

HUMAN RIGHTS

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

Related Documents

Type:	Details:
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Procedure	
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Strategy	
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3.2 MUNICIPAL SERVICES

CAR PARKING - OFF STREET CAR PARKS

Policy Number:	3.2.1
Approved by	Council
Date Approved/Effective	6 December 2017
Date of Next Review:	December 2018
Related Policies:	Nil
Applicable to Unit(s):	Municipal Services
Responsible Officer:	Manager Municipal Services
Statutory Reference:	Road Safety Act 1986, Section 90D Road Safety Road Rules 2009 Local Government Act 1989

OVERVIEW

To establish policy for the management of vehicle parking in off-street car parks and the enforcement of parking restrictions in privately owned car parks.

THE POLICY

Council may agree to enter into a written agreement with the proprietor of privately owned car parks that are available for public parking of vehicles.

Council may agree to enforce parking regulations as resources allow or by provision of fee for service.

Property owners are required to meet all maintenance costs of car parks including line marking signage and surface condition and ensure compliance with specified requirements in relation to:

- (i) restricting access to the land by motor vehicles;
- (ii) signs to be placed, or markings to be made, on the land;
- (iii) the siting, installation and maintenance of signs and markings;

Agreements with owners must place no obligation on Council to meet targeted patrols.

Council is to advise property owners of any instances of non-compliant parking restriction signage and will cease enforcement activities until the signage complies with the specified requirements.

Parking offences must be in accordance with the *Road Safety Road Rules 2009*, Local Laws or the *Local Government Act 1989*.

The property owner remains responsible for the payment of rates and all outgoings.

Property owners agree to rights of access to the land by persons authorised by the municipal council in connection with the provision of parking services and the duties and obligations to be complied with by those persons while exercising those rights.

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Related Documents

Type:

Details:

STREET RAFFLES

Policy Number:	3.2.2
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	
Applicable to Unit(s):	Municipal Services
Responsible Officer:	Manager Municipal Services
Statutory Reference:	Local Law No 2 – 2011, Streets and Roads

OVERVIEW

To establish policy for the management of street raffles.

Many organisations both local, state wide and national rely on fund raising efforts, including raffles to assist in the provision of their services to their club, organisation or public. To achieve this end they request permission from Council to conduct raffles from Council controlled footpaths.

Council has designated areas in different townships throughout the Shire where groups are permitted to conduct such raffles.

THE POLICY

Raffles

Council may consent to community and charitable organisations selling raffle tickets in the commercial area of approved townships in line with the Street Raffle Policy and Local Laws 2 – 2011, Streets and Roads, Division 9, Collections on Roads.

When processing requests from organisations to conduct street raffles, Council must view the following documents:

- A copy of the organisation's public liability insurance certificate;
- A signed copy of Local Law 2, Schedule 4 form of indemnity.

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Related Documents

Type:	Details:
	Local Laws 2: Streets and Roads, Division 9, Collections on Roads.

BUILDING

Policy Number:	3.2.3
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Municipal Services, Built Environment
Responsible Officer:	Municipal Building Surveyor
Statutory Reference:	Building Interim Regulations 2017

OVERVIEW

To establish building policy to manage:

- building over easements;
- sheds on vacant land;
- the construction of fences on street alignments; and
- the procedure for building complaints where a private building surveyor has been appointed.

THE POLICY

1. Building over easements

Overview

The building of over easements policy is designed to ensure the protection of Council's existing and future assets situated within easements. In special circumstances, Wellington Shire Council may conditionally approve an application to build over such easements under the Building Interim Regulations 2017, regulation 310, however the application requires the following:

:

(1) The consent and report of a council, drainage authority, electricity supply authority, sewerage authority or gas supply authority must be obtained to an application for a building permit to construct a building over an easement vested in the council or authority.

(2) This regulation does not apply to implied easements under the Subdivision Act 1988.

The Policy

The Municipal Building Surveyor is authorised to approve applications for building work over an easement, in accordance with regulation 310 of the *Building Interim Regulations 2017*, where:

- Consent to the proposed development has been received from Council's Built Environment Business Unit; and
- The owner indemnifies Council by agreeing to standard conditions:

A section 173 agreement may be requested by the Municipal Building Surveyor for the construction of a building over the easement.

2. Non habitable buildings on Vacant Land

Overview

The Non Habitable Buildings on Vacant Land policy is to ensure the appropriate development and use of shed on vacant allotments, *Building Regulations 2006, regulation 422 - Siting of Class 10a buildings* requires the following:

- (1) Unless otherwise approved under the Subdivision Act 1988 or any corresponding previous enactment, a Class 10a building must be on the same allotment as a building of another class to which it is appurtenant.*
- (2) The consent and report of the relevant council must be obtained to an application for a building permit for the construction of a building which does not comply with sub-regulation (1).*

Definitions

Building Code of Australia, Volume 2, Class 10a – Non-habitable building being a private garage, carport, shed or the like.

The Policy

- To recognise and facilitate the need for people to have storage facilities during the construction of a dwelling and for equipment needed to maintain farm land.
- To prevent the illegal occupation of non-habitable buildings on vacant allotments.
- To ensure consistency is maintained between Planning, Building and Environmental Health Legislation.
- To ensure applicants are aware of Council's policy at an early stage of a project.

Where an application under Regulation 422 is made for Council consent to build a non-habitable building on a vacant allotment the following shall apply:

- Each application shall be accompanied by a statutory declaration stating that the non-habitable building will not be used for any form of occupation or for any commercial purpose.
- Applications for class 10a buildings on vacant land within areas that are not prohibited under the planning scheme will only be approved where:
 - A building permit for a dwelling on the allotment has been issued;
 - The time frames (commencement and completion) detailed on the building permit for the construction of the dwelling are complied with; and
 - The owner agrees to remove shed, on expiry of the building permit, if for any reason the dwelling is not constructed.

3. Fences on street alignments

Overview

The Fences on Street Alignments policy is to ensure the appropriate construction of fences on corner allotments and to ensure appropriate vehicular and pedestrian safety is maintained. *Building Regulations 2006, regulation 427* requires that:

- (1) The consent and report of the relevant council must be obtained to an application for a building permit to construct a fence within 9m of a point of intersection of street alignments and exceeding a height of 1m above the footpath.*

The Policy

The Municipal Building Surveyor be authorised to approve applications to construct fences within 9m of the point of intersection of street alignments and exceeding a height of 1m above the footpath where:

- The proposed fence height and location has been approved by, or has complied with, any requirement of Council's Built Environment Unit with respect to ensuring the fence does not interfere with or have a detrimental effect on vehicular traffic or pedestrian movement; and
 - The fence will be more appropriate taking into account the prevailing heights, setbacks and design of existing front fences on nearby allotments; and
 - The fence height will not result in a disruption of the streetscape; and
 - The fence design respects the existing character of the street.
4. The procedure for building complaints where a private building surveyor has been appointed

Overview

The procedure for building complaints where a private building surveyor has been appointed to establish a policy to administer and implement Council's responsibilities under the *Building Act 1993* ("the Act") in circumstances where a private building surveyor has been appointed by the owner of a property to issue a building permit or carry out other functions in respect of building work being carried out or proposed to be carried out at the property.

The Policy

That the *Building Control Intervention Filter Criteria* ('the Filter Criteria') which is a risk assessment matrix, is used to identify standardised responses to complaints from the public where a private building surveyor has been appointed. The Filter Criteria recognises that Council has obligations to the public with regard to dangerous situations which it can remedy or cause to be remedied.

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Related Documents

Type:

Procedure

Guidelines

Details:

Building Control Intervention Filter Criteria

INFRINGEMENT REVIEW POLICY

Policy Number:	3.2.4
Approved by:	Chief Executive Officer
Date Approved:	20 February 2018
Date Effective:	20 February 2018
Date of Next Review:	2018
Applicable to Unit(s):	Development & Community & Wellbeing
Responsible Officer:	Manager Municipal Services
Statutory Reference:	Human Rights and Responsibilities Act 2006 Local Government Act 1989 Privacy and Data Protection Act 2014 Infringements Act 2006 Road Management Act 2004 Road Safety Road Rules 2009 Road Safety Act 1986 Road Safety (General) Regulations 2009 Domestic Animals Act 1994 Environmental Protection Act 1970 Planning and Environment Act 1987 Tobacco Act 1987 Wellington Shire Council Local Law No. 2 to 5 Country Fire Authority Act 1958 Transport (Compliance and Miscellaneous) Act 1983 Impounding of Livestock Act 1994 Infringements (Reporting and Prescribed Details and Forms) Regulations 2006 Children, Youth and Families Act 2005

OVERVIEW

Wellington Shire Councils infringement review system is an administrative framework that aims to deliver a clear, prompt and effective process for dealing with penalties for violations of State and Local Laws. The system is not restricted to the enforcement of infringement notices but extends to the procedures for:

- Internal review
- Infringement withdrawal
- Requests to proceed to Court

It is the primary objective of the infringement review system to embed the fair and equitable treatment of all customers into its procedures and to ensure flexibility in its decision making.

The rights of residents and the obligations of agencies are prescribed in the *Infringements Act 2006* (the Act). The Act provides a set of guidelines that stipulate the way to manage enforcement.

THE POLICY

A person may apply for a review of the decision to serve the infringement notice before the matter has been lodged with the Court if the person believes the decision is:

- was contrary to law; or
- involved a mistake of identity; or
- that 'special circumstances' apply to the person; or
- the conduct for which the infringement notice was served should be excused having regard to any exceptional circumstances relating to the offence; or

that the person was unaware of the notice having been served and that service of the infringement notice was not by personal service.

When an application for review is received, council staff will forward it to the Wellington Shire Infringement Formal Review Committee (the Committee). This will ensure a thorough and transparent review is undertaken.

The Committee comprises of the following authorized officers:

- General Manager Corporate Services
- Manager Corporate Finance
- Manager Land Use Planning
- Manager Municipal Services

NB the Municipal Fire Prevention Officer will be a member of the committee during bushfire emergency season:

Once an infringement notice has been issued the recipient has 28 days to pay the infringement penalty. Within that time they may:

- Pay the infringement penalty
- Request and internal review
- Elect to go to Court
- Apply for an extension of time

A request for an internal review must be received before the infringement notice has been lodged with the courts. The Review Committee must complete the review within 90 days of the receipt of the review request. The Review committee will inform the applicant of the decision in writing within 21 days of the decision being made.

The Application of Internal Review of Infringement Form can be downloaded from Council's [website](#).

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RELATED POLICIES AND DOCUMENTS

Human Rights and Responsibilities Act 2006
Local Government Act 1989
Privacy and Data Protection Act 2014
Infringements Act 2006
Road Management Act 2004
Road Safety Rules 2009
Road Safety Act 1986
Road Safety (General) Regulations 2009
Domestic Animals Act 1994
Environmental Protection Act 1970
Planning and Environment Act 1987
Tobacco Act 1987
Wellington Shire Council Local Law No.2 to 5
Country Fire Authority Act 1956
Transport (Compliance and Miscellaneous) Act 1983
Impounding of Livestock Act 1994
Infringements Regulations 2016
Children, Youth and Families Act 2005
Infringement Formal Review Committee Terms of Reference

SWIMMING POOL AND/OR SPA SAFETY BARRIER

Policy Number:	3.2.5
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Municipal Services
Responsible Officer:	Manager Municipal Services
Statutory Reference:	Building Act 1993 Building Interim Regulations 2017.

OVERVIEW

To provide clarity and consistency around the provision of safety barriers around swimming pools and/or spas.

THE POLICY

To establish policy for the management and consistent approach the provision and maintenance of safety barriers around swimming pool and/or spas. Council recognizes and accepts that a swimming pool and/or spa that does not have suitable safety barriers represents a danger to young children. Council also recognizes and accepts that action is required pursuant to the *Building Act 1993* to remove the danger.

Council has safety information and self-assessment sheets relating to the requirements of the provision and maintenance of safety barriers around swimming pools and/or spas. A series of articles on safety barriers around swimming pools and/or spas must be routinely prepared for release to the media.

The Building Interim Regulations 2017 requires swimming pools and/or spas that were installed or approved to be installed, prior to 1991 have safety barriers to restrict the access to the part of the allotment containing the swimming pool and/or spa. Swimming pools and/or spas constructed after that date must have erected barriers as part of the construction. Installed safety barriers must be maintained and effectively operational at all times. Council will ensure:

1. When Council are made aware of a swimming pool and/or spa, the property will be identified and details recorded for future audits.
2. The landowner will be advised in writing of forthcoming inspection regime of the swimming pool and/or spa safety barriers.
3. Following the inspection, the landowner will be notified in writing and follow up actions may be required.
4. A second and third inspection may be necessary to ensure compliance is met.
5. Enforcement
 - a. Should the third inspection fail, a minor works order will be issued. And infringement notice may also be issued.
 - b. Should further audits fail to comply then legal proceedings will commence.

POLICIES AND RELATED DOCUMENTS

Building Act 1993

Building Interim Regulations 2017

3.3 BUSINESS DEVELOPMENT

MAJOR EVENTS

Policy Number:	3.3.1
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Business Development
Statutory Reference:	Nil

OVERVIEW

The Wellington Shire Council actively supports and encourages the hosting of major events within the municipality. The Council recognises events can contribute positively to the economy of Wellington Shire.

THE POLICY

Event Objectives

The Wellington Shire Council has identified the following objectives in relation to events:

1. Support the development of major events that contribute to the economy of communities within Wellington Shire.
2. Ensure events are conducted with high safety standards and in accordance with relevant legislation and best practice.
3. Position Wellington Shire as an attractive destination for new and existing events that will result in economic, marketing and community benefits.

Event Support

Major events, are defined as those that attract participants/spectators and visitors from outside the municipality, usually over a number of days, thereby providing an economic benefit. Such events are supported by Council with a 'Project Team' approach and require a significant lead time to enable funding to support the event to be sought through Council's budget process.

Council sponsorship of major events is subject to the estimated economic benefit and must align with Council's Event Funding Guidelines. These events are normally separate to those approved under Council Community Grant funding process.

The Wellington Shire Council will provide a range of support measures to major events. This support may include:

- Advice, guidance and information to event organisers on venues, risk management, health and building legislation and requirements;
- Provision of information on Council requirements and the issuing of permits and permissions;
- Loan of events equipment (subject to availability);
- Assistance with networking and engagement of local businesses to maximize economic benefit
- Inclusion and distribution (on Council's website) of the Wellington Calendar of Events.

- o Council sponsorship of the event subject to application assessment and Council budgetary approval
- o Advice and support in seeking State Government funding (subject to eligibility)

Best Practice

The Council encourages events to have regard for and implement where required or possible Event Management best practice in the areas of: Access and Inclusion, Environment Management, Environmental Health, Risk and Safety Management, Event Planning, Traffic Management

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Related Documents

Type:	Details:
Procedure	Nil
Guideline	Community Assistance Grants Scheme
Strategy	

ROADSIDE TOURISM DIRECTIONAL SIGNS

Policy Number:	3.3.2
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Business Development
Responsible Officer:	Manager Business Development
Statutory Reference:	Road Management Act 2004

OVERVIEW

To establish policy for the management of tourism directional signage.

THE POLICY

To assist travellers and visitors to the Wellington Shire by enabling the strategic placement of tourism and visitor related signage at locations providing appropriate direction to these services.

This assistance to travellers and visitors to the municipality will be achieved through the provision of a consistent and uniform approach to the placement and type of permanent advertising and directional signage within the municipality.

Application of the Policy

- This policy shall only apply to permanent signage on Council owned and controlled lands situated within the Wellington Shire. This shall include road reserves, public recreational reserves and similar lands.
- This policy will not apply to road traffic, safety and street name signs and portable advertising signs defined under Council local laws.
- Council must give proper consideration to the Vic Roads Tourist Signage Guidelines.

Fees and Charges

Financial responsibility for all tourism attractions and services signing rests with the applicant.

Ownership of the Signs

The applicant who has paid for the provision of a tourist sign remains responsible for the maintenance and up keep of the sign. It is the applicant's responsibility to immediately notify Wellington Shire Council to arrange the removal of all road signing to the property in the event of the business closing or if it is no longer an eligible tourism business. Cost for undertaking work will be charged to the business owner.

