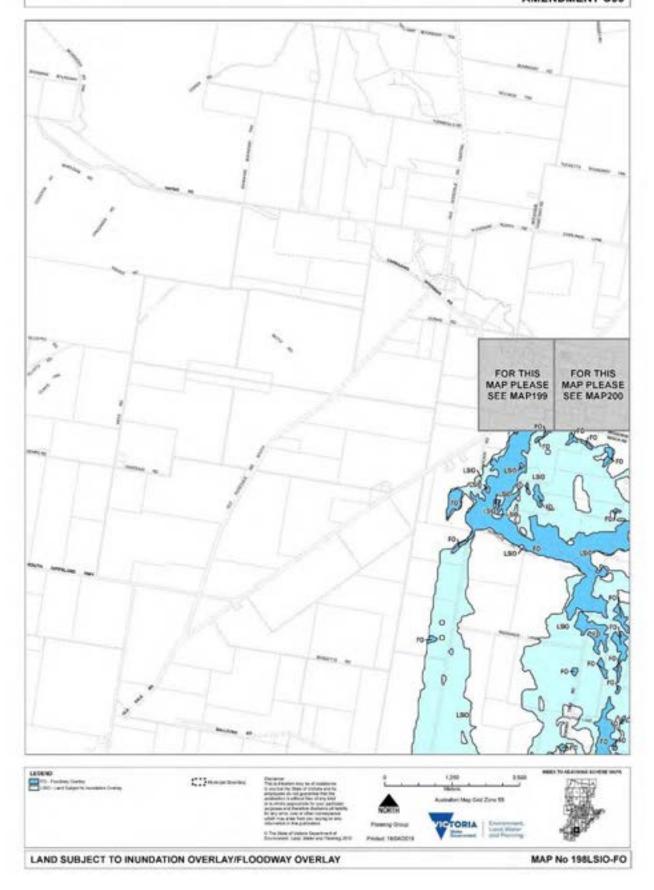




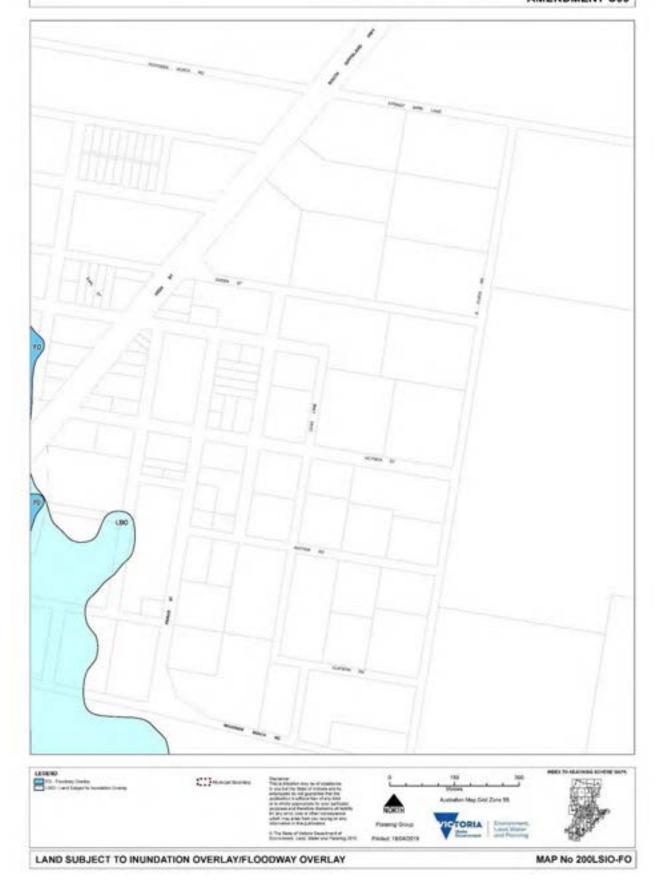


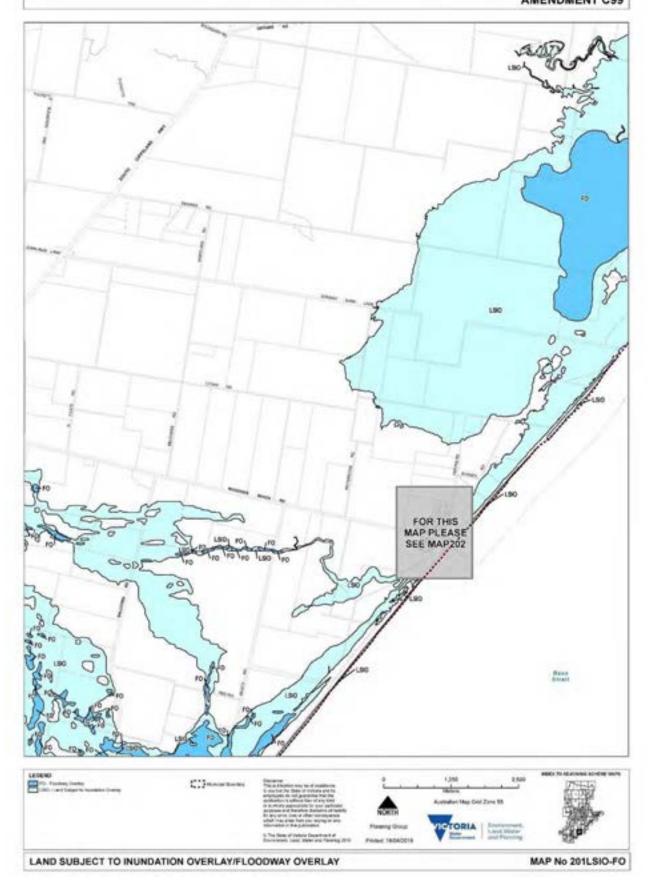




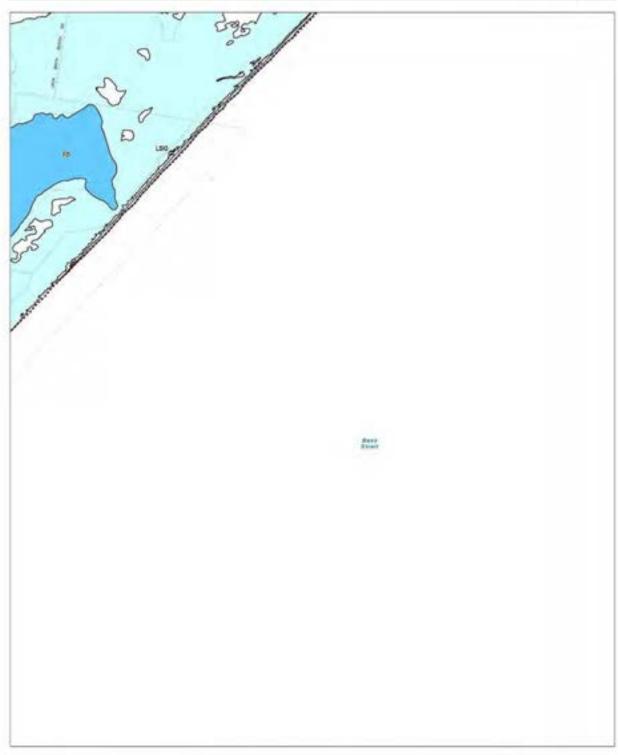




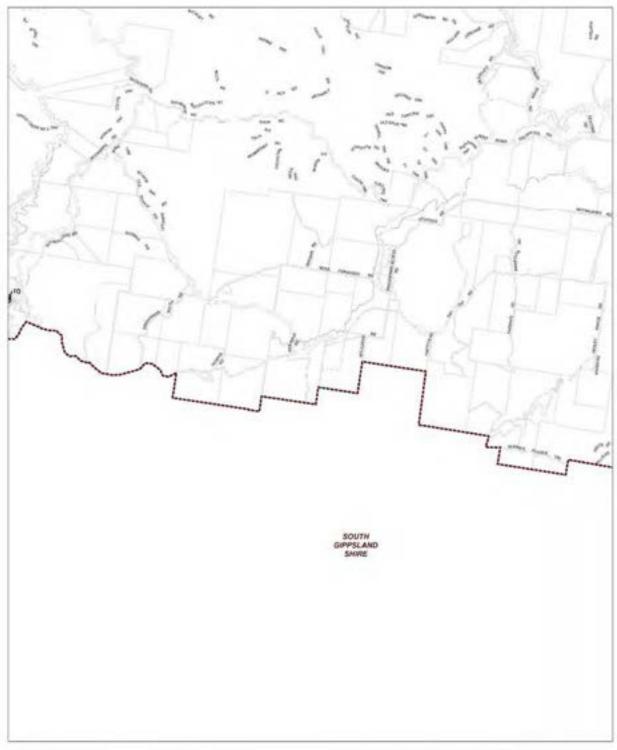






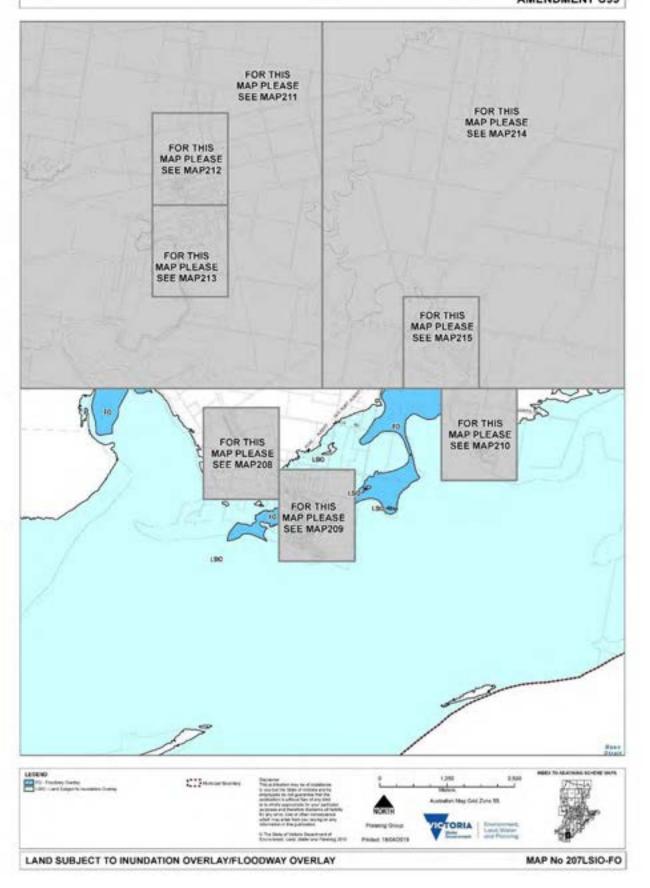


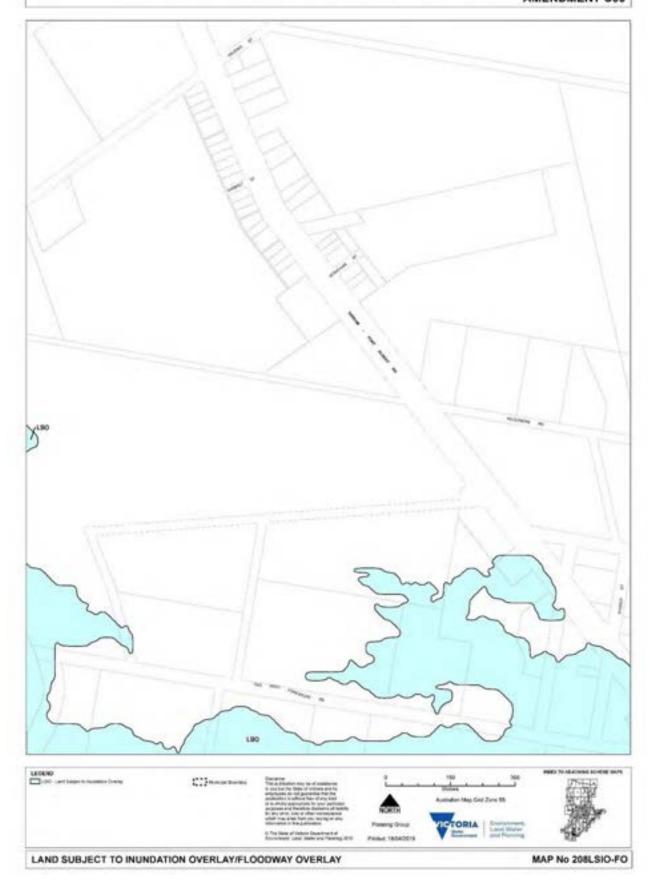










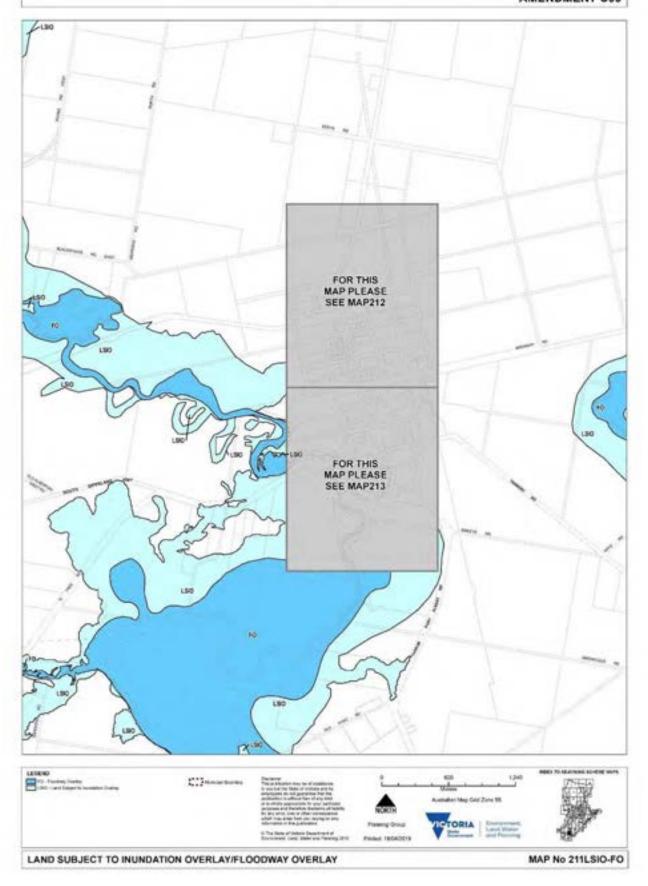


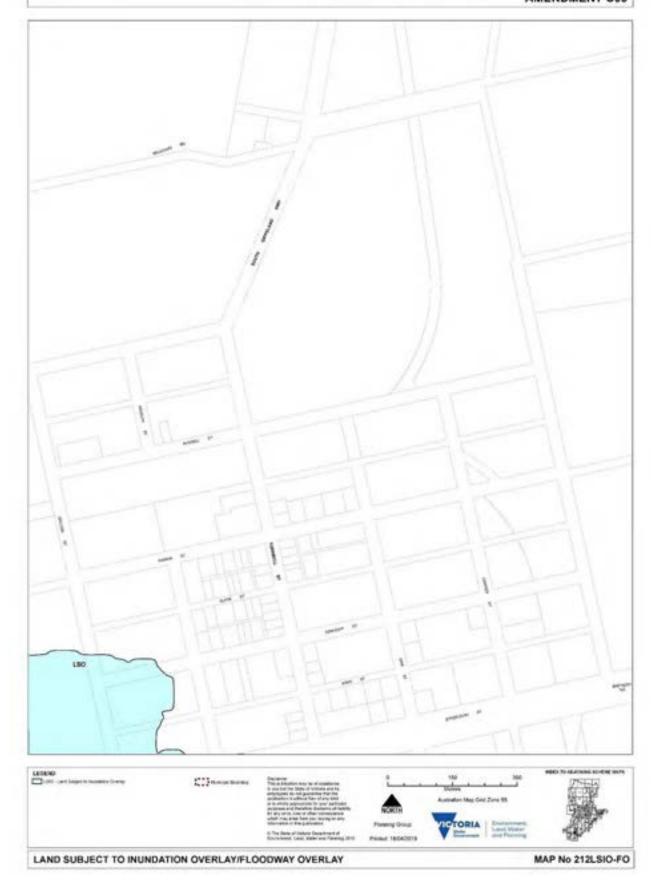




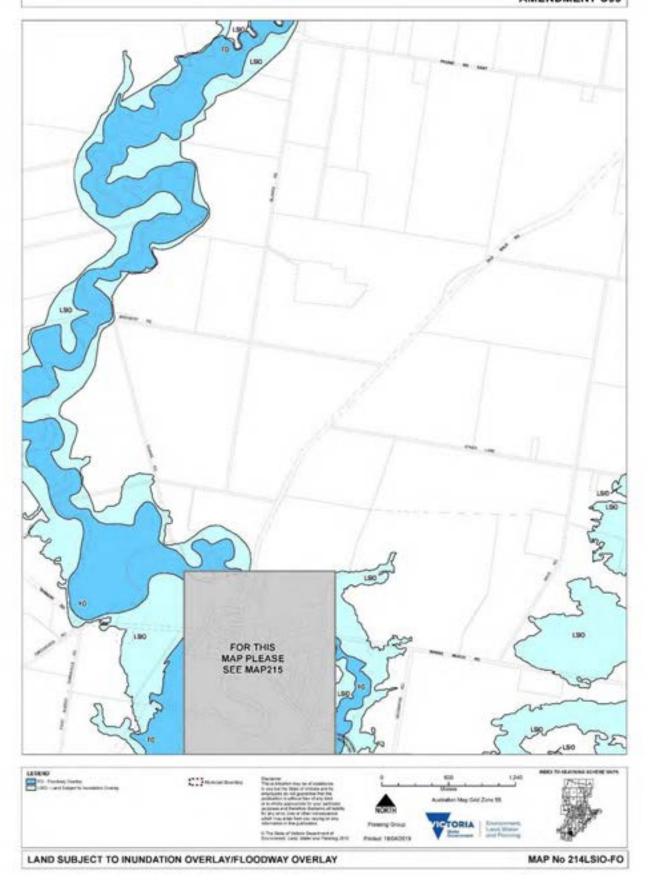


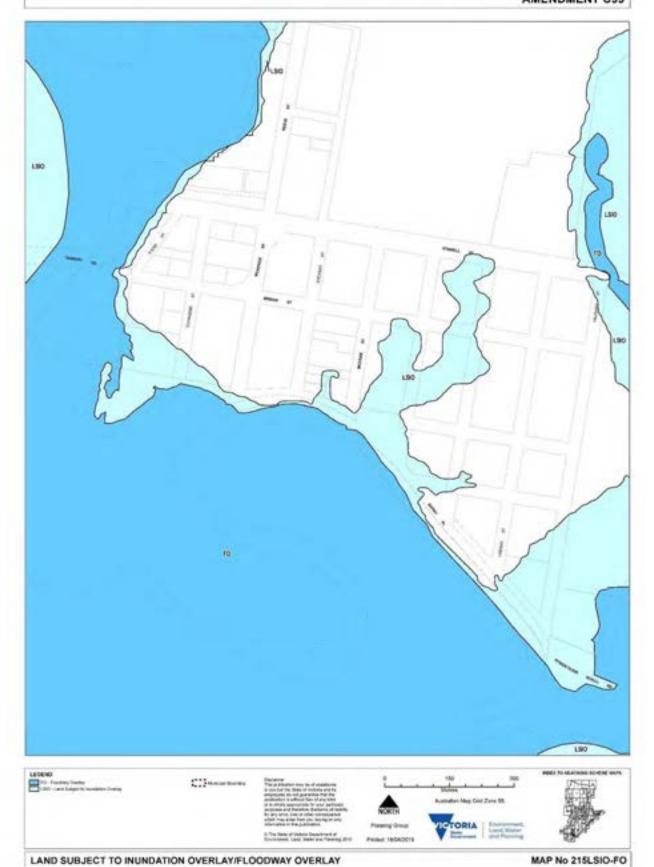


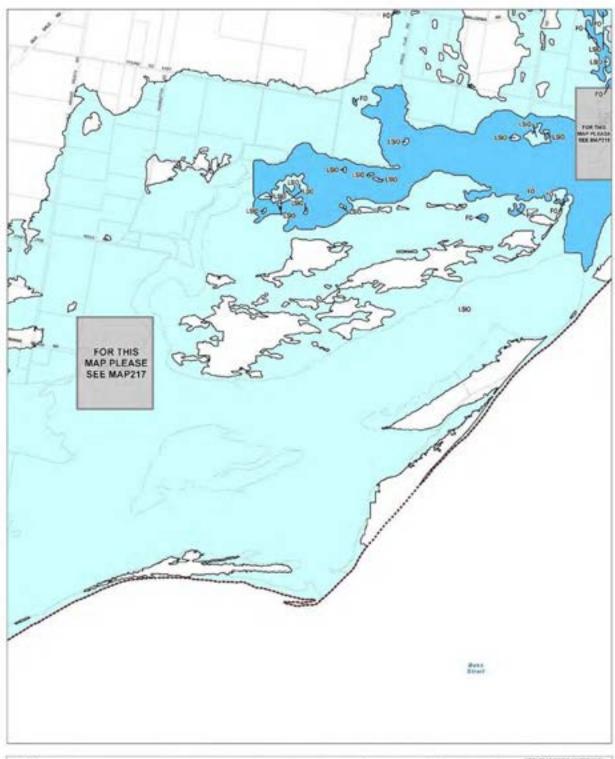




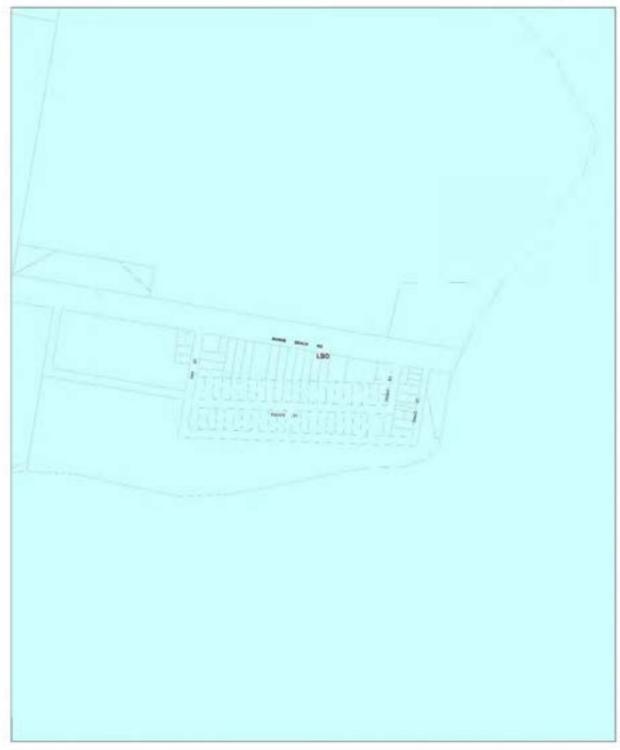




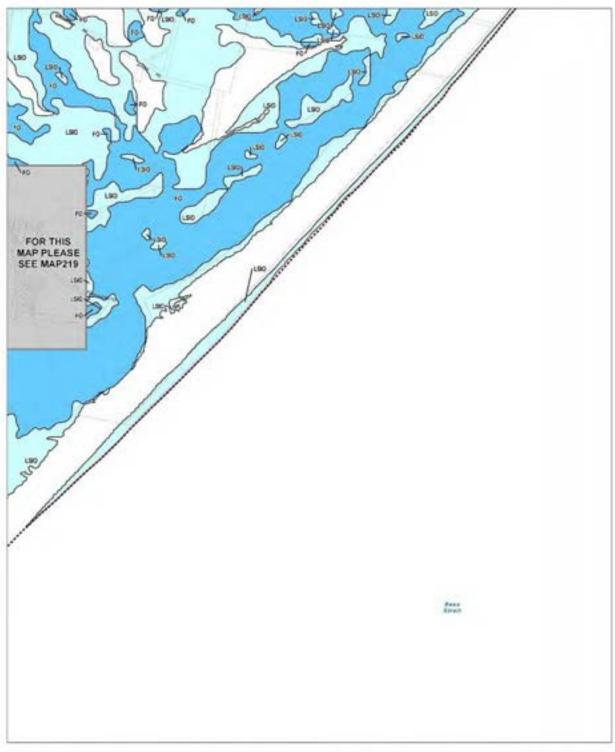








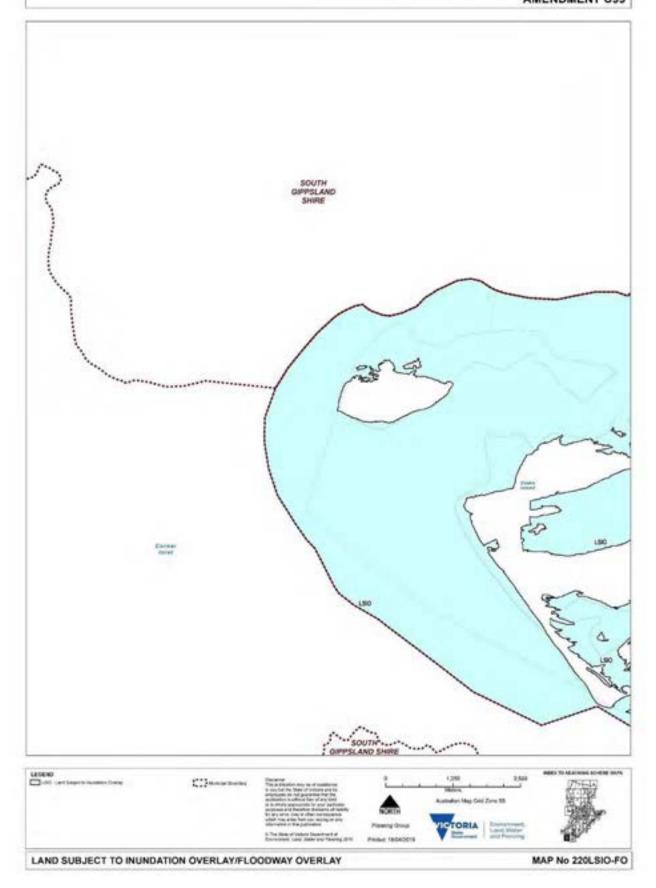


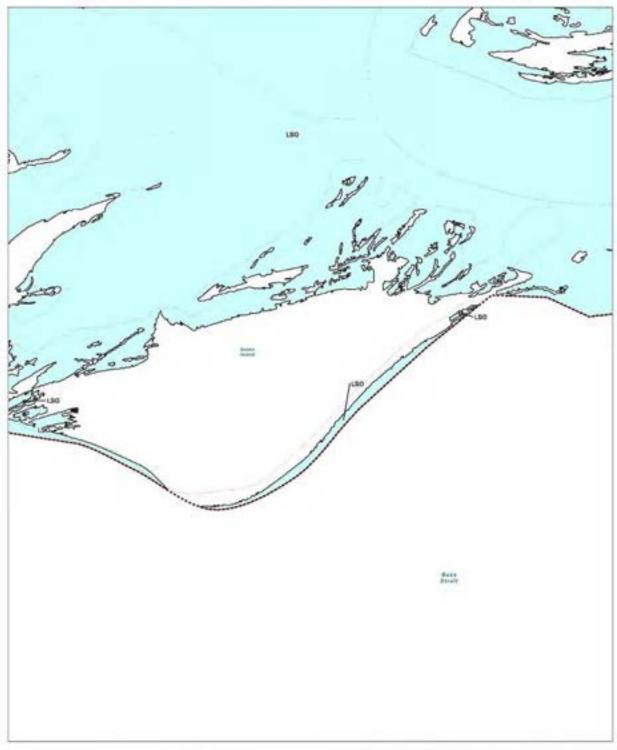




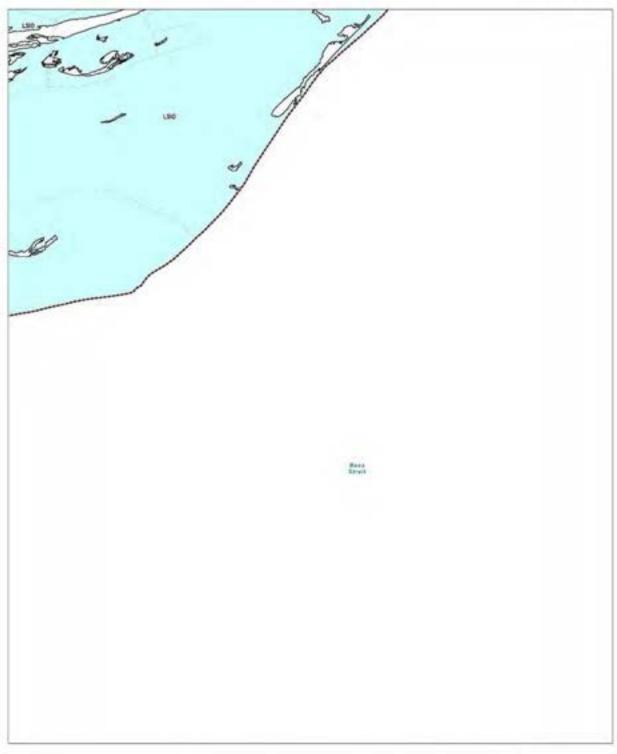




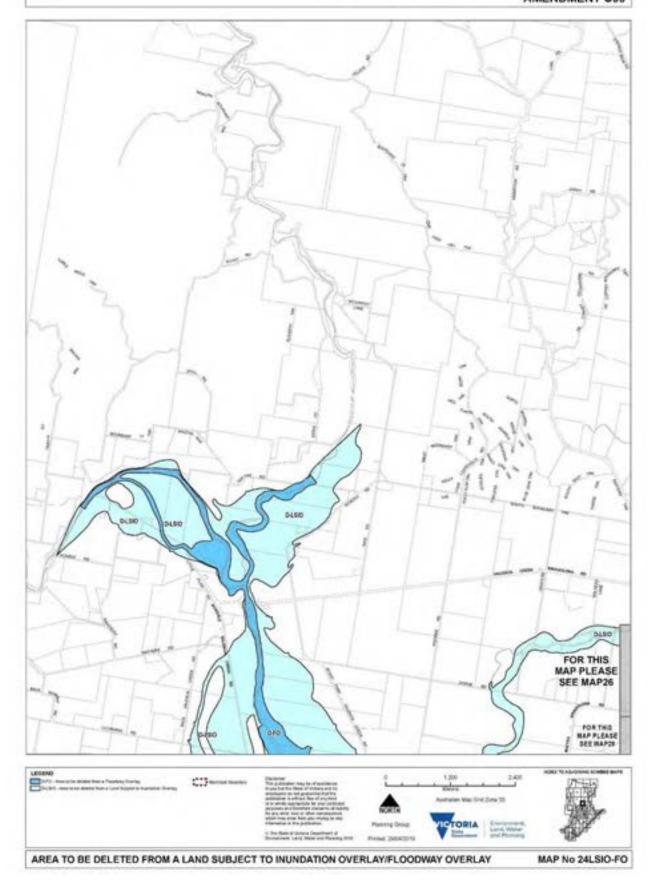






















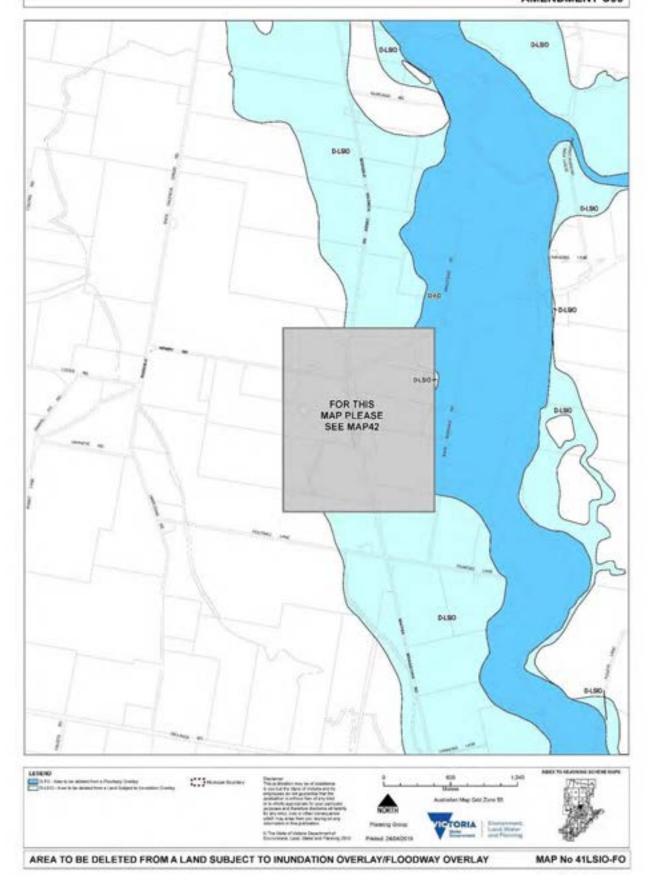


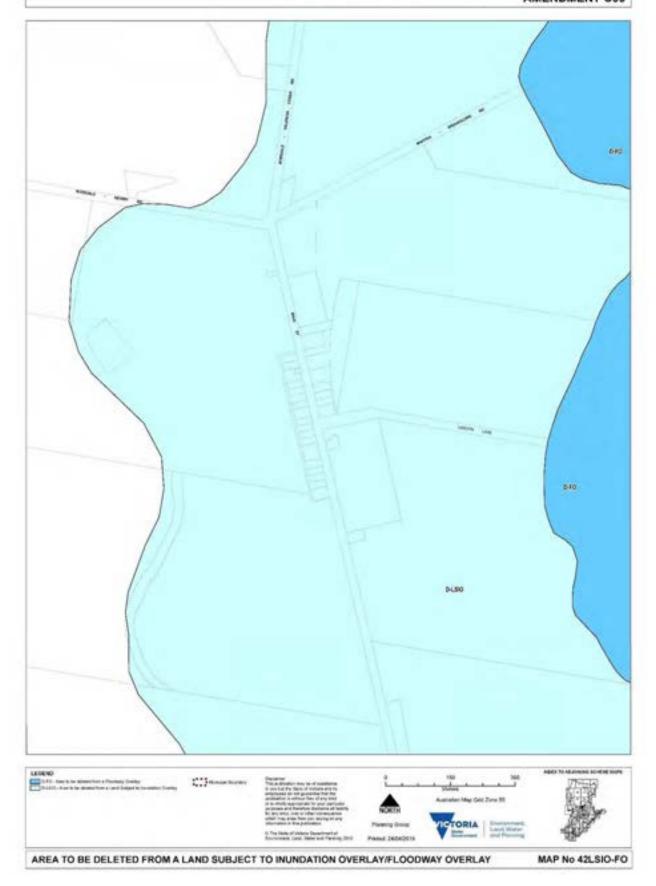






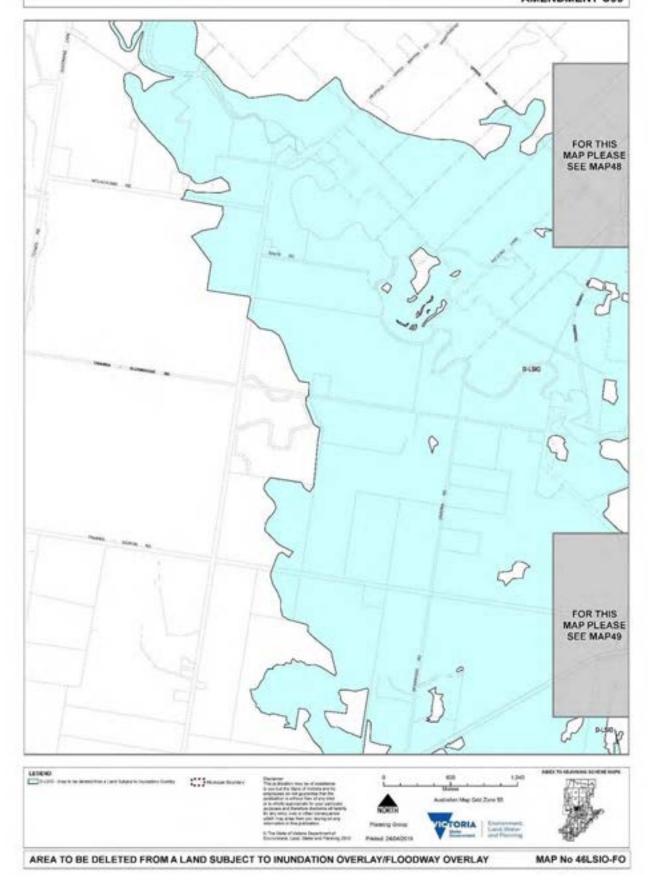


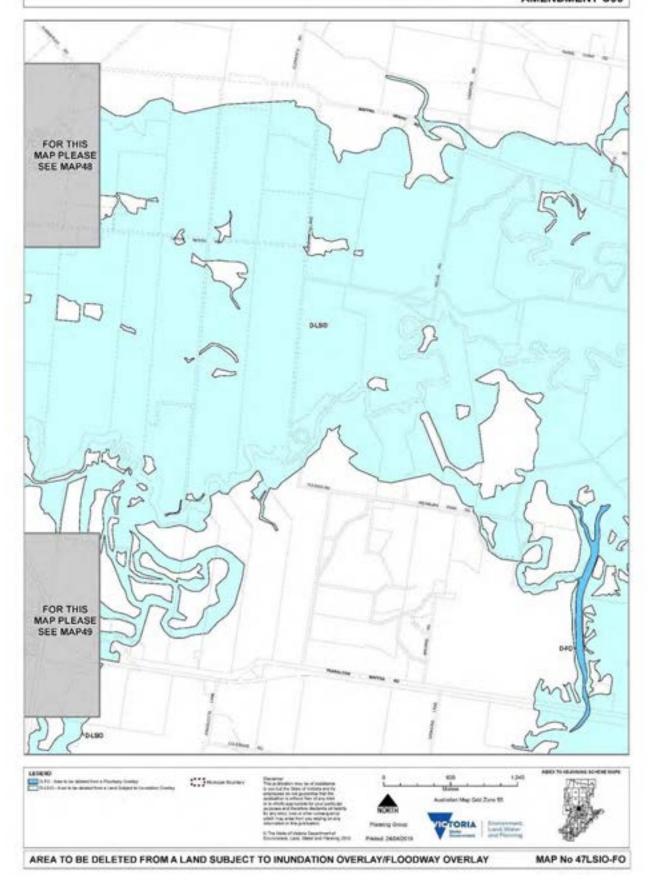






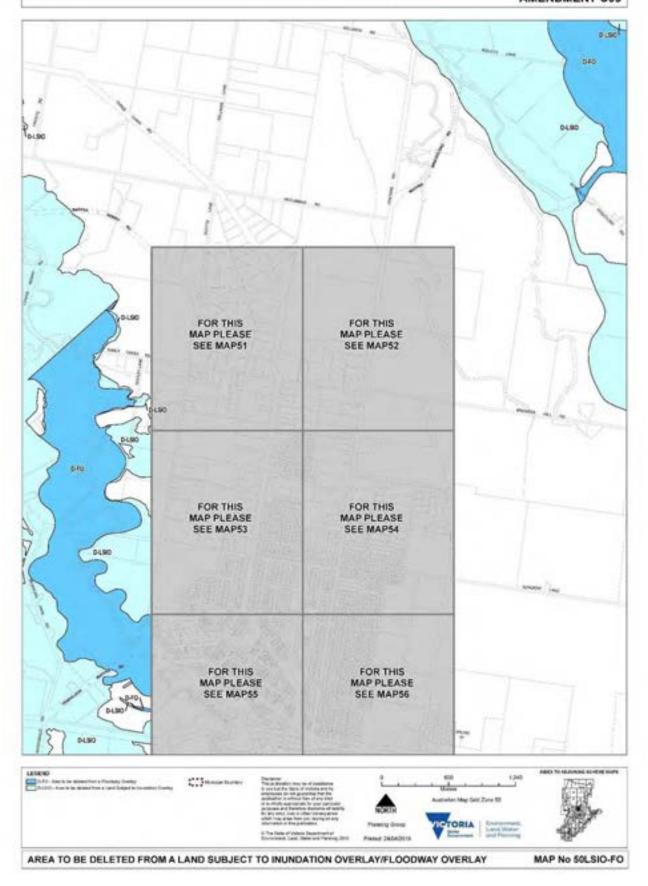














