

Council Meeting Agenda

Meeting to be held at

Port of Sale Business Centre

Foster Street, Sale

Tuesday 2 August 2016, commencing at 1pm

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

ORDINARY MEETING OF COUNCIL – 2 AUGUST 2016

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

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





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



PRAYER

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



A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

ITEM A4 ADOPTION OF MINUTES OF PREVIOUS MEETING/S

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 2 AUGUST 2016

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 19 July 2016 and minutes of the Special Council Meeting of 7 June 2016 as tabled.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That

- 1. Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 July 2016; and
- 2. Council adopt the minutes and resolutions of the Special Council Meeting held on the 7 June 2016 to adopt the revised Councillor Code of Conduct

CONFLICT OF INTEREST

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



A5 BUSINESS ARISING FROM PREVIOUS MEETING/S



A6 ACCEPTANCE OF LATE ITEMS



A7 NOTICE/S OF MOTION



A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1) OUTSTANDING PETITIONS

ACTION OFFICER GOVERNANCE

DATE: 2 AUGUST 2016

ITEM	FROM MEETING	COMMENTS	ACTION BY

ITEM A8(2) RECEIPT OF PETITION: APPROVAL OF A 24 HOUR TRUCK

REFUELLING STATION (UNMANNED), DAVIS STREET

HEYFIELD

DIVISION: DEVELOPMENT

ACTION OFFICER: GENERAL MANAGER DEVELOPMENT

DATE: 2 AUGUST 2016

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

OBJECTIVE

To present Council with a petition in relation to the approval of a 24 hour truck refuelling station (Unmanned), Davis Street Heyfield.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the attached petition in relation to the approval of a 24 hour truck refuelling station (unmanned), Davis Street Heyfield

BACKGROUND

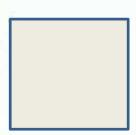
A petition containing 227 signatures has been received by Council.

A copy of the petition is attached for Council information.

LEGISLATIVE IMPACT

Section L6.59 of Wellington Shire Council Processes of Municipal Government (Meetings and Common Seal) Local Law No 1 provides for petitions and joint letters:

"A petition or joint letter presented to the Council must lay on the table for a period determined by the Council but not exceeding the next two Council Meetings. No motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council unanimously agrees to deal with it earlier."





Re Planning Application P75/201 (Lot 1 TP 122282T, Davis Street, Heyfield)

Further to our group discussions with you on Wednesday 13 June, 2016, please find the enclosed petition signatures.

We understood from what you said at that meeting, that you would allow 2 weeks from the 13th June in which to receive additional expressions of concern from citizens regarding the above mentioned development.

You will note that there are <u>227</u> signatures from local citizens. I understand that some people were still enquiring about the petition after copies had been gathered up for presentation to you today.

There are people who have holiday homes and caravans at Glenmaggie and Coongulla and who come to this area on occasional weekends or over holiday periods, who have not had the opportunity to sign the petition having heard about it.

Once again, we wish express the concerns of many town and district citizens for the public safety of motorists, pedestrians and those who access the Apex Park, with a particular regard to children whose road awareness is not sufficiently developed.

We trust you will seriously consider our petition.

Regards		
	 _	

26th July, 2016

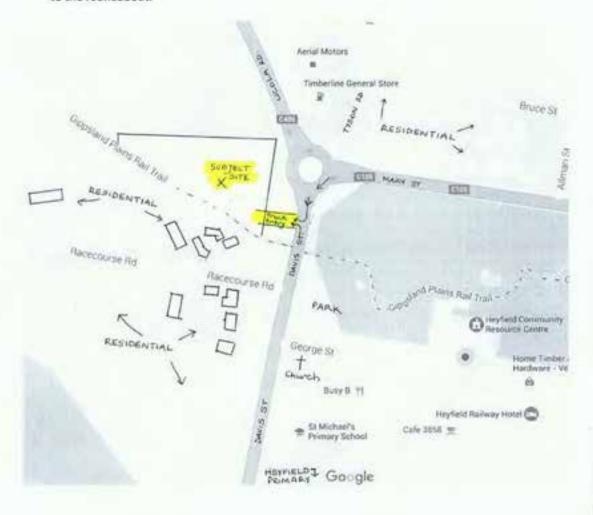
PETITION

24 hr Truck Refueling Station (Unmanned)

PLANNING APPLICATION P75/201

(Lot 1 TP 122282T, Davis Street, Heyfield)

We, the undersigned residents of Heyfield and surrounding environs, do hereby petition Wellington Shire to reconsider the approval of this business at this particular location. We do so in the interests of public safety and possible environmental impact. We stress that this location is highly inappropriate for anything other than residential access. The immediate (northbound) and crossover (southbound) access to this property of commercial trucking and non-residential vehicles, is entirely inappropriate with regards to its proximity to the roundabout.



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A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A10 QUESTIONS ON NOTICE



B-REPORT

DELEGATES

C1 - REPORT

CHIEF EXECUTIVE OFFICER



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1 ASSEMBLY OF COUNCILLORS

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 2 AUGUST 2016

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

OBJECTIVE

To report on all assembly of Councillor records received during the period 12 July 2016 to 26 July 2016.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records received during the period 12 July 2016 to 26 July 2016.

BACKGROUND

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

Below is a summary of all assembly of Councillor records received during the period 12 July 2016 to 26 July 2016.

Assembly of Councillors summary of reports received during the period 12 July 2016 to 26 July 2016					
Date	Matters considered	Councillors and officers in attendance			
19 July 2016	Councillor Diary Meeting	Councillor Crossley, Councillor Rossetti, Councillor Cleary, Councillor Davine, Councillor McCubbin, Councillor Wenger, Councillor Hole, Glenys Butler, Acting Chief Executive Officer Sharon Willison, Mayoral and Councillor Support Officer			
19 July 2016	Port of Sale Redevelopment Project Update	Councillor Crossley, Councillor Rossetti, Councillor Cleary, Councillor Davine,			

Assembly of Councillors summary of reports received during the period 12 July 2016 to 26 July 2016						
Date	Matters considered	Councillors and officers in attendance				
	June 2016 Quarterly Performance Report Monthly Planning Update Sale Botanical Gardens Master Planning Update Waste Management Boundaries Update Economic Development Plan Community Consultation responses Tourism Brand	Councillor McCubbin, Councillor Wenger, Councillor Hole, Councillor Duncan (Item 2-7), Glenys Butler, Acting Chief Executive Officer, Arthur Skipitaris, General Manager Corporate Services Chris Hastie, General Manager Built and Natural Environment John Websdale, General Manager Development Sharon Houlihan, Executive Manager Major Projects (Item 1) Ian Carroll, Manager Corporate Finance (Item 2) Barry Nicholl, Municipal Building Surveyor (Item 3) Josh Clydesdale, Manager Land Use Planning (Item 3) John Traa, Coordinator Statutory Planning (Item 3) Tim Rowe, Manager Natural Environment and Parks (Items 4 & 5) Stuart Malcolm, Waste Management				

Coordinator (Item 5)

Development (Items 6 & 7)

Sharyn Bolitho, Manager Economic

OPTIONS

Council has the following options:

- 1. Note and receive the attached assembly of Councillor records; or
- 2. Not receive the attached assembly of Councillor records and seek further information for consideration at a future Council meeting.

PROPOSAL

That Council note and receive the attached assembly of Councillor records received during the period 12 July 2016 to 26 July 2016.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

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

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent." Strategy 2.3

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

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

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

19 July 2016

2. ATTENDEES:

Councillors:

Name	In atte	endance	Name	In atto	endance
	Yes	No		Yes	No
Cr Crossley	✓		Cr McCubbin	✓	
Cr Rossetti	✓		Cr McIvor		✓
Cr Cleary	✓		Cr Wenger	✓	
Cr Davine	✓		Cr Hole	✓	
Cr Duncan		✓			

Officers In Attendance:

Name	In atte (tick)	In attendance (tick)		In atte (tick)	ndance
	Yes	No		Yes	No
D Morcom, CEO		✓	G Butler, Acting CEO	✓	
C Hastie, GMB&NE		✓	J Websdale , GMD		✓
A Skipitaris, GMCS		✓			

Others in attendance:

Name	Item No.	Name	Item No.
Sharon Willison	1		

3. Matters/Items considered at the meeting:

1. Councillors' Diary Meeting

4. Conflict of Interest disclosures made by Councillors:

ASSEMBLY OF COUNCILLORS

1. **DATE OF MEETING**:

19 July 2016

2. ATTENDEES:

Councillors:

Name	Name In attendance (tick)		Name	In atten	
	Yes	No		Yes	No
Cr Crossley	✓		Cr McCubbin	✓	
Cr Rossetti	✓		Cr McIvor		✓
Cr Cleary	✓		Cr Wenger	✓	
Cr Davine	✓		Cr Hole	✓	
Cr Duncan (item 2 - 7)	✓				

Officers in Attendance:

Name	In attendance (tick)				Name		ndance ck)
	Yes	No		Yes	No		
D Morcom, CEO		✓	G Butler, GMCC (Acting CEO)	✓			
A Skipitaris, GMCS	✓		John Websdale GMD	✓			
C Hastie, GMBNE	✓						

Others in attendance:

Name	Item No.
Sharon Houlihan	1
Ian Carroll	2
Barry Nicholl, Josh Clydesdale, John Traa	3
Tim Rowe	4
Tim Rowe, Stuart Malcolm	5
Sharyn Bolitho	6
Sharyn Bolitho, Trent Fairweather (WTC)	7

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

- 1. Port of Sale Redevelopment Project Update
- 2. June 2016 Quarterly Performance Report
- 3. Monthly Planning Update
- 4. Sale Botanical Gardens Master Planning Update
- 5. Waste Management Boundaries Update
- 6. Economic Development Plan Community Consultation responses
- 7. Tourism Brand

4. Conflict of Interest disclosures made by Councillors:

ITEM C2.2 INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL

STAFF

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 2 AUGUST 2016

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

OBJECTIVE

For Council to adopt the amendments (highlighted sections) to the Instrument of Delegation to Members of Council Staff, as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the amendments (highlighted sections) to the Instrument of Delegation, as attached.

