

## 6.2 Management

### 6.2.4 Risk Management

Council is committed to proactive risk management and has continued to maintain a Risk Management System which is in line with the Risk Management Principles & Guidelines, (AS/NZS ISO 31000; 2009). Council's risk management objectives are to:

- Integrate risk management practices into all of Council's work practices
- Promote and support best practice risk management throughout Council
- Equip staff and management with the knowledge and ability to identify, analyse and prioritise areas of risk to Council
- Implement effective processes to reduce and/or eliminate high level risk
- Continuously improve risk assessment, monitoring and reporting standards
- Allow for the effective allocation and use of resources
- Provide a basis for higher standards of accountability through the creation of effective performance objectives and measurement of performance against these objectives
- Manage appropriate cover and minimise costs associated with insurance and litigation.

In 2016/17, work has been completed in reviewing the Risk Register and identifying Strategic Risks and whether these risks have the appropriate mitigations.

To support the organisation wide risk management, Council has purchased an Enterprise Risk Management (ERM) System. This tool provides a risk management solution to assist officers with identifying, profiling and assessing risks within a combined monitoring and reporting framework.

### 6.2.5 Insurance

Council has continued to review its insurance profile, policies and cover. In 2016/17, Council has placed certain efforts working with our insurance brokers and insurers to ensure that our insurance cover is consistent with Council's identified risk profile and requirements.

Asset valuations were also conducted and updated to further reflect true values. This resulted Council improving few insurance covers to reflect Council's needs.

## 6.3 Governance and Management Checklist

The following are the results in the prescribed form of Council's assessment against the prescribed Governance and Management checklist.

Governance and Management Items		Assessment
1	<b>Community Engagement Policy</b> <i>Policy outlining council's commitment to engaging with the community on matters of public interest.</i>	Included in Community Engagement Strategy 2017-2020. Date of adoption: 6 September 2016.
2	<b>Community Engagement Guidelines</b> <i>Guidelines to assist staff to determine when and how to engage with the community.</i>	Community Engagement Strategy 2017-2020 includes a range of community engagement tools and guidelines to assist council staff to provide quality engagement for council projects. Community Engagement Action Plan which is currently under development will include training of staff and auditing and evaluation of community engagement practices across the Shire. Date of adoption: 6 September 2016.
3	<b>Strategic Resource Plan</b> <i>Plan under section 126 of the Local Government Act, 1989 outlining the financial and non-financial resources required for at least the next 4 financial years.</i>	Adopted in accordance with Section 126 of the Local Government Act, 1989. Date of adoption: 6 June 2016.
4	<b>Annual Budget</b> <i>Plan under section 130 of the Local Government Act, 1989 setting out the services to be provided and initiatives to be undertaken over the next 12 months and the funding and other resources required.</i>	Adopted in accordance with Section 130 of the Local Government Act 1989. Date of adoption: 6 June 2016.
5	<b>Asset Management Plans</b> <i>Plans that set out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years.</i>	Wellington Shire Council has documented Asset Management Plans for all major asset classes including Open Space, Properties and Roads, which includes Roads, Bridges and Paths. Date of operation of current plans: Roads: January 2016 Paths: January 2016 Bridges: January 2016 Drainage: January 2016 Property: January 2016 Open Space: January 2016

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## 6.3 Governance and Management Checklist

Governance and Management Items		Assessment
6	<b>Rating Strategy</b> <i>Strategy setting out the rating structure of council to levy rates and charges.</i>	Strategy adopted. Date of operation of current strategy: 17 March 2015.
7	<b>Risk Policy</b> <i>Policy outlining council's commitment and approach to minimising the risks to council's operations.</i>	Risk Management Policy included in Council Policy Manual. Date of operation of current policy: 21 March 2017.
8	<b>Fraud Policy</b> <i>Policy outlining council's commitment and approach to minimising the risk of fraud.</i>	Fraud Control Policy included in Council Policy Manual. Date of operation of current policy: 21 March 2017.
9	<b>Municipal Emergency Management Plan</b> <i>Plan under section 20 of the Emergency Management Act 1986 for emergency prevention, response and recovery.</i>	Prepared and maintained in accordance with Section 20 of the Emergency Management Act, 1986. Date of operation: 25 May 2017.
10	<b>Procurement Policy</b> <i>Policy under section 186A of the Local Government Act 1989 outlining the matters, practices and procedures that will apply to all purchases of goods, services and works.</i>	Prepared and approved in accordance with Section 186A of the Local Government Act, 1989. Procurement policy included in Council Policy Manual. Date of operation of current policy: 21 March 2017.
11	<b>Business Continuity Plan</b> <i>Plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster.</i>	Existing document is currently being reviewed. Date of operation: 4 December 2014.

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## 6.3 Governance and Management Checklist

Governance and Management Items		Assessment
12	<b>Disaster Recovery Plan</b> <i>Plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster.</i>	Existing document is currently being reviewed. Date of operation: 4 December 2014.
13	<b>Risk Management Framework</b> <i>Framework outlining council's approach to managing risks to the council's operations.</i>	Risk Management Framework is currently being revised to align with AS/NZS ISO 31000:2009. Date of operation of current strategy: 18 December 2012.
14	<b>Audit &amp; Risk Committee</b> <i>Advisory committee of council under section 139 of the Local Government Act, 1989 whose role is to oversee the integrity of a council's financial reporting, processes to manage risks to the council's operations and for compliance with applicable legal, ethical, and regulatory requirements.</i>	Established in accordance with Section 139 of the Local Government Act, 1989. The Audit & Risk Committee has been in operation since February 1996 (based on available evidence). Date of establishment: February 1996.
15	<b>Internal Audit</b> <i>Independent accounting professionals engaged by the council to provide analyses and recommendations aimed at improving council's governance, risk and management controls.</i>	Date of engagement of current provider: 29 June 2017.
16	<b>Performance Reporting Framework</b> <i>A set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of Local Government Act, 1989.</i>	Date of operation of current framework: 1 July 2016.

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## 6.3 Governance and Management Checklist

Governance and Management Items	Assessment
<b>17 Council Plan Reporting</b> <i>Report reviewing the performance of the council against the council plan, including the results in relation to the strategic indicators, for the first six months of the financial year.</i>	Quarterly reporting against Council Plan Highlights. Date reports presented: 19 July 2016, 18 October 2016, 7 February 2017, 18 April 2017.
<b>18 Financial Reporting</b> <i>Quarterly statements to council under section 138 Local Government Act, 1989 comparing budgeted revenue and expenditure with actual revenue and expenditure.</i>	Statements presented to the Council in accordance with Section 138(1) of the Local Government Act, 1989. Date statements presented: 19 July 2016, 18 October 2016, 7 February 2017, 18 April 2017.
<b>19 Risk Reporting</b> <i>Six monthly reports of strategic risks to council's operations, their likelihood and consequences of occurring and risk minimisation strategies.</i>	Date of reports: 19 July 2016, 7 February 2017. A new Enterprise Risk Management (ERM) System was implemented during 2016/17. Operational and strategic risks, and mitigants have also been reviewed and reporting will resume in 2017/18.
<b>20 Performance Reporting</b> <i>Six monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the Local Government Act, 1989.</i>	Quarterly Reports. Date of reports: 19 July 2016, 18 October 2016, 7 February 2017, 18 April 2017.
<b>21 Annual Report</b> <i>Annual report under sections 131, 132 and 133 of the Local Government Act, 1989 to the community containing a report of operations and audited financial and performance statements.</i>	Considered at a meeting of Council in accordance with Section 134 of the Local Government Act, 1989. Date statements presented: 18 October 2016.

## 6.3 Governance and Management Checklist

Governance and Management Items	Assessment
<b>22 Councillor Code of Conduct</b> <i>Code under section 76C of the Local Government Act, 1989, setting out the conduct principles and the dispute resolution processes to be followed by councillors.</i>	Reviewed in accordance with Section 76C of the Local Government Act, 1989. Date reviewed: 20 December 2016.
<b>23 Delegations</b> <i>A document setting out the powers, duties and functions of council and the Chief Executive Officer that have been delegated to members of staff.</i>	Reviewed in accordance with Section 98(6) of the Local Government Act, 1989. Date reviewed: 9 February 2017.
<b>24 Meeting Procedures</b> <i>A local law governing the conduct of meetings of council and special committees.</i>	Local law No 1, Meeting procedures made in accordance with Section 91(1) of the Local Government Act, 1989. Date local law made: 6 November 2014.

I certify that this information presents fairly the status of Council's governance and management arrangements.



**David Morcom**

Chief Executive Officer

Dated: 26 September 2017



**Cr Carolyn Crossley**

Mayor

Dated: 26 September 2017

## 6.4 Statutory Information

The following information is provided in accordance with legislative and other requirements of Council.

### 6.4.1 Documents Available for Public Inspection

In accordance with regulation 12 of the Local Government (General) Regulations 2015 the following are prescribed documents that are available for inspection or which can be obtained for the purposes of Section 222 of the Local Government Act, 1989 (the Act) at 18 Desailly Street, Sale.

- A document containing details of overseas or interstate travel (other than interstate travel by land for less than three days) undertaken in an official capacity by councillor or any member of council staff in the previous 12 months, including:
  - The name of the Councillor or member of Council staff; and
  - The dates on which the travel began and ended; and
  - The destination of the travel; and
  - The purpose of the travel; and
  - The total cost to the Council of the travel, including accommodation costs.
- The agendas for, and minutes of ordinary and special meetings held in the previous 12 months which are kept under section 93 of the Act, other than those agendas and minutes relating to a part of a meeting which was closed to members of the public under section 89 of the Act and are confidential information within the meaning of section 77(2) of the Act.
- The minutes of meetings of special committees established under section 86 of the Act and held in the previous 12 months, other than those minutes relating to a part of a meeting which was closed to members of the public under section 89 of the Act and are confidential information within the meaning of section 77(2) of the Act.
- A register of delegations.
- A document containing details of all leases involving land which were entered into by the council as lessor, including the lessee and the terms and the value of the lease.
- A register maintained under section 224(1A) of the Act of authorised officers appointed under that section.
- A list of donations and grants made by the council in the previous 12 months, including the names of persons who, or bodies which, have received a donation or grant and the amount of each donation or grant.
- A register of delegations kept under sections 87(1) and 98(4) of the Act, including the date on which the last review took place under sections 86(6) and 98(6), respectively, of the Act.

## 6.4 Statutory Information

### 6.4.2 Best Value Principles and Continuous Improvement

The Best Value Principles contained in the Victorian Local Government Act 1989 place a duty on councils to ensure that their services:

- Offer the best possible quality and value for money
- Are responsive to community needs
- Are accessible to the people they are intended for
- Show continuous improvement
- Are subjected to regular community consultation
- Council reports regularly to its community on how the council's services measure up against the best value principles.

We also recognise it as fundamental to improving community outcomes and committed to pursuing continuous improvement as a core part of how we practice our business daily and in our strategic and operational planning.

The corporate planning cycle puts into practice the Best Values principles through:

- Identifying the community needs in terms of Council services and creating strategic objectives to identify the services to be offered and their intended outcomes, as voiced in our Strategic Vision Wellington 2030
- Identifying the best possible quality and value for money service delivery through linking the community vision- Wellington 2030 with the Council Plan 2013-17 and business planning, and measuring service performance by the means of Corporate Performance Indicators (CPIs)
- Ensuring services are accessible to the people for which they are intended by service planning and explicitly seeking users' experience of the service through forums such as Community Reference Groups, surveys
- Monitoring and refining the services to ensure there is continuous improvement on quality and value, currently through the customer satisfaction survey, service reviews process mapping in Promapp and business plan reporting in Pulse-Corporate Planning and Reporting system
- Reviewing the service following regular community consultation as part of ongoing strategic planning
- Council reporting regularly to its community on the results of consultation and how the council's services have measured up against the best value principles.





 All Wellington staff are encouraged to suggest opportunities for improvement.



## 6.4 Statutory Information

### 6.4.2 Best Value Principles and Continuous Improvement

#### Service Reviews

We are committed to support continuous improvement in delivering high quality, value-for-money services and infrastructure to the community. The introduction of rate capping has also changed the financial climate in which Council's operate, resulting in the need to review service costs, efficiencies and outcomes.

During August to November 2016, we conducted an organisational wide 'Service Review' to assess our services, identify their specific strengths and opportunities for improvement. This process also helped us to achieve the following:

- Provide the newly elected Council with a comprehensive list and understanding of the services delivered by Council to support informed decision making
- Renewal of the Wellington 2030 Community Vision and reviewing services against this vision.

A working group of staff representing all divisions within Council were involved in developing the service review template to identify and review 141 services across the organisation.

- Final recommendations arising from the review and the implementation of a number of service improvements are due in 2017/18 year and beyond.

#### Process Reviews

We also continued to work towards creating a workplace culture where employees are constantly thinking about how things can be done better and are encouraged to suggest opportunities for improvement. To support this, we are using Promapp as a Business Process Management (BPM) tool where employees map and review processes to identify or suggest process improvements.



## 6.4 Statutory Information

### 6.4.3 Carers Recognition

The Carers Recognition Act 2012 (the Act) formally recognises and values the role of carers and the importance of care relationships in the Victorian community. The Act defines a carer as someone who provides care to another person, and includes carers under the age of 18. Carers can provide care for a person who:

- Has a disability
- Has a mental illness
- Has an ongoing medical condition
- Is an older person with care needs,

Care relationships also include those situations where a person is being cared for in a foster, kinship or permanent care arrangement.

Within the Carers Recognition Act 2012 Wellington Shire Council is required to report annually on its care measurement obligations under Section 11 of the Act.

Wellington Shire Council has taken all practicable measures to comply with its responsibilities outlined in the Act.

Some of the ways Wellington Shire Council supports carers is through:

- Recognition of Carers through awareness raising activities such as Volunteer Week, Seniors Week and Social Inclusion Week.
- Participation on networks such as Sale and District Aged Care Network, Wellington Community Service Network, Wellington Early Years Network and Wellington Access and Inclusion Advisory Group.
- Projects listed in Council's Access and Inclusion Plan, Wellington Rural Access Program, and Municipal Public Health and Wellbeing Plan, more specifically within the Social Connection and Inclusion Priority area.
- Funding of community lead / developed projects associated Age Friendly Communities Grant.
- Wellington Shire Council's funding agreement with Central Gippsland Health and Yarram and District Health Service, who are the providers of Home and Community Care (HACC) services, outlines compliance with all legislation.



Dr Carolyn Crossley and Dr Barry Stephens at the Yarram Age-Friendly declaration signing

### 6.4.4 Contracts

During the year Council did not enter into any contracts valued at \$150,000 or more without first engaging in a competitive process.

## 6.4 Statutory Information

### 6.4.5 Disability Action Plan

Wellington Shire Council has reviewed and developed the Wellington Access and Inclusion Plan 2017 – 2022 and accompanying action plan which incorporates a Disability Action Plan.

**The focus of the strategy and action plans is:**

- To increase accessible programs, services and events offered or funded by Council
- To increase accessible and inclusive information and communications produced by Council
- To increase inclusive employment opportunities at Council for people with disabilities
- For persons employed at Council to be informed about the access requirements of people with disabilities
- To increase advocacy for improved access and inclusion within the Wellington Shire community.

**Over the last 12 months some achievements that have come from previous Access and Inclusion Plans include:**

- Communication boards for people with limited or no speech have been developed for use in emergency relief centres, Aqua Energy, Gippsland Regional Sports Complex, Esso BHP Billiton Wellington Entertainment Centre and Council's Customer Service Centres.
- The Wellington Access and Inclusion Advisory Group (WAIAG) is providing input on access and inclusion issues as part of the Port of Sale Cultural Hub redevelopment project which is due to be completed December 2017.
- Software has been purchased and made available to Council staff to be able to convert written documents into audio format for those with limited or no vision.
- Wellington Shire Libraries, Gippsland Art Gallery and Esso BHP Billiton Wellington Entertainment Centre all completed an Access and Inclusion Audit of their current facilities using the relevant Institute of Access Training Australia handbooks for cultural venues.
- Aqua Energy (Council owned Fitness Centre) has a changing places accessible toilet. Plans for new Wellington Centre, which incorporates Sale Library, Gippsland Art Gallery and Council Chambers, to include a changing places accessible toilet.
- Wellington Shire Library staff have undertaken online training via REAL (Resource for Equitable Access to Libraries) which is a collaborative state-wide initiative of the State Library of Victoria, Public Libraries Victoria Network and Vision Australia. REAL training improves awareness and develops strategies to improve accessibility and inclusion.

## 6.4 Statutory Information

### 6.4.6 Domestic Animal Management Plan

All Councils in Victoria are required to prepare a Domestic Animal Management Plan (DAMP) every four years. The primary purpose of the DAMP is to provide a strategic guide to the community towards the goal of responsible pet ownership and to assist Council to achieve a professional, consistent and proactive approach to domestic animal management.

**Whilst drafting the new DAMP for 2017-2021, key considerations were given by Council to:**

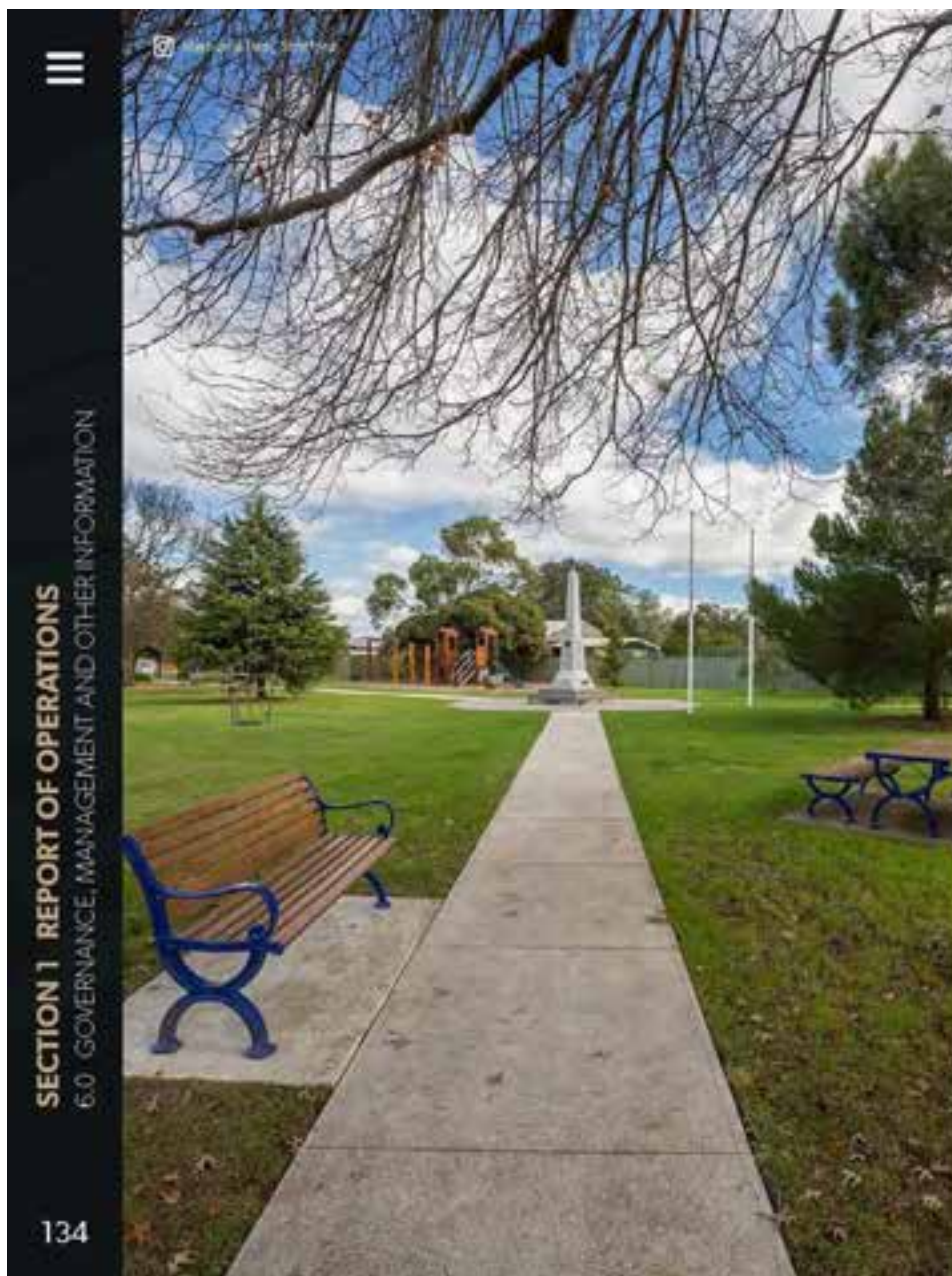
- Maintain qualified and experienced staff
- Encouraging increased pet registration and compliance, with an emphasis on cats
- Reducing the number of dog attack incidents by encouraging responsible pet ownership, increasing safety awareness around dogs and enforcing legislation
- Maintaining continued compliance relating to the keeping of declared menacing, dangerous and restricted breed dogs
- Reducing the feral cat population and euthanasia rates of unwanted pets
- Ensuring Domestic Animal Businesses are identified and regulated
- Responding to and investigating animal nuisance complaints in a timely and effective manner
- Responding to any emergency involving people and their pets.

**In June 2017, a review of animal management services was conducted to measure progress towards the objectives.**

**A number of milestones were achieved including:**

- Staff responded to 1,219 animal management complaints, with an average initial response time of 1.3 days
- An increase in the number of impounded pets reunited with their owners
- Seventeen percent (17%) increase in the number of registered domestic animals compared with previous year
- Seventeen (17) successful animal management prosecutions in the Magistrates' Court, such as dog attacks and failing to register animals
- Increased domestic animal business monitoring and compliance activities
- Regular media releases and awareness activities relating to responsible pet ownership.





## 6.4 Statutory Information

### 6.4.7 Food Act Ministerial Directions

In accordance with Section 7E of the Food Act, 1984, Council did not receive any Ministerial Directions.

### 6.4.8 Freedom of Information

The Freedom of Information Act 1982 was created to promote openness, accountability and transparency in the Victorian public service by giving members of the public the right to access government information.

Currently Council's don't have to process Freedom of Information requests for non-personal documents dated prior to 1988.

To access documents held by an agency under the Freedom of Information Act 1982, a request must be 'valid'. A valid request is a request which is in writing, clearly describes the documents to which access is requested and includes an application fee (\$28.40) or evidence that the applicant qualifies for the application fee to be waived.

Further information regarding Freedom of Information and applications for requests for access to documents under Freedom of Information are available for download on Wellington Shire Council's website [www.wellington.vic.gov.au](http://www.wellington.vic.gov.au).

It is the object of the Act and the responsibility of the Freedom of Information Officer to assist applicants and to extend as far as possible the right to access documents in the possession of our agency.

## 6.4 Statutory Information

### 6.4.8 Freedom of Information

Access to documents may be granted in full (no exempt material), granted in part (some exempt material) or denied in full (all material exempt).

A summary of exemptions which may apply to documents include:

- Section 28: Cabinet documents
- Section 29B: Documents of Court Services Victoria
- Section 30: Internal working documents
- Section 31: Law enforcement documents
- Section 32: Documents affecting legal proceedings
- Section 33: Documents affecting personal privacy
- Section 34: Documents relating to trade secrets etc.
- Section 35: Documents containing material obtained in confidence
- Section 36: Disclosure contrary to the public interest
- Section 38: Documents to which secrecy provisions of enactments apply
- Section 38A: Council documents.



In the period 1 July 2016 to 30 June 2017, Wellington Shire Council received seven (7) "valid" Freedom of Information requests.

- Access to documents was granted in part for four (4) requests
- Access to documents provided outside of the Act for one (1) request
- Two (2) requests were not finalised in this reporting period.

#### Fees & Charges collected in 2016/2017:

Application fees: **\$167.40** One application fee was waived, due to evidence of hardship.

Access Charges: **\$567.90** (collected)

Some documents were not released to applicants after the decisions were released due to non-payment of access charges (\$452.95 not paid).

Access Charges are payable for search time (@ \$20.90 per hour or part thereof) and photocopying (@ 20 cents per black and white A4 page). Charges are not applied for document processing time which can be considerably time consuming.



## 6.4 Statutory Information

### 6.4.8 Freedom of Information

Wellington Shire Council also received three (3) non-valid requests where either the application fee was not paid or invited clarification was not received by the applicants leaving requests unclear in their terms.

New Freedom of Information legislation will be introduced on 1 September 2017 and the changes are thought to possibly increase the workload for each request by 30% to 100% due to mandatory consultation requirements.

The Freedom of Information Commissioner has key responsibilities:

- To promote the understanding of the Freedom of Information Act.
- Provide advice, guidance and training to government departments and Councils.
- Deal with complaints about the handling of Freedom of Information decisions made by agencies.
- Review decisions made by agencies if requested.
- Report to Parliament about the operation of the Freedom of Information Act, annually.

Mrs Marj McInnes, Coordinator Information Management is authorised under Section 26(1) of the Freedom of Information Act 1982 ('FOI Act') to make decisions in respect of Freedom of Information requests made to Wellington Shire Council. The Principal Officer of Council is Mr David Morcom, Chief Executive Officer.

Further information regarding Freedom of Information can be found on Wellington Shire Council's website [www.wellington.vic.gov.au](http://www.wellington.vic.gov.au) or Freedom of Information Commissioner website [www.foi.commissioner.vic.gov.au](http://www.foi.commissioner.vic.gov.au)





## 6.4 Statutory Information

### 6.4.9 Privacy and Data Protection

The Privacy & Data Protection Act is designed to protect all information held by the public sector, including the personal information of individuals.

Under the Act, 'personal information' means information or an opinion, that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained.

Examples of personal information include an individual's name, address, contact details, sex, age, financial details, marital status, education etc.

The objects of the Privacy & Data Protection Act with respect to information privacy are to:

1. Balance the public interest in the free flow of information with the public interest in protecting the privacy of personal information in the public sector
2. Promote awareness of responsible personal information handling practices
3. Promote the responsible and transparent handling of personal information in the public sector.

The majority of Wellington Shire Council's received enquiries are lodged internally from staff or from external customers seeking property ownership details. Staff enquiries largely relate to the collection and use and disclosure of personal information.

Wellington Shire Council doesn't maintain statistical data on the number and type of enquiries regarding personal information and data protection lodged and actioned annually but all enquiries are promptly actioned to achieve desired outcomes. It is important to be open and accountable in relation to how we collect and use personal information and who information may be provided to if shared with third parties.



## 6.4 Statutory Information

### 6.4.9 Privacy and Data Protection

The Privacy & Data Protection Act has ten (10) Information Privacy Principles (IPPs) which govern the collection, use and handling of personal information by Victorian public sector organisations, local councils and contracted service providers.

With limited exemptions, all Victorian Government organisations, contracted service providers and local councils must comply with these Principles.

Personal information may be disclosed if an individual provides consent or if disclosure is reasonably necessary for a law enforcement function or is necessary to prevent or lessen a serious and imminent threat to an individual's life, health, safety or welfare or a serious threat to public health, public safety or public welfare.

The Office of the Commissioner for Privacy and

Data Protection has created Guidelines for sharing personal information for the Victorian public sector. The Guidelines identify the factors that inhibit appropriate information sharing and demonstrate why privacy is rarely a barrier.

A privacy breach occurs when there is a failure to comply with one or more of the Information Privacy Principles; most commonly resulting in unlawful access to or collection, use or disclosure of personal information.

The potential for privacy breaches can be reduced by good policies and practices in handling of personal information and ongoing training of staff in their responsibilities under the Act. No privacy breaches have been recorded against Wellington Shire Council.

Wellington Shire Council's Privacy & Data Protection Policy is available on our website [www.wellington.vic.gov.au](http://www.wellington.vic.gov.au) and is based on the principles outlined in the Privacy and Data Protection Act 2014 and governs Council's approach to managing personal information.

Privacy & Data Protection training is provided internally to staff at induction (one-on-one) and at Corporate training sessions with additional information being regularly distributed via newsletters and email to staff.

Privacy enquiries can be made to Council's Privacy Officer by phoning (03) 5142 3112 or emailing [enquiries@wellington.vic.gov.au](mailto:enquiries@wellington.vic.gov.au).



## 6.4 Statutory Information

### 6.4.10 Protected Disclosure Procedures

The Protected Disclosure Act 2012 commenced operation on 19 February 2013, replacing the Whistleblowers Protection Act, 2001 and established the Independent Broad-based Anti-Corruption Commission (IBAC) as part of a new integrity system for Victoria. It aims to ensure openness and accountability in government by encouraging people to disclose improper conduct within the public sector, including Wellington Shire Council, its employees and Councillors, and to provide protection for people who make disclosures. Procedures on how to make a disclosure are publicly available on Council's website under Documents Available for Public Inspection.

During the 2016/17 year no disclosures were notified to Council officers appointed to receive disclosures, or to IBAC.

### 6.4.11 Road Management Act Ministerial Direction

In accordance with Section 22 of the Road Management Act, 2004, Council must publish a copy or summary of any Ministerial direction in its annual report. No such Ministerial Directions were received by Council during the financial year.

### 6.4.12 Infrastructure and Development Contributions

In accordance with section 46GM and 46QD of the Planning and Environment Act 1987, a council that is a collecting or development agency must prepare and give a report to the Minister for Planning on infrastructure and development contributions including levies and works in kind. The report must be published in council's annual report. There were no such reports in 2016/17.



A row of letterboxes in Coongulla.

## 6.5 Other Information

### 6.5.1 Grants Distributed

#### Community Assistance Grants 2016-17

Forty six applicants were successful in receiving Community Assistance Grants across the categories: Projects, Events and Facilities, totalling **\$205,875.78** (details below).

Organisation	Project Title	Amount Funded
City of Sale Eisteddfod Society Inc	City of Sale Eisteddfod - 70th year celebrations	\$5,000.00
Glenmaggie Mechanic's Institute	Glenmaggie Country Rock Festival	\$5,000.00
Heyfield & District Historical Society	Everything Old is New Again	\$5,000.00
Heyfield Community Resource Centre	Heyfield Kid's House Shade Sail Installation	\$5,000.00
Heyfield Traders & Tourists Association in conjunction with Heyfield Community Resource Centre	Heyfield Food & Wine Festival	\$5,000.00
Heyfield Vintage Machinery Group	Heyfield Vintage Machinery Rally	\$5,000.00
Lake Glenmaggie Community Representative Group Inc	Glenmaggie Foreshore Playground - Stage 1	\$5,000.00
Loch Sport Community House	Loch Sport New Year's Eve Fireworks and Foreshore Carnival	\$5,000.00
Longford Cricket Club	Turf Pitch Covers	\$5,000.00
Maffra Neighbourhood House	Maffra Neighbourhood House Family Day	\$5,000.00

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## 6.5 Other Information

### 6.5.1 Grants Distributed

#### Community Assistance Grants 2016-17

Organisation	Project Title	Amount Funded
Port Albert Progress Association	Australia Day Fun Day	\$5,000.00
Quantum Support Services	Marley Street Project - Community Open Space Beautification	\$5,000.00
Really Living Communities	2017 Really Living Expo	\$5,000.00
Rotary Club of Sale Central	Monday Tucker	\$5,000.00
Sale Baptist Church	Free Community Fun Day	\$5,000.00
Sale City Band Inc.	Sale Brass Academy 2017	\$5,000.00
Sale Golf and Bowls Club	Improving the club's accessibility	\$5,000.00
Sale to Sea Inc.	Sale to Sea Disability Challenge	\$5,000.00
Sale-Muffin and District Kennel Club Inc and Macmillan All Breeds Kennel and Obedience Club Inc.	Gippsland International Winter Festival - All Breeds Championship Dog Shows	\$5,000.00
Stratford-On-Avon Shakespeare Association	Shakespeare on the River Festival	\$5,000.00
Tarra Festival Committee	2017 Tarra Festival	\$5,000.00

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## 6.5 Other Information

### 6.5.1 Grants Distributed

#### Community Assistance Grants 2016-17

Organisation	Project Title	Amount Funded
The Sale Music Festival - Picnic on the Green	The Sale Music Festival Picnic on the Green	\$5,000.00
Vereela Maybury Committee Recreation Reserve Committee of Management	New Year's Eve Family Fun and Fireworks	\$5,000.00
Wines of Eastern Gippsland Inc.	Tsimba Food & Wine Festival	\$5,000.00
Woodside & District Football Netball Club	Portable grandstand seating	\$5,000.00
Yarram & District Health Service	Disability Discrimination Act (DDA) compliant, outdoor multipurpose work, deck and garden area in Edgar House	\$5,000.00
Yarram Community Learning Centre	Yarram Exercise and Health (YEAH)	\$5,000.00
Youth Inreach Foundation (Aust) Inc.	Empower Gippsland Youth	\$5,000.00
Bairak and District Residents Association	Rainforest Rhythms	\$4,980.00
Gormandale Community House	Family Fun Day	\$4,948.00
Heyfield Community Resource Centre	Growing for Heyfield - a community nursery for our town!	\$4,762.00
Sale Neighbourhood House	Native food garden and interactive native play space	\$4,635.00

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## 6.5 Other Information

### 6.5.1 Grants Distributed

#### Community Assistance Grants 2016-17

Organisation	Project Title	Amount Funded
Victorian Animal Aid	Animal Aid Inaugural Pet's Day in the Park	\$4,628.80
Cornwall Public Hall Committee of Management	Kitchen Supper Room Component of the Cornwall Public Hall Restoration	\$4,490.00
Longford Family Fun Day Sub Committee	Good Friday Family Fun Day	\$4,000.00
Yarram Elsteddod Society Inc.	Yarram Elsteddod 2017	\$4,000.00
Yarram Basketball Association	Equipment for the Yarram Basketball Association	\$3,964.00
Lions Club of Sale	BBQ Trailer Upgrade	\$3,730.00
Devon Welshpool Won Won Woodside Football Netball Club Inc	Alberton West New Year's Eve Fireworks	\$3,500.00
Golden Paradise Beach Ratepayers & Residents Association Inc	End of Summer Surf Festival	\$3,500.00
Gippsland Woodcraft Group Inc Nambrook	Air conditioner installation to workshop	\$2,737.50
Heyfield Community Resource Centre	Heyfield Kid's House upgrade	\$2,532.48
Yarram Combined Churches Committee	Yarram Churches & Service Clubs Christmas Hamper 2016 Appeal	\$2,500.00

 CONTINUED



The Port Albert Progress Association received a \$5,000 grant for their Australia Day Day

## 6.5 Other Information

### 6.5.1 Grants Distributed

#### Community Assistance Grants 2016-17

Organisation	Project Title	Amount Funded
Yarram Community Learning Centre Men's Shed	Yarram Men's Shed - Finishing into the Future	\$2,400.00
Woodside & District Football Netball Club	Annual Family Fun Day and Show 'n' Shine	\$2,300.00
Loch Sport Public Hall COM	Kitchen/meeting room 21 year update	\$2,268.00

#### Community Assistance Grants 2016-17

87 applicants were successful in receiving Quick Response Grants, totalling \$104,739.

## 6.5 Other Information

### 6.5.2 Citizenship

During the last year Wellington Shire Council conducted four Citizenship ceremonies, including a very popular event on Australia Day. We were able to welcome a total of 76 new citizens to our community from 20 different countries.

### 6.5.3 Civic Reception

The following Civic Receptions were held during the 2016/17 year.

Event / Civic Reception	Brief Description	Date or Month
Visit by His Excellency the Honourable Sir Peter Cosgrove AK ML (ret.) Governor-General of the Commonwealth of Australia and Her Excellency Lady Cosgrove.	Wellington Shire Council was privileged to host a Civic Reception for His Excellency the Honourable Sir Peter Cosgrove and Lady Cosgrove. Whilst in the area, they took the opportunity to visit a number of local businesses and community organisations. The Civic Reception also gave them the opportunity to meet further representatives from the RSL clubs, Rotary Club, Lions Clubs, local school students and some scouting groups.	9 November 2016
2017 Australia Day Awards Luncheon	Approximately 100 people attended a luncheon in honour of the winners of the 2017 Wellington Shire Council Citizen of the Year, Young Citizen of the Year, Community Event of the Year and Community Group of the Year. It is the fifth year that the winners and those who nominated them have been recognised with a special luncheon. A large number of communities were represented by nominations across all the categories.	13 December 2016
Victorian Country Long Course Swimming Championships Civic Reception	Over a three day period, the Victorian Country Long Course Swimming Championships brought approximately 700 swimmers from 42 clubs and up to 1500 support staff, coaches and families to the region from across all parts of Victoria and border clubs. We have previously hosted this event in both 2009 and 2013. The Civic Reception was attended by approximately 30 guests comprising of Sponsors representatives, Presidents of attending Swimming clubs, Directors of Swimming Victoria and Life Members of swimming clubs.	26 January 2017

→ CONTINUE



## 6.5 Other Information

### 6.5.3 Civic Reception

Event / Civic Reception	Brief Description	Date or Month
Eastern District Fire Brigade Championships Civic Reception	Event was attended by approximately 50 representatives of competing brigades, including Life Members of the Eastern District Fire Brigade Association, the event marked the beginning of a weekend of competition. It was the 11th occasion that Maffra Brigade has hosted the competition.	28 January 2017
Welcome Reception for Her Excellency The Honourable Lyda Dessau AC, Governor of Victoria and Mr Anthony Howard	While visiting our Shire for two days, the Governor of Victoria and Mr Howard took the time to visit key businesses within Wellington Shire Council. This is the first time a Governor has visited since 2013.	30 March 2017
New Professionals Civic Reception	Our annual reception for New Professionals was held at The Wedge and attracted guests from a variety of occupations such as teachers, doctors, accountants, aged care workers, and bank employees to name a few. The event was attended by approximately 100 people who see this reception as a wonderful networking opportunity.	31 May 2017



## 7.1 Sustainable Capacity Indicators

For the year ended 30 June 2017.