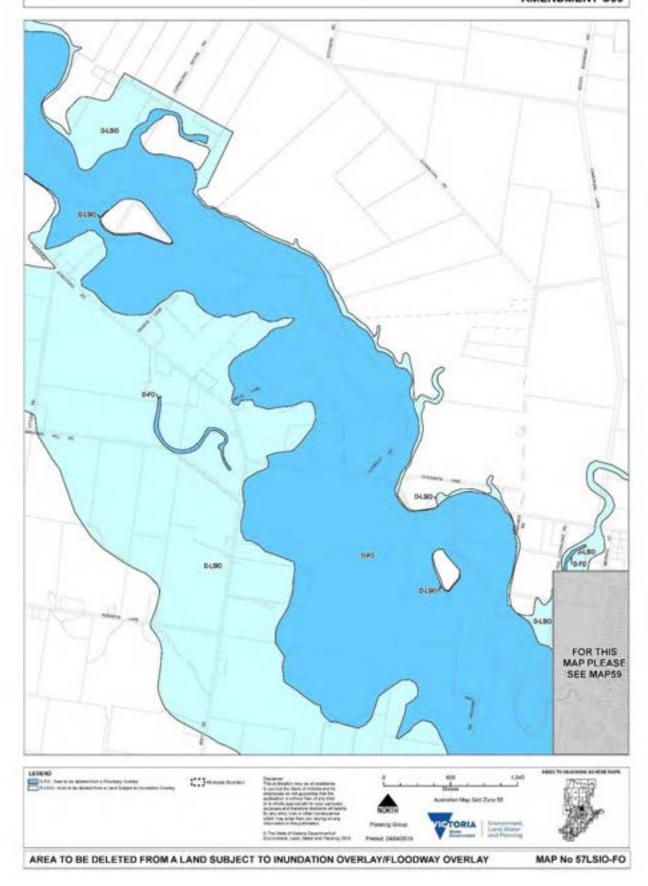
Agenda - Ordinary Meeting 18 June 2019

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

MAP No 51LSIO-FO

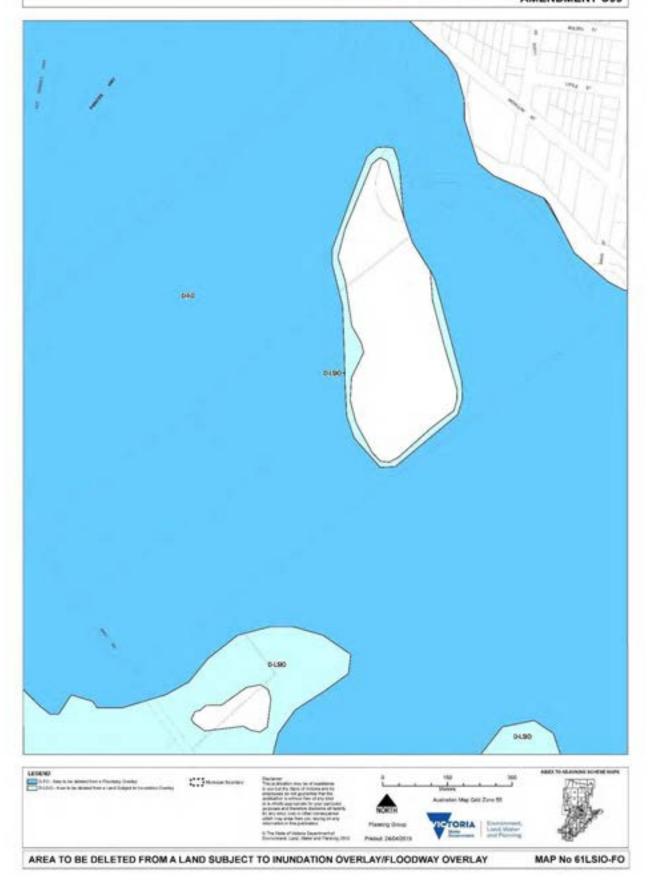










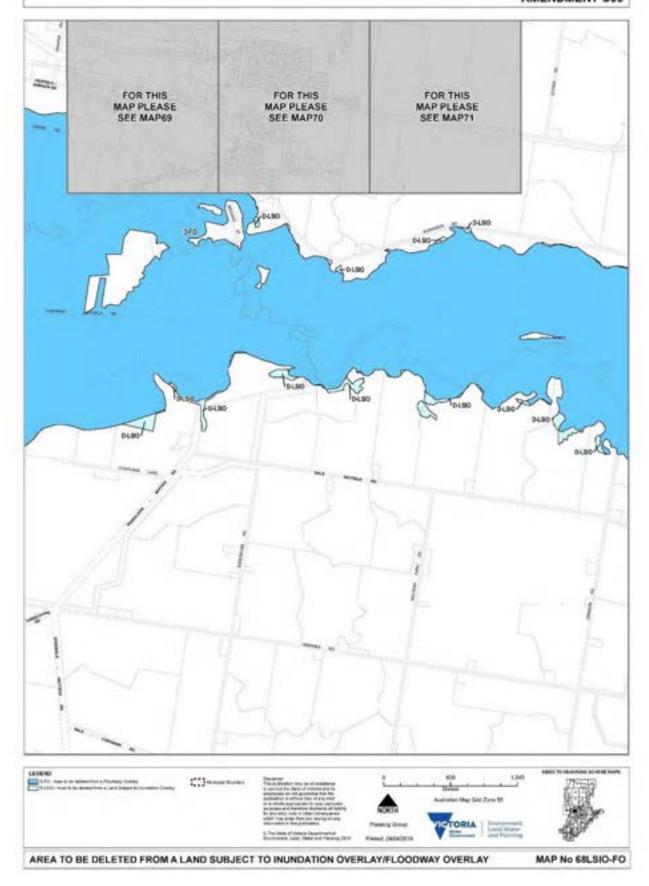






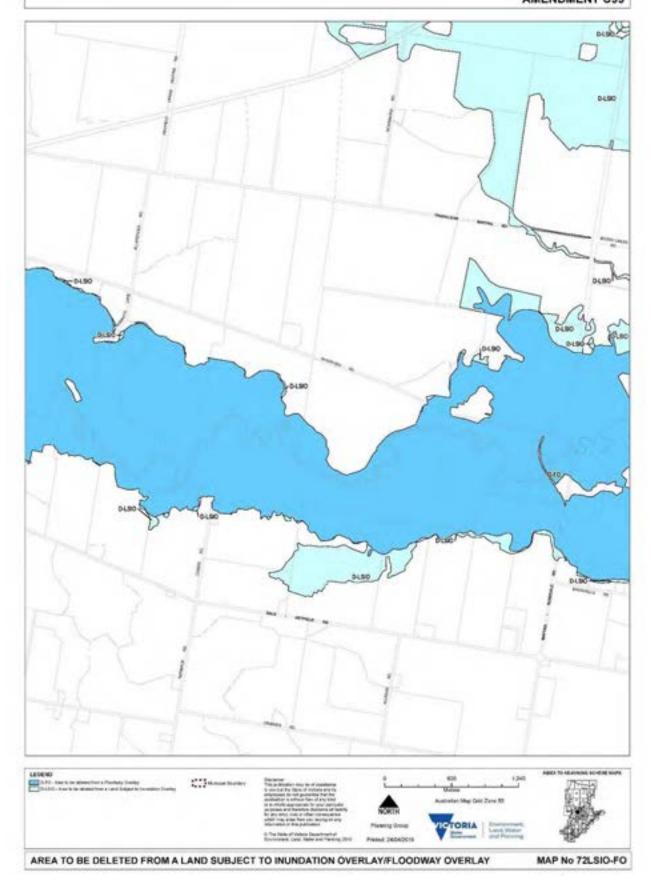


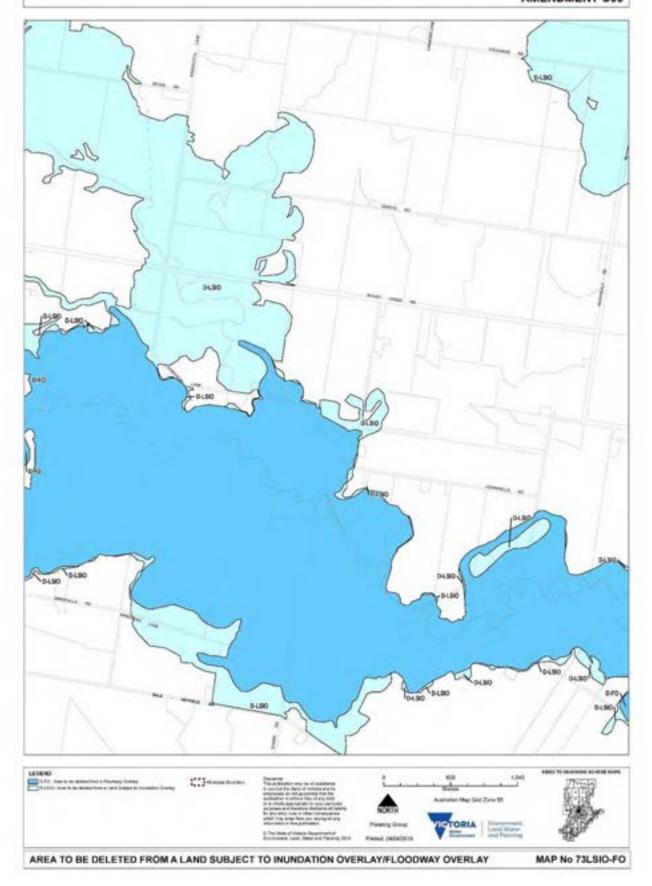


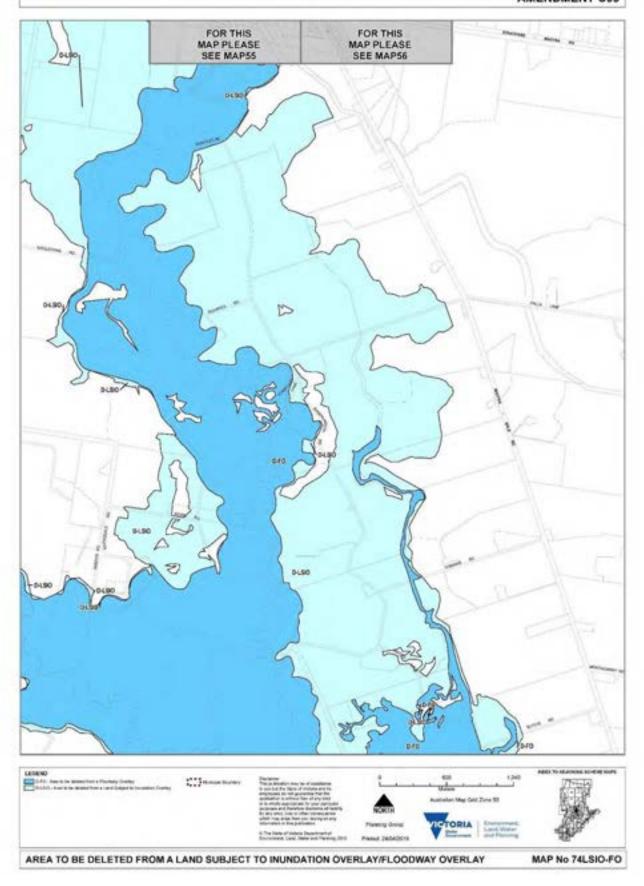


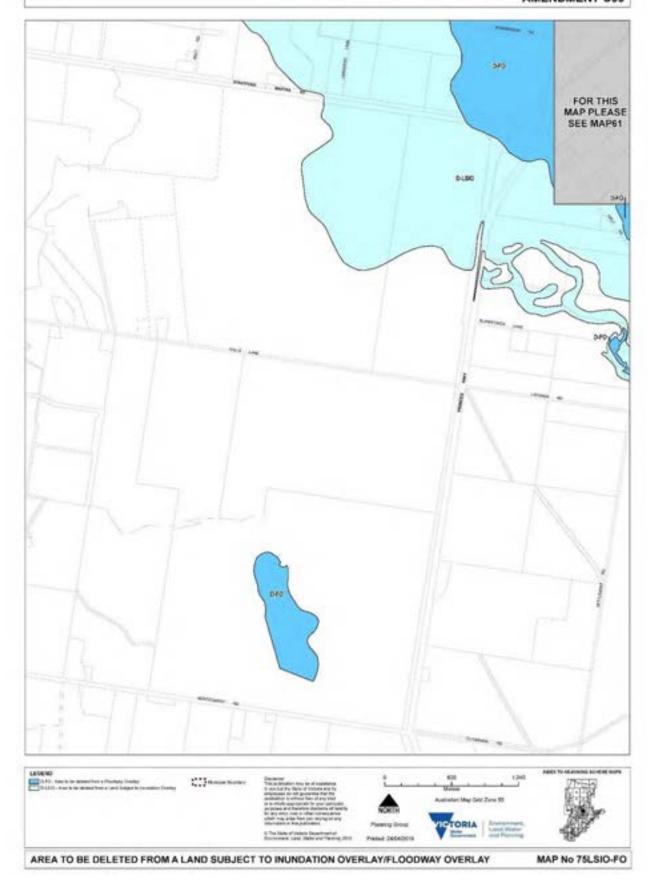


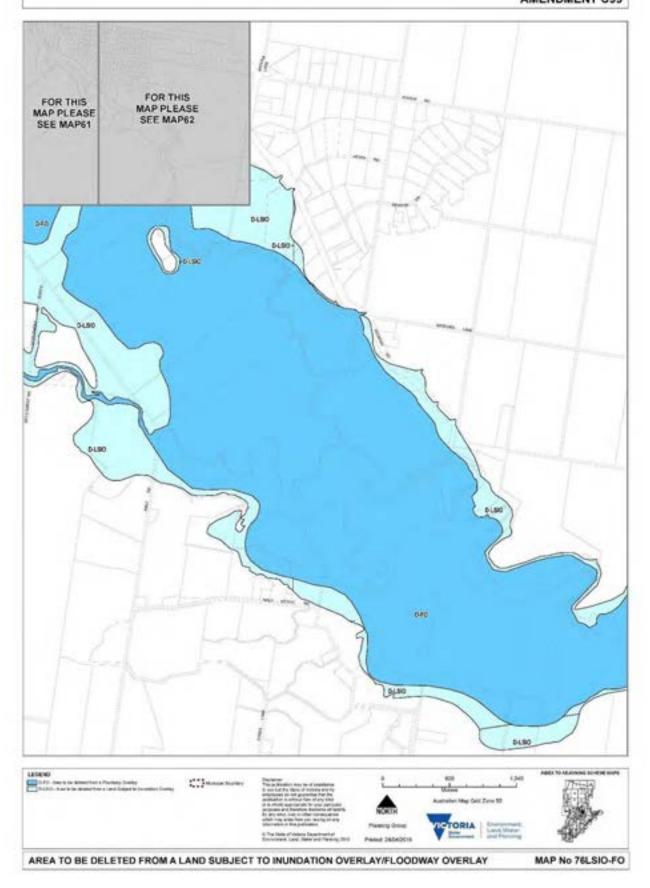






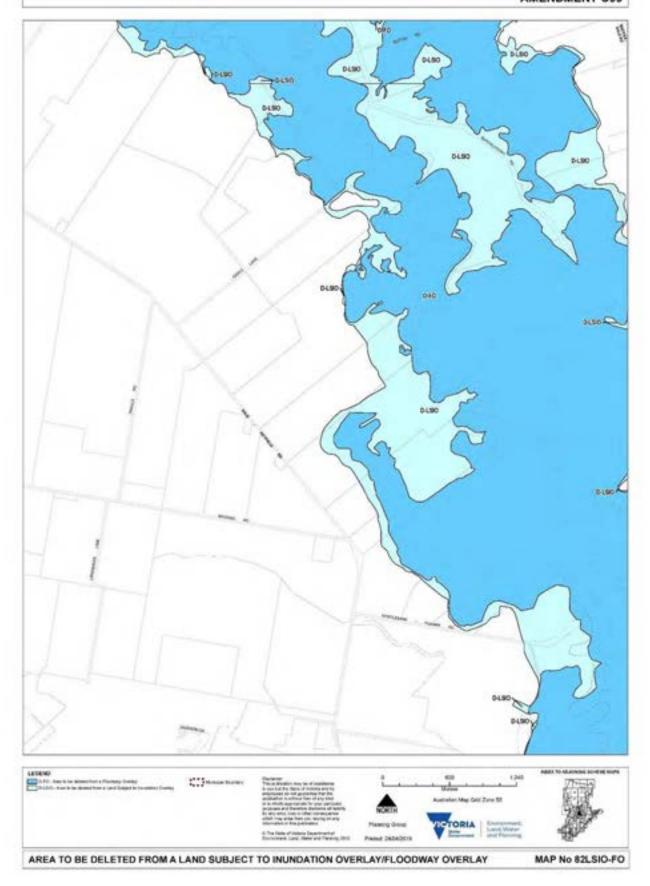




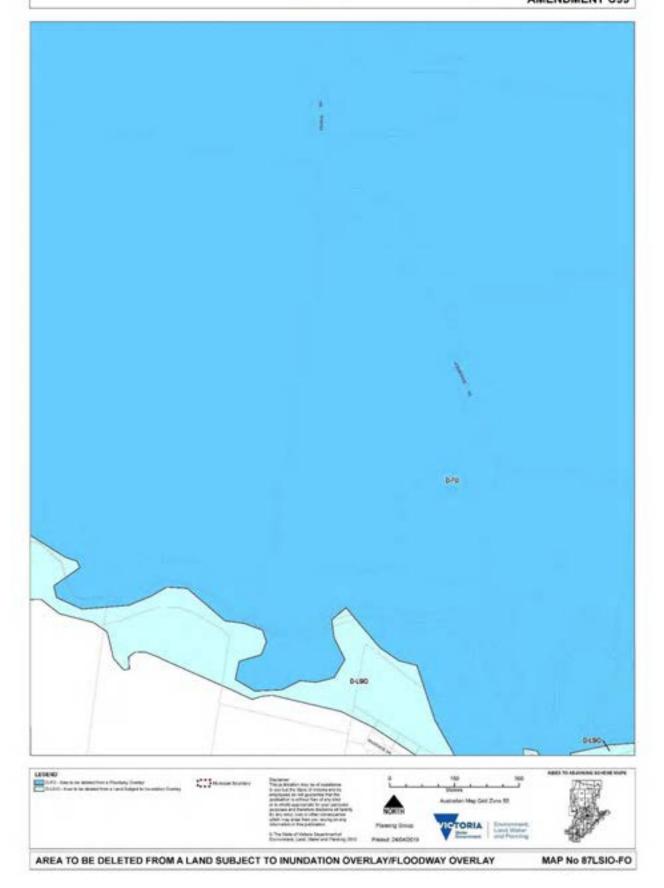


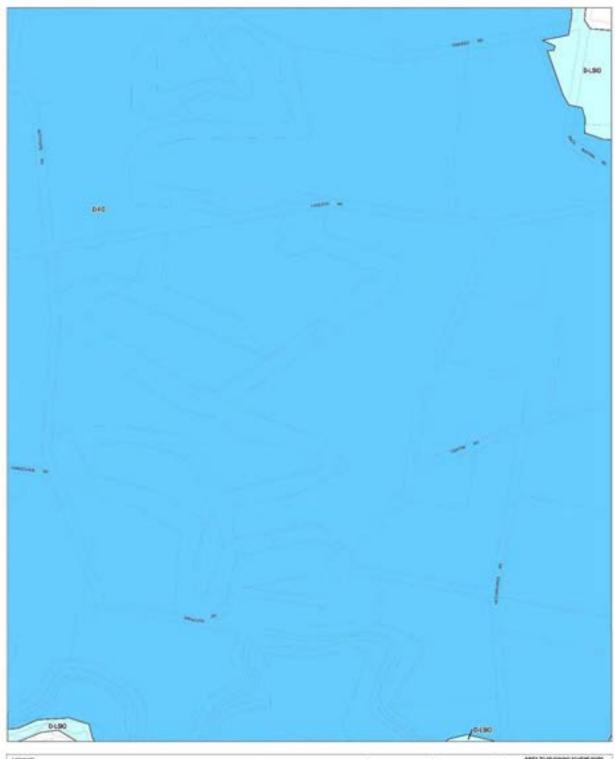










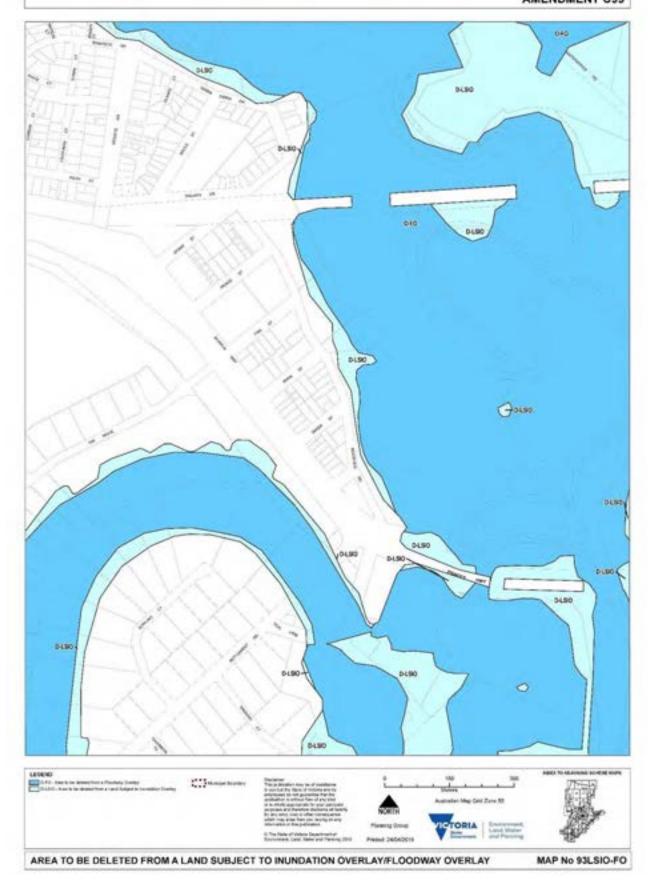


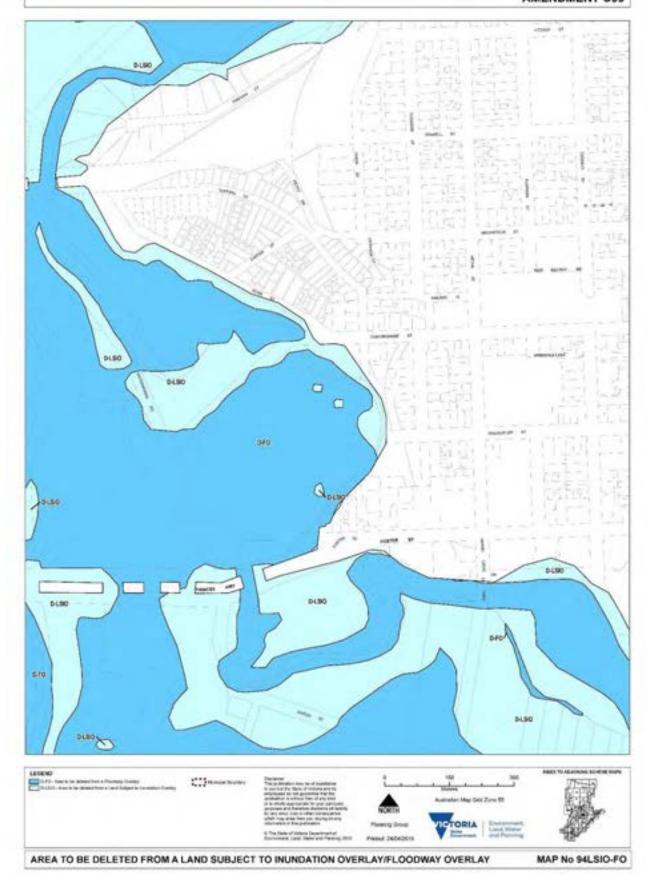


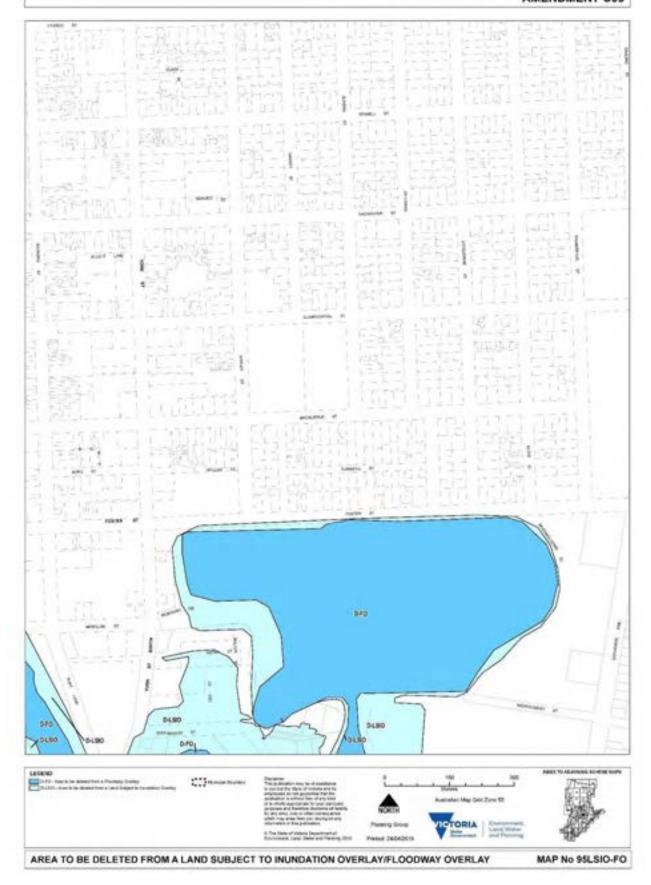


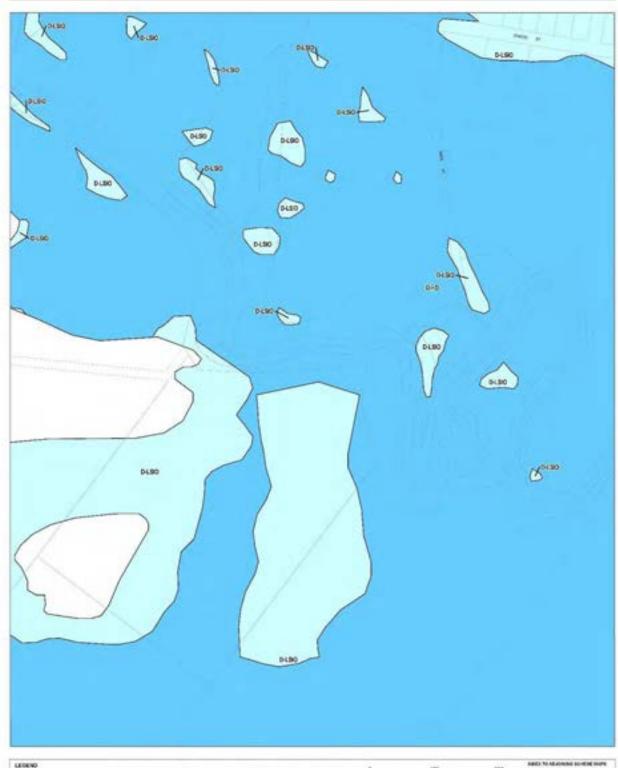










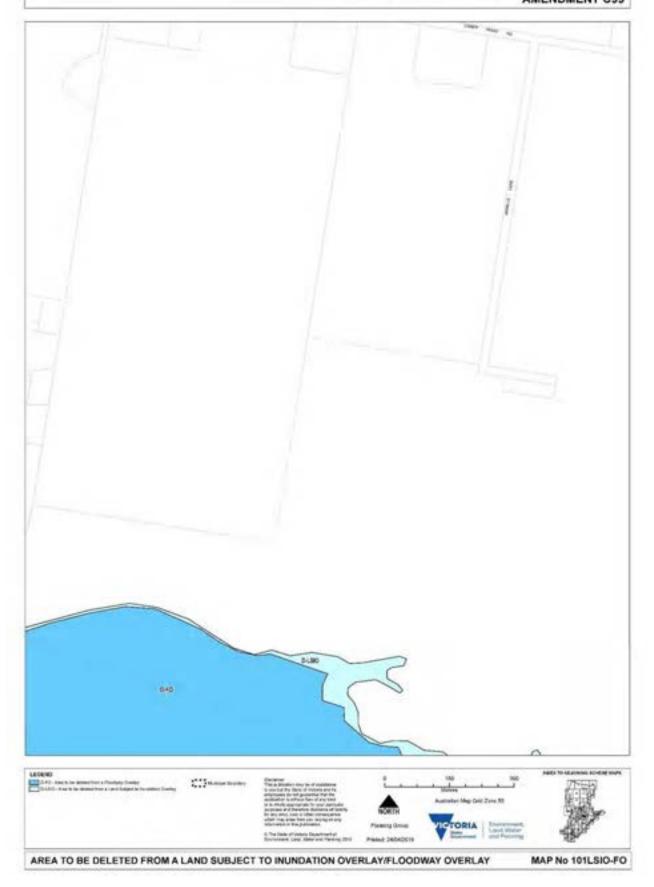














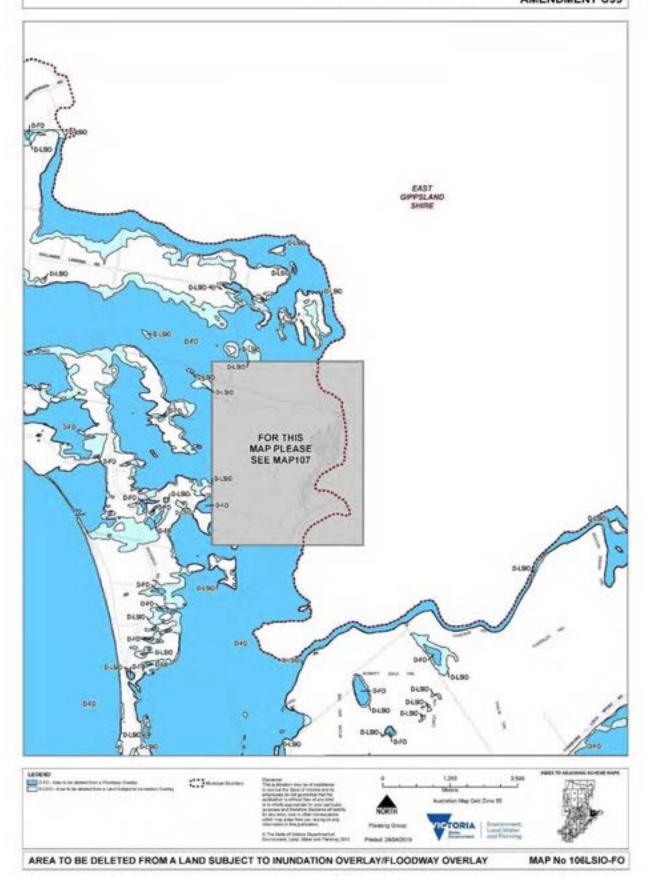


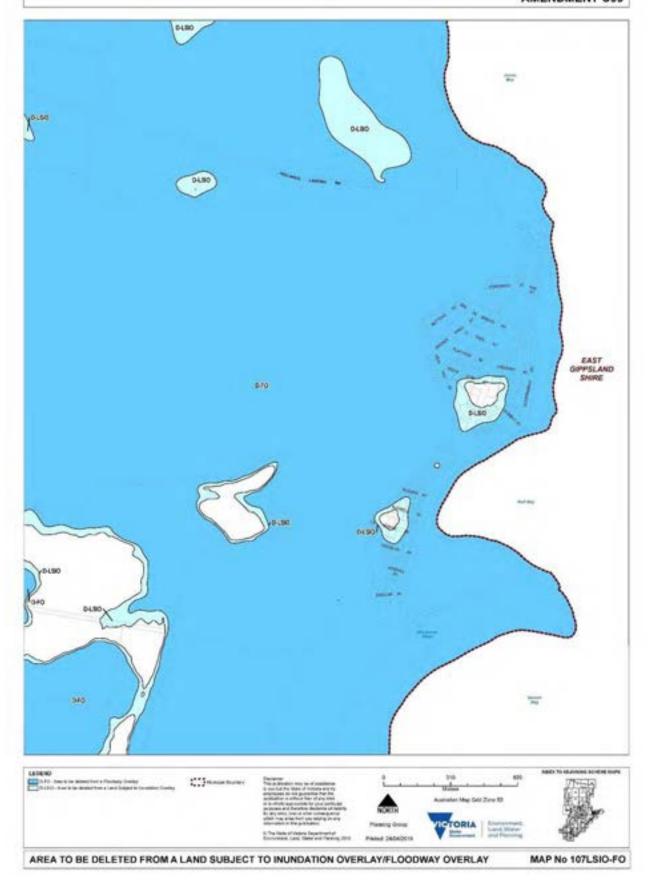


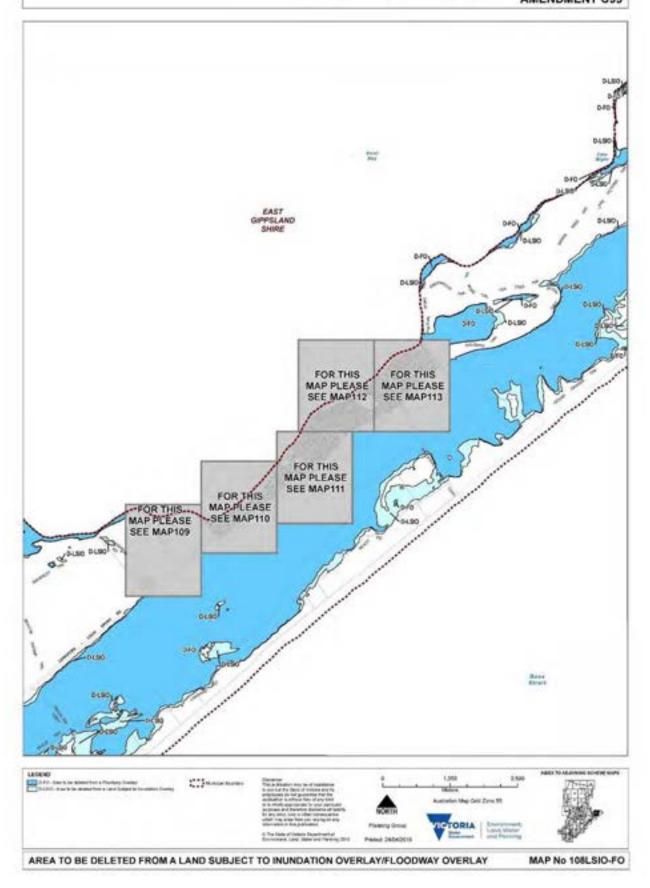


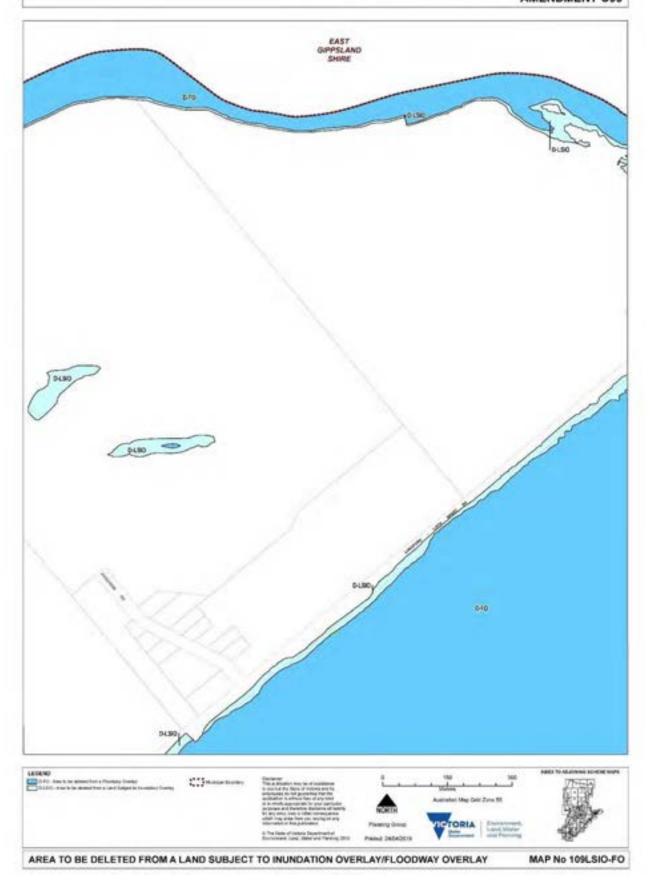
AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