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Related Documents

Type:	Details:
Guideline	Vic Roads Tourist Signage Guideline
Strategy	Application for Tourism signage Form

WOOD ENCOURAGEMENT POLICY

Policy Number:	3.3.3
Approved by:	Council
Date Approved:	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Organisation
Responsible Officer:	Manager Business Development
Statutory Reference:	

OVERVIEW

Wellington Shire Council recognises the importance of the forest and wood products industry to both Wellington and the broader Gippsland region. Central to Council's commitment to job retention and creation is supporting significant local industry in order to secure jobs and leverage

THE POLICY

Policy Goals

- To stimulate sustainable economic development within the Gippsland timber and wood products industry and encourage value adding products within the timber industry.
- To encourage the use of wood in the construction and fit out of Council buildings and infrastructure.
- To recognise all of the benefits that make wood a smart choice for Council buildings and infrastructure.
- To share information and encourage education regarding the benefits of using wood in construction and fit out of buildings and infrastructure.
- To demonstrate local and national leadership by enacting the Wood Encouragement Policy on Council buildings and infrastructure.
- To align with opportunities for state and federal funding.
- To reinforce Council's preference for quality wood buildings in the development of briefs for projects.
- To promote the industry as a renewable resource, capturing the environmental benefits of the resource.

Council will encourage the increased utilisation of wood in Council assets by:

1. Ensuring that all briefs for new Council projects incorporate the requirement to use wood as the preferred material for both construction and fit out purposes, where wood is deemed a suitable material for the proposed application;
2. Seeking those who can find practical, efficient, versatile and cost-effective building and design solutions using wood when sourcing design and architectural expertise;
3. Ensuring that all comparison to the cost of building with other materials will take into account all long-term and life cycle benefits of using wood;
4. Where possible, sourcing locally produced wood products for construction and fit out purposes;

5. Being a champion of the forest and wood products industry, by establishing this policy and demonstrating commitment to the further development of the local forest and wood products industry;
6. Actively working to attract new, innovative wood products manufacturers to Wellington Shire.

In using wood as a preferred construction material for Council infrastructure, Council will have regard to:

1. The utilisation of regional wood products that meet the Australian Forest Standard, Program for the Endorsement of Forest Certification and/or Forest Stewardship Council certifications.
2. Maintenance required throughout the life of the project;
3. Pest and fungus protection; and
4. Using wood only when it is the right material for the selected application.

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Modification History

Date:	Details:

4. BUILT & NATURAL ENVIRONMENT

4.1 NATURAL ENVIRONMENT & PARKS

WASTE COLLECTION

Policy Number:	4.1.1
Approved by	Council
Date Approved/Effective:	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Natural Environment and Parks
Responsible Officer:	Manager Natural Environment and Parks, Coordinator Waste & Sustainability
Contact Officer:	Manager Natural Environment and Parks
Statutory Reference:	Local Government Act 1989 Health Act 1958

1. Overview:

Under the provisions of the *Local Government Act 1989* and the *Health Act 1958* Council has the authority/obligation to implement a municipal garbage collection service.

The purpose of this Waste Collection Policy is to describe the properties to which a garbage service is provided as per the Council declared areas defined in the Waste Collection Maps.

2. The Policy:

The kerbside waste collection service is applicable to all properties within the declared areas as follows:

- Residential properties.
- Commercial properties: except where a prima facie evidence exists that the commercial property in question has a garbage collection from a commercial waste collection operator.
- Temporary Dwellings: are exempt from the service but can request a regular collection. Standard Council garbage charges apply.
- Vacant lots: as per Temporary Dwellings above.
- Non rateable properties: are exempt from the service but can elect to receive a regular garbage collection. Standard Council garbage charges apply.
- Not for Profit organisations, administered by community based voluntary boards, whose primary purpose is to provide accommodation for elderly citizens are exempt from the service but can elect to receive a regular garbage collection (partial or full). Standard Council garbage charges apply.
- Charitable organisations: no exemptions apply.

Definitions:

Garbage collection: – weekly kerbside garbage collection, fortnightly kerbside recycling collection and annual hard waste collection.

Non rateable land: – as per the definition contained in Section 154 of the *Local Government Act 1989*.

Not for Profit: – as per the definition of the Australian Tax Office

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Related Documents

Type:	Details:
Procedure	Waste Collection Maps
Strategy	

NATURE STRIP MAINTENANCE

Policy Number:	4.1.2
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	Local Government Act 1989

OVERVIEW

To establish policy for the amenity maintenance of urban nature strips.

THE POLICY

In urban areas, abutting property owners are responsible for the amenity maintenance of the nature strips outside their property. Generally, this refers to the regular mowing of the nature strips but may extend to the management of other vegetation types (excluding trees) as needed.

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Related Documents

Type	Details
Procedure	Nil
Strategy	Open Space Plan 2014 - 2024

OPEN SPACE

Policy Number:	4.1.3
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Heritage, Playgrounds, Public Toilets
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks, Coordinator Open Space Planning & Support, Coordinator Parks Services
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of open space under Council jurisdiction

THE POLICY

Council will maintain Public Open Space under Council jurisdiction according to the following Guiding Principles.

Guiding Principles

Diversity, quality and design

- Open space should be designed to build on local character and provide a diverse range of attractive settings and opportunities for recreation and leisure.
- Site plans (Concept or Masterplans) should be prepared before undertaking major development works.
- Design, layout, and facilities should be of high quality and provide for safe and enjoyable use.
- Design standards should be in line with those stated in the Wellington Open Space Plan 2014-2024.
- Urban Forest management including tree planting for shade, amenity and biodiversity enhancement should have a high priority in all developments.

Access and equity

- All developed open space should provide good access to facilities, settings and activities for the whole community including people with limited mobility and other disabilities, and parking where compatible with established site values and uses as per the Open Space Plan assessment.
- The location and opportunities available at major sites and the benefits of open space use should be widely promoted.

Management and maintenance

- Maintenance should meet community and conservation objectives, within budget constraints and in accordance with agreed priorities.
- The community should be involved in the planning, development and care of open space.

Conservation

- Significant natural and cultural sites should be identified and actively managed including protection from damage by inappropriate management or recreation activities.
- Locally indigenous species should be used in planting projects, except where exotic tree and plant species are an important element in urban or cultural landscapes.

Council has developed guidelines (eg. Open Space Plan) to give effect to its policy position on open space. These guidelines are available to staff via the Intranet. The responsibility to ensure that the implementation and maintenance of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built & Natural Environment.

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Related Documents

Type:	Details:
Procedure	Nil
Strategy	Open Space Plan 2014-2024

LITTER BINS

Policy Number:	4.1.4
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Playgrounds,
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of litter bins.

THE POLICY

Litter bins shall be allocated where the Council provides a range of attractors, some in combination, that by their nature generate a large degree of litter.

The combination of attractors used to determine bin allocation will be:

1. Shopping areas within CBD's or Town Centres (not commercial/industrial sites)
2. Individual shops such as milk bars, takeaways and general stores.
3. The presence of barbeques, toilets and playgrounds (in combination) in open space areas. The lack of any one of these individual attractors will remove the requirement for bin allocation.
4. Boat ramps of Regional or District significance

Variations on this rationale shall be considered where a cost benefit analysis determines that the cost of provision of a litter bin at a particular location outweighs the overall community benefit i.e. the cost is too great.

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Related Documents

Type:	Details:
Procedure	Nil
Strategy	Open Space Plan 2014 - 2024

PLAYGROUNDS

Policy Number:	4.1.5
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Heritage, Playground Litter Bins, Public Toilets
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks, Coordinator Parks Services
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of playgrounds.

THE POLICY

The Council maintains a number of playgrounds, which generally fall within the hierarchical structure embraced in this Policy and identified as Regional, District, Neighbourhood and youth oriented play. This structure is further developed through the Open Space Plan 2014-2024.

Playgrounds are continually developed and improved in line with current trends and safety standards. A rolling capital program exists for this purpose.

Council will provide, manage and maintain playgrounds within its jurisdiction according to the following Guiding Principles.

Aim

- To provide a system of diverse play settings equitably distributed throughout the Shire and within reasonable access of every child's home. (as described in the Open Space Plan)
- To complement the play opportunities that are available to local residents in private open space and in the neighbourhood generally, so as to maximise the range of play experiences available.
- To provide specific play settings and conditions within designated areas which help encourage personal growth, enjoyment and make social benefits available to the community, through play.
- To ensure that the physical environment, activities, equipment and social conditions within each play area are designed specifically to meet the needs and wants of children of specified age groups, and that opportunities catering specifically to those age groups are equitably distributed across the Shire.
- To ensure that playground provision caters to children and adults with disabilities, and that a wide range of play activities within each playground are accessible.
- To maintain all play equipment and designated play areas in a good condition in accordance with current Australian Standards for play equipment and adjacent areas.
- To regularly monitor the use of play areas, the condition and maintenance of play equipment and the provision and quality of play opportunities in the Shire generally.

Council's policy on the management of playgrounds is supported by guidelines that may be accessed by staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Playground Guidelines
Strategy	Open Space Plan 2014-2024

PUBLIC OPEN SPACE CONTRIBUTION - SUBDIVISIONS

Policy Number:	4.1.6
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Open Space, Heritage, Playgrounds.
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	Subdivision Act 1988

OVERVIEW

To establish policy for the management of public open space developer contributions.

THE POLICY

The provision of quality open space across the Shire is important for continued community health and well-being as well as making a significant contribution to town livability.

Developers are required under the *Subdivision Act 1988* to provide a % contribution towards the provision of open space from planned sub-divisions. This contribution, at Council's discretion is in the form of land or money.

Aim of the Policy

This policy details guidelines for the receipt of any land or cash contributions as part of any proposed land development.

Any request for land or cash in lieu contributions from subdivisions will meet the requirements of the *Subdivisions Act 1988* and shall be based on the directions and priorities of the Wellington Open Space Plan 2014-2024 and/or relevant Outline Development Plans. Priority consideration will be given to the following:

- Addressing gaps in current open space provision
- Contributing to the upgrade of, and improved access to, nearby existing open space
- Ensuring that open space is of a high quality and useable from a leisure and/or conservation perspective
- Establishing linear parks & linkages between areas of open space
- Retaining/enhancing significant conservation areas (including stands of remnant trees)

This policy is supported by the Open Space Selection Criteria – Developer Contributions guidelines. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Open Space Selection Criteria - Developer Contributions
Strategy	Open Space Plan 2014-2024

PUBLIC TOILETS

Policy Number:	4.1.7
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Heritage,
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks
Statutory Reference:	Nil

OVERVIEW

To establish policy to guide the management of public toilets.

Access to toilet facilities is an important consideration in terms of the attractiveness and functionality of public areas generally and urban public areas particularly. Not all such areas are subject to Council jurisdiction, however Council is often perceived by the general public to be the agency universally responsible for the provision, operation and maintenance of public toilet facilities. In this regard, Council at times receives requests to either provide new (additional) public toilet facilities or to upgrade existing facilities to meet contemporary standards.

Council is currently involved, either directly or indirectly in the maintenance and operation a number of Public toilets throughout the Shire, which are intended to serve public areas catering for relatively large numbers of people on a regular basis. Council currently directly manages approximately 34 public toilet facilities throughout the Shire.

THE POLICY

Council will ensure that adequate and appropriate public toilet facilities are available to residents and visitors throughout the Shire within its jurisdiction according to the following guiding principles.

- To ensure the provision of public toilet facilities is equitably distributed throughout the Shire and appropriate to need.
- To make appropriate provision for accessibility and functionality for people with disabilities and special needs.
- To ensure that the environment, both natural and built, is not adversely impacted by the construction and operation of public toilet facilities.
- To maintain toilet facilities and associated services and equipment in accordance with relevant Australian Standards and community expectation.
- To regularly monitor the use of public toilet facilities and the condition and maintenance of same, throughout the Shire.
- To encourage provision of toilet facilities on a collaborative basis with committees of management, public agencies and the private sector.

Application

This policy will apply to and establish the mechanisms for, the establishment, management and operation of public toilets, including but not limited to proposed new facilities, upgrades of existing facilities, retirements of existing facilities and establish a standard for such facilities having regard for, but not limited to:

- o Location.
- o Siting including proximity to other facilities.
- o Accessibility & amenity.
- o Architectural values, including heritage values.
- o Environmental considerations.
- o Capital and operating (life cycle) costs.
- o Community consultation.

Provision Objectives

Council will ensure that adequate and appropriate public toilet facilities are available to residents and visitors throughout the Shire.

Council has a Toilet Development & Management Strategy which may be accessed by staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Toilet Development & Management Strategy

SIGNIFICANT TREE PROTECTION

Policy Number:	4.1.8
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Urban Forest Open Space
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks, Coordinator Open Space Planning & Support, Coordinator Parks Services
Statutory Reference:	Wellington Planning Scheme

OVERVIEW

To protect significant trees and remnant vegetation located in urban areas from the negative impacts of land development (sub-divisions).

THE POLICY

This policy aims to provide guidance to applicants in the design of development proposals to ensure that significant trees/remnant vegetation is assessed and incorporated into development design.

The policy refers to lots of less than 0.4 hectare. Lots larger than 0.4 ha will generally be protected by the native vegetation controls afforded by the Wellington Planning Scheme Clause 52.17.

Definitions

A significant tree is:

- Any tree of outstanding aesthetic quality.
- Any tree outstanding for its large height, trunk diameter or canopy spread.
- Any tree that is particularly old or venerable.
- Any tree which occurs in a unique location or provides a significant contribution to the landscape, streetscape or townscape, including remnant vegetation and important landmark trees.
- Any tree associated with a well-known public figure or ethnic group.
- Any tree commemorating or having association with an important historic event.
- Any tree that is rare to an area (ie beyond its normal range of distribution or common cultivation) or is of a rare species or variety generally, including endangered species.
- Any tree which exhibits a curious growth form or physical feature including unusually pruned forms.
- Any tree which is of horticultural or genetic value and could be an important source of propagating stock.
- Any tree which forms part of a recognised historic garden, park or town.

Remnant Vegetation is:

- Any patch of indigenous vegetation, around which most or all of the land has been cleared. The patches of vegetation can provide a repository for seed banks, habitat and corridors for animals, aesthetic and scientific values, soil stability, and a reduction in salinity.

Council's policy on the management of significant trees is supported by procedures/guidelines which may be accessed by staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accords with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Significant Tree Management Policy Guidelines
	Wellington Planning Scheme
Strategy	Open Space Plan 2014-2024

URBAN FOREST

Policy Number:	4.1.9
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Significant Tree Protection
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Natural Environment and Parks, Coordinator Open Space Planning & Support, Coordinator Parks Services
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of the Urban Forest.

THE POLICY

This policy provides a framework of reference in relation to the management of trees in urban areas throughout the Shire generally, with particular reference to the following matters:

- o Planting of new trees.
- o Maintenance of existing trees.
- o Removal of existing trees.
- o Conflict with other infrastructure.
- o Heritage trees.
- o Risk management
- o Remnant native trees.

Principles

1. An acceptable level of risk to persons or damage to infrastructure, including buildings, streets, kerbs, footpaths and aerial and underground utilities.
2. To guard against the damage or unnecessary removal of trees in public areas.

Council has a Strategic Plan in place to support its policy position on urban trees (ie. Open Space Plan 2014-2024). This Plan is available to staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the guidelines accord's with Council's policy position is vested in the Manager Natural Environment and Parks. Any matter specifically requiring a Council determination shall be reported by the General Manager Built and Natural Environment.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Open Space Plan 2014-2024

ENVIRONMENTAL SUSTAINABILITY POLICY

Policy Number:	4.1.10
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Procurement, Asset Management
Applicable to Unit(s):	Whole organisation
Responsible Officer:	Manager Natural Environment & Parks,
Statutory Reference:	Planning and Environment Act 1967, Environment Protection and Biodiversity Act (1999, Commonwealth), Flora and Fauna Guarantee Act 1988, Environment Protection Act 1970, Catchment and Land Protection Act 1994, Wellington Planning Scheme

OVERVIEW

Wellington Shire Council is committed to protecting and enhancing the environment having regard for the objectives and goals outlined in Wellington 2030, the Council Plan 2013-2017 and the Wellington Shire Sustainability Strategy.