BACKGROUND

Section 98(1) of the *Local Government Act 1989* provides Council with the ability to delegate power, duties and functions of the Council to a member of its staff. A summary of the updates/amendments made are attached. There have been a number of changes to the *Cemeteries and Crematoria Act 2003, Planning and Environment Act 1987, Planning and Environment (Fees) Interim Regulations 2015, Road Management Act 2004, Road Management (General) Regulations 2016 and Road Management (Works and Infrastructure) Regulations 2015* which require the current Instrument of Delegation to be updated.

A summary of these recent legislative changes is attached with specific amendments highlighted.

OPTIONS

Council has the following options:

1. To adopt the amendments (highlighted sections) to the Instrument of Delegation; as attached;

Or

2. To amend the (highlighted sections) of the Instrument of Delegation prior to adoption.

PROPOSAL

It is proposed that Council adopt the amendments (highlighted sections) to the Instrument of Delegation, as attached.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

Section 98(1) of the *Local Government Act 1989* provides Council with the authority to delegate to a member of Council staff certain powers and duties.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent."

Strategy 2.3

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

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

RESOURCES AND STAFF IMPACT

Upon notification of the legislative changes, all relevant staff were consulted and have contributed to the updating of this Instrument of Delegation. Following adoption, our processes ensure that all staff with altered or new delegations are notified including updating of Council processes and procedures as required.

S6. Instrument of Delegation — Members of Staff

Wellington Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

- delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
- 2. record that a references in the Schedule are as follows:
- declares that:
- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 2 August 2016
- 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy

adopted by Council; or

- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of WELLINGTON SHIRE COUNCIL was hereunto affixed this day of 2016 in accordance with Local Law No 1 in the presence of:)))
Chief Executive Officer	

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CEMETERIES AND CREMATORIA ACT 2003	5
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RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	Error! Bookmark not defined.
RESIDENTIAL TENANCIES ACT 1997	Error! Bookmark not defined.
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE AND STANDARDS) REGULATIONS 2010	DWELLINGS REGISTRATION Error! Bookmark not defined.
ROAD MANAGEMENT ACT 2004	
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	53
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGI	<u>ULATIONS 2015</u> 56

s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	Not Delegated	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	Not Delegated	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	Not Delegated	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	Not Delegated	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	Not Delegated	
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not Delegated	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Not Delegated	report must contain the particulars listed in s.57(2)
s.59	duty to keep records for each public cemetery	Not Delegated	
s.60(1)	duty to make information in records available to the public for historical or research purposes	Not Delegated	
s.60(2)	power to charge fees for providing information	Not Delegated	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	Not Delegated	

s.64B(d)	power to permit interments at a reopened cemetery	Not Delegated	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not Delegated	the application must include the requirements listed in s.66(2)(a)–(d)
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	Not Delegated	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Not Delegated	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	Not Delegated	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	Not Delegated	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Not Delegated	the notice must be in writing and contain the requirements listed in s.85(2)
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Not Delegated	does not apply where right of internment relates to remains of a deceased veteran.

85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	Not Delegated	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not Delegated	
s.86(2) NEW PROVISON	power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	Not Delegated	New provision commenced 1 February 2016
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Not Delegated	New provision commenced 1 February 2016
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	Not Delegated	New provision commenced 1 February 2016
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Not Delegated	New provision commenced 1 February 2016

s.86(5)	duty to provide notification before taking action under s.86(4)	Not Delegated	New provision commenced 1 February 2016
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	Not Delegated	New provision commenced 1 February 2016
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	Not Delegated	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	Not Delegated	Removal of s89(1) s90
s.91(1)	power to cancel a right of interment in accordance with this section	Not Delegated	
s.91(3)	duty to publish notice of intention to cancel right of interment	Not Delegated	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Not Delegated	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	Not Delegated	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	Not Delegated	

s. 110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not Delegated	New provision commenced 1 February 2016
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Not Delegated	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Not Delegated	
s.151	function of receiving applications to inter or cremate body parts	Not Delegated	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	Not Delegated	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not Delegated	
Schedule 1 clause 8(8)	power to regulate own proceedings	Not Delegated	subject to clause 8
Schedule 1A clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not Delegated	where council is a Class A cemetery trust
Schedule 1A clause 8(8)	power to regulate own proceedings	Not Delegated	where council is a Class A cemetery trust subject to clause 8

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46AS(ac)	power to request the Growth Areas Authority to	General Manager	
	provide advice on any matter relating to land in	Development	
	Victoria or an objective of planning in Victoria	Manager Land Use Planning	
		Major Land Use Planning	
		Projects Coordinator	
		Strategic Planner	
		Coordinator Strategic Planning	
s.46GF	duty to comply with directions issued by the	General Manager	This provision has commenced as at 1 June 2016
	<u>Minister</u>	Development	
New		Manager Land Use Planning	
Provision		Coordinator Statutory Planning	
		Statutory Planner	
		Strategic Planner	
		Senior Statutory Planner	
		Coordinator Strategic Planning	
		Planning Facilitator	
		Environmental Planner	
s.46GG	duty to include a condition in a permit relating to	Manager Land Use Planning	This provision has commenced as at 1 June 2016
	matters set out in s.46GG(c) and (d)	Coordinator Strategic Planning	
New		Strategic Planner	
Provision		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
40011(4)		Environmental Planner	This is a second of the second
s.46GH(1)	power to require the payment of an amount of	Manager Land Use Planning	This provision has commenced as at 1 June 2016
New	infrastructure levy to be secured to Council's	Coordinator Strategic Planning	
	satisfaction	Strategic Planner	
Provision Provis		Coordinator Statutory Planning Senior Statutory Planner	
		Statutory Planner Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
		Environmental Planner	

PLANNING AI	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GH(2) New Provision	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	This provision has commenced as at 1 June 2016
s.46GH(3) New Provision	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	This provision has commenced as at 1 June 2016
s.46GI(1) New Provision	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the Planning and Environment Act 1987	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	must be done in accordance with Local Government Act 1989. This provision has commenced as at 1 June 2016
s.46GI(2) New Provision	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	This provision has commenced as at 1 June 2016
s.46GI(3) New Provision	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	This provision has commenced as at 1 June 2016
s46GI(4) New Provision	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the <i>Planning and Environment Act 1987</i> if satisfied that the development is not to proceed	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	This provision has commenced as at 1 June 2016
s.46GI(5) New Provision	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.	Manager Land Use Planning Coordinator Statutory Planning Coordinator Strategic Planning	This provision has commenced as at 1 June 2016
s.46GL New Provision	power to recover any amount of infrastructure levy as a debt due to Council	General Manager Development Manager Land Use Planning Coordinator Strategic Planning Coordinator Statutory Planning Compliance Officer	where council is a collecting agency This provision has commenced as at 1 June 2016

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GM New Provision	duty to prepare report and give a report to the Minister	General Manager Development Manager Land Use Planning	where council is a collecting agency or development agency This provision has commenced as at 1 June 2016
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	General Manager Development Manager Land Use Planning	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	General Manager Development	
s.46Q(1)	duty to keep proper accounts of levies paid	General Manager Development Manager Land Use Planning	
s.46Q(1A) Wording Change	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	General Manager Development Manager Land Use Planning	
s.46Q(2) Wording Change	duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	General Manager Development Manager Land Use Planning	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	General Manager Development Manager Land Use Planning	only applies when levy is paid to Council as a 'development agency'