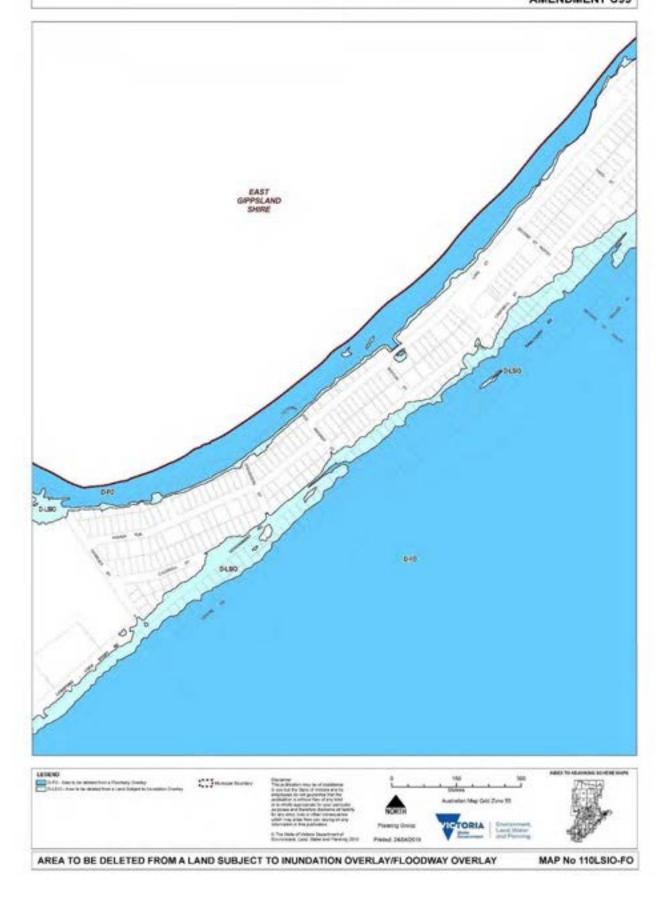
MAP No 105LSIO-FO

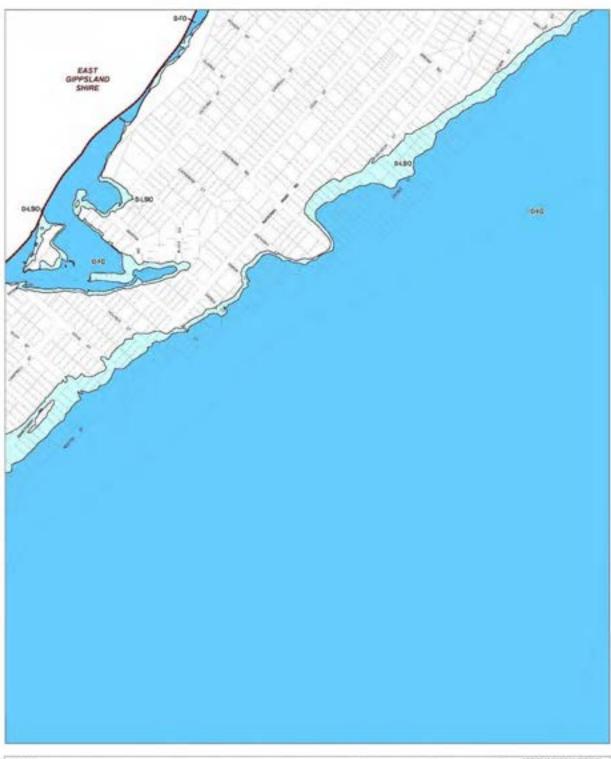




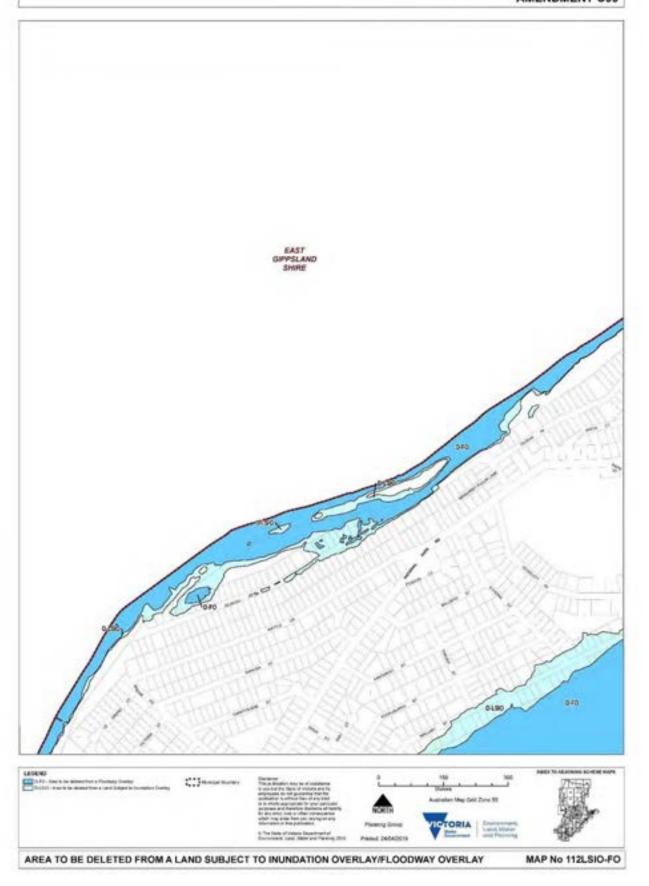




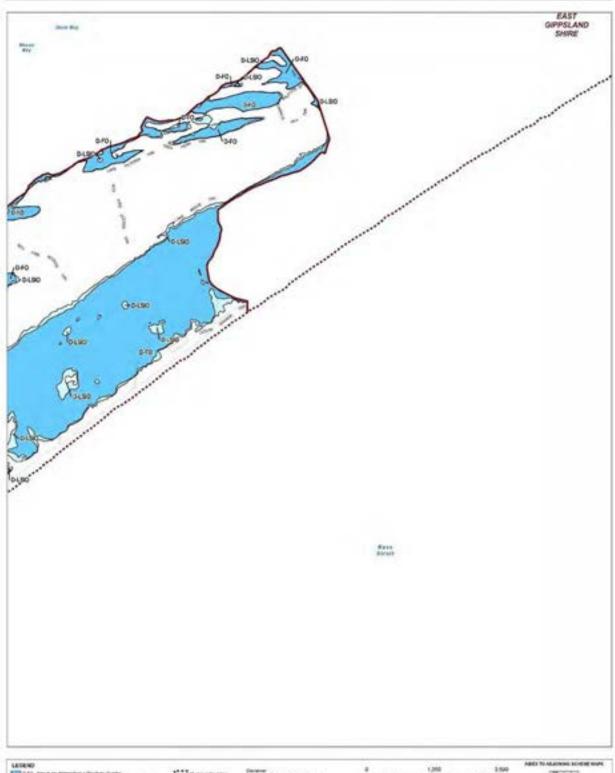




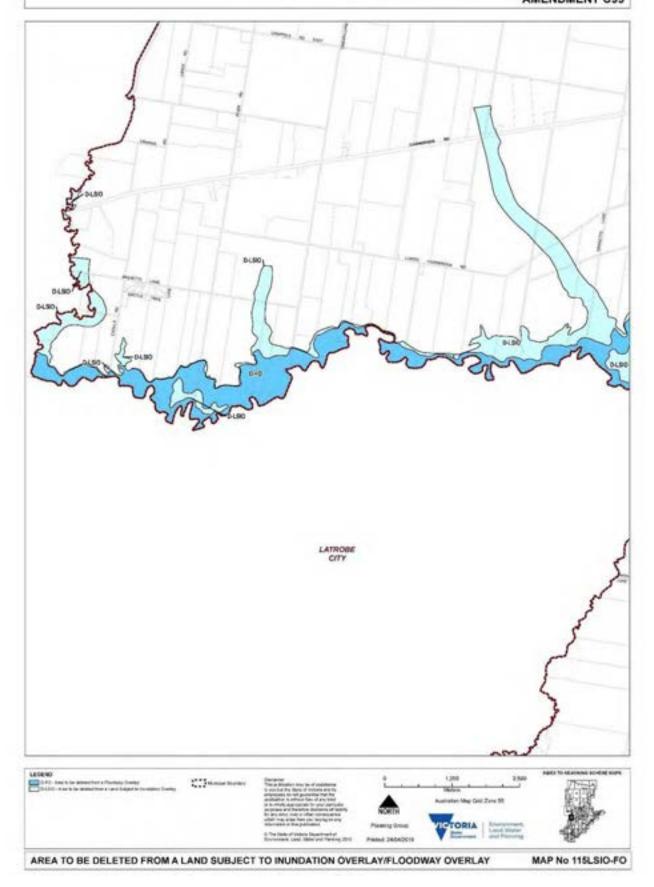


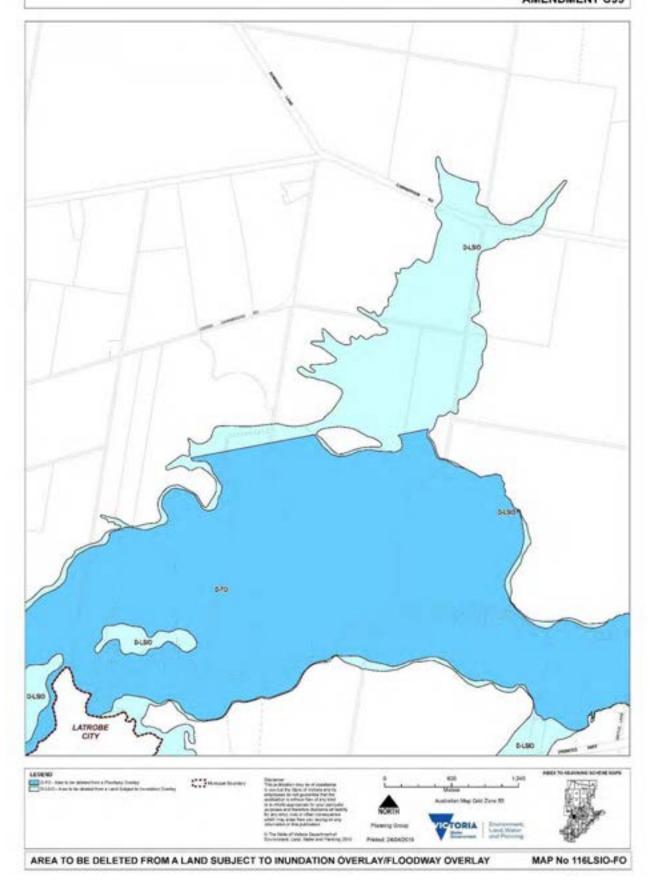




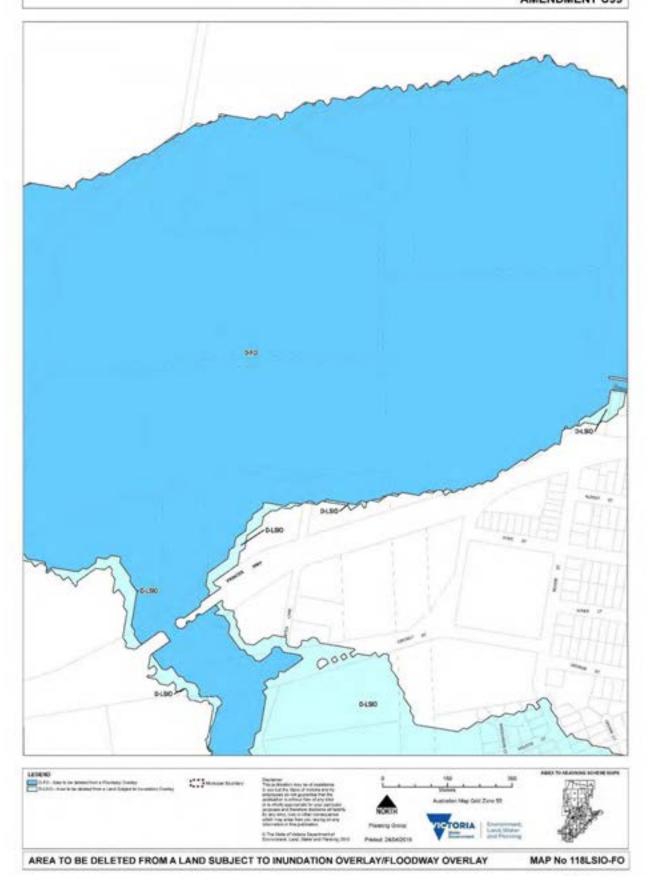




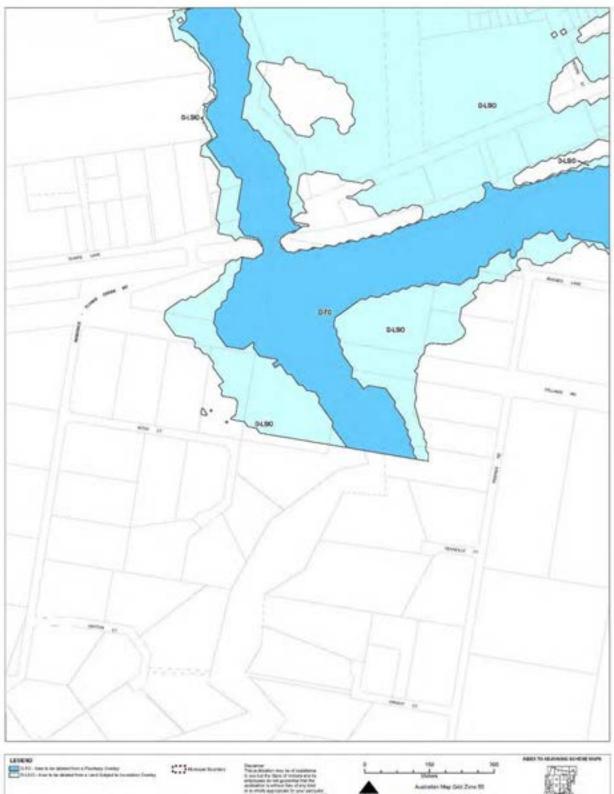


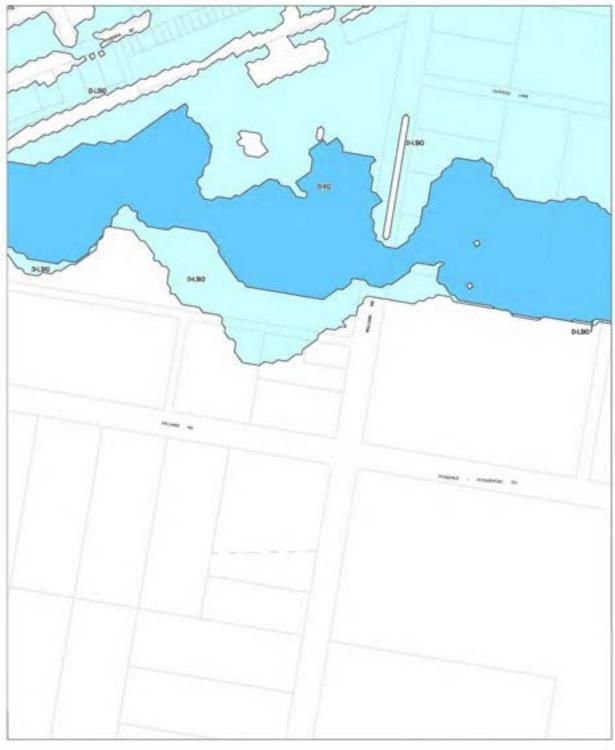




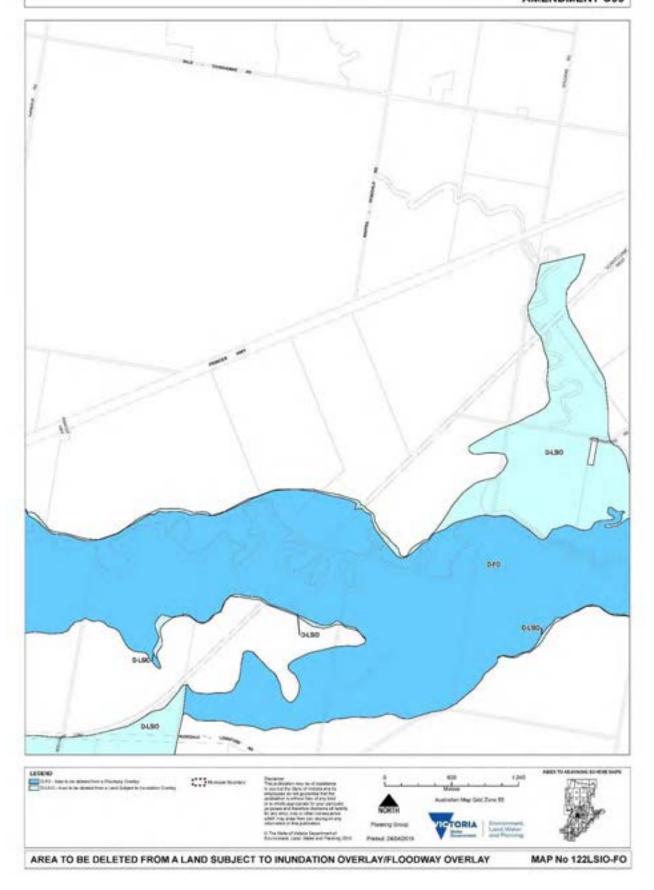


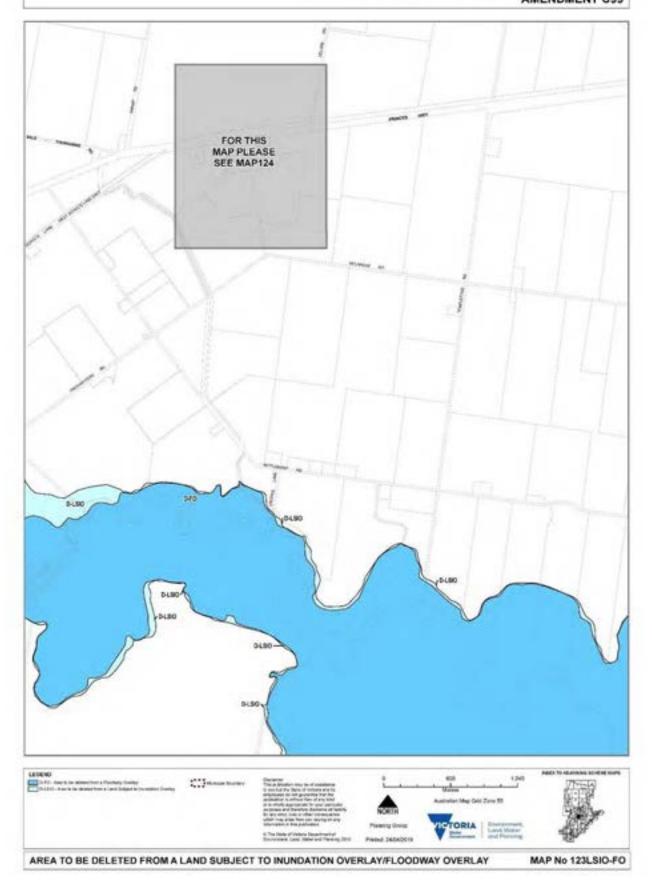




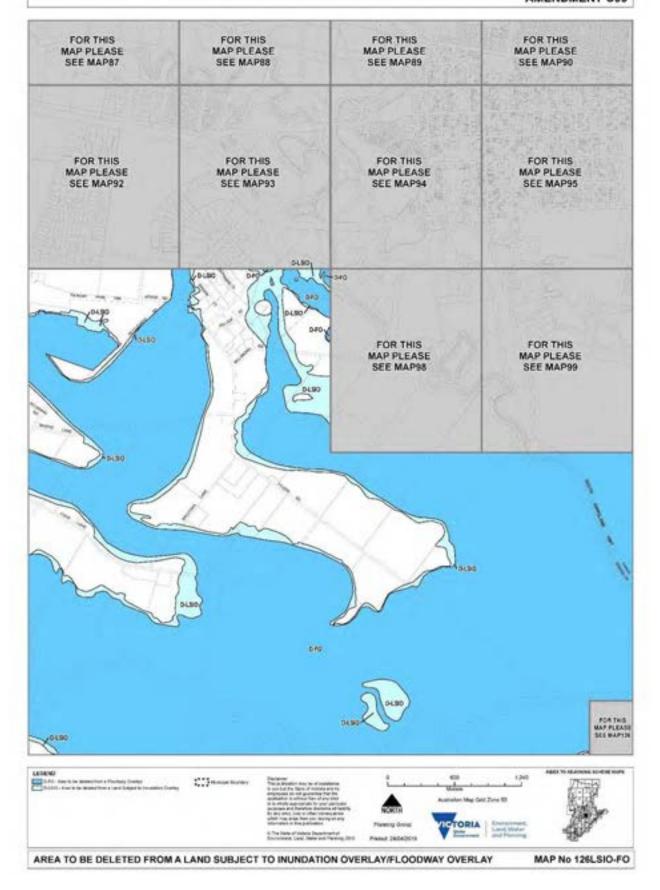


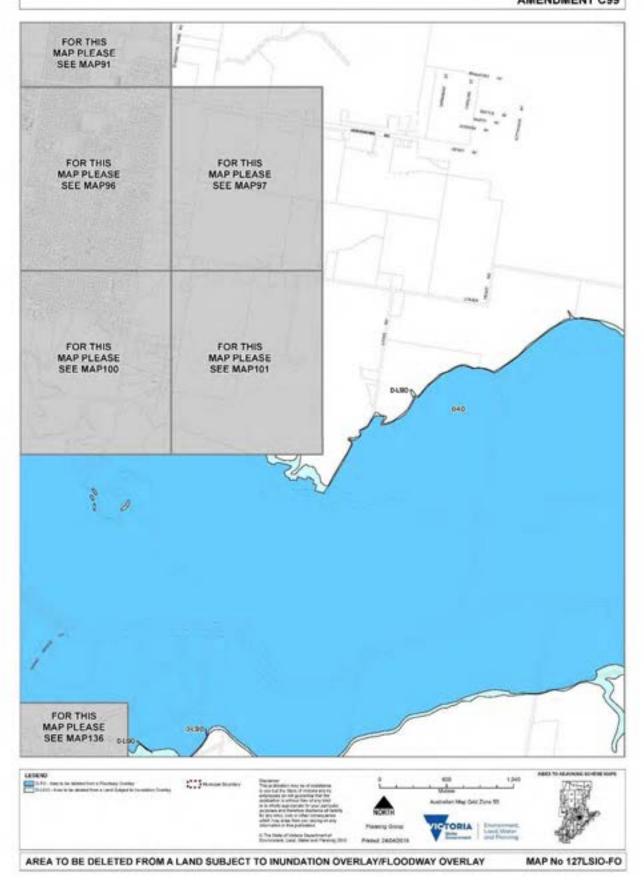


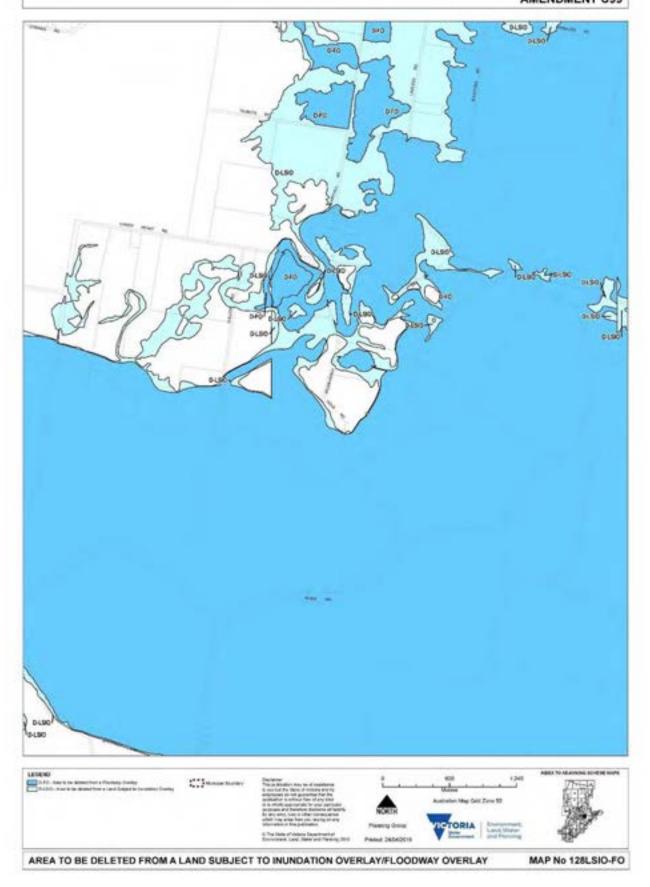


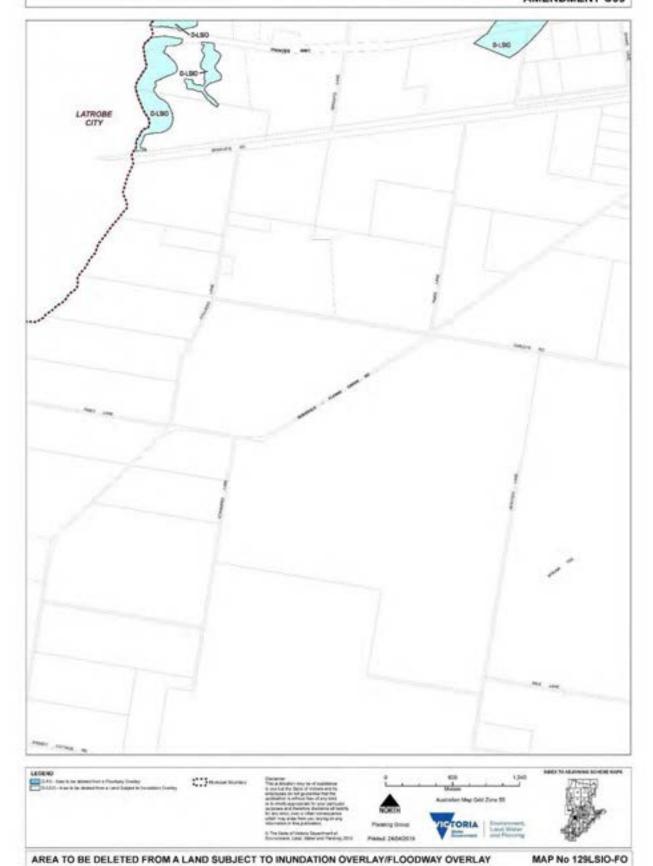












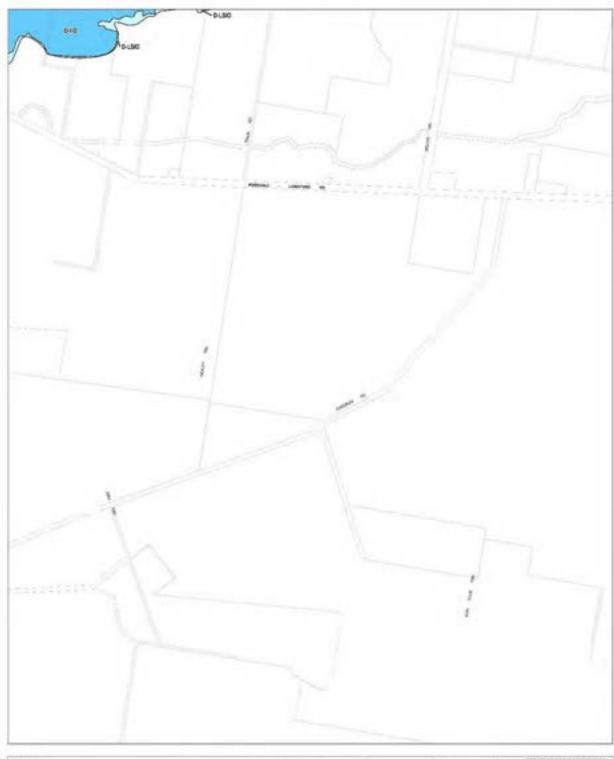




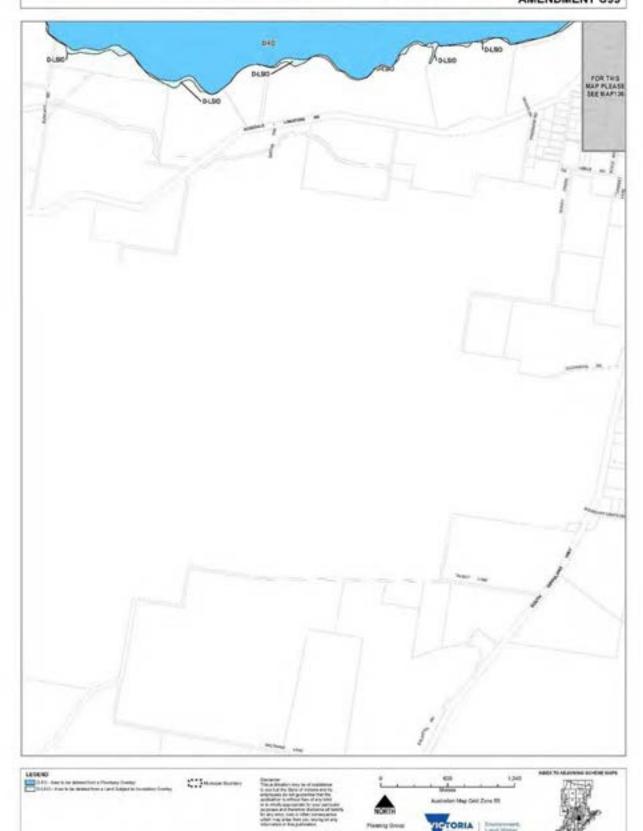
AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