Indicator	Results			Material Variations
	2015	2016	2017	
POPULATION				
Expenses per head of municipal population [Total expenses / Municipal population]	\$1,776.84	\$1,717.79	\$1,814.75	Council's total operating expenses were \$77.8m during 2016/17, which equates to \$1,814.75 being spent per Wellington Shire resident.
Infrastructure per head of municipal population [Value of Infrastructure / Municipal population]	\$18,726.79	\$19,099.08	\$17,929.46	Wellington Shire Council's infrastructure was valued at a total of \$768.7m during the 2016/17 financial year. That equates to a total value of \$17,929.46 infrastructure per head of the municipality's population.  A valuation of assets in 2017 for roads and footpaths has lowered this measure.
Population density per length of road [Municipal population / Kilometres of local roads]	13.61	13.52	13.83	There are 3,100km of sealed and unsealed local roads for an estimated municipal population of 42,871 within Wellington Shire.
OWN-SOURCE REVENUE				
Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,394.98	\$1,475.59	\$1,563.36	Additional own source revenue received in 2016/17 included revenue from new commercial leases, combined service agreements with other Gippsland Councils and increased commercial tipping fees.

## 7.1 Sustainable Capacity Indicators

For the year ended 30 June 2017.

Indicator	Results			Material Variations
	2015	2016	2017	
RECURRENT GRANTS				
Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	\$503.46	\$293.24	\$605.65	During 2016/17, the Commonwealth Government remitted an advance payment of \$6.2 million for the 2017/18 Financial Assistance Grants, which inflates the 2017 indicator.
DISADVANTAGE				
Relative socio-economic disadvantage [Index of Relative Socio-economic Disadvantage by decile]	4	4	4	The Australian Bureau of Statistics (ABS) index of relative socio-economic disadvantage indicates that one is the most disadvantaged and ten is the least disadvantaged. Wellington Shire's result is four.

### Definitions

"Adjusted underlying revenue" means total income other than:  
(a) Non-recurrent grants used to fund capital expenditure; and  
(b) Non-monetary asset contributions; and  
(c) Contributions to fund capital expenditure from sources other than those referred to above.

"Infrastructure" means non-current property, plant and equipment excluding land.

"Local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004.

"Population" means the resident population estimated by council.

"Own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants).

"Relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 3033.0.55.001) of SEIFA.

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its internet website.

"Unrestricted cash" means all cash and cash equivalents other than restricted cash.



## 7.2 Service Performance Indicators

For the year ended 30 June 2017.

Indicator	Results			Material Variations
	2015	2016	2017	
AQUATIC FACILITIES				
<b>Utilisation</b> Utilisation of aquatic facilities (Number of visits to aquatic facilities / Municipal population)	4.55	4.75	5.01	The combined number of visits recorded at Council's indoor and outdoor aquatic facilities during 2016/17 was 214,984. This equates to an average of just over five aquatic facility visits per Wellington Shire resident for the year.
ANIMAL MANAGEMENT				
<b>Health and Safety</b> Animal management prosecutions (Number of successful animal management prosecutions)	11	4	17	Wellington Shire Council undertook 17 animal management prosecutions during 2016-17. All were successful. The majority of prosecutions were related to serious dog attacks on livestock which had a significant increase this year.
FOOD SAFETY				
<b>Health and Safety</b> Critical and major non-compliance notifications (Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises) x100	100%	100%	100%	Council is committed to minimising threats to public health and have a proactive health promotion and education program for major non-compliance food premises.

→ CONTINUE

## 7.2 Service Performance Indicators

For the year ended 30 June 2017.

Indicator	Results			Material Variations
	2015	2016	2017	
GOVERNANCE				
<b>Satisfaction</b> Satisfaction with council decisions [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	58	56	59	Council's participation in the 2016 Community Satisfaction Survey showed a 59% community satisfaction rating with the way Council has performed in making decisions in the interests of the community. Council has performed eight points higher than large rural average and five points higher compared to State wide average.
HOME AND COMMUNITY CARE				
<b>Participation</b> Participation in HACC service [Number of people that received a HACC service / Municipal target population for HACC services] x100	-	-	-	The Wellington Shire council is not directly responsible for the delivery of Home and community care service, so there is no performance data available for these indicators.
<b>Participation</b> Participation in HACC service by CALD people [Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x100	-	-	-	

→ CONTINUE

## 7.2 Service Performance Indicators

For the year ended 30 June 2017.

Indicator	Results			Material Variations
	2015	2016	2017	
LIBRARIES				
<b>Participation</b> Active library members [Number of active library members / Municipal population] x100	15.41%	13.42%	13.62%	Wellington Shire's libraries offer a broad range of popular programs including author talks, baby rhyme times, toddlers story time and school holiday programs. These are well attended and open to both library members and non-members within the municipality. Council continues to actively promote library membership across all sectors of the community, resulting in a 1.5% increase in active library membership.
MATERNAL AND CHILD HEALTH				
<b>Participation</b> Participation in the MCH service [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	-	-	-	The Wellington Shire council is not directly responsible for the delivery of Maternal and child health service, so there is no performance data available for these indicators.
<b>Participation</b> Participation in the MCH service by Aboriginal children [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	-	-	-	

→ CONTINUE

## 7.2 Service Performance Indicators

For the year ended 30 June 2017.

Indicator	Results			Material Variations
	2015	2016	2017	
ROADS				
<b>Satisfaction</b> Satisfaction with sealed local roads [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	52	53	56	Results from the 2016 Community Satisfaction Survey show an increase in residents' satisfaction rating for Wellington Shire's sealed local roads to 56% which is 13 points higher than the average for similar large rural councils. Council is responsible for a road network of 3,100 km, of which 1,506 km are sealed.
STATUTORY PLANNING				
<b>Decision Making</b> Council planning decisions upheld at VCAT [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	100%	100%	100%	In 2016/17, VCAT upheld two Council decisions to grant planning permits.
WASTE COLLECTION				
<b>Waste Diversion</b> Kerbside collection waste diverted from landfill [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	34.61%	32.10%	32.93%	<p>Almost 3,500 tonnes of recycling waste were diverted from landfill in 2016/17 which is a slight increase compared to 2015/16. That's an average of 188 kg of recycling waste per collection household in Wellington Shire.</p> <p>Wellington Shire Council does not currently have a kerbside green waste collection service in place limiting the percentage diversion rate under this category.</p>

→ CONTINUE



## 7.2 Service Performance Indicators

**For the year ended 30 June 2017.**

### Definitions

"Aboriginal child" means a child who is an Aboriginal person.

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006.

"Active library member" means a member of a library who has borrowed a book from the library.

"Annual report" means an annual report prepared by a council under sections 131, 132 and 133 of the Act.

"CALD" means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English.

"Class 1 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act.

"Class 2 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under section 19C of that Act.

"Community Care Common Standards" means the Community Care Common Standards for the delivery of HACC services, published from time to time by the Commonwealth.

"Critical non-compliance outcome notification" means a notification received by council under section 19(4)(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health.

"Food premises" has the same meaning as in the Food Act 1984.

"HACC program" means the Home and Community Care program established under the Agreement entered into for the purpose of the Home and Community Care Act 1985 of the Commonwealth.

"HACC service" means home help, personal care or community respite provided under the HACC program.

"Local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004.

"Major non-compliance outcome notification" means a notification received by a council under section 19(4)(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken.

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age.

"Population" means the resident population estimated by council.

"Target population" has the same meaning as in the Agreement entered into for the purpose of the Home and Community Care Act 1985 of the Commonwealth.

"WorkSafe reportable aquatic facility safety incident" means an incident relating to a council aquatic facility that is required to be notified to the Victorian WorkCover Authority under Part 5 of the Occupational Health and Safety Act 2004.

## 7.3 Financial Performance Indicators

For the year ended 30 June 2017.

Dimension / Indicator	Results			Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	
EFFICIENCY								
<b>Revenue Level</b> Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	\$1,114.95	\$1,177.97	\$1,278.23	\$1,287.27	\$1,306.25	\$1,337.10	\$1,351.82	Supplementary valuations relating to residential properties processed in 2016/17 were higher than expected resulting in additional rates and charges raised. This increase was partly offset by a reduction in residential assessments associated with the transfer of a number of vacant blocks as part of the Wellington Coastal Strategy, Ninety Mile Beach Plan Voluntary Assistance program.
<b>Waste Diversion</b> Expenses per property assessment [Total expenses / Number of property assessments]	\$2,181.33	\$2,103.93	\$2,344.22	\$2,335.68	\$2,374.41	\$2,354.58	\$2,419.69	This increase reflects the inclusion of a CPI increase over the period with 2016/17 impacted by large one-off projects and increased employee costs. Depreciation has also increased due to the impact of 2015/16 asset revaluation. Council is well below similar councils for expenses per property assessments.

→ CONTINUE

## 7.3 Financial Performance Indicators

For the year ended 30 June 2017.

Dimension / Indicator	Results			Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	
EFFICIENCY								
<b>Workforce Turnover</b> Resignations and terminations compared to average staff (Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year) x100	9.39%	13.14%	9.92%	9.97%	10.00%	10.00%	10.00%	There were fewer retirements in 2016/17 compared to the previous year. The percentage of resignations and terminations during the year is comparable with the long term average which is around 10%.
LIQUIDITY								
<b>Working Capital</b> Current assets compared to current liabilities (Current assets / Current liabilities) x100	321.14%	382.82%	416.15%	361.57%	288.50%	348.48%	351.66%	Council's liquidity has improved due to grant funding received in advance and an increase in capital works for 2017/18 due to project timing, which has been partly offset by increased payables. Future years liquidity will remain steady except for 2018/19 where Council has an obligation to repay an interest only loan.

→ CONTINUE



## 7.3 Financial Performance Indicators

For the year ended 30 June 2017.

Dimension / Indicator	Results			Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	
LIQUIDITY								
<b>Unrestricted Cash</b> Unrestricted cash compared to current liabilities (Unrestricted cash / Current liabilities) x100	156.80%	-71.49%	169.41%	194.42%	166.51%	199.66%	220.13%	The improvement in 2016/17 unrestricted cash availability is due to Council having adequate cash available to cover current liabilities and reduced amounts in long term deposits. Future years will be relatively steady except for 2018/19 where Council has a commitment to repay an interest only loan.





## 7.3 Financial Performance Indicators

For the year ended 30 June 2017.

Dimension / Indicator	Results			Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	
OBLIGATIONS								
<b>Asset Renewal</b> Asset renewal compared to depreciation [Asset renewal expenses / Asset depreciation] x100	69.40%	80.21%	94.65%	133.81%	120.69%	108.86%	99.99%	The improvement in this measure recognises Council's emphasis on continual reduction of the asset renewal gap, which is being assisted by successful receipt of grant funding for projects such as the Port of Sale Precinct (commenced 2015/16 and expected completion in 2017/18) and increased renewal of roads and bridges (funded by increased Roads to Recovery allocation).
<b>Loans and Borrowings</b> Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	26.58%	19.61%	15.62%	19.93%	20.96%	16.61%	19.01%	The reduction in this measure relates to Council deferring \$1.3 million of loan borrowings in 2016/17 to 2017/18. Over the next four years Council will continue to construct a number of key residential street schemes, funded by borrowings which will be repaid over time by ratepayers benefiting from the works.

→ CONTINUE

## 7.3 Financial Performance Indicators

For the year ended 30 June 2017.

Dimension / Indicator	Results			Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	
OBLIGATIONS								
<b>Loans and Borrowings</b> Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	7.33%	7.05%	3.60%	2.52%	1.94%	7.16%	2.18%	The reduction from 2015/16 to 2016/17 is due to the repayment of two major loans and no new borrowings for 2015/16 and 2016/17. This results in a reduction of \$1.64 million loan principal and interest payments between the two years. Existing Council loans will be progressively repaid over the next three years. In 2019/20 Council plans to partly repay the principal owing on an interest only loan.
<b>Indebtedness</b> Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	20.36%	17.04%	18.79%	18.86%	15.01%	15.58%	17.13%	This measure results from an increase in 2016/17 own source revenue associated with increased rates and charges, statutory fees and commercial tipping fees, along with a minor decrease in non-current liabilities (reduced loan payments).

→ CONTINUE

## 7.3 Financial Performance Indicators

For the year ended 30 June 2017.

Dimension / Indicator	Results			Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	
OPERATING POSITION								
<b>Adjusted Underlying Result</b> Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100	8.46%	3.63%	16.82%	1.89%	6.61%	7.85%	6.23%	The fluctuation between 2015/16 and 2016/17 is the result of the early receipt of 2017/18 funds in 2016/17. This early receipt of funds will also impact the 2017/18 result. The remaining future years will remain relatively steady.
STABILITY								
<b>Rates Concentration</b> Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	60.27%	69.10%	59.25%	69.49%	65.88%	66.97%	66.94%	This measure has also been impacted by the unexpected receipt of funding in 2016/17 applicable to 2018.

→ CONTINUE

## 7.3 Financial Performance Indicators

For the year ended 30 June 2017.

Dimension / Indicator	Results			Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	
STABILITY								
<b>Rates Effort</b> Rates compared to property values (Rate revenue / Capital improved value of rateable properties in the municipality) x100	0.54%	0.56%	0.54%	0.58%	0.57%	0.58%	0.58%	This measure is forecast to remain steady over the next four years.

### Definitions

"Adjusted underlying revenue" means total income other than:  
 (a) Non-recurrent grants used to fund capital expenditure; and  
 (b) Non-ministry asset contributions; and  
 (c) Contributions to fund capital expenditure from sources other than those referred to above.

"Adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure.

"Asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability.

"Current assets" has the same meaning as in the Australian Account Standards (AAS).

"Current liabilities" has the same meaning as in the AAS.

"Non-current assets" means all assets other than current assets.

"Non-current liabilities" means all liabilities other than current liabilities.

"Non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan.

"Own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants).

"Population" means the resident population estimated by council.

"Rate revenue" means revenue from general rates, municipal charges, service rates and service charges.

"Recurrent grant" means a grant other than a non-recurrent grant.

"Residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties.

"Restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year.

"Unrestricted cash" means all cash and cash equivalents other than restricted cash.



## 7.4 Basis of Preparation

**Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results.**

This statement has been prepared to meet the requirements of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 6 June 2017 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

## 7.5 Independent Auditor's Report

**VAGO**  
Victorian Auditor-General's Office

### Independent Auditor's Report

To the Councils of Metropolitan Water Council

**Opinion**

I have audited the accompanying performance statement of Metropolitan Water Council (the council) which comprises the:

- description of municipality for the year ended 30 June 2017
- sustainability capacity indicators for the year ended 30 June 2017
- service performance indicators for the year ended 30 June 2017
- financial performance indicators for the year ended 30 June 2017
- other information; and
- the certification of the performance statement.

In my opinion, the performance statement of Metropolitan Water Council is, in respect of the year ended 30 June 2017 presents fairly, in all material respects, in accordance with the performance reporting requirements of Part 5 of the Local Government Act 1989.

**Scope for Opinion**

I have conducted my audit in accordance with the Audit Act 1994 and in accordance with the Australian Standards on Assurance Engagements. My responsibilities under this Act are further described in the auditor's responsibilities for the audit of the performance statement section of my report.

My independence is established by the Constitution Act 1978. I and my staff are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 113 Code of Ethics for Professional Accountants (the Code) that are relevant to my audit of the performance statement in Australia, and have also fulfilled our other ethical responsibilities in accordance with the Code.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

**Council's responsibility for the performance statement**

The Councils are responsible for the preparation and for presentation of the performance statement in accordance with the performance reporting requirements of the Local Government Act 1989 and for such internal control as the Councils determine to implement to enable the preparation and for presentation of the statement of performance that is free from material misstatement, whether due to fraud or error.

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**Auditor's responsibilities for the audit of the performance statement**

As required by the Audit Act 1994, my responsibility is to express an opinion on the performance statement based on the audit. My objective is to obtain an overall assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but it is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with the Australian Standards on Assurance Engagements, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of performance statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control.
- evaluate the overall presentation, structure and content of the statement of performance, including the disclosures, and whether the statement of performance is free from the misstatements and omissions that are material to the statement of performance.

I communicate with the Councils regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

  
 The Auditor-General  
 17 September 2017

## 7.6 Certification of the Performance Statement

**WELLINGTON CITY COUNCIL**  
*The Heart of Capital*

**Certification of the Performance Statement**

In my opinion, the accompanying performance statement has been prepared in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

  
Ian Cairns OBE  
Principal Accounting Officer  
Dated: 26/09/2017

In my opinion, the accompanying performance statement of the Wellington City Council for the year ended 30 June 2017 presents fairly the results of the Council's performance in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

The performance statement includes the Council's performance indicators, measures and results in relation to service performance, financial performance and sustainable development.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the Council and by the Local Government (Planning and Reporting) Regulations 2014 to certify the performance statement in its true form.

  
Deputy Mayor  
Alan Hall  
Dated: 26/09/2017

  
Controller  
Gerry Hughes  
Dated: 26/09/2017

  
Chief Executive Officer  
David Thompson  
Dated: 26/09/2017

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*The Heart of Capital*







COMPREHENSIVE INCOME STATEMENT  
For the Year Ended 30 June 2017

	NOTE	2017 \$'000	2016 \$'000
<b>Income</b>			
Fees and charges	2	95,187	91,960
Statutory fees and fines	4	162	485
User fees	5	5,640	6,410
Grants - operating	6	6,888	6,046
Grants - capital	6	13,120	8,734
Contributions - monetary	7	403	300
Contributions - non-monetary	7	2,714	5,524
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	8	168	340
Other income	9	490	3,425
<b>Total income</b>		<b>135,862</b>	<b>117,239</b>
<b>Expenses</b>			
Employee costs	10	20,689	23,740
Materials and services	11	25,940	25,100
Bad and doubtful debts	12	22	70
Depreciation and amortisation	13	22,048	21,402
Borrowing costs	14	510	708
Other expenses	15	2,707	1,870
<b>Total expenses</b>		<b>72,916</b>	<b>72,880</b>
<b>Surplus for the year</b>		<b>62,946</b>	<b>44,359</b>
<b>Other comprehensive income</b>			
Items that will not be reclassified to surplus or deficit in future periods			
Net actuarial/(actuarial) provision	17/18	(90,801)	3,116
<b>Total comprehensive result</b>		<b>(27,855)</b>	<b>47,475</b>

This above comprehensive income statement should be read in conjunction with the accompanying notes.

BALANCE SHEET  
As at 30 June 2017

	2017	2016	2015
<b>Assets</b>			
<b>Current assets</b>			
Cash and bank equivalents	16	45,288	4,702
Trade and other receivables	19	6,708	4,336
Other financial assets	17	16,417	40,841
Non-current assets classified as held for sale	18	-	216
Other assets	20	2,382	959
<b>Total Current Assets</b>		<b>64,793</b>	<b>49,054</b>
<b>Non-current assets</b>			
Trade and other receivables	19	2,154	1,487
Property, infrastructure, plant and equipment	21	445,796	380,239
Intangible assets	22	1,150	949
<b>Total non-current assets</b>		<b>448,000</b>	<b>382,675</b>
<b>Total assets</b>		<b>512,793</b>	<b>431,729</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	23	6,504	4,376
Trust funds and deposits	24	98	429
Provisions	25	3,736	6,150
Interest-bearing loans and borrowings	26	194	1,489
<b>Total current liabilities</b>		<b>10,532</b>	<b>12,444</b>
<b>Non-current liabilities</b>			
Provisions	25	4,700	2,711
Interest-bearing loans and borrowings	26	2,850	3,936
<b>Total non-current liabilities</b>		<b>7,550</b>	<b>6,647</b>
<b>Total liabilities</b>		<b>18,082</b>	<b>19,091</b>
<b>Net assets</b>			
		<b>494,711</b>	<b>412,638</b>
<b>Equity</b>			
Accumulated surplus		240,718	211,886
Reserves	27	149,020	151,941
<b>Total Equity</b>		<b>389,738</b>	<b>363,827</b>

This above balance sheet should be read with the accompanying notes.



STATEMENT OF CAPITAL WORKS  
Period: Year Ending 30 June 2017

Item	2017 \$'000	2016 \$'000
Property		
Land	0	100
Land improvements	952	46
Total land	952	146
Buildings	2,763	2,539
Total buildings	2,763	2,539
Total property	3,715	2,685
Plant and equipment		
Plant, machinery and equipment	2,111	2,977
Furniture and fittings	134	103
Computer and telecommunications	39	87
Leasing finance	158	196
Accruals	0	50
Total plant and equipment	2,302	3,313
Intangible assets		
Patents	10,540	8,839
Software	2,911	1,515
Franchise and licences	162	107
Goodwill	187	132
Relationship, licence and marketing rights	679	1,771
Waste management	42	138
Plant, equipment and development	2,814	1,781
Accruals	147	175
Oil and gas assets	143	101
Other intangibles	122	2,529
Total intangibles	17,505	15,771
Total non-currently assests	23,522	20,569
Reserve for:		
Share premium	290	403
Accumulated depreciation	21,106	16,629
Accumulated amortisation	2,190	822
Accumulated depreciation	3,401	1,398
Total reserve for depreciation	25,087	18,752

The above Statement of Capital Works is presented in accordance with the accounting policy.  
The Statement of Capital Works includes work in progress to be completed during the year.

Statement of Financial Position  
Period: Year Ending 30 June 2017

INTRODUCTION

Watergen Inc. ("Company") was incorporated by an Order of the Government of Canada on 11 December 1988. The Company is a public company incorporated in Canada under the laws of the Province of Ontario.

STATEMENT OF COMPLIANCE

The financial statements are prepared in accordance with the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position. The financial statements are prepared in accordance with the accounting policies of the Company as set out in the Statement of Financial Position.

NOTE 1: SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of accounting

The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

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The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

(b) Changes in accounting policies

The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

(c) Basis of measurement

The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

(d) Financial instruments

The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

Notes and Disclosures

The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

Statement of Financial Position

The financial statements are prepared on the basis of the accounting policies of the Company, which are based on the accounting policies of the Company as set out in the Statement of Financial Position.

Notes to the Financial Report  
Fiscal Year Ended 30 June 2017

NOTE 1: SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(a) *Revenue recognition (cont'd)*

*Flow chart*

Flow chart are designed to assist in the understanding of the flow of the accounting process.

*Revenue*

Revenue is recognized when the Company has control of the asset. The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

When the Company has control of the asset, it is recognized as revenue. The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

*Construction*

Construction and other long-term assets are recognized as revenue when the Company has control of the asset.

*Cost of construction, goods and services*

The cost of construction, goods and services is recognized as an expense when the Company has control of the asset.

*Interest*

Interest is recognized as an expense.

*Other income*

Other income is recognized as revenue when the Company has control of the asset.

(b) *Financial instruments*

The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

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Notes to the Financial Report  
Fiscal Year Ended 30 June 2017

NOTE 1: SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(a) *Other financial assets*

Other financial assets are recognized as revenue when the Company has control of the asset.

(b) *Revenue recognition (cont'd)*

When the Company has control of the asset, it is recognized as revenue. The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

(c) *Construction and other long-term assets*

Construction and other long-term assets are recognized as revenue when the Company has control of the asset.

The cost of construction, goods and services is recognized as an expense when the Company has control of the asset.

Interest is recognized as an expense.

Other income is recognized as revenue when the Company has control of the asset.

The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

The Company has control of the asset when it has the right to the asset and the asset is not subject to the risk of obsolescence.

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For more information, please contact the author at [maria@mariafrank.com](mailto:maria@mariafrank.com) or [www.mariafrank.com](http://www.mariafrank.com). The author is available for speaking engagements and can be reached at [maria@mariafrank.com](mailto:maria@mariafrank.com) or [www.mariafrank.com](http://www.mariafrank.com). The author is also available for consulting services and can be reached at [maria@mariafrank.com](mailto:maria@mariafrank.com) or [www.mariafrank.com](http://www.mariafrank.com).

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**Scholarship:**

Revised in the Financial Review  
For the Year Ending 30 June 2011

## Work: Subject comparison correct

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Variable	Issue	Comments
Id-1	Rent and charges	Additional rent raised during 2019/20 due to the introduction of a new statutory regulation after the completion of the 2019/20 budget, including a plan to plan to increase the rent.
Id-2	Revenue From & From	Planning budget items are higher than expected in 2019 due to the State Government increasing the amount payable for the 2019/20 and increasing the amount payable for the 2019/20. The amount of the 2019/20 is less than the amount of the 2019/20 and the amount of the 2019/20 is less than the amount of the 2019/20.
Id-3	Revenue expenditure	The amount of revenue expenditure is less than the amount of revenue expenditure in 2019/20. The amount of revenue expenditure is less than the amount of revenue expenditure in 2019/20. The amount of revenue expenditure is less than the amount of revenue expenditure in 2019/20.
Id-4	Revenue capital	The amount of revenue capital expenditure is less than the amount of revenue capital expenditure in 2019/20. The amount of revenue capital expenditure is less than the amount of revenue capital expenditure in 2019/20. The amount of revenue capital expenditure is less than the amount of revenue capital expenditure in 2019/20.
Id-5	Contribution income	The amount of contribution income is less than the amount of contribution income in 2019/20. The amount of contribution income is less than the amount of contribution income in 2019/20. The amount of contribution income is less than the amount of contribution income in 2019/20.
Id-6	Contribution cost	The amount of contribution cost is less than the amount of contribution cost in 2019/20. The amount of contribution cost is less than the amount of contribution cost in 2019/20. The amount of contribution cost is less than the amount of contribution cost in 2019/20.
Id-7	Reclassification of revenue expenditure, asset and liabilities	The amount of reclassification of revenue expenditure, asset and liabilities is less than the amount of reclassification of revenue expenditure, asset and liabilities in 2019/20. The amount of reclassification of revenue expenditure, asset and liabilities is less than the amount of reclassification of revenue expenditure, asset and liabilities in 2019/20. The amount of reclassification of revenue expenditure, asset and liabilities is less than the amount of reclassification of revenue expenditure, asset and liabilities in 2019/20.
Id-8	Other income	The amount of other income is less than the amount of other income in 2019/20. The amount of other income is less than the amount of other income in 2019/20. The amount of other income is less than the amount of other income in 2019/20.
Id-9	Expenditure	The amount of expenditure is less than the amount of expenditure in 2019/20. The amount of expenditure is less than the amount of expenditure in 2019/20. The amount of expenditure is less than the amount of expenditure in 2019/20.
Id-10	Revenue & Expenditure	The amount of revenue and expenditure is less than the amount of revenue and expenditure in 2019/20. The amount of revenue and expenditure is less than the amount of revenue and expenditure in 2019/20. The amount of revenue and expenditure is less than the amount of revenue and expenditure in 2019/20.
Id-11	Depreciation and amortisation	The amount of depreciation and amortisation is less than the amount of depreciation and amortisation in 2019/20. The amount of depreciation and amortisation is less than the amount of depreciation and amortisation in 2019/20. The amount of depreciation and amortisation is less than the amount of depreciation and amortisation in 2019/20.
Id-12	Other income	The amount of other income is less than the amount of other income in 2019/20. The amount of other income is less than the amount of other income in 2019/20. The amount of other income is less than the amount of other income in 2019/20.

Source: U.S. Commerce Department.  
 Trading Year Ending 20 June 1997

## TABLE 2. SUBJECT CHARACTERISTICS

**Journal of Women's Health**

	2007 \$000	2007 \$000	2007 \$000	
<b>Property</b>				
Land	—	—	—	—
Land improvements	1,630	952	—	1
Buildings	1,537	952	—	—
Equipment	10,957	7,763	—	2
Leaseholdings	10,957	7,763	—	1
Transportation	12,462	8,777	—	—
<b>Fixed and Depreciable</b>				
Fixed and depreciable assets	2,942	3,771	437	2
Accumulated depreciation	67	334	307	4
Construction in progress	276	74	308	1
Leasehold improvements	268	268	(2)	—
Fixed Asset and Equipment	3,389	3,339	634	—
<b>Intangibles</b>				
Goodwill	15,780	10,646	4,814	—
Patents	3,330	2,817	149	7
Customer relationships	1,644	702	617	4
Software	280	101	936	4
Non-amortizable intangibles	2,664	478	1,367	16
Other intangibles	712	40	31	17
Other intangibles	8,736	3,434	3,312	12
Goodwill	401	341	138	13
Other intangibles	36	342	(87)	14
Other intangibles	5,117	3,321	3,075	15
Other intangibles	24,213	17,347	9,140	—
<b>Goodwill and Intangible Assets</b>	<b>44,390</b>	<b>28,213</b>	<b>15,337</b>	
<b>Depreciation and Amortization</b>				
Depreciation and amortization	2,081	208	1,344	—
Depreciation and amortization	19,214	11,196	1,818	—
Depreciation and amortization	3,911	1,110	3,717	—
Depreciation and amortization	8,736	3,434	4,110	—
Depreciation and amortization	40,000	26,213	15,337	—

\*The following scenarios excluded the center.









Balance Sheet		2014	2013
Assets		2014	2013
<b>NOTE 10</b>	<b>CASH AND CASH EQUIVALENTS</b>		
Cash		10,000	10,000
Cash equivalents		10,000	10,000
		<u>20,000</u>	<u>20,000</u>
<b>TOTAL CASH AND CASH EQUIVALENTS</b>		<b>20,000</b>	<b>20,000</b>
Accounts receivable		10,000	10,000
Inventory		10,000	10,000
Prepaid expenses		10,000	10,000
Property, plant, and equipment		10,000	10,000
Intangible assets		10,000	10,000
Goodwill		10,000	10,000
Other assets		10,000	10,000
		<u>100,000</u>	<u>100,000</u>
<b>TOTAL ASSETS</b>		<b>100,000</b>	<b>100,000</b>
<b>NOTE 11</b>	<b>LIABILITIES</b>		
Accounts payable		10,000	10,000
Notes payable		10,000	10,000
Long-term debt		10,000	10,000
Other liabilities		10,000	10,000
		<u>40,000</u>	<u>40,000</u>
<b>TOTAL LIABILITIES</b>		<b>40,000</b>	<b>40,000</b>
<b>NOTE 12</b>	<b>EQUITY</b>		
Common stock		10,000	10,000
Retained earnings		10,000	10,000
Other equity		10,000	10,000
		<u>30,000</u>	<u>30,000</u>
<b>TOTAL EQUITY</b>		<b>30,000</b>	<b>30,000</b>

Balance Sheet Components (in \$)		2013	2014
As of Year-End Balance Sheet 2013		2013	2014
<b>NOTE 10: TRADE AND OTHER RECEIVABLES (CONT'D)</b>			
<b>Ageing of Receivables</b> Accounts receivable, net of allowance for doubtful accounts and past due accounts receivable. The ageing terms (in millions of dollars) are as follows:			
Current (not over 90 days)	1,141	1,449	
Over 90 days to 180 days	24	27	
Over 180 days to 360 days	304	72	
Over 360 days to 540 days	<u>2,089</u>	<u>2,078</u>	
<b>Allowance for doubtful accounts</b> Accounts receivable, net of allowance for doubtful accounts.			
Accounts receivable, net of allowance for doubtful accounts	<u>—</u>	<u>—</u>	
Accounts receivable, net of allowance for doubtful accounts	<u>—</u>	<u>—</u>	
Accounts receivable, net of allowance for doubtful accounts	<u>—</u>	<u>—</u>	
<b>Ageing of accounts receivable by region</b> Accounts receivable, net of allowance for doubtful accounts, by region.			
Accounts receivable, net of allowance for doubtful accounts, by region	<u>—</u>	<u>—</u>	
Accounts receivable, net of allowance for doubtful accounts, by region	<u>—</u>	<u>—</u>	
Accounts receivable, net of allowance for doubtful accounts, by region	<u>—</u>	<u>—</u>	
<b>NOTE 11: NON-CURRENT ASSET CLASSIFIED AS HELD FOR SALE</b>			
Current assets	<u>—</u>	<u>—</u>	
TOTAL NON-CURRENT ASSET CLASSIFIED AS HELD FOR SALE	<u>—</u>	<u>—</u>	
<b>NOTE 12: OTHER ASSETS</b>			
Prepaid expenses	225	192	
Accounts receivable	2,071	2,078	
TOTAL (OTHER ASSETS)	<u>2,296</u>	<u>2,270</u>	

Resource's Financial Report  
For the Year Ended 30 June 2017

NOTE 21 (a)

PROPERTY, INFRASTRUCTURE, PLANT AND EQUIPMENT

Summary of property, infrastructure, plant and equipment

	At Fair Value 30 June 2016 \$'000	Accumulated Depreciation \$'000	Contributions \$'000	Revaluations \$'000	Accumulated Depreciation \$'000	Disposals \$'000	Transfers \$'000	At Fair Value 30 June 2017 \$'000
Lease	37,677	78	301	(932)	540	-	-	\$7,118
Buildings	73,351	970	-	-	(3,329)	(937)	3,343	71,967
Plant and Equipment	13,096	2,497	-	-	(2,334)	(685)	136	12,610
Infrastructure	28,617	11,868	3,409	(62,122)	(76,617)	(3,398)	3,732	649,910
Work in progress	7,509	14,735	-	-	-	(940)	(5,228)	16,415
	900,219	29,749	3,710	(62,625)	(77,600)	(5,118)	33	845,195

Summary of Work in Progress

	Opening WIP \$'000	Additions \$'000	Transfers \$'000	Work Done \$'000	Closing WIP \$'000
Buildings	4,751	10,143	(2,754)	79	12,199
Plant and Equipment	261	54	(100)	-	197
Infrastructure	2,494	2,938	(2,334)	(718)	3,990
Total	7,509	14,735	(5,188)	(639)	16,415

Balance to the Credit of Property  
For the Year Ended 30 June 2017

NOTE 15(a)

PROPERTY, INFRASTRUCTURE, PLANT AND EQUIPMENT (CONT'D)

Less: Accum Depreciation

	Land acquired \$'000	Land acquired \$'000	Land acquired \$'000	Land Under Construction \$'000	Total Land \$'000	Buildings - acquired \$'000	Buildings - under construction \$'000	Plant & Equipment \$'000	Waste Management \$'000	Total Property \$'000
Carrying Balance 30 June 2016	75,390	81	5,746	17,539	98,746	126,000	817	138,147	4,797	342,384
Revaluation Gains/Balances 30 June 2016	-	-	(864)	-	(864)	(35,790)	-	(66,799)	-	(102,453)
Fair Value 1 July 2016	75,390	81	5,746	17,539	98,746	126,000	817	138,147	4,797	342,384
Accumulated Depreciation at 1 July 2016	-	-	(864)	-	(864)	(35,790)	-	(66,799)	-	(102,453)
	75,390	81	5,746	17,539	98,746	126,000	817	138,147	4,797	342,384
Disposals in the Year	-	-	86	7	93	889	-	882	(9,345)	11,289
Depreciation expense	-	-	-	(8)	(8)	-	-	-	-	88
Carrying amount	284	-	-	(8)	284	-	-	-	-	284
Revaluation gains/losses/impairment	(103)	-	-	-	(103)	-	-	-	-	(103)
Fair value of assets disposed	-	-	(12)	(7)	(19)	(889)	-	(882)	9,345	(891)
Transfer	83	(882)	-	-	-	1,466	(177)	1,343	(2,766)	(1,000)
	(279)	(882)	86	9	(166)	1,555	(177)	1,439	(1,912)	8,339
Disposals in the year ended 30 June 2017	-	-	(122)	(7)	(129)	(1,320)	-	(1,529)	-	(2,878)
Depreciation expense	-	-	81	7	88	688	-	688	-	1,463
Revaluation gains/losses/impairment	-	-	-	-	-	(71)	-	(71)	-	(142)
Transfer	-	-	(122)	-	(122)	(1,459)	-	(1,529)	-	(2,940)
	75,392	-	5,772	17,539	98,743	140,388	-	140,388	11,237	356,338
Accumulated Depreciation at 30 June 2017	-	-	(163)	-	(163)	(36,638)	-	(68,318)	-	(104,999)
	75,392	-	5,772	17,539	98,743	140,388	-	140,388	11,237	356,338