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(4)(c) New Provision	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	General Manager Development Manager Land Use Planning	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister This provision will commence 1 June 2016
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	General Manager Development Manager Land Use Planning	must be done in accordance with Part 3
s46Q(4)(e)	duty to expend that amount on other works etc.	General Manager Development Manager Land Use Planning	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	General Manager Development Manager Land Use Planning General Manager Corporate Services Manager Corporate Finance	
s.46QD New Provision	duty to prepare report and give a report to the Minister	General Manager Development Manager Land Use Planning	where council is a collecting agency or development agency This provision will commence 1 June 2016
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Not Delegated	Remains the responsibility of Chief Executive Officer
s.46Y	duty to carry out works in conformity with the approved strategy plan	Not Delegated	Remains the responsibility of Chief Executive Officer
s.47	power to decide that an application for a planning permit does not comply with that Act	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49(1)	duty to keep a register of all applications for permits	Manager Land Use Planning	
	and determinations relating to permits	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.49(2)	duty to make register available for inspection	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.50(4)	duty to amend application	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.50(5)	power to refuse to amend application	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.50(6)	duty to make note of amendment to application in	Manager Land Use Planning	
	register	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(1)	power to make amendment to application	General Manager	
. ,		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.50A(3)	power to require applicant to notify owner and make	General Manager	
	a declaration that notice has been given	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.50A(4)	duty to note amendment to application in register	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.51	duty to make copy of application available for	General Manager	
	inspection	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
I		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator	CONSTITUTION & EMITTATIONS
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Environmental Planner General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(cb)	duty to give notice of the application to owners and	General Manager	
, , ,	occupiers of land benefited by a registered	Development	
	restrictive covenant if application is to remove or	Manager Land Use Planning	
	vary the covenant	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.52(1)(d)	duty to give notice of the application to other	General Manager	
. , , ,	persons who may be detrimentally effected	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.52(1AA)	duty to give notice of an application to remove or	General Manager	
	vary a registered restrictive covenant	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.52(3)	power to give any further notice of an application	General Manager	
	where appropriate	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(1)	power to require the applicant to give notice under	General Manager	
	section 52(1) to persons specified by it	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.53(1A)	power to require the applicant to give the notice	General Manager	
	under section 52(1AA)	Development	
	, ,	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.54(1)	power to require the applicant to provide more	General Manager	
	information	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.54(1A)	duty to give notice in writing of information required	General Manager	
	under section 54(1)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(1A)	duty to give notice in writing of information required	General Manager	
	under section 54(1)	Development	
	, ,	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.54A(3)	power to decide to extend time or refuse to extend	General Manager	
. ,	time to give required information	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.54A(4)	duty to give written notice of decision to extend or	General Manager	
	refuse to extend time und section 54A(3)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.55(1)	duty to give copy application, together with the	General Manager	
` '	prescribed information, to every referral authority	Development	
	specified in the planning scheme	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57(2A)	power to reject objections considered made	General Manager	
	primarily for commercial advantage for the objector	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.57(3)	function of receiving name and address of persons	General Manager	
	to whom notice of decision is to go	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.57(5)	duty to make available for inspection copy of all	General Manager	
	objections	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.57A(4)	duty to amend application in accordance with	General Manager	
	applicant's request, subject to section 57A(5)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57A(5)	power to refuse to amend application	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.57A(6)	duty to note amendments to application in register	General Manager	
` ,		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.57B(1)	duty to determine whether and to whom notice	General Manager	
	should be given	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.57B(2)	duty to consider certain matters in determining	General Manager	
	whether notice should be given	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57C(1)	duty to give copy of amended application to referral	General Manager	
` ,	authority	Development	
	,	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.58	duty to consider every application for a permit	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.58A	power to request advice from the Planning	General Manager	
	Application Committee	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.60	duty to consider certain matters	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s60(1A)	duty to consider certain matters.	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.60(1B)	duty to consider number of objectors in considering	General Manager	
	whether use or development may have significant	Development	
	social effect	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Coordinator Strategic Planning	
		Strategic Planner	
		Environmental Planner	
		Planning Facilitator	
s.61(1)	power to determine permit application, either to	General Manager	the permit must not be inconsistent with a cultural
	decide to grant a permit, to decide to grant a permit	Development	heritage management plan under the Aboriginal
	with conditions or to refuse a permit application	Manager Land Use Planning	Heritage Act 2006
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
04(0)		Planning Facilitator	
s.61(2)	duty to decide to refuse to grant a permit if a	General Manager	
	relevant determining referral authority objects to	Development	
	grant of permit	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2A)	power to decide to refuse to grant a permit if a	General Manager	
	relevant recommending referral authority objects to	Development	
	the grant of permit	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.61(3)(a)	duty not to decide to grant a permit to use coastal	General Manager	
	Crown land without Minister's consent	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.61(3)(b)	duty to refuse to grant the permit without the	General Manager	
	Minister's consent	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.61(4)	duty to refuse to grant the permit if grant would	General Manager	
	authorise a breach of a registered restrictive	Development	
	covenant	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(1)	duty to include certain conditions in deciding to	General Manager	
	grant a permit	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.62(2)	power to include other conditions	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.62(4)	duty to ensure conditions are consistent with	General Manager	
	paragraphs (a),(b) and (c)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.62(5)(a)	power to include a permit condition to implement an	General Manager	
	approved development contributions plan	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(5)(b)	power to include a permit condition that specified	General Manager	
	works be provided on or to the land or paid for in	Development	
	accordance with section 173 agreement	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.62(5)(c)	power to include a permit condition that specified	General Manager	
	works be provided or paid for by the applicant	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.62(6)(a)	duty not to include a permit condition requiring a	General Manager	
	person to pay an amount for or provide works	Development	
	except in accordance with section 62(5) or section	Manager Land Use Planning	
	46N	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.62(6)(b)	duty not to include a permit condition requiring a	General Manager	
	person to pay an amount for or provide works	Development	
	except a condition that a planning scheme requires	Manager Land Use Planning	
	to be included as referred to in section 62(1)(a)	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.63	duty to issue the permit where made a decision in	General Manager	
	favour of the application (if no one has objected)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.64(1)	duty to give notice of decision to grant a permit to	General Manager	this provision applies also to a decision to grant an
	applicant and objectors	Development	amendment to a permit - see section 75
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.64(3)	duty not to issue a permit until after the specified	General Manager	this provision applies also to a decision to grant an
	period	Development	amendment to a permit - see section 75
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.64(5)	duty to give each objector a copy of an exempt	General Manager	this provision applies also to a decision to grant an
	decision	Development	amendment to a permit - see section 75
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(4)	duty to give a recommending referral authority	General Manager	if the recommending referral authority objected to the
	notice of its decision to refuse a permit	Development	grant of the permit or the recommending referral
		Manager Land Use Planning	authority recommended that a permit condition be
		Coordinator Statutory Planning	included on the permit
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.66(6)	duty to give a recommending referral authority a	General Manager	if the recommending referral authority did not object to
	copy of any permit which Council decides to grant	Development	the grant of the permit or the recommending referral
	and a copy of any notice given under section 64 or	Manager Land Use Planning	authority did not recommend a condition be included
	65	Coordinator Statutory Planning	on the permit
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.69(1)	function of receiving application for extension of	General Manager	
	time of permit	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
s.69(1A)	function of receiving application for extension of	Planning Facilitator General Manager	
S.69(1A)	time to complete development	Development	
	time to complete development	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(2)	power to extend time	General Manager	
. ,	·	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.70	duty to make copy permit available for inspection	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.71(1)	power to correct certain mistakes	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.71(2)	duty to note corrections in register	General Manager	
- ()		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73	power to decide to grant amendment subject to	General Manager	
	conditions	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.74	duty to issue amended permit to applicant if no	General Manager	
	objectors	Development	
	,	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.76	duty to give applicant and objectors notice of	General Manager	
	decision to refuse to grant amendment to permit	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.76A(1)	duty to give relevant determining referral authorities	General Manager	
	copy of amended permit and copy of notice	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planner Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Environmental Planner Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.83	function of being respondent to an appeal	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.83B	duty to give or publish notice of application for	General Manager	
	review	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.84(1)	power to decide on an application at any time after	General Manager	
	an appeal is lodged against failure to grant a permit	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.84(2)	duty not to issue a permit or notice of decision or	General Manager	
	refusal after an application is made for review of a	Development	
	failure to grant a permit	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(3)	duty to tell principal registrar if decide to grant a	General Manager	
	permit after an application is made for review of its	Development	
	failure to grant a permit	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.84(6)	duty to issue permit on receipt of advice within 3	General Manager	
	working days	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.86	duty to issue a permit at order of Tribunal within 3	General Manager	
	working days	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.87(3)	power to apply to VCAT for the cancellation or	General Manager	
	amendment of a permit	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.90(1)	function of being heard at hearing of request for	General Manager	
	cancellation or amendment of a permit	Development	
	·	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.91(2)	duty to comply with the directions of VCAT	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.91(2A)	duty to issue amended permit to owner if Tribunal	General Manager	
	so directs	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.92	duty to give notice of cancellation/amendment of	General Manager	
	permit by VCAT to persons entitled to be heard	Development	
	under section 90	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.93(2)	duty to give notice of VCAT order to stop	General Manager	
	development	Development	
	·	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
		Compliance Officer	
s.95(3)	function of referring certain applications to the	General Manager	
()	Minister	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.95(4)	duty to comply with an order or direction	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.96(1)	duty to obtain a permit from the Minister to use and	General Manager	
	develop its land	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96(2)	function of giving consent to other persons to apply	General Manager	
. ,	to the Minister for a permit to use and develop	Development	
	Council land	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.97O	duty to consider application and issue or refuse to	General Manager	
	issue certificate of compliance	Development	
	·	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.97P(3)	duty to comply with directions of VCAT following an	General Manager	
	application for review of a failure or refusal to issue	Development	
	a certificate	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.97Q(2)	function of being heard by VCAT at hearing of	General Manager	
	request for amendment or cancellation of certificate	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	

PLANNING AI	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97Q(4)	duty to comply with directions of VCAT	General Manager	
` '		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.97R	duty to keep register of all applications for	General Manager	
	certificate of compliance and related decisions	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Environmental Planner	
		Planning Facilitator	
s.171(2)(f)	power to carry out studies and commission reports	General Manager	
		Development	
		Manager Land Use Planning	
		Major Land Use Planning	
		Project Coordinator	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Coordinator Strategic Planning	
		Strategic Planner	
		Planning Facilitator	
0.171(0)(0)	nower to great and receive accoments	Environmental Planner General Manager	
s.171(2)(g)	power to grant and reserve easements	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
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PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.178A(1)	function of receiving application to amend or end an agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(3)	function of notifying the owner as to whether it	General Manager	
	agrees in principle to the proposal under s.178A(1)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178A(4)	function of notifying the applicant and the owner as	General Manager	
	to whether it agrees in principle to the proposal	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178A(5)	power to propose to amend or end an agreement	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178B(1)	duty to consider certain matters when considering	General Manager	
	proposal to amend an agreement	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178B(2)	duty to consider certain matters when considering	General Manager	
	proposal to end an agreement	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178C(2)	duty to give notice of the proposal to all parties to	General Manager	
, ,	the agreement and other persons who may be	Development	
	detrimentally affected by decision to amend or end	Manager Land Use Planning	
	, ,	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178C(4)	function of determining how to give notice under	General Manager	
	s.178C(2)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178E(1)	duty not to make decision until after 14 days after	General Manager	
	notice has been given	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(a)	power to amend or end the agreement in	General Manager	If no objections are made under s.178D
	accordance with the proposal	Development	Must consider matters in s.178B
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178E(2)(b)	power to amend or end the agreement in a manner	General Manager	If no objections are made under s.178D
	that is not substantively different from the proposal	Development	Must consider matters in s.178B
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178E(2)(c)	power to refuse to amend or end the agreement	General Manager	If no objections are made under s.178D
		Development	Must consider matters in s.178B
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178E(3)(a)	power to amend or end the agreement in	General Manager	After considering objections, submissions and matters
	accordance with the proposal	Development	in s.178B
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	After considering objections, submissions and matters in s.178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	After considering objections, submissions and matters in s.178B
s.178E(3)(d)	power to refuse to amend or end the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	After considering objections, submissions and matters in s.178B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178F(2)	duty to give notice of its decision under	General Manager	
	s.178E(2)(c) or (3)(d)	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178F(4)	duty not to proceed to amend or end an agreement	General Manager	
()	under s.178E until at least 21 days after notice has	Development	
	been given or until an application for review to the	Manager Land Use Planning	
	Tribunal has been determined or withdrawn	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178G	duty to sign amended agreement and give copy to	General Manager	
	each other party to the agreement	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.178H	power to require a person who applies to amend or	General Manager	
	end an agreement to pay the costs of giving notices	Development	
	and preparing the amended agreement	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.179(2)	duty to make available for inspection copy agreement	Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner Planning Facilitator Environmental Planner	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.182	power to enforce an agreement	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
		Compliance Officer	
s.183	duty to tell Registrar of Titles of ending/amendment	General Manager	
	of agreement	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.184F(1)	power to decide to amend or end an agreement at	General Manager	
	any time after an application for review of the failure	Development	
	of Council to make a decision	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.184F(2)	duty not to amend or end the agreement or give	General Manager	
	notice of the decision after an application is made	Development	
	to VCAT for review of a failure to amend or end an	Manager Land Use Planning	
	agreement	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(3)	duty to inform the principal registrar if the	General Manager	
` '	responsible authority decides to amend or end an	Development	
	agreement after an application is made for the	Manager Land Use Planning	
	review of its failure to end or amend the agreement	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.184F(5)	function of receiving advice from the principal	General Manager	
. ,	registrar that the agreement may be amended or	Development	
	ended in accordance with Council's decision	Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.184G(2)	duty to comply with a direction of the Tribunal	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
s.184G(3)	duty to give notice as directed by the Tribunal	General Manager	
		Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	

Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.201(1)	function of receiving application for declaration of	General Manager		
` ,	underlying zoning	Development		
	, , ,	Manager Land Use Planning		
		Coordinator Statutory Planning		
		Senior Statutory Planner		
		Statutory Planner		
		Planning Facilitator		
		Environmental Planner		
s.201(3)	duty to make declaration	General Manager		
, ,		Development		
		Manager Land Use Planning		
		Coordinator Statutory Planning		
		Senior Statutory Planner		
		Statutory Planner		
		Planning Facilitator		
		Environmental Planner		
-	power to decide, in relation to any planning scheme	General Manager		
	or permit, that a specified thing has or has not been	Development		
	done to the satisfaction of Council	Manager Land Use Planning		
		Coordinator Statutory Planning		
		Senior Statutory Planner		
		Statutory Planner		
		Planning Facilitator		
		Environmental Planner		
	power, in relation to any planning scheme or permit,	General Manager		
	to consent or refuse to consent to any matter which	Development		
	requires the consent or approval of Council	Manager Land Use Planning		
		Coordinator Statutory Planning		
		Senior Statutory Planner		
		Statutory Planner		
		Planning Facilitator		
		Environmental Planner		

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	power to approve any plan or any amendment to a	General Manager	
	plan or other document in accordance with a	Development	
	provision of a planning scheme or condition in a	Manager Land Use Planning	
	permit	Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
		Coordinator Strategic Planning	
		Strategic Planner	
-	power to give written authorisation in accordance	General Manager	
	with a provision of a planning scheme	Development	
		Manager Land Use Planning	
		Coordinator Statutory Planning	
		Senior Statutory Planner	
		Statutory Planner	
		Planning Facilitator	
		Environmental Planner	
		Coordinator Strategic Planning	
		Strategic Planner	

PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2015 Note: these Regulations expire on 14 October 2016

Column 1	Column 2	Column 2 Column 3	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	General Manager Development Manager land Use Planning	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	Not Delegated	Remains the responsibility of Chief Executive Officer
r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	General Manager Development Manager Land Use Planning	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(10) Wording Change	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	clause subject to section 11(10A)
s.11(10A) Wording Change	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	General Manager Built & Natural Environment Manager Assets & Projects Coordinator Asset Management	were council is the coordinating road authority
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	General Manager Built & Natural Environment Manager Built Environment	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	General Manager Built & Natural Environment Manager Built Environment	where council is the responsible road authority, infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004

Column 1	Column 2 Column 3		Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	General Manager Built & Natural Environment Manager Built Environment	
s.48N Wording Change	duty to notify the relevant authority of the location of the bus stopping point and the action taken by council	General Manager Built & Natural Environment Manager Built Environment	
s.49	power to develop and publish a road management plan	General Manager Built & Natural Environment Manager Built Environment	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1) Provision number change	duty to conduct reviews of road management plan	General Manager Built & Natural Environment Manager Built Environment	
r.9(2) Provision number change	duty to produce written report of review of road management plan and make report available	General Manager Built & Natural Environment Manager Built Environment	
r.9(3) New Provision	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority
r.10 Provision number change	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	General Manager Built & Natural Environment Manager Built Environment	
r.13(1) New Provision	Duty to publish notice of amendments to road management plan	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority
r.13(3) Provision number change	duty to record on road management plan the substance and date of effect of amendment	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.16(3) Provision number change	power to issue permit	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
r.18(1) Provision number change	power to give written consent re damage to road	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
r.23(2) Provision number change	power to make submission to Tribunal	General Manager Built & Natural Environment Manager Built Environment Manager Assets & Projects	where council is the coordinating road authority
r.23(4) New Provision	New Provision power to charge a fee for application under section 66(1) Road Management Act	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the coordinating road authority
r.25(1) Provision number change	power to remove objects, refuse, rubbish or other material deposited or left on road	General Manager Built & Natural Environment Manager Built Environment Coordinator Built Environment Planning	where council is the responsible road authority
r.25(2) New Provision	New Provision power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3)	General Manager Development Manager Municipal Services Coordinator Local Laws	where council is the responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 2 Column 3	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(5) Provision number change	power to recover in the Magistrates' Court, expenses from person responsible	General Manager Built & Natural Environment Manager Built Environment	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015 (This replaced the Roads Management (Works & Infrastructure) Regulations 2005

Column 1	Column 2 Column 3		Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	General Manager Built & Natural Environment Manager Built Environment	where council is the coordinating road authority

ITEM C2.3 ELECTION CARETAKER PERIOD POLICY

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 2 AUGUST 2016

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

OBJECTIVE

To adopt the amendment of the submission timeframe in Section 11.5 of the Election Caretaker Policy (as attached) from 60 10 40 days, so that it aligns with Section 62(1) of the *Local Government Act 1989*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the amendment of the submission timeframe in Section 11.5 of the Election Caretaker Policy (as attached) from 60 to 40 days, so it aligns with Section 62(1) of the Local Government Act 1989.

BACKGROUND

Following the adoption of the Wellington Shire Council's revised Election Caretaker Period Policy, on 15 March 2016, the Local Government Investigations and Compliance Inspectorate reviewed this policy and requested the following minor amendment to Section 11.5 as follows:

• Amendment of the submission timeframe for Section 11.5 "Election Campaign Returns", from 60 to 40 days, so that it aligns with Section 62(1) of the *Local Government Act 1989*.

OPTIONS

The following options are available to Council:

- 1. Adopt the updated Election Caretaker Period Policy, as attached (amendment to Section 11.5 as highlighted); or
- 2. Request further review and amendment of the updated Election Caretaker Period Policy, for consideration at a future Council meeting.

PROPOSAL

That Council adopt the revised Election Caretaker Period Policy, as attached.

CONFLICT OF INTEREST

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

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent." Strategy 2.3

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

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

ELECTION CARETAKER PERIOD

Policy Number: 2.1.8

Approved by Council

Date Approved/Effective 15 March 2016

Date of Next Review: End 2016

Related Policies: Any related policies by title

Applicable to Unit(s): Councillors and Organisation

Responsible Officer: General Manager Corporate Services

Statutory Reference: Local Government Act 1989

OVERVIEW

The purpose of this policy is to outline the conduct of Council during the Caretaker Period for Municipal General Elections. The Policy aims to ensure that general elections are conducted in a manner that is ethical, fair and equitable, are publicly perceived as such and support the conduct of good governance for Council and the organisation during the Caretaker Period for Municipal General Elections. The Policy will also facilitate the continuation of the ordinary business of local government throughout the caretaker period in a responsible and transparent manner, in accordance with statutory requirements and established "caretaker" conventions.

This Policy also commits Council during the caretaker period to:

- Avoid making significant new policies or decisions that could unreasonable bind a future Council; and
- Ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councilors as candidates in the election.

THE POLICY

1. Background

- 1.1 In the lead up to an election the local government sector adopts a Caretaker Period to avoid actions and decisions that may be interpreted as influencing voters or binding an incoming Council. Specific provisions have been incorporated in the Local Government Act 1989 (the Act), that prohibit Council from making major policy decisions or publishing or distributing electoral matter in a Caretaker Period.
- 1.2 Section 93A of the Act prescribes the conduct of a Council during the election period. This policy is seen as a way to ensure that Council complies with the Act and the municipal elections for Wellington Shire Council are conducted in a manner that is fair, equitable, upholds the highest standards of democratic governance and is publicly perceived as such.

2. Definitions

2.1 It should be noted that where terms used in this Policy are defined in the Act, their use in this Policy is consistent with the definitions in the Act. Definitions used in this Policy are detailed in Attachment 2.

3. Caretaker Period

- 3.1 The "election period" is defined by the Act as starting on the last day for nominations and ending at 6pm on the Election Day. A period of 32 Days...
- 3.2 During the "election period" the Council will be deemed to be in Caretaker mode.

The Chief Executive Officer will ensure that all employees are informed of the requirements of this policy.

4. Decision Making

- 4.1 Careful consideration will be given to what decisions at council or special committee meetings should be made in the 32 days leading up to the general election, so that the incoming councilors are not unreasonably compromised.
- 4.2 It is an established democratic principle that elected bodies should not unnecessarily bind government during an election period. The Council therefore commits to the principle that it will make every endeavour to avoid making decisions that bind the incoming Council.
- 4.3 This includes a commitment to not only comply with the requirements of Section 93A of the Act, pertaining to major policy decisions, but as well relating to significant decisions as specified within this policy.
- 4.4 The types of decisions that should be avoided are:
 - 4.4.1 Allocation of community grants or other direct funding to community organisations
 - 4.4.2 Major planning scheme amendments
 - 4.4.3 Awarding of contracts both civil and service type contracts
 - 4.4.4 Changes to strategic objective
 - 4.4.5 Strategies in the council plan
 - 4.4.6 Questions on notice
 - 4.4.7 Notice of motions
 - 4.4.8 Introduction of late items
 - 4.4.9 Decision relating to the employment or remuneration of a Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer
 - 4.4.10 To terminate the appointment of a Chief Executive Officer
- 4.5 Ordinary Council Agenda / Special Council Meeting Agenda and / or Special Committee Meeting Minutes are to be carefully vetted by the Chief Executive Officer and / or Corporate Management Team to ensure that no agenda item is included in any council agenda during the election period that could potentially influence voters' intentions or encourage candidates to use as part of electioneering.