MAP No 131LSIO-FO









AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

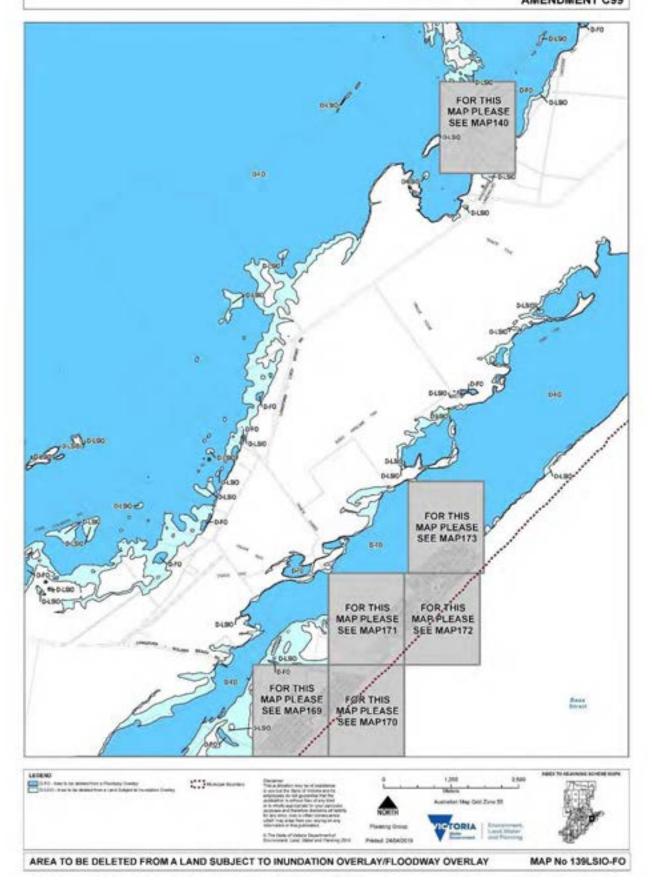
MAP No 134LSIO-FO

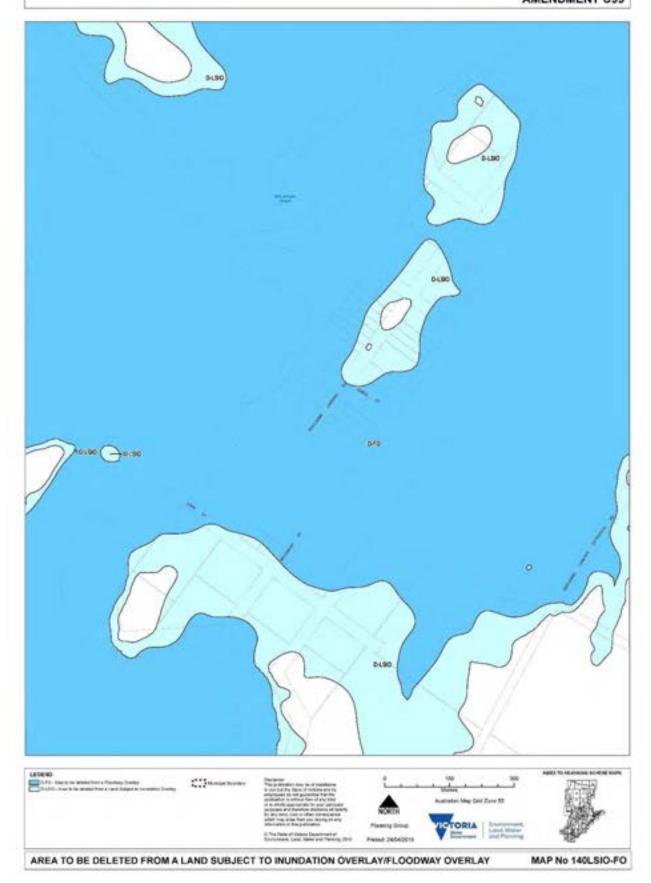


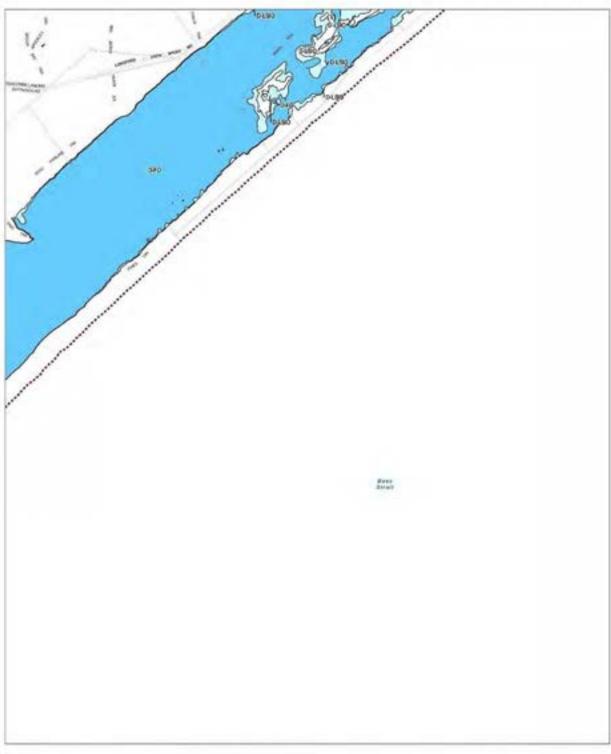




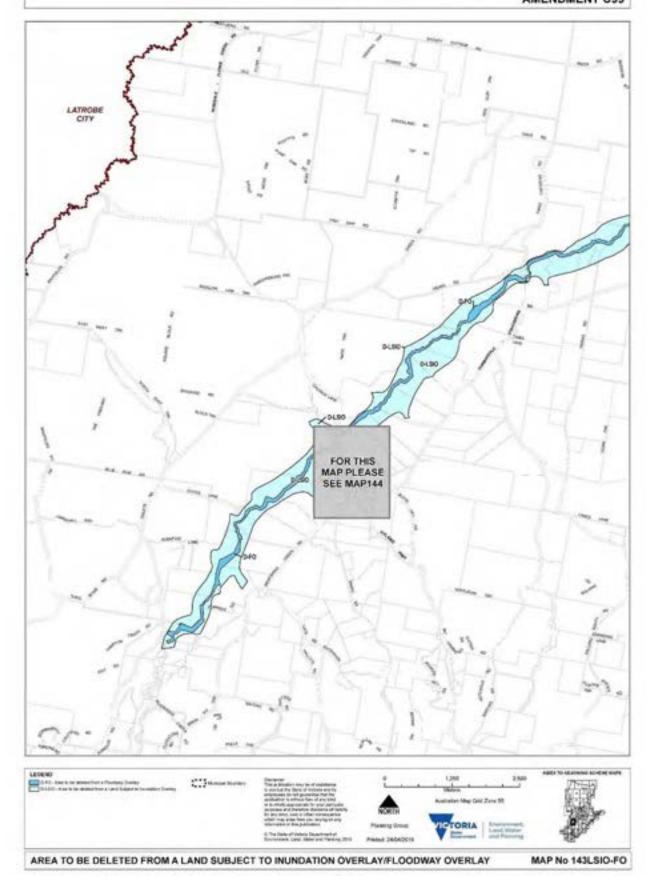






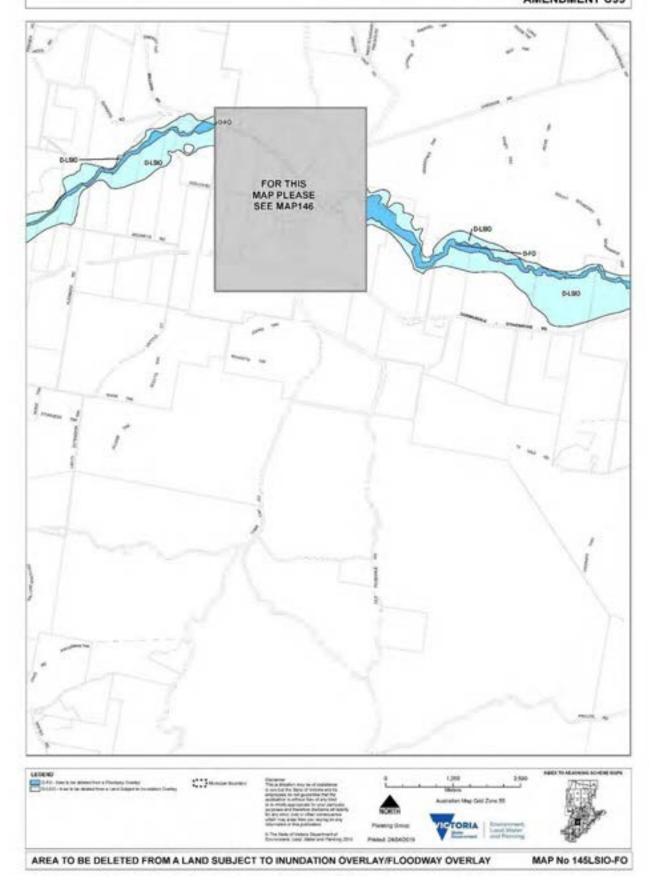


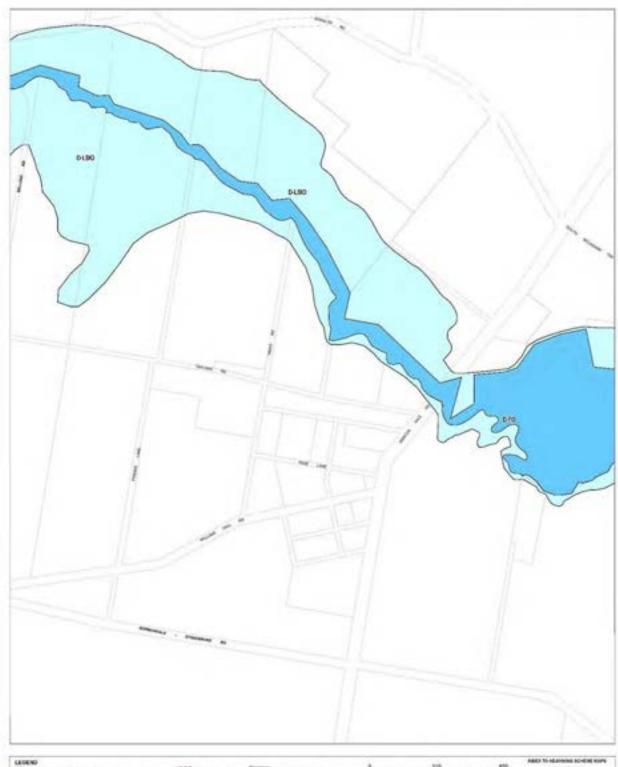




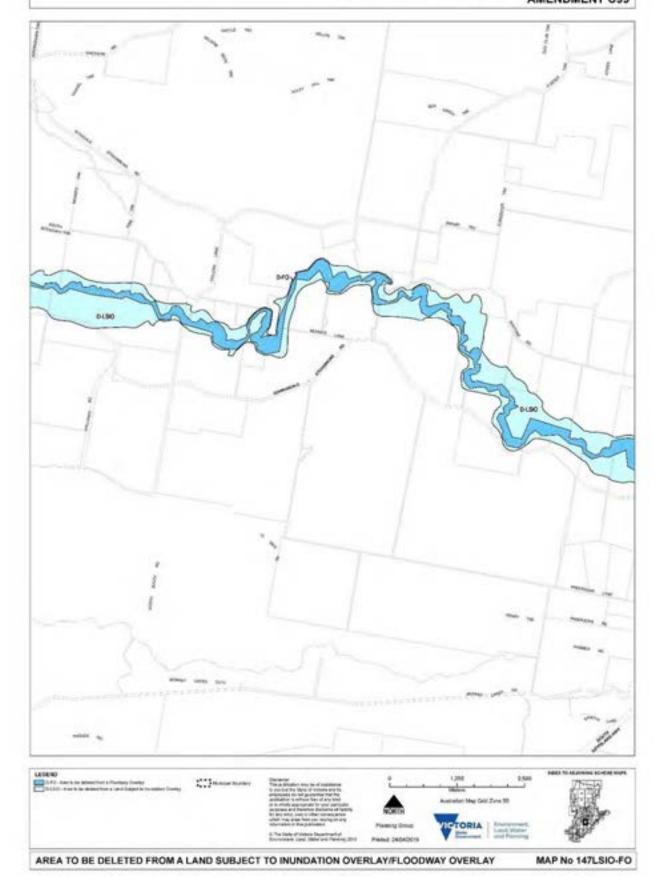






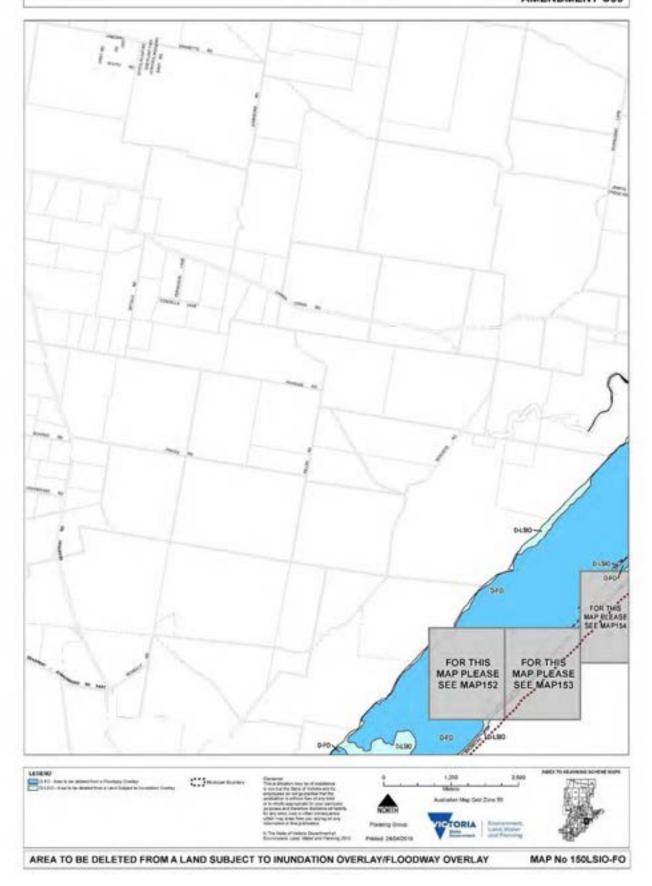


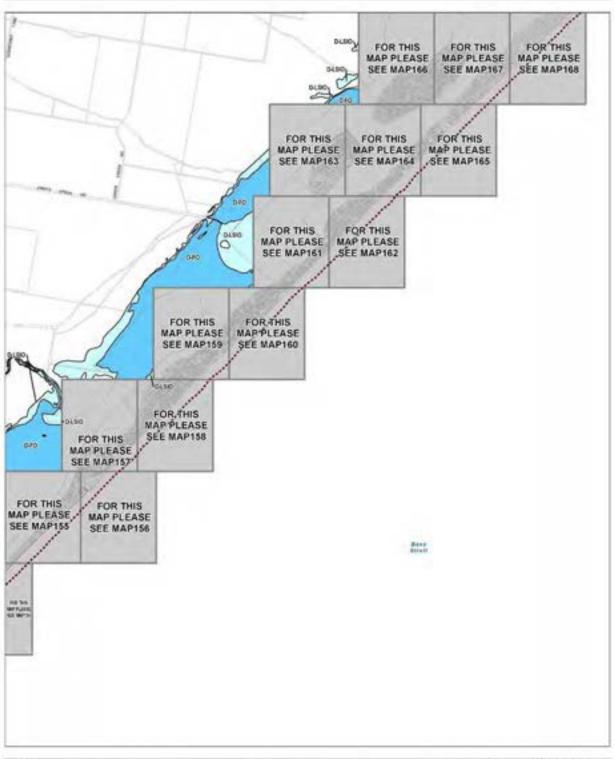




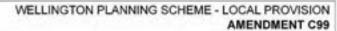


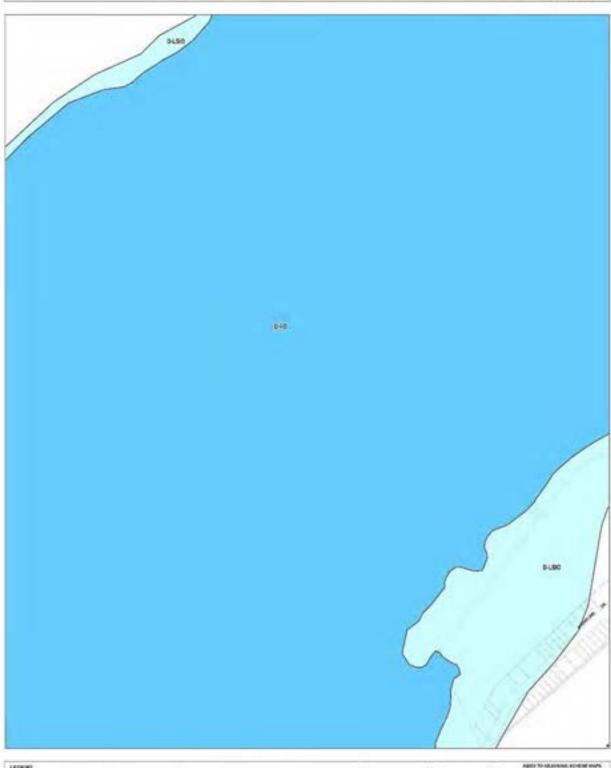




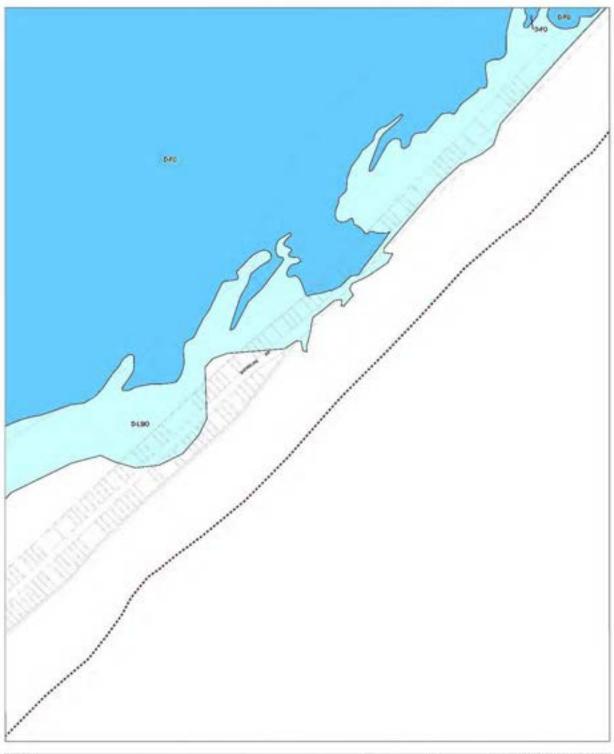




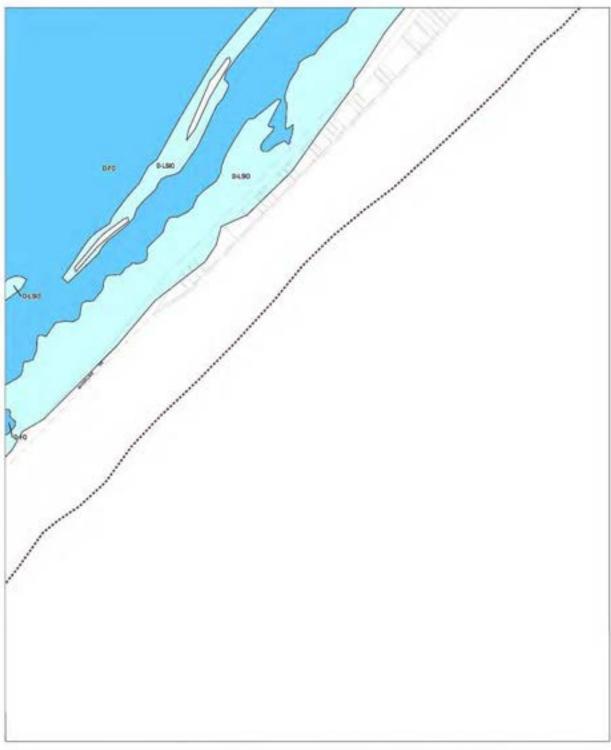






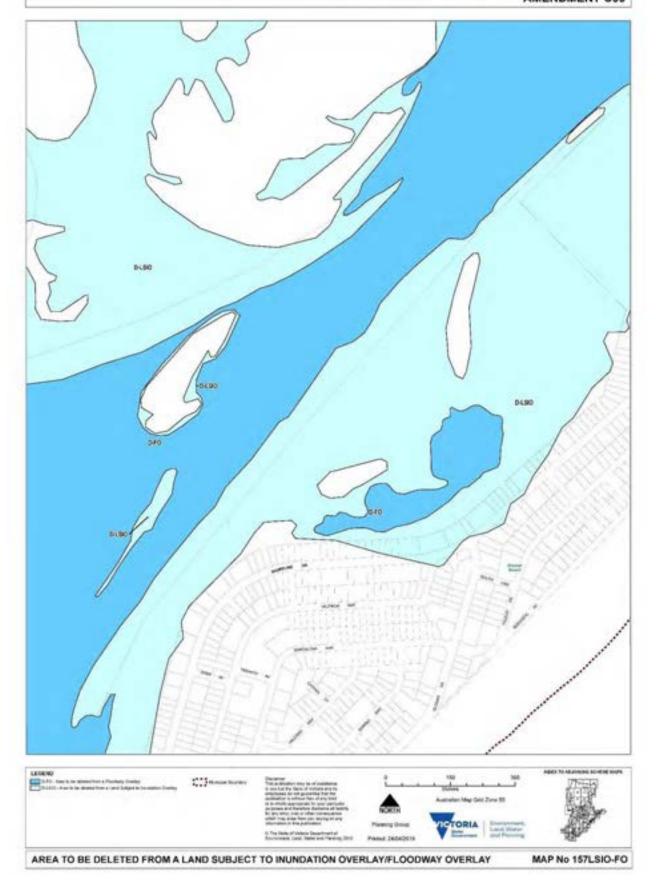


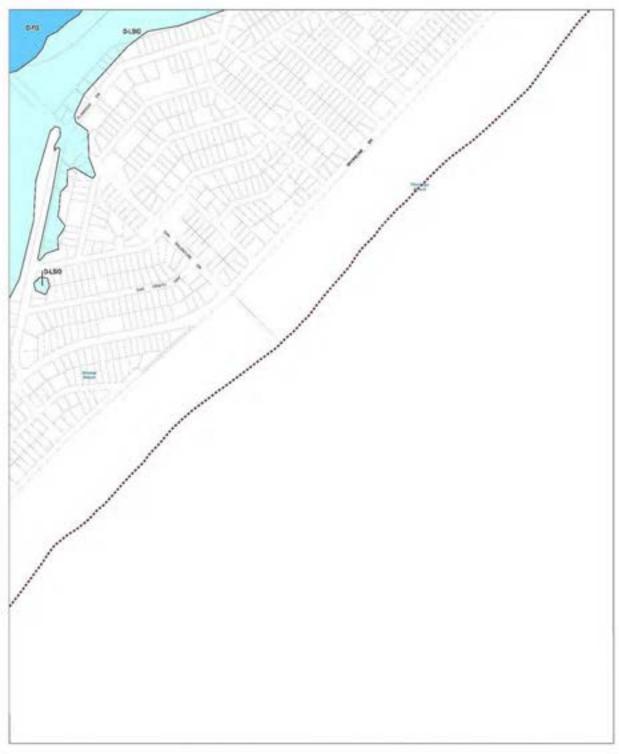










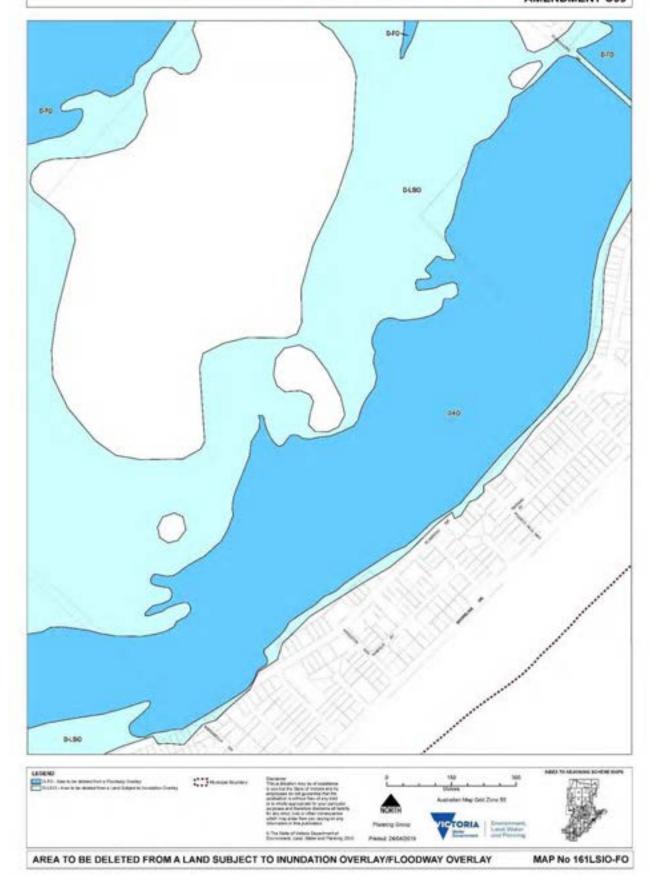


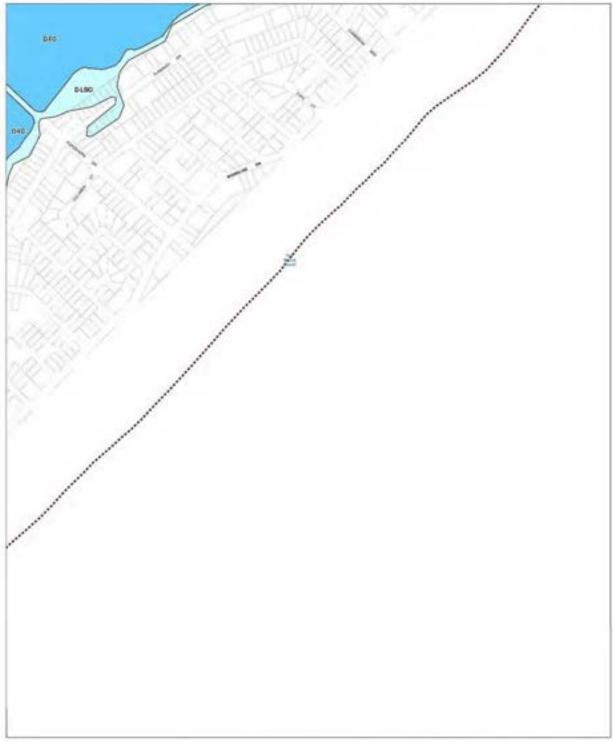




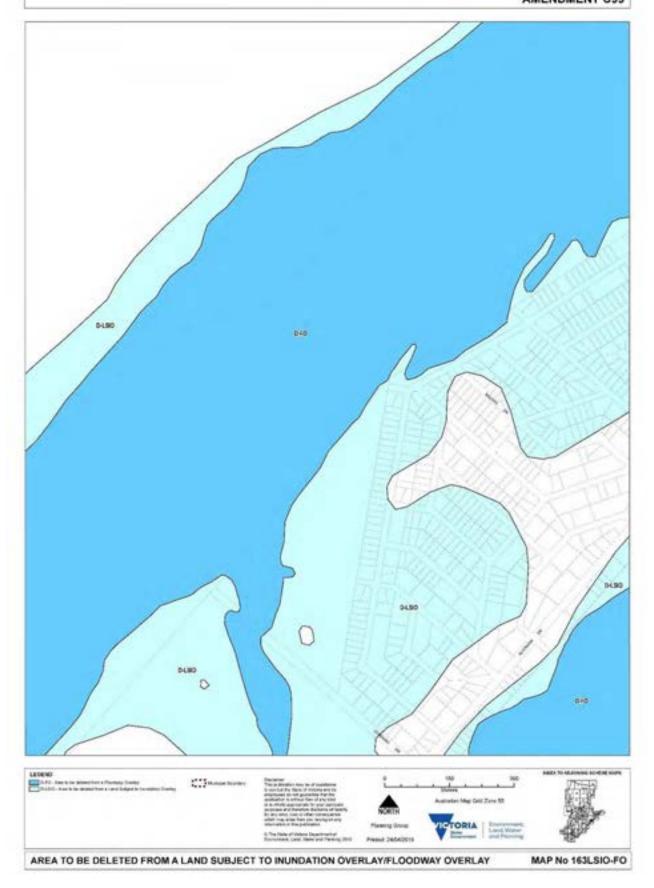


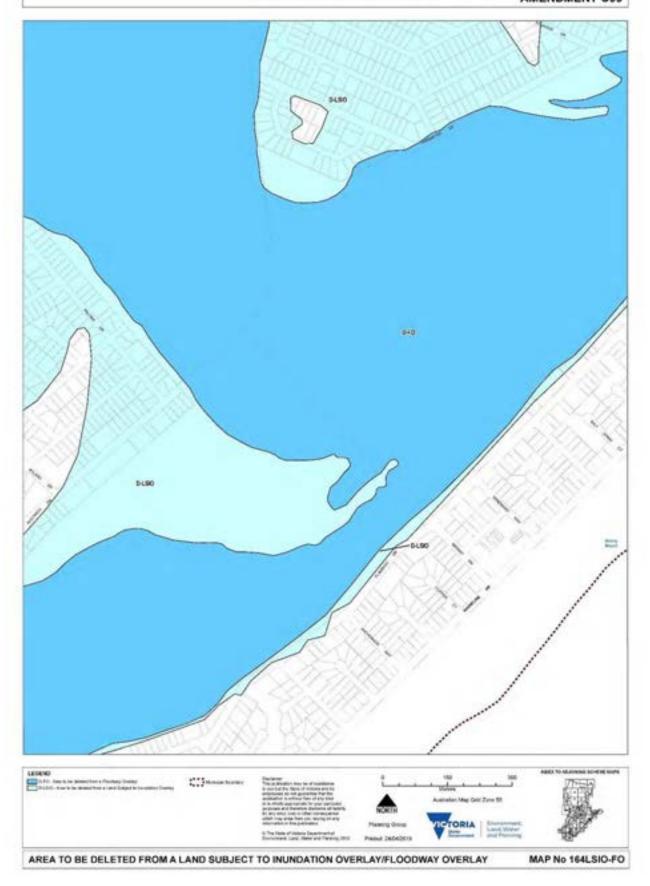


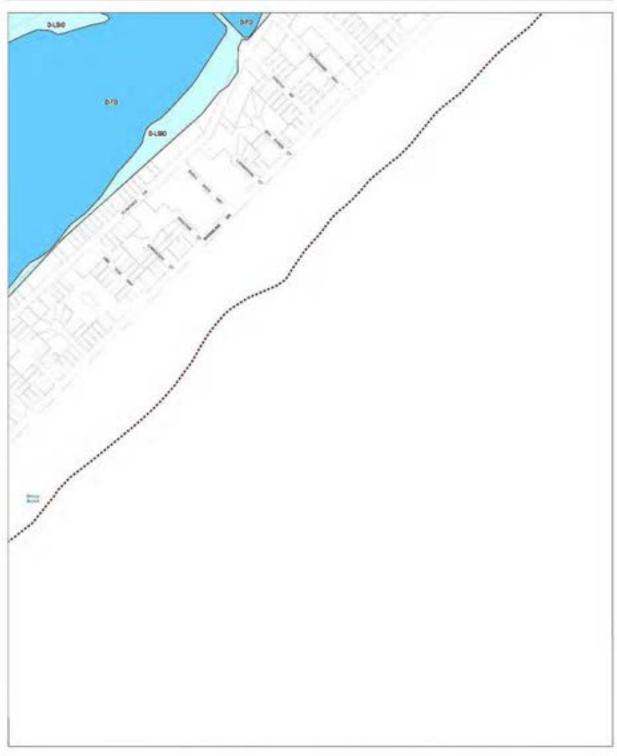




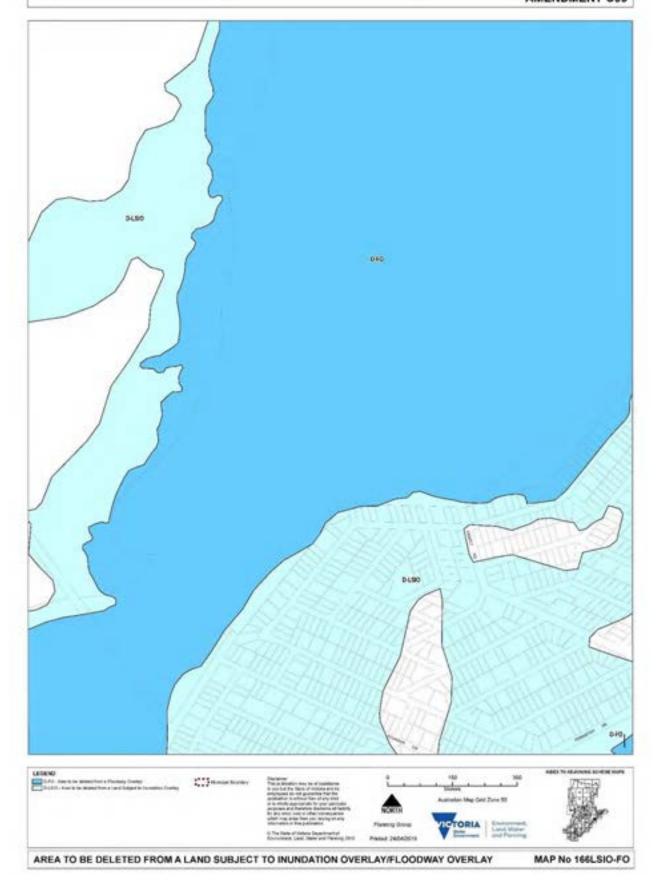


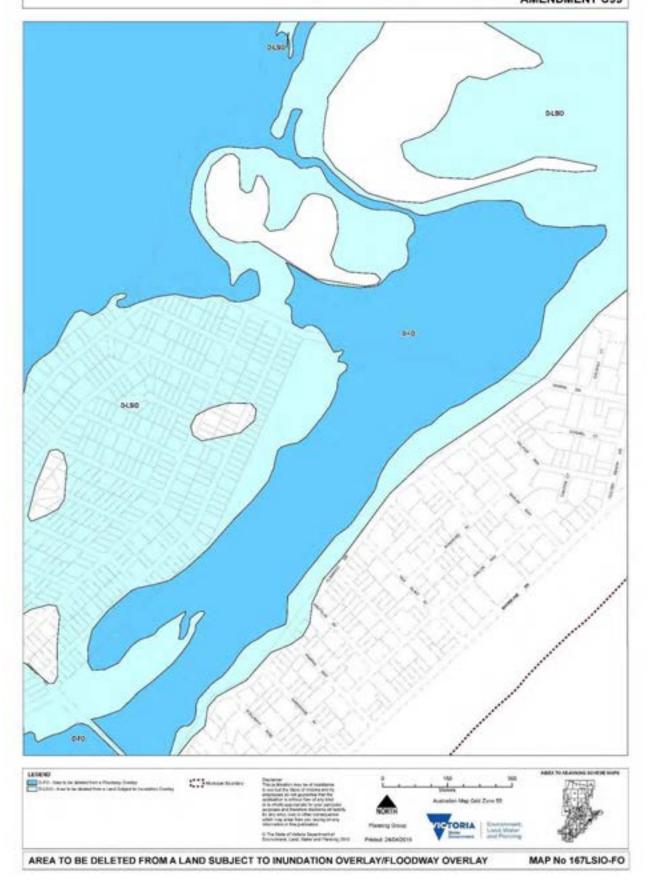


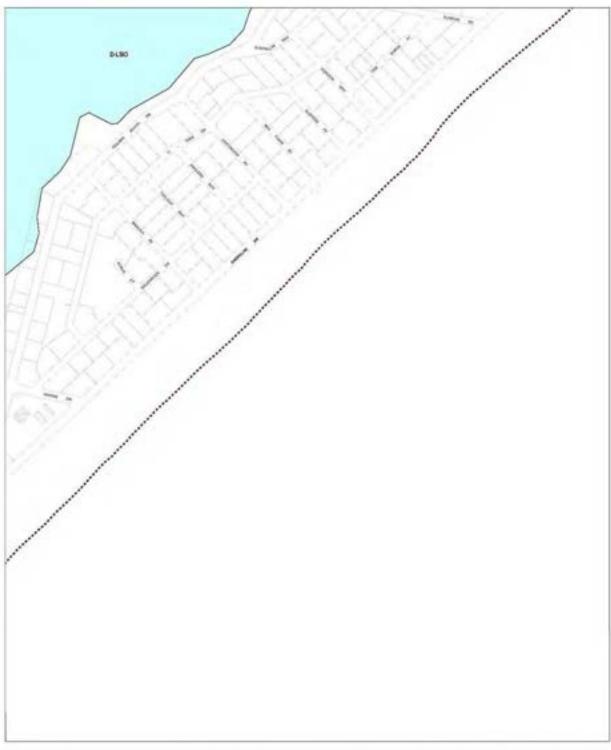










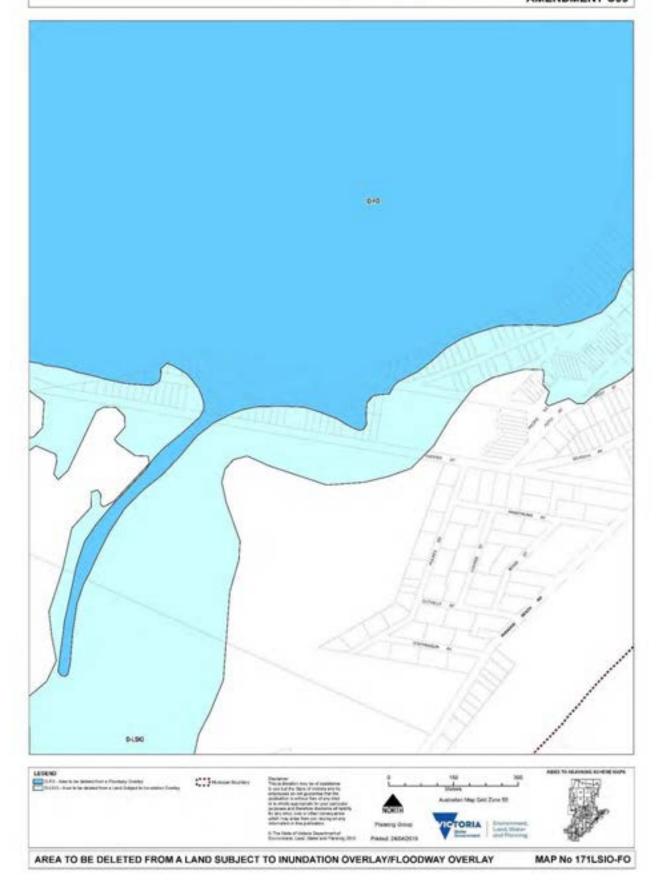








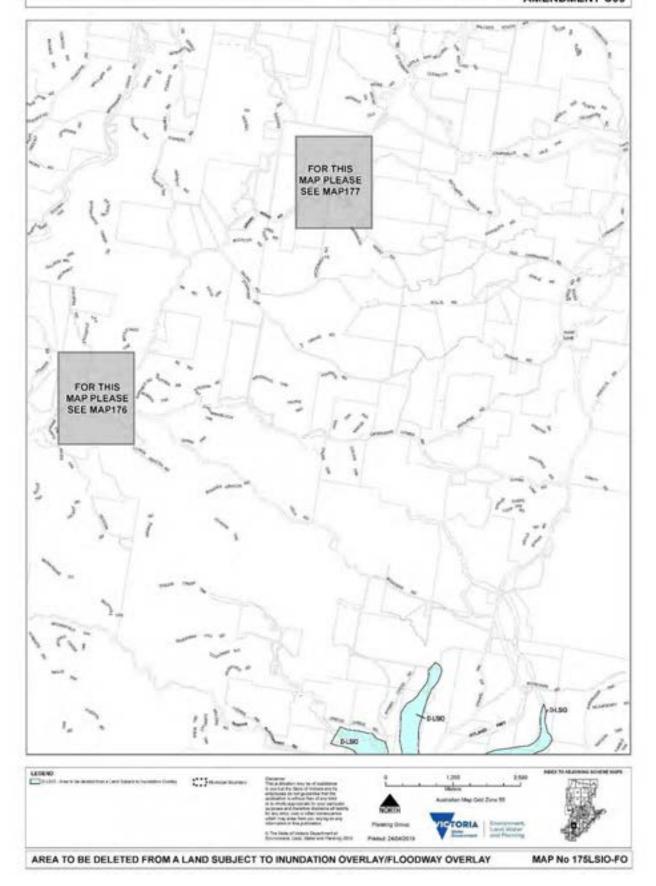




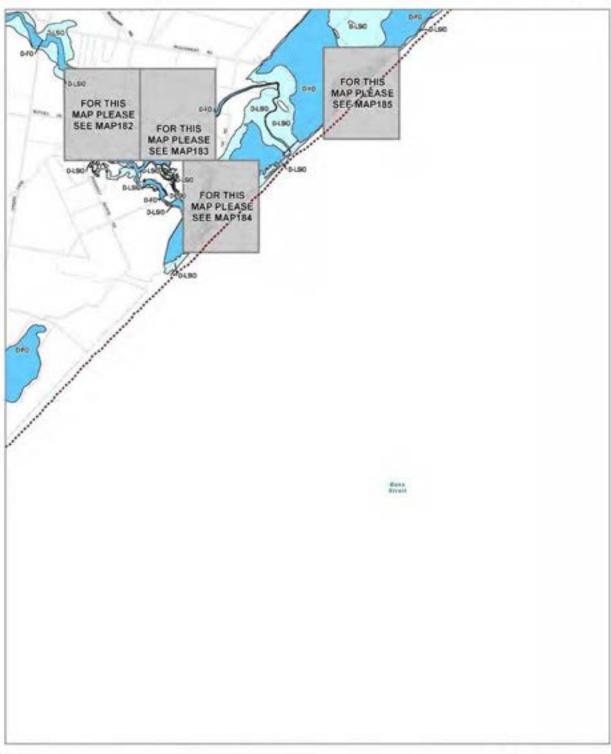




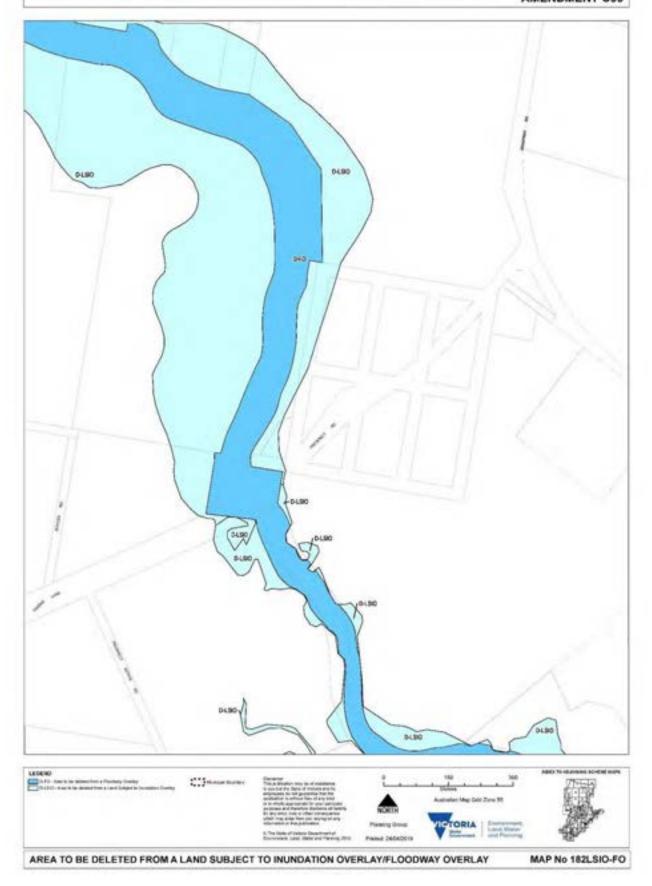


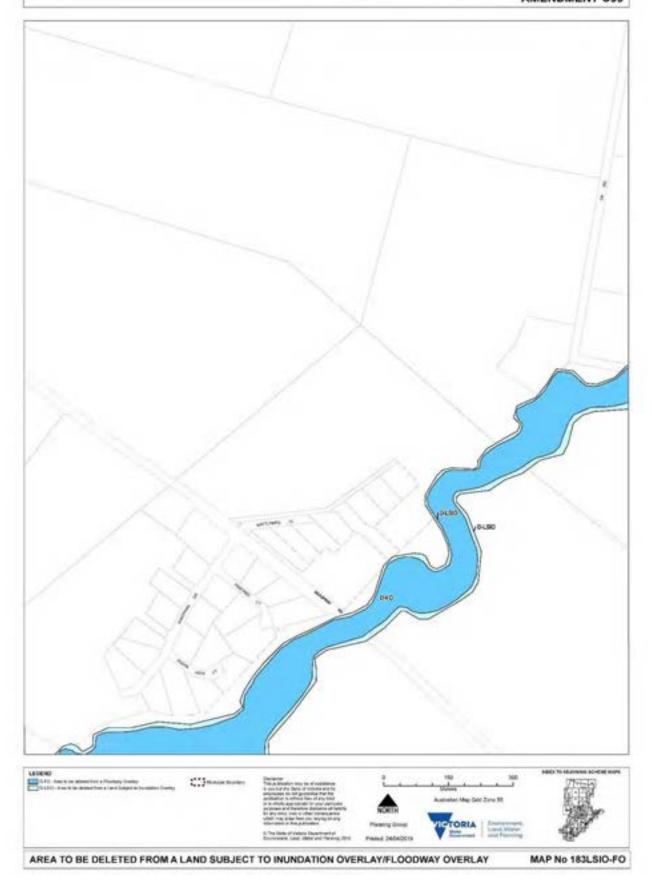








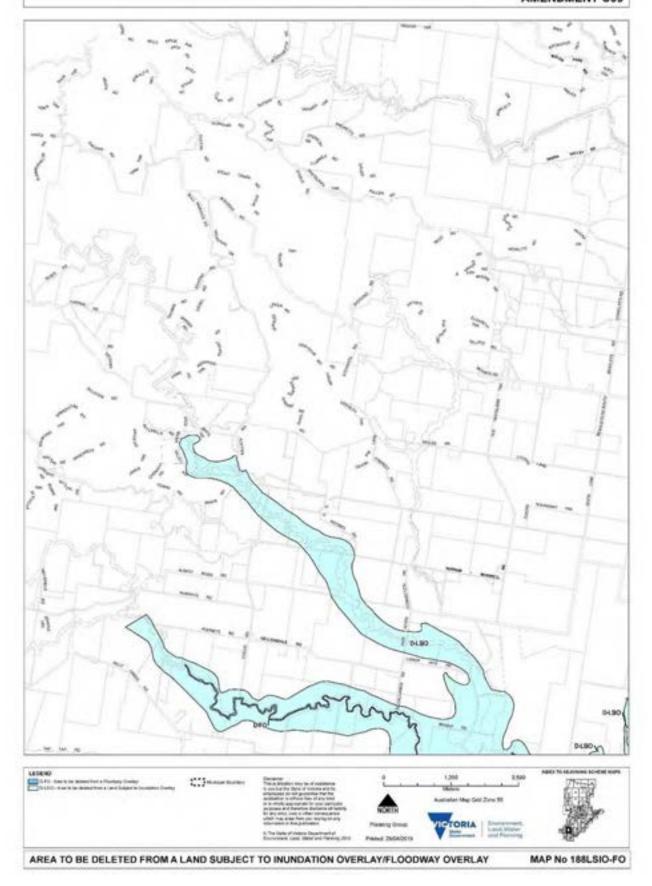


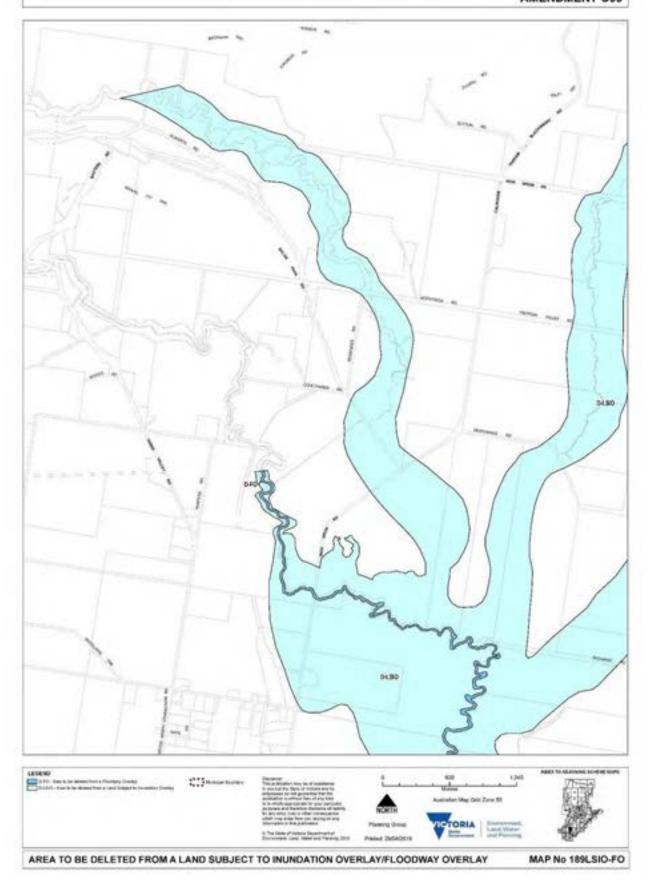






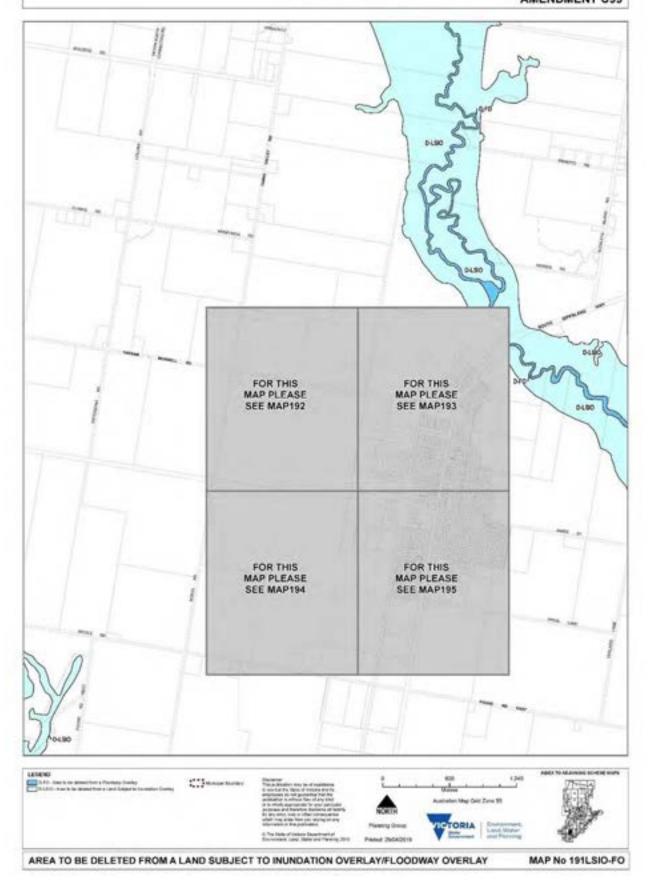










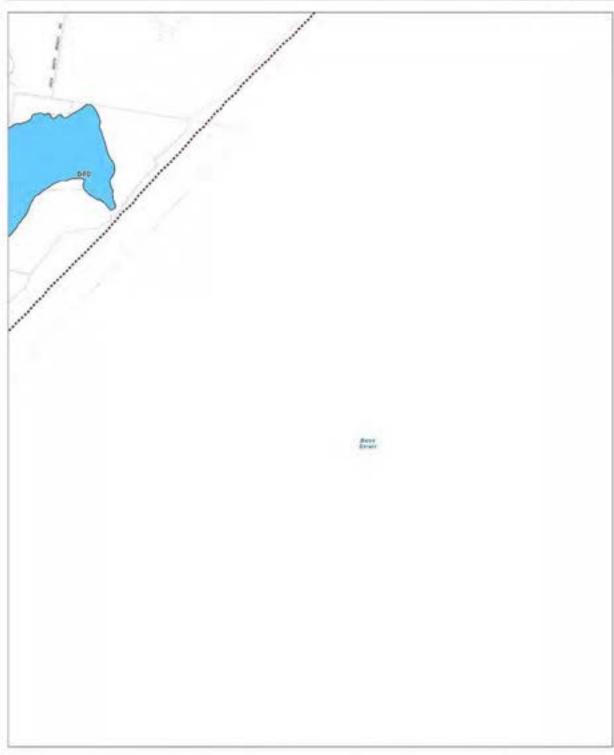




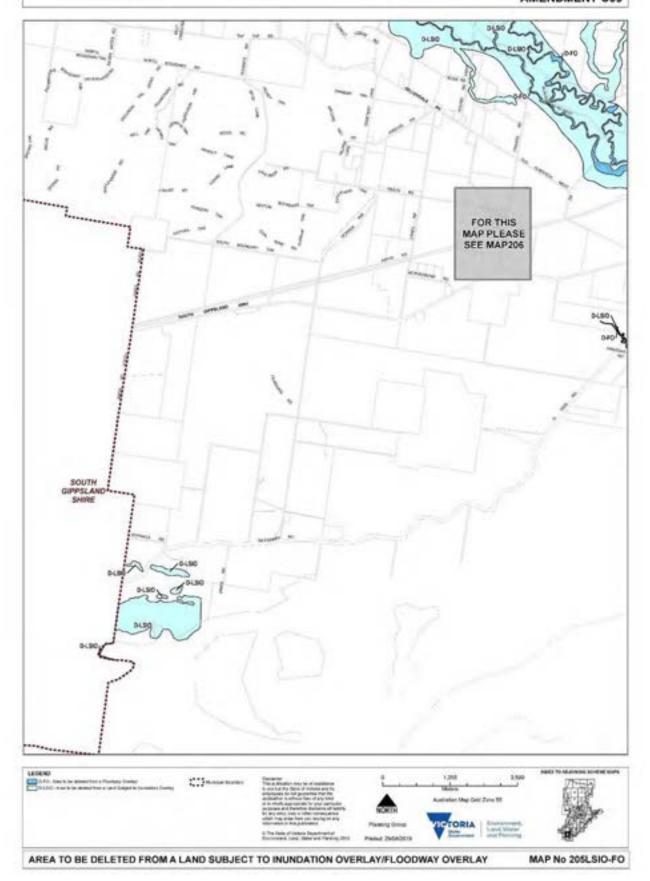


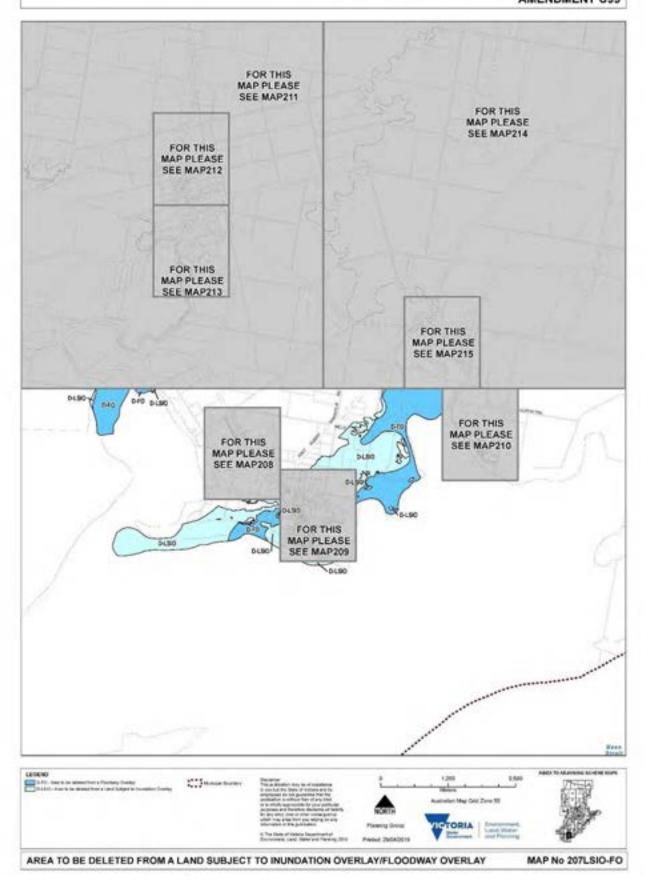










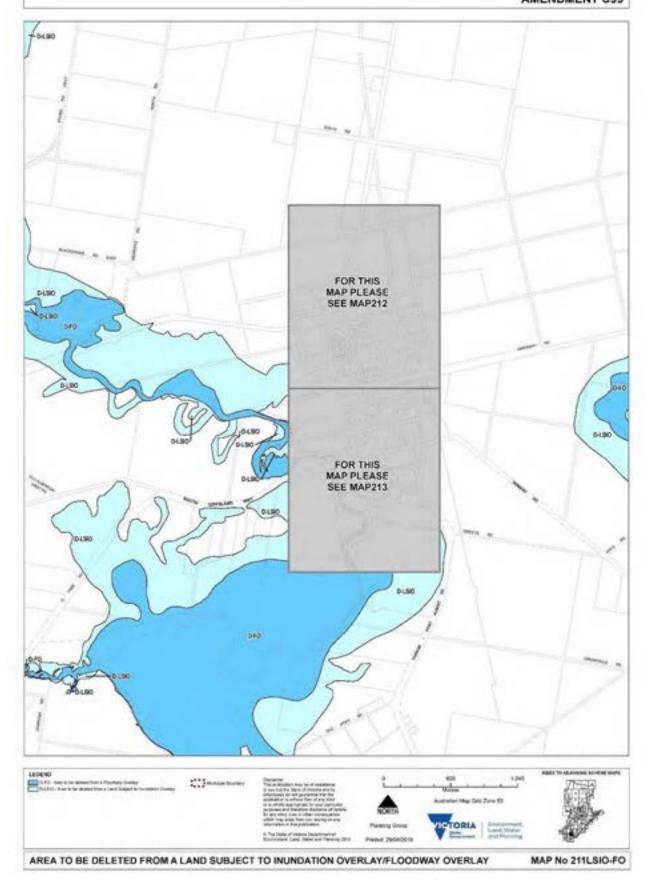


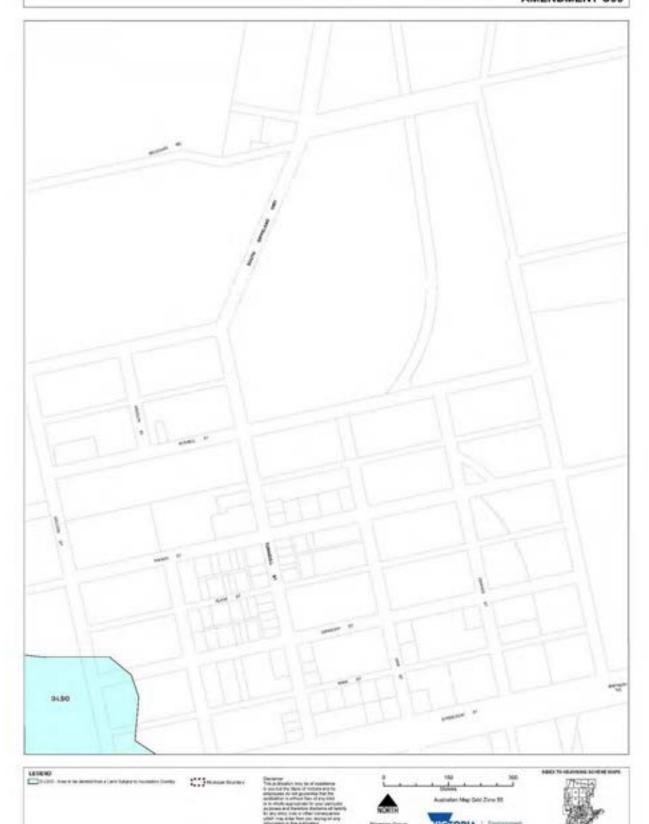








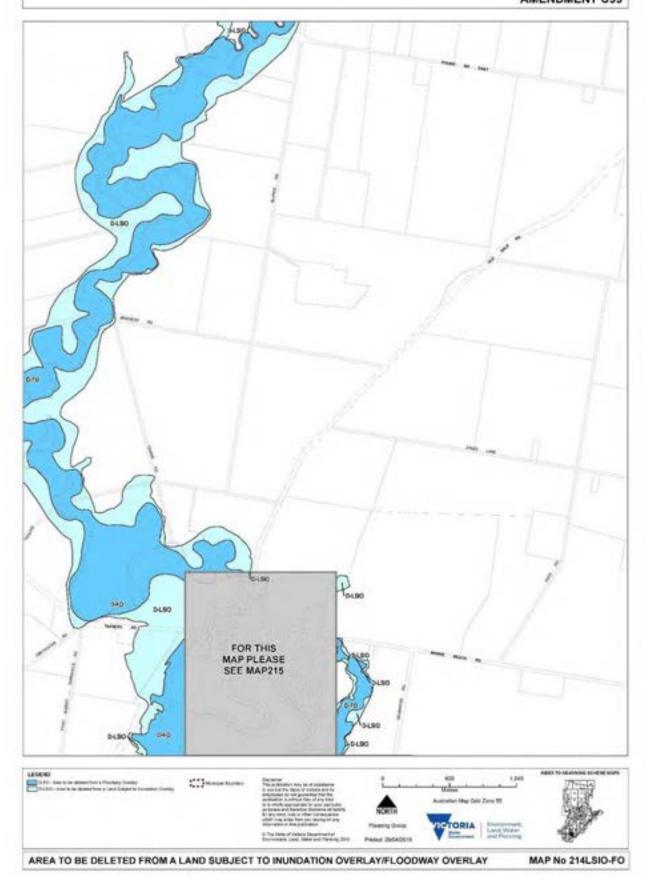


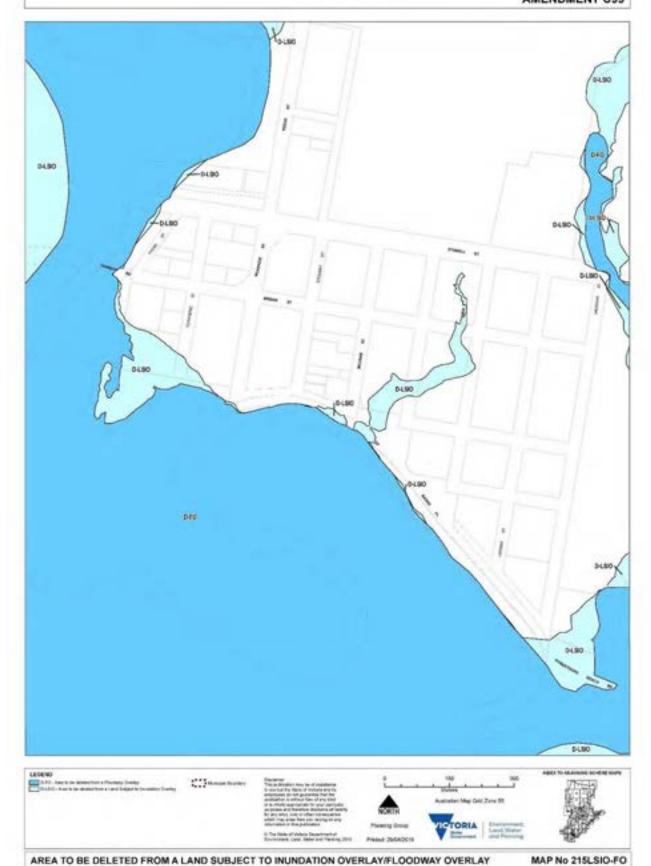


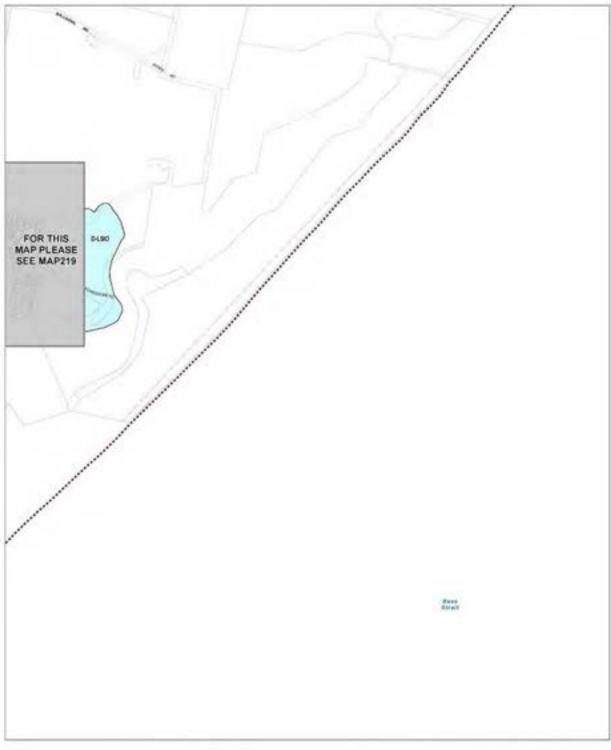
AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

MAP No 212LSIO-FO















ITEM C3.3 PLANNING SCHEME AMENDMENT C103 – WEST SALE

INDUSTRIAL REZONING

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER LAND USE PLANNING

DATE: 18 JUNE 2019

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

OBJECTIVE

For Council to consider all written submissions made to Amendment C103 – West Sale Industrial Rezoning, adopt Amendment C103 with changes and request the Minister for Planning to approve Amendment C103.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council:

- 1. Pursuant to Section 22 and 23 of the Planning and Environment Act 1987, consider all written submissions made to Amendment C103 West Sale Industrial Rezoning;
- 2. Pursuant to Section 29 of the Planning and Environment Act 1987, resolve to adopt Amendment C103 West Sale Industrial Rezoning with changes (refer to Attachment 2); and
- 3. Pursuant to Section 31 of the Planning and Environment Act 1987, resolve to request the Minister for Planning to approve Amendment C103 West Sale Industrial Rezoning.

BACKGROUND

The recently adopted *West Sale and Wurruk Industrial Land Supply Strategy 2018* (ILS) was prepared to provide a robust land use planning rationale to justify, rezone and facilitate the industrial development of land in the short-medium term, within West Sale and/or Wurruk in accordance with the recommendations of the adopted *Sale, Wurruk and Longford Structure Plan (2010)*.

The ILS investigated three sites or 'Candidate Areas' (**Figure 1**) nominated within the *Sale, Wurruk* and Longford Structure Plan (2010) for potential future industrial growth. These are located:

- 1. To the west of the existing industrial zoned land in Wurruk;
- 2. To the north of the Princes Highway and to the east of the West Sale Aerodrome,
- 3. To the south of the Princes Highway and east of the Fulham Correctional Centre.

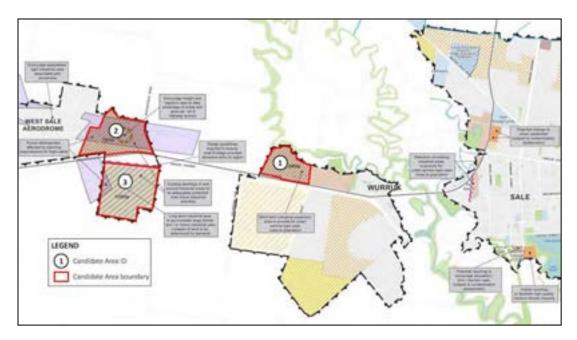


Figure 1 - Investigated Candidate Areas

Candidate Area 2 is recommended within the ILS as the primary opportunity to provide industrial land. Rezoning of industrial land in this location has the potential to form part of a broader economic precinct which incorporates the West Sale Aerodrome and is supported by major road, rail and air distribution infrastructure.

Amendment C103 implements the recommendations of the ILS through the rezoning of the land identified as Candidate Area 2 from the Farming Zone to the Industrial 1 Zone and by applying a Design and Development Overlay and Development Plan Overlay to ensure development takes place in a coordinated manner, off site impacts are considered and appropriate built form is achieved.

Planning Scheme Amendment C103 was Authorised by the Minister for Planning on 18 January 2019.

The exhibition period for Amendment C103 took place between 7 March and 8 April 2019. In light of the extensive public consultation that had been undertaken previously, Council was, under Section 20(2) of the *Planning and Environment Act 1987*, exempted by the Minister for Planning from general notification requirements and only required to undertake direct notification to the landowners in the local area, along with the relevant statutory authorities.

At the close of the exhibition period a total of four (4) submissions were received. Two (2) late submissions were also received. All submissions have been placed on the Councillor Homepage and can be inspected by the public at Council's Customer Service Centre in Desailly Street, Sale.

A table providing a summary of each submission with an officer response is included in **Attachment 1** to this Report. In short, it can be noted that:

- All six (6) submissions received were from Statutory Authorities including: West Gippsland Catchment Management Authority (WGCMA); Department of Environment, Land, Water and Planning (DELWP); VicTrack; Department of Transport (DoT); Environment Protection Authority (EPA); and Gippsland Water (GW).
- None of the submissions objected to the Amendment. However, WGCMA, VicTrack and DoT did request changes.

The changes requested by the WGCMA are in response to a drafting error in the exhibited documents. Stormwater requirements that were included in the original draft provisions were accidentally omitted from the exhibited provisions and the WGCMA have requested that these requirements be reincorporated. This requested change has been accommodated (refer to **Attachment 2**).

The DoT and VicTrack requested additional requirements - predominantly in relation to level-crossing risk assessment and potential upgrades. Whilst most of the requested changes could be accommodated, one of the changes requested was that wording be included within Schedule 12 to the Development Plan Overlay to specify that,

'The costs of upgrade of the level crossing and risk mitigation are to be borne by the developer'.

Officers did not consider it appropriate to specify that the developer be responsible for all levelcrossing upgrade costs and following further discussions with both Authorities, it was agreed to modify this wording to read:

'The costs of any risk mitigation or level crossing upgrades identified are to be provided at no cost to VicTrack or V/Line'.

These final agreed changes are included in **Attachment 2** to this Report.

NOTE: Officers have also included a minor text revision to Schedule 12 of the proposed Development Plan Overlay to ensure that the final layout of any Development Plan prepared under this provision has regard to the setback requirements contained in the associated Design and Development Overlay to mitigate against (Grassland) bushfire risk (refer to **Attachment 2** to this Report).

On the basis that there are no outstanding objections, it is recommended that Amendment C103 be adopted with the changes above. The relevant Planning Scheme Amendment documentation recommended for adoption is included in **Attachment 2** to this Report.

OPTIONS

Council has the following options:

- 1. To consider all written submissions, adopt Amendment C103 West Sale Industrial Rezoning with changes and request the Minister for Planning to approve Amendment C103 pursuant to Sections 22, 23, 29 and 31 of the *Planning and Environment Act 1987*; or
- 2. To consider all written submissions and abandon Amendment C103 West Sale Industrial Rezoning (in full or in part), pursuant to Sections 22, 23 and 28 of the *Planning and Environment Act 1987*; or
- 3. To seek further information for consideration at a future Council Meeting.

PROPOSAL

That Council:

- 1. Pursuant to Section 22 and 23 of the *Planning and Environment Act 1987*, consider all written submissions made to Amendment C103 West Sale Industrial Rezoning.
- 2. Pursuant to Section 29 of the *Planning and Environment Act 1987*, resolve to adopt Amendment C103 West Sale Industrial Rezoning with changes (refer to **Attachment 2**).
- 3. Pursuant to Section 31 of the *Planning and Environment Act 1987*, resolve to request the Minister for Planning to approve Amendment C103 West Sale Industrial Rezoning.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The resources associated with Amendment C103 have been accounted for in the Strategic Planning budget.

LEGISLATIVE IMPACT

Amendment C103 – West Sale Industrial Rezoning has been prepared having regard to the *Planning and Environment Act 1987* and the provisions of the Wellington Planning Scheme - including the relevant state and local planning policies.

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

COUNCIL PLAN IMPACT

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

Strategic Objective 2.3

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

Strategy 2.3.1

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

Strategic Objective 5.2

'Use a targeted approach to attract new business and investment to Wellington Shire, to support population growth.'

Strategy 5.2.2

'Ensure the availability of residential, commercial and industrial land supply.'

The ILS and proposed Amendment C103 to the Wellington Planning Scheme support the above Council Plan strategic objectives and strategies.

PLANNING POLICY IMPACT