THE POLICY

This policy supports the environmental objectives of the Municipal Strategic Statement of the Wellington Planning Scheme, and assists Council to achieve outcomes described in Wellington 2030, the Council Plan 2013-2017 and embodied in the Environmental Sustainability Strategy.

The policy is guided by the following key principles:

- Environmental sustainability is considered in Council's policies, decision making processes and by employees as part of a triple bottom line approach to conducting business.
- Compliance with all environmental legislative requirements pertaining to Council's operations.
- Leadership in efficient energy use, waste and water management, embracing environmentally sustainable design in the construction of new facilities and major upgrades.
- Recognise and promote the value of natural assets as a means to achieve a healthy, vibrant and enriched quality of life.
- Increase the community's ability to contribute to sustainable living and sustainable management of biodiversity and natural resources through engagement, education and incentives.
- Support a coordinated and diverse approach to developing a sustainable environment through partnerships.

Policy Objectives

The objective of the policy is to effectively integrate these principles into all relevant Council functions to work towards a clean, healthy and ecologically sustainable environment for the Shire of Wellington:

HUMAN RIGHTS

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

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

Related Documents

Type:

Details:

Procedure

Strategy

Environmental Sustainability Strategy

RATES REBATE ON LAND WITH A DEED OF COVENANT FOR CONSERVATION PURPOSES

Policy Number:	4111
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Environmental Sustainability
Applicable to Unit(s):	Natural Environment & Parks Unit, Finance Unit
Responsible Officer:	Manager Natural Environment & Parks
Statutory Reference:	Nil

OVERVIEW

To establish policy to manage rates rebates for conservation purposes.

THE POLICY

Council will allow a rates rebate on lands that have a Deed of Covenant for conservation purposes, as follows:

- That the rebate applies only to the land that is affected by a covenant as described in the covenant document.
- That the rebate be determined using a rate (\$) per hectare, as adopted in each budget cycle, with a minimum rebate of \$100 and a maximum equal to the annual general rate on the property.
- The rebate will apply once notification for Trust for Nature is received by Council and will be pro-rata from the date the deed was signed from the commencement of the current rating year.
- All rebates will be given in the form of a credit against the general rates. If the rates have been paid in full, the credit balance will be carried forward to the next rating year.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

4.2 ASSETS & PROJECTS

ASSET MANAGEMENT

Policy Number:	4.2.1
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Environmental Sustainability;
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	Local Government Act 1989

OVERVIEW

This policy is provided to give direction for the effective management of Wellington Shire Council infrastructure assets. The policy shall ensure that delivery of infrastructure services is in a structured and sustainable manner that recognises community expectations of time, quality, and value of money. Stewardship of infrastructure is a core Council function.

VISION

The asset management vision of Wellington Shire Council to optimise the whole of life costs of its assets, whilst meeting the present and future service delivery needs of the community and minimising exposure to risk.

This will be achieved through the full implementation of the asset management principles as articulated in the Built Environment Strategy.

POLICY STATEMENT

Scope

This policy covers the processes, systems and asset information required to manage all of Wellington Shire Council's existing and future physical assets efficiently and effectively. The policy is applicable across the organisation, including areas that do not have specific responsibilities for managing the assets but make use of council-owned assets in the delivery of services.

Goals

Wellington Shire Council has the following goals for asset management:

- Establish and maintain a framework to enable the development and application of sound asset management practice throughout the organisation;
- Understand and take into account community expectations in all significant decisions affecting infrastructure;
- Take a forward-looking, long-term view to the provision and management of infrastructure assets;
- Endeavour to provide council facilities, landscapes and infrastructure that are low carbon, water sensitive and resource efficient both in construction and operation and are resilient to a changing climate;
- Have confidence in asset management outputs through the application of quality processes and procedures; and

- Have ready access to all relevant information on individual assets, including physical parameters and data on valuation, condition, maintenance history, performance and risk.

Roles and responsibilities

As asset management requires input from and interaction between, all facets of the organisation the importance of well-defined roles and responsibilities for staff and councillors is crucial. The roles and responsibilities will be outlined in Part A of the General Information Asset Management Plan

Training and tools

To achieve and maintain the required level of capability, skills and expertise to deliver best practice in asset management decision making, Wellington Shire Council shall adopt the following principles:

- Invest in appropriate asset management training and development programs for relevant staff and councillors;
- Establish and maintain networks with asset management personnel to assist with sharing of knowledge.

THE POLICY

Understanding Community Expectations: Wellington Shire Council will understand the expectations of our community.

Asset Planning and Budgeting: Wellington Shire Council will plan for and review the provision of assets to our community.

Asset Operations and Maintenance: Wellington Shire Council will manage and maintain your assets in a fit for purpose state and within budgetary constraints.

Environmental Sustainable Design: (ESD) Wellington Shire Council will incorporate and document ESD initiatives in the construction and operation of Council facilities and infrastructure.

Risk Management: Wellington Shire Council will apply appropriate risk management principles in managing your assets.

Asset Accounting and Costing: Wellington Shire Council will provide asset management and costing systems to inform our decision making processes. In doing so, we will comply with all relevant standards.

Asset Management Plans: Wellington Shire Council will develop and maintain asset management plans to guide asset development and management practices.

Partnerships with the Community: Wellington Shire Council will foster community input and support for the ongoing development and management of community assets where appropriate.

Built Environment Strategic Group (BESG): Wellington Shire Council may have a BESG that guides our policy and strategic direction in relation to Asset Management.

Diagram 1 below provides a representation of the Corporate Context of Asset Management at Wellington Shire Council.

HUMAN RIGHTS

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

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

Related Documents

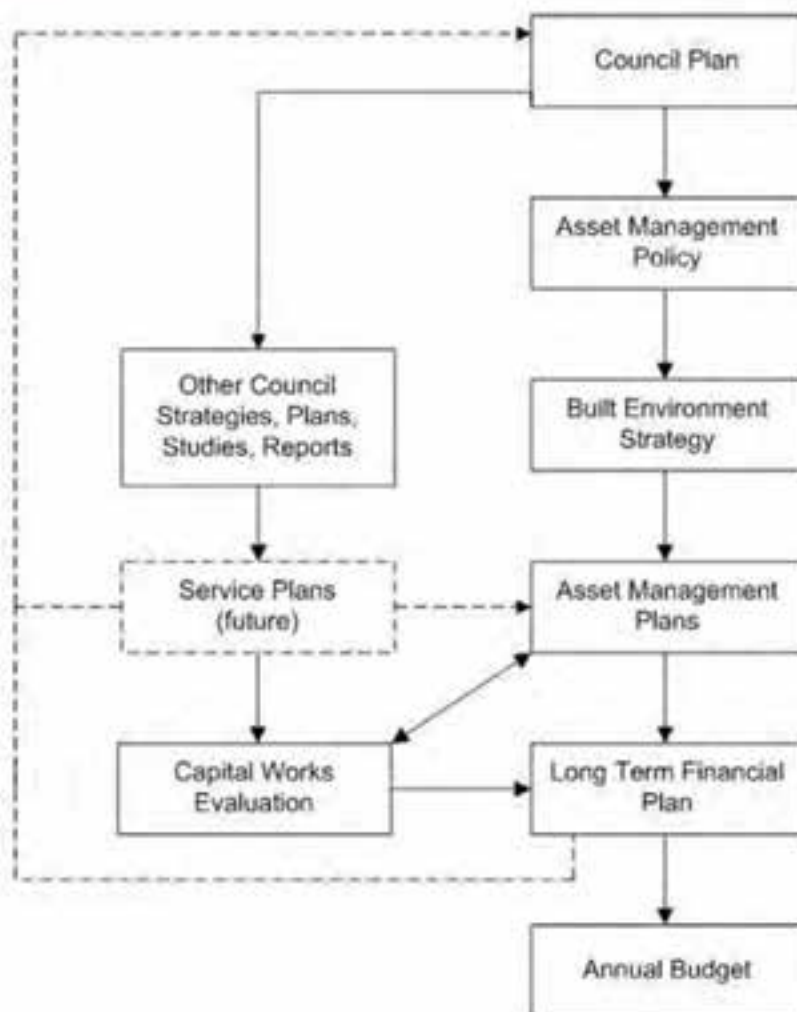
Type:

Procedure

Strategy

Details:

Asset Management Improvement Plan (formerly referred to as the Asset Management Strategy)



PLACE AND FEATURE NAMING

Policy Number:	4.2.2
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Assets and Projects, Built Environment
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	Local Government Act 1989; Geographic Place Names Act 1998

OVERVIEW

This policy is provided to give direction for the naming of localities, roads and other features that are owned or maintained by Wellington Shire Council, or where Wellington Shire Council has been asked to become involved in naming a feature. "Road" for the purpose of this policy includes street, lane, avenue, court and the like, and excludes roads managed by State Government authorities such as VicRoads, Parks Victoria and Department of Environment Land Water and Planning

THE POLICY

Proposals for new names or name changes including proposals from developers for their subdivisions are to be submitted to Council's Place Names Committee for consideration. All decisions from the Place Names Committee will be presented to Council for consideration. Community views are encouraged particularly those of the local historical societies, RSLs and other community groups.

The *Local Government Act 1989* Schedule 10, Clause 5 states:

1. A Council may:
 - a) approve, assign or change the name of a road; and
 - b) erect signs on a road; and
 - c) approve, assign and change the number of a road and any premises next to a road; and
 - d) require people to number their premises and to renew those numbers.
2. The Council, in exercising a power under paragraph (a) of sub-clause (1) must act in accordance with the guidelines under the *Geographic Place Names Act 1998* and must advise the Registrar under that Act of the action it has taken.

Council has adopted a Council Approved Road Names Register to provide guidelines and to give effect to its policy position on road, place and feature naming. This document is available to the general public on Council's website. The responsibility to ensure that the maintenance and implementation of the Register and guidelines accords with Council's policy position is vested in the Manager Assets & Projects.

HUMAN RIGHTS

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

Related Documents

Type:

Guidelines

Details:

Guidelines for Geographic Names 2010 (State Government document)

SUBDIVISION INFRASTRUCTURE DEVELOPMENT

Policy Number:	4.2.3
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Significant Tree Protection; Urban Assets and Projects / Built Environment / Natural Environment
Applicable to Unit(s):	Assets and Projects / Built Environment / Natural Environment
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	Local Government Act 1989

OVERVIEW

This policy is provided to give direction for property owners, developers and contractors in the development of land for residential, commercial, industrial and other purposes. It provides an authoritative base on which to plan and develop the necessary infrastructure to service newly created properties.

THE POLICY

Developers of new subdivision infrastructure must accord with Wellington Shire Council's Subdivision Infrastructure Requirements, design standards and parameters set by other statutory authorities as well as national bodies associated with land and infrastructure development.

Council has adopted the Infrastructure Design Manual (IDM) to give effect to its policy position on subdivision infrastructure development. The IDM is a Regional Victoria approach to the standardisation of infrastructure development across Victoria. The responsibility to ensure the implementation, checking and supervision of the requirements of the IDM is vested in the Manager Assets & Projects.

When special circumstances are encountered or are proposed, it is a requirement that developers arrange to meet with Wellington Shire Council Assets and Projects Infrastructure Planning staff to discuss these proposals. Any proposed changes or deviation from the standards set out in the IDM are to be signed off by the General Manager Built and Natural Environment prior to implementation.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Infrastructure Design Manual
Strategy	Nil

SPECIAL CHARGE SCHEMES – ROADS, STREET & DRAINAGE DEVELOPMENT

Policy Number:	4.2.4
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Assets and Projects
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	Local Government Act 1989

OVERVIEW

To facilitate the development of road, street and drainage infrastructure, policy has been established for the management of special charge schemes as follows.

THE POLICY

To implement its vision and mission Wellington Shire Council will optimise its capacity to raise funds for the undertaking of works and services pursuant to Section 163 (Special Rate and Special Charge), of the *Local Government Act 1989*.

We shall identify those circumstances where persons will receive special benefit and should, as a consequence, be required to pay a Special Charge for the development of roads, streets and drainage infrastructure.

We shall provide a uniform administrative procedure for the carrying out of Special Charge Schemes to be undertaken by Wellington Shire Council.

We shall provide an accepted basis of fairness and equity in the apportionment of costs associated with such works.

We shall provide appropriate construction standards for roads, streets, and drains intended to be constructed and/or provided throughout the municipality under Special Charges Schemes in accordance with the Infrastructure Design Manual.

This policy will enable the construction of roads, streets and drains that would not ordinarily be capable of being provided through other funding sources, and, in doing so, these schemes will recognise the special benefit that accrues to property owners joined to them.

Council has procedures in place to give effect to its position on special charge schemes for roads, streets and drainage development. These procedures are available to staff via the Intranet. The responsibility to ensure that the maintenance and implementation of the procedures accords with Council's policy position is vested in the Manager Assets and Projects. Any matter specifically requiring a Council determination shall be reported by the Manager Assets and Projects.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Special Charge Schemes Procedures
Strategy	Infrastructure Design Manual
	Nil

DISPOSAL OF SURPLUS COUNCIL EQUIPMENT

Policy Number:	4.2.5
Approved by	Chief Executive Officer
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Assets and Projects
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of disposal of surplus Council equipment

THE POLICY

Council is an advocate for the utilisation of surplus Wellington Shire Council equipment in its community; it believes that appropriately disposing of surplus Council equipment can assist this goal.

From time to time, Council is in a situation where it holds surplus equipment.

Disposal

In order that surplus equipment may be disposed of efficiently, options may include the following:

- Provision to "seek expressions of interest" from not for profit organisations - priority of need to be determined by General Manager Built and Natural Environment.
- Disposal by public tender, following an assessment by the General Manager Built and Natural Environment of the cost effectiveness and financial benefits of this option on any particular occasion.
- Disposal to appropriate equipment recyclers if not disposed of by either "expression of interest" submissions from not for profit organisations or public tender.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

CATTLE UNDERPASSES

Policy Number:	426
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Assets & Projects
Responsible Officer:	Manager Assets & Projects
Statutory Reference:	Nil

OVERVIEW

This policy is provided to ensure a uniform and acceptable standard of construction of cattle underpasses that allow for the daily movement of cattle beneath Wellington Shire Council (local) roads and it establishes responsibility for the on-going maintenance of the facility. This policy applies only to those roads listed in Wellington Shire Council's Register of Public Roads.

THE POLICY

Wellington Shire Council supports the construction of cattle underpasses as a means of improving road safety and minimising damage to local roads and verges resulting from the regular movement of cattle across roadways.

Guidelines are available to the public and staff to give effect to this policy. The responsibility to ensure that the implementation and maintenance of the guidelines accords with this policy is vested in the Manager Assets and Projects in consultation with the Manager Built Environment.

The property owner(s) seeking to construct the underpass will be responsible for all costs associated with the approval process and construction of the structure including reinstatement of the road pavement, surfacing (seal), guard rail, signage and line marking. The property owner(s) will be responsible for the on-going maintenance and repair of the underpass including pumps and other infrastructure excluding for the road pavement and seal, guard rail, signage and any line marking.

The property owner(s) prior to gaining approval for the underpass will be required to enter into an agreement pursuant to Section 173 of the Planning and Environment Act setting out these responsibilities.

The location and design must comply with relevant VicRoads standards and structure widths for the particular road being crossed and approval from Wellington Shire must be obtained prior to commencement of work.

All cattle underpasses must be designed by a Professional Engineer and have a concrete floor and provision for drainage. NO responsibility for inconvenience, damage and/or stock loss owing to flooding, except in the case where such damage or loss is a direct result of negligence on behalf of Council, its employees or contractors will be considered.

HUMAN RIGHTS

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

Council's policy commitment to uphold human rights principles.