- 4.6 During the caretaker period, the Chief Executive Officer will ensure that a "Caretaker Statement" is included in every report submitted to an Ordinary Council Meeting and or Special Council Meeting.(if required) for a decision.
- 4.7 The "Caretaker Statement" will specify one of the following:
 - 4.7.1 "The recommended decision is not a "Major Policy Decision" as defined in section 93A of the Local Government Act 1989 or a "Significant Decision" within the meaning of this policy:
 - 4.7.2 "The recommended decision is not a "Major Policy Decision" within the context of Local Government Act 1989. The recommended decision is a "Significant Decision" within the meaning of this policy, but an exception should be made for the following reason (insert reasons for making an exemption)
 - 4.7.3 "The recommended decision is to seek an exemption from the Minister because the matter requires a "Major Policy Decision" within the meaning of section 93A of the Local Government Act 1989.
 - 4.7.4 "The recommended decision is a "Major Policy Decision", as defined in section 93A of the Local Government Act 1989, but an extraordinary circumstances exemption was granted by the Minister for Local Government on (insert date)

5. Major Policy Decisions

5.1 Section 93A of the Act prohibits a Council, a special Committee or a person acting under a delegation given by the Council must not make a major policy decision during the election period for a general election. If however Council considers that there are extraordinary circumstances which require the make of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption.

Section 93A (6) of the Act defines a major policy decision as:

- (a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
- (b) to terminate the appointment of a Chief Executive Officer under section 94;
- (c) to enter into a contract the total value of which exceeds whichever is the greater of
 - \$1000,000 or such higher amount as may be fixed by Order in Council under section 186(1); or
 - b. 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.
- (d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.

6. Significant Decisions

6.1 Over and above the decisions specified in section 93A of the Act, the Council will avoid making other decisions during the Caretaker Period that are of a significant nature and would unreasonably bind the incoming Council. Significant decisions include:

- Irrevocable decisions that commit the Council to substantial expenditure or major actions; and
- Irrevocable decisions that will have a major impact on the municipality or the community.

7. Public Consultation

7.1 Definition

Public consultation means a process which involves an invitation or invitations to individuals, groups, organisations or the community generally to comment on an issue or proposed action or proposed policy, and includes discussion of that matter with the public.

7.2 Right to Postpone

Public consultation may be undertaken during the Caretaker Period to facilitate the day to day business of Council, to ensure matters continue to be proactively managed. Consultation will avoid express or implicit links to the election. In view of the potential for a matter or issue to become contentious or politically sensitive in the course of an election period, Council reserves the right to postpone a matter if the issue is likely to affect voting.

7.3 Statutory Requirements

The requirements of 7.2 (above) do not apply to public consultation required under the *Planning and Environment Act 1987*, or matters subject to section 223 of the Act.

8. Council Resources

- 8.1 It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council therefore commits to this principle in that it will ensure Council resources are not used inappropriately during a Council election. This includes a commitment to comply with the following procedures in addition to the requirements of section 55D of the Act.
- 8.2 Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, the matter must be referred to the Chief Executive Officer or his or her delegate
- 8.3 Council resources, including offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during the election Caretaker Period, and shall not be used in connection with any electioneering activity.
- 8.4 Reimbursements of Councillors' out-of-pocket expenses during the election Caretaker Period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be

- perceived as supporting or being connected with a candidate's election campaign.
- 8.5 No Council logos, letterheads or other corporate branding will be used for, or linked in any way to, a candidate's election campaign.
- 8.6 Photos or images taken or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council's website that may be copied.
- 8.7 No election material or active campaigning is to be conducted at Council sponsored events or be displayed in any Council building.
- 8.8 Prior to the Caretaker Period the Chief Executive Officer will ensure that all members of Council staff are advised in regard to the application of the caretaker procedures.
- 8.10 In applying these principles, the Council understands that the following will be normal practice during the election Caretaker Period:
 - (a) Public events will only be organized and run if it is totally unavoidable to conduct such events during the Caretaker Period and then only with the express permission of the Chief Executive Officer;
 - Speeches for Councillors will only be prepared by Council staff in relation to events that are part of normal services or operation of the Council and such speeches will not be circulated or available for publication;
 - Media services, including media releases, will not be provided to Councillors during the Caretaker Period;
 - (d) Media releases will not mention or quote any Councillor(s) during the Caretaker Period;
 - (e) All Council newsletters will not be printed by Council during the Caretaker Period; and
 - (f) Neither the Council logo nor Council stationery will be used by Councillors in any way that relates to the election.
- 8.11 Equipment and facilities provided to Councillors for the purpose of conducting normal Council business will not be used for campaigning purposes.
 - (a) Where Councillors have Council funded services, such as mobile phones, land lines and internet connections, and where it is impractical for Councillors to discontinue their use of these during the election, Councillors will reimburse the Council for usage of those services during the Caretaker Period that exceeds normal usage levels.
 - (b) Councillors may wish to consider the specific ways to administer this procedure. For instance Councillors may decide to use a private phone for all election enquiries and publicise such number on election material.
 - (c) Councillors standing for re-election must not use Council equipment as a resource to assist with election campaigns. This includes photos or images provided by Council for past Council activities

9. Information

9.1 Candidates' Access to Information

All election candidates have equal rights to information relevant to their election campaigns from the Council administration. While it is important that sitting Councillors continue to receive information that is necessary to fulfill their existing elected roles, neither Councillors nor candidates will receive information or advice from Council officers that may improperly advantage candidates in the elections.

There will be complete transparency in the provision of all information and advice during the election Caretaker Period.

9.2 Information Request Register

An Information Request Register will be maintained by Corporate Services during the election Caretaker Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the responses given to those requests.

Responses to Councillors and candidates requests, as per clause 9.1 will be provided by the Chief Executive Officer or General Managers. Managers will be required to discuss the request and the proposed response with their General Manager prior to the response being provided.

Only Information that can reasonably be accessed will be released.

10. Improper Use of Position

10.1 Section 76D and 76E of the Act prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in the role of a Councillor, to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person or to cause, or attempt to cause, detriment to the Council or another person.

11. Assistance to Candidates

- 11.1 The Council affirms that all candidates for the Council election will be treated equally.
- All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibility of the Returning Officer (such as the CEO list), to the Chief Executive Officer or a designated member of Council staff.
- 11.3 Council will provide candidates with a Councillor Candidate Information Kit to assist them in running and nominating for Council.
- 11.4 Candidates will be informed of their obligation to complete a Nomination Form which will be available from the "Returning Officer", accompanied by the nomination fee
- 11.5 Candidates will also be informed of the requirements to complete and submit an "Election Campaign Return" to the Chief Executive Officer within 40 days

after the Election Day. The return must contain details of any campaign donation or gift valued at more than \$500 which was received between 30 days after the previous election and 30 days after the current election.

12. Communication

- 12.1 Council communication will not be used in any way that might influence the outcome of a Council election.
- 12.2 During the election Caretaker Period, no employee will initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their Council role.
- 12.3 Any requests from Councillors for media advice or assistance during the election Caretaker Period will be channeled through the Chief Executive Officer.
- 12.4 In response to media enquiries the Chief Executive Officer, General Managers or the Media and Public Relations Team will only provide a response and such information should relate to current services and operations.
- 12.5 In the election Caretaker Period no media releases will be issued quoting or featuring any Councillor.
- 12.6 During the election Caretaker Period, Council initiated communications shall be restricted to communication of normal Council activities.
- 12.7 No media advice or assistance will be provided to Councillors in relation to election campaign matters.
- 12.8 No publicity will be provided that involves specific Councillors.
- 12.9 Councillors should not use their position as an elected representative or their access to Council staff and other Council resources or information in support of an election campaign. This includes photos or images provided by Council for past Council activities.
- 12.10 Contact with the local media will be restricted to the communication of normal Council activities and responding to questions not involving the election or possible election outcomes.
- 12.11 Publicity of Council events (if any during the election Caretaker Period) will be restricted to the communication of factual material and will not mention or quote any Councillor.
- 12.12 Councillor participation at Council sponsored events (if any during the election Caretaker Period) should not be used to gain attention in support of an election campaign. Council sponsored events includes launches, events, and any other public forum outside of the normal Council meeting cycle – the easiest way to deal with these is to simply not have them during the election Caretaker Period.

13. Council Publications

13.1 Section 55D of the Act places limitations on Council from printing, publishing or distributing or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer..

This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

- 13.2 The Chief Executive Officer must not intentially or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process. it is an offence for the Chief Executive Officer to contravene this requirement.
- 13.3 Electoral matter is any matter that is intended or likely to affect voting in an election.
- 13.4 Despite section 98(2), certification by the Chief Executive Officer must be in writing and cannot be delegated. Certification wording over the Chief Executive Officers signature should be as follows: "Certified by the Chief Executive Officer in accordance with section 55D of the local Government Act 1989."
- 13.5 The interpretation of section 55D is extremely broad. Even though section 55D refers specifically to "an advertisement, handbill, pamphlet or notice" it has been interpreted to refer to documents produced for the purpose of communicating with the community, including:
 - Council newsletters
 - Advertisements and notices eg: job advertisements, public notices of contracts etc.
 - Media releases
 - Leaflets and brochures
 - Mailouts to multiple addresses

All these publications will require certification by the Chief Executive Officer

Material is definitely electoral matter if it:

- Publicises the strength or weakness of a candidate
- Advocates the policies of the Council or of a candidate
- Responds to claims made by a candidate
- Publicises the achievements of the elected Council
- Publicises matters that have already been the subject of public debate
- About matters that are known to be contentious in the community and likely to be the subject of election debate
- Dealing with Election Candidates' statements
- Referring to Councillors or candidates by name or by implicit reference
- 13.6 Section 55D also applies to the publication of material specified in 13.5 (above) on Council's website. This applies to all websites under the auspice of Council. Any new pages on the website or new material will require certification by the Chief Executive Officer.