The ILS and Amendment C103 have been prepared having regard to the *Sale, Wurruk and Longford Structure Plan (2010)* and the relevant provisions of the Local Planning Policy Framework (Clause 21.05-10) of the Wellington Planning Scheme.

Amendment C103 is consistent with the State and Local Planning Policy Frameworks within the Wellington Planning Scheme, the *Gippsland Regional Growth Plan (2014)* and the relevant State Government Planning Practice Notes.

Clause 21.05 – Sale, Wurruk and Longford Strategic Framework (Wellington Planning Scheme) will be updated to require consideration of and give recognition to the *West Sale and Wurruk Industrial Land Supply Strategy (Urban Enterprise, 2018).*

ENGAGEMENT IMPACT

The exhibition period for Amendment C103 took place between 7 March and 8 April 2019 and included:

- Forty-four (44) notification letters with Information Sheets, sent to all land owners/occupiers within close proximity to the site.
- Thirteen (13) notification letters sent to the relevant Statutory Authorities.
- Notification in the Government Gazette (7 March 2019).

Information regarding Amendment C103 was also provided at the following locations:

- Hard copies of the Amendment documents and Information Sheets were available for viewing in the Council Service Centres in Sale and Yarram.
- Council and Department of Environment, Land, Water and Planning Websites.

Should Amendment C103 be adopted by Council and subsequently approved by the Minister for Planning, notice of the approval will appear in the Government Gazette.

All submitters to Amendment C103 will receive final correspondence after the decision by the Minister for Planning. The Council website will also be updated accordingly.

RESPONSE TO SUBMISSIONS

Amendment C103 – West Sale Industrial Rezoning



Submissions received from Authorities (6)

Submission No	Authority	Key issues raised	Preliminary response
1	WGCMA	Stormwater requirements missing from final drafts. Requested they be reincluded	Agreed. Requirement omitted due to drafting error. Will be added back into final documents
2	DELWP	Support	Noted
3	VicTrack	Support subject to inclusion of new requirements in draft provisions in relation to level crossing risk assessment requirements and upgrade costs	All requested changes accommodated following further negotiations with, and agreement from, VicTrack and Department of Transport in relation to final wording.
4	Department of Transport	Support subject to inclusion of new requirements in draft provisions in relation to level crossing risk assessment requirements and upgrade costs	All requested changes accommodated following further negotiations with, and agreement from, VicTrack and Department of Transport in relation to final wording.
5	EPA	Support	Noted
6	Gippsland Water	No Objection	noted

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

AMENDMENT C103

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Wellington Shire Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Wellington Shire Council

Land affected by the Amendment

The Amendment applies to:

Title Details	Property Address	Proposed		
Lot 1 TP321460	10 Williams Drive Fulham	Rezone from FZ to IN1Z. Apply DPO12 And DDO23		
Lot 2 TP321460	10 Williams Drive Fulham	Rezone from FZ to IN12. Apply DPO12 And DDO23		
Lot 3 TP321460 10 Williams Drive Fulham		Rezone from FZ to IN1Z. Apply DPO12 And DDO23		
Lot 4 PS521417 51 Sale-Heyfield Road Fullham		Rezone from FZ to IN1Z. Apply DPO12 And DDO23		
Lot 1 LP91663 57 Sale-Heyfield Road		Rezone from FZ to IN12, Apply DPO12 And DDO23		



Figure 1 - Land affected by the proposed Amendment.

What the amendment does

The Amendment proposes to rezone land identified in the West Sale and Wurruk Industrial Land Supply Strategy 2018 (ILS) as Candidate Area 2, from Farming Zone (FZ) to Industrial 1 Zone (IN1Z) and apply the Development Plan Overlay – Schedule 12 (DPO12) and Design and Development Overlay – Schedule 23 (DDO23)

The Amendment proposes to:

- Rezone land at 10 Williams Drive Fulham, being Lot 1 TP321460, Lot 2 TP321460 and Lot 3 TP321460 from Farming Zone to Industrial 1 Zone and apply the Development Plan Overlay – Schedule 12 and Design and Development Overlay – Schedule 23
- Rezone land at 51 Sale-Heyfield Road Fulham being Lot 4 PS521417 from Farming Zone to Industrial 1 Zone and apply the Development Plan Overlay – Schedule 12 and Design and Development Overlay – Schedule 23
- Rezone land at 57 Sale-Heyfield Road Fulham being Lot 1 LP91663 from Farming Zone to Industrial 1 Zone and apply the Development Plan Overlay – Schedule 12 and Design and Development Overlay – Schedule 23
- Amend Clause 21.05 to reflect completion of the West Sale and Wurruk Industrial Land Supply Strategy 2018
- Amend Clause 21.20 to include the West Sale and Wurruk Industrial Land Supply Strategy 2018 as a reference document
- Insert a new Schedule 23 to Clause 43.02
- Insert a new Schedule 12 to Clause 43.04
- Amend Clause 72.03 to reflect insertion of new planning scheme map 82DPO
- Amend Planning Scheme Maps 82ZN, 125ZN, 82DDO, 125DDO, 125DPO
- Insert new planning scheme maps 82DPO

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to ensure that sufficient, appropriately zoned industrial land in the vicinity of Sale and Wurruk is available to meet the forecast demand over a short-medium term (five to tenyear period) and that its future development can occur in a coordinated and timely manner.

The Amendment is supported by the adopted West Sale and Wurruk Industrial Land Supply Strategy 2018 (ILS) which investigated three sites or 'Candidate Areas' (Figure 2) nominated within the 'Sale, Wurruk and Longford Structure Plan (2010)' for potential future industrial growth. These are located:

- . 1. to the west of the existing industrial zoned land in Wurruk;
- . 2. to the north of the Princes Highway and to the east of the West Sale Aerodrome, and
- · 3. to the south of the Princes Highway and east of the Fulham Correctional Centre.

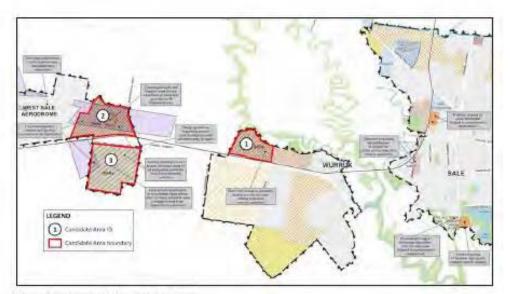


Figure 2 - Investigated candidate areas

Candidate Area 2 is recommended within the ILS as the primary opportunity to provide industrial land. Rezoning of industrial land in this location has the potential to form part of a broader economic precinct which incorporates the West Sale Aerodrome and is supported by major road, rail and air distribution infrastructure.

The Amendment will implement the recommendations of the ILS through the rezoning of the land identified as Candidate Area 2 from the Farming Zone to the Industrial 1 Zone and by applying a Design and Development Overlay and Development Plan Overlay to ensure development takes place in coordinated manner and appropriate built form is achieved.

How does the Amendment implement the objectives of planning in Victoria?

The amendment is consistent with and implements the objectives of planning in Victoria specified in Section 4 of the Planning and Environment Act 1987. In particular the amendment implements:

 Objective (a) – providing for the fair and orderly, economic and sustainable use and development of the land.

The rezoning of the land identified will make provision for appropriately located industrial land in Sale/Wurruk

How does the Amendment address any environmental, social and economic effects?

Environmental

A desktop biodiversity assessment was undertaken as a component of the ILS. For the subject land, it was found that native vegetation is present, including some endangered vegetation. As a result, proposed Schedule 12 to the Development Plan Overlay (DPO12) includes a requirement for a full vegetation survey and condition statement as well as a preliminary ecological assessment to identify the potential presence of protected species. If protected species are identified, further assessments may then be required.

Economic

The ongoing provision of appropriate industrial land in Sale is critical to support the growth of existing industries, as well as to facilitate opportunities for new industry and employment growth.

The rezoning of the land will provide opportunity for:

Local industrial growth

- Expansion or relocation of existing Sale and Wurruk businesses to larger sites with better separation from sensitive use and easier access to the highway network, Latrobe and Melbourne; and
- New medium to large sized industrial businesses seeking proximity to existing regional produce and a suitable labour supply (Sale and Traralgon) and ready access to the highway network

In the longer term and subject to infrastructure availability, the opportunity to utilise rail and air freight to distribute and export products may also attract certain business types.

Social

In consideration of potential impacts on nearby sensitive uses and amenity of the immediate and surrounding areas, proposed Schedule 23 to the Design and Development Overlay (DDO23) includes design objectives and buildings and works requirements to ensure:

- · The standard of development, design and built form is of high quality,
- The potential for negative off-site effects are minimised
- Development provides a high level of visual amenity when viewed from major transport routes and surrounding non-industrial uses.

DPO12 includes more broad requirements for the development plan layout to have regard for any nearby sensitive uses and to provide detail of any buffer treatments to protect the amenity of surrounding properties

Does the Amendment address relevant bushfire risk?

An assessment of the bushfire hazard has been undertaken in accordance with Clause 13.02.

Landscape Bushfire Considerations

- The subject land is considered to be within Landscape 'Type 1' (BMO Technical Guide -DELWP 2017) on the basis that:
 - There is little vegetation beyond 150 metres of the site (except grasslands and low threat vegetation). This is with the exception of the Pine Plantations and Holey Plains State park to the South. However, this is separated from the vegetation surrounding the subject land by the Latrobe River floodplains and a number of national, state and regional strategic fuel breaks (see Figure 3).
 - Extreme bushfire behaviour is not possible.