Related Documents

Type:	Details:
Procedure	Initial Enquiry Letter Information Sheet Standard copy of Agreement pursuant to Section 173 Planning & Environment Act
Strategy	

4.3 BUILT ENVIRONMENT

FENCING

Policy Number:	4.3.1
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Built Environment Unit
Responsible Officer:	Manager Built Environment
Statutory Reference:	Fences Act 1968 (including amendments effected 22/9/2014); Local Laws; Local Government Act 1989

OVERVIEW

To establish policy for the management of fencing costs on boundaries adjoining Council controlled land.

THE POLICY

This Policy sets out Council's responsibilities in relation to contribution for construction and maintenance costs of fencing on boundaries adjoining Council owned and/or occupied land.

The Policy is subject to provisions in Council's planning scheme, local laws, current building regulations and the *Victorian Fences Act 1968*.

Responsibility

Council will contribute to the shared costs of fencing where requested by adjoining land owners, on boundaries land where Council is the owner or has vested control.

Council will not contribute to the cost of fencing on boundaries of land including:

- right of ways;
- roadways;
- fencing resulting from new subdivisions; or
- pedestrian access ways

Council will not contribute to the construction of any gates opening onto Council owned or controlled land from privately owned land.

Where agreed the shared cost will be 50% of the cheapest quotation for a standard 1.8 metre hardwood paling fence, in accordance with the *Victorian Fences Act 1968*.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
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Procedure	Nil
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Strategy	Nil
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RENTAL AND LEASING OF COUNCIL OWNED PROPERTIES

Policy Number:	4.3.2
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Built Environment Unit, Community Wellbeing Unit
Responsible Officer:	Manager Built Environment Manager Community Wellbeing
Statutory Reference:	Local Government Act 1989, Land Act 1958, Retail Leases Act 2003, Crown Land (Reserves) Act 1978

OVERVIEW

To establish policy for the

- rental and leasing of Council owned and /or controlled property.
- to establish policy for the management of property agreements, leases, licences and user agreements for Council owned and/or controlled property.

THE POLICY

It is desirable that Council has a consistent approach to how it manages its property asset responsibilities. Processes will be developed or reviewed so that this can be achieved.

This policy will:

- Apply principles of transparency, equity and impartiality;
- Ensure that all agreements comply with legislative provisions and other obligations;
- Facilitate appropriate utilisation and development consistent with Council policies, strategies and plans;
- Outline the elements for operational guidelines, procedures and any property agreement management framework.
- Provide further details regarding recent initiatives or significant changes as adopted in operational guidelines or procedures.

The duration and form of tenancy (lease/licence agreement) will be determined with due consideration to the following:

- intended and future use of the site as identified within any strategic documents;
- other interested parties;
- capital investment;
- economic and employment benefits; and
- a supporting business case.

The following definitions will be used to distinguish between properties leased to local organisations for community/non commercial purposes and those of a commercial nature.

Community Agreements

The Community Facilities Framework (2016) recognises that community facilities make a fundamental contribution to our communities, enabling a wide range of social connection opportunities. They provide suitable spaces to deliver services, programs and activities to meet the social needs of the community and build community capacity.

For this reason, Council will provide support to community facilities whereby:

- Council owns or controls the land;
- Council owns or controls other assets on the land;
- Council has specific legal agreements;
- Facilities are under control of Committee of Management appointed pursuant to the provisions of the *Crown Land Reserves Act 1978*.

Where Council leases vacant land or land and improvements to non-profit organisations for predominantly community, educational or sporting purposes, rental shall be based on cost recovery only and terms shall be generally of a length to justify investment in facilities required for the purpose. Nominal rental may also be set at rates other than to recover costs, in line with past practice for non-commercial activities.

It is acknowledged that some community agreements may permit commercial activities. Any commercial use will:

- be limited and not identified as the primary activity on the site;
- not conflict or diminish any community service undertaken on the site;
- enhance and contribute to the economically sustainable community use of the site through reinvestment of all income;
- manage the site in an ecologically sustainable manner.

Commercial Agreements

The objectives of this policy specific to commercial property agreements include:

- Delivering market referenced returns;
- Effectively administering of property agreements in line with industry standards;
- Reviewing procedures and the management frameworks to ensure they fulfil identified Council objectives.

Where Council leases land or land and improvements for commercial purposes, it shall be at a fair market price and may be determined by Council or based on the opinion of an independent valuer. Terms should include regular rental reviews and may vary for periods of length of up to 50 years in accordance with the *Local Government Act 1989*. Leases should be in the best interests of the community and provide the best result (both financial and non-financial) for Council and the community.

Other Considerations

This policy does not affect the necessity to obtain planning, development, environmental or any other consents as required by relevant legislation. Where such requirements need to be satisfied or other condition precedents met, an agreement conditional on these requirements being satisfied should be established between Council and the other party. This would be typically in the form of:

- an Agreement for Lease for leases requiring compliance with s223 of the *Local Government Act 1989*; or
- a Heads of Agreement for other leases, licences or agreements.

Council is not considered to be obliged to establish an agreement with any party. Any final agreement would be on such terms and conditions as Council considers appropriate.

Property agreements due to expire shall be identified by reference to the Property Agreement Register and be actioned by the relevant Council Officer. Incumbents who have a consistent history of compliance with their agreement, licence or lease obligations can request a renewal.

Assessment of this request will be made in accordance with this policy, any applicable Lease Management Framework and will also consider an arrangement where council receives the highest and best use.

New agreements or agreements not renewed will generally be subject to a public advertisement, expression of interest or tender process.

Other terms will be outlined in standardised documentation which has been approved by a solicitor engaged by Council.

Council direction in relation to leases at West Sale Airport (WSA) has been incorporated into this policy and detailed within the WSA Lease Management Framework (LMF) which allows:

- lease terms of five years for lots fronting the eastern apron.
- lease terms of up to 50 years can be established within the Eastern (Recreational Aviation) Precinct (ERAP); and
- new or renewed leases within the Western (Commercial/Industrial) Aviation Precinct will be assessed on an individual basis and be presented to council for their consideration as required

HUMAN RIGHTS

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

Related Documents

Type:

Procedure

Strategy

Details:

current West Sale Airport Lease Management Framework
Register of Property Agreements
New Agreement Development Procedure
Agreement Renewal Procedure
Licence Fees Procedure

Nil

ROADSIDE MEMORIALS POLICY

Policy Number:	4.3.4
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	
Applicable to Unit(s):	Built Environment / Natural Environment
Responsible Officer:	Manager Built Environment
Statutory Reference:	Nil

OVERVIEW

The purpose of this policy is to establish a framework for the installation, construction and placement of roadside fatality memorials on roads for which Wellington Shire Council is the Coordinating Authority. It follows from the VicRoads Roadside Memorial Policy 2015, which covers Roadside Memorials on roads for which Vicroads is the Coordinating Authority.

THE POLICY

Council will use the following framework in relation to the installation, construction and placement of roadside fatality memorials on roads for which Wellington Shire Council is the Coordinating Authority.

A roadside memorial is any object constructed, erected or placed on the road or within the road reserve to commemorate/indicate a road fatality. Memorials can include items such as wooden crosses, coloured posts, flowers or any type of construction with or without plaques or inscriptions.

Applications for both temporary memorials (less than 12 months) and longer term memorials should be submitted in writing to the Manager Built Environment for approval.

Permanent Roadside memorials are not encouraged and a transitional approach will be considered to meet the needs of individuals and the broader community. The transition may include relocating a memorial to an appropriate permanent location with significance to the family, outside of the road reserve.

When considering requests, the following criteria will be considered.

Location

The safety of road users in addition to those who place and visit roadside memorials are both considerations for an appropriate location of a roadside memorial. The following factors are relevant the location of memorials:

- A memorial should be located in a position where it will not distract drivers' attention or interfere with the role of any traffic control item.
- A memorial should be located such that visitors can safely access the memorial and continue to be safe in the time spent there.
- The locations of the memorial should be such that appropriate maintenance within the road reserve can be undertaken, without causing interference, risk or damage to the memorial.
- Applicants should be made aware of any possible risks in visiting roadside memorials and advised on safe practices in this regard for example, stopping well clear and maintaining a

safe distance from passing traffic.

Construction Standard

A memorial must be constructed of material or installed in a way that will not cause injury if struck by a vehicle. Where a memorial incorporates a plaque, it should ideally be placed horizontally as close to the surface level as possible. Flowers or other mementos must be secured at the memorial site, to prevent potential road safety hazards.

Other

- Objection received from nearby residents or the broader community regarding a roadside memorial, including the activity of visitors to the memorial, should be carefully considered. Any actions as a result will be made in consultation with the roadside memorial applicant.
- Applicants should be advised that the Wellington Shire is not able to accept responsibility for the maintenance of memorials, or any loss, damage, removal or relocation of roadside memorials that may occur due to road maintenance or construction activities.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Nil
Strategy	Nil

SALE, EXCHANGE AND ACQUISITION OF LAND

Policy Number:	4.3.6
Approved by	Council
Date Approved/Effective:	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Business Development
Statutory Reference:	Local Government Act 1989, Land Acquisition and Compensation Act 1986, Planning and Environment Act 1987, Subdivision Act 1988, Property Law Act 1958, Transfer of Land Act 1958, Sale of Land Act 1962, Land Act 1958, Road Management Act 2004, Valuation of Land Act 1960

OVERVIEW

To establish policy in relation to how Council deals with land transactions.

THE POLICY

This policy will outline principles to:

- Ensure compliance with legislative provisions and other obligations;
- Facilitate appropriate utilisation and development consistent with other Council policies, strategies and plans;
- Outline the elements to be included in operational guidelines and procedures;
- Reduce risk/liability for Council;

DEFINITIONS

Types of land transaction dealings concerned with this policy include:

- Sale;
- Exchange;
- Transfer;
- Purchase (by tender or private treaty);
- Compulsory acquisition;

RISK MANAGEMENT

This policy will facilitate the development of appropriate guidelines and procedures and therefore reduce Council's exposure to risk, including in the areas of:

- Public liability;
- Legal liability;
- Planning;
- Reputation;

Risk will also be reduced by identifying legislative requirements and adopting best practice methods related to land transactions.

LOCAL GOVERNMENT BEST PRACTICE GUIDELINES

The general principles provided for in the *Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land*, Department of Planning and Community Development, June 2009 should be adopted.

A summary of these guidelines is as follows:

- All transactions must comply with the provisions of the *Local Government Act 1989*. Sales must be conducted through a public process, unless circumstances exist that justify an alternate method of sale.
- Transactions should be in the best interests of the community and provide the best result (financial and non-financial) for Council and the community.
- All sales/transfers/exchanges should be at not less than market as, assessed by a valuer. In the circumstances that the transaction is at less than market value, an explanation of the circumstances, reasons or factors which led to the decision should be clearly documented.
- Land should be appropriately zoned (highest and best use / price).

EVALUATIONS OF LAND ASSET REQUIREMENTS

A regular land evaluation exercise should occur to identify unutilised Council land that is no longer required, or land that may be required in the future. The evaluation exercise should consider items such as:

- Current use, status and condition;
- Planning schemes, strategic plans, or other material that identifies land asset requirements;
- Whether land is required for community use (current or future);
- Environmental, cultural, social or other attributes;
- The level of public consultation to be undertaken (outside that required to comply with legislative provisions) appropriate when considering dealing with the land.

Remediation action plans should be progressively developed to deal with Council owned or controlled land that has been identified as contaminated. Various options are available to Council and these would need to be assessed having consideration of a variety of issues. Work to rehabilitate identified sites should be completed having regard to risk and the sites future potential for disposal. This would be done acknowledging other priorities which require Council to prioritise resources.

REPORTING TO COUNCIL

Land evaluation reports as referred to above should be completed with the recommended actions presented to Council on an annual basis or as required.

Land transactions will require a number of briefings or workshops and formal resolutions of Council. All guidelines and procedures related to land transactions will specify the frequency and timing of Council briefings/workshops and Council Reports. Transactions will only be progressed following an authorisation of Council in the form of a Council resolution.

LEGISLATIVE REQUIREMENTS

Section 189 *Local Government Act 1989* – restriction on the power to sell or exchange land. Council must comply with s189 and can only be exempted with approval from the Minister for Local Government pursuant to s193.

Section 189(2)(b) *Local Government Act 1989* – a valuation must be obtained in accordance with s13DA(1) of the *Valuation of Land Act 1960*.

Section 20 *Subdivisions Act 1988* – prescribes how Council must treat the proceeds from the sale of Public Open Space.

Other legislative provisions may apply and these should be identified by including specific instruction to Council's solicitor to this effect.

PROCEEDS FROM THE SALE OF LAND

Where land is sold, and it is not defined as Public Open Space, funds will be placed into an asset improvement reserve for use on any other initiative of Council. Funds from Public Open Space would be dealt with in accordance with the s20 of the *Subdivisions Act 1988* which in summary requires:

- Land to be purchased for a similar purpose;
- Existing Public Open Space to be improved.

PURCHASE AND ACQUISITION OF LAND

In order for Council to meet its various objectives and responsibilities, land may need to be acquired. Examples may include:

- Recreational activity;
- Community services;
- Operational purposes;
- Infrastructure requirements (drainage, roads, etc)

The legislative requirements for the purchase of land are prescribed in s187 of the *Local Government Act 1989* and the *Land Acquisition and Compensation Act 1986*.

Funds needed to facilitate the acquisition should be identified and allocated through the annual budget process. As part of the land evaluation process a current valuation should be obtained to ensure that budgets for the land acquisition are reliable and include provision for any cost escalation.

Acquisitions should generally occur at not more than market value, unless there is an explanation providing the reasons or factors to support offering such a purchase price.

The method of acquisition should also be considered in the early stages of a project requiring land to be acquired. As a general principle, Council should enter into discussions to explore the possibility of acquiring by negotiation. Any compulsory acquisition process should be initiated following a determination that circumstances justify acquisition by this method.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Land Transactions Current West Sale Airport Land Sales Framework
Strategy	Built Environment Strategy

5. COMMUNITY & CULTURE

5.1 COMMUNITY WELLBEING

ENCOURAGEMENT AWARDS - YR 11/12

Policy Number:	5.1.1
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2016
Related Policies:	Nil
Applicable to Unit(s):	Community Wellbeing Unit
Responsible Officer:	Manager Community Wellbeing
Statutory Reference:	Nil

OVERVIEW

To establish policy guiding the funding of local year 11 & 12 Encouragement Awards.

THE POLICY

A \$200 Award or such other amount as may be determined by Council budget process each year for a Year 11/12 student shall be awarded annually.

Eligibility

- Sale Catholic College
- Gippsland Grammar School
- Yarram Secondary College
- Maffra Secondary College
- Sale College

Criteria for Selection

The Award is based on excellence in academic and community areas.

Selection

Each school shall select the student and advise Council.

Presentation

This Award is to be presented at the schools' annual Speech Night or equivalent.

HUMAN RIGHTS

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Related Documents**Type:** **Details:**

Procedure Nil

Strategy Nil

ELECTRONIC GAMING MACHINE POLICY

Policy Number:	5.1.2
Approved by	Council
Date Approved/Effective:	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Community Wellbeing
Responsible Officer:	Coordinator Social Planning & Policy
Statutory Reference:	Gambling Regulation Act 2003 Planning and Environment Act 1987 Wellington Planning Scheme

OVERVIEW

This policy outlines Wellington Shire Council:

- Position on Electronic Gaming Machines (EGMs)
- Decision-making framework to assist with Council's response to EGM's application within the municipality.

This policy builds on the previous *Responsible Gaming Policy 2015*.

WELLINGTON SHIRE GAMING PROFILE

Under section 3.4A(3A) (b) of the Gambling Regulation Act 2003 the Victorian Commission for Gambling and Liquor Regulation (VCGLR) determines the maximum permissible number of gaming machine entitlements, under which gaming may be conducted in each municipal district in Victoria. This is commonly referred to as a 'municipal cap'.

Wellington Shire Council's municipal cap is 318 EGMs with 318 EGMs. Wellington Shire has reached the maximum permissible entitlements of EGM. The 318 machines are currently operating across 6 Clubs and 1 Hotel throughout the municipality. This represents a density of 976 EGMs per 1000 adults in Wellington Shire, the highest concentration of EGMs in the Gippsland Region. Losses to EGMs in Wellington Shire exceeded \$21 million in 2016/17, the equivalent of \$670 per adult in the municipality¹.