Notes to the Financial Report  
Fiscal Year Ended 30 June 2017

NOTE 21 (a)

PROPERTY, INFRASTRUCTURE, PLANT AND EQUIPMENT (CONT'D)

Plant and Equipment

	Plant Machinery and Equipment \$'000	Furniture fittings and hardware \$'000	Computers and peripherals \$'000	Library Books \$'000	Art Works \$'000	Work in Progress \$'000	Total Plant and Equipment \$'000
Fair Value 1 July 2016	30,969	2,704	4,327	3,243	3,426	241	24,910
Accumulated Depreciation at 1 July 2016	(8,526)	(1,456)	(3,713)	(1,281)	-	-	(11,985)
	6,333	1,251	612	1,964	3,426	241	13,325
Movements in Fair Value							
Acquisition of assets	2,502	47	39	298	52	54	2,991
Fair value of assets Disposed	(1,508)	-	-	(33)	-	-	(1,568)
Transfer	35	-	101	-	-	(302)	36
	481	47	139	33	52	(85)	696
Movements in Accumulated Depreciation							
Depreciation and amortisation	(1,534)	(208)	(302)	(346)	-	-	(2,390)
Accumulated depreciation of disposals	964	-	-	233	-	-	1,197
	(570)	(208)	(302)	(113)	-	-	(1,193)
At year end 30 June 2017	11,458	2,795	4,458	3,278	3,478	197	25,617
Accumulated depreciation at 30 June 2017	(5,716)	(1,667)	(4,011)	(1,797)	-	-	(12,191)
	6,224	1,069	441	1,481	3,478	197	12,860





Return to the Financial Report  
For the Year Ending 30 June 2017

NOTE 21.0

PROPERTY, INFRASTRUCTURE, PLANT AND EQUIPMENT (CONT'D)

Subsidiaries -

	Assets \$'000	Liabilities \$'000	Provisions and contingencies \$'000	Shareholdings \$'000	Reserves and equity \$'000	Warrant liabilities \$'000	Financial assets and investments \$'000	Receivables \$'000	Other assets \$'000	Other liabilities \$'000	Warrant provisions \$'000	Total liabilities \$'000
Consolidation 30 June 2016	770,629	87,338	20,514	708,204	25,100	4,674	25,428	15,858	4,054	(20,156)	2,408	1,041,483
Disposals during the year 30 June 2017	(255,962)	(12,761)	(74,972)	(235,812)	(51,715)	(3,840)	(7,779)	(3,434)	(7,342)	(3,245)	-	(327,432)
First Year Adjustments - Assets	30	470	2	1,188	-	-	-	-	-	-	-	1,712
First Year Adjustments - Liabilities	(4)	(205)	(5)	(840)	-	-	-	-	-	-	-	(945)
For the year 1 July 2016	710,693	85,343	(53,577)	706,422	25,150	4,834	25,719	15,819	4,074	(23,151)	2,408	1,015,918
Reconciliation Statement as at 1 July 2016	(275,567)	(77,645)	(74,972)	(70,250)	(51,715)	(3,840)	(7,779)	(5,138)	(7,342)	(3,245)	-	(220,666)
	435,126	7,698	24,575	71,172	13,435	1,000	17,940	10,681	2,732	(26,396)	2,408	795,252
Movements in Fair Value												
Acquisition of assets	1,278	38	1,014	361	128	11	1,088	9	-	446	1,138	15,526
Current year income	1,027	-	1,064	1,811	21	-	-	-	-	-	-	5,429
Revaluation of assets and liabilities	(75,372)	-	(74,740)	-	-	-	-	-	-	-	-	(14,632)
Transfer of assets and liabilities	(5,365)	(602)	(562)	(526)	(74)	-	(178)	-	-	(774)	(715)	(6,370)
Disposals	1,108	2	802	864	138	-	102	-	-	74	(2,778)	1,401
	(75,979)	(662)	(75,158)	(2,421)	(43)	17	(752)	9	-	(20)	1,423	(75,894)
Movements in Revaluation of Depreciation												
Depreciation and amortisation	(51,432)	(7,274)	(5,758)	(1,748)	(845)	(778)	(723)	(228)	(88)	(694)	-	(58,778)
Revaluation of depreciation and amortisation	4,154	643	464	476	79	-	101	-	-	717	-	5,069
Revaluation of depreciation and amortisation	(4,754)	-	(5,643)	-	-	-	-	-	-	-	-	(10,397)
Disposals	1	-	-	(2)	(222)	-	1	-	-	(2)	-	(70)
	(52,030)	(7,271)	(10,937)	(2,274)	(988)	(777)	(621)	(228)	(88)	(694)	-	(64,587)
As at year end 30 June 2017	435,126	85,716	21,802	713,204	25,150	4,834	25,719	15,864	4,074	(23,151)	2,408	871,287
Reconciliation Statement as at 30 June 2017	(275,567)	(77,645)	(74,972)	(70,250)	(51,715)	(3,840)	(7,779)	(5,138)	(7,342)	(3,245)	-	(220,666)
	442,152	10,412	17,799	74,484	13,435	1,000	17,940	10,726	2,732	(26,396)	2,408	850,621

Note that the fair value adjustments for the year end 30 June 2017 are based on the latest available information as at 30 June 2017 and are subject to the final valuation report issued in June 2017.



[illegible]

NOTES TO THE READER: THESE DOCUMENTS CONTAIN INFORMATION OF A PRELIMINARY NATURE.

Source: U.S. Census Bureau, *Marriage, Divorce, Remarriage in the 1990s*, p. 10.

Statement of Financial Position  
For the Year Ending 30 June 2017

NO\$ IN \$100,000,000

	Reported at closing of reporting period	Reported at beginning of reporting period	Transfer to reporting period	Transfer from reporting period
	\$'000	\$'000	\$'000	\$'000
<b>2017</b>				
Non-Discretionary Reserves				
Reserve for Contingencies	216	112	-	466
Contingency Reserve	-	12	-	11
Accumulated Reserves	2	49	299	7
Accumulated Reserves	35	-	228	-
Unaudited Financial Position	463	173	527	64
Total Non-Discretionary Reserves	1,000	364	1,146	1,112
<b>TOTAL DISCRETIONARY RESERVES</b>	<b>6,866</b>	<b>2,861</b>	<b>11,400</b>	<b>6,866</b>
<b>2016</b>				
Non-Discretionary Reserves				
Reserve for Contingencies	222	46	123	41
Contingency Reserve	1,176	803	3,374	743
Accumulated Reserves	4,190	1,800	800	6,170
Unaudited Financial Position	5,588	2,649	5,297	7,354
Total Non-Discretionary Reserves	5,810	2,535	8,797	844
<b>TOTAL DISCRETIONARY RESERVES</b>	<b>1,046</b>	<b>2,945</b>	<b>12,370</b>	<b>6,966</b>

For the year ended 30 June 2017

Statement of Financial Position

For the year ended 30 June 2017

Statement of Financial Position

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Statement of Financial Position  
For the Year Ending 30 June 2017

	2017 \$'000	2016 \$'000
<b>NOTE 20 RECONCILIATION OF CASH FLOW FROM OPERATING ACTIVITIES TO SURPLUS</b>		
Surplus for the period	38,300	14,317
Depreciation and amortisation	25,814	25,111
Provision for impairment of property, plant and equipment	1,469	2,142
Accumulated Reserves	11,716	5,048
Reserve for Contingencies	350	369
Other	2,788	540
Change in equity attributable to equity holders	72,467	48,527
Change in equity attributable to equity holders	(5,804)	1,312
Reserve for Contingencies	6,170	5,048
Reserve for Contingencies	81	141
Reserve for Contingencies	1,381	511
<b>NET LOSS ATTRIBUTABLE TO EQUITY HOLDERS</b>	<b>(21,760)</b>	<b>(21,449)</b>
<b>NOTE 21 FINANCIAL MANAGEMENT</b>		
Financial assets	88	219
Financial liabilities	1,61	128
Total Financial	146	347
Financial assets	42	26
Financial liabilities	104	321



Notes to the Financial Report  
For the Year Ended 30 June 2017

NOTE 30 COMMENTS

The Group has entered into the following commitments:

	Year ended 30 June 2017	Year ended 30 June 2016	Year ended 30 June 2015	Year ended 30 June 2014	Year ended 30 June 2013
2017	year	year	year	year	year
Operating	\$100	\$100	\$100	\$100	\$100
Working Management	\$100	\$100	-	-	-
Management Committee	400	211	400	-	1,174
Business Development Committee	1,025	-	-	-	1,025
Business Development Committee	250	250	250	-	750
Business Development Committee	400	-	-	-	400
Business Development Committee	200	200	-	-	400
Business Development Committee	270	-	-	-	270
Business Development Committee	175	110	-	-	285
Business Development Committee	10	-	-	-	10
Business Development Committee	10	-	-	-	10
Business Development Committee	10	-	-	-	10
TOTAL	1,525	571	750	-	3,844

	Year ended 30 June 2017	Year ended 30 June 2016	Year ended 30 June 2015	Year ended 30 June 2014	Year ended 30 June 2013
2017	year	year	year	year	year
Operating	\$100	\$100	\$100	\$100	\$100
Working Management	1,354	-	-	-	1,354
Management Committee	1,040	-	-	-	1,040
Business Development Committee	470	-	-	-	470
Business Development Committee	304	-	-	-	304
Business Development Committee	170	-	-	-	170
Business Development Committee	81	-	-	-	81
TOTAL	3,349	-	-	-	3,349

	Year ended 30 June 2017	Year ended 30 June 2016	Year ended 30 June 2015	Year ended 30 June 2014	Year ended 30 June 2013
2017	year	year	year	year	year
Operating	\$100	\$100	\$100	\$100	\$100
Working Management	4,477	4,477	4,477	-	13,431
Business Development Committee	240	240	240	-	840
Business Development Committee	900	-	-	-	900
Business Development Committee	170	170	170	-	510
Business Development Committee	254	254	254	-	762
Business Development Committee	107	-	-	-	107
Business Development Committee	10	-	-	-	10
TOTAL	6,358	5,241	5,241	-	16,254

Notes to the Financial Report  
For the Year Ended 30 June 2017

NOTE 30 COMMENTS (CONT'D)

	Year ended 30 June 2017	Year ended 30 June 2016	Year ended 30 June 2015	Year ended 30 June 2014	Year ended 30 June 2013
2017	year	year	year	year	year
Operating	\$100	\$100	\$100	\$100	\$100
Working Management	450	-	-	-	450
Business Development Committee	14	-	-	-	14
Business Development Committee	50	-	-	-	50
Business Development Committee	2,007	-	-	-	2,007
Business Development Committee	114	-	-	-	114
Business Development Committee	1	-	-	-	1
Business Development Committee	100	-	-	-	100
Business Development Committee	440	-	-	-	440
Business Development Committee	401	-	-	-	401
Business Development Committee	81	-	-	-	81
TOTAL	3,776	-	-	-	3,776

	2017	2016
	\$100	\$100

NOTE 31 OPERATING LEASES

(a) Operating lease commitments

As the reporting date, the Group has the following operating lease commitments:

	2017	2016
Operating lease commitments	100	100
Operating lease commitments	100	100
Operating lease commitments	100	100

Notes to the Financial Report  
For the Year Ended 30 June 2017

NOTE 11 SUPERANNUATION

The Wellington Trust Company makes the majority of its superannuation contributions directly to the trusts of the *Local Government Superannuation Fund (Wairarapa)*. The Fund has two categories of membership, full members, and part-time members, each of which is treated differently. Contributions to the superannuation of the Fund are categorised as an expense of the Company and the Trustee's Statement of Financial Position will reflect the same.

Contributions

The Fund's full members' contributions, known as *Full Member Super*, are made on a regular basis, and are subject to a maximum of a progressive scale. Employee contributions are normally subject to a fixed percentage of employee earnings. For the year ended 30 June 2017, the rate 5.5% is required under the *Superannuation Act 1990*.

Defined Benefits

Wellington Trust Company acts as an employer's trustee for the defined benefit superannuation under the Fund's *Defined Benefits* category. This is a defined benefit Fund's *Defined Benefits* category, is a defined benefit superannuation plan.

Under the provisions of the *Superannuation Act 1990*, members of the participating employers, or the employer, must contribute to a defined benefit superannuation plan. The participating employers must contribute to the superannuation of the Fund's *Defined Benefits* category, or a part of them. As a result, the Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

Funding arrangements

Wellington Trust Company makes employer contributions to the *Defined Benefits* category under the Fund's *Defined Benefits* category. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

As at 30 June 2016, the Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

Net investment return for 2016

Net investment return for 2016

Net investment return for 2016

The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

Employer contributions

Required contributions

On the basis of the report of the 2017 superannuation investigation conducted by the Fund's *Defined Benefits* category, the Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

Notes to the Financial Report  
For the Year Ended 30 June 2017  
NOTE 12 SUPERANNUATION (Contd.)

Funding arrangements

The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

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2016 Local Government Superannuation

The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

Value of assets at 30 June 2016

Value of assets at 30 June 2016

The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

2017 Financial Report

The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

Funding arrangements

The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan. The Fund's *Defined Benefits* category is a defined benefit superannuation plan.

Notes to the Financial Report  
Fiscal Year Ending 30 June 2017

NOTE 3- CONTINGENT LIABILITIES AND ASSETS

*Contingent Liabilities*

*Defined Benefit Superannuation Fund*

Warrington State Council has obligations under a defined benefit superannuation scheme that are reported in the report to the public on contributions to the scheme, a liability relating to the pension obligation, and interest in Note 12. As a result of the liability in the report to the public of making such contributions in future periods, the Council is not able to determine the contribution to the scheme from the report to the public.

*Current Liabilities*

Council has a liability to the public for the report to the public of making such contributions in future periods. Council is not able to determine the contribution to the scheme from the report to the public of making such contributions in future periods. Council is not able to determine the contribution to the scheme from the report to the public of making such contributions in future periods.

*Long Term*

Warrington State Council has a liability to the public for the report to the public of making such contributions in future periods.

*Current Liabilities*

As a result of the liability to the public for the report to the public of making such contributions in future periods, the Council is not able to determine the contribution to the scheme from the report to the public of making such contributions in future periods.

*Contingent Liabilities for future periods*

Council has a liability to the public for the report to the public of making such contributions in future periods. Council is not able to determine the contribution to the scheme from the report to the public of making such contributions in future periods.

Council's liability to the public for the report to the public of making such contributions in future periods is as follows:

	2017	2016
	\$100	\$100
Basic Liabilities	94	94
Long Term	25	30
Total Basic Liabilities	119	124

*Contingent Liabilities*

As a result of the liability to the public for the report to the public of making such contributions in future periods, the Council is not able to determine the contribution to the scheme from the report to the public of making such contributions in future periods.

*Current Liabilities*

Council has a liability to the public for the report to the public of making such contributions in future periods. Council is not able to determine the contribution to the scheme from the report to the public of making such contributions in future periods.

*Total Contingent Liabilities*

Council has a liability to the public for the report to the public of making such contributions in future periods. Council is not able to determine the contribution to the scheme from the report to the public of making such contributions in future periods.

Notes to the Financial Report  
Fiscal Year Ending 30 June 2017

NOTE 4- FINANCIAL INSTRUMENTS

*1.1. Financial Instruments*

The Council's financial instruments consist of cash, term deposits, trade receivables (including sundry receivables), payables (including sundry payables) and other receivables. Council is not exposed to any significant financial risk, including the risk of non-payment of the cash or receivables due to the fact that the cash or receivables are held in the form of cash or receivables. Council is not exposed to any significant financial risk, including the risk of non-payment of the cash or receivables due to the fact that the cash or receivables are held in the form of cash or receivables.

*1.2. Financial Instruments*

Management is not aware of any financial instruments that are held by the Council, including the risk of non-payment of the cash or receivables due to the fact that the cash or receivables are held in the form of cash or receivables.

*1.3. Financial Instruments*

Management is not aware of any financial instruments that are held by the Council, including the risk of non-payment of the cash or receivables due to the fact that the cash or receivables are held in the form of cash or receivables.

Management is not aware of any financial instruments that are held by the Council, including the risk of non-payment of the cash or receivables due to the fact that the cash or receivables are held in the form of cash or receivables.

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*1.4. Financial Instruments*

Management is not aware of any financial instruments that are held by the Council, including the risk of non-payment of the cash or receivables due to the fact that the cash or receivables are held in the form of cash or receivables.

- Management is not aware of any financial instruments that are held by the Council, including the risk of non-payment of the cash or receivables due to the fact that the cash or receivables are held in the form of cash or receivables.
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#### **Sale Service Centre - Council Headquarters**

18 Desailly Street (PO BOX 506), Sale VIC 3850  
Operating Hours: Monday to Friday 8.30am - 5.00pm  
Telephone: 1300 366 244  
Email: [enquiries@wellington.vic.gov.au](mailto:enquiries@wellington.vic.gov.au)

#### **Yarram Service Centre**

156 Grant Street, Yarram VIC 3971  
Operating Hours: Monday, Tuesday, Thursday, Friday 10.00am - 2.00pm (Closed Wednesday)  
Telephone: (03) 5182 5100

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





## C3 - REPORT

# GENERAL MANAGER DEVELOPMENT

**ITEM C3.1****PLANNING DECISIONS**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

17 OCTOBER 2017

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	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 August 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 August and 31 August 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 August and 31 August 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 August and 31 August 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.



Application No/Year	Date Received	Property Title & Address	Proposal	Status
<p style="text-align: center;"><b>PLANNING APPLICATION DETERMINATIONS BETWEEN 1/08/2017 AND 31/08/2017</b></p>				
310-2/2015	7/08/2017	Assessment No. 80044 LOT: 3 PS: 219757K 35 INDUSTRIAL RD STRATFORD	Development of the land for storage units.	Permit Issued by Delegate of Resp/Auth  17/08/2017
89-1/2017	24/03/2017	Assessment No. 51987 LOT: 1 PS: 808334 2/14 RHODES DVE SALE	Subdivision of the land into 2 lots.	Permit Issued by Delegate of Resp/Auth  7/08/2017
96-1/2017	28/03/2017	Assessment No. 78972 LOT: 1 TP: 229361C 20 TYERS ST STRATFORD	Use the land for a restaurant with on premises liquor licence.	Permit Issued by Delegate of Resp/Auth  4/08/2017
123-1/2017	19/04/2017	Assessment No. 203091 LOT: 1 PS: 202258 107 LYONS RD STRADBROKE	Use and development of a dwelling.	Permit Issued by Delegate of Resp/Auth  18/08/2017
125-1/2017	20/04/2017	Assessment No. 30445 LOT: 48 PS: 70658 14 RAY ST SALE	Buildings and works associated with construction of a second dwelling.	Permit Issued by Delegate of Resp/Auth  24/08/2017
139-1/2017	4/05/2017	Assessment No. 202002 LOT: 2 PS: 644793S 42 IBIS WAY LONGFORD	Removal of easement E-1 on PS6444793S and creation of easement.	Permit Issued by Delegate of Resp/Auth  30/08/2017
145-1/2017	12/05/2017	Assessment No. 271924 LOT: 1 PS: 404527G 518 CALROSSIE-WON WRON RD WON WRON	Use of the land for rural industry (firewood).	Permit Issued by Delegate of Resp/Auth  3/08/2017
147-1/2017	16/05/2017	Assessment No. 344689 LOT: 2 PS: 132307 33 WOOLSHED LANE BOISDALE	Use and development of a sand quarry.	Permit Issued by Delegate of Resp/Auth  14/08/2017
151-1/2017	16/05/2017	Assessment No. 286880 LOT: 1 TP: 873519W 280 BILLY CREEK RD STACEYS BRIDGE	2 lot subdivision to excise an existing dwelling.	Permit Issued by Delegate of Resp/Auth  18/08/2017
165-1/2017	22/05/2017	Assessment No. 240028 PC: 376162M 48-50 SANCTUARY RD LOCH SPORT	Buildings and works associated with construction of a dwelling.	Permit Issued by Delegate of Resp/Auth  16/08/2017
169-1/2017	26/05/2017	Assessment No. 220913	Building and works associated	Permit Issued by Delegate of

Application No/Year	Date Received	Property Title & Address	Proposal	Status
		LOT: 1059 PS: 52648 65 MERIDAN RD GOLDEN BEACH	with construction of a single dwelling.	Resp/Auth 25/08/2017
182-1/2017	6/06/2017	Assessment No. 338822 LOT: 1 PS: 812036 100B LANDY ST MAFFRA	Subdivision of the land into 2 lots.	Permit Issued by Delegate of Resp/Auth 3/08/2017
185-1/2017	9/06/2017	Assessment No. 300855 LOT: 2 PS: 303290A 258 TARRA VALLEY RD YARRAM	2 lot subdivision to excise an existing dwelling.	Permit Issued by Delegate of Resp/Auth 8/08/2017
187-1/2017	14/06/2017	Assessment No. 54361 LOT: 1 TP: 678944 215-223 YORK ST SALE	Display of an electronic sign.	Permit Issued by Delegate of Resp/Auth 15/08/2017
189-1/2017	14/06/2017	Assessment No. 226670 PC: 374182R 8-10 CATHERINE CRT LOCH SPORT	Buildings/works associated with extensions to an existing dwelling.	Permit Issued by Delegate of Resp/Auth 22/08/2017
190-1/2017	15/06/2017	Assessment No. 392761 LOT: 1 PS: 526923R 898 SISTERS RD GORMANDALE	Use and development of the land for animal keeping (15 dogs).	Permit Issued by Delegate of Resp/Auth 8/08/2017
192-1/2017	15/06/2017	Assessment No. 10850 LOT: 1 TP: 575217B 44-46 PRINCES HWY SALE	Display advertising sign.	Permit Issued by Delegate of Resp/Auth 15/08/2017
195-1/2017	19/06/2017	Assessment No. 264713 LOT: 1 PS: 143669 99 COOKS RD BLACKWARRY	Buildings and works associated with construction of a garage.	Permit Issued by Delegate of Resp/Auth 16/08/2017
201-1/2017	3/07/2017	Assessment No. 355891 LOT: 2 PS: 705883E 121A POWERS COURT ST MAFFRA	Buildings and works associated with development of a single dwelling.	Permit Issued by Delegate of Resp/Auth 3/08/2017
202-1/2017	4/07/2017	Assessment No. 219071 LOT: 853 PS: 52648 51 BEACHCOMBER RD GOLDEN BEACH	Buildings and works associated with development of a single dwelling.	Permit Issued by Delegate of Resp/Auth 31/08/2017
215-1/2017	6/07/2017	Assessment No. 103549 LOT: 1 PS: 413548W 102 MALVERN PARK RD DENISON	Removal of Condition E-2 from Lot 1 PS 413548W.	Permit Issued by Delegate of Resp/Auth 2/08/2017
216-1/2017	6/07/2017	Assessment No. 436063	Removal of Easement E-2 from	Permit Issued by Delegate of

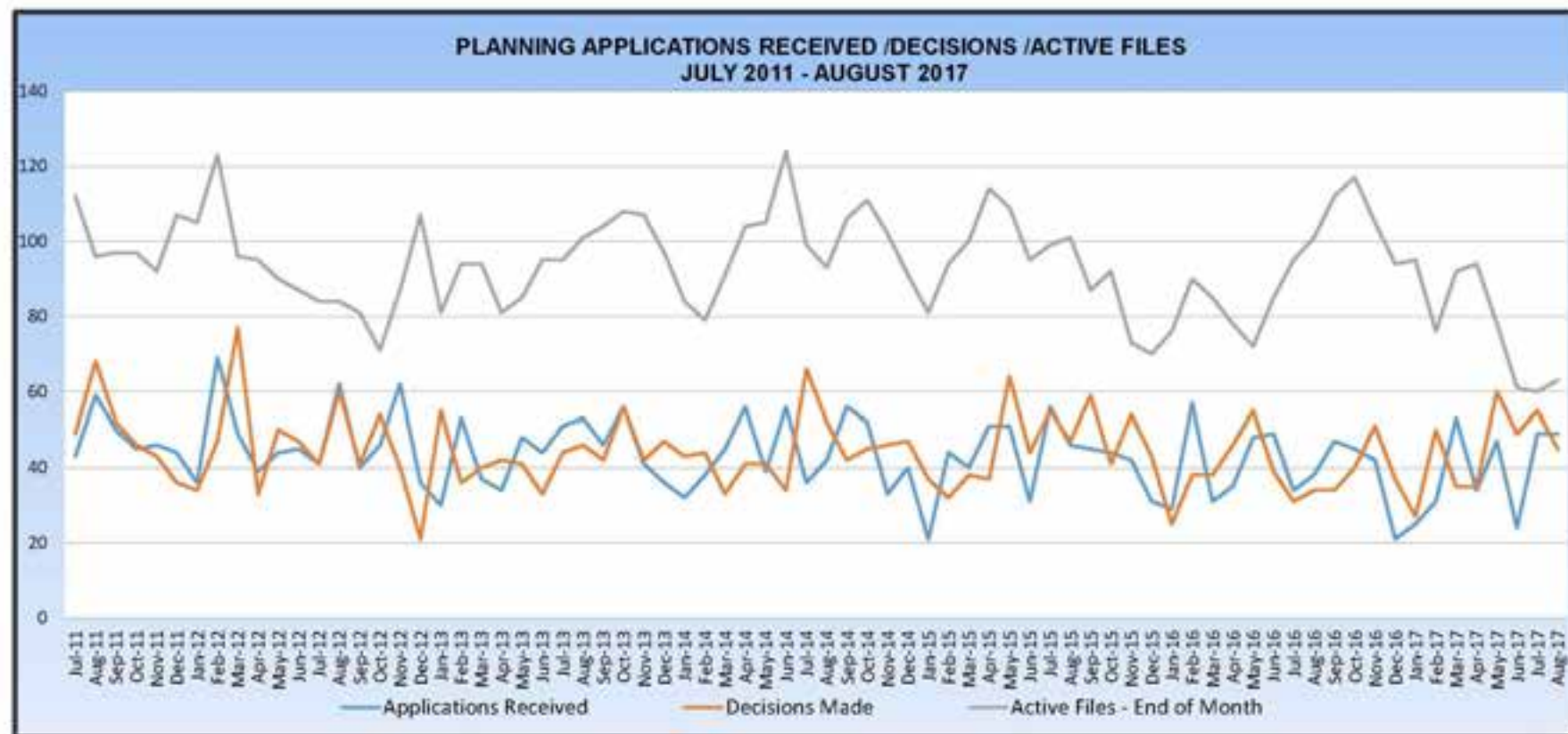
Application No/Year	Date Received	Property Title & Address	Proposal	Status
		LOT: 2 PS: 736763Q 48 MALVERN PARK RD DENISON	Lot 2 PS736763Q.	Resp/Auth  2/08/2017
217-1/2017	6/07/2017	Assessment No. 105627 CA: 30 SEC: A SALE-COWWARR RD DENISON	Removal of Condition E-2 from TP770536V.	Permit Issued by Delegate of Resp/Auth  2/08/2017
218-1/2017	6/07/2017	Assessment No. 103507 LOT: 1 PS: 743757U 38 MALVERN PARK RD DENISON	Removal of Easements E-3 and E-4 from Lot 1 PS743757U.	Permit Issued by Delegate of Resp/Auth  2/08/2017
219-1/2017	6/07/2017	Assessment No. 108613 PCA: 27 SEC: D 175 WILLIAMSONS RD DENISON	Removal of Condition E-1 from TP373942X.	Permit Issued by Delegate of Resp/Auth  3/08/2017
220-1/2017	6/07/2017	Assessment No. 84517 CA: 19 SEC: A LOWER HEART RD SALE	Removal of Conditions E-1, E-2 from TP785969D, E-3, E-4 from 786736X	Permit Issued by Delegate of Resp/Auth  4/08/2017
221-1/2017	7/07/2017	Assessment No. 221010 PC: 374170Y 60-62 SEA BREEZE AVE GOLDEN BEACH	Buildings and works associated with extensions to existing dwelling.	Permit Issued by Delegate of Resp/Auth  14/08/2017
225-1/2017	7/07/2017	Assessment No. 431353 LOT: 2 TP: 539337U 149 FOSTER ST SALE	Development of 2 dwellings on the lot/2 lot subdivision.	Permit Issued by Delegate of Resp/Auth  23/08/2017
226-1/2017	10/07/2017	Assessment No. 228809 LOT: 1072 PS: 55692 16 DAVIES ST LOCH SPORT	Buildings and works associated with development of a single dwelling.	Permit Issued by Delegate of Resp/Auth  23/08/2017
228-1/2017	11/07/2017	Assessment No. 42994 LOT: 2 PS: 61896 39 MACALISTER ST SALE	Building and works associated with extensions to existing dwelling.	Permit Issued by Delegate of Resp/Auth  9/08/2017
237-1/2017	24/07/2017	Assessment No. 229831 LOT: 1387 PS: 58872 11 EMU CRT LOCH SPORT	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth  4/08/2017
240-1/2017	26/07/2017	Assessment No. 350355 LOT: 11 PS: 54201 23 BEN CRUACHAN PDE COONGULLA	Buildings and works associated with a dwelling.	Permit Issued by Delegate of Resp/Auth  30/08/2017
245-1/2017	28/07/2017	Assessment No. 429621	Packaged Liquor Licence.	Permit Issued by Delegate of

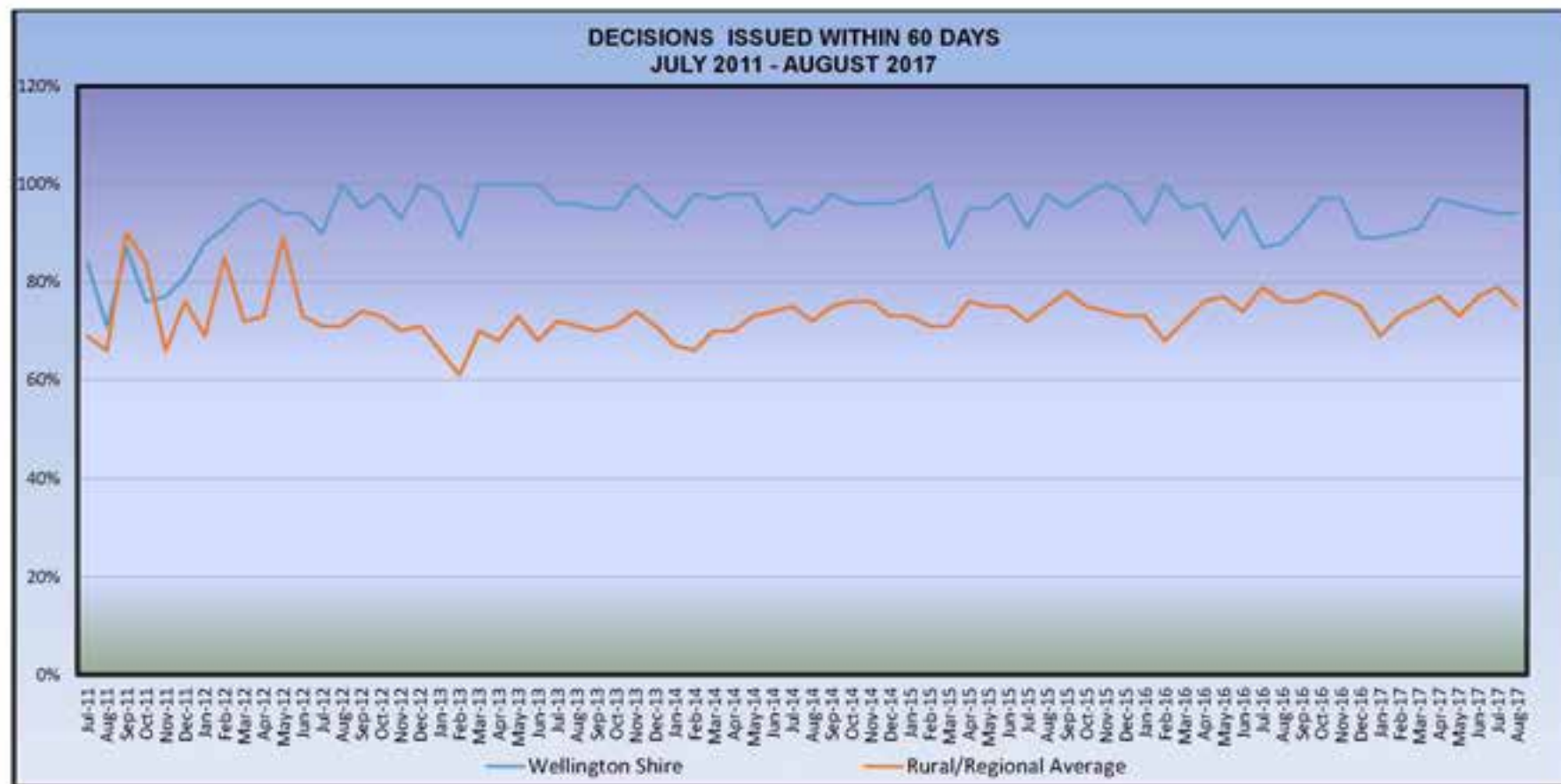
Application No/Year	Date Received	Property Title & Address	Proposal	Status
		CA: 2 SEC: 3 66 HIGH ST WOODSIDE		Resp/Auth 31/08/2017
246-1/2017	28/07/2017	Assessment No. 287219 LOT: 1 PS: 805318F 5 OLD SALE RD WOODSIDE	Buildings and works associated with extensions to existing dwelling.	Permit Issued by Delegate of Resp/Auth 8/08/2017
249-1/2017	2/08/2017	Assessment No. 91074 LOT: 4 PS: 302142 413 BRIAGOLONG RD STRATFORD	Buildings and works associated with a shed.	Permit Issued by Delegate of Resp/Auth 14/08/2017
254-1/2017	7/08/2017	Assessment No. 237313 LOT: 2440 PS: 70941 309 NATIONAL PARK RD LOCH SPORT	Buildings and works/construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 21/08/2017
257-1/2017	8/08/2017	Assessment No. 439471 CA: 52 266 YARRAM-PORT ALBERT RD ALBERTON	Buildings and works associated with a farm shed.	Permit Issued by Delegate of Resp/Auth 17/08/2017
258-1/2017	9/08/2017	Assessment No. 197525 LOT: 1 PS: 724745K 15 ANDREWS RD LONGFORD	Buildings and works associated with a shed.	Permit Issued by Delegate of Resp/Auth 14/08/2017
260-1/2017	9/08/2017	Assessment No. 260406 PC: 376149D 11-13 SEVENTH AVE PARADISE BEACH	Buildings and works/extension to an existing dwelling.	Permit Issued by Delegate of Resp/Auth 14/08/2017
262-1/2017	10/08/2017	Assessment No. 115147 PC: 359658C 290 SHORELINE DVE GOLDEN BEACH	Buildings and works/construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 31/08/2017
274-1/2017	17/08/2017	Assessment No. 326660 LOT: 1 PS: 111854 217 HEYFIELD-UPPER MAFFRA RD TINAMBA	Buildings and works associated with the construction of a shed.	Permit Issued by Delegate of Resp/Auth 22/08/2017
276-1/2017	21/08/2017	Assessment No. 335505 LOT: 1 PS: 500990V 59-67 CAMPBELL ST MAFFRA	Buildings and works associated with the construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 23/08/2017
280-1/2017	23/08/2017	Assessment No. 14076 CA: 102 SEC: 1 1,227 MAFFRA-SALE RD SALE	Buildings and works associated with extension to existing outbuilding.	Permit Issued by Delegate of Resp/Auth 30/08/2017
283-1/2017	24/08/2017	Assessment No. 106567	Buildings and works associated	Permit Issued by Delegate of