 - The type and extent of vegetation is unlikely to result in neighbourhood-scale destruction of property.
 - Immediate access is available to places that provide shelter from bushfire (West Sale Airport developed areas such as Federation Training, CFA).
 - Access to Low fuel/BAL LOW areas is available (the West Sale Airport) in accordance with the definition contained in Australian Standard AS3959-2009 Building in a Bushfire Prone Area.
 - The subject land is located in close proximity to roads and buildings.

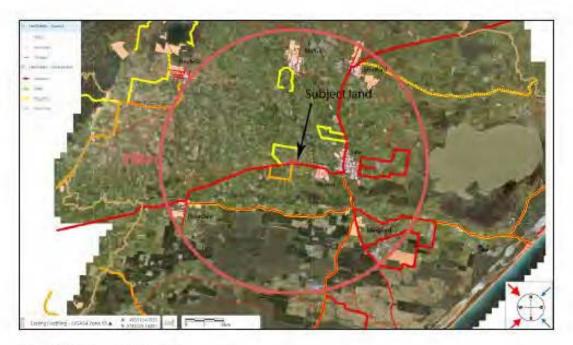


Figure 3 - Landscape Assessment

Site Assessment

- The land is located within a Bushfire Prone Area.
- There is no Bushfire Management Overlay present on the site or surrounding vegetation.
- Some trees exist on the subject land, including native species. It should be noted that they
 have been planted and can be removed if necessary without offsets being required
- Within 150m of the subject land, the predominant vegetation type is grassland, with some modified vegetation to the south/south west and low fuel areas within existing road/railway reserves and on the adjoining West Sale Airport land.
- . The topography of the land surrounding the subject site is relatively flat.
- Buildings will be required to be set back at least 19m from grassland on adjoining properties and 50m from modified vegetation to the southwest of the site to ensure a radiant heat exposure of less than 12.5kW/m2
 - Along the western and northern boundaries this setback will need to be from the boundary of the site as grassland directly abuts these interfaces.
 - To the south and east the subject site adjoins road reserves with constructed roads and the railway reserve which are considered to be low threat vegetation and can be incorporated into these setbacks
- These requirements have been incorporated into the proposed DDO to ensure they are implemented.
 - For the northern and western site boundaries requirement specifying that buildings must be setback 19m from these boundaries
 - For the eastern boundary, the adjoining road reserve is 20m so there is no need to specify a setback to achieve the 19m separation distance from the grassland.
 - For the southern boundary the modified vegetation to the southwest is approximately 65m from the southern boundary at its closest so there is no need to specify a setback to achieve the 50m separation distance.



Figure 4 - Site Hazard Assessment - Unhatched/un-highlighted areas are considered to be Grassland vegetation

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment has considered and complies with the requirements of the following Ministerial Directions:

- the Ministerial Direction -The Form and Content of Planning Schemes (section 7(5) of the Act)
- Ministerial Direction No. 11 Strategic Assessment of Amendments
- Ministerial Direction 15 The Planning Scheme Amendment Process
- Ministerial Direction No. 19 Part A and Part B

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

Land Supply

The Amendment will provide for medium and large sized industrial lots (0.5ha-10ha) which are currently not available in Sale/Wurruk and in doing so facilitate new development and investment opportunities in a location that is in close proximity to the Princes Hwy, West Sale Airport and the Melbourne-Bairnsdale railway line.

By releasing additional industrial land in close proximity to Sale, the Amendment is considered to implement the objectives and strategies of the following Clauses:

11.02-1S - Supply of Urban Land

17.03-1R - Industrial Land Supply - Gippsland

Water

The potential adverse impacts that the development of the site could have on surrounding water bodies has been considered and addressed. Both Gippsland Water and the West Gippsland Catchment Management Authority were consulted during preparation of the ILS. In addressing matters relating to water, it should be noted that:

The area can be serviced by both reticulated sewer and water

 Development Plan Overlay - Schedule 12 will require preparation of a preliminary stormwater Management Plan that must be prepared to the satisfaction of the West Gippsland CMA

The Amendment is considered to implement the objectives and strategies of the following Clauses:

- 12.03-1R High Value Water Body Assets Gippsland
- 12.03-1S River corridors, waterways, lakes and wetlands
- 14.02-1S Catchment planning and management
- 14.02-2S Water Quality

Bushfire

An assessment of the bushfire hazard has been undertaken in accordance with Clause 13.02 - Bushfire.

Appropriate setbacks can be achieved to ensure buildings are subject to a radiant heat exposure of less than 12.5kW/m2

Design and Amenity

Visual amenity impacts have been considered in the preparation of the ILS and will be addressed via a Development Plan Overlay and Design and Development Plan Overlay that will be applied to the subject land.

The Development Plan Overlay – Schedule 12 (DPO12) will require information to be provided in relation to:

- Building materials and form
- Landscaping
- · Buffer treatments to protect amenity of surround properties and safety of the public

The Design and Development Overlay – Schedule 23 (DDO23) requires any development to consider and implement measures in relation to street interfaces, built form, materials, fencing, landscaping and acoustics to ensure that:

- The standard of development, design and built form is of high quality and provide a highquality environment for businesses, workers and visitors.
- Development does not prejudice or conflict with the ongoing operation of the West Sale Aerodrome.
- The potential for negative off-site effects to occur is minimised
- Development provides a high level of visual amenity when viewed from major transport routes and surrounding non-industrial uses.

By including these measures in the overlays that are proposed to be applied to the site the Amendment supports and implements objectives and strategies from the following clauses:

- 15.01-2S Building Design
- 15.01-1S Urban Design
- 15.01-6S Design for Rural Areas

Transport

Proposed DPO12 requires the preparation of a Traffic Management Plan, which must include a traffic risk assessment to ensure matters such as safety, access arrangements, upgrades, as well as potential impacts on level crossing and nearby road networks are properly considered and addressed at the development stage.

In implementing the above measures, the Amendment is considered to support the objectives and strategies of Clause 18.01-S - Land use and transport planning

Proposed DPO12 and DDO23 also include measures to ensure aircraft operations at the adjoining West Sale Airport are not negatively impacted by any use or development on the subject site and in doing so the Amendment implements and supports the objectives and strategies of Clause 18.04-1S - Planning for airports and airfields. These measures include:

- A site analysis that requires consideration of aerodrome infrastructure, airspace protection surfaces, aircraft noise contours and other features
- Consideration of the objectives of the National Airports Safeguarding Framework, and associated guidelines, and the West Sale Airport Master Plan Update 2017
- An aviation impact assessment
- Implementation of suitable measures to minimise any building design or material impacts on the operation of West Sale Aerodrome

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The subject land is identified within the West Sale Industrial Strategy Plan in Clause 21.05 – Sale, Wurruk and Longford Strategic Framework, as an Industrial Expansion area. Further to this, the Amendment directly implements the objective and strategies at Clause 21.05-10:

Objective

To facilitate high quality industrial development that is appropriate in terms of location, scale, appearance and nature of industry.

Strategies

- Facilitate development in accordance with the Sale and Wurruk Strategy Plan and West Sale Industrial Strategy Plan shown in this clause
- Establish the West Sale Airport area as an industrial precinct, whilst ensuring that current and future aerodrome functions and environmentally significant features are not adversely affected.
- Ensure future industrial development achieves high standards of design, affords appropriate buffers from sensitive uses and appropriately mitigates off-site impacts to both sensitive and non-sensitive surrounding use

Does the Amendment make proper use of the Victoria Planning Provisions?

- The Amendment seeks to apply the Industrial 1 zone to facilitate Industrial Development.
- Application of the Development Plan Overlay will ensure orderly, integrated development of the site that considers all relevant matters identified in the ILS
- Application of the Design and Development Overlay will ensure that the standard of development, design and built form is of high quality

How does the Amendment address the views of any relevant agency?

A wide range of agency input was sought during the undertaking of the ILS including:

- Vic Roads
- Ausnet
- Gippsland Water

- West Gippsland CMA
- EPA
- DELWP
- DEDJTR
- VicTrack
- Telstra
- NBN
- APA

Input from these agencies informed the final recommendations of the Strategy and draft provisions.

Further input was sought from agencies in regard to the draft amendment documents with additional feedback provided by Transport for Victoria and the West Gippsland Catchment Management Authority which lead to further refinement of the draft provisions.

As a component of targeted notification of the amendment, the views of relevant agencies were again sought.

West Gippsland CMA, DELWP, VicTrack, Department of Transport and Gippsland Water provided submissions to the Amendment.

WGCMA, VicTrack and Department of Transport requested changes to the Development Plan Overlay Schedule 23 and Development Plan Overlay 12 all of which have been accommodated.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The Amendment is not considered to have any impact on the transport system, as defined by Section 3 of the Transport Integration Act 2010.