THE POLICY

Wellington Shire Council *Electronic Gaming Machine Policy* is based on the following:

- EGM gambling is a legal recreational activity in Victoria.
- EGMs can have significant social, economic and health impacts on individuals, families and communities. These impacts are felt disproportionately by different segments of the community and more vulnerable groups tend to sustain the biggest losses.

Because of this it is imperative that a robust social and economic impact assessment of EGMs are considered in assessing applications for new venues or variations to the number of machines at existing venues.

¹ Victorian Responsible Gambling Foundation (2017). *Pokies in your local government area*. [online] Available at: <http://www.responsiblegambling.vic.gov.au/information-and-resources/your-local-government-area> [Accessed 18.12.2017].

ASSESSING APPLICATIONS

EGM Applications

The term 'EGM applications' refers to applications by venue operators for approval to operate new and additional EGMs at a venue. These include applications to add additional EGMs to a current gaming venue (sometimes referred to as 'top up applications') and applications to add EGMs to a non-gaming venue. EGM applications may take the form of a planning permit application to install or use EGMs at a venue ('planning approval') or an application to the VCGLR for approval to operate EGMs at a venue ('gaming approval').

Any application to Wellington Shire Council for a Planning Permit to install or use EGM's at a new venue or to increase EGM numbers in an existing venue will require the applicant to complete a robust impact assessment of the social and economic benefits and risks of the proposal.

Overall the outcome for the Economic and Social Assessments will need to:

- Ensure that the operation of gambling in Wellington Shire delivers a net community benefit;
- Ensure that the location and design of EGMs minimises the incidence of problem gambling. *This includes prohibiting venues in shopping centres or at strip shopping centres to minimise opportunities for convenience gambling (as stipulated in Clause 52.28 of the Wellington Planning Scheme);*
- Ensure gambling premises offer a range of non-gambling entertainment and recreation activities rather than being standalone gambling premises;
- Ensure that the operation, location and design of gambling premises does not have a negative impact on the amenity, character, community values and safety of the area.

Further points to be included in this assessment are outlined below:

Locational features:	Description of the gambling venue and its proposed location. Details about the existing and proposed distribution of EGMs in the municipality.
Patron profile:	<p>Social and demographic profile of the current and/or anticipated patrons of the gambling venue including how the profile and conclusions about patrons were reached. Rationale for the patron catchment based on established patterns of movement by residents and visitors.</p> <p>Supporting evidence (such as attendance records) provided of patronage and anticipated patronage.</p>
Social profile:	Detailed profile of the residential population in the catchment area (5km radius of venue). Include the Social and Economic Index for Areas (SEIFA) scope for the area, population profile and projected growth, level of housing affordability and housing stress, income levels, employment and unemployment rates, educational retention and attainment levels, social security recipients (if available), levels of demand for financial aid/social support services (if available). Appropriate comparative measures to be provided to assess the relative vulnerabilities and strengths of the local community.
Vulnerability and Supports:	Description of currently available support services including: specific problem gambling support services, financial counselling, social and financial support services, general psychological support services and their location in relation to the anticipated patron catchment area. Level of current demand for gambling help services, financial counselling, material and financial aid (if available).

Community and Stakeholders:

Evidence of the community's attitude toward the application for increased EGMs in the municipality broadly and the local area more specifically. The Applicant needs to provide evidence of this attitude by conducting a technically sound and robust attitudinal survey of patrons of the premises and more broadly. Where the application concerns a club licence (as opposed to a hotel licence) evidence that the application has the support of most the club's members. This would ordinarily require a copy of a club resolution following full details of the application being conveyed to the club members and debated.

Community Benefit:

The Gambling Regulation Act 2003 determined that all venue operators who receive gaming revenue in a financial year must lodge a Community Benefit Statement (CBS) with the VCGR showing the application of gaming revenue to 'community purposes'. As part of the application process the Applicant must enclose a copy of the last 3 years CBS. In addition, details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community must be provided.

Alternate Entertainment:

Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities within the local area and, if it is being contended that those facilities are not satisfying the current or future needs of the community, provide evidence of the contended needs.

Expenditure:

Details of existing gambling expenditure at the venue (over a 3-year period prior to the application) and a forecast of anticipated expenditure at the venue if the proposal was to be approved.

If the Applicant contends that gambling expenditure is likely to be transferred from other venues (including venues in other municipalities), the Applicant is to provide:

- How the level of transfer has been calculated (including, but not limited to a comparison per machine expenditure at the venue prior to and after the additional machines, current usage levels of machines at the venue and projected usage level of machines at the venue after the additional machines).
- The amount of transfer expenditure anticipated.
- The resulting impact on revenue of the venue from where the expenditure is being transferred.
- The resulting social and economic impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, and impact on ability to provide services).
- The resulting social and economic impact on the local area within which those venues are located.
- Details of the relative social and economic differences between the two venue catchments (be measure by SEIFA indices, ABS data and other relevant data). An explanation as to why the EGMs are being transferred is to be provided.

This would ordinarily require a statement from the operators of other venues.

Harm prevention: Details of the design and layout of the premises (including gambling area) including all proposed and existing signage and evidence of compliance with any relevant gambling regulations concerning the premises' layout, design and operation. Details of any current or proposed measures by the applicant to minimise harms due to problem gambling that are additional to regulatory requirements.

Council will critically evaluate any 'planning approval' or 'gaming approval' applications for EGM venues in Wellington Shire in accordance with this Policy.

ADVOCACY AND COLLABORATION

Wellington Shire Council will support activities of Gamblers Help and other agencies to prevent and reduce gaming related problems.

Wellington Shire Council will work in partnership with the community, businesses and local organisations to research options available to reduce the ratio of EGMs per 1000 adults in Wellington Shire to be similar or lower than the state average.

Wellington Shire Council will advocate for changes to the Community Benefit Statement requirements that all club venues contribute to Wellington Shire Council Community Assistance Grant Scheme.

Wellington Shire Council will advocate to the State government for *a reduction in Municipal Cap (currently 318 EGMs)*.

Council will participate with other Councils in state wide and regional forums to exchange information and resources, advocate for gambling reform and collaborate to achieve regional reductions in gaming machines.

HUMAN RIGHTS

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

RELATED DOCUMENTS

Wellington Planning Scheme Clause 52.28
Wellington Municipal Public Health and Wellbeing Plan

COUNCIL PROVISION OF RECREATION/COMMUNITY FACILITIES

Policy Number:	5.1.3
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Committees
Applicable to Unit(s):	Built Environment / Leisure Services
Responsible Officer:	Manager Leisure Services
Statutory Reference:	Disability Discrimination Act 1992

OVERVIEW

Wellington Shire Council recognises that facilities enable leisure and recreation opportunities and the delivery of services that impact on the quality of life enjoyed by residents and visitors to the region.

For this reason, Council will provide support to recreation/cultural/community facilities where:

- Council owns or controls the land;
- Council owns or controls other assets on the land;
- In cases where it has specific legal agreements;
- Facilities are under control of Committee of Management appointed pursuant to the provisions of the *Crown Land Reserves Act 1958*;

THE POLICY

For the purposes of this policy, recreation and community facilities will include, but not be limited to, the following:

- public halls;
- galleries;
- recreation reserves;
- childcare centres
- kindergartens
- senior citizens centres
- libraries;
- museums
- neighbourhood/community houses
- playgrounds;
- stadiums;
- boating facilities;
- aquatic centres;
- other sporting and cultural facilities.

Council provision for the support to recreation and cultural facilities is based on a four tiered (or similar) hierarchy:

- Level 1 - regional, state significance facilities;
- Level 2 - district significance facilities;
- Level 3 - local significance facilities;
- Level 4 - local facilities.

Council will provide training and support to committees of management, clubs, and organisations managing such facilities to assist with the maintenance, management and programming of these facilities to ensure use is maximised for the community.

Council may also provide an annual financial operating subsidy to the management committee, club or organisation which must be used to go towards the costs of operating or maintaining the facility. Subsidies are provided to recreation reserves, public halls, and indoor sports centres located on Council owned or managed land or crown land.

In some instances, Council directly manages a recreational or cultural facility. In these cases:

- Council is either the land owner or the appointed land manager.
- Council is directly responsible for the maintenance and upkeep of community facilities to support the delivery of core services.
- Council promotes equitable use amongst groups/community through effective ongoing engagement of the key users.
- Council managed facilities can include leisure facilities, public space, galleries and libraries.

Discounted hire fees apply for community groups

Accessibility

Council aims to ensure that everybody in the community has the same opportunities to access and use facilities. Where Council directly manages facilities it will include improving accessibility of these facilities as a priority in planning and long term budgeting, and will monitor progress through its audit program. Council will also support committee managed facilities to plan for improvements to accessibility of their facilities and will promote best practice for accessible buildings and facilities.

HUMAN RIGHTS

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

Related Documents

Type	Details
Procedure	Processing Operating Subsidies Procedure Hire Agreements Procedure
Strategy	Nil

COMMITTEES

Policy Number:	5.1.4
Approved by	Council
Date Approved/Effective	20 February 2018
Date of Next Review:	2018
Related Policies:	Council Provision of Recreation/Community Facilities
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	Manager Community Wellbeing
Statutory Reference:	Local Government Act 1989, Associations Incorporation Reform Act 2012, Crown Land (Reserves) Act 1978, Local Laws

OVERVIEW

This policy establishes a framework for the guidance of Council in relation to:

- The appointment, roles and responsibilities of committees,
- The circumstances and purposes associated with the establishment and operation of committees.
- The enabling mechanism/s (legal basis), which are necessary and appropriate for the establishment and operation of committees in various circumstances.

THE POLICY

This policy recognises the important role that committees play in providing advice and/or services to Council; and establishes:

- The various forms of committee/s supported by Council.
- The guiding principles for the appointment of Committees.
- The relationship between Council and the different forms of Committees.

Definitions

Committee – can be:

- (a) An internal, informally established task force or general working group, made up of Council officers;
- (b) An external, unincorporated task force or general working group, containing representation from Council;
- (c) A "Friends of" volunteer group or tenant group; providing advice or a service to council;
- (d) A formal advisory or special committee established by Council under the provisions of Section 86 of the *Local Government Act 1989*;
- (e) A body incorporated under the *Associations Incorporation Reform Act 2012*; or
- (f) A committee appointed by the Crown under the *Crown Land (Reserves) Act 1978*.

Committee of Management – a volunteer committee that has been established with the primary role of managing a community facility for use by the public, representing equally the interests of the public and all regular user groups of the facility.

Council Owned Property – real property to which the Council has title whether;

- (a) In fee simple estate;
- (b) By possession;
- (c) A restrictive Crown grant;
- (d) A restrictive, in fee simple Crown grant; or
- (e) An in fee simple Crown grant.

Council controlled property – real property in which the Council has a major and controlling interest whether through:

- (a) A lease or licence;
- (b) As committee of management under the *Crown Land (Reserves) Act 1978*;
- (c) Some other grant, demise, gift, benefit or bequest; or
- (d) Specific legislation or law enacted by the Parliament.

Community Facility – real property accommodating community infrastructure, such as public halls; Neighbourhood Houses, Childcares or Senior Citizen Centers recreation facilities, which have broad community use and are used for multi-purpose cultural, community or recreational purposes.

Management – the maintenance, hire, control, operation, occupancy, use, conservation, promotion and/or development of property.

Level 1, 2, 3 or 4 Recreation and Cultural Facilities – A four tiered hierarchy defined and established by Council to categorise the significance of individual community facilities.

Guiding Principles

Council recognises the value volunteer committee's offer to both the Shire and the community. The appointment of community based committees allows and encourages:

- Networking and resource sharing between people working towards a common goal;
- A Strengthened sense of community within the Shire;
- Channel of communication;
- Delegation of function, duties and powers to the community, providing direct community involvement, accountability and ownership for projects and properties.

In determining uses for the facility, the Committee of Management and users/hirers of the facility are encouraged to refer to the four (4) priority areas and 11 focus areas of the Healthy Wellington Plan 2017-2021

- **Priority area 1: Improve mental wellbeing with a focus on:**
 - 1a. Increase resilience
 - 1b. Improve social connection and inclusion
 - 1c. Decrease harm from alcohol and other drugs
 - 1d. Decrease harm from gambling
- **Priority area 2: Improve gender equality with a focus on:**
 - 2a. Improve gender equity
 - 2b. Decrease violence against women and their children
 - 2c. Increase sexual and reproductive health
- **Priority area 3: Improve healthy living with a focus on:**
 - 3a. Increase physical activity & healthy eating
 - 3b. Decrease smoking
- **Priority area 4: Address climate change with a focus on:**
 - 4a. Increase capacity for climate change adaptation
 - 4b. Improve community resilience and municipal relief and recovery planning in the event of extreme weather and or a natural disaster

Committees are established by Council on the following basis:

- Section 86 Special Committee of Council, to effectively operate as a branch of the Council as defined within the Instrument of Delegation.
- "Friends of" Group, to operate as an informal/unincorporated volunteer community group, providing a valuable link between Council and the Community for direct Council controlled properties.
- Tenants/Advisory Group, to operate as an unincorporated representative

- tenants/Advisory group, providing valuable link between Council and tenants who occupy direct Council controlled properties.
- External Working/Advisory Group, to provide a combination of Council and community input into matters which affect the community of the Wellington Shire.
- Internal Working/Advisory Group, to provide a network between Council officers and ensure input from differing departments is received into matters effecting Council and/or council officers.
- An Incorporated Committee of Management operates as its own independent body, within the provisions of a documented form of facility management agreement with Council.

Establishment of a Committee

Incorporated Committee – A Committee must be incorporated prior to any tenancy or management arrangement being implemented (ie. lease, licence, service or funding agreement). Where there is an existing community committee, which is not incorporated, managing a Council owned or controlled community facility, Council will provide administrative assistance where required, in the preparation and lodgment of necessary documentation (eg. Constitution, Statement of Purpose etc) to ensure incorporation is attained under the *Associations Incorporation Reform Act 2012*.

Membership to an incorporated Committee is detailed within Committee's individual Rules, as approved by Consumer Affairs (Victoria).

Section 86 Special Committee of Council – To appoint a Special Committee, the Council is bound by the provisions of Section 86 of the *Local Government Act 1989*. A Section 86 Special Committee of Council, in effect operates as the Council so far as its delegated authority is concerned. The appointment of Special Committees of the Council under Section 86 of the *Local Government Act 1989* will be limited to the following circumstances.

- a) **Action Role** – for specific projects (eg development of a facility, establishment of a regional festival/event).
- b) **Management Role** – for the management of:
 - i) Council controlled Crown owned Level 2, 3 and 4 recreation, cultural and community facilities, which are used for multipurpose cultural, community or recreational purposes catering to active pursuits and organised cultural and sporting activities.
 - ii) Level 1 Council owned community facilities where Council resolves exceptional circumstances so require.

Committees of Management – Managing Community Facilities and Property

The Wellington Community Facilities Framework (2016) aims to ensure that community facilities within the municipality continue to meet the expectations and needs of all current and future residents, both in terms of infrastructure requirements and service provision.

Council acknowledges the significant role that volunteer committees of management play in the provision of a range of services and facilities to the community and supports their continuation as largely autonomous, self-reliant bodies.

Council recognises three primary forms of community Committees of Management, based on property ownership, whose primary role is to manage, maintain and operate public facilities for use by the community.

- Committees of Management responsible for Council owned or controlled community facilities;
- Committees of Management responsible for Crown owned community facilities (Crown committees);

- o Committees of Management or Trusts responsible for community facilities located on other property not owned by the Crown or Council.

a) Committees of Management (Council Owned or Controlled Community Facilities)

- i) The Council acknowledges and accepts it has, in equity, responsibility for Council owned and controlled property.
- ii) The Council's goal for its property is to deliver responsible resource management, supported by effective financial business strategies.
- iii) For management of any Council owned or controlled property, the Council may:
 - retain and have direct control and administration; or
 - under S86 of the *Local Government Act 1989* appoint special committees and delegate management responsibility; or
 - enter into a lease or licence agreement under the *Local Government Act 1989* or the provisions of the *Crown Land (Reserves) Act 1978* with any incorporated body.
- iv) The Council will determine at its absolute discretion whether it appoints a committee, enters into a lease, licence or a licence & service agreement or retains its own control for the management of property.