- 13.7 The recommended practice, in line with State and Federal Governments, is where possible; avoid all publication activity during the election Caretaker Period except where it is essential for the conduct of Council operations.
- 13.8 A number of Council publications with reference to either current Councillors or candidates, both on the website and public display will be withdrawn from display during the election Caretaker Period.
- 13.9 During the election Caretaker Period Council's website will not contain material which is precluded by this Policy or the statutory requirements relating to publications. Any references to the election will only relate to the election process.
- 13.10 Profiles of the current Mayor and Councillors will be removed from Council's website during the election Caretaker Period but retain their contact details for their day-to-day role as a Councillor i.e. names, photos and mobile phone numbers.
- 13.11 Any new material published on Council's website during the election caretaker period that may be considered to be an advertisement, handbill, pamphlet or notice must also be subject to the certification process.
- 13.12 Council is required by the Act to produce an annual report, and the annual report may be published during the election Caretaker Period. The annual report will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors but will fulfill its statutory obligations on reporting matters. In accordance with the requirements of section 134 of the Act, Council may be required to consider the annual report at a meeting of Council held during the election Caretaker Period.
- 13.13 Social media any publication on social media sites such as facebook, twitter or Council blog sites that are under the auspice of Council will also require certification by the Chief Executive Officer.

Attachment 1

Relevant sections from the Local Government Act 1989

Section 3 (1) Election period (Caretaker Period)

In relation to an election, means the period that-

- starts on the last day on which nominations or that election can be received; and
- (b) ends at 6 p.m. on election day;

Electoral advertisement, handbill, pamphlet or notice means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting;

Publish

Means publish by any means including by publication on the Internet;

Section 3(1A) In this Act, "electoral matter" means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purpose of conducting an election.

Note: printed electoral matter has the same meaning.

- Section 3(1B) Without limiting the generality of the definition of "electoral matter", matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on-
 - (a) The election; or
 - (b) A candidate in the election; or
 - (c) An issue submitted to, or otherwise before, the voters in connection with the election.

Section 55D Prohibition on Council

- (1) A Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.
- (2) The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process.

Section 93A Conduct of Council during an Election Period

- (1) Subject to this section, a Council, a special committee or a person acting under a delegation given by the Council must not make a major policy decision during the election period for a general election.
- (2) If a Council considers that there are extraordinary circumstances which require the making of a major policy decision during the

election period, the Council may apply in writing to the Minister for an exemption from the application of this section to the major policy decision specified in the application.

- (3) If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption from the application of this section to the major policy decision specified in the application subject to any conditions or limitations that the Minister considers appropriate.
- (4) A major policy decision made in contravention of this section is invalid.
- (5) Any person who suffers any loss or damage as a result of acting in good faith on a major policy decision made in contravention of this section is entitled to compensation from the Council for that loss or damage.
- (6) In this section, a "major policy decision" means any decision -
 - (a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
 - (b) to terminate the appointment of a Chief Executive Officer under section 94;
 - (c) to enter into a contract the total value of which exceeds whichever is the greater of \$100,000 (or such higher amount as may be fixed by Order in Council under section 186(1)) or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
 - (d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of Council's revenue from rates and charges levied under section 158 in the preceding financial year.

Section 95 Conduct Principles

- Council staff must in the course of their employment
 - (a) act impartially:
 - (b) act with integrity including avoiding conflicts of interest;
 - (c) accept accountability for results; and
 - (d) provide responsive service.
- (2) Nothing in sub-section (1) (c) affects the granting of an indemnity to a member of Council staff in respect of any liability or limits the effect of –
 - (a) any such indemnity, whether granted before or after the commencement of section 67 of the Local Government (Democratic Reform) Act 2003; or
 - (b) any immunity conferred on a member of Council staff by or under any Act, whether before or after that commencement.

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Attachment 2

Definitions

It should be noted that some of the terms used in this Policy are defined in the Local Government Act 1989 (the Act) and their use in this Policy is consistent with the Act.

<u>Caretaker Period</u> has the same meaning as "election period' in section 3(1) of the Act, and means the period that starts on the entitlement date and ends at 6pm on Election Day.

Electoral advertisement, handbill, pamphlet or notice has the same meaning as section 3(1) of the Act, and means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.

<u>Electoral matter</u> has the same meaning as electoral matter in section 3(1A) of the Act and means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Section 3(1B) of the Act further qualifies "electoral matter".

"3(1B) Without limiting the generality of the definition of "electoral matter" matter is to be taken or be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:

- (a) The election; or
- (b) A candidate in the election; or
- (c) An issue submitted to, or otherwise before, the voters in connection with the election."

Major Policy Decision has the same meaning as section 93A of the Act and means any decision:

- (a) Relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
- (b) To terminate the appointment of a Chief Executive Officer under section 94;
- (c) To enter into a contract the total value of which exceeds whichever is the greater of \$100,000 (or such higher amount as may be fixed by Order in Council under section 186(1)) or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
- (d) To exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of Council's revenue from rates and charges levied under section 158 in the preceding financial year.

<u>Pre-election Caretaker Period</u> has the same meaning as "election period" in section 3(1) of the Act, and means the period that starts on the last day on which nominations for the election can be received and ends at 6pm on Election Day.

<u>Printed electoral material</u> has the same meaning as section 3(1) of the Act and means an advertisement, handbill, pamphlet or notice that contains electoral matter and is intended or calculated to affect the result of an election, and includes a how-to-vote card.

<u>Public consultation</u> is not defined in the Act, but in this context means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy, and includes discussion of that matter with the public.

<u>Publish</u> has the same meaning as section 3(1) of the Act, and means publish by any means including publication on the internet.

<u>Significant Decision</u> is not defined in the Act, but in this context means an irrevocable decision that significantly affects the municipality.

HUMAN RIGHTS

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

Related Documents

Type:	Details:
Procedure	
General	Gifts and Donations Register Staff Code of Conduct Councillor Code of Conduct Human Rights Charter

C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1 WELLINGTON AND EAST GIPPSLAND SHIRES' DRAFT

DOMESTIC WASTEWATER MANAGEMENT PLAN

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER MUNICIPAL SERVICES

DATE: 2 AUGUST 2016

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

OBJECTIVE

The purpose of this report is for Council to endorse the Wellington and East Gippsland Shires' Draft Domestic Wastewater Management Plan and release it to the community for comment.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council endorse the Wellington and East Gippsland Shires' Draft Domestic Wastewater Management Plan (provided at attachment 1) and release it to the community for comment up until 12 noon, Friday 26 August 2016.

BACKGROUND

The Wellington and East Gippsland Shires' draft Domestic Wastewater Management Plan (DWMP) is a strategic document which seeks to address domestic wastewater management issues within the municipalities of Wellington and East Gippsland. The Wellington and East Gippsland Draft Domestic Wastewater Management Plan will develop appropriate strategies and actions to prevent and/or minimise the impacts of domestic wastewater management issues. Further it will mitigate the potential risks to public health and the environment that can result from the treatment and disposal of domestic wastewater.

The primary purpose of preparing the Wellington and East Gippsland Shires' Draft Domestic Wastewater Management Plan is to update the existing DWMP to meet the revised Ministerial Catchment Guidelines 2012, and to meet Council's responsibilities under the provisions of the *Environmental Protection Act 1970* and the *Health and Wellbeing Act 2008*.

Once the Wellington and East Gippsland Shires' draft DWMP has been adopted and Memorandums of Understanding established with water corporations, there is an opportunity to relax the requirements of the Ministerial Catchment Guidelines 2012, and in turn allow higher levels of development to occur in open, potable water supply catchments.

OPTIONS

Council has the following options:

- 1. Endorse the Wellington and East Gippsland Shires' draft Domestic Wastewater Management Plan and release it for community comment: or
- Request changes to the Wellington and East Gippsland Shires' draft Domestic Wastewater Management Plan before it is released to the community and present to a future Council Meeting.

PROPOSAL

It is proposed that Council endorse the Wellington and East Gippsland Shires' draft Domestic Wastewater Management Plan and release it to the community for comment.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The Wellington and East Gippsland Shires' draft Domestic Wastewater Management Plan was funded by the Gippsland Lakes Environment Fund for \$45,000. These funds were allocated within the 2014-15 financial year budget.

COUNCIL PLAN IMPACT

The Council Plan 2013-2017 Theme 7 Community Wellbeing states the following strategic objective and related strategy.

Strategic Objective

Enhance health and wellbeing for the whole community

Strategy 7.7

Work in partnerships to provide leadership and strategic direction on issues or risks relating to community safety.

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

CONSULTATION IMPACT

A working group made up of staff from Wellington Shire's Development Division, Gippsland regional water corporations and East Gippsland Shire have met regularly and provided input into the development of the Wellington and East Gippsland Shires' draft DWMP. The current plan is a revised version of the 2006 DWMP with the inclusion of the revised Ministerial Catchment guidelines. This group have met over a period of eighteen months to revise the document.

If Council supports the recommendation, it is proposed that community consultation on the DWMP will be completed by 26 August 2016.