There are no applicable statements of policy principles prepared under Section 22 of the Transport Integration Act 2010.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

It is unlikely that the Amendment will result in any cost implications for implementing and administering the change resulting from the amendment.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Wellington Shire Council

Sale Service Centre

18 Desailly Street

Sale VIC 3850

Wellington Shire Council

Yarram Service Centre

156 Grant Street

Yarram VIC 3971

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.qov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 8 April 2019

A submission must be sent to:

Strategic Planning Wellington Shire Council PO Box 506

SALE VIC 3850

21.05 SALE, WURRUK AND LONGFORD STRATEGIC FRAMEWORK

02/11/2017 600 Proposed C103

21.05-1 Vision

02/11/2017

VISIOII

The Sale, Wurruk and Longford area will develop in a manner that creates prosperous, inter-connected and mutually supportive urban and rural communities that enjoy choice and diversity in housing, employment and recreation. The individual characteristics and identities of Sale, Wurruk and Longford will be protected and enhanced, as the three communities collaboratively achieve their aspirations of becoming a thriving regional centre.

The economy of the district will be strengthened by the development of the Defence sector, the expansion of the oil and gas industry and the growth of other key sectors such as health, education, recreation, tourism, retailing and general industry. The West Sale Airport and surrounding precincts will be developed as a major industrial node with access by road, rail and air. A more diversified economy will be developed, resilient to the socio-economic impacts associated with climate change.

High-quality open space and built form will characterise the Sale, Wurruk and Longford area, contributing to the health, safety, and social vibrancy of the three communities. New urban growth areas will form sustainable communities that set new benchmarks in best practice urban development. Accessible and inclusive neighbourhoods will be created which reduce the dependency on car-based travel and encourage walking and cycling. Natural and cultural features will be protected and enhanced to create a distinct character, offering the best of town and country.

Residents will benefit from a comprehensive range of community facilities and services. Convenient walking and cycling infrastructure will be made available and improved public transport networks established to provide all age cohorts with alternative non-car means of travel between and within the Sale, Wurruk and Longford communities.

The Sale CBD will be strengthened as the regional focal point for shopping, entertainment, civic and commercial activity. This will be complemented by the development of a major tourism hub at the Port of Sale, the western gateway to the Gippsland Lakes region.

The Thomson and Latrobe Rivers will be protected from development and re-vegetated where necessary to strengthen their habitat value. Other ecologically significant stands of remnant vegetation and key waterways/wetlands will also be protected as part of a wider network of linkages providing both wildlife corridors and recreation routes for walking and cycling.

21.05-2 Township roles

12/06/2018 C87

In achieving the above vision Sale, Wurruk and Longford will play the following key roles:

- Sale will build on its role as the prime service and activity node in the district, offering high-quality living, employment, shopping and recreational environments. It will be the focus for commerce, business, higher order education and tertiary employment and will provide a diversity of infill and greenfield housing opportunities.
- Wurruk will provide diversity and choice in urban and rural living housing, opportunities for the establishment of new industry and an improved range of local services and facilities. It will act as a secondary settlement and activity node to complement Sale.
- Longford will be a key focus for rural residential growth and will also provide
 opportunities for further residential intensification within its core and in close
 proximity to recreation and education facilities and the redeveloped golf course.
 As growth occurs, Longford will see its identity as a desirable rural lifestyle area
 protected and enhanced.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.05

PAGE 1 OF 12

21.05-3 Regional city

12/05/2018 C87

Objective

To establish the wider Sale area as a thriving regional city.

Strategies

- Promote residential, commercial and industrial development in accordance with the relevant strategy plans contained in this clause.
- Facilitate the timely provision of physical infrastructure required to service new development.
- Promote culture and tourism based development within the Port of Sale cultural
 precinct to capitalise on the special character of the area, including the
 historically and architecturally significant buildings and places within and
 around the precinct.
- Support the growth and expansion of greyhound racing within the region including encouraging the redevelopment of the Sale Greyhound Racing Club.

21.05-4 Housing choice and diversity

12/05/2016 C87

Objective

To provide housing choice and diversity in the local market.

Strategies

- Facilitate development in Sale, Wurruk and Longford for a variety of residential densities/lot sizes, in accordance with the township roles and strategy plans contained in this clause.
- Facilitate provision for multiple development fronts that increase competition in the market
- Support residential growth within the North Sale growth area.
- Encourage higher density residential development such as units and townhouses in strategic locations including:
 - Within a 400 metre radius of the Sale CBD.
 - Within and around the medical precinct identified in the Sale and Wurruk Strategy Plan.
 - Around existing and future neighbourhood activity centres.
 - On major transport routes.
- Facilitate residential development in the Wurruk growth area adjacent to the Princes Highway.
- Facilitate low density residential development in Wurruk in the area south of Armup Road (as identified in the Sale and Wurruk Strategy Plan shown in this clause), subject to heritage investigations/considerations.
- Facilitate rural living development in Longford to build on and enhance its existing character and function.
- Promote further residential intensification of the Longford core (subject to the provision of sewerage and water infrastructure).
- Support the redevelopment of the Sale Golf Club, including the provision of housing around the golf course, subject to appropriate infrastructure and environmental measures being implemented as part of the development.

21.05-5 Residential development

12/06/2016 C87

Objective

To facilitate strategically located, well designed, sustainable and inclusive residential development.

Strategies

- Ensure holistic and considered development plans are prepared for all growth
 areas identified in the strategy plans shown in this Clause. These development
 plans should ensure that new development achieves a high level of integration
 with surrounding areas, constitutes a well orientated subdivision pattern,
 provides adequate open space and neighbourhood facilities, retains native
 vegetation, creates/links to key movement corridors (for cars, buses, pedestrians
 and cyclists), and makes holistically considered provision for drainage and other
 infrastructure.
- Ensure new subdivisions adopt best practice in relation to walkable neighbourhoods, provision for bus routes, water sensitive urban design and other energy efficient/sustainability initiatives.
- Promote the establishment of lower order neighbourhood activity centres (ideally inclusive of community services) in the general locations identified in the strategy plans shown in this Clause.
- Ensure rezoning of land occurs in a logical and sequential manner that has regard to:
 - The staging of infrastructure delivery. This includes the provision of water, sewer, drainage, traffic, pedestrian/cyclist and other relevant infrastructure.
 - Access to community services and facilities.
 - The general sequencing identified in the Sale, Wuruk and Longford Structure Plan.
- Encourage a range of lot sizes within new subdivisions to provide for a variety
 of dwelling sizes and types within the same residential areas and ensure that
 subdivisions are designed to support future public transport use.
- Ensure that appropriate remediation procedures are followed when considering the redevelopment of brown field sites for residential purposes.

21.05-6 Commercial facilities

12/06/2016 C87

Objective

To maintain and enhance the primacy of the Sale CBD as a municipal and regional retail and commercial hub, whilst making provision for limited commercial facilities that are strategically required outside the CBD.

Strategies

- Facilitate development in accordance with the Sale CBD Strategy Plan shown in this clause.
- Facilitate retail expansion southwards along Raymond Street to cater for future retail demand, improve the legibility of the CBD from Foster Street and enhance the connection between the Port of Sale cultural precinct and the CBD.
- Encourage the establishment of appropriately located entertainment facilities within or close to the CBD to cater for youth needs and further encourage the use of the CBD.
- Discourage the development of restricted retail premises within the retail core identified in the Sale CBD Strategy Plan. Should these be required, ensure that active frontages are provided to adjoining streets.

- Discourage the development of higher order retailing and commercial development outside the CBD, with the exception of the homemaker/bulky goods centre on Cobains Road.
- Encourage restricted retail premises to locate in the Commercial 2 Zone on the corner of Cobains Road and the Princes Highway. The use and development of this land should substantially support the establishment of a dedicated homemaker and bulky goods retail centre.
- Discourage industrial use and development from establishing in the homemaker and bulky goods retail centre on the corner of Cobains Road and the Princes Highway.
- Make provision for the northward expansion of the homemaker/bulky goods site located on the corner of Cobains Road and the Princes Highway.
- Encourage intensive commercial development on York Street (between Macarthur and Macalister Streets) in a manner that integrates well with the CBD and results in its extension onto York Street.
- Focus future office development to the south of the Sale CBD (between Reeve Street and York Street), to build a coherent office precinct benefiting from good highway access and being adjacent to CBD shops and services.
- Encourage bulky and white goods retailers such as trade supplies and furniture stores to establish/re-establish in appropriate locations, such as the identified homemaker centre on the corner of Cobains Road and the Princes Highway.
- Encourage future development/redevelopment on Cunninghame Street (between York Street and Raymond Street) to occur in a manner that is conducive to pedestrian activity and the creation of a vibrant street atmosphere.
- Facilitate the establishment of small scale businesses and medium density housing north of Macalister Street, within the mixed use precinct identified in the Sale CBD Strategy Plan shown in this clause.

21.05-7 Design excellence

12/06/2018 C87

Objective

To promote excellence in building and landscape architecture, as well as urban design in order to enhance the image and amenity of Sale, Wurruk and Longford.

Strategies

- Recognise and protect buildings and landmarks of heritage and cultural value.
- Encourage well designed development on York Street and Foster Street to present an improved image of Sale to passing traffic.
- Encourage all buildings within the CBD to incorporate active frontages to street edges and mid block car parks to improve pedestrian safety and amenity.
- Encourage development within the CBD to:
 - Adopt a high standard of architectural design through the use of special design features, articulation within façades, varying materials and colours, scale, contextual design responses and like measures.
 - Incorporate high quality urban design and landscape architecture, where development applications involve more than architectural design.
- Encourage the development of buildings with 2-3 storeys in the CBD, or buildings with equivalent high parapets that are well articulated and create visual interest
- Ensure appropriate sightlines are maintained/created to celebrate iconic structure and spaces.
- Ensure new development/redevelopment achieves a good relationship with surrounding land uses, buildings, physical features and public spaces.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.05

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- Require high quality open space provision and urban design in strategic locations within growth areas and large subdivisions.
- Encourage development which contributes to the rural character of Longford.

21.05-8 Community services and facilities

12/05/2016 C87

Objective

To ensure local residents have good access to community services and facilities including health, education, social, civic, cultural, recreation, sporting and leisure.

Strategies

- Support the expansion of existing education facilities, commensurate with the needs of the education sector.
- Support the establishment of a consolidated education precinct within the North Sale growth area to cater for long term education needs.
- Facilitate the northward expansion of the Central Gippsland Health Service to ensure long term viability and enhancement of health services/training.
- Facilitate the establishment an integrated health precinct in the vicinity of the Central Gippsland Health Service by encouraging medical services and retirement/aged care housing.
- Encourage the location of multi unit development and housing for senior citizens (including retirement homes and sheltered housing) in areas with good access to the City centre, hospital, transport, open space and community and recreational activities and facilities.
- Support and encourage appropriate development within the Port of Sale cultural
 precinct, especially development that supports or complements the arts,
 entertainment, culture, tourism and recreation.
- Support the establishment of Sale as the regional headquarters for greyhound racing in eastern Victoria.

21.05-9 Movement network

12/06/2016 C87

Objective

To provide an efficient access and movement network for vehicles, pedestrians and cyclists.

Strategies

- Ensure that major developments within the Sale CBD provide adequate access and car parking facilities.
- Require development within growth areas to provide safe and convenient access links and facilities for car, bus, pedestrian and cyclist movements.
- Ensure future roads and access ways meet legislative requirements and endeavour to achieve best practice standards in catering for disabled and impaired persons.
- Enhance connections between the Sale CBD and Sale Railway Station.

21.05-10 Industrial development



Objective

To facilitate high quality industrial development that is appropriate in terms of location, scale, appearance and nature of industry.

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.05

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Strategies

- Facilitate development in accordance with the Sale and Wurruk Strategy Plan;
 West Sale and Wurruk Industrial Land Supply Strategy and West Sale Industrial
 Strategy Plan shown in this clause.
- Facilitate the westward expansion of the existing Wurruk Industrial Estate to make provision for new industrial demand.
- Establish the West Sale Airport area as an industrial precinct, whilst ensuring that current and future aerodrome functions and environmentally significant features are not adversely affected.
- Facilitate the establishment of a multimodal interchange/transport and logistics hub at the West Sale Airport, commensurate with economic development initiatives and commercial interest.
- Support the establishment of an industrial area for large scale industry south of the West Sale Airport and Princes Highway in the long term, unless demand arises for this to occur sooner.
- Ensure future industrial development achieves high standards of design, affords appropriate buffers from sensitive uses and appropriately mitigates off-site impacts to both sensitive and non-sensitive surrounding uses.

21,05-11

Sensitive assets

Objective

To protect sensitive assets from inappropriate urban encroachment.

Strategies

- Implement urban/settlement growth boundaries to protect natural assets, high
 quality agricultural land and the operation of the East Sale Royal Australian
 Airforce Base from inappropriate urban encroachment.
- Encourage the retention of native vegetation in new subdivisions and redevelopment proposals.
- Ensure new development incorporates water sensitive urban design and drainage treatments that improve stormwater quality prior to disposal in natural systems.
- Ensure new subdivisions and developments are appropriately designed to minimise potential impacts on irrigation infrastructure.

21.05-12

Implementation

The strategies specified within this clause will be implemented through the planning scheme by:

Policy guidelines

- Require applications for development within the Longford growth area to be in accordance with the implementation requirements set out in the Longford Development Plan, November 2015.
- Require development within the Longford growth area to be in general
 accordance with the design requirements as set out in the Longford Development
 Plan, November 2015.
- Require that development plans are prepared prior to subdivision of greenfield sites that show the proposed layout of lots and road reservations and include infrastructure schemes that show where power, water, and sewerage will be located. These development plans will identify site advantages and constraints, main road networks and associated movement patterns, and social and community facilities.
- Planning must consider as relevant:

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.05

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- Sale, Wurruk and Longford Structure Plan, 2010 and updates;
 Relocation of Sale Greyhound Racing Club Strategic Justification (NBA Group, 2014)
- West Sale and Wurruk Industrial Land Supply Strategy (Urban Enterprise, 2018)
- Sale CBD Precinct Plan, 2010
- Longford Development Plan, November 2015
- Infrastructure Design Manual
- Wellington Open Space Strategy 2014-2024
- Current Country Fire Authority guidelines on subdivision, group accommodation and recreation accommodation when assessing whether a development proposal adequately addresses fire safety issues.
- Healthy by Design guidelines to ensure development facilitates healthy communities through well planned networks of walking and cycling routes, streets with direct, safe and convenient access to local destinations within the Shire's towns within easy walking distance from homes, public open space, public transport, shops and services.

Application of policy, zones and overlays

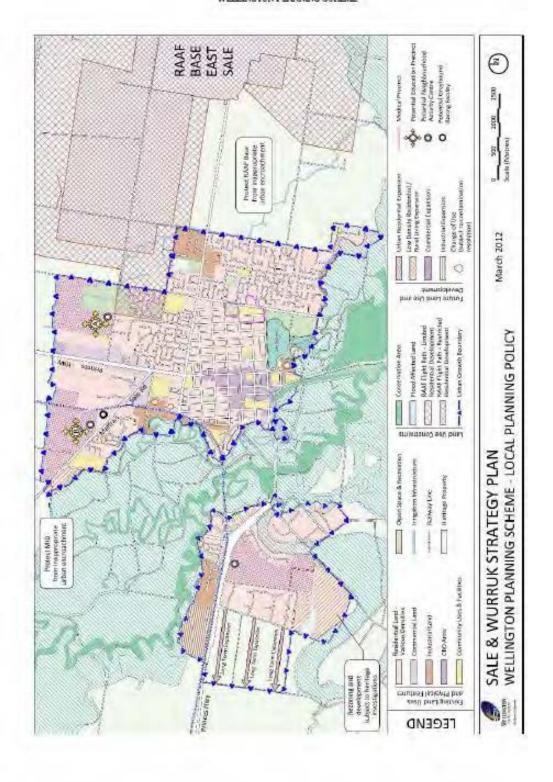
- Sequentially rezone land for residential and rural residential development within the growth areas of Sale, Wurruk and Longford.
- Rezone land on Raymond Street, south of Macalister Street to the Commercial 1
 Zone in order to facilitate retail expansion, as shown on the Sale CBD Strategy
 Plan.
- Rezone land for industrial development to the west of the existing Wurruk industrial estate, subject to the provision of adequate infrastructure and access.
- Rezone land for industrial development in the vicinity of the West Sale Airport, commensurate with economic development initiatives and future demand.
- Rezone land for the northward expansion of the Commercial 2 Zone on the corner of Cobains Road and the Princes Highway, commensurate with demand.
- Apply development plan overlays to the Sale, Wurruk and Longford growth
 areas, where appropriate, to ensure development occurs in a manner that
 achieves the objectives and strategies articulated in this clause.
- Revise the design and development overlays that apply to the CBD and Princes Highway corridor in order to align development requirements with strategies specified within this clause.
- Applying appropriate zones and overlays.
- Apply Clause 22.02 Rural Policy in considering applications in the Farming Zone and Rural Activity Zone to protect agriculture and agricultural land.
- Apply Clause 22.03 Heritage Policy in considering applications covered by the Heritage Overlay or places included in the Victoria Heritage Inventory for direction as the most appropriate manner to undertake works in heritage places.
- Apply Clause 22.04 Car Parking Policy in considering a permit to reduce the number of parking spaces required to be provided under Clause 52.05.
- Apply Clause 22.05 Aerodrome and Environs Policy in considering applications
 on or in proximity of the East Sale RAAF Base and West Sale Airport to ensure
 that the safety and efficiency of aerodrome operations is not prejudiced or ensure
 that any detrimental effects of aircraft operations are taken into account.
- Apply Clause 22.06 Coal Resources Policy in considering applications within a coal resource to recognise the need to conserve and utilise the coal resource.

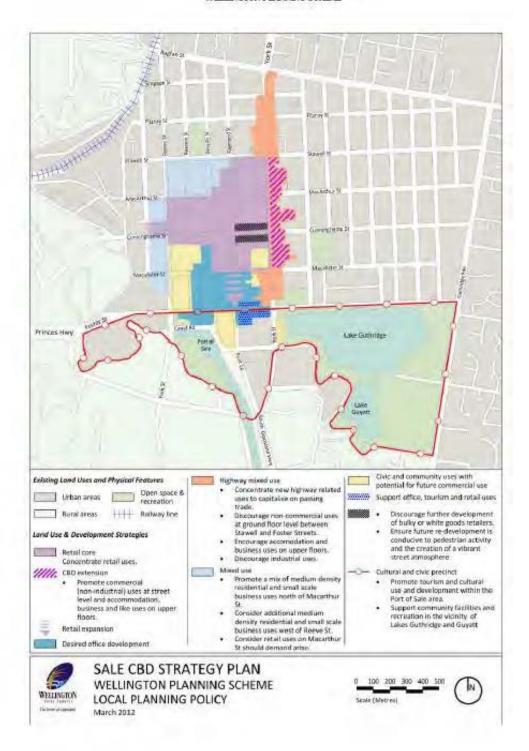
Other actions

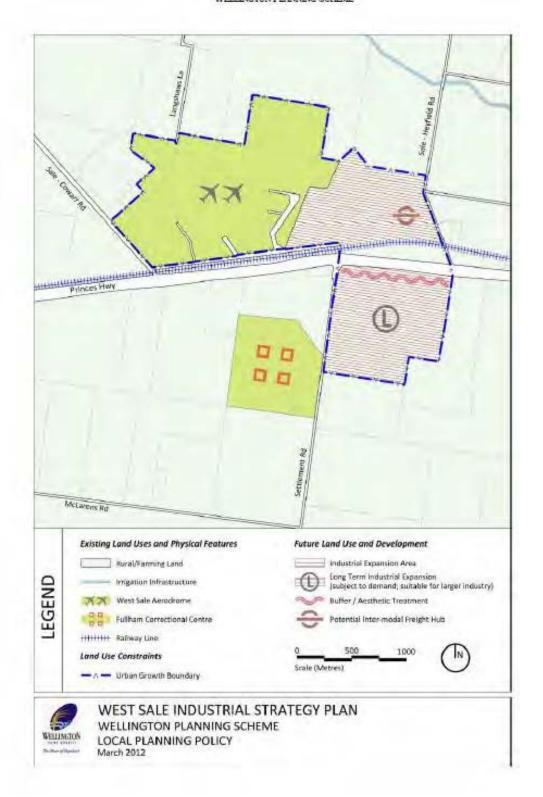
- Liaise with Gippsland Water to gazette Longford as a sewerage and water district to facilitate future service provision.
- Liaise with relevant transport authorities to investigate a bypass route for heavy vehicles, in order to overcome local infrastructure constraints and improve trade access to the east of Sale.
- Liaise with VicTrack to determine whether potentially excess railway land can be sold. Should this prove feasible, opportunity exists to utilise the land for a transport/transit based facilities and/or business uses.
- Support the establishment of a discount department store in accordance with the Sale CBD Precinct Plan shown in this clause, should demand and opportunity arise
- Support the relevant water authority with identification and installation of appropriate effluent disposal and/or water supply systems for unsewered settlements, focusing on priority areas identified in the Municipal Domestic Wastewater Management Plan, following confirmation of the need (on environmental and health grounds).

Undertaking further strategic work

- Investigate the need for a developer contributions scheme to support the
 provision of required physical and social infrastructure within the North Sale
 growth area and other growth areas, as required.
- Develop and implement an updated master plan for the Port of Sale cultural precinct.
- Undertake the preparation of a parking strategy to cater for long term needs
 within CBD commercial areas. Investigate the establishment of a multi-storey
 car park (ideally with shop frontages to the street) on the car park on
 Cunninghame Street (between York Street and Raymond Street) and in the
 vicinity of the fuel station on the corner of Cunninghame Street and Reeve
 Street.
- Develop planning controls to prevent development in the vicinity of the West Sale Airport that may prejudice its operation or ability to expand.
- Prepare outline development plans for the future development of residential and industrial areas that have regard to potential impacts on the natural environment and include these in a development plan overlay.
- Ensure that an infrastructure scheme involving the provision of reticulated water, sewerage and drainage is put in place around the Sale-Maffra Road, Sale to facilitate urban development.
- Review the extent and future demand for land zoned Low Density Residential and Rural Living, subject to there being a demonstrated need for such reviews.
- Propage an Industrial Strategy for Sale with particular emphasis on the Wurnels South Industrial area

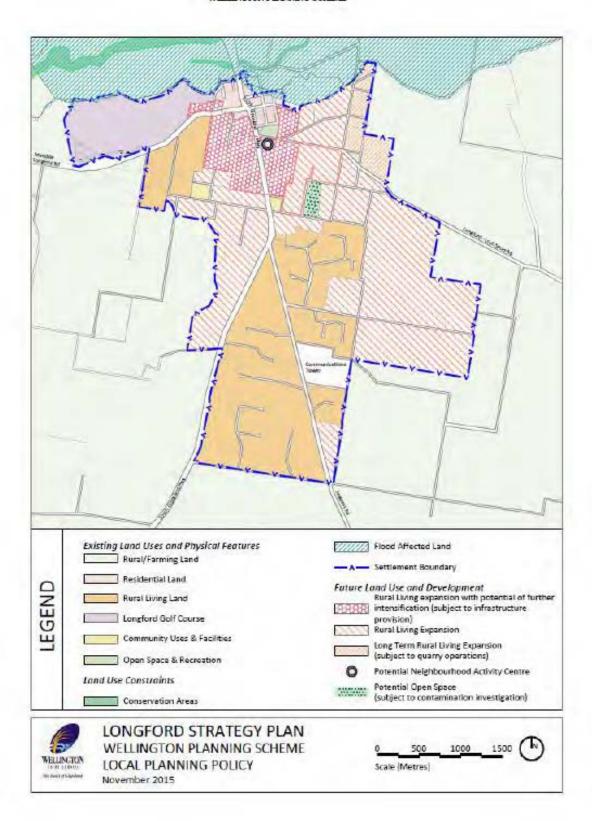






MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.05

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21.20 R

REFERENCE DOCUMENTS



The following strategic studies have informed the preparation of this planning scheme. All relevant material has been included in the Scheme. Decision makers should use these for background research only. Material in these documents that potentially provides policy guidance on decision making but which is not specifically referenced to by the Scheme, should not be given any weight.

- Assessment of Agricultural Quality of Land in Gippsland, Swan and Volum, 1984
- City of Sale Restoration and Conservation Guidelines, May 1983
- City of Sale Heritage Study, March 1994
- Coastal Spaces Landscape Assessment Study, Municipal Reference Document 2006
- Coastal Spaces Landscape Assessment Study, State Overview Report 2006
- East Gippsland Regional Catchment Strategy
- Gippsland Lakes Coastal Action Plan, 1999
- Gippsland Lakes Future Directions and Action Plans, 2002
- Gippsland Lakes Shore Erosion and Revegetation Strategy, Department of Natural Resources and Environment, Gippsland Coastal Board, 2002
- Group accommodation and Safety guidelines, Country Fire Authority, February 1997
- Guidelines for the Assessment of Heritage Planning Applications Port Albert and District, 2002
- Healthy by Design: A planners' guide to environments for active living, National Heart Foundation of Australia, 2004
- Heyfield Low Density Residential Land Supply Study, March 2017
- Heyfield Structure Plan, December 2011, including update; Strategic Justification Firebrace Road August 2013
- Infrastructure Design Manual (IDM)
- Integrated Coastal Planning for Gippsland Coastal Action Plan, Gippsland Coastal Board
- Longford Development Plan, November 2015
- Mapped Salinity Discharge and Potential for Recharge within the Wellington Shire and showing Domestic Water Supply Catchments, Department of Natural Resources and Environment
- Municipal Reference Document, Wellington Shire, Coastal Spaces Landscape Assessment Study, 2006
- Planning conditions and guidelines for subdivisions, Country Fire Authority, September 1991
- Port Albert Conservation Study, 1982
- Port Albert Masterplan, 2002
- Port Albert & Palmerston Urban Design Guidelines, 2007
- Recreational accommodation and Safety Guidelines, Country Fire Authority, February 1997
- Rosedale Structure Plan, 7 August 2012
- Sale and Region Business Opportunities Study, 2003
- Sale, Wurruk and Longford Structure Plan, 2010 and updates; Relocation of Sale Greyhound Racing Club Strategic Justification (NBA Group, 2014)
- Sale CBD Precinct Plan, 2010

- Siting and Design Guidelines for Structures on the Victorian Coast, 1998
- Stratford Townscape Study, 1993
- Victorian Coastal Strategy, 2014
- Wellington Coast Subdivision Strategy: The Honeysuckles to Paradise Beach, February 2007
- Wellington Shire Council, Golden Beach/Paradise Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Loch Sport Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Manns Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, McLoughlins Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Robertsons Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Seaspray Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, The Honeysuckles Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Council, Woodside Beach Urban Design Framework, Coastal Towns Design Framework, Volume 3, March 2007
- Wellington Shire Heritage Study: Stage 1, May 2005
- Wellington Shire Stage 2 Heritage Study, September 2016 (amended August 2017)
- Wellington Shire Stormwater Management Plan, 2002
- West Sale Airport Master Plan Update 2017 (or any superseding documents)
- West Sale Aerodrome Public Authority Management Agreement, June 2003 (or any superseding documents)
- West Sale and Wurruk Industrial Land Supply Strategy (Urban Enterprise, 2018)
- West Gippsland Regional Catchment Strategy 2013 (or any superseding document)
- Wellington Economic Development and Tourism Strategy 2011 15 (or any superseding document)
- Wellington Shire Rural Zones Review, Volume 1 and 2, January 2009

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO23.

WEST SALE AERODROME INDUSTRIAL PRECINCT

1.0 Design objectives

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To ensure that the standard of development, design and built form is of high quality and provide a high quality environment for businesses, workers and visitors.

To ensure development does not prejudice or conflict with the ongoing operation of the West Sale Aerodrome, Gippsland rail line, Princes Highway or Sale alternate truck route.

To minimise the potential for negative off-site effects to occur.

To ensure development provides a high level of visual amenity when viewed from major transport routes and surrounding non-industrial uses.

2.0 Buildings and works

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A permit is required to construct a building or construct or carry out works including a fence fronting a street.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
 - The rainwater tank is not located within the building's setback from a street (other than a lane).
 - The rainwater tank is no higher than the existing building on the site.
 - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

The following requirements apply to an application to construct a building or construct or carry out works:

Buildings and Works

- All buildings and works must be consistent with the National Airports Safeguarding Framework (NASF) and associated guidelines.
- Contemporary and creative architecture is encouraged in the design, built form, style and finishes. The façade of all buildings must be treated to the satisfaction of the Responsible Authority.
- Buildings should address the street frontage by including the following elements of design:
 - Front facades that include design elements that add visual interest.
 - Locating office components in a visible location at the front of the building.
- Buildings must be setback at least 19 metres from the northern and western site boundaries.
- The maximum height of all buildings and structures must comply with West Sale Aerodrome's Obstacle Limitation Surfaces (OLS), including such surfaces relating to the extension of the main runway.

OVERLAYS - CLAUSE 43.02 - SCHEDULE 23

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- Loading and service functions will be sited to the side or rear of premises and appropriately screened to address any visual amenity issues.
- Car parking must be provided to the front of the site (not within landscape setback areas) and centrally to encourage their use.
- All vehicle crossings, accessways and parking areas should be sealed with an all-weather surface.
- Lighting should be provided to car parking where required, and all lighting must comply with NASF Guideline E – Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports.
- Buildings must not create an unacceptable risk of building generated windshear or turbulence for aircraft using West Sale Aerodrome, having regard to NASF Guideline B – Managing the Risk of Building Generated Windshear and Turbulence at Airports.
- Fencing adjoining the Gippsland Rail Line must comply with the requirements of the Responsible Rail Authority

Fences fronting a street

- Fencing should be visually permeable and should be constructed of materials other than unpainted galvanised steel and wire.
- Fencing should be constructed of materials that complement the building and surrounding area and should be painted a muted colour.
- Where possible, fencing should be softened and screened by vegetation planting.

Landscaping

- Native vegetation should be retained where possible.
- Land within 5 metres of a road, a residential zone, or another sensitive use should be predominately landscaped.
- Landscaping at the front of lots and nature strips should involve the planting of trees, whilst landscaping near residential or sensitive uses should achieve a screening effect.
- The interface with the railway line should be setback at least 5 metres and landscaped in order to screen views from the highway.
- Car parking must not be provided within the landscape setback areas.
- Landscaping must not be bird attracting and should be consistent with NASF Guideline C – Managing the Risk of Wildlife Strikes in the Vicinity of Airports.

Infrastructure

 Physical infrastructure such as water, power, reticulated sewage and constructed sealed roads should be available to new buildings.

Acoustics

- Building design and layout should have regard to the impact of noise from surrounding uses such as the Aerodrome.
- Building design and layout should incorporate techniques to reduce noise emissions to acceptable standards, when the associated use may have adverse off-site noise impacts.

3.0 Subdivision

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None specified

OVERLAYS - CLAUSE 43.02 - SCHEDULE 23

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4.0 Signs

-/-/20— None specified

5.0 Application requirements

-/-/20— C- None specified

6.0 Decision guidelines

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The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the Responsible Authority:

- The impact of the development on the amenity and streetscape of the area and particularly having regard to the proximity of Princes Highway, Gippsland rail line and Sale alternate truck route.
- The appearance of the proposed development given its location near the entrance to Sale.
- The proposed landscape treatment.
- The need to ensure that development or works are completed and maintained to a standard appropriate to the site's prominent location.
- Provision of infrastructure both to and on the site.
- Any structure plan, policy, strategy or guidelines relating to the land that have been adopted by the Responsible Authority, including any approved development plan.
- The long-term effect on the amenity of future and current sensitive uses
- Suitable measures to minimise any building design or material impacts on the operation of West Sale Aerodrome, having regard to the National Airports Safeguarding Framework, and associated guidelines, and the West Sale Airport Master Plan Update 2017 (or any superseding documents).
- Separation distances in relation to nearby sensitive uses
- Suitable measures to minimise noise emissions created through any use or development.
- Suitable measures to minimise any building design or material impacts on the operation of the Gippsland Rail Line

Shown on the planning scheme map as DPO12.

WEST SALE AERODROME INDUSTRIAL PRECINCT

1.0 Objectives

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To facilitate the efficient, practical and coordinated development of the West Sale Aerodrome Industrial Precinct.

To promote best stormwater practice.

To implement the strategies of the West Sale and Wurruk Industrial Land Supply Strategy (2018)

To ensure development does not prejudice or conflict with the ongoing operation of the West Sale Aerodrome, Gippsland rail line, Princes Highway or Sale alternate truck route.

2.0 Requirement before a permit is granted

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A permit may be granted before a development plan has been approved for the following:

 A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly use and development of the area affected by the Development Plan Overlay.

3.0 Conditions and requirements for permits

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Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to the purpose of the Industrial Zone; the purpose of adjoining zones; essential services; community facilities; and roads.
- The potential for future subdivision.
- The relationship of proposed and existing nearby use and development, to reduce the chance of conflict.
- The design of any proposed buildings to enhance and reinforce the character of the area
- The timing of the development of the land.
- The consistency of the proposed development with the approved development plan.
- The National Airports Safeguarding Framework and the West Sale Airport Master Plan Update 2017 (or any superseding documents).

Before any permit is issued for subdivision or development, the owner must enter into an agreement(s) with Council pursuant to Section 173 of the Planning and Environment Act 1987 in relation to contributions (including works in kind) towards shared infrastructure such as major roads, intersections and shared drainage works and associated land.