All committees, clubs or organisations which occupy or manage a Council owned facility, must have a current documented agreement in place with Council which formalises the arrangement and specifies the tenure and obligations of all parties. All agreements are to be based on Council's generic agreements, to ensure where possible, uniformity and equitability for all concerned, but which may vary slightly to contain conditions, specific to an individual property.

b) Committees of Management (NON Council Owned or Controlled Community Facilities)

Council does not have the authorisation to implement a lease or licence over properties not controlled by Council. Council is not responsible for the management, operation or maintenance of any community facilities that are not Council owned or controlled (eg Crown, Trust or Committee owned hall). Council does however recognise the role these community facilities play within our society and is able to offer support to these Committees through the implementation of a generic Service or Funding Agreement.

Representative or Advisory Committees

Council recognises the vital community link, representative or advisory type Committees offer to Council. As these forms of Committees are advisory Committees and do not have any associated facility management or operational responsibilities, these Committees do not receive recurrent financial support from Council. Representative or Advisory Committees are established as required, and can take the form of:

a) "Friends of" Groups.

The establishment of "Friends of" Groups are encouraged by Council. They have no management or tenancy rights over the property of interest, however the Group is encouraged to have an input into Council plans, works or projects relating to the property. It is essential that all work or projects undertaken by "Friends of" Groups are fully coordinated by the Council.

Council will provide Volunteer Insurance cover for all registered members of "Friends of" Groups, whilst engaged in approved projects or activities. Council does not, however, provide any direct financial or administrative support to "Friends of" Groups.,

b) Tenant Groups

The establishment of Tenant Groups promotes a consolidated voice and representation for official lease, licence holders or hirers of multi-use community or commercial facilities that are direct managed by Council.

Tenants Groups are generally established as an unincorporated advisory body, who will operate within the provisions of a documented Terms of Reference, as approved by Council. As a committee, Tenant Groups do not have a management right for their property, however they are able and encouraged to provide a representative view on matters of interest or concern, to Council.

Council does not provide any direct financial or administrative support to Tenant Groups.

c) External Working Advisory Groups

External Working Advisory Groups provide a combination of Council, organisation and community input into matters, which affect the community of the Wellington Shire.

Council is able to delegate Councillors or Officers to represent Council at any external Working Advisory Group that is considered appropriate.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	New Agreement Development Procedure Agreement Renewal Procedure Special Committees of Council Procedure
Strategy	Nil

COMMUNITY ASSISTANCE GRANTS PROGRAM

Policy Number:	5.1.5
Approved by	Council
Date Approved/Effective	20 February 2016
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Community Wellbeing
Responsible Officer:	Manager Community Wellbeing
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of the Community Assistance Grants Scheme inclusive of the Quick Response Grant Scheme.

THE POLICY

The aim of Council's Assistance Grants Scheme and Quick Response Grant Scheme is to encourage the development of community initiatives in line with our Community Vision, Wellington 2030 and the Council Plan. It aims to build on community capacity, encourage participation in cultural development and support community initiatives that promote partnerships and working together to maintain our community assets.

Key concepts within the Wellington 2030 Vision that underpin the Community Assistance Grants Scheme are available in the Council Plan 2017-2021 under theme 1, Communities

The following strategic objectives and related strategies are noted in theme 1:

Strategic Objective 1.1

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

Strategy 1.1.1

Continue to deliver services and programs that encourage and foster community wellness and the prevention of disease.

Strategy 1.2.1

Ensure that Council services, facilities and events promote inclusivity, social connectedness and accessibility.

Strategic Objective 1.2

Celebrate, recognise and acknowledge our diverse community and improve social connections among youth, aboriginal and aged communities.

Strategy 1.2.1

Ensure that Council services, facilities and events promote inclusivity, social connectedness and accessibility.

Strategic Objective 1.4

Enhance resilience in our towns and our communities.

Strategy 1.4.3

Encourage local volunteering, and empower local community plans and events.

HUMAN RIGHTS

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

Any program guidelines and assessment criteria developed for the purpose of implementing this policy shall incorporate reference to and consideration of Council's Human Rights Policy and Human Rights Charter Checklist.

Related Documents

Type:

Procedure

Strategy

Details:

Community Assistance Grants Scheme Funding Guidelines and Assessment Criteria

Quick Response Grants Scheme Funding Guidelines and Assessment Criteria

COMMUNITY ENGAGEMENT POLICY

Policy Number:	5.1.6
Approved by:	Council
Date Approved:	20 February 2018
Date Effective:	2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Whole Organisation
Responsible Officer:	General Manager Community & Culture
Statutory Reference:	Local Government Act 1989

OVERVIEW

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

THE POLICY

Staff at Wellington Shire Council will conduct genuine and effective engagement that involves those who will be impacted by decisions and projects.

Individual Responsibilities

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

Responsibilities for Managers and Supervisors

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

The Community Engagement Process

The Wellington Shire approach to engagement is set out in the Community Engagement Strategy 2017-2020 and associated Promapp process available at the following link:

<https://au.promapp.com/wellington/Process/Minimode/Permalink/Dp95u1wyTgMr98igKrfMwrg>

The Community Engagement Strategy 2017-20 provides:

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

The Promapp process includes a range of templates and additional information that will support an effective and consistent approach to community engagement across the organisation. Members of WENDI (Wellington Engagement Network – Direction and Innovation) and the Wellington Shire Community Engagement Officer are available to support staff to write and implement engagement plans.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Strategy	Wellington Shire Council Community Engagement Strategy 2017-2020
Process	Promapp Process - https://au.promapp.com/verification/Process/Minimode/Permalink/Doc5u1wTqMf68nKfMwrg

5.2 ARTS & CULTURE ART GALLERY COLLECTION

Policy Number:	5.2.1
Approved by	Council
Date Approved/Effective:	20 February 2018
Date of Next Review:	2018
Related Policies:	Nil
Applicable to Unit(s):	Arts & Culture
Responsible Officer:	Art Gallery Director
Statutory Reference:	Nil

OVERVIEW

To establish policy for the management of the art gallery collection.

THE POLICY:

The Art Gallery Collection Policy has been developed to clarify Council's intent in relation to the purchase and management of the works of art acquired for the art gallery collection.

The following criteria should guide the selection of artworks for the Gallery collection.

- The Gallery should seek to acquire works of art considered to be of high significance, in terms of content, subject matter and execution.
- Wherever possible proposed acquisitions should consider the broad collection theme of the landscape and the natural environment.
- Proposed acquisitions should focus on historical and contemporary works that depict or document aspects of the natural environment of Gippsland.
- Irrespective of subject matter the collection should be representative of artists resident or active in Gippsland, particularly in the area encompassing the present Wellington Shire.
- Proposed acquisitions should take into the account strengths and weaknesses in the existing collection, in order to create a coherent collection of artworks that will enrich the culture of the community.
- De-accessioning of artworks may be undertaken provided measures are taken to avoid conflicts of interest and profiteering.

The Art Gallery Collection Policy should follow the Australian Best Practice Guide to Collecting Cultural Material from the Ministry for the Arts. In acquiring or borrowing cultural material, Australian public collecting institutions should:

- i. Be committed to the principle that acquisitions whether by purchase, gift, bequest or exchange, and loans be made according to the highest standards of due diligence, including ethical and professional practice, and in accordance with applicable law
- ii. Not seek to acquire or knowingly borrow Aboriginal or Torres Strait Islander secret/sacred or culturally restricted material but acknowledge legal and ethical responsibility to accept or hold such material on occasion

III. Not acquire or knowingly borrow cultural material unless satisfied that it has not been acquired in, or exported from, the country of origin (and intermediate countries) in violation of that country's laws

IV. Not acquire or knowingly borrow cultural material where there are suspicions it was obtained through unauthorised or unscientific excavation of archaeological sites, the destruction or defacing of ancient monuments, historic places or buildings, or the theft from individuals, museums or other repositories

V. Not acquire or knowingly borrow biological or geological material that has been collected, sold or otherwise transferred in contravention of applicable national or international laws, regulations or treaties

VI. Be committed to review new information about an object in the institution's collection and undertake further investigations, including reviewing previous decisions about the object

VII. Be committed to transparency and accountability in relevant policies and procedures and in making information on acquisitions available to the public

The above guidelines refer to all works of art in any medium that exists now or may appear in the future until such time as this policy is revised or rewritten.

The term 'works of art', for the purpose of this policy, also includes any item of decorative art, craft or design made using traditional processes or any art which is produced using the processes of contemporary technology. Photography and cinematography, digital video recording or the results of computer usage are valid acquisition categories.

Council has adopted detailed guidelines to give effect to its policy directions and these are contained within the Administrative Procedures Manual. The responsibility to ensure that the guidelines remain current and relevant is vested in the General Manager Community & Culture acting on advice from the Manager Arts & Culture. Any amendment to the guidelines will require approval from the Chief Executive Officer.

NATIONAL AND INTERNATIONAL AGREEMENTS AND LEGAL CONSIDERATIONS

- Protection of Movable Cultural Heritage Act 1986
- UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property 1970
- Environment Protection and Biodiversity Conservation Act 1999
- Convention on International Trade in Endangered Species of Wild Fauna and Flora 1975 (CITES Convention)
- Historic Shipwrecks Act 1976
- Aboriginal and Torres Strait Islander Heritage Protection Act 1984
- Protection of Cultural Objects on Loan Act 2013
- UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects 1995
- UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage
- UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954 – (The Hague Convention, First Protocol, 1954 and Second Protocol 1999)
- UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage 1972
- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression 2005
- UN Declaration on the Rights of Indigenous Peoples 2007

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	Art Gallery Collection Procedures
Strategy	Arts & Culture Strategy 2017-21

ART IN PUBLIC PLACES POLICY

Policy Number:	5.2.2
Approved by:	Council
Date Approved:	20 February 2018
Date Effective:	Immediately
Date of Next Review:	2018
Related Policies:	
Applicable to Unit(s):	Arts and Culture, Natural Environment and Parks
Responsible Officer:	Manager Arts and Culture
Statutory Reference:	N/A

1. Overview:

The Wellington Shire Council Art in Public Places Policy has been developed to assist in the achievement of the objectives of Wellington 2030 and the Arts and Culture Strategy.

2. Goal:

To develop Wellington Shire as a place of vibrant creative endeavour.

3. Aims:

- 3.1 To enrich the lives of residents and visitors to Wellington Shire through the presence of high quality works of art and craft in the Shire's public spaces.
- 3.2 To integrate arts into the structure, fabric and daily life of the community.
- 3.3 To foster a sense of place, of community belonging and a sense of identity in residents of Wellington Shire.
- 3.4 To celebrate the cultural diversity of the Shire and wider community by the public display of arts including those that showcase our indigenous Koorie heritage.
- 3.5 To enliven and enrich the public spaces of the Shire to achieve a rich and lively environment which goes beyond that which good urban planning and design can achieve on its own.
- 3.6 To realise the economic, health and wellbeing potential of the arts and crafts industry in Wellington Shire and to promote cultural tourism.
- 3.7 To encourage innovative linkages between the arts, education, business and tourist sectors.
- 3.8 To enhance the lifespan of the community's cultural heritage through a planned maintenance program and protection from vandalism.

4. Underlying Principles

- 4.1 Community engagement
- 4.2 Partnerships
- 4.3 Identity and sense of place
- 4.4 Cultural diversity
- 4.5 A creative and vibrant environment

5. Definitions

5.1 Public Place

In Wellington Shire this includes but is not necessarily limited to streets and laneways, footpaths and walkways, gardens, building exteriors, and open space.

5.2 Artists

All professional practitioners in the visual, literary and performing arts, including visual artists, designers, craftspeople, writers, poets, performers, composers, musicians, etc.

5.2 Arts

In the context of this policy, this refers to all visual and performing arts (permanent or ephemeral). This includes but is not necessarily limited to visual art, craft, sculpture, design, new media, sound, ephemeral art, performance, projections and collaborative art/urban design projects. The public art can be functional, decorative, iconic, integrated, site specific, interpretive, commemorative or temporary.

6. Council's Role in Art in Public Spaces

6.1 Council's role in public art is that of:

- A planner for and provider of public art.
- A facilitator of arts development.
- A custodian and a partner in the management of the Shire's arts resources and assets.
- A designer of an environment that sustains a diverse artistic community.
- An advocate for public art.

7. Public Art Program

7.1 Public art projects can be initiated by Council, by artists, by organisations, or by the wider community and can be realised through the following processes.

- Acquisitions and long-term loans of public art.
- Commissions of contemporary art, both permanent and temporary.
- Acceptance of selected donations of art.
- Temporary placement of art in public places; exhibitions, art performances and site based installations.
- Engagement of professional artists in specific projects - as consultants for specialist advice, concept development, planning, or as part of collaborative community based projects.
- Engagement of arts practitioners from the region where appropriate.
- Artist-in-residence projects.

Modification History

Date:	Details:
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Linked Documents

Type:	Details (hyperlink)
Procedure	Art in Public Places Guidelines
Strategy	



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1**PLANNING DECISIONS**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

20 FEBRUARY 2018

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 November and December 2017.

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

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 November and 31 December 2017.

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 November and 31 December 2017 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 November and 31 December 2017.

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 State and Local 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 1/11/2017 AND 30/11/2017**

Application No/Year	Date Received	Property Title & Address	Proposal	Status
122-2/2010	26/09/2017	Assessment No. 86322 PCA: 12 SHC 3 303 STEPHENSON ST SALE	Buildings and works in association with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 1/11/2017
95-6/2014	28/09/2017	Assessment No. 436931 LOT: 34 PS: 727579L 8 KENNELLY CRES- STRATFORD	Subdivision of the land into 88 lots.	Permit Issued by Delegate of Resp/Auth 15/11/2017
307-4/2014	29/08/2017	Assessment No. 389734 LOT: 1 TP: R30055G 29 WILARF ST PORT ALBERT	Buildings and works in a commercial zone.	Permit Issued by Delegate of Resp/Auth 29/11/2017
26-2/2015	16/11/2017	Assessment No. 112508 LOT: 1 TP: 128323H SALE-TOONGABBIE RD TOONGABBIE	Use and development for the purpose of intensive animal husbandry	Permit Issued by Delegate of Resp/Auth 23/11/2017
134-2/2016	29/08/2017	Assessment No. 369108 LOT: 3 PS: 322701X 178 MERJICKS RD LONGFORD	Use and development of a dwelling in the farming zone.	Permit Issued by Delegate of Resp/Auth 15/11/2017
279-2/2016	28/09/2017	Assessment No. 349928 PC: 376156 245 WOMBAT RD VALENCIA CREEK	Use and development of the land for a dwelling, stables and arena.	Permit Issued by Delegate of Resp/Auth 1/11/2017
294-2/2016	26/10/2017	Assessment No. 361519 LOT: 1 PS: 95648 262 MAFFRA-NEWRY RD MAFFRA	Staged subdivision of the land into eight lots.	Permit Issued by Delegate of Resp/Auth 6/11/2017
233-1/2017	14/07/2017	Assessment No. 258863 LOT: 1 TP: 187051X 194 THE BOULEVARD PARADISE BEACH	Buildings and works associated with development of a single dwelling.	Permit Issued by Delegate of Resp/Auth 10/11/2017
243-1/2017	26/07/2017	Assessment No. 316612 LOT: 1 TP: 122282T DAVE ST BEYFIELD	Removal of native vegetation.	Permit Issued by Delegate of Resp/Auth 10/11/2017
267-1/2017	14/08/2017	Assessment No. 199323 CA: 182 86 COLLIER LANE FLYNN	Resubdivision of two lots to create two new lots.	Permit Issued by Delegate of Resp/Auth 1/11/2017
269-1/2017	16/08/2017	Assessment No. 348300 LOT: 2 TP: 871567 287 NORDENS LANE MAFFRA	Two lot subdivision to excise an existing dwelling.	Permit Issued by Delegate of Resp/Auth 1/11/2017