Wellington and East Gippsland Shires Municipal Domestic Wastewater Management Plan

Prepared for Wellington and East Gippsland Shires By Ecos Environmental Consulting

June 2016



Document Information

Arreste.	Status	Frenketed by	Second his	Date	Beviowed by	Againment
1.0	TOC Druft.	Nick O'Conno	Weilington and East Gippuland Shire Councils	6-lanuary 15	Nex O'Consur	Nick (Conno
1.1	Working Draft	Mick (I'Conner	Weilington and East Glossland Shire Councils	27 April 2015	Nick O'Connpr	Nick O'Conno
1.2	Draft	Nick O'Contor	Weilington and East Giopsiand Strine Councils	20 August 2015	Nick O'Connor	Nick O'Canno
1.3	Draft	Nick O'Connor & Tracy Clark	Wellington and East Gippuland Shire Councils	4 September 2015	Nick O'Connet	Nick O'Conno
1.4	Draft	Nick O'Connor & Tracy Clark	Weilington and East Gloovland Shire Councils	SE September 2015	Nick O'Connor	Nick O'Conno
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2.1	Fired	Arick O'Corner & Tracy Dark	Wellington and East Glookand Shire Councils	23 June 2016	Nics O'Connor	Nick O'Conno

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Ctlent Venessa Ebsworth - Manager Municipal Services

Name of organisation Wellington Shire Council

Wellington and East Gippsland Shires Municipal Domestic Wastewater Management Plan Name of project

Name of document WSC and EGSC DWMP 23 June 2016

Document version

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Executive Summary

Introduction

The environmental and public health risks posed by unsewered areas is recognised nationally and internationally as a significant public health and environmental issue. In Victoria, management of domestic wastewater is addressed under the Environment Protection Act 1970 and State Environment Protection Policy (Waters of Victoria) (SEPP WoV). It is a requirement of this legislation for local Governments to develop a Domestic Wastewater Management Plan (DWMP) to address potential risks to community health and the environment resulting from the treatment and disposal of wastewater from homes and businesses in unsewered areas.

East Gippsland and Wellington Shires released their existing DWMP in 2006. In 2014, the Shires received funding assistance from the Gippsland Lakes Environment Fund to review the 2005 DWMP and to produce a new and revised version. The 2005 DWMP was developed with the support of regional water corporations and the corporations have retained a strong obligation in the on-going implementation of the 2016 DWMP.

Aires

The primary purpose of preparing this DWMP plan is to update the existing DWMP to meet the revised Ministerial Catchment Guidelines, "Planning permit applications in open, potable water supply catchment areas" (DEPI 2012) (the Ministerial Guidelines) as well satisfy the obligations of each Shire council as outlined by Clause 32 of the SEPP WoV. Specific sections of the DWMP that address the requirements of the Ministerial Guidelines are listed in Table 1.

Table 1. Domestic Wastewater Management Plan Requirements and relevant sections of this DWMP where the requirement is addressed.

Attribute	Residential	Relevant Section in DWMP
Conwitation	The DWMP must be preserved or inviewed in consultation with all relevant staucherders including: • other local governments with which catchment/s are shared; • EPA; and • local water corporation/s	Section 6.1 and Appendix 5 (stainholder consutation) Section 6.1 and Appendix 3 (Marsholder consutation) Section 6.1 and Appendix 3 (Marsholder consutation)
Protection of surface and groundwaters	The DWMP must constribe a strategy, including filterines and priorities, to: • prevent discharge of wastewater beyond property boundaries, and • present individual and cumulative impacts on groundwater and surface water breeficial uses.	Action plans - Section 9.1 Action plans - Section 9.1
Monitoring, compliance and	The DWMP must provide for: • the effective monitoring of the condition and management of onsite treatment systems, including but not limited to compilance by permit haiders with permit sanditions and the Code; • the results of monitoring being provided to stakeholders as	Action plans Section 9.1, Table 9-4 Action plans - Section 9.1, Table
enforce munt	agreed by the relevant stakeholders; enforcement action where non compliance is identified;	9-4 (tem (5.3) Action plans: Section 9.3, Table 9-4 (see items on Monitorine and Compliance (MC))

Wellington and East Dippstand Shires Municipal Domestic Wastewater Management Plan Ecos Environmental Consulting Pty Ltd 1271-2018



Attribute	Requirements	Refevant section in OV/MI
	 a process of review and updating (if necessary) of the DWMP every 5 years; 	Action plans - Section 9.1, Table 9-4 (Bern ES.6)
	 Independent audit by an accordited auditor (water corporation approved) of implementation of the DWMP, including of receivering and enforcement, every 8 years; 	Action plans Section 9.1, Table 9-4 (Bern MC 10.)
	 the results of audit being provided to stateholden as soon as possible after the relevant assessment; and 	Action plans - Section 5.1, Table 9-4 (nem £5.7)
	 Councils are required to demonstrate that suitable resourcing for implementation, including monitoring, enforcement, review and audit, is in place. 	Action plans Section 9.1, Table 9-4 (tern MC.11)

Table 1 (cont...) Domestic Wastewater Management Plan Requirements and relevant sections of this DWMP where the requirement is addressed.

The development of this DWMP has provided an opportunity for the Shires to strategically assess the wastewater issues within their respective jurisdictions and develop appropriate strategies and actions to prevent wastewater problems, or at the very least minimise resultant impacts

Region

The Wellington and East Gippsiand Shires include water catchments that support the Gippsiand Lakes as well as many other regional waterways of high social, economic and environmental importance. The management and protection of water catchments and regional streams, rivers and lakes is considered a high priority by the regional community. With respect to wastewater management, the larger towns and most of the smaller towns are sewered, however there remains a number of small, relatively remote unsewered settlements as well as areas of rural land use with relatively high densities of unsewered properties. These locations pose potential risks to catchment water quality and within this DWMP are a focus for risk management. Overall there are just under 13,000 onsite wastewater management systems across both Shires combined.

Detailed statistics related to onsite wastewater management are provided in the DWMP on townships in each Shire including classification by lot size and planning zone.

Declared Water Supply Catchment boundaries and planning zones are displayed in map form (Figures 1 to 3). For East Gippsland Shire 787,106 ha lies within Declared Water Supply Catchments (38 %) while in Wellington Shire the corresponding figure is 450,232 ha (41 %).

Wellington and East Dippstand Shires Municipal Domestic Wastewater Management Plan Ecce Environmental Consulting Pty Ltd 1271-2018



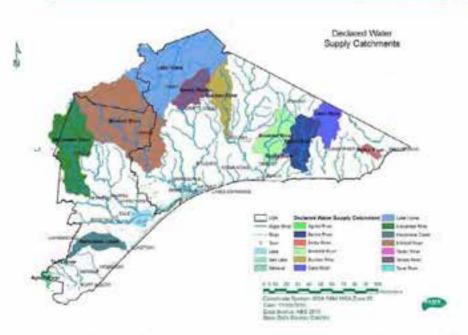


Figure 1. Declared Water Supply Catchments within the Shires of East Gippsland and Wellington

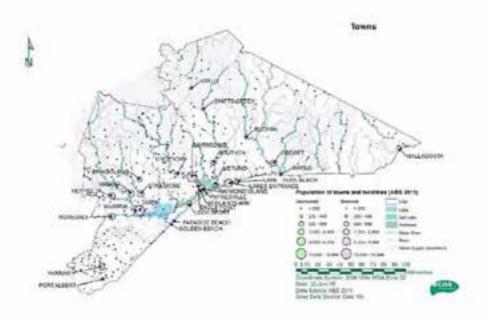


Figure 2. Township locations within the Shires of East Gippsland and Wellington

Wellington and East Gippsland Shires Municipal Domestic Wastewater Management Plan Ecos Environmental Consulting Pty Ltd 1271:2018



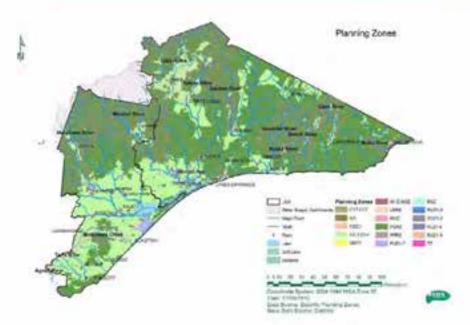


Figure 3. Planning Zones within the Shires of East Gippsland and Wellington. Water supply catchments are also shown in outline.

Legal and planning framework

The statutory framework behind the DWMP is described in detail including reference to relevant standards and guidelines, particularly the Victorian EPA "Code of Practice for Onsite Wastewater Management".

Relevant council plans and policies are also reviewed and their relationship to the DWMP is described.

Current approvals process

The DWMP contains a detailed description of the current approvals process for onsite wastewater management systems including a flow chart of the septic tank and planning permit process for each Shire. Discussion and recommendations are also included on the following topics:

- Land Capability Assessment (LCA)
- Maintenance of Septic Tank Systems
- Monitoring and Compliance
- Data management for onsite systems

Wellington and East Sippsland Shires Municipal Domestic Wastewater Management Plan Ecos Environmental Consulting Pty Ltd 1271:2018



Water quality risks posed by domestic onsite wastewater management systems

The DWMP contains a brief review of the water quality risks posed by domestic onsite wastewater management systems including risks from microbial pathogens, nutrients, and trace organic compounds (e.g. household herbicides and insecticides, detergents, personal care products and pharmaceuticals). Common failure modes of on-site treatment systems are also described.

Onsite systems catchment water quality risk assessment

A key component of the DWMP is a detailed GIS-based risk assessment for onsite wastewater management systems. The risk mapping approach was developed for the DWMP and consists of a semi-quantitative risk scoring exercise. It is appropriate for the high level identification of areas of heightened risk to surface water and groundwater quality across each Shire and can be used by the council EHO's to assist in their decision making with respect to individual sites.

Risk mapping was based on the potential risk to surface and groundwater quality posed by an onsite wastewater management system for each property (whether an onsite wastewater management system was present or not). Risk factors were:

- · soil suitability
- slope
- climate
- useable area subject to various regulatory and environmental constraints including
 - Distance to water
 - Depth to the water table
 - Distance from groundwater bore

The risk maps displayed in the DWMP are presented at the regional scale to provide an overview of risk for this report. However, each map is produced from a GIS database that allows the user to zoom in for more detailed analysis. These databases, developed for the DWMP, have been supplied to Weitington and East Gippsland Shires to assist them in assessing the risks associated with new planning permit applications and existing unsewered dwellings.