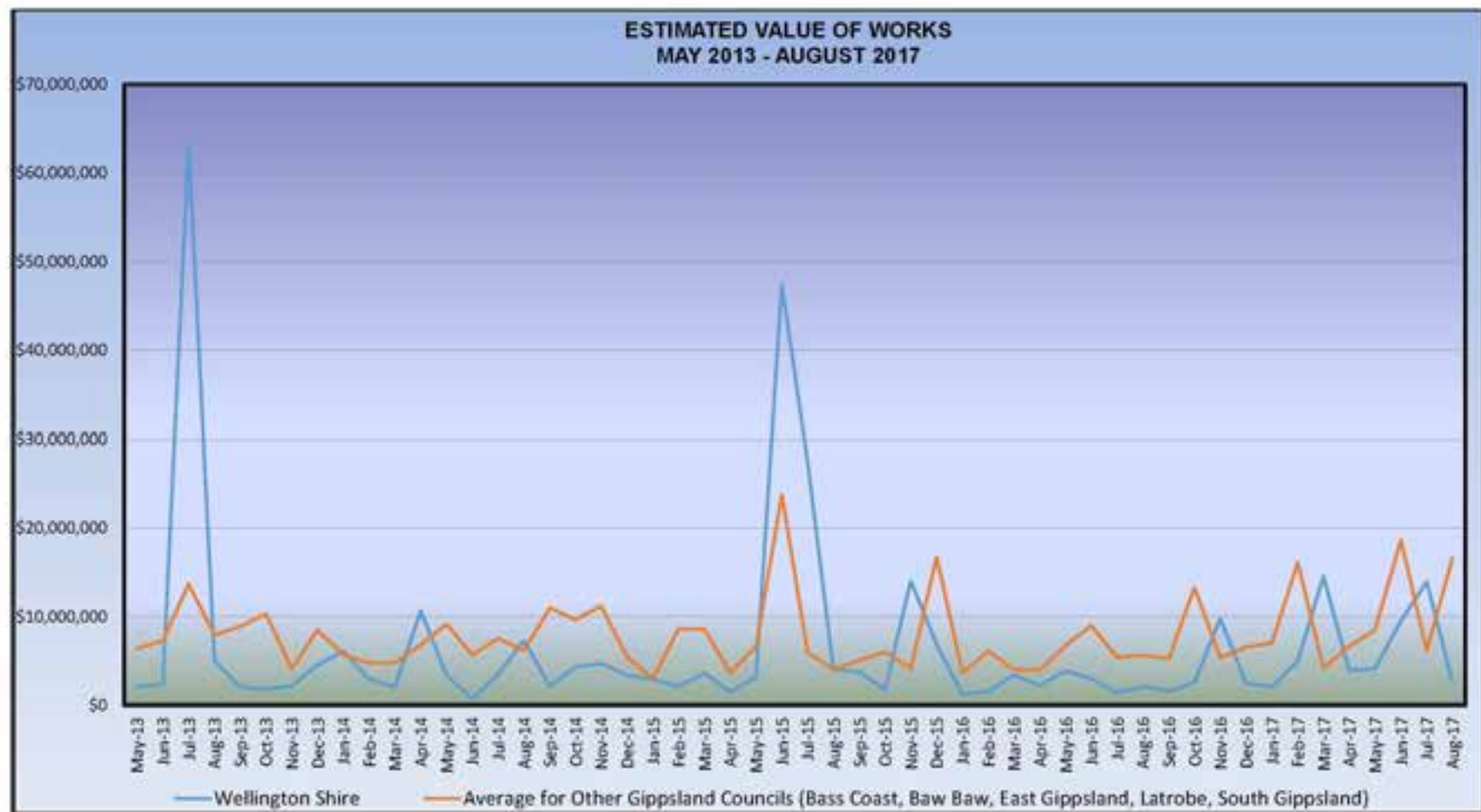
Application No/Year	Date Received	Property Title & Address	Proposal	Status
		LOT: 1 TP: 518224C 1,393 SALE-HEYFIELD RD DENISON	with construction of outbuildings.	Resp/Auth 30/08/2017
284-1/2017	25/08/2017	Assessment No. 200642 CA: 23 SEC: A 3,175 GORMANDALE-STRADBROKE STRADBROKE	Buildings and works associated with construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 30/08/2017

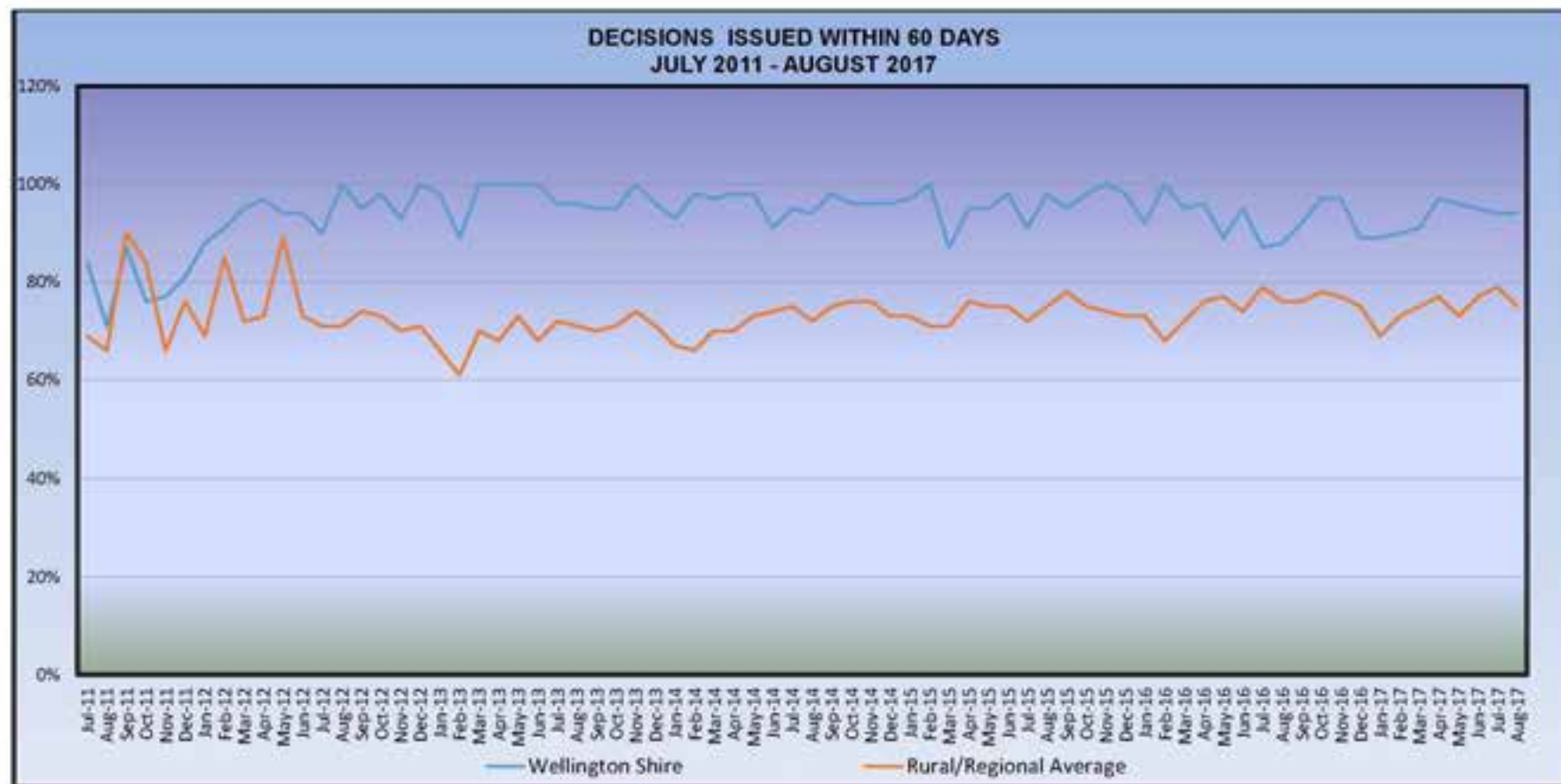
**Total No of Decisions Made: 45**

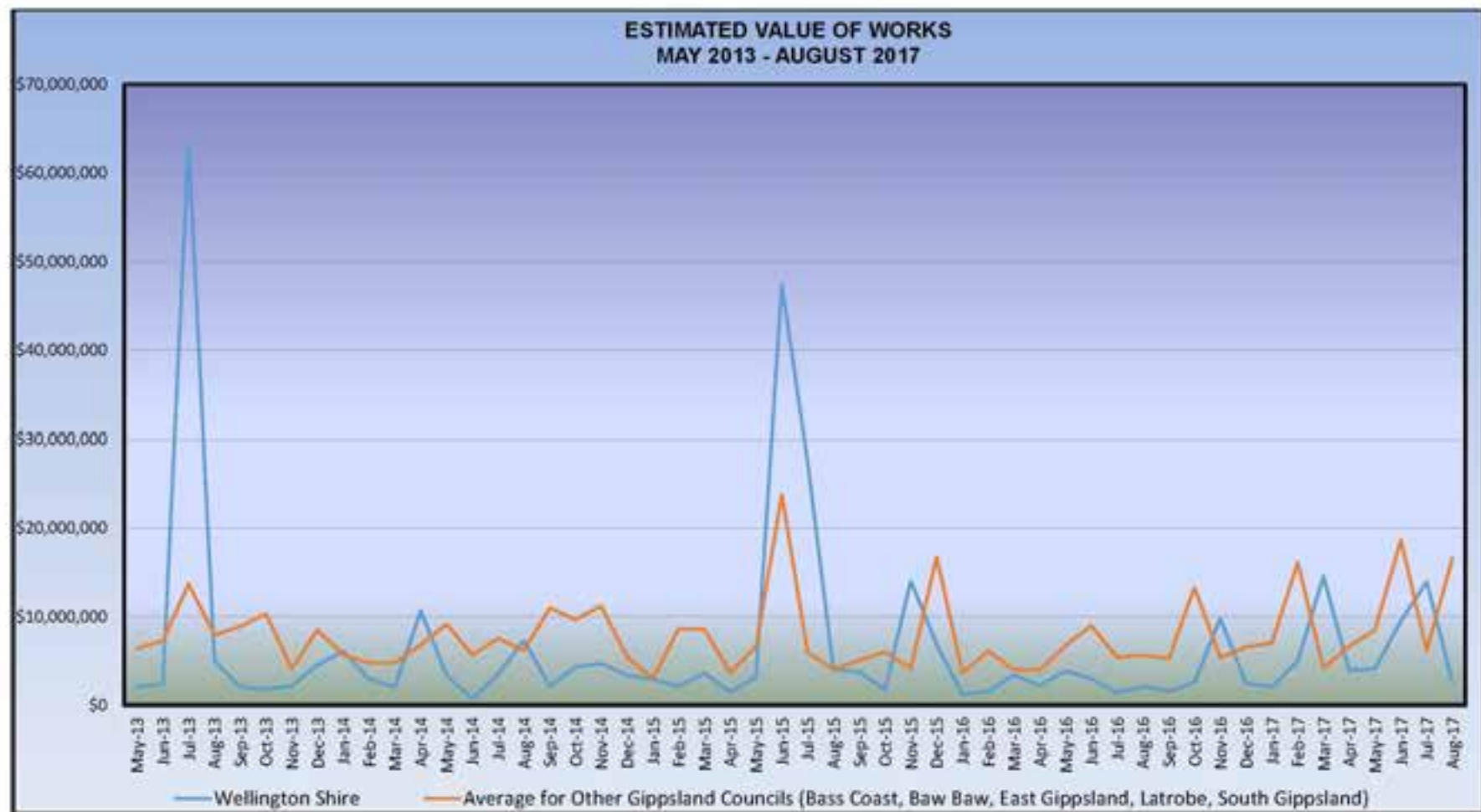














**ITEM C3.2****QUARTERLY STRATEGIC LAND USE PLANNING UPDATE**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER LAND USE PLANNING

DATE: 17 OCTOBER 2017

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

**OBJECTIVE**

To update Council on the strategic land use planning work program for the third quarter of 2017.

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

*That Council receives the 2017 third quarterly update on the strategic land use planning work program (included in Attachment 1 to the report).*

**BACKGROUND**

The strategic land use planning work program is regularly reviewed by Council's Strategic Land Use Planning Projects Review Group (Review Group), which was appointed by Council at the Special Council meeting of 6 December 2016. The Review Group considered it beneficial to provide the full Council and the community with a quarterly update of the strategic land use planning work program, which comprises various prioritised projects and planning scheme amendments as outlined in **Attachment 1**.

**OPTIONS**

1. That Council receive the 2017 third quarterly update on the strategic land use planning work program.
2. That Council does not receive the 2017 third quarterly update on the strategic land use planning work program and seeks further information for consideration at a future Council meeting.

**PROPOSAL**

To receive the 2017 third quarterly update on the strategic land use planning work program.

**CONFLICT OF INTEREST**

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

## LEGISLATIVE IMPACT

All strategic land use planning matters are considered in accordance with the *Planning and Environment Act 1987* and/or any relevant legislation.

## COUNCIL PLAN IMPACT

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

### Strategic Objective 2.3

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

### Strategy 2.3.1

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

### Strategy 2.3.2

*'Ensure sufficient land supply to provide for a range of lifestyle options which support housing diversity including affordable housing.'*

### 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 strategies.

## Attachment 1

### Current Strategic Planning Projects

#### **North Sale Development Plan & Developer Contributions Plan**

Priority: H    Anticipated completion: 17/18

##### **Status**

The North Sale Development Plan (the Development Plan) and associated Developer Contribution Plan facilitates the northern growth of the town.

Drainage plans and a Traffic Impact Assessment are currently being finalised to inform the preparation of a final Development Plan.

Work will then commence on the preparation of the associated Developer Contributions Plan, which will seek to equitably apportion the costs associated with the infrastructure requirements to facilitate development across the entire Growth Area.

#### **Wurruk and West Sale Industrial Land Supply Strategy**

Priority: H    Anticipated completion: 17/18

##### **Status**

Strategic land use planning work is underway to facilitate the release of additional land for industrial uses within West Sale and Wurruk (in accordance with the 'Sale, Wurruk and Longford Structure Plan (2010)').

Following community and stakeholder engagement, Urban Enterprise planning consultants have now completed an 'Analysis, Issues and Options Paper', which will inform the upcoming preparation of a draft Strategy.

#### **Wellington Shire Heritage Strategy**

Priority: Med/High    Anticipated completion: Completed

##### **Status**

The Heritage Strategy outlines Council's approach to the way in which Heritage matters are considered within a planning context.

Council formally adopted the Heritage Strategy at its meeting of 15 August 2017.

#### **Wellington Land Use and Development Strategy (LUDS)**

Priority: High    Anticipated completion: 17/18

##### **Status**

The Land Use Development Strategy (LUDS) will provide an overarching framework to coordinate future land use and development within the Shire whilst supporting the Council Plan 2017 – 2021 and Wellington 2030.

LUDS will inform a future review and update to the strategic land use planning directions to Clauses 21.01; 21.02 and 21.03 of the Wellington Planning Scheme.

Background analysis work has been completed and will now inform the strategic land use planning direction within the Planning Scheme.

## Council Planning Scheme Amendments

### C92 - Heritage Study Stage 2 Implementation

Priority: High      Completed

#### Status

Council adopted the Wellington Shire Heritage Study - Stage 2 in September 2016.

Amendment C92 implements the recommendations of the Heritage Study by applying the Heritage Overlay (HO) to the 67 individual places identified in Stage 2.

In response to the submissions received during the formal period of public exhibition, Council officers recommended that Amendment C92 be split into two parts with Part 1 (with no objections) recommended for approval and Part 2 (with 1 objection) being referred to an independent Planning Panel. Council adopted this recommendation at its meeting of 4 April 2017.

C92 (Part 1) - Amendment documents were submitted to the Minister for Planning for Approval on 18 April 2017. The Minister for Planning approved C92 (Part 1) on 13 July 2017.

C92 (Part 2) - A Planning Panel Directions Hearing was held in Yarram on 11 May 2017. At the Directions hearing all parties agreed to deal with the matter 'on the papers' without the need for a formal Panel Hearing. The Panel Report was received 23 June 2017 recommending that the Heritage Overlay be applied to the former Federal Coffee Palace, Yarram. Council considered the Panel's recommendations at its 15 August 2017 meeting and resolved to adopt C92 (Part 2). C92 (Part 2) Amendment documents were submitted to the Minister for Planning for approval on 18 August 2017.

### C96 - Heyfield Low Density Residential Rezoning

Priority: High      Anticipated completion: 17/18

#### Status

Amendment C96 seeks to rezone land in Heyfield to the Low Density Residential Zone as recommended in the Heyfield Low Density Residential Land Supply Study, 2017.

The rezoning would provide a potential yield of around 35 one acre lots on two sites, which are located at Burnett Court and Draper Road, Heyfield.

The exhibition period for Amendment C96 took place between 6 July 2017 and 7 August 2017. At the close of the exhibition period a total of seven (7) submissions were received. A late submission was also received on 6 September 2017 from the CFA. None of the submissions received raised objections to the proposal.

Amendment C96 is to be presented to Council for adoption at its meeting of 17 October 2017.

### **C97 - Sale Sewerage Pump Station**

**Priority:** High     **Anticipated completion:** 17/18

#### **Status**

A formal request to rezone land at 36 - 40 Foster Street and 4 Park Street, Sale to the Public Use Zone 1 (Service and Utilities) was received from Gippsland Water on 29 May 2017. The Amendment will facilitate the provision of a new sewerage pumping station to accommodate the future growth of Sale and surrounds.

Council resolved to seek Authorisation from the Minister for Planning to proceed with a Planning Scheme Amendment at its meeting of 20 June 2017.

A formal period of public exhibition of the Amendment took place between 10 August and 11 September 2017. A total of six submissions were received, all of which either supported or raised no objections to the proposal.

Amendment C97 is to be presented to Council for adoption at its meeting of 17 October 2017.

### **C98 – West Sale Airport Runway Extension**

**Priority:** High     **Anticipated completion:** 17/18

#### **Status**

The West Sale Airport Masterplan provides the strategic justification required to undertake a Planning Scheme Amendment to rezone land at the Airport to facilitate runway extension works to allow it to be used as an essential part of Air Force pilot training.

The rezoning includes land at the eastern and western edge of the existing runway from the Farming Zone to the Special Use Zone and rezoning surplus land to the north of the runway from the Special Use Zone to the Farming Zone.

Amendment C98 also proposes to amend the existing Airport Environs Overlay extents (AEO1 and 2) to reflect the West Sale Airport 2037 Standard Australian Noise Exposure Forecast (ANEF). This will involve a significant reduction in the extent of the Airport Environs Overlay compared to the current overlay extent.

As a project of Federal, State, Regional and Local significance, a request has been made to the Minister for Planning to prepare and approve Amendment C98 in accordance with Section 8(1) and Section 20(4) of the *Planning and Environment Act 1987*.

Council is currently awaiting the decision of the Minister.



## Private Planning Scheme Amendments

### **C84: Wurruk Growth Area**

Priority: High      Anticipated completion: 17/18

#### **Status**

Amendment C84 is a private rezoning request, which proposes the rezoning of land within the Western Growth Area of Sale (at Wurruk).

At its meeting of 7 March 2017, Council resolved to request the Minister for Planning to appoint an independent Planning Panel to consider the 26 submissions received during the public exhibition period, which was held between 17 November 2016 – 9 January 2017.

A Panel 'Directions Hearing' was held on 20 April 2017, whilst the Panel Hearing itself took place on 5, 6 and 7 July 2017. A site visit was conducted on 11 July 2017.

The Panel Report has been publicly available since 4 October 2017.

Council will consider the Amendment and the next steps in the process at its meeting of 17 October 2017.

### **C94: Rezoning of the former Sale Police Station Site**

Priority: High      Completed

#### **Status**

At the request of the Department of Justice, the former Sale Police Station (located on the South Gippsland Highway) was rezoned from the Public Use Zone to the Residential Growth Zone to facilitate its sale as a surplus asset to the Department's needs.

A formal Notice of Approval of the rezoning appeared in the Government Gazette on 14 January 2016.

The State Government continues to seek to resolve the issue of the removal of Native Title on the site, which currently prevents the sale of the land for development purposes.

**ITEM C3.3****PLANNING SCHEME AMENDMENT C84 – WURRUK GROWTH AREA**

DIVISION: DEVELOPMENT  
ACTION OFFICER: MANAGER LAND USE PLANNING  
DATE: 17 OCTOBER 2017

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

**OBJECTIVE**

For Council to consider the Panel Report for Amendment C84; adopt Amendment C84 with changes; request the Minister for Planning to approve Amendment C84; and advocate for the provision of direct and safe pedestrian connections over the Princes Highway between the Wurruk Growth Area and the Wurruk Primary School.

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

*That:*

- 1. Pursuant to Section 27 of the Planning and Environment Act 1987, Council consider the Planning Panel Report (refer to Attachment 1) for Amendment C84 – Wurruk Growth Area.*
- 2. Pursuant to Section 29 of the Planning and Environment Act 1987, Council resolve to adopt Amendment C84 – Wurruk Growth Area with changes (refer to Attachment 4).*
- 3. Pursuant to Section 31 of the Planning and Environment Act 1987, Council resolve to request the Minister for Planning to approve Amendment C84 – Wurruk Growth Area with changes.*
- 4. Council advocate for the provision of direct and safe pedestrian connections over the Princes Highway between the Wurruk Growth Area and the Wurruk Primary School.*

**BACKGROUND**

In May 2016, Council received a request to rezone land within the Wurruk Growth Area (see **Figure 1**). The subject land is identified within the Sale, Wurruk and Longford Structure Plan (2010) as a residential growth area. The Structure Plan advocates for the creation of well designed, complete neighbourhoods that are integrated with the existing adjoining residential areas and local facilities in Wurruk, in the short to medium term.



Figure 1: Wurruk Growth Area



Figure 2: Proposed zones

On 6 September 2016 Council resolved to request the Minister for Planning to Authorise Council as the Planning Authority to prepare Amendment C84 – Wurruk Growth Area. Authorisation was received on 27 September 2016. Amendment C84 proposes the following changes to the Wellington Planning Scheme:

- Rezone land which is not flood prone to General Residential Zone - Schedule 1 (GRZ1) and Low Density Residential Zone (LDRZ), as identified in the Sale, Wurruk and Longford Structure Plan (2010) (see **Figure 2**).
- Apply the Rural Activity Zone (RAZ) to the Kilmany Park Estate (as recommended in the Rural Zone Review (2009)), including land within the flood-prone area.
- Update the Land Subject to Inundation Overlay (LSIO) and Flood Overlay (FO) within the areas affected by the rezoning, based on the most up-to-date data provided by the West Gippsland Catchment Management Authority (WGCMA).
- Reduce the extent of the existing Heritage Overlay (HO) and update the associated Heritage Citation and relevant Clauses within the Wellington Planning Scheme based on the advice of Council's Heritage Advisor.
- Apply the Development Plan Overlay - Schedule 9 (DPO9), which will require the preparation of a single Development Plan for the whole of the Growth Area. The detailed requirements set out in the DPO9 are proposed to achieve the best possible land use outcome and in doing so, create a fully integrated and complete neighbourhood.

Further information on Amendment C84 can be found on Council's website:

<http://www.wellington.vic.gov.au/Developing-Wellington/Planning-Scheme-Amendments/Amendment-C84>.

Amendment C84 was exhibited between 17 November 2016 and 9 January 2017 (7 weeks) during which a total of twenty-six (26) submissions were received. One (1) late submission was also received from a community member. Council considered all submissions on 7 March 2017 and resolved to request the Minister for Planning to appoint a Planning Panel to consider unresolved issues of concern.

An independent Planning Panel was appointed on 22 March 2017, the hearing for which took place in Sale on 5, 6 and 7 July 2017. An accompanied site visit took place on 11 July 2017. Council received the Report of the Planning Panel on 6 September 2017.

The Panel has considered all submissions made to Amendment C84 and provided its recommendations to Council. The Panel Report is included in **Attachment 1** and contains the following key recommendations:

#### Land supply and justification for the proposed residential rezoning

Some submitters contended that the projected population growth was not sufficient enough to justify the proposed residential rezoning, however, Council's justification that there is only four and a half years' supply of developable residential land supply available in Sale was supported by the Panel. As such the Panel supports the proposed rezoning from LDRZ to GRZ1 and LDRZ.

In relation to the RAZ, the Panel agreed with the proponent's view that there is insufficient justification for its proposed application and that the LDRZ is the more appropriate zone to achieve the residential growth aspirations highlighted within the Sale, Wurruk and Longford Structure Plan. On this basis, the Panel has recommended abandoning the RAZ in favour of retaining all land located within the area prone to flooding within the Farming Zone (FZ) and land outside the flood prone area being rezoned to the LDRZ (including the Kilmany Park Estate) (see **Figure 3**).

A consequential change (not identified by the Panel) is that all land to be rezoned for residential purposes (within the Growth Area) should be included in a revised DPO9 extent (see **Figure 3**).

#### Application and extent of overlays

##### *Flood Overlay and Land Subject to Inundation Overlay*

The Panel accepts that it is appropriate to update the FO and LSIO within the Wurruk Growth Area to reflect the most up-to-date data provided by the WGCMA, however it is also recommended that Council considers, in the longer-term, a broader update to the extent of the LSIO and FO across the whole of the Latrobe River Floodplain.

##### *Heritage Overlay*

The Panel has recommended a reduction in the extent of the current HO beyond that originally exhibited. On the basis that they do not contain significant elements of interest, the paddocks/farmland directly to the south of the Kilmany Homestead garden, bound by an existing line of trees, which act as a 'logical boundary', are recommended for exclusion from the HO.

Similarly, the Panel regards the ongoing inclusion of the entire driveway within the HO from Settlement Road to the Kilmany Homestead to be, 'an impractical outcome', in the context of the proposed development and therefore recommends its exclusion from the HO.

The Panel has noted that two Oak trees located at the entrance of the driveway (on Settlement Road) as being of significance and are recommended for protection via a Section 173 - agreement.

### *Heritage Citation*

The revised draft Heritage Citation for Kilmany Park, including a set of Management Guidelines, was prepared having regard to a format, which was formally introduced into the Wellington Planning Scheme on 13 July 2017 as a component of Amendment C92.

In recommending the removal of the Management Guidelines from the Citation, Officers believe that the Panel has not recognised an approach that has (recently) been 'tested' and accepted by another Planning Panel and subsequently approved by the Minister for Planning through a previous Amendment.

Overall, however, it is recommended that the heritage related Panel recommendations are accepted. The proposed extent of the zones and overlays in response to the Panel recommendations are shown in **Figure 3**. The red line illustrates the proposed extent of the revised HO, whilst the purple line reflects the revised extent of the proposed DPO9.



Figure 3: Zones and overlays in response to Panel recommendations

A revised Heritage Citation can also be found in **Attachment 2** to this Report.

Other consequential changes have also been made to the DPO9 provisions in response to various recommendations of the Panel. These are highlighted in **Attachment 3** to this Report.

### Development Plan Overlay – Schedule 9 (DPO9)

Overall, the Panel supports the provisions contained within the DPO9 - including revisions proposed by Officers in response to all submissions. Some further revisions have been proposed by the Panel which, amongst others, include:

- the deletion of a requirement to consider residential supply in the Sale area and a demonstrated demand for further development at each stage;
- a requirement for the proposed urban design guidelines and concept plans to address the interface between the Wurruk Industrial Estate and the residential Growth Area; and
- the deletion of the sentence, which requires community consultation as part of the Development Plan process.

On the basis that previous Development Plan Overlays prepared by Council (and approved by the Minister for Planning) have included a consultation requirement during the preparation of the Development Plan, and a community expectation that further consultation will take place, it is proposed to retain the requirement to consult within the provisions of DPO9, as exhibited. This is the only Panel recommendation not supported by Officers.

**Attachment 3** includes the proposed (tracked) changes to the DPO9 in response to the public exhibition and Panel recommendations.

## *Traffic and Movement Network*

The Panel has concluded that a pedestrian link between new development and established residential areas is important and appropriate opportunities should be investigated between the neighbourhood and other external community services. The support given by the Panel for a direct and safe pedestrian connection between future residential development and the Wurruk Primary School is consistent with the Sale, Wurruk and Longford Structure Plan, and other Council policies in relation to the promotion of healthy and active lifestyles. Officers recommend that Council retain a strong advocacy role to achieve a safe and direct pedestrian link between the new residential development and existing community facilities, especially the Wurruk Primary School.

In summary, Officers are proposing to:

- accept the recommendations of the Panel except with regards to the deletion of the requirement for community consultation within the provisions of the DPO9 and to retain the exhibited text; and
- make consequential changes to the extent of the DPO9, the protection of the Oak trees in a Section 173 Agreement and updates to the extent of the concept plan within the DPO9.

In view of the above, Officers recommend that Council adopt Planning Scheme Amendment C84, including the revised Heritage Citation HO68, with changes. A full set of associated planning scheme amendment documents can be found in **Attachment 4** to this Report.

## **OPTIONS**

Council has the following options:

1. to consider the Panel Report, adopt Amendment C84 - Wurruk Growth Area with changes and request the Minister for Planning to approve Amendment C84 - Wurruk Growth Area pursuant to Sections 27, 29 and 31 of the *Planning and Environment Act 1987*;
2. to consider the Panel Report and abandon Amendment C84 – Wurruk Growth Area (in full or in part), pursuant to Sections 27 and 28 of the *Planning and Environment Act 1987*; or
3. to seek further information or changes for consideration at a future Council Meeting.

## **PROPOSAL**

That:

1. Pursuant to Section 27 of the *Planning and Environment Act 1987*, Council consider the Panel Report (refer to **Attachment 1**) and the associated recommendations for Amendment C84 – Wurruk Growth Area.
2. Pursuant to Section 29 of the *Planning and Environment Act 1987*, Council resolve to adopt Amendment C84 – Wurruk Growth Area with changes (refer to **Attachment 4**).
3. Pursuant to Section 31 of the *Planning and Environment Act 1987*, Council resolve to request the Minister for Planning to approve Amendment C84 – Wurruk Growth Area with changes.
4. Council advocate for the provision of direct and safe pedestrian connections over the Princes Highway between the Wurruk Growth Area and the Wurruk Primary School.

## **CONFLICT OF INTEREST**

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



## FINANCIAL IMPACT

As Amendment C84 is a private request, all direct financial costs associated with the Amendment process, including the Planning Panel costs, will need to be met by the proponent.

## LEGISLATIVE IMPACT

Pursuant to Section 27 of the *Planning and Environment Act 1987*, Council is required to consider the Panel Report prior to determining whether to adopt Amendment C84 - Wurruk Growth Area.

For each recommendation made by the Panel, Council may choose to accept/not accept the recommendation. If Council chooses not to accept a recommendation of the Panel, reasons for the decision must be provided to the Minister for Planning as part of the request for approval.

Council may also elect to request further information prior to making a final decision on the Amendment or abandon the Amendment in full or in part.

Amendment C84 - Wurruk Growth Area has been prepared having regard to the *Planning and Environment Act 1987* and the provisions of the Wellington Planning Scheme - including the relevant state and local planning policies.

## COUNCIL PLAN IMPACT

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

### Strategic Objective 1.3

*'Strengthen community identity by promoting our heritage and history and appreciation for small town rural living.'*

#### Strategy 1.3.1

*'Recognise, celebrate and promote the diverse shared heritage and history of Wellington Shire.'*

### Strategic Objective 2.3

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

#### Strategy 2.3.1

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

#### Strategy 2.3.2

*'Ensure sufficient land supply to provide for a range of lifestyle options which support housing diversity including affordable housing.'*

### Strategic Objective 5.2

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

#### Strategy 5.2.2

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

Amendment C84 supports the above Council Plan strategic objectives and strategies.

## **PLANNING POLICY IMPACT**

Amendment C84 is consistent with the State and Local Planning Policy Frameworks (SPPF and LPPF) within the Wellington Planning Scheme; the Sale, Wurruk and Longford Structure Plan (2010), the Gippsland Regional Growth Plan (2014) and the relevant State Government Planning Practice Notes.

Clause 21.05 of the Wellington Planning Scheme - Sale, Wurruk and Longford Strategic Framework, identifies the subject land for urban residential expansion.

## **COMMUNITY IMPACT**

During public exhibition, the community raised several issues including downstream stormwater impacts, traffic impacts and interface treatments. Although the issues raised are relevant to this development, the level of detail associated with the issues raised is more appropriate to be discussed at the Development Plan stage. As such the DPO9 requires that all those issues must be addressed as part of the preparation of the Development Plan. The Panel has agreed with this approach.

Although due process is being followed, the community may feel that their issues have not been given appropriate consideration at this stage. It is therefore of great importance that during the Development Plan preparation, the community is afforded further opportunity to put forward their views.

## **CONSULTATION IMPACT**

The public exhibition of Amendment C84 took place between Thursday, 17 November 2016 and Monday, 9 January 2017; and included:

- Approximately 247 notification letters with information sheets sent to all land owners/occupiers directly affected by the Amendment and to all landowners/occupiers within the Sovereign Drive Estate, The Ridge, Dowling Court, Settlement Road and adjacent farming land.
- Twenty (20) notification letters were sent to the relevant Statutory Authorities.
- Notification in the Gippsland Times (15 November 2016) and Government Gazette (17 November 2016).
- A community 'drop-in' session on 30 November 2016 at the West Sale Bowls Club, which was organised by the proponents of Amendment C84.

Hard copies of the Amendment documents, information sheets and Panel Report are available for viewing at the Council Service Centres in both Sale and Yarram, and on the Council and Department of Environment, Land, Water and Planning Websites.

All submitters received a letter notifying them that the Panel Report was available to view from 4 October 2017 and that Council would consider the Panel Report and the next steps in the Amendment process at its meeting of 17 October 2017.

*Planning and Environment Act 1987*

Panel Report

Wellington Planning Scheme Amendment C84

Wurruk Growth Area

**6 September 2017**

*Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the Act

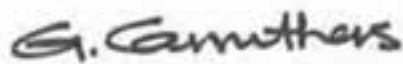
Wellington Planning Scheme Amendment C84

Wurruk Growth Area

6 September 2017



Lester Townsend, Chair



Geoffrey Carruthers, Member

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## List of Abbreviations

AEP	Annual Exceedance Probability
AHD	Australian Height Datum
ARI	Average Recurrence Interval
CMA	Catchment Management Authority
DED/TR	Economic Development, Jobs, Transport and Resources
DPO	Development Plan Overlay
EPA	Environment Protection Authority
FO	Flood Overlay
FZ	Farming Zone
GRZ	General Residential Zone
HO	Heritage Overlay
IN1Z	Industrial 1 Zone
LDRZ	Low Density Residential Zone
LPPF	Local Planning Policy Framework
LSIO	Land Subject to Inundation Overlay
RAZ	Rural Activity Zone
SEPA	Supportive Environments for Physical Activity
SPPF	State Planning Policy Framework
SWMS	Stormwater Management Strategy
TIAR	Transport Impact Assessment Report
WGCMA	West Gippsland Catchment Management Authority
WSUD	Water Sensitive Urban Design

## Overview

### Amendment summary

<b>The Amendment</b>	Wellington Planning Scheme Amendment C84
<b>Common name</b>	Wurruk Growth Area
<b>Brief description</b>	<p>The Amendment seeks to:</p> <ul style="list-style-type: none"> <li>- rezone the land as identified within the Sale, Wurruk and Longford <i>Structure Plan</i> to General Residential Zone 1, Rural Activity Zone , and Low Density Residential Zone</li> <li>- reduce the extent of the Heritage Overlay as recommended in the heritage assessment undertaken by the Proponents</li> <li>- revise the extent of the Land Subject to Inundation Overlay and Flood Overlay</li> <li>- apply a new Schedule to the Development Plan Overlay</li> </ul>
<b>Subject site</b>	<p>The Amendment applies to approximately 180 hectares in the Wurruk Growth Area as identified in the Sale, Wurruk and Longford <i>Structure Plan</i> (2010), and affects the following land parcels:</p> <p>Lot: 6 PS: 702630C Princes Highway, Wurruk          Lot: 7 PS: 702630C Princes Highway, Wurruk          CA: 21 SEC: E Settlement Road, Wurruk          Lot: 2 PS: 610634F Arnup Road, Wurruk          Lot: 1 PS: 61034F 402 Arnup Road, Wurruk          CA: 19 SEC: E Arnup Road, Wurruk          Lot: 1 PS: 602219P 148E Settlement Road, Wurruk          Lot: 2 PS: 602219P 148F Reid Drive, Wurruk          Lot: 3 PS: 602219P 148B Reid Drive, Wurruk          Lot: 4 PS: 602219P 148A Reid Drive, Wurruk          Lot: 5 PS: 602219P 148C Reid Drive, Wurruk          Lot: 6 PS: 602219P 148D Reid Drive, Wurruk          Lot: 7 PS: 602219P 1613 Settlement Road, Wurruk</p>
<b>The Proponents</b>	Jelaryl Pty Ltd; Park Ridge Investments Pty Ltd; Reyela Pty Ltd and Pearsondale Heights Pty Ltd
<b>Planning Authority</b>	Wellington Shire Council
<b>Exhibition</b>	The Amendment was placed on public exhibition from Thursday 17 November 2016 to Monday 9 January 2017
<b>Submissions</b>	Number of Submissions: 27 Opposed: 15

**Panel Process**

<b>The Panel</b>	Lester Townsend (Chair) and Geoffrey Carruthers (Member)
<b>Directions Hearing</b>	Wellington Shire Council offices on 11 April 2017
<b>Panel Hearing</b>	Wellington Shire Council offices on 5, 6 and 7 July 2017
<b>Site Inspections</b>	Accompanied on 11 July 2017
<b>Date of this Report</b>	6 September 2017

**Appearances****Represented by**

Wellington Shire Council	Mr Barry Hearsey, Ms Sabine Provily and Mr Sam Pye
Jelaryl Pty Ltd, Barry Hollonds, Park Ridge Investments Pty Ltd and Pearsondale Heights Pty Ltd (the Proponents)	Mr Chris Cumow of Beveridge Williams
Jelaryl Pty Ltd	Mr John Cicero of Best Hooper Lawyers who called the following expert witnesses: <ul style="list-style-type: none"> <li>- Mr Aram Manjikian, stormwater drainage Engineer, of Beveridge Williams</li> <li>- Mr Bryce Raworth, Heritage consultant of Bryce Raworth Pty Ltd</li> </ul>
Transport for Victoria	Ms Kylie Franklin and Mr Stuart Fenech
Mr Geoff Gooch	
Mr Barry Heywood	
Mr Alan Heywood	
Mr Stuart Dunlop	
Mr Steven Airey	
Mr Robert Weston	
Mr Kenihan	
Mr Shaun Jackson	
Mr Justin Dessent	Robert Weston

## Executive Summary

### (i) Summary

Wellington Planning Scheme Amendment C84 (the Amendment) seeks to:

- rezone the land as identified within the *Sale, Wurruk and Longford Structure Plan* to General Residential Zone 1, Rural Activity Zone, and Low Density Residential Zone
- reduce the extent of the Heritage Overlay as recommended in the heritage assessment undertaken by the Proponents
- revise the extent of the Land Subject to Inundation Overlay and Flood Overlay
- apply a new Schedule to the Development Plan Overlay.