Application No/Year	Date Received	Property Title & Address	Proposal	Status
270-1/2017	16/08/2017	Assessment No. 358879 CA: 59C 145 CORNWELLS RD RIVERSIDE	Two lot subdivision to excise a dwelling.	Permit Issued by Delegate of Resp/Auth 1/11/2017
271-1/2017	16/08/2017	Assessment No. 91645 PC: 353911A 6,769 DARGO RD DARGO	Use and development of a single dwelling.	Permit Issued by Delegate of Resp/Auth 9/11/2017
277-1/2017	21/08/2017	Assessment No. 429621 CA: 2 SEC. 3 66 HOH ST WOODSIDE	Display of advertising signage.	Permit Issued by Delegate of Resp/Auth 30/11/2017
286-1/2017	29/08/2017	Assessment No. 209262 LOT: 1 PS: 531366T 2,441 HYLAND HWY WILLUNG SOUTH	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 17/11/2017
297-1/2017	7/09/2017	Assessment No. 288829 CA: 14B1 665 POUND RDW YARRAM	2 lot re-subdivision.	Permit Issued by Delegate of Resp/Auth 23/11/2017
304-1/2017	13/09/2017	Assessment No. 359372 LOT: 1 PS: 406483V 385 FALLS LANE BUNDALAGUAH	Subdivision of the land into lots to excise existing dwelling.	Permit Issued by Delegate of Resp/Auth 15/11/2017
309-1/2017	19/09/2017	Assessment No. 298620 LOT: 25 BLK: 1 PS: 12308 88 UNION ST YARRAM	Buildings and works associated with construction of three dwellings.	Permit Issued by Delegate of Resp/Auth 20/11/2017
315-1/2017	20/09/2017	Assessment No. 323576 PTL: 1 LP: 28081 1 TYSON RD HEYFIELD	Buildings and works for alterations to existing service station.	Permit Issued by Delegate of Resp/Auth 14/11/2017
323-1/2017	27/09/2017	Assessment No. 361766 LOT: 6 PS: 316769V 271 MAFFRA-SEWRY RD MAFFRA	Use and development of the land for a store.	Permit Issued by Delegate of Resp/Auth 24/11/2017
324-1/2017	28/09/2017	Assessment No. 110155 LOT: 1 PS: 619483W 1,374 CAIRNBRECK RD GLINGARRY	Buildings and works associated with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 23/11/2017
330-1/2017	4/10/2017	Assessment No. 439307 LOT: 7 PS: 300871U 124A MUSTONS LANE HEYFIELD	Buildings and works associated with development of a dwelling.	Permit Issued by Delegate of Resp/Auth 6/11/2017
344-1/2017	12/10/2017	Assessment No. 432293 LOT: 2 PS: 729741R 16 BAY RD THE HEART	Resubdivision of two existing lots to excise an existing dwelling.	Permit Issued by Delegate of Resp/Auth 29/11/2017

Application No/Year	Date Received	Property Title & Address	Proposal	Status
353-1/2017	19/10/2017	Assessment No. 280586 LOT: 11 PS: 41685 37 MCLOUGHLINS RD MCLOUGHLINS BEACH	Buildings and works associated with extensions to existing dwelling.	Permit Issued by Delegate of Resp/Auth 29/11/2017
357-1/2017	20/10/2017	Assessment No. 278515 LOT: 10 BLK: 7 PS: 3222 8 TARRAVILLE RD PORT ALBERT	Buildings and works associated with extensions to existing dwelling.	Permit Issued by Delegate of Resp/Auth 14/11/2017
359-1/2017	23/10/2017	Assessment No. 184606 PC: 376170N 28 MACASSAR CRES THE HONEYBUCKLES	Buildings and works associated with development of an outbuilding.	Permit Issued by Delegate of Resp/Auth 17/11/2017
360-1/2017	23/10/2017	Assessment No. 2071 LOT: 3 PS: 336866K 107 CUNNINGHAME ST SALE	Enclose space at rear of building/dispatch of 5 car parking spaces	Permit Issued by Delegate of Resp/Auth 2/11/2017
361-1/2017	23/10/2017	Assessment No. 240879 LOT: 2787 LP: 70944 4 SANDRA CRT LOCH SPORT	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 14/11/2017
366-1/2017	25/10/2017	Assessment No. 107672 LOT: 12 PS: 525742H 1,719 SETTLEMENT RD WURRUK	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 2/11/2017
369-1/2017	30/10/2017	Assessment No. 225862 LOT: 250 LP: 50201 95 CAMPBELL ST LOCH SPORT	Buildings and works associated with the development of an outbuilding.	Permit Issued by Delegate of Resp/Auth 6/11/2017
371-1/2017	30/10/2017	Assessment No. 212274 LOT: 111 LP: 52647 40 SUNGLOW CRES GOLDEN BEACH	Buildings and works associated with the development of an outbuilding.	Permit Issued by Delegate of Resp/Auth 30/11/2017
372-1/2017	30/10/2017	Assessment No. 202986 LOT: 1 TP: 884996 407 LONGFORD-LOCH SPORT LONGFORD	Buildings and works associated with the construction of a building.	Permit Issued by Delegate of Resp/Auth 14/11/2017
374-1/2017	1/11/2017	Assessment No. 218685 PC: 374960S 174-176 SHORELINE DVE GOLDEN BEACH	Buildings and works associated with the construction of a balcony.	Permit Issued by Delegate of Resp/Auth 6/11/2017
375-1/2017	6/11/2017	Assessment No. 104919 LOT: 1 PS: 435869 3,592 PRINCES HWY KILMANY	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 13/11/2017
376-1/2017	6/11/2017	Assessment No. 299685 LOT: 2 PS: 139020 TARRA VALLEY RD DEVON NORTH	Buildings and works associated with the construction of a hay shed.	Permit Issued by Delegate of Resp/Auth 16/11/2017

Application No/Year	Date Received	Property Title & Address	Proposal	Status
378-1/2017	6/11/2017	Assessment No. 381038 LOT: 2 PS: 420123 28 CARTER ST STRATFORD	Subdivision of the land into two lots.	Permit Issued by Delegate of Resp/Auth 14/11/2017
380-1/2017	6/11/2017	Assessment No. 359828 LOT: 1 TP: 532093K 45 BOLYS LANE BUNDALAGUAH	Building and works associated with the construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 16/11/2017
385-1/2017	14/11/2017	Assessment No. 72553 PTL: 1 PS: 406453Y 70 FOSTER ST SALE	Liquor License.	Withdrawn 21/11/2017
386-1/2017	14/11/2017	Assessment No. 243626 LOT: 3024 LP: 70638 66 TOORAK AVE LOCHSPOUT	Construction of a solid fence.	Permit Issued by Delegate of Resp/Auth 21/11/2017
387-1/2017	14/11/2017	Assessment No. 103259 LOT: 1 TP: 633531 843 MAFFRA-ROSEDALE RD NAMBROK	Buildings and works associated with construction of a shed and awning.	Permit Issued by Delegate of Resp/Auth 22/11/2017
388-1/2017	14/11/2017	Assessment No. 38224 LOT: 1 PS: 37226 63-65 FOSTER ST SALE	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 23/11/2017
389-1/2017	14/11/2017	Assessment No. 15547 LOT: 2 PS: 743735P 68 THOMSON ST SALE	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 21/11/2017
391-1/2017	15/11/2017	Assessment No. 376194 LOT: 8 PS: 3174211 15 GOWRIE RISE WOODSIDE BEACH	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 21/11/2017
396-1/2017	21/11/2017	Assessment No. 101238 CA: 2A SEC: A 129 ANDERSONS RD DENISON	Buildings and works associated with construction of two outbuildings.	Permit Issued by Delegate of Resp/Auth 23/11/2017
399-1/2017	22/11/2017	Assessment No. 84723 LOT: 1 TP: 411349K 896 MARLAY POINT RD CLYDEBANK	Buildings and works associated with the extension to a dwelling.	Permit Issued by Delegate of Resp/Auth 23/11/2017

Total No of Decisions Made: 45

**PLANNING APPLICATION DETERMINATIONS
BETWEEN 1/12/2017 AND 31/12/2017**

Application No/Year	Date Received	Property Title & Address	Proposal	Status
390-2/2011	23/10/2017	Assessment No. 282582 LOT: 1 PS: 85313 YARRAM-PORT ALBERT LANGSBOROUGH	Construction of a dwelling and shed.	Withdrawn 11/12/2017
78-2/2014	30/10/2017	Assessment No. 233783 LOT: 2 PS: 724762 548 LAKE ST LOCH SPORT	Subdivision of the land into two lots.	Permit issued by Delegate of Resp/Auth 6/12/2017
243-1/2016	10/08/2016	Assessment No. 317345 LOT: D PS: 3167795 21-39 FIRERRACE RD HEYFIELD	Use/development of the land for group accommodation.	Withdrawn 13/12/2017
20-2/2017	5/12/2017	Assessment No. 230169 LOT: 134 LP: 44537 62 FISHER PDE LOCH SPORT	Buildings and works associated with extensions to a dwelling.	Permit issued by Delegate of Resp/Auth 14/12/2017
239-1/2017	25/07/2017	Assessment No. 10645 LOT: 1 TP: 368574F 73 PEARSON ST SALE	Dispensation for car parking for medical centre.	Permit issued by Delegate of Resp/Auth 6/12/2017
247-1/2017	28/07/2017	Assessment No. 185561 CA: 22 SEC: 6 59 BRENNANS RD LONGFORD	Subdivision of the land into 2 lots.	Permit issued by Delegate of Resp/Auth 11/12/2017
302-1/2017	13/09/2017	Assessment No. 112813 LOT: 2 PS: 717780X 320 TOONGABIE-COWWARR TOONGABIE	Subdivision of the land into 2 lots to excise an existing dwelling.	Permit issued by Delegate of Resp/Auth 4/12/2017
318-1/2017	21/09/2017	Assessment No. 210773 PC: 171229 5 HOLMES RD PARADISE BEACH	Buildings and works associated with construction of a dwelling.	Permit issued by Delegate of Resp/Auth 6/12/2017
329-1/2017	3/10/2017	Assessment No. 194712 LOT: 2 PS: 819906 128 NEWTON ST SEASPRAY	Subdivision of the land into 2 lots.	Permit issued by Delegate of Resp/Auth 12/12/2017
345-1/2017	12/10/2017	Assessment No. 222323 LOT: 1215 LP: 52648 14 SUNBURST AVE GOLDEN BEACH	Buildings and works associated with construction of a single dwelling.	Permit issued by Delegate of Resp/Auth 11/12/2017
348-1/2017	16/10/2017	Assessment No. 73189 LOT: 3 PS: 819971R 23A WELLSFORD ST STRATFORD	Subdivision of the land into three lots.	Permit issued by Delegate of Resp/Auth 1/12/2017

Application No/Year	Date Received	Property Title & Address	Proposal	Status
356-1/2017	19/10/2017	Assessment No. 219758 LOT: 927 LP: 52648 15 OCEAN CRT GOLDEN BEACH	Building and works/extensions to existing dwelling/const of garage.	Permit issued by Delegate of Resp/Auth 7/12/2017
364-1/2017	24/10/2017	Assessment No. 314088 LOT: 10 PS: 316788X 12 INALA RD GLENMAOGHEE	Buildings and works associated with the development of a dwelling.	Permit issued by Delegate of Resp/Auth 1/12/2017
367-1/2017	26/10/2017	Assessment No. 45625 LOT: 1 TP: 843488A 14-16 PEARSON ST SALE	Development of three dwellings on the lot.	Permit issued by Delegate of Resp/Auth 14/12/2017
373-1/2017	31/10/2017	Assessment No. 229062 LOT: 1044 LP: 55692 51 DAVIES ST LOCH SPORT	Buildings and works associated with construction of an outbuilding.	Permit issued by Delegate of Resp/Auth 12/12/2017
379-1/2017	6/11/2017	Assessment No. 30445 LOT: 48 LP: 76659 14 RAY ST SALE	Subdivision of the land into two lots with common property.	Permit issued by Delegate of Resp/Auth 21/12/2017
381-1/2017	8/11/2017	Assessment No. 411140 LOT: 1 PS: 634890B 78 RENNARDS LANE WOODSIDE	Buildings and works associated with the construction of a dwelling.	Permit issued by Delegate of Resp/Auth 20/12/2017
393-1/2017	16/11/2017	Assessment No. 381376 LOT: 2 PS: 346950Q 136 PARROTT RD YARRAM	Buildings and works associated with construction of an outbuilding.	Permit issued by Delegate of Resp/Auth 1/12/2017
394-1/2017	20/11/2017	Assessment No. 184598 LOT: 294 LP: 82059 39 MACASSAR CRES THE HONEYSUCKLES	Buildings and works associated with construction of a dwelling.	Permit issued by Delegate of Resp/Auth 20/12/2017
398-1/2017	22/11/2017	Assessment No. 191486 LOT: 36 LP: 217699 3 MCLEOD CRT ROSEDALE	Buildings and works associated with the construction of a dwelling.	Permit issued by Delegate of Resp/Auth 11/12/2017
403-1/2017	27/11/2017	Assessment No. 276972 LOT: 7 PS: 78825 6 COLVILLE ST PORT ALBERT	Buildings and works associated with the construction of a dwelling.	Permit issued by Delegate of Resp/Auth 21/12/2017
414-1/2017	1/12/2017	Assessment No. 264952 LOT: 1 PS: 628378W 523 BULGA PARK RD MACKS CREEK	Buildings and works/construction of a telecommunications facility.	Permit issued by Delegate of Resp/Auth 14/12/2017
416-1/2017	4/12/2017	Assessment No. 233072 LOT: 1431 LP: 58872 18 KOALA CRT LOCH SPORT	Buildings and works associated with construction of an outbuilding.	Permit issued by Delegate of Resp/Auth 6/12/2017

Application No/Year	Date Received	Property Title & Address	Proposal	Status
418-1/2017	4/12/2017	Assessment No. 266312 LOT: 1 PS: 623145Y 285 OLD CARRAJUNG RD CARRAJUNG	Buildings and works associated with construction of an outbuilding	Permit issued by Delegate of Resp/Auth 14/12/2017
433-1/2017	14/12/2017	Assessment No. 14670 LOT: 1 TP: 157380 100 STAWELL ST SALE	Buildings and works associated with the construction of an outbuilding	Permit issued by Delegate of Resp/Auth 21/12/2017
438-1/2017	19/12/2017	Assessment No. 259978 LOT: 1283 PS: 40160 65 SEVENTH AVE PARADISE BEACH	Buildings and works associated with construction of a carport.	Permit issued by Delegate of Resp/Auth 22/12/2017
443-1/2017	20/12/2017	Assessment No. 234054 LOT: 263 LP: 50301 108 LAKE ST LOCH SPORT	Buildings and works associated with construction of a garage/carport.	Permit issued by Delegate of Resp/Auth 22/12/2017
Total No of Decisions Made: 27				

ITEM C3.2**BUILDING PERMITS REPORT**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER MUNICIPAL SERVICES

DATE:

20 FEBRUARY 2018

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

OBJECTIVE

To provide a report to Council on building permits issued in the Wellington Shire during the quarter July 2017 to September 2017 for information.

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

That Council note the report of building permits issued from 1 July 2017 to 30 September 2017.

BACKGROUND

Building permits are issued by private building surveyors and copies of permits are provided to Council. The permits, plans and other documents are filed by Council and recorded on a register of building permits. Building permits are issued for a range of developments including dwellings, extensions and fences as well as commercial and industrial buildings.

Attachment 1 to this report provides an overview by township of the number of permits issued along with the estimated value of construction for the three-month period ending September 2017. NB: There are occasions when the cost of building work is zero. In these cases a new building permit may have been issued due to the original permit lapsing and where there is no actual work or cost involved.

Attachment 2 provides a historical representation of the number and value of permits issued in Wellington Shire and compares this data against the broader Gippsland region.