4.0 Requirements for development plan

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The development plan must include the following:

Site Analysis

- The site analysis must show:
 - · The topography of the land,
 - The location of any existing vegetation,
 - Drainage lines,

OVERLAYS - CLAUSE 43.04 - SCHEDULE 12

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- Sites of conservation, heritage or archaeological significance,
- Nearby aerodrome infrastructure, airspace protection surfaces, aircraft noise contours and other features.
- The Gropsland Rail consider and level crossing(s).

Land Use, Development and Subdivision

- A detailed description of the proposed use and activities.
- The proposed overall subdivision layout including lots, roads, public open space and other features of the subdivision in a manner which is responsive to the features identified in the Site Analysis. The layout must:
 - Have regard to the needs of a variety of industry types, the adjacent aerodrome and to any nearby sensitive uses
 - Respond to the natural features of and near the site (including native vegetation and wetlands).
 - Provide for a range of lot sizes to cater for a variety of uses and building floor spaces that are adequate to meet local industry needs.
 - Integrate natural systems (stormwater drainage reserves and overland flow paths) into usable open spaces
 - Include the provision of active transport and local open space connections (such as footpaths and shared paths), in accordance with any relevant Council strategy or policy.
 - Include the provision of safe, segregated pedestrian routes around and between sites.
 - Ensure no direct drainage into the rail corridor and include fencing of the adjoining Gippaland Rail line in accordance with the requirement of VicTrack
- Details of how development of the site will respond to the objectives of the West Sale and Wurruk Industrial Land Supply Strategy (2018).
- Details of how development of the site will respond to the objectives of the National Airports Safeguarding Framework, and associated guidelines, and the West Sale Airport Master Plan Update 2017 (or any superseding documents).
- Details of required buffer treatments where necessary to protect the amenity of surrounding properties and the safety of the public, including consideration of runway end Public Safety Zones.
- Details about the staging of the development.
- Details of the siting of buildings, car parking, and building materials and form.
- Details of how the layout will address the setbacks required to mitieate bushfire risk.
- Access to the existing road network and provision for future access to adjoining properties.
- The location of vehicle crossings.

Infrastructure Services

- A preliminary survey and Stormwater Management Plan must be prepared to the satisfaction of the Responsible Authority and the West Gippsland Catchment Management Authority, including the analysis of the drainage catchment within the site and drainage requirements having regard to opportunities to maximise the drainage catchment to the north and minimise stormwater flow to the south.
- Findings and options must also consider methods to integrate proposed works
 associated with any expansion to the Aerodrome.

Traffic Management Plan.

The Traffic Management Plan must

OVERLAYS - CLAUSE 43.04 - SCHEDULE 12.

PAGE 1 OF 1

- Provide convenient, sealed and safe road network design that:
 - Is based on a safe and practical hierarchy of roads including safe intersections and pedestrian and bicycle connections.
 - Use existing roads or road reserves where available.
 - Conforms with the Infrastructure Design Manual, relevant Austroads publications and Australian Standards.
 - Supports buildings which front onto the road.
 - Provides appropriate freight vehicle access recognising larger vehicles and waste management vehicles
- Identify and responds to the need for Category 1 or 2 roads to the satisfaction of the relevant road authorities where access to the development is:
 - Obtained directly from the Category 1 or 2 Road;
 - Obtained from a road other than Category 1 and 2 within close proximity to a Category 1 or 2 road that is considered as a main access link to the development.
- Provide details of any required upgrades to the road network being road widening, sealing, intersections, access points and other upgrades.
- Provide details of timing and developer provision of required upgrades.
- Include an Australian Level Crossing Assessment Model (ALCAM) report based
 on the full development potential of the Development Plan Area and a Traffic
 and Rail Risk Assessment to the satisfaction of the Responsible Authority.
 VicTrack and the Road Authority. The assessment must;
 - Consider the impact of proposed development on the Sale-Heyfield Road.
 Sale Cowwart Road, Williams Drive and the Princes Highway.
 - Identify any risks associated with the increased use of the level crossings located at Sale-Heyfield Road, Sale Cowwarr Road and Williams Drive and:
 - Recommend appropriate measures to address identified risks and upgrade the level crossing in accordance with AS 1742.7 Manual of Uniform Traffic Control Devices - Railway Crossings.

The costs of any risk mitigation or level crossing upgrades identified are to be provided at no cost to VicTrack or V/Line

- Include a Traffic Risk Assessment to the satisfaction of the responsible authority.
 V/Line and the Road Authority. The Risk Assessment must:
 - Identify any risks associated with the increased use of the level crossings located at Salo Hoyfield Road, Salo Couwart Road and Williams Drive; and
 - Provide mitigation techniques for any identified visks.
- Provide details of access arrangements to Sale-Heyfield Road including the consideration of
 - Minimising the frequency of access points; and
 - the strategic nature and status of the Sale Alternative Truck Route; and
- Consider the opportunity to establish a broader functional road network which
 connects Sale-Cowwar Road to Sale-Heyfield Road, north of the railway line,
 including a review of rail connections.

Landscape Plan

- A full vegetation survey and condition statement; and
- A landscape design and theme for the site, including public open space, buffer areas and road reserves taking into account existing vegetation and the desire to develop high quality industrial areas. The landscape design must:

Be consistent with NASF Guideline C – Managing the Risk of Wildlife Strikes in the Vicinity of Airports.

Ecological Assessment

A preliminary Ecological Assessment must be undertaken to identify the potential presence of protected species. Further Ecological Assessments may be required if the presence of protected species is identified.

The preliminary assessment and any further assessments must be prepared to the satisfaction of the Responsible Authority.

Preliminary Cultural Heritage Survey

A preliminary Cultural Heritage Survey is to be prepared to identify the presence of any cultural heritage within the site. If areas of cultural heritage are found on the site a detailed Cultural Heritage Management Plan must be prepared to the satisfaction of the Responsible Authority.

Aviation Impact Assessment

An Aviation Impact Assessment is to be prepared to the satisfaction of the Responsible Authority having regard to the National Airports Safeguarding Framework, and associated guidelines, and the West Sale Airport Master Plan Update 2017 (or any superseding documents). Any recommendations or requirements of this assessment must be incorporated into the development plan.

Approval of a Development Plan

- In assessing or amending a development plan, the responsible authority must be satisfied that the plan:
 - Achieves the objectives as set out in relevant structure plans, policy, strategy or guidelines relating to the development area.
 - Meets any requirements of any relevant service and determining authorities.
 - Is developed with the appropriate level of stakeholder participation.
 - Accords with any relevant Agreement prepared under Section 173 of the Planning and Environment Act 1987.
 - Implements the requirements of the Infrastructure Design Manual (IDM), relevant Austroads publications, Australian Standards.
 - Supports design and development principles as set out in Supportive Environments for Physical Activity (SEPA) principles of healthy urban design - refer to Healthy by Design guidelines; Water Sensitive Urban Design (WSUD), including recycling infrastructure and use of treated water; Best Practice Environmental Management Guidelines; and Crime Prevention Through Environmental Design (CPTED).
 - Implements transition agreements if part of the Precinct is developed while residences remain in others.

16/08/2018 C101

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

Maps comprising part of this planning scheme:

16/08/2018 C101C103

- 1, 1HO, 1BMO
- 2, 2BMO
- 3, 3HO, 3BMO
- 4,4BMO
- 5, 5HO, 5BMO
- 6, 6BMO
- 7, 7HO, 7BMO
- 8,8BMO
- 9, 9HO, 9BMO
- 10, 10BMO
- 11, 11BMO
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- 13, 13BMO
- 14, 14ESO8, 14BMO
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- 17, 17HO, 17BMO
- 18, 18BMO
- 19, 19BMO
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- 21, 21BMO
- 22, 22BMO
- 23, 23BMO
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- 31, 31EAO, 31BMO
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- 35, 35LSIO-FO, 35BMO
- 36, 36LSIO-FO, 36BMO
- 37, 37ESO2, 37LSIO-FO, 37BMO
- 38, 38DPO, 38LSIO-FO, 38BMO
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- 45, 45DDO, 45EAO, 45DPO, 45ESO7, 45LSIO-FO, 45BMO
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- 81, 81DDO, 81ESO7
- 82, 82AEO, 82DDO, 82DPO, 82HO, 82LSIO-FO
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- 84, 84DDO, 84DPO, 84HO
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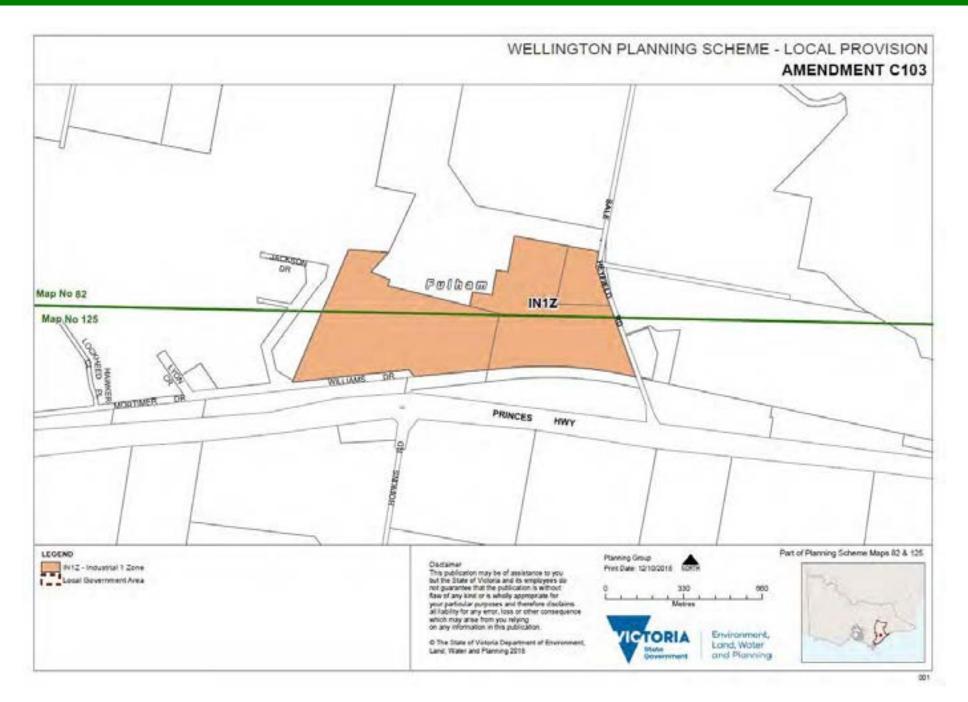
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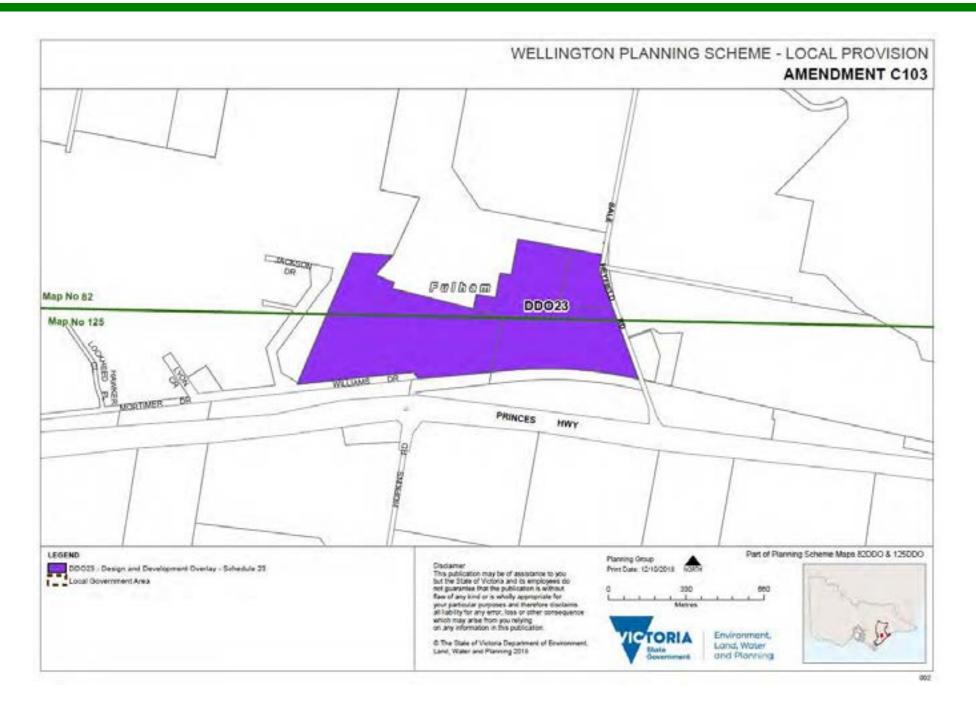
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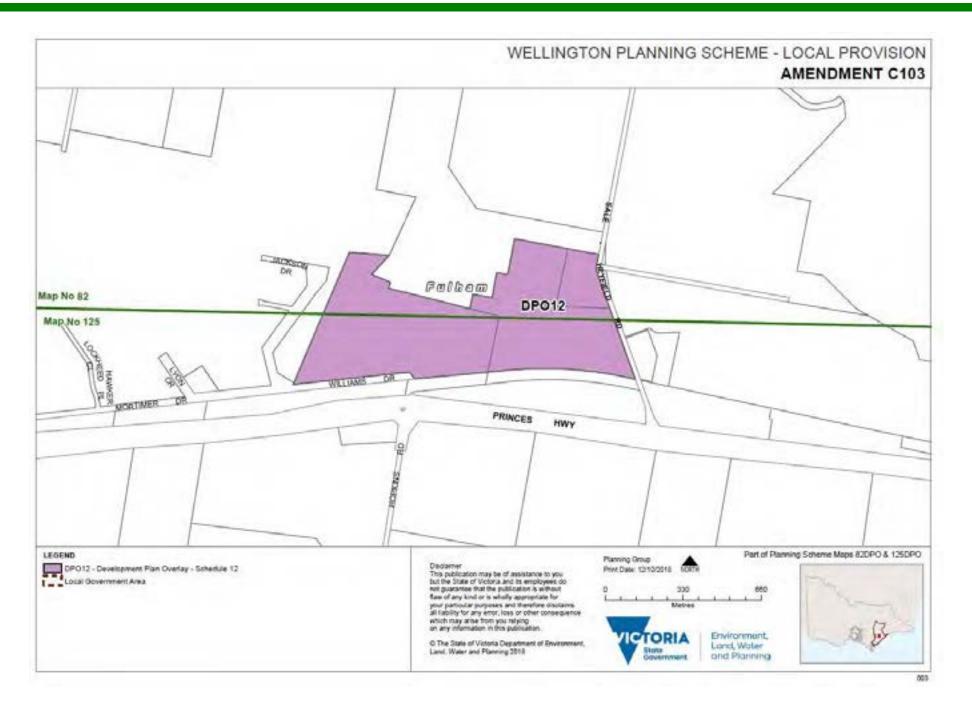
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- 222, 222ESO1, 222BMO







Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

AMENDMENT C103

INSTRUCTION SHEET

The planning authority for this amendment is the Wellington Shire Council.

The Wellington Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 3 attached map sheets.

Zoning Maps

Amend Planning Scheme Map Nos.82 and 125 in the manner shown on the 1 attached map marked "Wellington Planning Scheme, Amendment C103".

Overlay Maps

- Amend Planning Scheme Map Nos. 82DDO, 125DDO and 125DPO in the manner shown on the 2 attached maps marked "Wellington Planning Scheme, Amendment C103".
- Insert new Planning Scheme Map No.82DPO in the manner shown on the 1 attached map marked Wellington Planning Scheme, Amendment C103.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

- In Local Planning Policy Framework replace Clause 21.05 with a new Clause 21.05 in the form of the attached document.
- In Local Planning Policy Framework replace Clause 21.20 with a new Clause 21.20 in the form of the attached document.
- In Overlays Clause 43.02, insert a new Schedule 23 in the form of the attached document.
- In Overlays Clause 43.04, insert a new Schedule 12 in the form of the attached document.
- In General Provisions Clause 72.03, replace the schedule with a new Schedule in the form of the attached document.

End of document

C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1 ROAD DISCONTINUANCE AND SALE – PART OF COOPER

CRESCENT, MAFFRA

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 18 JUNE 2019

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

OBJECTIVE

The objective of this report is for Council to consider the discontinuance and sale of an unused section of Cooper Crescent, Maffra.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Pursuant to Section 206(1) including Clause 3 of Schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to discontinue a section of unused road adjoining 6 Cooper Crescent, Maffra; and,
- 2. Pursuant to Section 189 and Section 223 of the Local Government Act 1989, Council resolve to advertise its intention to sell the discontinued section of Cooper Crescent, Maffra to the adjoining owner of 6 Cooper Crescent, Maffra; and,
- 3. Council place a notice of the proposed discontinuance of a section of unused road adjoining 6 Cooper Crescent, Maffra, in local newspapers and serve a copy of the notice on abutting property owners and statutory authorities; and,
- 4. Council appoint three Councillors plus an alternative representative to form the 'Cooper Crescent Road Sale 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 submission under section 223 of the Act have been requested that they be heard in support of their submission/objection; and
- 5. In the event of no objections, Council resolve to discontinue the section of unused road adjoining 6 Cooper Crescent, Maffra and place a notice in the Victoria Government Gazette; and,
- 6. Council dispose of the discontinued section of road to the adjoining landowner in accordance with Wellington Shire Council Policy 4.3.6 Sale, Exchange and Acquisition of Land.

BACKGROUND

The owner of the property at 6 Cooper Crescent, Maffra has been in discussion with Council officers regarding a proposal to discontinue/close a section of unused section of Council road in Cooper Crescent adjoining their property and for them to purchase this section of closed road.

The section of Council road is unlikely to have been used as a Public Highway for many years and the road has been fenced into the proponent's property in an urban setting for a number of years. The property owner has in recent years erected a carport and completed other improvements. These improvements have been undertaken without the consent of Council. The Carport has been erected without a permit on Council Road and Council's Municipal Building Surveyor has issued an instruction for its removal pending the property owner's purchase of the unused section of road.

There are several steps that are required to be carried out to discontinue the road and to sell the land to the current occupying landowner. As the property owner owns the land adjoining the unused road and has maintained this unused road as part of his property for many years it is unlikely that there will be any objections to the road discontinuance and its sale. Therefore, this report is being prepared to combine the first two steps and if there are no objections lodged, will negate the need to prepare an additional Council Report.

It is proposed to notify relevant Statutory Authorities, place notices in the local papers and for copies of the public notice to be served on abutting property owner(s).

If there are no objections then the section of laneway be discontinued and sold to the abutting landowner in accordance with Wellington Shire Council Policy 4.3.6 Sale, Exchange and Acquisition of Land.

OPTIONS

Council has the following options available:

- 1. Support the discontinuance/closure and sale and advise that the road is not required for public traffic pursuant to Sections 206 & 207A and Schedule 10 of the Local Government Act 1989; or
- 2. Not agree to the discontinuance/closure and advise that the unused Government road is required for public traffic.

PROPOSAL

That:

- Pursuant to Section 206(1) including Clause 3 of Schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to discontinue a section of unused road adjoining 6 Cooper Crescent, Maffra; and,
- 2. Pursuant to Section 189 and Section 223 of the Local Government Act 1989, Council resolve to advertise its intention to sell the discontinued section of Cooper Crescent, Maffra to the adjoining owner of 6 Cooper Crescent, Maffra; and,
- 3. Council place a notice of the proposed discontinuance of a section of unused road adjoining 6 Cooper Crescent, Maffra, in local newspapers and serve a copy of the notice on abutting property owners and statutory authorities; and,

- 4. Council appoint three Councillors plus an alternative representative to form the 'Cooper Crescent Road Sale 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 submission under section 223 of the Act have been requested that they be heard in support of their submission/objection; and
- 5. In the event of no objections, Council resolve to discontinue the section of unused road adjoining 6 Cooper Crescent, Maffra and place a notice in the Victoria Government Gazette; and
- 6. Council dispose of the discontinued section of road to the adjoining land owner in accordance with Wellington Shire Council Policy 4.3.6 Sale, Exchange and Acquisition of Land.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The road intended to be discontinued/closed is a council road and will be sold at market valuation with costs, including survey and legal fees estimated at \$5,000 borne by the property owner. Compensation for the land will be payable to the Wellington Shire Council. These costs excluding the land value have been accepted in principal by the property owner.

A legal agreement with the property owner will be prepared by Council's Solicitor once a market valuation has been completed by a licenced valuer. All monies are payable in the Solicitors trust account prior to the gazettal notice and the title being made available for transfer.

LEGISLATIVE IMPACT

The advertising is being undertaken pursuant to Section 223 of the Local Government Act 1989. The road discontinuance and sale is being undertaken pursuant to Section 189 & 206(1) of the Local Government Act 1989 including Clause 3 of Schedule 10.

COUNCIL POLICY IMPACT

There is no Council policy on the road discontinuances and unused road consideration. Each application is considered on merit.

The Sale, Exchange and Acquisition of Land Council Policy outlines the principles in dealing with land transactions.

COUNCIL PLAN IMPACT

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

Strategic Objective 2.2

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

Strategy 2.2.2

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

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

COMMUNITY IMPACT

There will be no negative identifiable community impact as this section of Council road has not been used for many years and is not required for public road (public highway) purposes.

ENGAGEMENT IMPACT

An initial letter outlining the proposed road discontinuance and sale was sent to the adjoining property landowners.

No responses have been received to these letters.

Attachment 1.

PROPOSED ROAD DISCONTINUANCE AND SALE OF UNUSED COUNCIL ROAD, ADJOINING 6 COOPER CRESCENT, MAFFRA



COUNCIL ROAD TO BE DISCONTINUED AND SOLD

ITEM C4.2 ROAD EXCHANGE – STOCKDALE ROAD, STOCKDALE

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 18 JUNE 2019

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

OBJECTIVE

The objective of this report is for Council to consider and authorise the discontinuance of a section of unused Government Road and to exchange this land for two parcels of land to formalise a road reserve for the Stockdale Road over part of Crown Allotments 2 and 2B Section A in the Parish of Bow-Wurrung at Stockdale.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Pursuant to Section 206 including Clauses 2 of Schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to undertake a road exchange by deviating sections of unused Government Road north of Crown Allotment 1, 3 and 4 Section A, Parish of Bow-Wurrung, over parts of Crown Allotment 2 and 2B Section A, Parish of Bow-Wurrung;
- 2. Council place a public notice of the proposed discontinuance of these sections of unused Government Road in local newspapers and serve a notice on statutory authorities;
- 3. Council appoint three Councillors plus an alternative representative to form the 'Stockdale Road Exchange 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 submission under section 223 of the Act have been requested that they be heard in support of their submission/objection;
- 4. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the road exchange including placing a notice in the Victoria Government Gazette.

BACKGROUND

The purpose of this report is to seek authorisation from Council to complete a road exchange to formalise the road tenure over a section of Stockdale Road at Stockdale. This proposal aims to complete a road exchange process initially commenced some years ago by the Shire of Avon which formed part of road realignment works being undertaken on this section of Stockdale Road.

Council Officers became aware in 2018 that there was an anomaly in the road and property boundary alignments whilst completing survey works for the proposed intersection upgrade of Stockdale Road, Beverleys Road and Munro-Stockdale Road.

Further searching of the State Government's land database, discussions with the local Land Surveying office and a search of old Shire of Avon files has confirmed that a road exchange process had commenced. In 1964 the Shire of Avon initially commenced the process of undertaking a road exchange as part of their road realignment works, though for reasons not fully understood, the Department of Lands became involved. The Department had instigated a formal Crown Survey of the road exchange proposal in 1977, with all correspondence related to the matter stopping in 1978.

Council Officers have recently contacted the property owner who supports the completion of the road exchange to formalise the road tenure over the current road alignment. A plan showing this proposal is shown in Attachment 1.

An aerial photo of the general area highlighting the unused Government Road and the realigned sections of Stockdale Road are shown in Attachment 2. The unused Government Road to be discontinued is shown in yellow, whilst the land shown in red being the land to be exchanged.

Council Officers have also been in discussion with the Department of Environment Land, Water and Planning (DELWP) regarding this proposal to discontinue these sections of Government Roads and to exchange these for a part of land from CA 2 and 2B Section A Parish of Bow-Wurrung. Consent from the Minister of Energy, Environment and Climate Change in relation to the proposed road exchange has been obtained and is provided in Attachment 3.

OPTIONS

Council has the following options available:

- 1. Progress the discontinuance and road exchange transfer, in accordance with this report; or,
- 2. Not agree to the discontinuance and exchange of the unused Government Road and abandon the road exchange.

PROPOSAL

That:

- Pursuant to Section 206 including Clauses 2 of Schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to undertake a road exchange by deviating sections of unused Government Road north of Crown Allotment 1, 3 and 4 Section A, Parish of Bow-Wurrung, over parts of Crown Allotment 2 and 2B Section A, Parish of Bow-Wurrung;
- **2.** Council place a public notice of the proposed discontinuance of these sections of unused Government Road in local newspapers and serve a notice on statutory authorities;
- 3. Council appoint three Councillors plus an alternative representative to form the 'Stockdale Road Exchange 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 submission under section 223 of the Act have been requested that they be heard in support of their submission/objection;

4. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the road exchange including placing a notice in the Victoria Government Gazette.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

By completing the road exchange Council will incur costs for stamp duty, legal and survey costs, estimated at \$8,000, however, it will finalise previous commitments made by the Shire of Avon.

LEGISLATIVE IMPACT

The road exchange is being undertaken pursuant to Section 206 including Clauses 2 of Schedule 10 of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

The Sale, Exchange and Acquisition of Land Council Policy outlines the principles in dealing with land transactions and any transactions progressed as part of this proposed exchange and sale will be performed in accordance with Section 4.3.6 Sale, Exchange and Acquisition of Land of that policy.

COUNCIL PLAN IMPACT

The Council Plan 2017 – 2021 Theme 2 Services & Infrastructure states the following Strategic Objectives and Strategies:

Strategic Objectives

"Continued improvement to Wellington Shire's connectivity with further developed, accessible transport networks."

Strategy 2.4.2

"Continue to maintain and enhance Council's road assets infrastructure."

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

COMMUNITY IMPACT

There will be no negative identifiable community impact as there will be no identifiable change to the road formation as seen on the ground and the road will remain open for public traffic.

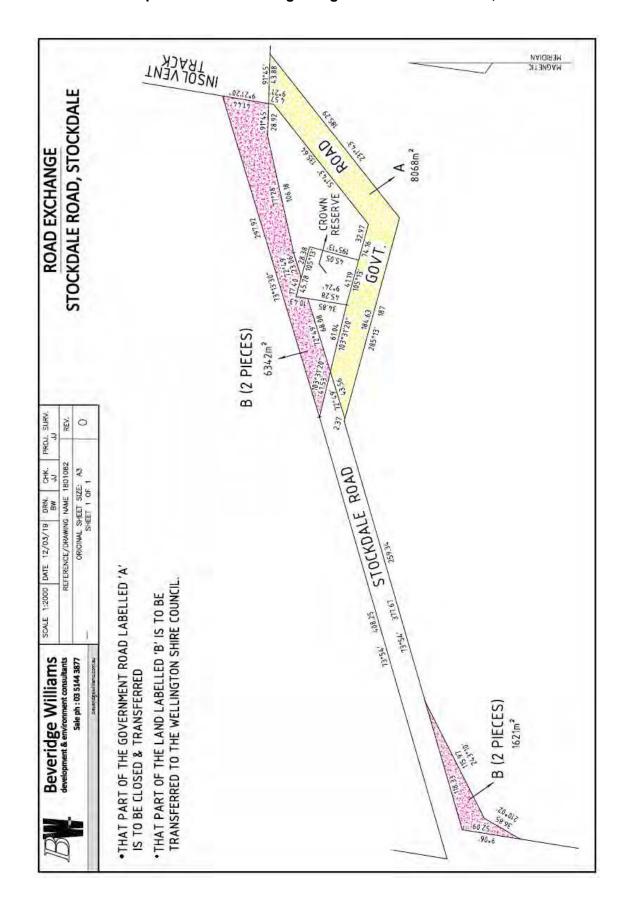
ENGAGEMENT IMPACT

Wellington Shire Council policy requires that notification of the proposal is sent to the property owner. The property owner has been notified of the proposal.

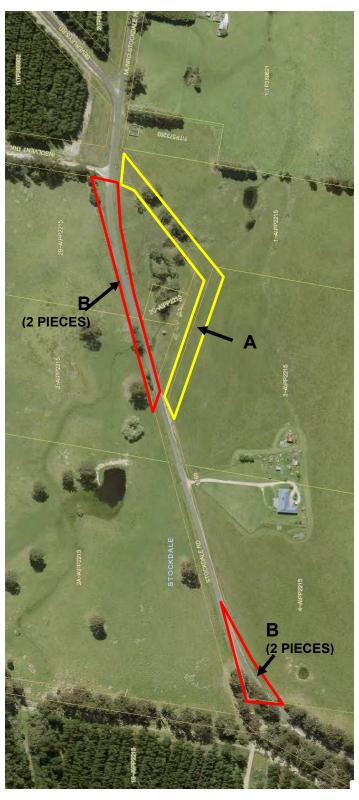
RISK MANAGEMENT IMPACT

Risk management impacts associated with the recommendation within this report have been addressed and a solicitor will prepare relevant documents and agreements associated with the road exchange and transfer process outlined.

Attachment 1. - Proposed Road Exchange Diagram - Stockdale Road, Stockdale



Attachment 2. AERIAL PHOTO MAP OF PROPOSED ROAD EXCHANGE STOCKDALE ROAD, STOCKDALE



GOVERNMENT ROAD TO BE DEVIATED

ROAD TO BE CREATED

Attachment 3. Ministerial Consent



CONSENT FOR ROAD DEVIATION LOCAL GOVERNMENT ACT 1989

Under Clause 2 (2) of Schedule 10 of the Local Government Act 1989, I, Rodney Croft, Program Manager – Land and Built Environment, as delegate of the Minister for Energy, Environment and Climate Change, hereby consent to the deviation of a road in the Parish of Bow-Worrung, shown in yellow 'A' which is government road to the land shown in red 'B' which is not Crown land, as per attached plan labelled Reference / Drawing Name 1801082.

File Ref: 16L9-5967

Rodney Croft

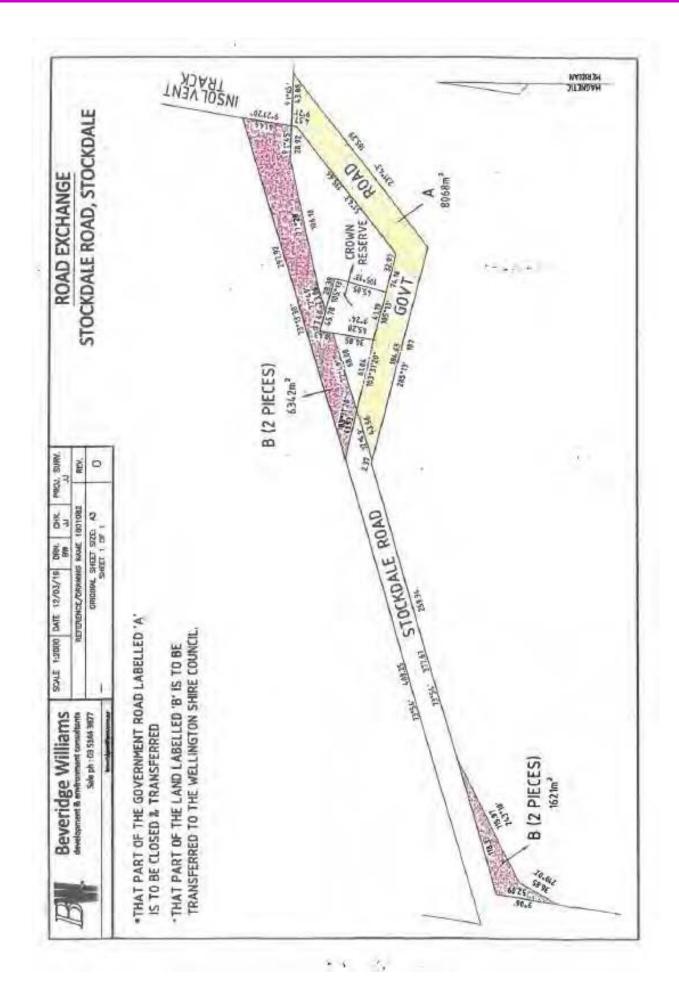
Program Manager, Land and Built Environment (As delegate of the Minister for Energy, Environment and Climate Change)

Date: 15/5/201

Privacy Statement

Any personal information about you are third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2024. It will only be used or disclosed to appropriate Ministerial. Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department whould be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, Bost Melbourne, Virturia 8002.







GENERAL MANAGER COMMUNITY AND CULTURE



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

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

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

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

Meeting declared closed at: pm

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



F. CONFIDENTIAL ATTACHMENT/S



G. IN CLOSED SESSION

COUNCILLOR

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

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

IN CLOSED SESSION

COUNCILLOR

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