Key issues raised in submissions were:

- residential intensification and estimated population growth
- heritage issues
- drainage and stormwater
- interfaces with existing housing estates
- application of the Rural Activity Zone
- neighbourhood Activity Centre and Open Space
- traffic
- provisions of the Proposed Development Plan Overlay.

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and observations from the accompanied site visit.

The Panel concludes that the Amendment is strategically justified.

In response to specific issues, the Panel concludes:

- the development of the area has clear policy support in the SPPF and LPPF
- there is demonstrable need for additional General Residential Zone lots to meet the requirements of the 15 year supply policies of the State Government and Local Planning Provisions
- it is appropriate to update the Flood Overlay and Land Subject to Inundation Overlay based on the more recent flood studies.
- the proposal is unlikely to have a material effect on flood events
- the drainage and stormwater impacts of the proposed Amendment have been considered appropriately at this stage of the strategic planning process
- the Development Plan Overlay Schedule has suitable provisions to ensure that the outfall discharge be considered in detail prior to any approval of a development plan
- the extent of the Residential 1 Zone is appropriate, but a number of interface issues will require careful consideration
- the development plan can address the interfaces between the proposed residential development and existing residential estates can be established appropriately, and additional design opportunities at the boundaries of the subject site can be explored

- the use and application of a Low Density Residential Zone is appropriate
- there is no justification to apply the Rural Activity Zone
- land within the predicted floodplain should remain Farming Zone where this is the current zone
- it is important to link the new development to existing areas
- that the proposed development provide appropriate opportunities for linkages to the neighbourhood and external community services
- traffic impacts can be dealt with in more detail at the development plan stage
- that the Neighbourhood Activity Centre and Public Open Space components of the proposed development can be refined in the next stage of planning.

(ii) **Recommendations**

Based on the reasons set out in this Report, the Panel recommends that Wellington Planning Scheme Amendment C84 be adopted as exhibited subject to the following:

1. Further reduce the land covered by HO68 to exclude the driveway and the gateway trees and reduce the area to the south of the homestead to the immediate paddock south of the formal gardens.
2. Amend the draft heritage citation to remove the proposed Management Guidelines.
3. Apply the Low Density Residential Zone in place of the Rural Activity Zone to land outside of the proposed Flood Overlay and Land Subject to Inundation Overlay.
4. Abandon the Rural Activity Zone for land within the proposed Flood Overlay and Land Subject to Inundation Overlay, so that the land remains as Farming Zone.
5. Revise the drafting of Development Plan Overlay Schedule 9 to:
  - adopt the changes shown in shown in Appendix C.
  - require urban design guidelines and concepts plans to address the interface with the Industrial 1 Zoned land
  - remove any reference to EPA Publication 1518 Recommended Separation Distances for Industrial Residual Air Emissions
  - in Section 1.0 – Paragraph 2 delete of the following text: *“...the residential supply in the Sale area and a demonstrated demand for further development”*
  - in Section 2.0 – first Dot Point to Paragraph 1 delete of the following text: *“...showing building envelopes and lot frontages”*
  - in Section 3.0 – Second Dot Point, First Point replace *“Cul-de-sacs are discouraged”* with *“Cul-de-sacs are to be used sparingly”*
  - in Section 3.0 – Third Dot Point, replace *“which contains”* with *“capable of containing”*
  - in Section 3.0 – Third Paragraph, Dot Point 5 , add the words *“if required”* to the requirement for a Cultural Heritage Management Plan
  - in Section 3.0 – Delete the Tenth Paragraph, Dot Point 5, which deals with community consultation.

**Further recommendations**

The Panel makes the following further recommendation:

- A. Council consider updating the Land Subject to Inundation Overlay and Flood Overlay to reflect the current 1 per cent AEP flood data modelling in the Latrobe River floodplain.**



# 1 Introduction

## 1.1 The Amendment

### (i) Overview

Wurruk is located approximately 1.3 kilometres west of Sale, directly on the Princes Highway. It is regarded by Council to be part of the Sale Urban Area, but is physically separated from Sale by the Thomson River and its flood plain.

The Amendment proposes to rezone the Wurruk Growth Area to enable urban and low density residential development in appropriate places, as identified in the Sale, Wurruk and Longford *Structure Plan* (2010). Development controls are proposed to create a connected neighbourhood, which enhances the landscape and heritage character while avoiding inappropriate development in flood prone areas and generating negative impacts on neighbouring properties.

Figure 1: Area to be rezoned



(ii) Planning Scheme changes

The Amendment proposes to:

- rezone the land as identified within the *Structure Plan* to General Residential Zone 1 (GRZ1), Rural Activity Zone (RAZ), and Low Density Residential Zone (LDRZ) (see Figure 2)
- revise the extent of the Land Subject to Inundation Overlay and Flood Overlay (see Figure 4)
- apply a new Schedule to the Development Plan Overlay (DPO9) (see Figure 3)
- change the extent of the Heritage Overlay (HO) as recommended in the heritage assessment undertaken by the Proponents (see Figure 5 and Figure 6).

Figure 2: Proposed zoning changes



Figure 3: Extent of Development Plan Overlay



Figure 4: Extent of revised Land Subject to Inundation Overlay and Flood Overlay



Figure 5: Heritage Overlay to be removed



Figure 6: Heritage Overlay to be added



## 1.2 Background to the proposal

The *Sale, Wurruk, and Longford Structure Plan* was adopted by Council in September 2010 and is underpinned by the following principles:

- neighbourhood creation
- healthy and sustainable futures
- community development
- employment and prosperity
- access and linkages.

The *Structure Plan* identifies the following key role for Wurruk:

*Wurruk will provide diversity and choice in urban and rural housing, opportunities for the establishment of new industry and an improved range of local services and facilities. It will act as a secondary settlement and activity node to complement Sale.*

Land to the south of the Princes Highway is highlighted in the *Structure Plan* as a future residential development area and known as the Wurruk Growth Area. The growth area is approximately 180 hectares in area and when fully developed has the potential to more than double the population of Wurruk.

The Wurruk Growth Area is described as follows:

*Opportunity exists for the establishment of urban residential and some rural residential development to form a complete neighbourhood that is integrated with the existing urban area and local facilities*

The *Structure Plan* envisages the creation of an attractive and sustainable community in line with the above principles. The opportunity exists to form a complete neighbourhood by integrating new urban and rural residential development within the existing urban area and local facilities.

The extent of the growth areas identified in the *Structure Plan* were based on population growth predictions, service availability, and other factors such as avoidance of natural hazards and high quality agricultural land.

On 6 May 2016, Council received a request to rezone land in the Wurruk Growth Area. The request sought to:

- rezone the land as identified within the *Sale, Wurruk and Longford Structure Plan* to General Residential Zone 1 (GRZ1) and Low Density Residential Zone (LDRZ)
- reduce the extent of the Heritage Overlay (HO) as recommended in the heritage assessment undertaken by the Proponents
- apply a new Schedule to the Development Plan Overlay (DPO9).

A detailed review of the rezoning request by Council identified several development constraints together with potential opportunities for better strategic land use outcomes. Following discussions between Council and the Proponents (between June-July 2016) changes to the Planning Scheme Amendment were made prior to a workshop with Council in August 2016, and the lodging of a formal request for Authorisation with the Minister for Planning in September 2016.

### **1.3 Issues**

#### **1.4 Issues identified with rezoning request**

A number of issues were identified by Council during the detailed review of the rezoning request documents and the Amendment provides a response to these issues.

Council sought significant changes be made to the draft DPO. After consulting with the Proponents, the following changes were made to the rezoning application:

- inclusion of the most up-to-date flood data and consequent revisions to the Flood and Land Subject to Inundation Overlays
- preparation and inclusion of an updated Heritage Citation and updates to relevant heritage clauses within the Wellington Planning Scheme
- rezoning of land to Rural Activity Zone
- revisions to the proposed provisions of DPO9.

The Native Vegetation Assessment was reviewed by Council's Environmental Planner. Gaps in the assessment were identified in relation to:

- the road reserve (government road) to the west of Lot: 6 PS: 702630C, which is to be incorporated into the subdivision but was not included in the assessment
- some native grasses were observed on Lot: 6 PS: 702630C but this was not reflected in sufficient detail within the assessment.



To address this issue a further Native Vegetation Assessment, including an Offset Management Plan would be required as part of the future preparation of the development plan. This has been addressed within the provisions of proposed DPO.

#### **1.4.1 Issues raised in submissions**

The key issues raised in the submissions of the various parties are briefly summarised as follows:

##### **(i) Proponents**

The key issues for the Proponents were:

- the application of a Rural Activity Zone to the Kilmany Park Estate
- the extent of the Heritage Overlay, the changes to the Heritage citation, and the Management Guidelines proposed by Council
- the contents of the draft Development Plan Overlay Schedule 9 (DPO 9)
- expectations for a low density residential development
- drainage impacts
- traffic impacts.

##### **(ii) Relevant agencies**

The key issues for the West Gippsland Catchment Management Authority (WGCMA) were:

- assess the impact of increased stormwater volume on downstream farming land and pumping costs.
- review the proposed stormwater quality infrastructure to ensure the impacts of increased volume are mitigated.

The key issue for **Transport Victoria** was the proposed pedestrian crossing at the Princes Highway. The Department also raised:

- the connectivity over the Princes Highway between the new development and the Wurruk Primary School
- the use of Municipal Reserves and Government Road reserves for connections
- how the Neighbourhood Activity Centre can be fully connected with the integrated transport network
- the inclusion of bus routes especially to the Neighbourhood Activity Centre
- the need for consistency with VicRoads Tree Planting Policies
- a request for specific requirements in relation to the Traffic Impact Assessment Report
- accessibility from arterial roads into the new development, and
- staging and timing of development and when consideration should be given to impacts on traffic flow

The **EPA** (submission 16) raised concerns in relation to a 100 metre separation distance between the proposed GRZ1 allotments and the existing Industrial Zone 1 to the northwest of the subject site. It encouraged Council to consider planning controls which would create adequate separation distances, as defined in EPA Publication 1518 (that relates to Industrial Residual Air Emissions).

**VicTrack** (submission 3) stated that the Amendment had no effect upon its land.

The **Department of Environment, Land, Water and Planning** (submission 4) from its Gippsland office supported the Amendment.

The **Country Fire Authority** (submission 5) stated that the Amendment had no implications relating to bushfire or service delivery, and supported the Amendment.

The **APA Group** (submission 8) stated that gas reticulation assets in the area should not be affected, and any future reticulation requests would be dependent upon property development and viability.

**Gippsland Water** (submission 22) had no objection to the Amendment, as it was considered in line with the *Structure Plan*. Sewerage services provision would be dependent upon a business case being developed by the Proponents at the appropriate time.

**(iii) Individual submitters or groups of submitters**

The key issues by submitters were:

- residential intensification versus estimated population growth (Submissions 6, 7, 9, 10, 12, 13, 18 and 19)
- drainage and stormwater (Submissions 2, 13, 15, 19, 23, 24 and 25)
- traffic (Submissions 7, 9, 11, 12, 13, 14, 19, 20, 21 and 25)
- neighbourhood Activity Centre and Open Space (Submission 26)
- interfaces with abutting residential estates (Submissions 6, 7, 13, 16, 19 and 25).

These issues remained unresolved at the Hearing, and are considered within this Report.

## **1.5 Issues dealt with in this Report**

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and observations from the accompanied site visit.

The Panel has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in this Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

The Proponents provided a Land Capability Assessment containing an on-site waste water management plan and concept design for the proposed residential use of the subject site (Strata Geoscience and Environmental, March 2016). The Panel is satisfied that this assessment is appropriate at this Amendment stage, and Council can further consider a further iteration when a detailed development plan is compiled.

This Report deals with the issues under the following headings:

- Strategic justification
  - Policy framework
  - Demand
- Constraints
  - Flooding and drainage
  - Setback from industrial area



- Kilmany Park Heritage Overlay
  - Extent of controls
  - Management guidelines
- Proposed zones
  - What is proposed
  - General Residential Zone 1
  - Low Density Residential Zone
  - Rural Activity Zone
- Development issues
  - Traffic and access
  - Neighbourhood Activity Centre and Open Space
- Development Plan Overlay Schedule

## 2 Strategic justification

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report. The Panel has reviewed Council's response and the policy context of the Amendment, and has made an appraisal of the relevant zone and overlay controls and other relevant planning strategies.

### 2.1 Policy framework

#### 2.1.1 State Planning Policy Framework

The following Clauses of the State Planning Policy Framework were considered by Council to be relevant to the Amendment.

##### Clause 11 – Settlement

**Clause 11.01-1: 'Settlement networks'**, which seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlement by:

- supporting sustainable development of the regional centres (includes Sale)
- ensuring regions and their settlements are planned in accordance with any relevant regional growth plan
- guiding the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks
- providing for growth in population and development of facilities and services across a region or subregion network.

Both the Gippsland Regional Growth Plan and the *Structure Plan* have identified the subject land as a (western) growth area for Sale. It will provide sustainable growth within the subregional network.

**Clause 11.07-1: 'Regional Planning'** which seeks to develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable by:

- ensuring regions and their settlements are planned in accordance with any relevant regional growth plan
- supporting a network of integrated and prosperous regional settlements by directing growth to locations where utility, transport, commercial and social infrastructure and services are available or can be provided in the most efficient and sustainable manner and by ensuring there is a sufficient supply of appropriately located residential and commercial land
- maintaining and enhancing regional Victoria's competitive advantages by provide adequate and competitive land supply to meet future housing and urban needs and to ensure effective utilisation of land and by strengthening settlement by ensuring that retail, community facilities and services are in central locations
- supporting the growth and development of distinctive and diverse regional settlements by encouraging high quality urban and architectural design which respects the heritage, character and identity of each settlement; by ensuring development respects and enhances the scenic amenity, landscape features and

view corridors of each settlement and by creating opportunities to enhance open space networks within and between settlements

- promoting liveable regional settlement and healthy communities by encouraging the development of compact urban areas which are based around existing or planned activity centres to maximise accessibility to facilities and services.

The Gippsland Regional Growth Plan has identified Wurruk as a growth area for residential development. The selected area can be serviced and can enhance and strengthen Wurruk as a whole settlement while it is also close to Sale, as the regional centre.

Other relevant Clauses of the SPPF are:

- Clause 11– Settlement
  - Clause 11.10-1: 'A Diversified Economy'
  - Clause 11.10-2: 'Planning for growth'
  - Clause 11.10-3: 'Sustainable communities'
- Clause 12 – Environmental and landscape values
  - Clause 12.01-1: 'Protection of biodiversity'
  - Clause 12.01-2: 'Native vegetation management'
- Clause 13 – Environmental risks
  - Clause 13.02-1: 'Floodplain management'
- Clause 14 – Natural resource management
  - Clause 14.01-1: 'Protection of agricultural land'
  - Clause 14.02-1: 'Catchment planning and management'
- Clause 15 Built environment and heritage
  - Clause 15.01-1: 'Urban Design'
  - Clause 15.01-2: 'Urban Design Principles'
  - Clause 15.01-3: 'Neighbourhood and subdivision design'
  - Clause 15.01-4: 'Design for safety'
  - Clause 15.01-5: 'Cultural design and neighbourhood character'
  - Clause 15.02-1: 'Energy and resource efficiency'
  - Clause 15.03-1: 'Heritage conservation'
  - Clause 15.03-2: 'Aboriginal cultural heritage'
- Clause 16 Housing
  - Clause 16.01-1: 'Integrated housing'
  - Clause 16.01-4: 'Housing diversity'
  - Clause 16.01-5: 'Housing affordability'
- Clause 17 Economic development
  - Clause 17.01-1: 'Business'
- Clause 18 Transport
  - Clause 18.01-1: 'Land use and transport planning'
  - Clause 18.02-1: 'Sustainable personal transport'
  - Clause 18.02-2: 'Cycling'
- Clause 19 Infrastructure
  - Clause 19.02-2: 'Education facilities'
  - Clause 19.03-1: 'Development contribution plans'
  - Clause 19.03-2: 'Water supply, sewerage and drainage'

### **2.1.2 Local Planning Policy Framework**

Clause 21.03 Vision – Strategic framework refers to 'Wellington 2030', which is the document containing the strategic vision for the Shire up to 2030. The development of the Wurruk Growth Area will achieve in part the objectives as described in Wellington 2030 and as such plays a significant role in delivering Wellington 2030.

Clause 21.04 Settlement and housing seeks to accommodate future population growth over the next 15 years in those settlements that can accommodate change and are expected to grow by:

- ensuring that development occurs in accordance with the town strategy plan and other plans included in Clause 21.05
- ensuring that rezoning to residential zones only occur when it is demonstrated as necessary to satisfy housing needs within 10-15 years or to provide choice of residential locations
- encouraging urban development to be consolidated in identified urban growth areas
- encouraging increased housing densities and choice throughout the main townships of the Shire in areas that are close to their town centres
- restricting urban development in areas subject to flooding.

Clause 11.10-3 also seeks to provide adequate infrastructure to identified urban growth areas by:

- promoting compact urban forms which fully utilise existing residential areas and infrastructure
- encouraging planning for land use and development to minimise potential conflicts between industrial and residential land uses;
- ensuring that new residential development in outlying areas provide for access to community services and facilities including the needs of an ageing population
- ensuring that cost-effective infrastructure is provided
- requiring that development plans achieve efficient utilisation of existing urban infrastructure.

#### **Clause 21.05 Sale, Wurruk and Longford Strategic Framework**

This Clause identifies the subject land as a residential growth area, hence the proposed rezoning will allow the area to develop in a manner consistent with this Clause.

Figure 7: Sale, Wurruk and Longford Strategy Plan



### 2.1.3 Conclusion

The Panel concludes:

- the development of the area has clear policy support in the SPPF and LPPF.

## 2.2 Demand

### (i) The issue

The matter of submissions questioned whether there was demand for the proposal.

### (ii) Evidence and submissions

Mr Shaun Jackson (submission 18) presented his analysis that Sale and district was not a growing population and that there is currently sufficient zoned residential land to meet demand.

Council and the Proponents submitted that additional GRZ1 land is required to comply with the State Government planning policy (Clause 11.02-1) and Local Planning Provisions to maintain 15 year's minimum supply of residential lots.

Council submitted that there are currently approximately 409 developable lots, and further subdivisions being developed in the Sale area. There is an average demand for 77.6 new dwellings per year, meaning 5.2 year's supply in Sale area, and 11 year's supply in the Wurruk Growth Area.

The Proponents submitted that since the *Structure Plan* was adopted by Council, 95 per cent of the Residential 1 zoned land in the Planning Scheme (at year 2000) has been developed. Fifty per cent of the land rezoned subsequently in 2010 has now also been developed into



residential blocks, with 35 per cent already being built upon. This equates to an average of 76.5 buildings per annum, in excess of the 10 year average residential building permit approvals at 75.6 per annum (2005 – 2015).

**(iii) Discussion and conclusion**

It seems relatively clear that a 15 year supply of residential lots is not available in the Sale area. The State Government planning policy is quite clear, and the Panel accepts Council's assessment that the Amendment is required to maintain an adequate land supply. The exact number of lots will be determined at the development plan stage, where detailed considerations regarding lot size within respective zones will be the responsibility of Council.

The Panel has inspected other current residential developments in and north of the Sale township, and observed that the market appears to be reacting positively in response to the development of medium to high density lots, including the BUPA retirement living development at the northern environs of the township.

The Panel concludes that:

- there is demonstrable need for additional GRZ1 lots in order to meet the requirements of the 15 year supply policies of the State Government and Local Planning Provisions.

The land proposed to be rezoned from Farming Zone is not considered to be high productive farmland. A compact development at this location would prevent urban sprawl into other farm land around Sale, which has higher agricultural values (e.g. Macalister Irrigation District).

**2.3 Conclusion**

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following sections of this Report.



## 3 Constraints

### 3.1 Flooding and drainage

#### 3.1.1 The existing situations

Sale and its environs have a long history of significant flooding, lasting many weeks before receding. The Latrobe River is the largest waterway in west and central Gippsland, and it converges with the Thomson River at Sale. Their combined rain event catchments to the west and north are extensive. The WGCMA's *Latrobe River Flood Study 2015* investigated local flooding.

The flood study noted that the downstream conditions via Heart and Dowd Morasses and into Lake Wellington are identified in the flood behaviour: *"The modelling in this area is more uncertain than in other parts of the catchment"*.

This in effect explains the concerns of several submitters regarding the impacts both from the Latrobe River flooding land to the south, and the retention of water volumes from the proposal within the basin. The vicinity of the Thomson River flood plain to the northeast of Wurruk also raises some concerns to the portion of the subject land to be retained as LDRZ.

The Wurruk Growth Area is located within the Kilmany Levee Bank catchment. Stormwater generated by the proposed residential development would flow through a series of ill-defined drainage lines mostly contained in private property to the Kilmany Levee Bank. The Kilmany Levee Bank is designed to let water flow freely to the Latrobe River, but stop high river flows flooding the catchment. Because of its design an area of water is retained behind the levee unless it is pumped over the levee or dissipates through soakage and evaporates.

After water has passed through or been pumped over the levee bank it flows again through drainage lines contained on private properties before discharging into the Latrobe River.

The management of an increased volume of stormwater is a critical issue as an increase in the volume could increase costs to the downstream farmers, who are responsible to pump the water through the levee bank. This is an unusual situation as potentially the total volume of water (and not just its peak flow) could have downstream impacts.

#### 3.1.2 Flood overlay

##### (i) The issue

How does the updated predicted 1 in 100 year ARI flood data affect the proposed Amendment?

##### (ii) Evidence and submissions

The WGCMA responded to the referral of the Amendment with updated flood modelling data for a predicted 1 per cent AEP flood extent (Annual Exceedance Probability) that shows that a larger area of the subject site could be inundated than is currently identified in the Planning Scheme.

The flood level in the area is determined by the Latrobe River to the south. The Kilmany Levee Bank was thought to protect the southern end of the growth area from the Latrobe River flood waters. It is now thought that a flood in the river would overtop the levee and the flooding in the southern end of the growth area would be greater than currently thought.

The flood modelling mapping approximately defines the 3.5 metre Australian Height Datum (AHD) contour as the boundary for flooding to be possible during a 1 in 100 year rain event.

The Amendment updates the LSIO and FO mapping, as shown in Figure 8.

The WGCMA recommended that no residential development be planned within the area predicted for the 1 per cent AEP. This is in accordance with the *Guidelines for development in flood prone areas 2013*.

Figure 8: WGCMA predicted 1 per cent AEP mapping



### (iii) Discussion and conclusion

Applying the 'precautionary principle' in this matter is regarded as prudent, based upon the WGCMA advice. Land below the 3.5 metre AHD contour should not be considered for more intensive development.

The Panel accepts that the modelling in the flood study has not been subject to a public review process, but it would be unwise to rezone land in a flood plain for more intensive development.

The Panel concludes:

- it is appropriate to update the FO and LSIO based on the more recent flood studies.

### **3.1.3 Downstream flooding issues**

#### **(i) The issue**

Concerns were raised over the potential for downstream flooding

#### **(ii) Evidence and submissions**

The Proponents submitted evidence from Aram Manjikian that there could be an additional 6,803 cubic metres stormwater from the development relative to existing outflows. In a worst case scenario, without any mitigation prior to a 1 per cent AEP event, this would create an increased 1.5 millimetres (rise) in the height of a flood level in the Wurruk basin (south of the subject land towards to Latrobe River).

This predicted rise in water level also assumed that the floodwaters from the Latrobe River would not impact on the flooding behind the levee bank.

Information provided by the West Gippsland CMA indicated that the levee does get overtopped by the flood extents of the Latrobe River during the 1 in 100 year ARI, in which case the area that the increased volume from the subject site could be placed over would become substantially larger, and make any increase in flood level negligible.

Mr Curnow concluded that with a detailed Stormwater Management Strategy (SWMS) being implemented there would be appropriate mitigation of outflows, and the downstream rural landowners would not be impacted. Those landowners present at the Hearing (and at the subsequent site inspections) expressed reservations that this assertion could be validated.

Submitters Mr Geoff Gooch (Nos 2 and 23), Mr Barry Heywood (No 23), and Mr Alan Heywood and others (No 24) sought to inform the Hearing that the stormwater outflows from the proposed residential development would exacerbate the flooding in the Latrobe River flood plain, and give effect to less time periods when their farming land could be used. Much of these submissions focused upon how a stormwater management design for a proposed development could control water flows during large rain events.

#### **(iii) Discussion**

The Panel is cognisant of the flooding history of this area around Sale, from the Latrobe and Thomson Rivers. The site inspections informed the Panel regarding the unusual topography south of the subject site, and its proximity to these rivers that ultimately flow into the Gippsland Lakes system.

It is evident that the Proponents have engaged in a level of consultations with several of the concerned landowners, but the farmer's submissions continued to query the practical outcomes of drainage and stormwater run-off upon their properties when a significant rain event occurs.

The Panel partly shares these concerns, after examining the Latrobe River Flood Study (WGCMA, March 2015). However, much of the content of submissions relates to matters outside the remit of the Panel. The WGCMA has requested that the Land Subject to Inundation Overlay (LSIO) and the Flood Overlay (FO) be updated to ensure that the Shire's Planning Scheme reflects the most up-to-date data modelling available.

A detailed SWMS should be compiled at the stage that a development plan is advanced, and the Proponents' commitment for *"no net outflow impact"* should be imposed by Council upon the ultimate developers of the subject site.

The WGCMA responsibilities relating to the operations of the Kilmany levee should be addressed in concert with the implementation of the SWMS, to ensure that the estimated 1.5 mm rise in flood level can be appropriately mitigated in a 1 in 100 ARI rain event. Mr Pye's (Council) expressed doubt at the Hearing regarding flows from the subject site actually reaching the Kilmany levee. This would need to be either proven, or further action taken by the WGCMA in line with the Authority's responsibilities for flood plain management.

#### (iv) Conclusions

The Panel concludes that:

- the proposal is unlikely to have a material effect on flood events.

### 3.1.4 Downstream drainage issues

#### (i) The issue

Have the drainage and stormwater impacts of the proposed Amendment been considered appropriately?

#### (ii) Evidence and submissions

Submissions (Nos: 2, 13, 15, 19, 23, 24 and 25) raised a number of concerns.

The Kilmany Levee Bank is in disrepair. The submissions expressed strong concerns that stormwater run-off will increase, and will impact negatively on the levee bank which could cause further damage.

Downstream land could also be impacted by the quality of water and increase in volume, especially as existing drainage lines and the flood gate (which controls flowing back of water from Latrobe River into the floodplain) are in disrepair. The dry periods when the land will be accessible for farming could be reduced significantly.

A number of infrastructure management concerns were raised:

- Where does the management of drainage infrastructure lie in the future; the CMA, beneficiaries (for example downstream landholders) or developers creating the long-term impacts.
- The levee on the land of Wurruk motel was constructed to hold back Thomson River flood water. This levee has holes and is currently unmaintained. Concerns were expressed that extra storm water will impact on the rural living and farming areas.
- The overflow of the existing watercourse (the Billabong) ends in a private property in Magpie Lane, and any increase in flow on that private property will not be accepted.
- No increase of storm water will be accepted in the small drain near McOwen's Road.
- The increase of storm water run-off to the Ridge which could overflow on established properties.



Council regarded the salient issue to be that the South Wurruk Stormwater Plan needs to be revised to include:

- an assessment on the impact of increased storm water volume on downstream farming and pumping costs
- a review the proposed storm water quality infrastructure to ensure the impacts of increased volume are mitigated.

Council sought to include a requirement for a stormwater study within the DPO9, which also considers stormwater volume and limits downstream impacts as requested by the West Gippsland Catchment Management Authority.

The WGCMA sought to address this issue as part of the preparation of the development plan, and to make changes to the DPO9 which will address the identified issues. Both Council and WGCMA officers submitted that a drainage solution could be achieved, that demonstrates that stormwater can be contained on site, such that post development flows and volumes will have no detrimental impact downstream.

The issues relating to the current maintenance of flooding infrastructure were considered by Council to be outside the scope of this Amendment, and needed to be resolved separately to the amendment process.

The WGCMA also raised concerns in relation to the impacts of stormwater drainage from the proposed development into the Latrobe River flood plain. In general, a change in land use that results in intensification and an increase in impervious surfaces has the potential to impact on designated waterways, water quality and quantity associated with the land as well as on receiving waterways. Increased flooding is also likely downstream of and adjacent to any rezoned area due to increased hard surfaces leading to increased stormwater run-off. Water quality is also likely to be impacted by the proposed rezoning due to the increased volume of stormwater.

Council responded in its submissions that Water Sensitive Urban Design (WSUD) principles could be applied within a detailed development plan to achieve nil increased flow rates from the site. Any increased flow volumes from future urban development would likely be minimal, and either absorbed in the natural ground or evaporate before affecting the farming land downstream or the levy bank.

To achieve these objectives, the SWMS indicated seven stormwater detention basins (totalling 17,341 cubic metres) within the subject site, each located at the lowest point in each of the designated sub-catchments. Stormwater treatment could be achieved to meet the Best Practice Environmental Management Guidelines by creating up to seven wetlands and seven sedimentation basins (with a total area of 22,291 square metres) within the seven detention basins.

The Beveridge Williams submission was that this SWMS could be implemented with nil increased stormwater flows onto the downstream properties.

Mr Curnow called the Beveridge Williams Drainage Engineer Mr Aram Manjikian to present his expert witness statement. The report looked at the increased flow volume impacts from the stormwater run-off from the catchment, and considered a conservative scenario that assumes the entire volume of the storm event would be present within the floodplain

behind the Kilmany Levee Bank at one time. This was due to the fact that the entire volume under the hydrographs for pre- and post-developed conditions have been compared without considering the time over which the volume enters, and exits, the floodplain.

Council's Infrastructure Coordinator Mr Sam Pye submitted that there would need to be analysis to prove whether any increased stormwater volumes discharged from the proposed development would actually flow to and effect the operations of the Kilmany levee. The DPO9 drafted for the Amendment contained a clause requiring that the outfall discharge be considered prior to any approval of a development plan.

The submission by Beveridge Williams contained a concept SWMS based upon the initial conceptual development layout. The SWMS objectives were stated to control the rate of stormwater run-off in a 1 in 100 year ARI rain event to predevelopment peak flows, and to provide stormwater treatment to meet the best practice guidelines.

### (iii) Conclusion

The Panel concludes that:

- the drainage and stormwater impacts of the proposed Amendment have been considered appropriately at this stage of the strategic planning process
- the DPO9 should contain a clause requiring that the outfall discharge be considered in detail prior to any approval of a development plan.

## 3.2 Setback from industrial area

### (i) The issue

The EPA made submission (No 16) in relation to the Industrial 1 zoned land to the north of the subject land (on the northern side of the Princes Highway and railway line). The Authority's interest was in ensuring that appropriate separation distances are achieved in accordance with EPA Publication 1518: *Recommended separation distances for Industrial Residual Air Emissions*.

### (ii) Evidence and submissions

The EPA view was that Publication 1518 should be given appropriate weight in the Hearing, to allow for the establishment of further conforming IN1Z industries. Separation distances from sensitive land uses (that is, residential) may vary from 250 metres to 1,000 metres, depending upon the type of industrial use to be established in the IN1Z.

The EPA proposed a number of options to provide mitigation at the northwest corner of the subject land:

- increase the area around the proposed retarding basin to include a recreation reserve
- increase the minimum lot size to 1,000 square metres along the highway frontage of the proposed development to reduce the number of dwellings potentially impacted by the IN1Z buffer.

The EPA's other recommendations related to acoustics and noise mitigation from the highway road and rail traffic.



Council's response was that an appropriate buffer between the IN1Z industrial estate and future new houses would be considered as part of the appropriate interface treatment. The final treatment will ultimately depend on the detailed design and will be determined as part of the development plan. The proposed recommendations put forward by the EPA were regarded by Council as options which will be considered at a detailed design stage.

Council proposed to make changes to the DPO9 to reflect lot size at the interface with the existing IN1Z, and refer to the EPA Publication 1518.

*In assessing the development plan or an amendment to the development plan, the responsible authority must be satisfied that it:*

- ...
- *Implements development requirements as set out in the:*
  - ...
  - *EPA Publication 1518 Recommended Separation Distances for Industrial Residual Air Emissions; and*

Council agreed that an appropriate interface treatment buffer distance between the industrial estate and new houses should be considered. The final treatment would ultimately depend on the design and will be determined as part of the development plan. Council regarded the recommendations by the EPA as options which would be considered at the next stage.

### **(iii) Discussion**

The EPA submission appears to imply that a 250 metre buffer as a minimum requirement would be satisfactory.

It is important that existing and future industrial development within the IN1Z should not be encroached upon by sensitive use residential development within the subject site.

The Panel has not had detailed submissions as to the extent of the appropriate buffer given the current uses in the industrial area, and other industrial development opportunities near Sale.

It is important to reduce the risk that future planning applications within the IN1Z are not challenged on the grounds of complying with residual air emissions or noise.

The Panel does not support direct reference to *EPA Publication 1518 Recommended Separation Distances for Industrial Residual Air Emissions* in the DPO schedule. It is not clear to the Panel that the publication will provide clear enough guidance on how to manage interface issues which could include noise issues and well as the residual air emissions issues addressed in *Publication 1518*.

The DPO schedule already requires urban design guidelines and concept plans for some interfaces; these requirements could be expanded to deal with this issue.

**(iv) Recommendation**

The Panel recommends:

Revise the drafting of Development Plan Overlay Schedule 9 to:

- require urban design guidelines and concepts plans to address the interface with the Industrial 1 Zoned land
- remove any reference to *EPA Publication 1518 Recommended Separation Distances for Industrial Residual Air Emissions*.

## **4 Kilmany Park Heritage Overlay**

### **4.1 Extent of controls**

#### **(i) The issue**

Should the existing Heritage Overlay applying to the Kilmany Park Estate be altered by the Amendment, and to what extent if any?

#### **(ii) Evidence and submissions**

##### **About Kilmany Park**

A heritage assessment was prepared by Trethowan (April 2016) for the site owner (one of the Proponents) to support a reduction in the extent of the existing Heritage Overlay.

The Trethowan assessment referenced an earlier heritage assessments compiled by Context Pty Ltd (2005), Anne Napier Architect (2005), and David Helms Heritage Planning (2009).

There are several ancillary outbuildings that are included as significant in the heritage assessment.