In the previous quarter 276 permits were issued with an estimated value of work at \$29,730.869.

OPTIONS

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

PROPOSAL

That Council note the report on building permits issued within Wellington Shire from 1 July 2017 to 30 September 2017.

CONFLICT OF INTEREST

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

COMMUNICATION IMPACT

The quarterly report provides information on the number of building permits and cost of development per town within the Wellington Shire. Gippsland-wide building activity is also provided to demonstrate how the Wellington Shire area performs in comparison.

LEGISLATIVE IMPACT

Building permits are issued in accordance with the *Building Act 1993*, Building Regulations 2006 and the Wellington Planning Scheme.

COUNCIL POLICY IMPACT

All building permits issued by private building surveyors are registered and filed as per the timelines set out in the Municipal Services Business Plan.

COUNCIL PLAN

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

Strategic Objective 2.3

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

Strategy 2.3.1

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

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

WELLINGTON SHIRE PERMITS ISSUED

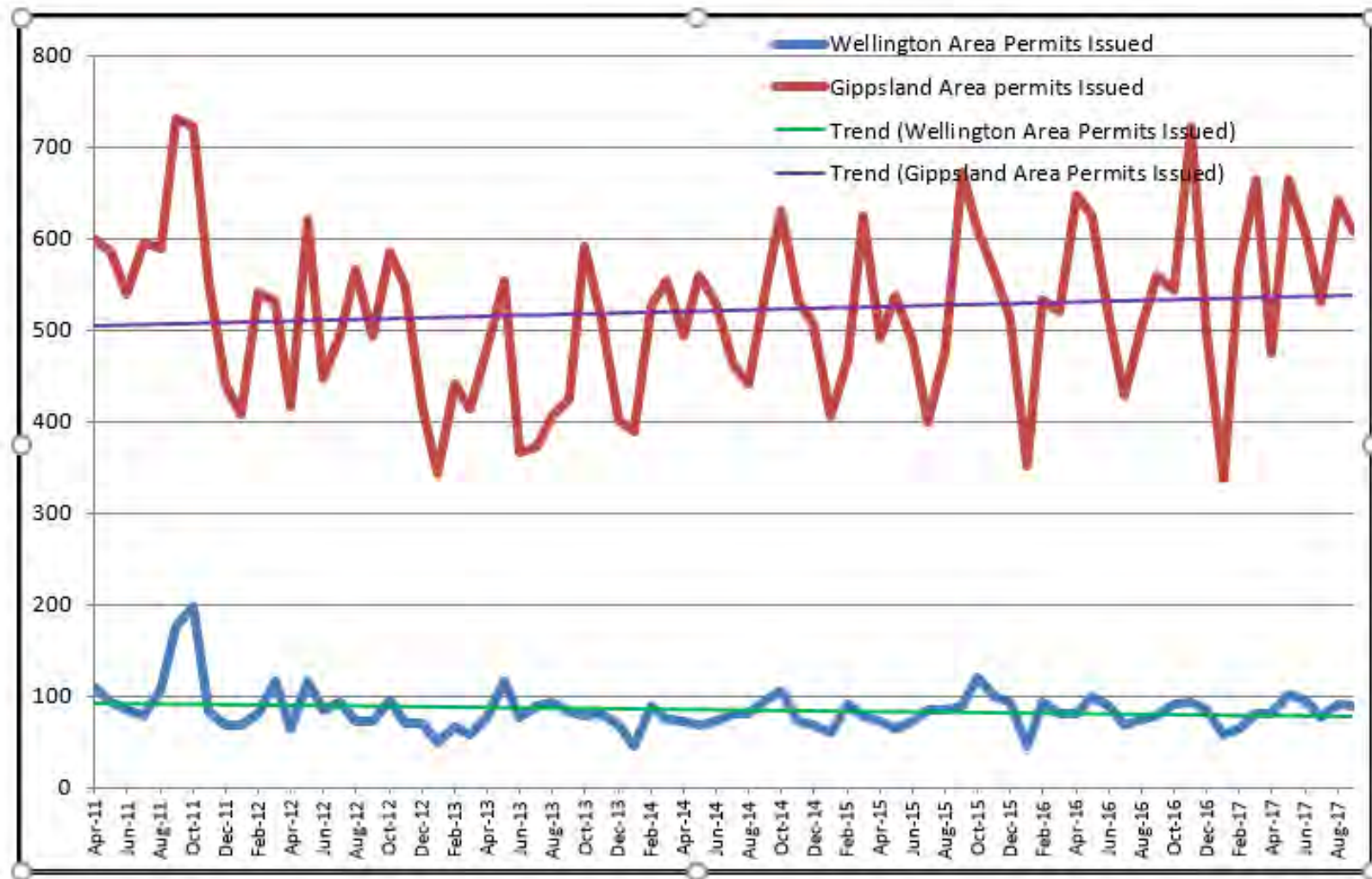
Locality	July	August	September	Total
AIRLEY	0	1	0	1
	\$0	\$5,400	\$0	\$5,400
ALBERTON	0	0	1	1
	\$0	\$0	\$16,500	\$16,500
ALBERTON WEST	0	1	0	1
	\$0	\$23,009	\$0	\$23,009
BLACKWARRY	0	1	0	1
	\$0	\$17,331	\$0	\$17,331
BOISEDAL	1	0	2	3
	\$178,000	\$0	\$30,800	\$208,800
BRIAGOLONG	1	5	1	7
	\$8,200	\$14,900	\$33,444	\$56,544
BUNDALAGUAH	1	0	1	2
	\$10,000	\$0	\$100,000	\$110,000
CARRAJUNG LOWER	1	0	0	1
	\$175,155	\$0	\$0	\$175,155
COBAINS	0	1	0	1
	\$0	\$271,600	\$0	\$271,600
COONGULLA	1	2	0	3
	\$7,470	\$292,880	\$0	\$300,350
COWWARR	0	0	3	3
	\$0	\$0	\$215,000	\$215,000
DENSION	0	1	0	1
	\$0	\$39,500	\$0	\$39,500
DEVON NORTH	0	1	1	2
	\$0	\$15,654	\$24,750	\$40,404
DUTSON	1	0	0	1
	\$31,000	\$0	\$0	\$31,000

Locality	July	August	September	Total
DUTSON DOWNS	0	0	1	1
	\$0	\$0	\$41,800	\$41,800
FLYNN	0	0	1	1
	\$0	\$0	\$64,900	\$64,900
FULHAM	0	1	1	2
	\$0	\$48,950	\$8,700	\$57,650
GLENGARRY	1	0	0	1
	\$0	\$0	\$0	\$0
GOLDEN BEACH	2	1	4	7
	\$47,000	\$20,000	\$587,800	\$654,800
GORMANDALE	1	1	0	2
	\$339,200	\$27,170	\$0	\$366,370
HEYFIELD	5	7	5	17
	\$293,807	\$496,797	\$311,612	\$1,102,216
LLOWALONG	1	0	0	1
	\$48,900	\$0	\$0	\$48,900
LOCH SPORT	3	10	7	20
	\$124,580	\$369,443	\$715,146	\$1,209,169
LONGFORD	7	1	3	11
	\$713,315	\$250,000	\$56,800	\$1,020,115
MAFFRA	5	12	8	25
	\$801,374	\$1,811,124	\$1,336,623	\$3,949,121
MANNS BEACH	0	1	0	1
	\$0	\$15,800	\$0	\$15,800
MUNRO	1	1	1	3
	\$5,000	\$14,750	\$80,000	\$99,750
NAMBROK	0	1	0	1
	\$0	\$2,800	\$0	\$2,800
NEWRY	1	0	1	2
	\$75,000	\$0	\$150,000	\$225,000

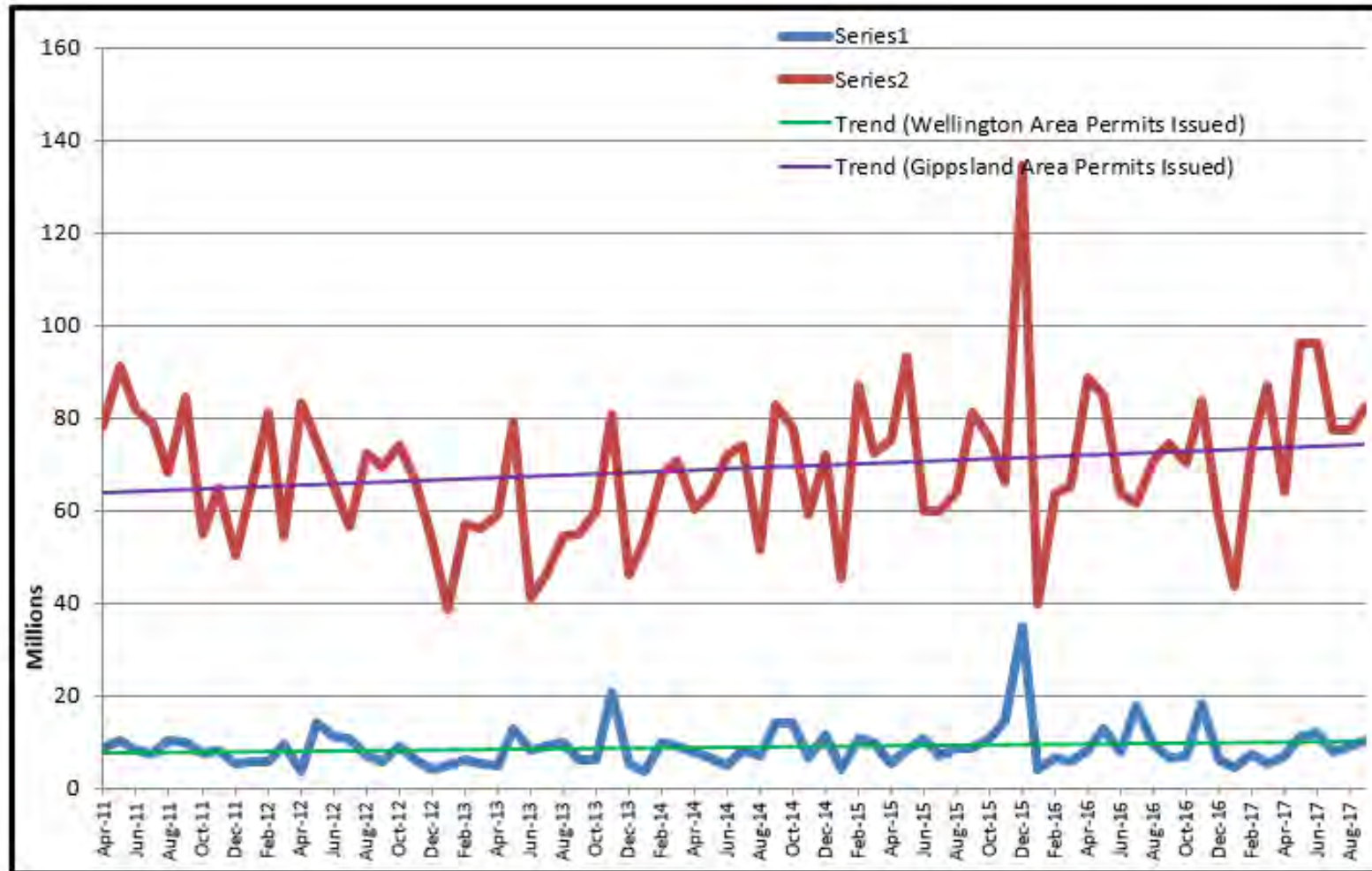
Locality	July	August	September	Total
PARADISE BEACH	0	1	3	4
	\$0	\$50,000	\$36,000	\$86,000
PEARSONDALE	0	0	1	1
	\$0	\$0	\$15,500	\$15,500
PERRY BRIDGE	1	0	0	1
	\$16,500	\$0	\$0	\$16,500
PORT ALBERT	2	0	0	2
	\$20,000	\$0	\$0	\$20,000
ROBERTSONS BEACH	0	1	0	1
	\$0	\$28,348	\$0	\$28,348
ROSEDALE	2	3	4	9
	\$48,200	\$34,430	\$480,736	\$563,366
SALE	18	19	16	53
	\$2,961,072	\$4,169,130	\$3,614,328	\$10,744,530
SEASPRAY	2	1	2	5
	\$274,100	\$8,900	\$130,120	\$413,120
STRADBROKE	0	0	1	1
	\$0	\$0	\$21,910	\$21,910
STRATFORD	9	7	7	23
	\$1,321,805	\$590,622	\$1,016,293	\$2,928,720
TARRA VALLEY	0	0	1	1
	\$0	\$0	\$9,500	\$9,500
THE HEART	0	1	0	1
	\$0	\$48,135	\$0	\$48,135
THE HONEYSUCKLES	0	1	1	2
	\$0	\$179,500	\$34,200	\$213,700
TINAMBA	1	2	2	5
	\$20,000	\$63,882	\$51,800	\$135,685
TOONGABBIE	0	0	1	1
	\$0	\$0	\$52,250	\$52,250

Locality	July	August	September	Total
VALENCIA CREEK	0	1	0	1
	\$0	\$44,000	\$0	\$44,000
WILLUNG SOUTH	0	0	1	1
	\$0	\$0	\$14,546	\$14,546
WINNINDOO	1	1	0	2
	\$1,000	\$41,440	\$0	\$42,440
WON WRON	2	0	0	2
	\$9,870	\$0	\$0	\$9,870
WONYIP	1	0	0	1
	\$0	\$0	\$0	\$0
WOODSIDE	0	0	2	2
	\$0	\$0	\$53,140	\$53,140
WURRUK	2	1	2	5
	\$22,900	\$58,100	\$503,000	\$584,000
YARRAM	3	2	4	9
	\$51,122	\$154,000	\$348,465	\$553,587
TOTAL	77	90	89	256
	\$7,604,570	\$9,207,598	\$10,155,663	\$26,967,831

NUMBER OF BUILDING PERMITS



VALUE OF BUILDING WORKS





C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**GIPPSLAND REGIONAL SPORTS COMPLEX TIMBER FLOORING AND ACCESS CONTRACT 2018-056**

DIVISION: BUILT AND NATURAL ENVIRONMENT
ACTION OFFICER: MANAGER ASSETS AND PROJECTS
DATE: 20 FEBRUARY 2018

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

OBJECTIVE

The objective of this report is for Council to consider entering into a contract for the Gippsland Regional Sports Complex Timber Flooring and Access, Sale.

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

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.1 Gippsland Regional Sports Complex Timber Flooring and/ Access Contract 2018-056 of the Council Meeting Agenda; and***
- 2. The information contained in the confidential document Item F1.1 Gippsland Regional Sports Complex Timber Flooring and Access Contract 2018-056 of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 12 February 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) Contractual matters be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

The premier sports complex in Wellington Shire is the Gippsland Regional Sports Complex and this project has been initiated to upgrade the existing indoor sports floor with a hardwood timber floor that will be suitable for basketball and other sports that are currently played at the complex.

OPTIONS

Council have the following options available:

- Adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2018-056 Gippsland Regional Sports Complex Timber Flooring and Access; or

- Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2018-056 Gippsland Regional Sports Complex Timber Flooring and Access.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

These proposed works will be partially funded through a grant from the John Leslie Foundation.

LEGISLATIVE IMPACT

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

RESOURCES AND STAFF IMPACT

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

COMMUNITY IMPACT

The construction of these works will produce a positive community impact with members of the local sporting community using this facility advocating for the upgrade.

ENGAGEMENT

Council's standard consultation practices will be implemented on this project however user groups of the facility have been kept up to date on the proposed stages of the project.

RISK MANAGEMENT IMPACT

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



C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S



ORDINARY COUNCIL MEETING 20 FEBRUARY 2018

On this day of 12th February 2018, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.1 GIPPSLAND REGIONAL SPORTING COMPLEX TIMBER FLOORING / ACCESS CONTRACT 2018-056** confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) Contractual matters

.....
Chris Hastie General Manager Built and Natural Environment



G. IN CLOSED SESSION

G. IN CLOSED SESSION

COUNCILLOR

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

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

IN CLOSED SESSION

COUNCILLOR

That:

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