Kilmany Park was registered as a historic building on 21 March 1978, as one of the oldest properties in eastern Victoria. The homestead is one of the last of the conservative Classical mansions erected in Victoria, and is notable for this fact. The property, and an English Oak tree planted by The Duke of Cornwall and York, are classified by the National Trust of Victoria (7 December 1972).

The assessment detailed that extensive history of the property from the 1840s, and the construction of the current homestead in 1905-06. The property was used in the 1920s as a boy's welfare home (formal farm training) under the ownership of the Presbyterian Church, and this use ceased in 1978.

During the 1960s the main drive way from Settlement Road to the homestead was realigned to accommodate a sporting oval to the east of the curtilage and an avenue of native trees was planted. This avenue was named 'Leslie Drive' in honour of the philanthropic Leslie family of Sale.

The property land has been used for dairy farming since 1978. It was purchased by one of the Proponents in 1993.

A subdivision of five smaller lots that has already taken place in the northwest corner of the overall Kilmany site.

##### **Proposed changes in the Heritage Overlay**

The Trethowan assessment was reviewed by Heritage Intelligence (Council's Heritage Consultant). Council concluded that the assessment was sufficiently detailed to justify a reduction to the extent of the existing Overlay.

The Amendment to remove the overlay of a large area of land along the south side of the eastern entry driveway north of Settlement Road, and a narrow strip of land along the north side of this driveway. The balance of the existing overlay will be retained. The slight

increase in the northwest corner would include the 'McClelland Memorial Farm' gate pillars and the bronze plaque in the overlay.

The existing Heritage Overlay covers the whole property, shown as ■ on Figure 9. The Amendment proposes to reduce this to only include an area around the mansion, ■, and the driveway, with a slight increase in the northwest corner, ○. This proposed boundary is outlined in light blue, ■. Mr Raworth, in evidence for the site owner, proposed a further reduction in the area of the Heritage Overlay to the 'curtilage' of the mansion, the oak trees at the eastern end of the driveway and the 'Former School, Sloyd Room' and 'Men's quarters' buildings, ■.

Figure 9: Proposed Heritage Overlay changes



Council determined that a reduced Heritage Overlay would require an updated heritage citation, based on all available heritage information – including previous advice. An updated heritage citation was prepared by Heritage Intelligence.

Trethowan noted (at pages 28 and 54) that the views of the homestead complex when travelling along Settlement Road are largely obscured due to the natural topography of the land and the established lines of *Macrocarpa* cypress trees.

*Views of the homestead from the surrounding landscape are not considered to be significant given the homestead is not highly visible from Settlement Road.*

There are also decorative concrete gateposts (containing a memorial 'McClelland Memorial Farm' bronze plaque), and plantings of Aloe Vera at the rear entrance on Reid Drive.

The assessment concluded that the following elements should be considered of primary significance:

- the various nineteenth and twentieth century buildings and structures of the homestead complex
- visual connection between the homestead and outbuildings

- formal gardens, including the Victorian-era plantings, 'The Cornwall and York' oak tree, and the Federation era formal landscaping
- visual connections between the homestead complex and the wider landscape
- main Driveway (as a formal approach from Settlement Road).

Council submitted that – based upon all available heritage assessments – the homestead, the listed ancillary buildings, the driveway from Settlement Road leading to the homestead, and the entry gates on Reid Drive, should all be included for protection within the extent of a revised Heritage Overlay.

The Proponents relied upon the heritage assessment compiled by Mr Raworth.

#### **Should the driveway be included in the overlay**

It was Mr Raworth's expert statement was that the HO68 could reasonably be limited to the land associated with the house and house garden, the oval to the east, and the driveway in the vicinity of the oval, inside an established secondary gate line. He considered the removal of land including that currently proposed under Amendment C84 from HO68 to be acceptable and desirable. He also considered there is a sound basis upon which to remove a greater extent of land from the overlay than is currently being proposed by Council.

It was his opinion that the original driveway is not of any particular interest. His view was that part of the current alignment is believed to date from around 1903. He noted the driveway does not contain a mature or consistent avenue style planting along its length. The native trees that border some of the route are specifically identified in Council's citation as being of no interest, the gates and associated gate fencing are not identified as having any interest, and it is relatively common for such lengthy rural driveways to be excluded (from a Heritage Overlay).

Mr Raworth's evidence was that Council's proposed heritage citation identifies as significant the two oak trees at the Settlement Road entry to the drive way. He submitted that these oaks could be potentially protected under the Heritage Overlay if necessary, without the overlay otherwise extending along the entire driveway.

#### **The 'McClelland Memorial Gate'**

The proposed inclusion of the 'McClelland Memorial Gate' pillars and plaque in HO68 is considered acceptable given that they are correctly identified as significant elements (in Council's citation).

#### **Extent of overlay around the homestead**

While the sporting oval is not of significance, nor the driveway alignment around the oval, Mr Raworth's opinion was that they remain part of the localised setting of the house, and it is reasonable to include the oval on that basis.

The paddocks directly to the south of the homestead garden (proposed by Council for continued inclusion in the Heritage Overlay) do not contain significant elements and are of no interest other than in terms of allowing for incidental distant glimpsed views of the homestead. On this basis, Mr Raworth did not consider their ongoing inclusion in the Heritage Overlay to be justified, and his opinion was that the land should be removed from HO68.



His evidence was that the previously subdivided lots to the northwest that do not include identified heritage buildings, and could also be excluded from HO68.

His statement was that the reduction or careful identification and mapping of a Heritage Overlay curtilage using polygons is recommended in certain circumstances, including in relation to a homestead on a large farm, as is observed in *Planning Practice Note 1: Applying the Heritage Overlay*.

Mr Raworth suggested that the other items of significance, being the entry oaks on Settlement Road, the Mens' Quarters, the Sloyd Room (1949) and former School (1927), could be picked up by limited curtilages also numbered HO68. The curtilages to the Mens' Quarters, Sloyd Room and former School could be those associated with their existing allotments.

It was his expert opinion that the ongoing inclusion of the key elements in this area in the Heritage Overlay is an appropriate and sufficient means to assess and manage any future subdivision and development proposals.

#### **(iii) Discussion**

The Trethowan assessment contained a detailed chronological history of the Estate, and included a number of photographs of views from various locations within the curtilage and neighbouring areas. The Panel regards this very thorough assessment and its conclusions as reasonable grounds for reducing the extent of the overlay.

The Panel agrees that the farming land directly to the south of the homestead gardens does not contain significant elements of itself. The issue is the degree to which development in this area could undermine the values of the homestead itself, in particular its rural setting. The Panel can imagine an unsympathetic development of this land which would undermine the heritage values of the homestead. Having said this there does not appear the need to extend the overlay as far south as its current extent. There is an existing line of trees which would seem to be a logical boundary to ensure development close to the homestead did not undermine its values.

The Panel regards the ongoing inclusion of the entire driveway from Settlement Road to be an impractical outcome. It is not clear to the Panel that there is any practical way of preserving the values of the driveway in the context of the proposed development. The existing oak trees at the Settlement Road boundary could be protected for the duration of their practical lifespan under a section 173 Agreement with the Proponents (prior to any development).

#### **(iv) Conclusions and recommendation**

The Panel considers that a reduced version of the exhibited Heritage Overlay, (shown as ■ on Figure 9) that excludes the driveway and the gateway trees and reduces the area to the south to the immediate paddock. This keeps the main complex in a Heritage Overlay but excludes those areas that will be substantially changes by development, or do not have a direct relationship with the main complex.

The Panel recommends:



Further reduce the land covered by HO68 to exclude the driveway and the gateway trees and reduce the area to the south of the homestead to the immediate paddock south of the formal gardens.

## 4.2 Management guidelines

### (i) The issue

Should the management guidelines be included in the heritage citation?

### (ii) Evidence and submissions

Council's draft heritage citation for the site also includes a range of Management Guidelines (pages 27 to 35). Mr Raworth regarded these to be extremely detailed in extent. Their length and character adopt a format more typical of the policies or guidelines that he might expect in an Incorporated Plan prepared for the purposes of reference in the Schedule to the Heritage Overlay or in a Conservation Management Plan. He did not regard them as typical of what is found in citations for places of local significance in most municipalities across Victoria.

He expressed concern regarding the inclusion within the Management Guidelines of a view line analysis (page 27) that has regard for views across land that is not proposed to form part of the revised heritage place, (the land that is not within the proposed Heritage Overlay polygon). The inclusion of such notes and guidelines within Council's citation has the potential to give rise to controversy and misunderstanding.

Mr Raworth suggested that the proposed Management Guidelines within Council's draft citation should be deleted. *"The citation should restrict itself to the identification of significance that is the primary objective of such documents in terms of heritage policy and the Planning Scheme"*. Mr Cicero added that the Management Guidelines had been drafted without any meaningful consultation with the land owner (Mr Page).

Council sought to retain the guidelines but include a 'disclaimer':

To include the following, as a first paragraph to the Management Guidelines within the heritage citation for Kilmany Park Estate:

*Whilst landowners are not obliged to undertake restoration works, these guidelines provide recommendations to facilitate the retention and enhancement of the culturally significant place, its fabric and its setting, when restoration works or alterations to the building are proposed. They also identify issues particular to the place and provide further detailed advice where relevant. The guidelines are not intended to be prescriptive and a pragmatic approach will be taken when considering development proposals. Alternative approaches to those specified in the guidelines will be considered where it can be demonstrated that a desirable development outcome can be achieved that does not impact on a place's heritage integrity.*

Council said requested change would ensure consistency with changes introduced by Amendment C92 Part 1, and provide greater clarity regarding the role and intent of the

Guidelines. This would generate informative dialogue to secure mutually acceptable development outcomes.

**(iii) Discussion**

The Panel agrees with Mr Raworth's evidence that:

*... it is generally understood that the management of heritage places within the terms of the Heritage Overlay takes place through the assessment of proposals for works against the policies and decision guidelines that are found at Clause 43.01 and, in the present municipality, Clause 22.03, rather than through the application of a range of seemingly prescriptive guidelines of this kind.*

In the case of Kilmany Park, the heritage citation should restrict itself to the identification of significance that is the primary objective of such documents in terms of heritage policy and the Planning Scheme.

The Panel notes that many of the guidelines are general in nature and might undermine the conservation of buildings on site.

**(iv) Recommendation**

The Panel recommends:

**Amend the draft heritage citation to remove the proposed Management Guidelines.**

## 5 Proposed zones

### 5.1 What is proposed

The Amendment proposes to rezone the northern area of the subject site to General Residential Zone 1, and rezone the southern area to Low Density Residential Zone and Rural Activity Zone. Council acknowledged the potential development constraints of stormwater drainage and heritage considerations, and additionally proposed the rezoning of the Kilmany Park Estate to Rural Activity Zone.

Figure 10: Proposed Zones (and WGCMA 1 per cent AEP flood mapping extent)



### 5.2 General Residential Zone 1

#### (i) The issues

Is the use and extent of the General Residential 1 zones appropriate?

Can the interface between the proposed residential development and existing residential estates be established appropriately?

#### (ii) Evidence and submissions

Submissions (Nos 6, 7, 13, 16, 19 and 25) from residents directly abutting the boundaries of the development plan area raised significant concerns about the interface treatment between existing low density residential lots and proposed general residential lots. Their concerns include the number of future neighbours over the rear boundary fences, and amenity issues (domestic pets, height of buildings, different fence types). There was also mention in relation to the easements at the back of established houses and a lack of presentation towards the Princes Highway.

Council's response was that the draft Development Plan Overlay included the requirement to prepare urban design guidelines to address interface treatment. As part of the preparation of the development plan the appropriate interface treatments would be designed and include:

- the development of a prominent highway frontage which provides an attractive entrance to Sale
- the consideration of interface treatment between established areas and new development, including integration of the existing easements into the design
- interfaces with the Kilmany Park Estate, Settlement Road, and Latrobe River flood plain.

Council proposed a change to the concept plan in the DPO so that lots adjacent to established low density residential lots would be greater than 1,000 square metres.

A number of submitters (Nos 6, 7, 9, 10, 12, 13 and 19) opposed the application of GRZ and said that higher density lots should be located closer to the Sale township. These submitters were generally not opposed to further residential development, but submitted it should LDRZ, not the proposed GRZ1 as an in-fill between The Ridge and Sovereign Drive Estates.

These objecting submitters stated that a higher density growth area of the size proposed is not necessary. Their expectation was that the land now proposed for GRZ1 would be developed as a low density residential area, and they regarded the proposed development as inconsistent. These submitters asked how many blocks would be developed in the Wurruk Growth Area as 300 square metre lots, which would not be in keeping with the existing neighbourhood character.

These objecting submitters proposed the following development options:

- develop the land as a Low Density Residential Zone, while the smaller lots can be provided in an area closer to the CBD (for example, Sion Campus, proposed TAFE site).
- develop land directly behind the existing homes with allotments of comparatively equal size, while the remainder of the estate should be developed as a mixture of 1,000 and 2,000 square metre lots.
- graduated subdivision with larger blocks of land backing onto the existing residents of The Ridge and Sovereign Estates, preferably with only single story dwellings.
- develop further west past Sovereign Estate (this area is also identified in the *Structure Plan* as long-term intensification area).

Council reiterated that the demand and supply data shows there will be a shortage in vacant residential land after approximately 5 years, and as such rezoning is justified. Developing the land with only 2,000 square metre lots would not create the lot yield needed to satisfy demand policy, and will not provide housing choice and affordability.

The indicative concept plan within the DPO9 is proposing a 'stepped' subdivision, with the biggest lots being placed on the interface with The Ridge and Sovereign Estates, and the smallest lots placed surrounding the central community area.

The Proponents responded that some perceptions prior to the adoption of the Council's guiding strategic plan for Wurruk in 2010 could have been for the in-fill development to be



low density residential in character. Council's intent has been clear since that plan was adopted, and that there had been ample opportunity for existing residents to make submission as part of the strategic growth planning process.

It was submitted that:

*... misinformed expectations of what might be a planning outcome do not form adequate grounds for the Panel to recommend that the Amendment not be approved by Council.*

Eight opposing submissions related to impacts upon neighbourhood character and changing the existing low density residential neighbourhood. This partly was related to potential for increased traffic through existing residential estates via The Ridge and Reid Drive.

The Proponents submitted that there would be no change to the existing neighbourhood character, and that the opposing submitters were seeking to disallow anything to change on the vacant land behind their properties. The Proponents acknowledged that there was need for a traffic impact study to inform the compilation of a development plan.

#### **(iii) Discussion**

The Panel notes that the existing LDRZ estates would not be altered internally, but the external views of the properties abutting the subject land could change. The proposal for larger lots at the interface is supported, and represents a reasonable balance of exiting amenity and the need to make efficient use of developable land.

The Panel is satisfied that an appropriate interface treatment could be achieved at the detailed design stage of a development plan.

#### **(iv) Conclusions**

The Panel concludes:

- the extent of the Residential 1 Zone is appropriate
- the development plan can address the interfaces between the proposed residential development and existing residential estates can be established appropriately, and additional design opportunities at the boundaries of the subject site can be explored.

### **5.3 Low Density Residential Zone**

#### **(i) The issue**

Is the use and extent of the Low Density Residential Zone appropriate?

#### **(ii) Evidence and submissions**

Council's Part B submission that the Vision for Wurruk Growth Area (within the adopted 2010 Structure Plan) was that:

*Wurruk will provide diversity and choice in urban and rural housing ... It will act as a secondary settlement and activity node to complement Sale.*

Council highlighted that it proposed that the LDRZ remain on the designated waterway (known as the Billabong) on Settlement Road, and a small parcel of land east of the waterway.

As part of this strategic assessment Council considered the following:

- Advice from the West Gippsland Catchment Management Authority (WGCMA) that states:

*A significant proportion of Lot 7 on PS602219 (subject land identified for LDRZ) is likely to be subject to inundation during a 1 per cent AEP flood event. The Authority considers it inappropriate to rezone this portion of the land for residential purposes, as it is not suitable for future residential development.*

- The heritage assessment prepared by Trethowan intended to determine the potential for subdivision of specific areas of the property covered by the existing HO and the potential impact on the significance of the HO should subdivision occur. The reduction of the HO implies that all land outside the proposed HO is suitable for a rezoning to LDRZ, while within the proposed HO residential intensification will significantly impact on the heritage integrity of the place.

Council submitted that all land outside the flood plain or revised HO is proposed to be rezoned to the Low Density Residential Zone. Since the approval of Statewide Amendment VC100 in July 2013, the LDRZ allows a smaller minimum lot size (2,000 square metres), if reticulated sewer can be provided. This would produce a bigger lot yield can be achieved on a smaller area.

The land identified by Council as unviable (flood prone) and less viable (heritage) was reassessed for the most appropriate zone in relation to its existing and potential future land use. Council deemed RAZ to be the most appropriate zone.

In response to the submitters, Council highlighted the following:

- Applying the LDRZ will undermine the function of the flood plain and will if developed put the new residents at risk. The RAZ does not undermine the current or potential future function or surrounds of Kilmany Park Estate in any way, and is therefore deemed appropriate.
- The RAZ supports land uses that are compatible with the Kilmany Park Estate and even provide opportunities to expand the tourism use or change to another use which is compatible with the estate and its limitations due to flooding and heritage integrity.
- The Heritage Overlay and future development plan would protect and potentially enhance 'view sheds', and as a RAZ was not proposed to be used as a planning control to protect views within the heritage place.

Council's strategic objective to provide opportunity for LDRZ in-fill would be achieved by the proposed rezoning of the land that is deemed appropriate for residential intensification.

### (iii) Discussion

There was some consensus regarding the rezoning of part of the subject land being rezoned from FZ to LDRZ. It is the extent of the LDRZ, the interface issues, and the intersection with



the 1 per cent AEP flood contour to the south that require Panel recommendations. Whether the application of a Rural Activity Zone in conjunction with Kilmany Park is a related issue.

The 1 per cent AEP flood 3.5 metre AHD contour has been highlighted earlier in this Report as a salient State Government policy directive to be followed by Council. The Panel regards the application of LDRZ to the remainder of the subject site above the contour as an appropriate strategic outcome.

The small parcel of land (the Billabong) within the 1 per cent AEP contour would most likely not be sought to be developed for residential lots, given its current use as a designated waterway.

**(iv) Conclusion**

The Panel concludes:

- the use and application of a Low Density Residential Zone is appropriate.

## **5.4 Rural Activity Zone**

**(i) The issue**

Is the use and extent of the Low Density Residential Zone appropriate?

**(ii) Evidence and submissions**

Council proposed the Rural Activity Zone be applied to the Kilmany Park Estate and the remaining southern portion of the subject site, including the FZ land below the 1 per cent AEP contour. Council submitted that the purpose of the RAZ was for uses and development compatible with agriculture, environmental, and landscape characteristics of the area – including tourism. The potential for this land had been identified in a *'Rural Zones Review in 2009'*; rural areas where commercial, tourism, or recreational development will complement and benefit the particular agricultural pursuits, landscape features or natural attractions of the area.

Council's recommendation was that an application of RAZ to the southern part of the subject land at Kilmany Park Estate better reflects the existing use as a residence, bed and breakfast and conference centre.

The Proponents opposed the inclusion of this land within the RAZ. It submitted that the Rural Zones Review was limited in scope, and not a wider review of appropriate zones having regard to all zone options in the Planning Scheme. The Review predated the *Structure Plan* by one and a half years, and was used by Council to form the content of the Structure Plan.

The Proponents advised the Panel that the viability of the Kilmany Park Estate as a bed and breakfast and conference facility was marginal. While the homestead was of heritage value, it was not regarded as a significant tourist attraction.

The Proponents submitted that there had been no strategic work done since the *Structure Plan* which would suggest that in terms of land use and development, that the LDRZ is an inappropriate land use zone. He noted that the 2009 Review did state at page 91 *"potentially rezone Kilmany Park ... from FZ to RAZ..."* He noted that Council had introduced

Clause 21.05 into its Planning Scheme in May 2016 that demonstrated the most recent strategic thinking supporting LDRZ over the land being zoned to RAZ (even in part).

Clause 21.05 provides to:

*... facilitate low density residential development in Wurruk in the area south of Arnup Road ... subject to heritage investigations / consideration.*

The Proponents submitted that the RAZ was not required to reflect the existing use of Kilmany Park. The RAZ fundamentally is a rural zone, it would be totally inappropriate to apply it to Kilmany Park in these circumstances where the land is part of an identified growth area for residential purposes.

The Proponents submitted that the RAZ was proposed in part protect the view lines of the heritage building and curtilage was misconceived. He recommended that the statement of evidence of Mr Raworth should be accepted by the Panel, that is, that there are no significant view lines that need to be protected. The strategic intent evidence in the *Structure Plan* should be given effect to.

Council also submitted that the heritage view lines to and from the Kilmany Park homestead are a significant. The application of a RAZ, where a minimum subdivision size is 40 hectares, would ensure that the density of any future development surrounding Kilmany Park would be sympathetic to the existing heritage

### **(iii) Discussion**

While there is apparent disagreement about the significance of the view lines to and from the heritage listed Kilmany Park homestead, the over-arching principal consideration is what is the appropriate zone for the land that best gives effect to the implementation of the Wurruk Growth Area within the adopted *Structure Plan*.

Applying a RAZ to the southern part of the site would achieve a lower density of residential development around the Kilmany Park Estate, but would not best implement the strategic intent of the *Structure Plan* to provide for residential development.

This issue should be considered upon the basis of whether applying LDRZ would impact upon the heritage value and visual appreciation of the Kilmany Park homestead. Council's position is that it would, while the Proponents is that it would not.

The Panel sees no compelling reason not to extend the LDRZ over the entire southern part of the subject site. This is the most practical and appropriate response to the intent of the adopted *Structure Plan*.

A detailed design of any future LDRZ development that is sympathetic to the heritage of the Kilmany Park homestead, could provide a balance of residential housing and open space that could actually complement the view lines to and from Kilmany Park and the homestead.

As discussed earlier, the land below the 1 per cent AEP flood contour should not be considered for residential development, and best remain as a Farming Zone.

**(iv) Conclusion and recommendations**

The Panel concludes:

- there is no justification to apply the Rural Activity Zone
- land within the predicted floodplain (that is, under 3.5 metres AHD contour) should remain Farming Zone.

The Panel recommends:

**Apply the Low Density Residential Zone in place of the Rural Activity Zone to land outside of the proposed Flood Overlay and Land Subject to Inundation Overlay.**

**Abandon the Rural Activity Zone for land within the proposed Flood Overlay and Land Subject to Inundation Overlay, so that the land remains as Farming Zone.**

## 6 Development issues

### 6.1 Traffic and access

#### (i) The issues

Are the traffic impacts and access to the subject site considerations appropriate?

Does the proposed development provide appropriate opportunities for linkages to the neighbourhood and external community services?

#### (ii) Evidence and submissions

Several submissions (Nos 7, 9, 11, 12, 13, 14, 19, 20, 21, and 25) related to the ability of local roads to cope with an increase in traffic when the proposed development would be linked via the Ridge and Mount View Road. There was also concern about any increase in traffic at existing intersections and roundabouts along the Princes Highway.

The residents in Mount View Road believe that a link between the Sovereign Estate and the growth area would be better positioned via the existing reserve from Sovereign Drive. There is uncertainty around the future of the existing road network including Arnup Road.

The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) collated comments from Transport for Victoria with VicRoads and Public Transport Victoria. They support the requirement for the development to include the whole development area, as this promotes connectivity within the development, and to adjoining land.

DEDJTR supports the Council's requirement to provide continuous and direct routes for pedestrians and cyclists between residential areas, the Neighbourhood Activity Centre, public open space, Sale CBD, public transport, and other community areas.

Submissions also raised concerns in relation to:

- the connectivity over the Princes Highway between the new development and the Wurruk Primary School
- the utilisation of Municipal Reserves and Government Road reserves for connections
- how the Neighbourhood Activity Centre would be fully connected with the integrated transport network
- the inclusion of bus routes especially to the Neighbourhood Activity Centre
- a perceived need for consistency with VicRoads tree planting policies
- a request for specific requirements in relation to the Traffic Impact Assessment Report
- accessibility from arterial roads into the new development
- staging and timing of development and when consideration should be given to impacts on traffic flow.

Specific changes to the DPO9 schedule were requested.

Council's response to these concerns was:

*All key issues identified by the community can be resolved and answered after further detailed investigations are undertaken as part of the development plan process. The traffic impact assessment, which is required as part of the DPO9, will determine if and how existing roads will be impacted and if a potential increase of traffic is acceptable. Based on the assessment an optimal road network will be proposed. If road and crossing upgrades are required, as a result of the new development, costs are expected to be met by the developer.*

Council officers met with representatives of the Transport Group of DEDJTR on 6 February 2017 to discuss the key issues raised in their submission. As part of the meeting, clarification was sought in relation to outstanding queries and potential changes to the DPO schedule.

In relation to the pedestrian crossings over the Princes Highway, this clarification stated:

- The proposed movement network is supported but a Pedestrian and Cyclist Movement Study should be undertaken to determine in more detail the generation of traffic and what type of crossings (if any) would be required.
- VicRoads position remains that use of at grade crossings should be avoided on arterial roads whenever possible and therefore the underpass as included on the indicative concept plan remains the preferred outcome.
- Existing pedestrian crossings can remain, the study needs to determine if any and what type of upgrades are necessary.
- The Study should also determine at which stage of the development new infrastructure is required and if any interim treatments are necessary.
- The shared path south of the Princes Highway may be located in a VicRoads road reserve but only if other options are not available and it can comply with VicRoads guidelines (e.g. appropriate distance from arterial road).

Council submitted that the Amendment recommendations include the requirement for the preparation of a Pedestrian and Cyclist Movement Study within the provisions of DPO9.

In relation to bus services, this clarification stated:

*The route of the bus service is not determined at this stage, however, to be able to provide public transport into the new development the roads need to be capable. A normal collector road should be bus capable. The Sale Wurruk and Longford Structure Plan suggests a potential bus route through the new neighbourhood.*

Council submitted that the Amendment recommendations include reference to the need for bus capable roads into the DPO9.

In relation to access from the arterial road network, this clarification stated:

*VicRoads sought to avoid direct access from the Princes Highway into properties in the proposed development. VicRoads had identified that the access points from the Princes Highway as being potentially Reid Drive, Hunt Place, The Ridge and Settlement Road.*

Council submitted that the Amendment recommendations include this reference in the DPO9.



In relation to Traffic Impact Assessment Study, this clarification stated:

*The importance of the need for the study was reiterated. VicRoads view was that there is sufficient knowledge at the Amendment stage to be more specific in the requirements, and provided suggestions to update the proposed DPO9.*

Council submitted that the Amendment recommendations updates will be made to the DPO9.

Mr Stuart Dunlop (Submitter 27) informed the Panel that the residential traffic that might flow into Mount View Drive and The Ridge Estate would make already dangerous intersections worse. His submission was that a high incidence of 300 square metres lots would create significant increased traffic flows, that the existing feeder streets that would at best cope with additional pedestrian access.

Mr Kenihan (submitter 14) reiterated these concerns (relating to Mount View Drive and Reid Drive being unsafe) that would be exacerbated by increased traffic flows.

The Proponents submitted that the design of the community linkages would be considered at the development plan stage.

The extended linkages to Wurruk and Sale communities were outlined, both for vehicles and pedestrians. A shared pathway was envisaged that passed under the Princes Highway near the Thomson River bridge. This option would address the concerns of VicRoads, and negate a need for an at grade pedestrian crossing of the Princes Highway.

### **(iii) Discussion**

The Panel has inspected the neighbouring LDRZ estates, and viewed the road reserves that could be considered for use as feeder thoroughfares for the proposed GRZ1. It is evident that increased traffic volumes would occur if the proposed development were to proceed, and a detailed traffic impact study would be required by Council before granting a planning permit.

It is evident that the road reserves provided in the abutting estates are of an appropriate size. Traffic increase is normally a result of residential development, but existing residents should regard the proper planning processes as an appropriate approach to both connect neighbourhoods and to disperse any increase in traffic flows.

The Panel has recommended that the GRZ1 extend only from the Princes Highway to Arnup Road, and this road provides existing feeding route connections east and west. We have also suggested that the existing main driveway to Kilmany Park be excluded from the HO68, and be designed within the recommended LDRZ area to serve as a local access street (with heritage recognition to the 'Leslie family').

The Panel is of the view that these recommendations will in part address some of the submitter's concerns regarding the dispersion of increased traffic flows that would result if the Amendment were to be adopted.

A detailed Traffic Management Assessment, and subsequent development plan design, would provide Council and the Proponents a sound basis to plan for efficient traffic movements within and external to the residential areas.

Appropriate bus routes (with appropriate road carriageways) should be considered at the detailed design stage, so that public transport guidelines are followed for this relatively isolated growth area.

The Panel regards the implied design intentions contained within the concept plan as sufficient to conclude that appropriate community linkages could be created (both internally and externally to the residential developments).

**(iv) Conclusions**

The Panel concludes:

- it is important to link the new development to existing areas
- that the proposed development provide appropriate opportunities for linkages to the neighbourhood and external community services
- traffic impacts can be dealt with in more detail at the development plan stage.

## **6.2 Neighbourhood Activity Centre and Open Space**

**(i) The issue**

Are the proposed Neighbourhood Activity Centre and Open Space provisions appropriate?

**(ii) Evidence and submissions**

Submission 26 relating to the Neighbourhood Activity Centre and Open Space was made by the Wurruk Cricket Club, that is currently located within the Hunt Place industrial estate. It was suggested that it be relocated to the proposed new open space within the growth area. The Wurruk Cricket Club requested a new 'fit for purpose' facility and ground, which would enable the club to encourage greater participation in sport. Its proposal was focused upon the next 50+ years, to provide the capability to cater for an expanding population and an increased interest in sport. The Wurruk Cricket Club requested a second oval, clubrooms, training facilities and an indoor training facility.

Council's response was that the comments were appreciated and noted, but that most requests in relation to the detail of the facilities can be discussed at the design stage. Council submitted that a second oval cannot be achieved in this proposal. The allocation of sport fields is determined at a higher level, and the Gippsland Regional Sport Complex north of Sale contains enough space for the growth of sports facilities.

Council suggested that it may be possible to maintain the existing oval at Hunt Place as a second oval. The indoor training facility was more seen as a commercial enterprise, and would currently not be supported within a park.

Council submitted that the Amendment recommendations contain changes to the DPO9 to reflect the correct size of the main oval and fit for purpose building.

The Proponents submitted that they did contest the requirement for enough land to be set aside in the main recreation reserve for it to be able to contain various public facilities, based upon the nature of the facilities listed in the draft DPO9. Council would bear the costs associated with providing these listed facilities.

Mr Curnow submission was that the wording in the DPO9 should be clear that the size of the reserve would be clarified through the development plan process.

**(iii) Discussion**

The DPO schedule identifies the general location for the open space and activity centre and the text indicates the required size of the facilities. This is appropriate at this stage. These issues can be resolved in the next stage of planning.

**(iv) Conclusions**

The Panel concludes:

- that the Neighbourhood Activity Centre and Public Open Space components of the proposed development can be refined in the next stage of planning.

## 7 Development Plan Overlay Schedule

### 7.1 Council submitted changes

In response to the submissions received during the public exhibition, Council proposed changes to the DPO9. The proposed changes to the DPO9 were included as Attachment 3 to Council's Part A submission and form the basis of Appendix C of the Report.

The Panel has reviewed these changes and supports them except where this Report makes an explicit recommendation to the contrary.

The Panel recommends:

**Revise the drafting of Development Plan Overlay Schedule 9 to:**

- adopt the changes shown in shown in Appendix C.

### 7.2 Proponents requested text changes

#### (i) Section 1.0 – Paragraph 2

Section 1.0 – Paragraph 2, under the heading 'Requirement before a permit is granted', reads:

*A permit for subdivision must be considered against the staging plan identified in the approved development plan, the residential supply in the Sale area and a demonstrated demand for further development.*

The Proponents requested:

- deletion of the following text: "...the residential supply in the Sale area and a demonstrated demand for further development"

The Proponents submitted that this test was unnecessary and potentially open for abuse. It will give Council's planning department the power to control lot supply or delay development.

Council submitted that this provision was akin with existing provisions from the Mitchell Planning Scheme (DPO4), with the principle intent being to ensure that the long-term staged development of a significant growth front progresses in an orderly manner over time. The intent of the provision is not to 'stifle' the market or 'pick winners' (e.g. allowing development in the North Sale Growth Area but not in the Wurruk Growth Area or vice versa), but instead to ensure that the staging of development (and provision of required infrastructure) over time remains appropriate across all of Council's growth fronts.

Council considered that no change was required.

#### Panel response

The Panel agrees with the Proponents. The provision would still require consideration against a staging plan, and this would ensure orderly planning. Removing the text removes the potential for demands for further lot supply analysis.

The Panel recommends:

**Revise the drafting of Development Plan Overlay Schedule 9 to:**

- in Section 1.0 – Paragraph 2 delete of the following text: *“...the residential supply in the Sale area and a demonstrated demand for further development”*.

**(ii) Section 2.0 – first Dot Point to Paragraph 1**

The Proponents requested:

- delete the words: *“... showing building envelopes and lot frontages”*.

It was submitted that this would force the developers to create building envelopes as title restrictions on lots that do not require them under ResCode. If not created as restrictions, they will be on the plan and create incorrect expectations among future owners.

Council submitted that understanding of lot frontage and building envelopes will make the plan clearer and easier to assess by Council, including in relation to the new requirements for garden space in the residential zones.

Council considered that no change was required.

**Panel response**

The Panel agrees that Council will need to consider building envelopes, frontages and garden areas in assessing an application but does not see that it is appropriate to include this information under the heading ‘Conditions and requirements for permits’. The Panel agrees with the Proponents that there is a danger that what is initially sought to enable assessment of an application could become an unnecessary requirement on a permit.

The Panel recommends:

**Revise the drafting of Development Plan Overlay Schedule 9 to:**

- in Section 2.0 – first Dot Point to Paragraph 1 delete of the following text: *“...showing building envelopes and lot frontages”*.

**(iii) Section 2.0 – Paragraph 4:**

The Proponents requested:

- delete Section 2.0 – Paragraph 4

The Proponents submitted that the report prepared by Ethos did not find any native grasses on site, the reference made to native grasses is unnecessary and should be removed.

Council submitted that some areas have not yet been assessed (for example road reserves). Council’s Environmental Planner has identified native grasses during inspection and is therefore of the view that more detailed assessment is required.

Council considered that no change was required.

**Panel response**

The Panel agrees with Council that this requirement should remain as not all areas have been assessed.



**(iv) Section 3.0 – Second Dot Point, First Point**

**Issue raised by the Proponents**

The Proponents requested:

- Delete “*Cul-de-sacs are discouraged*” or replace with the sentence “*Cul-de-sacs are to be used sparingly*” because the developers wish to retain the option of using cul-de-sacs.

Council submitted that ‘Discourage’ still allows the use of cul-de-sacs in the same way as sparingly and is considered more commonly used language.

Council considered that no change was required.

**Panel response**

The Panel agrees that a limited use of cul-de-sacs may be appropriate in the future development of the area and revised words would better reflect this approach.

The Panel recommends:

Revise the drafting of Development Plan Overlay Schedule 9 to:

- in Section 3.0 – Second Dot Point, First Point replace “*Cul-de-sacs are discouraged*” with “*Cul-de-sacs are to be used sparingly*”.

**(v) Section 3.0 – Third Dot Point**

This relates to the facilities that the opens space might contain.

The Proponents submitted:

- Replace “*which contains*” with “*which could contain*” on the basis Council should retain a degree of flexibility.

Council submitted the facilities listed are the minimum requirements to achieve an appropriate community area for the future population. It still allows for flexibility in the composition and addition of further infrastructure if deemed necessary.

Council considered that no change was required.

**Panel response**

Revise the drafting of Development Plan Overlay Schedule 9 to:

- in Section 3.0 – Third Dot Point, replace “*which contains*” with “*capable of containing*”.

**(vi) Section 3.0 – Third Paragraph, Dot Point 5**

The Proponents submitted:

- It would be prudent to add the words “*if required*” to the requirement for a Cultural Heritage Management Plan as it remains to be seen whether significant ground disturbance has previously occurred.

Council submitted that a small area has been identified as having Aboriginal cultural heritage sensitivity. As a minimum, the developer needs to exercise due diligence and provide relevant information as required under state and local planning policy.

Council considered that no change was required.

**Panel response**

The Panel agrees with the Proponents that it is not clear that a Cultural Heritage Management Plan will be required. An area can be identified as having Aboriginal cultural heritage sensitivity, but other factors can mean that a plan is not required.

The Panel recommends:

**Revise the drafting of Development Plan Overlay Schedule 9 to:**

- in Section 3.0 – Third Paragraph, Dot Point 5, add the words *“if required”* to the requirement for a Cultural Heritage Management Plan.

**(vii) Section 3.0 – Eighth Paragraph, Dot Point 5**

The Proponents submitted:

- Dot point starting with *“Urban Design Guidelines and concept plans for interfaces ...”* should be removed as the overall design objectives provide ample direction for providing appropriate interfaces.

Council submitted community has raised significant concerns in relation to the interfaces. As part of the development plan it should be absolutely clear how the interface will be treated and developed.

Council considered that no change was required.

**Panel response**

The Panel agrees with Council that significant have been raised in relation to the interfaces and the development plan it should be clear how the interfaces will be treated and developed. The requirement should remain.

**Issue raised by the Proponents**

**(viii) Section 3.0 – Tenth Paragraph, Dot Point 5**

The Proponents submitted:

- The requirement for community input should be reduced to reflect the lack of broad based community opposition to the Amendment.

Council submitted that it was appropriate to follow Council’s Engagement Strategy and use IAP2 to determine the appropriate level of community engagement and propose the following change:

- *“Is developed with a community participation level of Involve as per IAP2’s Public Participation Spectrum.”*

**Panel response**

The requirement attempts to include a process issue into the assessment of the development plan. The Panel does not consider that this is appropriate. Certainly Council can consult on any development plan, but the schedule does not appear to have a head of power to allow Council to specify what that level of consultation should be.

The Panel recommends:

**Revise the drafting of Development Plan Overlay Schedule 9 to:**

- in Section 3.0 – Delete the Tenth Paragraph, Dot Point 5, which deals with community consultation.

**Issue raised by the Proponents**

### **7.3 Concept plan changes**

A number of issues were raised in relation to the concept plan

#### **(i) The title of the concept plan**

The Proponents submitted:

- The concept plan should be referred to as “*Indicative concept plan*” to properly reflect its status.

Council submitted that the text makes it clear that the development plan must be in general accordance with the concept plan.

Council considered that no change was required.

#### **Panel response**

The Panel agrees with Council that the role of the concept plan is clear from the text and does not see there is adding the word ‘indicative’ would have a material effect on the interpretation of the schedule.

#### **(ii) Shared path that crosses the Princes Highway at Hunt Place**

The Proponents submitted:

- The section of shared path that crosses the Princes Highway at Hunt Place is contrary to VicRoads advice, which clearly stated that they do not wish to have any further pedestrian crossings on the Highway

Council submitted that the *Structure Plan* (page 12) advocates for a pedestrian connection on that crossing to enable connectivity between existing and new residential areas which will strengthen Wurruk as one township. In its submission, DEDJTR is strongly supporting the integrated movement network. This becomes especially important if community facilities and open space is located within the new neighbourhood. In addition, it should be noted that the infrastructure for a bus stop has been made at this crossing, which needs to be made accessible for pedestrians.

Council considered that no change was required.

#### **Panel response**

This is potentially a difficult link to achieve, and could require changes to the management of the highway in this location. The Panel agrees that it is an important link in ensuring an integrated community and easy access to facilities. The Panel notes that it is shown as an indicative connection. The Panel expects that as this area develops and transitions from a rural to an urban area, the role of the Highway will be reviewed.

**(iii) Indicative east-west road**

The Proponents submitted:

- The indicative east-west road running through the western end of Pearsondale Heights Estate does not form the best subdivision design outcome and should be deleted from the plan.

Council submitted that this indicative link shows that a road link should be provided between the new main collector road and Reid Drive. It is not showing the exact location of the required link.

Council considered that no change was required.

**Panel response**

The Panel agrees that a link in this area is important and the plan is not intended to show the exact location of the required link. No change is required.

**(iv) Optional drainage retardation basin**

The Proponents submitted:

- The optional drainage retardation basin marked as a 'tear drop' does not offer an optional outcome as part of the overall drainage solution and should be removed to avoid confusion.

Council submitted that from a long-term management and maintenance point of view, Council prefers one bigger area compared to a number of small pocket reserves. Combining two smaller retention basins into a bigger combined reserve (with another future reserve for the declared waterway) is deemed to be technically achievable but should be further explored as part of the detailed drainage study.

Council considered that no change was required.

**Panel response**

The Panel thinks there is merit in flagging the alternative location until the revised detailed drainage strategy is complete.

## Appendix A Submitters to the Amendment

No.	Submitter
1	Best Hooper Lawyers
2	Geoff Gooch
3	VicTrack
4	Department of Environment, Land, Water and Planning
5	Country Fire Authority
6	Darren Elliot
7	Gary Santorelli
8	Matthew Read
9	Ian Smith
10	D & T Allison
11	W Macgregor-Davies
12	S Jeffries & S Fullerton
13	Justin Dessent
14	W & N Kenihan
15	Adam Dunn
16	Stephen Lansdell
17	Beveridge Williams
18	Shaun Jackson
19	Robert Weston
20	Harvey Dinelli
21	Pauline Somerville
22	Paul Young
23	P & M White, B & S Heywood, D Heywood and Dale Smith
24	J Heywood, R Anderson
24	E & G Heywood
25	S & B Airey
26	Craig Young
27	Kim Dunlop



## Appendix B Document list

No.	Date	Description	Tabled by
1	5/7/17	Part A submission Council	Council
2		Location of submitters map	Council
3		Council Part B submission	Council
4		Proponents submission	Mr C Curnow
5	6/7/17	Geoff Gooch submission	Mr G Gooch
6		Kilmany water catchment plain plan	Mr C Curnow
7		Kilmany Levy Bank Options Paper 2001	Mr C Curnow
8		Alan Heywood submission	Mr A Heywood
9		Jelaryl Pty Ltd submission	Mr J Cicero
10		LDRZ provisions	Mr J Cicero
11		RAZ provisions	Mr J Cicero

## Appendix C Schedule 9 to the Development Plan Overlay

This version shows changes proposed by Council and agreed to by the Panel, as well as additional Panel changes from the recommendations and identified by highlighted first two words.

-/-00-	<b>SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY</b>
Proposed C84	Shown on the planning scheme map as <b>DPO9</b> <b>SALE WESTERN GROWTH AREA – WURRUK</b>
<b>1.0</b>	<b>Requirement before a permit is granted</b>
-/-00-	A permit may be granted to construct or carry out minor works to an existing building prior to the approval of a development plan if the responsible authority is satisfied that the granting of a permit does not prejudice the intended outcomes of the development plan.
Proposed C84	<b>A permit</b> for subdivision must be <del>be</del> considered against the staging plan identified in the approved development plan <del>the residential supply in the Sale area and a demonstrated demand for further development.</del>
<b>2.0</b>	<b>Conditions and requirements for permits</b>
-/-00-	<u>The following conditions and/or requirements apply to permits:</u>
Proposed C84	<ul style="list-style-type: none"> <li>A permit application for subdivision must include:           <ul style="list-style-type: none"> <li><b>A subdivision</b> plan <del>showing building envelopes and lot frontages.</del></li> <li>A Stormwater Management Plan.</li> </ul> </li> <li>Any permit for subdivision and development must include conditions reflecting guidelines, requirements and conditions as stated in the approved development plan.</li> <li>Any permit regarding land containing a native tree where retention is required or deemed achievable, must contain a condition giving effect to tree protection (including canopy and root system) during subdivision construction. The existing agreement under Section 173 of the <i>Planning and Environment Act 1987</i> for specific trees within the development plan area will lapse once the tree protection strategy is fully implemented.</li> <li>Any permit regarding land where at least 25 per cent of the perennial understory is made up of native grasses must contain a condition requiring an approved Offset Management Strategy prior to Statement of Compliance.</li> <li>Any permit regarding land where onsite waste water management systems are used must show the building and effluent disposal envelopes on the subdivision plan <del>The minimum lot size for sites with onsite waste water management systems is 1,000 square metres.</del></li> <li>Any permit regarding land containing a designated waterway must contain a condition requiring a Water Management Plan.</li> <li>Any permit regarding land containing or abutting a place of cultural heritage significance (including Kilmany Park <del>Estate</del>) must contain a condition which gives effect to any recommendations for the protection, enhancement and interpretation of the place as referred to in the approved development plan.</li> <li>Any permit for subdivision must include an agreement under Section 173 of the <i>Planning and Environment Act 1987</i> between the landowners and the responsible authority to acknowledge the arrangements (e.g. payments or works-in-lieu) of infrastructure contributions identified in the development plan. If such an agreement already exists providing for the required</li> </ul>

infrastructure contributions, the landowner(s) are not required to enter into a new agreement. The agreement will lapse once all specified requirements of the agreement have been satisfied.

### 3.0 Requirements for development plan

~1-00~  
Proposed C84

A development plan must include the following requirements.

There must be a single development plan for the whole development plan area to which this schedule applies.

Concept plan and design principles

The development plan must be generally in accordance with the concept plan shown in Map/Figure 1 below and address the following design principles:

- A distinctive neighbourhood with a strong sense of place through:
  - Utilising the natural topography of the area to create rural views and vistas from key public areas and roads to its surroundings.
  - Enhancing and protecting heritage features such as Kilmany Park Estate, significant Aboriginal sites and other objects of cultural or historical significance.
  - Retaining significant native ~~indigenous~~ vegetation, particularly ~~native~~ scattered trees.
- A connected and integrated movement network by providing:
  - A permeable, sealed and safe road network based on a practical road hierarchy, directly connected with abutting residential areas. Cul-de-sacs are discouraged to be used sparingly.
  - Continuous and direct routes for pedestrians and cyclists between proposed and established residential areas and the neighbourhood activity centre, public open space, Warruk Primary School, Sale CBD, public transport and other key public areas.
  - Opportunities for the provision of public transport services within the area in particular to service the Neighbourhood Activity Centre.
- A centrally located and accessible community area for use of the whole Warruk community, ~~which contains~~ capable of containing:
  - A district open space not less than five hectares with at least a regional playground, Open Age Premier/regional cricket oval, cricket training facilities ~~junior football ground~~, fit for purpose building including change rooms, shelter with barbeque and public toilets.
  - A neighbourhood activity centre with total building footprint of not less than 1,500 square metres for commercial and community uses such as child care centre, convenience store and take-away.
  - Opportunities to facilitate formal and informal community gathering and social interaction.
- An attractive and safe neighbourhood through:
  - Distinctive neighbourhood entrances from the Princes Highway and Settlement Road.
  - A prominent highway frontage that provides an attractive entrance into Sale.
  - Appropriate interfaces with Kilmany Park Estate, existing low density residential areas and the neighbourhood activity centre.
  - Lots fronting to major roads, shared paths, waterways, flood plains, public open space and reserves.
  - Natural surveillance to create a sense of safety and security.

Specialist reports required to inform ~~the~~ development plan

The development plan must be accompanied by and incorporate recommendations of the following specialist reports, and others as requested by the responsible authority:

- ~~A Traffic Impact Assessment Report, Traffic Management Plan and Road Safety Audit which also determines impacts on surrounding areas.~~

- A Transport Impact Assessment Report (TIAR) which as a minimum must address traffic and access issues arising from the proposed development, predicted traffic generation and the impact of the development on the existing arterial road network in all relevant peak periods, in particular its impact on the following intersections with Princes Highway, Reid Drive, Hunt Place, The Ridge and Settlement Road.
- A Pedestrian and Cyclist Movement Traffic Study including the proposed linkages with the established residential areas and the path network north of the Princes Highway.
- An updated South Warrak Stormwater Plan 2016 including the impact of increased stormwater volume on downstream farming land and pumping costs, and a review of the proposed stormwater quality infrastructure to ensure the impacts of increased volume are addressed.
- A Native Vegetation Assessment including a Biodiversity Assessment Report.
- A Cultural Heritage Management Plan if required.

The specialist reports must address the design principles and concept plan included in this schedule and any relevant background studies previously undertaken.

#### Development plan

The development plan must incorporate the road reserve west of Lot 6 PS702630.

The development plan must be informed and accompanied by a detailed design response based on an analysis of the natural, cultural and strategic context of the site and reflecting the recommendations of all specialist reports.

The development plan must contain:

- A description of the proposed neighbourhood vision and character enhancing the existing heritage, cultural and natural features.
- A site responsive and functional subdivision layout ~~pattern~~ including the identification of:
  - ~~The subdivision layout providing a variety of lots in a variety of sizes and densities.~~
  - ~~The location of a~~ All public open space and land to be used for drainage or conservation purposes.
  - The neighbourhood activity centre.
  - The road network, integrated with surrounding residential areas including:
    - (shared) path network - movement network for pedestrians and cyclists including arterial road crossings.
    - bus capable roads within the precinct, and
    - the direct accesses from the arterial network via existing intersections and a fourth leg of the Hunt Place roundabout. No other direct access points from the arterial road network are permitted.
  - View corridors and heritage features.
- A landscape strategy with a consistent theme based on the proposed vision and character for the whole development including guidelines to support water sensitive urban design, details of street furniture, entrance statements from the Princes Highway and Settlement Road, and the native vegetation to be retained in public open space.
- A draft concept plan for the neighbourhood activity centre and district open space, including location of a sports oval, play space, general footprint of building(s), vehicle access points, location of parking, areas for delivery and waste disposal, integration with the pedestrian and bicycle path network, provision of bus services ~~access to public transport~~ and interfaces with abutting development.
- Urban design guidelines for the whole development providing for high quality built form, heritage recognition, active frontages, sense of place and security, and all ability access.



- Urban design guidelines and concept plans for interfaces with the Princes Highway, established residential areas, the existing industrial area north of the highway, Kilmory Park Estate, Settlement Road and the flood plain at the southern boundary.

#### Development plan implementation

##### The development plan must be accompanied by:

- A Land Budget, including lot yield targets for each ~~per~~ stage.
- A Staging Plan identifying the required interim and ultimate infrastructure requirements based on an indicative Servicing Plan showing all required utilities, services and infrastructure.
- ~~Interim and ultimate design solutions, particularly for infrastructure within and outside the development plan area including connections to key public areas.~~
- ~~An overall Servicing Plan showing water, sewerage, drainage, stormwater, electricity and telecommunications.~~
- ~~A Staging Plan and Land Budget, including lot yield targets per stage.~~
- A Developer Contributions Plan addressing anticipated timing and details of all required infrastructure associated with the development, including interim and ultimate infrastructure requirements.

##### Assessment of the development plan or amendment to the development plan

In assessing the development plan or an amendment to the development plan, the responsible authority must be satisfied that it:

- Achieves the design principles specified in this Clause.
- Is consistent with the Sale, Wurruk and Longford Structure Plan (2010), ~~the South Warrak Stormwater Plan 2016~~, Scattered Tree Assessment (~~June 2014~~), Land Capability Assessment (March 2016) and ~~any other subsequent~~ specialist reports.
- Provides all essential services, community facilities, pedestrian and cycling links, and roads.
- Is prepared to the satisfaction of the responsible and external authorities including EPA, CFA, VicRoads, Public Transport Victoria, Department of Economic Development, Jobs, Transport and Resources – Transport Group, West Gippsland Catchment Management Authority, Gippsland Water, Aboriginal Affairs Victoria, Department of Environment Land Water and Planning and relevant service authorities.
- ~~Is developed with the appropriate level of community participation as determined by the responsible authority.~~
- Implements development requirements as set out in the:
  - Infrastructure Design Manual (IDM);
  - Guidelines for Transport Impact Assessment Reports for Major Use and Development Proposals;
  - Austrroads Guidelines: Guide to Traffic Management Part 12: Traffic Impacts of Development, 'Safe System' philosophy and 'Smart Roads' plans;
  - VicRoads Tree Planting Policy;
  - ~~EPA Publication 1518 Recommended Separation Distances for Industrial Residual Air Emissions; and~~
  - other requirements as determined by relevant authorities.
- Supports design and development principles as set out in:
  - Supportive Environments for Physical Activity (SEPA) principles of healthy urban design – refer to Healthy by Design guidelines;
  - Water Sensitive Urban Design (WSUD), including recycling infrastructure and use of treated water;
  - Crime Prevention Through Environmental Design (CPTED)



- Is in accordance with any relevant agreement prepared under Section 173 of the *Planning and Environment Act 1987*

**Map Figure 1: Concept plan**



	Existing road network		Designated waterway and flood-prone land
	Indicative road network		Proposed retention basins as identified in South Warrak Stormwater Plan
	Existing shared path		Alternative location retention basin
	Indicative shared path connection		Existing drainage reserve
	Indicative walking and cycling link		Search area for Open Space and Neighbourhood Activity Centre
	Long-term shared path connection		Proposed conservation reserve
	Entrance Statement		Native trees as identified in Scattered Tree Assessment
	Higher density ground amenity area – indicatively, lots not less than 300 m <sup>2</sup>		Interface with established residential areas
	Medium density – indicatively, lots averaging 600 m <sup>2</sup>		Leslie Drive
	Lower density – indicatively, lots <del>of no greater than</del> 1,000 m <sup>2</sup> <del>at least</del>		Interface with waterway or flood-prone area
	LORZ area – indicatively, lots no less than 2000 m <sup>2</sup> – <del>lot size dependent on business case for retrofitted sewerage</del>		Interface with Settlement Road
	LORZ area – indicatively, lots no less than 4000 m <sup>2</sup>		Interface with Kilmany Park Estate
	Kilmany Park Estate		Interface with Princes Highway

Locality:	Wurruk
Place address:	1613 Settlement Road, 148A, 148B, 148C, 148D, 148E and 148F Reid Drive Wurruk
Citation date	2016
Place type and construction date:	<ol style="list-style-type: none"> <li>1 Meat House exterior and interior (c 1847-70),</li> <li>2 Mens Quarters (c1860/alterations c1880-81),</li> <li>3 Underground Water Tanks (c1870-81) 3,</li> <li>4 Stables (1880-81),</li> <li>5 English Oak and copper Dedication Tablet (1901), ( <i>Quercus robur</i>) HO151,</li> <li>6 Gardens and trees and elliptical unsealed carriage drive c1870-1906,</li> <li>7 Driveway (Later known as Leslie Drive) (1903) and English Oak trees <del>at Settlement Road entry and</del> at the mansion end.,</li> <li>8 Mansion house exterior and interior (1905-06) ,</li> <li>9 McClelland Memorial Gate Pillars and plaque at Reid Dr entry (1924),</li> <li>10 Kilmany Park School No. 4240. (1927),</li> <li>11 Kilmany Park School Sloyd Room (1949),</li> <li>12 Recreation building Ainslie Bequest 1962 and plaque,</li> </ol>
Recommended heritage protection:	<p>Local government level</p> <p>Local Planning Scheme: Yes</p> <p>Vic Heritage Register: Yes (part)</p> <p>Heritage Inventory (Archaeological): No</p> <p>Source: The Leader, 7<sup>th</sup> July 1906, p.33.</p>
Place name:	<b>'Kilmany Park Mansion and Kilmany Park Farm Home for Boys Complex</b>
Architectural Style:	Victorian Georgian (Mens Quarters, Stables, Meat House); Federation Classical with Art Nouveau interior elements plaster decoration, timber screens, lead light windows, (Mansion house 1905-6); Interwar Moderne (School and Sloyd Room); Post War Functionalist (c1962) Recreation building;
Designer / Architect:	J H W Pettit architect and surveyor. (Brick house 1870-71- now very modified); (1880-81 stables and alterations to Mens Quarters); Harry B Gibbs and Finlay (1905-06 mansion house); Percy Everett (1949 Sloyd Room), Keith Reid (1962 Recreation room),
Builder	William Allen (1880-81 Stables);



Fig 1 Mansion and elliptical driveway.



Fig 2 Interior showing the Art Nouveau timber screen.



Fig 3. Looking from the upstairs balcony towards the driveway.

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### **Draft Statement of Significance for HO68 'Kilmany Park' with a reduced polygon and amended Statutory Recommendations.**

This statement of significance is based on the history and description (only) in Trethowan, Architecture Interiors Heritage (2016). The assessment of significance is the opinion of the author, Lorraine Huddle. The Criteria, A, B, C, D, E, F, G, H is the Heritage Council Criteria for assessing cultural heritage significance (HERCON). Level of Significance, Local, State, National, is in accordance with the level of Government legislation.

#### ***What is significant?***

"Kilmany Park Mansion, and the Kilmany Park Farm Home for Boys Complex" at 1613 Settlement Road, Wurruk, is significant. The complex consists of the following significant elements from the two main historical development phases of the place: The estate of the Pearson family, 1841- c1923, and the Kilmany Park Farm Home for Boys (1923- c1977). (See aerial view in Fig D1)

- The Mansion house and interior, as built in 1905-6 and designed by Melbourne architects Harry B Gibbs and Finlay and the following outbuildings and trees associated with the Pearson family.
  - 1 Meat House exterior and interior (c 1847-70),
  - 2 Mens Quarters (c1860/alterations c1880-81);
  - 3 Three Underground Water Tanks (c1870-81)
  - 4 Racing Stables (1880-81) designed by local architect J H W Pettit.
  - 5 English Oak (1901) and copper plaque, (*Quercus robur*) HO151,
  - 6 Gardens and trees c1870+ as specified by John Hawker, and including elliptical unsealed carriage drive in front of the house,
  - 7 Driveway from Settlement Road (1903) (later known as Leslie Drive) and English Oak trees at ~~the Settlement Road entry and mansion end.~~
  - 8 Mansion house exterior and interior (1905-06),
- Kilmany Park Farm Home for Boys (1923- c1977): including structures by PWD architect Percy Everett c1949, and structures attributed to architect Keith Reid 1962.
  - 9 McClelland Memorial Gate Pillars and plaque at Reid Drive (1924),
  - 10 Kilmany Park School No. 4240 (1927),
  - 11 Kilmany Park School No. 4240 Sloyd Room (1949), PWD architect Percy Everett.
  - 12 Recreation building Ainslie Bequest 1962, attributed to architect Keith Reid and 1962 brass dedication plaque.

The original form, materials and detailing of each building or element listed, are significant as originally constructed.

Later outbuildings, and alterations and additions to the buildings or elements are not significant, including a series of caretakers' and labourers' houses associated with the operation of 'Kilmany Park' as the boys' home and as a dairy farm, by the Uniting Church of Australia, and the fence at the Settlement Road entry to the driveway are not significant. The 1960s oval and indigenous plantings along the 1903 driveway are not significant. The realigned shape of the 1903 driveway, which goes around the 1960s oval is not significant.

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### *How is it significant?*

The significant elements from the "Kilmany Park Mansion Complex" estate of the Pearson family, (1841- c1923) and the significant elements from the period of the Kilmany Park Farm Home for Boys (1923- c1977) are **locally significant** for their historical, social, aesthetic and scientific values to the Shire of Wellington.

"Kilmany Park Mansion Complex" estate of the Pearson family, (1841- c1923) are potentially significant to the State of Victoria for their social, historical and aesthetic values.

### *Why is it significant?*

Kilmany Park complex is **historically and socially significant at a Local level**. The homestead and its setting, including gardens, grounds, 1903 formal private driveway with ~~paired~~ mature English oak trees ~~(at the Mansion end)~~ ~~at each end, (from Settlement Road)~~ and surrounding landscape, are significant for the associations with the social status of the Pearson family, as formidable members of the Victorian horse racing industry, generous public benefactors within the Gippsland region and a political dynasty seen through successive generations serving as state parliamentarians, resulted in 'Kilmany Park' serving as a social centre for both the Sale district and the upper echelons of Victorian state society during the Victorian and Edwardian periods, including royalty, state governors, Melbourne gentry and notable residents of the Sale district. (Criterion A)

Following the significant reduction of the estate, due to compulsory acquisition by the Closer Settlement Board from the early 1910s, and the eventual disposal of the homestead and its remnant land by the Pearson family in the 1920s, its acquisition as a Presbyterian Church boys' home in 1923 (the Kilmany Park Farm Home for Boys) saw the construction of multiple buildings directly related with the operation of the home and the education, social welfare and training of the boys who lived there, including: a school (c.1927), a Sloyd room, designed by renowned Public Works Department Percy Everett (c.1949); and a recreation centre (1962), presumably designed by notable Post-war era architect Keith Reid. These buildings are important for their social and architectural significance; socially for the operations of the boys' home and architecturally for being good examples of their typologies in addition to their provenance as works of architects Percy Everett and, presumably, Keith Reid. Many of these developments were the result of generous benefactors, most from Sale, who took an active interest in the ensuring the success of the boys home, and included the recognition of their donations and work, in the form of the McClelland Memorial Gate Pillars and plaque at Reid Drive (1924), and the Recreation building and dedication plaque, Ainslie Bequest 1962. (Criterion A, G & H)

Kilmany Park complex is **historically significant at a local level** for its association with one of Victoria's notable domestic architects, J H W Pettit, who designed most of the Kilmany Park buildings constructed in the 19<sup>th</sup> century, and worked as an architect in Sale between 1854 and 1896, predominantly designing ecclesiastical and civic buildings, (Criterion H) and for associations with prominent local builder William Allen who was responsible for a number of significant buildings in the Shire, and for its association with Melbourne's pre-eminent commercial and domestic architects, Harry B. Gibbs and Finlay Architects, who designed the 1905-6 Mansion, and a Sloyd room, designed by renowned Public Works Department Percy Everett (c.1949); and a recreation centre (1962), presumably designed by notable Post-war era architect Keith Reid. (Criterion H)

Kilmany Park complex is **aesthetically significant at a local level** as a complex that has a *two storey mansion on a particularly grand scale, built in 1905-6 with the wide arcaded loggia at ground level*

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and superimposed upper arcade with segmental arches and heavy central pediment. It is notable as one of the last of the conservative Classical mansions erected in Victoria. It is also notable for the interior design especially the variety of its art nouveau lead light windows and plaster decoration, the art nouveau timber screen in the drawing room, the imposing stair lobby and the great balcony.

Kilmany Park complex is **aesthetically and scientifically significant at a local level** for the fine tree specimens including a Bunya Bunya Pine, Hoop Pine, Lilly Pilly, Flame Tree, Hazelnut, Blue Atlas Cedar, Himalayan Cedar, Monterey Cypress, Bhutan Cypress, English oak, Sugar Gum, Japanese Spindle-wood, Loquat, Liquidambar, Norfolk Island Hibiscus, Pear, Chinese Hawthorn, Tortured Willow, Weeping Elm and Purple Elm. Most notable of the trees is a large English Oak to the west of the homestead. This 1901 English Oak (1901) and copper plaque, (*Quercus robur*) HO151 is **historically, socially, aesthetically and scientifically significant** as an outstanding specimen in Victoria. This English Oak (*Quercus robur*) at Kilmany Park planted by King George V when visiting the property as the Duke of York and Cornwall on 15 May 1901 is of historical and scientific (horticultural) significance to Wellington Shire. Historically, it is significant for its associations with King George V and a reminder of his visit to Sale at the time of Federation. It demonstrates the importance of Sale as city and Kilmany Park. Scientifically, it is of horticultural significance as a fine mature specimen of this species. (Criteria A, B, E, F & G)

The oval, and indigenous trees planted along the driveway, a series of caretakers' and labourers' houses associated with the operation of 'Kilmany Park' as the boys' home and as a dairy farm, by the Uniting Church of Australia (following the closure of the boys' home and its transfer from the Presbyterian to Uniting Churches in c.1977) are not significant.

## Statutory Recommendations

This place is recommended for inclusion in the Schedule to the Heritage Overlay of the Wellington Shire Planning Scheme to the extent of the title boundary as shown on the map.

External Paint Controls	Yes
Internal Alteration Controls	Yes, Mansion and Meat house only.
Tree Controls	Yes, <del>oaks at front gate</del> , mature exotic trees.
Outbuildings or fences which are not exempt under Clause 43.01-3	Yes, Meat house, 3 underground water tanks, Men's quarters, stables, school, Sloyd Room, Recreation centre, McClelland Memorial Gate posts and plaque.
Prohibited Uses May Be Permitted	-
Incorporated Plan	-
Aboriginal Heritage Place	Not assessed.

### Map of recommended boundary for Heritage Overlay



Fig 4. Map showing the blue shaded polygon which includes the full length of 1903 driveway to Settlement Road and important view lines in red arrows to the school buildings and to the Mens Quarters and the rural views to the south. The red shaded polygon is a view line from Settlement Road to the mansion.

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## History

### Locality history

The Locality History is from *Heritage Assessment 'Kilmany Park' 1613 Settlement Road, Wurruk Trethowan 2016*.

From the early 1840s, the Gippsland region of Victoria was initially settled by 'squatters'<sup>17</sup> who took up licenses on vast runs of Crown land. The majority of these early settlers were Scottish emigrants.<sup>18</sup> This followed earlier exploration into Gippsland, from New South Wales, by Scottish explorer Angus McMillan from December 1839.<sup>19</sup>

The inaccessibility of Gippsland from Melbourne during this early period was well noted, the Crown Lands Commissioner for Gippsland, Charles Tyers, abandoning his attempt at a 'practical overland route', in September 1843, instead opting to sail for Port Albert in January 1844.<sup>20</sup> Prior to this, the majority of attempts at an overland route into the central plains of North Gippsland had been made from the New South Wales borders, via the mountain trail of Angus McMillan through alpine Gippsland.<sup>21</sup> Those settlers opting for the alpine route shepherded livestock (both sheep and cattle) on a journey that, in the case of the early 'overlander' William Odell Raymond in June 1842, took four months.<sup>22</sup>

Other Scottish squatters that opted for the overland route included William Pearson who, at the age of 23, started for Gippsland in June 1841. Travelling overland toward the Murray River (to the future site of Albury), Pearson followed the Mitta-Mitta River toward Mt Gibbo from where he travelled overland, via Omco, into Gippsland where he took up a 'run'<sup>23</sup> on the central plains, in what would become the Sale district, in September 1841.<sup>24</sup> He named his run 'Kilmany Park'.

### Place history

This place history is from *Heritage Assessment 'Kilmany Park' 1613 Settlement Road, Wurruk Trethowan 2016*.

The 'Kilmany Park' estate at Wurruk, near Sale, was established in 1841 by squatter William Pearson. Systematically developed over time by both Pearson and his son, also William Pearson, the estate eventually covered an area of approximately 30,000 acres.

Securing freehold on the homestead block lead to the development of more permanent structures after 1847, including the first 'Kilmany Park' house: a gable roofed weatherboard bungalow of sorts, with five sets of French doors opening onto a recessed verandah beneath a continuous roofline. In c.1870-71, this house was superseded as the principal residence on the estate with Pearson commissioning a new house, to a design by Norwich-born, Sale-based architect and surveyor John Henry Wroth (J.H.W.) Pettit. Despite being superseded, the original house was retained as an annexe to the new residence with an internal connection between the two, via a small hipped-roof weatherboard link.

In 1880-81, Pearson commissioned improvements to the Kilmany Park stables including the construction of a purpose built racing stable, again engaging Sale-based architect John Henry Wroth Pettit. Constructed by Rosedale builder William Allen, the stable consisted of 10 loose boxes and 5 stalls. At its height the stables were considered 'the best outside Melbourne', consisted of the central stable buildings and three training tracks, two of which were specifically

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designed for jumpers (steep-chase) incorporating 'stout post and rail and log and stone fences' for training the horses; the whole overseen by a staff of 24.

By the beginning of the 20<sup>th</sup> century, at the centre of the estate, a homestead had been developed, which reflected the fortunes of both the estate and the Pearson family in its extent, facilities and architectural pretension. Incorporating buildings designed by one of regional Victoria's notable domestic architects, JHW. Pettit, and Melbourne's pre-eminent commercial and domestic architects, Harry B. Gibbs and Finlay Architects, the homestead consisted of: a significant mansion house, formal gardens, various domestic outbuildings, a purpose-built racing horse stable and various estate buildings, including men's quarters. The social status of the Pearson family, as formidable members of the Victorian horse racing industry, generous public benefactors within the Gippsland region and a political dynasty seen through successive generations serving as state parliamentarians, resulted in 'Kilmany Park' serving as a social centre for both the Sale district and the upper echelons of Victorian state society during the Victorian and Edwardian periods, including royalty, state governors, Melbourne gentry and notable residents of the Sale district.

At the beginning of the new century, the estate covered nearly 30,000 acres. Following the significant reduction of the estate, due to compulsory acquisition by the Closer Settlement Board from the early 1910s, and the eventual disposal of the homestead and its remnant land by the Pearson family in the 1920s to the Closer Settlement Board, its acquisition as a Presbyterian Church boys' home in 1923 (the Kilmany Park Farm Home for Boys) saw the construction of multiple buildings directly related with the operation of the home and the education, social welfare and training of the boys who lived there, including: a school house (c.1927), a Sloyd room, designed by renowned Public Works Department Percy Everett (c.1949); and a recreation centre (1962), presumably designed by notable Post-war era architect Keith Reid.

Opening in 1924 as the 'Kilmany Park Farm Home for Boys', the Home was designed as a place 'to transplant city boys who were at social risk, to the wholesome atmosphere of a Gippsland farming property'. The Home's farm, the 'McClelland Memorial Farm' was gifted to the institution in the memory of Thomas Hugh McClelland (1907-1924) by his parents Thomas and Elizabeth McClelland; a plaque at the rear entrance to the homestead indicating the donation a Mr. and Mrs. T. McClelland were members, respectively, of the Committee and Melbourne Ladies' Auxiliary of the Home at this time. Overseen by a complicated management structure in both Melbourne and Sale, the management structure included: a Patron, Chairman, Hon. Secretary and Treasurer, Committee, Sale Advisory Committee, Melbourne Ladies' Auxiliary and a Sale Ladies' Auxiliary. The first superintendent of the Home was Mr. H. Clyne.

With constant pressure placed on the local school at Warruk, to which the boys would travel for their schooling, the Victorian Education Department opened a school in 1927, the Kilmany Park School No. 4240, at the rear entrance to the homestead; the school consisting of two buildings, a school house and a Sloyd (woodwork) room. By 1944, average attendance at the school had increased to 40 boys and 3 girls.

In February 1944, significant grassfires in the East Kilmany – Rosedale area caused widespread damage, devastating the rural communities and causing significant livestock and infrastructure losses. 'Kilmany Park' was not spared with significant damage caused to the Home and school. At the school, outhouses and the Sloyd room, with all its equipment, were destroyed with the school house escaping relatively unscathed, albeit for requiring repainting externally as a result of the fire. In comparison, the Home and its centre at the Pearson family's former homestead, which had been largely retained intact by the Presbyterian Church, saw significant damage. The architect-designed racing stables of William Pearson were largely left in ruins, albeit for the flanking wings either side of the central yard, 1,200 bales of meadow contained within the building fueling the fire. The old woolshed of 'Kilmany Park', evident on 1923 maps of the

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property was also destroyed during the fires, the building 'filled with hay'. A series of timber outbuildings, dating from the Pearson era, which did survive the fires were subsequently demolished prior to 1949.

Following the fire, improvements to the school were slow. While replacement of the Sloyd room was considered urgent in 1944, a design for a replacement Sloyd room was not prepared by the Chief Architect of the Public Works Department, Percy Everett, until June 1949. Reconstruction of the room was undertaken by Reconstruction Trainees at the Sale Technical College, however by April 1949 the building had been left unfinished following the closure of the vocational training centre at the College. The subsequent result was a building that did not adhere with the final design prepared by the Public Works Department. The Sloyd room was eventually completed by February 1955. By mid-1956, the Kilmany Park School, albeit maintained by the Department of Education, had closed.

During the 1960s, and despite the closure of the Kilmany Park School and the disbursement of its fixtures to the Sale High School, the continued investment in the Home's infrastructure continued. Under Superintendent Eric Frith's tenure during this period, significant attention was paid to the Home's grounds. These works included the realignment of the main drive way, constructed by the Pearson's, to accommodate a large oval on the east front of the house; the driveway skirting along its south-east edge. In addition to these works, an avenue of native trees was planted along the length of the drive, the avenue named Leslie Drive in honour of the philanthropic Leslie family of Sale, the family having served the Home for three generations. The Home farm continued to operate with the institution providing a focus toward 'formal farm training'. Construction was undertaken of several houses on the fringe of the homestead complex for various managers at the Home, including the 'William's House' in the mid-1960s, a red-brick house on the north-east edge of the homestead complex and the 'Spencer House' in the mid-1960s, an orange brick house (near the former Kilmany Park School) for share farmers on the property.

In 1962, further construction works came in the form of a significant bequest to the Home, the R.M. Ainslie Bequest, which enabled the construction of a brick Recreation Centre for the boys at the rear of the mansion. Somewhat reflecting the architectural language of the nearby Pearson-era racing stables, the Centre was, presumably, designed by Melbourne architect Keith Reid, the architect having undertaken previous alterations to the mansion's kitchen, in 1948, as a result of a bequest to the Home by Miss Janet Stewart; the kitchen works were undertaken by Sale builder Mr W. Stephenson. Undertaking another project for the Presbyterian Church in the Sale area at this time (St Columba's Presbyterian Church, Sale; 1958), the architect had also undertaken multiple ecclesiastical projects, mostly for the Presbyterian Church, since 1931. The Centre was opened by Councillor John Leslie J.P., Mayor of Sale, on 25 August 1962; a brass dedication plaque at the south entrance to the Centre denotes this contribution. Further investment was undertaken in the construction of a 'Manager's House' in the mid-1970s, a cream brick house in the gardens of the homestead.

Despite the value of the Home as a valued alternative to many metropolitan-based institutions during the mid-1960s, by the mid-1970s the Kilmany Park Farm Home for Boys was seen as an outdated care model. In 1977, changes within the Church management hierarchy hastened decisions with regard to the Home, the responsibility of boys' homes and community organisations within Victoria having been transferred from the Presbyterian Church of Victoria to the Uniting Church in Australia (Synod of Victoria and Tasmania).

The Kilmany Park Farm Home for Boys closed in 1978.



Anne Napier notes in 2005 additional historic evidence regarding the school and the gardens.

*"The school had an excellent Junior Young Farmer's Club which won many State prizes for cattle judging. The school gardens won the ANA prize for the most improved garden in 1929. The children showed particular skill in sloyd during the school. History. During the 1940s the boys made toys for children in other orphanages. The boys earned money fashioning garden tools making up to £90 per year. Of the boys at this school one became a bank manager in England (who has a standing invitation to any boy interested in banking for free passage to England and his support when he arrives) and Head of a Victorian country High School. Herbert Williams won a Sun Farmer trip to England in 1937" "Vision and Realisation Volume 3 – A Century of History of State Education in Victoria" (1973) by the Education Department, quoted in Napier 2005.*

The garden surrounding the homestead is also of interest. It was inspected by John Hawker (horticulturalist with Heritage Victoria) in 1997 and it contains many fine specimens including a Bunya Bunya Pine, Hoop Pine, Lilly Pilly, Flame Tree, Hazelnut, Blue Atlas Cedar, Himalayan Cedar, Monterey Cypress, Bhutan Cypress, English Oak, Sugar Gum, Japanese Spindle-wood, Loquat, Liquidambar, Norfolk Island Hibiscus, Pear, Chinese Hawthorn, Tortured Willow, Weeping Elm and Purple Elm. Most notable of the trees is a large English Oak to the west of the homestead planted by King George V when visiting the property as the Duke of York on 15<sup>th</sup> May 1901.

Following the Uniting Church's decision to close the Home, the property was maintained as a dairy, the land being let to various tenant farmers during this period until the mid-1990s.

In 1995, 'Kilmany Park' was placed on sale by the Uniting Church and purchased by surgeon Mr. Daryl Page on December 18<sup>th</sup> 1995.

#### **John Henry Wroth Pettit, Architect and Surveyor.**

John Henry W. Pettit was a prominent architect based in Sale during the late nineteenth century (Gippsland Times, 23 April 1870:2). Pettit arrived in Gippsland in 1854, after a stay in the goldfields and in Melbourne and Dandenong. Moving to Sale, he worked as an architect and surveyor, appointed as the superintendent of works for government roads and bridges (AAL record no. 3683; Kerr 1992:622). One of Pettit's earliest commissions was the Carpenter Gothic Christ Church at Tarraville (1856), designed with surveyor George Hastings.

He designed a small number of houses and hotels in the 1880s and 90s in Sale (AAL) and planned the design of the Sale cemetery. He was also involved with the Swing Bridge at Longford (AAL record no. 42575). Pettit is known to have designed (sometimes in collaboration with other local architects) the former Borough of Sale Municipal Offices at Sale (1863-6) in the Classical style, St Mary's Catholic Church in Maffra (1870), St Brigid's Catholic Church in Cowwarr (1870), the Catholic Bishop's Residence and Presbytery in Sale (1879) and the civic complex at Stratford comprising the court house, council chambers and post office (1884-5). Pettit died in Sale in 1896 (AAL record no. 3685).

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### Gibbs & Finlay, architects Mansion house

Harry Browne Gibbs (d. 1918) was a Melbourne architect who designed buildings in both the greater Melbourne area and regional Victoria from the late nineteenth century. (RVIA 1918:44). Some key examples of Gibbs' designs include the Bairnsdale Club Hotel (1879), Bairnsdale Mechanics' Institute (1888) and the Former Bairnsdale Hospital (1885) (HV). In greater Melbourne he designed the George Hotel on Fitzroy St, St Kilda (1885-6) (HV).

Gibbs partnered with Alexander Kennedy Finlay (d. 1922) to form Gibbs & Finlay from c1900 (RVIA 1922:155; AAI). Their work included houses, warehouses and factories as well as varying types such as shops, hotels, theatres, and hospitals (AAI). Around 1905, they designed several branches for the National Bank in the Classical style (Trethowan 1976). In Wellington Shire, the practice is known to have designed Bishopscourt at 4 Cranswick Crescent, Sale, (1901) which was the residence for the Bishop of Sale, and the former Shire Offices on Carsick Street, Rosedale (1913).

Following the deaths of Gibbs and Finlay, the practice name was retained and the firm became Gibbs, Finlay & Morsby (RVIA 1929: xlv) in the 1920s (AAI).

### William Allen, Rosedale Builder

William Allen (1829-1923) came to Rosedale in 1858 and worked as a builder in the area until his death at the age of 94. He is known to have sometimes worked alongside bricklayer Charles Chown. One of his first projects in the town was the first stage of the Rosedale Hotel (1858) which was Rosedale's first brick building. He also constructed St Marks Church of England (1866), the Exchange Hotel, Henry Luke's Store, the Rosedale Tannery, St Andrew's Uniting (formerly Presbyterian) Church (1869) with Chown and Wynd, the Primary School (1871), St Rose of Lima Church (1874-5), and the impressive Nambrok homestead (probably c1877). He was in his eighties when he constructed the 1913 Shire Hall in Rosedale. (HV; RDHS website).



Figure H1. Aerial view c1947 after the 1944 fires, showing the walls of the stables with the roof missing off the rear section of the stables, but the front sections intact. Source: <http://www.clan.org.au/perch/resources/kilmanypage-27.5-w640.jpg>

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Figure H2. The exterior of the mansion and elliptical carriage drive 1906. Note the concrete edging of the elliptical garden bed, and the established tree on the right. Source: *The Leader*, 7<sup>th</sup> July 1906, p.33.



Figure H3. C1947 photo showing the rear elevations of the mansion, (overpainted) including the significant number decorated chimneys, the conical roof over the underground tank, the Meat House to the right. Source: <http://www.clan.org.au/homes/vic?s=kilmany-park-house-presbyterian-home-for-boys>.

[www.fineartsgallery.com.au](http://www.fineartsgallery.com.au)

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## Description

This section describes the place after 2005. Refer to the Place History for additional important details describing historical changes in the physical fabric.

The complex is located at 1613 Settlement Road, 148A, 148B, 148C, 148D, 148E and 148F Reid Drive Warruk, which is about 5kms south west of Sale.



Figure D1 Aerial showing the approximate location of the 12 significant places (red numbers), the outline of the Heritage Overlay boundary (black lines) and the area of the Heritage Overlay (blue polygon).

Source of aerial, Wellington Shire

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



- 1 Meat House and interior (c 1847-70),
- 2 Mens Quarters (c1860/alterations c1880-81);
- 3 Underground Water Tanks (c1870-81) 3,
- 4 Stables (1880-81),
- 5 English Oak (1901) and copper plaque, (*Quercus robur*) HO151,
- 6 Gardens and trees and elliptical carriage drive c1870-1906
- 7 Driveway (1903) (later known as Leslie Drive) and English Oak trees at ~~Settlement Road entry~~ and mansion end.
- 8 Mansion house and interior (1905-06),
- 9 McClelland Memorial Gate Pillars and plaque at Reid Drive entry (1924),
- 10 Kilmarny Park School No. 4240. (1927),
- 11 Kilmarny Park School Sloyd Room (1949),
- 12 Recreation building Ainslie Bequest 1962 and dedication plaque,

**1 Meat House and interior (c 1847-70),**

A timber framed rectangular building with a hipped roof clad in short sheet galvanised corrugated iron and a painted brick chimney. The Meat house is described by David Helms (2009) "It has small covered windows, and chicken wire under the eaves providing further ventilation. Internally, the walls and ceiling are lined with narrow tongue and groove pine boards, and the original frame and hooks for hanging animal carcasses is still intact."



Figure D2. View of the 1901 English oak tree, HO151, on the left, the Meat House in the centre with the ladder on the roof, and the school house and Sloyd room beyond the Meat House between the ladder and the chimney, taken from the west side of the first floor balcony. (2011).

**2 Mens Quarters (c1860/alterations c1880-81)**

The Mens' Quarters is described by David Helms (2009) "constructed of brick with three stretcher courses alternating with one soldier course. The cottage comprises one long traverse gable oriented east-west, with three subsidiary gables extending at right angles to the north. There are skillion verandahs to both the north and south elevations verandah structures, which appear to be early, if not original, are supported by chamfered timber posts and have brick floors. There are external chimneys in either end wall. The front door and hallway is placed off-centre.

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Windows are six-pane double hung sash. The three gable ends have ocular vents." Napier and Trethowan both note that the design of the wall vents is the same as those on the stables, indicating that they were probably built at the same time or at least designed by the same architect J H W Pettit.



Figures D3&4 Source: Mens Quarters Trethowan, 2016, p38

### 3 Underground Water Tanks - three (c1870-81).

The underground water tanks are round, and most likely built in brick, which was typical at that time. The only one to have retained the original conical shaped iron roofed cover is next to the stables, whilst the water tank near the rear of the mansion and the one near the Mens Quarters now have a flat concrete cover. The interiors have not been inspected (see Fig D5 below).

### 4 Stables (1880-81),

The stables, were severely damaged in the 1944 grassfires and were never fully restored but the remaining 1880s sections (mostly the front gabled buildings) have a high degree of integrity. Helms describes the former stables in 2005, "which appear to originally have been symmetrical in layout with a large central barn flanked by two wings containing accommodation for the stable hands. The flanking wings have double hung sash windows with an oculus vent above. The area to the south of the barn and between the flanking wings has now been enclosed, and a large new steel framed roof built over the barn. Internally, the barn retains its original brick floor - the stable bays have been removed but evidence of the divisions still exists in the walls and floors. An unusual feature at one side is a concrete 'trough', which reputedly was used for the servicing of carriages or vehicles. "Trethowan explains that the concrete trough was more probably utilised as a horse bath given its depth, raised edges and the building's continued utilisation as a thoroughbred horse stable by William Pearson (Junior).



Figure D5. Source: (Detail from Trethowan, (2016: 18); the Leader, 7<sup>th</sup> July 1906, p. 33.

#### 5 English Oak (1901) and copper plaque, (*Quercus robur*) HO151

This 1901 English Oak (*Quercus robur*), is an outstanding mature specimen in Victoria. Post 2001, the measurements were; spread: 24.40m; girth: 2.72m; height: 11.75m. (National Trust Significant Tree Register).



Figure D6. View of the 1901 English oak tree, HO151, taken from the west side of the first floor balcony. (2011).

#### 6 Gardens and trees and elliptical unsealed carriage drive c1870-1906

Trethowan (2016) notes: the current formal arrangement of the garden was established with the creation of the elliptical front lawn at the centre of the driveway. Surrounded by a roughcast render retaining wall, a small inset stair, framed with Arts and Crafts inspired cement spheres, align with the centre of the entrance front of the mansion. Cement curbing to the remainder of the garden paths replaced an earlier angled brick edging, apparent in c.1906.

Sloping away from the house, the gardens, on the south front of the house in particular, have been designed to frame and therefore incorporate views of the surrounding landscape. This has largely been achieved through the placement of the elliptical front lawn framed by symmetrical

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plantings of Cedars (a Blue Atlas and a Himalayan Cedar) which would have originally drawn the eye of the viewer to the wider landscape and the former land holdings of the Pearson family; it is noted that this view is now partially obscured by low-lying branches of these trees. Elsewhere, the garden incorporates multiple plantings of exotic tree specimens, including: English Oak, Bunya Bunya Pine, Hoop Pine, Hazelnut, Monterey Cypress, Bhutan Cypress, Japanese Spindle-wood and Norfolk Island Hibiscus amongst others."



Figure D7 Trethowan (210646) View of the entrance front of the mansion, looking west. Note the formal arrangement of the original gardens with relation to the elliptical drive and entrance front of the mansion.



**7 Driveway (1903) (later known as Leslie Drive) and English Oak trees at Settlement Road entry and the two English Oak trees at the Mansion end of the driveway.**

The driveway extends from the entry gates at Settlement Road to the mansion house. There are two English Oak trees at the Settlement Road entry gate and two at the mansion end of the driveway. The 1903 driveway extends more or less in a straight line to the mansion house, (the 1960s diversion around the 1960s oval is not significant as it is not part of the 1903 William Pearson landscaping and mansion house development. The driveway is unsealed. Traditionally driveways from public roads to private mansion houses were lined with exotic trees. The two English Oaks at the entry and two at the mansion end, are likely to be remnants of an oak lined driveway.



**Figures D 8 & 9** Trethowan (2106:46) English oaks framing the Settlement Road entry (left) and English oaks framing the mansion end of the driveway.

**8 Mansion house and interior (1905-06)**

*Heritage Assessment 'Kilmany Park' 1613 Settlement Road, Wieruk Trethowan 2016, notes.*

"The mansion at 'Kilmany Park' was commissioned by William Pearson (Junior) and constructed in c.1905-06 to a design by pre-eminent Melbourne architects Harry B. Gibbs & Finlay Architects. The mansion involved the remodelling and extension of an earlier house, commissioned by William Pearson (Senior) and constructed in c.1870-71 to a design by Sale architect J.H.W. Pettit. In 1948, during the mansion's tenure as the Kilmany Park Farm Home for Boys, minor alterations were undertaken to the mansion's kitchen to a design by Melbourne architect Keith Reid.

Retaining sections of the earlier 1870-71 house on the property, constructed from overpainted tuck-pointed brick, the majority of the mansion consists of that built in c.1905-06. Constructed from rendered brickwork with applied cement decoration, the mansion is a significant two-storey building with decorative chimneys and a galvanised corrugated metal sheet clad roof. Executed in a conservative interpretation of Classical style architecture, the principal elevations of the mansion consist of the south (entrance front) and east (garden front) elevations. The west elevation consists of a secondary garden front whereas the rear elevation (north) addresses a rear yard framed on the opposite side by the stables. The south elevation is defined by a central bay that is adorned with a series of decorative cement pediments at ground and first floor levels, the ground floor pediment surmounting a four-bay arrangement of decorative stained and leadlight windows; the first-floor pediment topping what appears an arcaded balcony, the whole

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arrangement in-turn surmounted by a monumental stepped parapet. From this central bay, an arcaded loggia at ground floor level and an upper level arcade, with segmental arches supported on cast iron columns, extend along the extent of the south elevation, continuing along the east and west elevations. On the garden front, attention is drawn to a large stained and leadlight glass bay window that is centred on the elevation at ground floor level."

"Internally, the mansion presents as a unified interior containing multiple notable features, indicative of the Art Nouveau influence on its interior decoration. At ground floor level, the entrance vestibule opens into a double height stair hall, the two areas separated by decorative plasterwork columns with bas relief details to dado height. The columns support an entablature of equally detailed bas relief features, the decoration of which incorporates a cornice that extends the perimeter of both rooms. At the centre of the hall, an elaborate timber staircase with timber panelling extends through the middle of the house and is overlooked by a gallery at first floor level. At right, the stair hall opens into the drawing room through an elaborate door case and doors, the drawing room retaining significant features including a fretwork screen with decorative wrought iron lanterns that frame a leadlight bay window. At left of the stair hall, the current billiard room is entered through an equally elaborate door case and doors, the room containing early features including joinery and decorative ceilings. At the rear of the stair hall, a corridor provides access to the dining room and the remainder of rooms on the ground floor which retain significant features, including a fretwork screen and bay window with leadlight glass in the dining room; and joinery, marble and timber mantle pieces and decorative ceilings to the remainder of the rooms. At first floor level, the rooms incorporate bedrooms and retain early features including joinery, marble and timber mantle pieces, leadlight glass and decorative ceilings. There have been few significant alterations to the interior since its completion c.1906, however no original bathrooms, kitchens or service areas survive intact.



Figure D10. Looking east under the segmental arch, towards the front gates on Settlement Road, showing the unpainted 'ashlar' rendered walls, timber floor of the grand first floor balcony, balustrade and columns. (2011)

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Figure D11. Looking south under the segmental arch, towards Settlement Road, showing the timber floor of the grand first floor balcony, unpainted rendered balustrade and Corinthian composite columns. (2011)



Figure D12. Example of Art Nouveau Lead lighting in a first floor bedroom. (2011)



Figure D13. First floor timber balustrade, columns and screen above the stair hall. (2011)



Figure D14. View of fine timber work of the stairs, walls, balustrade, and banister. (2011)

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Figure D15. View of the timber staircase with newel post. (2011)



Figure D16. View of the Art Nouveau timber screen in the dining room. (2011)



Figure D17. Art Nouveau timber screen and joinery and plaster work, in the sitting room. (2011)



Figure D18. One example of many of the Art Nouveau lead light windows on the ground floor. (2011)

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**9 McClelland Memorial Gate Pillars and plaque at Reid Drive entry (1924),**

Two brick piers finished in rough cast render with decorative concrete capping and a brass plaque.



Figures D19 & 20. Source: Trethowan, 2016. p47 Reid Entry Gates and plaque.

**10, 11 Kilmany Park School No. 4240. (1927) and Kilmany Park School Sloyd Room (1949),**

The timber buildings have gabled and hip roofs clad with short sheet corrugated iron with exposed rafters on the eaves. The Sloyd Room has a ventilated roof. Windows are timber-framed with three four-pane sashes and horizontal glazing bars. The double doors are solid timber planked. The school has two red brick chimneys.

Helms (2005) also described the interior of the two school buildings. The adjacent Sloyd Room is a simple rectangular essentially symmetrical in plan with four tall windows in the south elevations and three windows and a door in place of the fourth in the north elevation. The building retains a number of features that demonstrate its original function including the large bench along the south wall, the built in cupboards (once used for storing tools) and what appear to be large shelving units along the east end wall. Otherwise the interior is typical of schools of this period with vertical lining boards to the lower part of the wall and plasterboard above. A blackboard is set into the west end wall. The ceiling has been replaced.



Figures D21 & 22 Source: Trethowan, 2016. p48 School and Sloyd Room

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## 12 Recreation building Ainslie Bequest 1962

Constructed of brick walls, with corrugated metal clad gable and skillion roofs, clerestory windows and high windows at ground floor level.

According to Trethowan (2106) "Attributed to architect Keith Reid, the design intent of the building, which includes blind walls with engaged pilasters, are reminiscent of the execution of the adjacent racing stables and an attempt to respond to the existing built context of the homestead complex; thereby suggesting the role of an architect. While attributed to Keith Reid, the building is not considered a work that is comparable with the successful designs achieved in many of his regional ecclesiastical buildings for the Presbyterian Church, predominantly churches, throughout Victoria. "



Figure D23. The 1962 Recreation centre. Source.  
<http://www.clan.org.au/perch/resources/kilmanypage-27.5-w640.jpg>



## Comparative analysis

Four other significant pastoral homesteads in Wellington Shire include The Holey Plain homestead, Fulham Park homestead, Nambrok Homestead and Boisdale House.

Historically, all of these properties date back to the earliest pastoral settlement in the area, and they retain some building structures from the early period, as does Kilmany Park. However, Fulham Park, which was built by 1856 in the mid Victorian era, is the earliest of these existing homesteads. Nambrok and Holey Plain homesteads date from the late Victorian era c 1880 and Boisdale House dates from 1892. Thus Kilmany Park homestead built in 1906 is over 100 years old, but still it is the youngest of the five pastoral properties in Wellington Shire.

Architecturally, all five homesteads have their own distinctive design. Fulham Park, a two storey red brick homestead is in the Colonial Georgian style, which is rarely found in Victoria. Holey Plain homestead is also a two storey red brick homestead, but in the very popular Victorian Italianate style with a 4 storey tower, canted bay windows and cast iron decoration. Nambrok homestead is a single storey house in an eclectic derivation of the Dutch and North Italian Renaissance fused with the Lombardic Romanesque, with canted bay windows and strident polychromy, is the most eclectic, picturesque brick mansion in rural Victoria. The complex is adorned with skillfully designed details in a manner unparalleled in Victoria. Boisdale House is a single storey brick and timber residence with a steep broken pitch roof clad with Marseille tiles and capped with a monitor skylight. The V plan form and exterior form reflect American influences in the design. Kilmany Park, a two storey rendered brick building, in a conservative classical style, which has a central bay with a series of decorative cement pediments at ground and first floor levels, the ground floor pediment surmounting a four-bay arrangement of decorative stained and leadlight windows; the first-floor pediment surmounting an arcaded balcony, and a monumental stepped parapet above. From this central bay, an arcaded loggia at ground floor level and an upper level arcade, with segmental arches supported on cast iron columns, extend along the extent of the south elevation, continuing along the east and west elevations. Comparatively, Fulham Park, Holey Plain, Nambrok and Kilmany Park are distinctive and highly accomplished variations of Victorian era architectural style, whereas, Boisdale House has departed strongly from this and embraced the Federation era style including influences from contemporary American design.

### The Holey Plain homestead, Rosedale - Longford Road, Rosedale



Figure C1 – Holey Plain Homestead (Source: National Trust <http://vhc.heritagecouncil.vic.gov.au/places/69997>)

"The Holey Plain homestead, is significant as an unusually fine and large red brick house designed in the Victorian Italianate style, more typical of Victoria's Western District homesteads than the Gippsland region. The property has strong associations with the Crooke family who have lived there for more than one hundred and fifty years. Members of the family have been

[www.heritagecouncil.vic.gov.au/places/69997](http://www.heritagecouncil.vic.gov.au/places/69997)

influential in State and Local politics. The property is a key site which demonstrates the process of early pastoral settlement of Gippsland along a set pattern, being specifically chosen by the Crooke family for its proximity to Port Albert after they had developed other pastoral runs inland around Omeo." It was classified by the National Trust in 1959, updated 2007.

Source: National Trust <http://vhd.heritagecouncil.vic.gov.au/places/69997>

#### Fulham Park, 413 Myrtlebank-Fulham Road Fulham.



Figure C2 Fulham Park (Source: <http://vhd.heritagecouncil.vic.gov.au/places/510>) Fig

#### What is significant?

The pastoral run Fulham on Thomson river west of Sale was first taken up in 1841 by Peter Imlay of Twofold Bay (Eden) NSW. In October 1853 retired sea captain John William Jones acquired the run and soon after, certainly before 1856, erected a Colonial Georgian style, two storey homestead of brick. On the basis of stylistic and detail similarities the design has been tentatively attributed to Melbourne architect John Gill.

The house is regularly fenestrated, with a single storey timber verandah and its single storey outbuildings form a sheltered courtyard with a beehive well. The verandah has been later adorned with network brackets of art nouveau origin. The homestead is sited on a rise above a bend in a creek and looks toward the Thompson River. Some elms and eucalypts are the only remnants of formal plantings on the slope down to the creek. In 1991 the ruined stables were rebuilt although the attached groom's quarters were demolished. The property has passed through many ownerships, none of them very long and was used by the Royal Australian Air Force during the Second World War. Fulham Park was purchased by Norman Gooch in 1944 and remained in the Gooch family ownership until 1998 when it was subdivided.

#### How is it significant?

Fulham Park Homestead is of architectural and historical significance to the State of Victoria.

#### Why is it significant?

Fulham Park Homestead is of architectural importance as an early example of the Colonial Georgian style, a form rarely found in Victoria. The quality of the design is enhanced with distinctive and restrained joinery, with the entrance doorway and fenestration of particular note. The architectural significance of the house would be further enhanced if the connection with important Victorian architect John Gill can be established.

Fulham Park Homestead is of historical significance as the residence of one of the oldest pastoral properties in eastern Victoria. The house is important as the earliest substantial homestead building in East Gippsland and for its relatively intactness."

Fulham Park is protected on the Victorian Heritage Register HO331.

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**Nambrok Homestead, 3045 Princes Highway, Nambrok.**



Figure C3 Nambrok Homestead (Source: <http://vhd.heritagecouncil.vic.gov.au/places/70014>)

"The florid polychromatic mansion is held to have been completed by 1877 (date remains unconfirmed) for pastoralist John King, the builder being William Allen of Rosedale. Planned by an unknown architect in an H formation, this single storey mansion house is an eclectic derivation of the Dutch and North Italian Renaissance fused with the Lombardic Romanesque. 'Nambrok' with prominent Dutch gables, squat central romanesque tower, segmental arched arcade, canted bay windows and strident polychromy, is the most eclectic, picturesque brick mansion in rural Victoria. The complex is adorned with skillfully designed details in a manner unparalleled in Victoria. John King, grandson of P G King, third Governor of New South Wales, was a pre-eminent district pastoralist and Gippsland pioneer. The interior is of equal note. 'Nambrok' is maintained in excellent condition and is intact. Classified: 25/06/1969 -updated 2006"

**Boisdale Homestead**



Figure C4 Boisdale Homestead (Source: <http://vhd.heritagecouncil.vic.gov.au/places/70002>)

"Boisdale Homestead was erected in 1892 for Askin Morrison Foster, son of pioneer pastoralist John Foster, who leased the run in 1841. R G W Purchas, a Melbourne architect, designed the present single storey brick and timber residence with a steep broken pitch roof clad with Marseille tiles and capped with a monitor skylight. The V plan form and exterior form reflect American influences in the design.

Boisdale Homestead is a distinctive East Gippsland residence and a notable work of R G W Purchas, an innovative architect working in the late 19th century. The style of Boisdale is clearly derived from contemporary American developments and contrasts with Purchas's revivalist work, of which his own house, Tay Creggan, in Hawthorn, is the most important.

Boisdale is an early settled pastoral run and the present residence is dramatically situated on a granite outcrop overlooking the Avon River. The interior is finely crafted. Boisdale homestead and outbuildings are maintained intact and in excellent condition. Classified: 08/06/1967, updated 2006. "

[www.fosteragencies.com.au](http://www.fosteragencies.com.au)



## Management Guidelines

To facilitate the retention and enhancement of the cultural significance of the heritage place, its fabric and its setting, the following Management Guidelines are recommended. (Note that further information in relation to the management and redevelopment of this heritage place is available from the Shire's Heritage Advisor).

The Kilmarny Park Estate refers to the whole area within the Heritage Overlay boundary shown in Figure M1 below. The Management Guidelines also refer to this area and they are divided into three sections:

**Section One:** The 1903 driveway (being the access road leading from Settlement Road to the gateway of the "Kilmarny Park Mansion Complex".

**Section Two:** The setting of the Kilmarny Park Mansion Complex (including view lines, interfaces and the further development of the Estate).

**Section Three:** The heritage buildings, structures and landscapes.



Figure M1: Map showing the extent of the Heritage Overlay (black outline), view lines and part of the Concept Plan, which is included in Development Plan Overlay Schedule 9.

**1.—SECTION ONE—The 1903 driveway (being the access road leading from Settlement Road to the gateway of the "Kilmany Park Mansion Complex" and also serving the new neighbourhood).**

**1.1.—The long 'drive of anticipation' is an important part of the experience of arriving at a large country mansion. This was achieved by planting a long avenue of trees, which visually retained the grand entry. The redevelopment of the 1903 driveway to provide a new access road should seek to retain this experience and overall sense of arrival. This can be achieved by:**

**1.1.1.—Creating an avenue of trees placed as close to the road as possible in order for a canopy to form over it. The trees will form an avenue which extends from the existing two English Oaks at the Settlement Road to the new entry of the "Kilmany Park Mansion Complex". The preferred tree species should be related to the history of the Pearson era; potential species are listed on page 5 of this citation. Most appropriate species selection will be based on soil type, maintenance, heritage significance, potential size and canopy form.**

**1.1.2.—Accommodating a road reserve wide enough for large trees. The sealed part of the road should remain to an absolute minimum. The road must be constructed in accordance with the requirements of the Infrastructure Design Manual.**

**1.1.3.—Keeping the number of access streets off the driveway to a minimum so that the avenue is not interrupted by 'missing trees'. A maximum of two new access streets, as shown in Figure 1 would be preferred.**

**1.1.4.—Ensuring that all power and services are to be provided underground and located so that trees (roots and branches) will not be damaged during maintenance of the services.**

**1.2.—To retain the original rural feeling and setting of the Estate the access road should remain 'green' and 'rural' in its character. This can be achieved by the following:**

**1.2.1.—The road reserve should be a minimum of 30 metres in width, with a minimum amount of sealed surface. Apart from the access road itself, a shared path should be provided.**

**1.2.2.—Where achievable, roads, paths and crossovers (to houses) constructed need to resemble the appearance of an unsealed driveway with appropriate colours and texture use. Upstanding kerbs and channels should not be used.**

**1.2.3.—All drainage works should be designed to have a rural appearance which can be achieved with appropriate colour, profile, and texture.**

**1.2.4.—New development along the driveway should have an appropriate setback which retains the green character of the driveway.**

**1.2.5.—The use of fences on lot boundaries facing the driveway is strongly discouraged; vegetation is considered the most appropriate form of boundary treatment. If fences are used, they should either be of a post and wire or timber picket fencing and at least 50% transparency. A front fence should not exceed 1.2 metres.**

**1.3.—Entrance to the main driveway/ access road from Settlement Road**

**1.3.1.—Retain an entry gateway at the Settlement Road access at the existing location including the two existing oak trees. A shared path can be constructed between the oak trees.**

**1.3.2.—Ensure the engineering design of the road intersection and its construction allows for the protection and safety of the existing trees.**

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#### 1.4. Signs and other infrastructure

- 1.4.1. Ensure signs and services such as power poles, bus shelters, etc are located so that they do not impact on the important views.

### 2—SECTION TWO—The setting of the Kilmany Park Mansion Complex

- 2.1. Retain the important view lines to and from the Mansion House as shown by the red arrows and red polygons in Figure 4.

#### 2.1.1. Retain the following clear views within the heritage area:

- 2.1.1.1. Clear views of each significant building to and from the Mansion House and from the internal roads by ensuring that any new buildings, fences and vegetation do not obscure those views.
- 2.1.1.2. Clear views of the School Room to and from the Sloyd Room.
- 2.1.1.3. Clear views of the front section and side elevations of each significant building from along adjacent private or public streets.

#### 2.1.2. Retain and protect the following views that go beyond the heritage area:

- 2.1.2.1. A view corridor of the Mansion House from Settlement Road within the red polygon in Figure 4.
- 2.1.2.2. Views from the Mansion House towards the south within the red polygon in Figure 4.

- 2.1.3. Any application for proposed buildings or trees within these areas should be accompanied by accurate levels and drawings to demonstrate that it will not obscure the views to and from the Mansion House to Settlement Road and the other view lines specified in Figure 4.

#### 2.2. Boundary treatment and entrance to the Kilmany Park Mansion Complex

- 2.2.1. To reinforce and ensure that the Estate is recognised as a single entity, the treatment along the entire length of its boundary should take the following principles into account:

- 2.2.1.1. Dense and tall evergreen trees with foliage to ground level (e.g. Monterey Pine trees) should be used to form a screen on the boundary with the new housing development or where privacy is required. A bare fence is strongly discouraged.
- 2.2.1.2. Protect external views within the view corridor to Settlement Road (as noted on Figure 4) by introducing or remain an open boundary treatment which will not obscure or restrict the view.

- 2.2.2. If new entry gates are constructed at the point of entry from the public access road/driveway to the Kilmany Park Mansion Complex its design should be in keeping with the 1906 design of the Mansion House with a discreet plaque stating their date of construction. Examples of appropriate fences can be found in figures D25 and D22.

#### 2.3. Future development within the Kilmany Park Mansion Complex

To ensure existing heritage buildings remain as the prominent buildings on the estate and further development does not erode the rural setting of the Kilmany Park Mansion Estate.

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- 2.3.1. New buildings, works (including outbuildings such as sheds), structures or additions to existing buildings should not erode the rural setting or obstruct the view to heritage buildings or other view line. Heritage buildings should remain as the prominent buildings on the Estate.
- 2.3.2. Further subdivision is discouraged as it will further fragment the Kilmarny Park Mansion Complex as a single entity and erode the rural setting.
- 2.3.3. The viability of the Mansion House to provide income for regular maintenance must not be compromised by future subdivision or development within the Heritage Overlay polygon.

#### 2.4. Fencing and boundary treatments within the Kilmarny Park Mansion Complex

To ensure Kilmarny Park Mansion Complex remains a recognisable, physically related group of heritage buildings, careful consideration should be given to fences or other boundary treatments between the existing lots within the heritage area.

- 2.4.1. Fences should be no higher than 1.2 metres, unless documentary evidence is provided to show an historically appropriate alternative.
- 2.4.2. Fences required for privacy should be timber paling fences no higher than 1.8 metres. The location of these fences should not obscure view lines.
- 2.4.3. Fence design should incorporate timber pickets or railings, (as shown in D25 and D27) for the Peasant era and timber railings and posts with cyclone wire infill for the Boys Home era (as shown in Figure 143).
- 2.4.4. The use of vegetation is considered an appropriate alternative form of boundary treatment as long as any view lines are not obscured.

#### 2.5. Paving within the Kilmarny Park Mansion Complex

- 2.5.1. For Victorian, Federation and Interwar era historic buildings, appropriate paving could be pressed granitic sand or asphalt. If concrete is selected, a surface with sand coloured, size exposed aggregate would be required.
- 2.5.2. Ensure the asphalt or concrete does not adhere to the buildings. Insert 10mm x 10mm grey polyurethane seal over a sipped Ableflex joint filler between the structure and the concrete to ensure concrete does not adhere to it and to allow expansion and joint movement and prevent water from seeping below the building.

#### 2.6. Signs and other infrastructure

- 2.6.1. Ensure signs and services such as power poles, signs, etc are located so that they do not impact on important views.
- 2.6.2. Any new interpretation storyboards should be placed to the side of the buildings not directly in front of them.



### 3.—SECTION THREE—The Heritage Buildings, structures and landscapes

The guidelines below provide best-practice approaches when redeveloping, restoring and/or maintaining the heritage buildings. Specific guidelines for the Mansion House itself have not been prepared. Internal alteration controls apply to the Mansion House and Meat House, it is therefore strongly advised to submit a conservation management and maintenance plan as part of any planning permit application for external or internal works or maintenance.

#### 3.1.—Additions and changes to buildings, structures and landscape

Extensions that are sympathetic to the heritage values of the existing buildings are preferred e.g. new structures that are in the same view lines as the historic buildings and as seen from internal roads, and public vantage points should be parallel and perpendicular to the existing building, no higher than the existing building, of similar proportions, height, wall colour, steep gable or hip roofs, with rectangular timber framed windows with a vertical axis.

3.1.1. Where possible changes that are easily reversible should be considered e.g. the current needs might mean that a doorway in a brick wall is not used, or located where an extension is desired. Rather than bricking up the doorway, frame it up with timber and sheet it over with plaster, weatherboards, etc.

3.1.2. To avoid damage to the brick and rendered masonry walls, signs and fixtures should be attached in such a way that they do not damage the brickwork. Preferably fix them into the mortar rather than the bricks.

3.1.3. If an extension is to have a concrete slab floor, ensure it will not reduce the air flow under the historic buildings.

3.1.4. Avoid hard paths against the walls of solid masonry walls. Install them 500mm away from the walls and 250mm lower than the ground level inside the building. Fill the gap between the path and wall with very coarse gravel to allow moisture to evaporate from the base of the wall.

#### 3.2.—New garden beds

3.2.1. New garden beds should be a minimum of 500mm from the walls, preferably further, and the ground lowered so that the finished ground level of the garden bed is a minimum of 250mm lower than the ground level which is under the floor, inside the building. Slope the soil and garden bed away from the building, and fill the area between the garden bed and walls, with very coarse gravel up to the finished level of the garden bed. The coarse gravel will have air gaps between the stones which serves the function of allowing moisture at the base of the wall to evaporate and it visually alerts gardeners and maintenance staff that the graveled space has a purpose. The reason that garden beds are detrimental to the building is by a combination of watering around the base of the wall and the ground level naturally builds up. The ground level rises, due to mulching and leaf litter and root swelling, above a safe level such that it blocks sub-floor ventilation, and the wall is difficult to visually monitor on a day-to-day basis, due to foliage in the way.

#### 3.3.—Accessibility

##### 3.3.1. Ramps: removable ramp construction

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