Each unsewered dwelling was allocated a risk score based on its risk factors. The score is used to rank and prioritise properties for follow up, so that resources can be more effectively devoted to the management of higher risk properties. Unsewered dwellings with higher risk scores pose a higher risk to groundwater or surface water or both (Figure 4).

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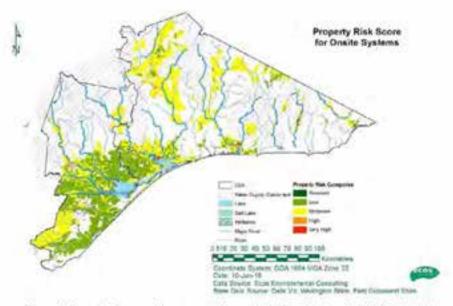


Figure 4. Property risk scores for unservered houses in the East Gippsland and Wellington Shires.

Priority township assessments

Risk scores were allocated to each unsewered town in each Shire based on the township and residential planning zones. Towns were then sorted on their aggregate risk score to enable identification of high risk towns. These towns contributed disproportionally to the total risk for each Shire.

Towns in declared water supply catchments were also sorted on their aggregate risk scores to identify those towns that posed the highest risks of off-site movement of wastewater. These areas are a priority for compliance assessments. To assist in the identification of high risk unsewered houses in these towns, detailed GIS maps are presented in the DWMP.

Wellington Shire

The results of the township assessments showed that Golden Beach, The Honeysuckies, Longford and Paradise Beach accounted for approximately 50% of the total risk from onsite systems within the Weilington Shire. Other significant contributions to the total risk were Wurruk, Briagolong, Glenmaggie and Stratford.

Briagolong (north of Stratford), Stratford and Wurruk (east of Sale) are located on floodplain soils while all the other townships are located on or adjacent to the 90 Mile Beach where sandy soils prevail. These areas are a priority for compliance assessments. Glenmaggie is situated within 1km upstream of Lake Glenmaggie, and so all unsewered properties here have been classified as high risk.

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East Gippsland Shire

The distribution of onsite system risk was more evenly distributed amongst East Gippsland Shire townships compared to Wellington Shire. Here approximately 50% of the total risk was accounted for by 9 towns: Nicholson, Metung, Buchan, Sarsfield, Nungumer, Wy Yung, Bruthen, Lucknow and Swan Reach.

These towns are all located in the catchments of the Gippsland Lakes or Lake Tyers and most lie lower down in the catchment close to the lakes where soils tend to be sandy and the water table is relatively close to the surface.

Declared water supply catchments

The acceptable housing density within a Declared Water Supply Catchment is 1:40 ha except for planning zones where a permit is not required to erect a dwelling. The main clusters of houses exceeding the density limit of 1:40 ha within the relevant planning zones is located at Gormandale (Table 2, Figure 5) while smaller clusters occur at Dargo and Benambra (see close up maps in Section 8). These areas are a priority for compliance assessments.

Table 2. Declared Water Supply Catchments (DWSC) within each Shire.

Density	Declared Water Supply Catchesens	Number of orsewerst Nouser ner complying	Planning Intro assumeding the DWSC describe Occubing states in FZ, NCZ, NCZ, and (DFZ see a considered of construction).			
fast Gippsland	Bernin River	0 of 20				
DWSCI	Brodrioti Niver	0 of 10				
1:40 ha	Buches River	fiel 4				
	Carro River	2 of 35	F21 year Caret River			
	Lake Hume	40 of 160	18 in FZ1 near Oneo and Glen Valley, 22 in RLZ3 in Cobungra			
	Michel River	Opt 3	The second second			
	Tanto River	10 of 33	F21 mar Swifts Creek			
Wellington DWSCs	Agries River	0 of 9	-			
1:40 he	Macalister River	126 of 169	11 in FZ, 12 in RC21 and 113 in RL22, mainly in Giermaggie and Coongulia			
	Merrimans Creek	97 of 195	15 in RLZ2 at Gormandaie*. 82 in FZ was Stradoroke, Williams, Williams South, Gormandaie and Caligner North			
	Mitchell River	22 of 71	19 in FZ, 3 in RLZ2, all in and around Dargo			
	Terra River	0 of 11	The season of th			

At the time of writing, 12 lob, on north Calladain Court that were incorrectly zoned BLZ2 are under review and expected to be changed to TZ.

The data in Table 2 for each DWSC is for the entire catchment. To further prioritise onsite systems for compliance assessment, the township areas in each DWSC were selected from the risk assessment using GIS query tools (Table 3). Onsite systems in these towns can be considered to have the highest priority for compliance assessment.

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Table 3. Towns in declared water supply catchments sorted by property risk score (sewer infilled).

No.					d Sout	OWSES	10 100	h risk ()	10000		
rank within Shire	Sounding	DWSC	s owus	Companie Rock Sale	Sever infilled (I	Sewent Ares		Vaderale	2	Very High.	Propertion of To
Wellington 5	hire										
7	Germaggie	Macalister R	96	437	553	1.		7	61	27	. 49
1.4	Durgo	Mitchel II	45	283	283			12	3	30	25
20	Coongula	Macelister R	34	164	196	- 1			24	.0	11
28	Gormandain	Merrimans Ck	39	101	101		2	36	1		- 11
33	Licola	Macalister R	16	74	74			36 10	3	- 3	13
East Gippola	nd Shine										
19	Benantira	LHume	49	189	189		7	16	22	- 4	- 21
85	Cub Terrace	Bernen K	15	62	62		- 1	10	2	2	11
45	Oneo	1.Hame	3	14	14			1	1	1	.01

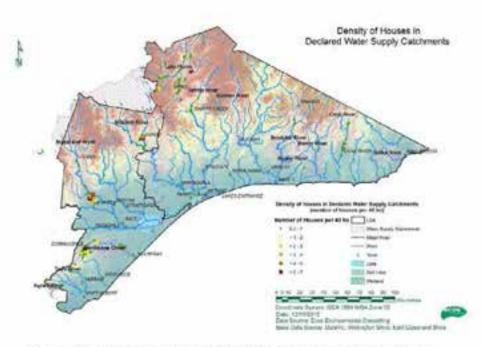


Figure 5. Density of houses in water supply catchments. Close up maps of priority areas are presented in the DWMP in Section 8.

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Compliance with planning zone densities

A related risk assessment exercise examined the housing density compliance with planning zone requirements and identified clusters of houses around the major towns that exceed the target planning limits.

Growth Area assessments

Future settlement planning has indicated a number of growth areas across Wellington and East Gippsland Shires. As these developments proceed, many will involve increases in the number and density of unsewered dwellings and associated onsite wastewater management systems.

The current risk for each township was estimated as follows: the risk for each property was calculated, and the risks per property were added for each property which had been identified as containing an OWMS (onsite wastewater management system).

The future risk for each town was calculated by adding the risks for each property which could potentially have an OWMS. It was assumed that properties in sewered areas would be sewered when developed, and that properties which had been identified as being unsuitable for an OWMS (due to proximity to a waterway, bore, reservoir or shallow watertable) would not have an OWMS installed.

Within Wellington Shire, planning has identified two towns of highest potential future risk, Longford, south of Sale as an area with significant growth potential (Figure 6) and Golden Beach. Within East Gippsland Shire the potential future onsite wastewater risks are greatest at Metung, Swan Reach, Wy Yung and Bairnsdale, with a spread of similar risk across a number of towns (Figure 7).

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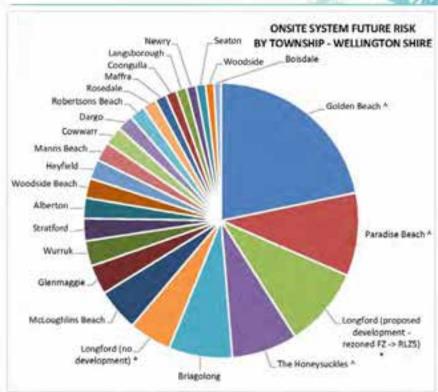


Figure 6. Potential future risk from onsite wastewater management system development by township – Wellington Shire. The top 25 localities are shown. For further details, see Section 8.5 of the DWMP. *Longford is shown in the graph twice, once for if no development occurs and once for full proposed development. *Towns on the Ninety Mile Beach.

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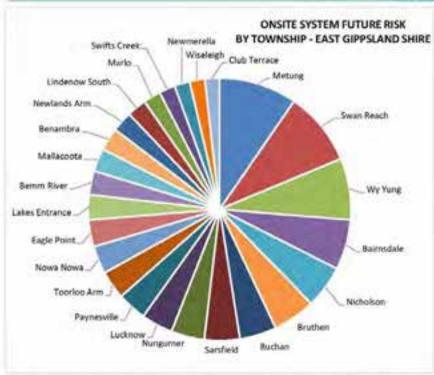


Figure 7. Potential future risk from onabe wastewater management system development by township – East Gippsland Shine. The top 25 localities are shown. For further details, see Section 8.6 of the DWMP.

Risk management

Action Plans

Action plan items from the 2006 DWMP were reviewed and either closed off due to completion or changes in priorities or carried over to the 2016 plan and combined with a number of new action items.

Action plans were separated into issues-based plans that addressed council procedures and relationships with stakeholders and plans for priority towns that addressed matters in relation to particular locations.

Discussion of general issues in relation to the planning action items is also included in the DWMP.

Appendices

Detailed appendices contain background information on the statutory framework supporting DWMP, surface water and groundwater water quality risk factors used in the risk assessment, a key to planning zones, and Action Plan items from the 2006 DWMP closed off due to completion or changing priorities.

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1 Introduction

The environmental and public health risks posed by unsewered areas is recognised nationally and internationally as a significant environmental and public health issue. In Victoria, management of domestic wastewater is addressed under Clause 32 of the State Environment Protection Policy (Waters of Victoria) (SEPP WoV), where it is a requirement for local Governments to develop a Domestic Wastewater Management Plan (DWMP). The SEPP WoV is an instrument under the Environment Protection Act 1970.

Specifically local governments throughout Victoria are required to prepare DWMPs to address potential risks to community health and the environment resulting from the treatment and disposal of wastewater from homes and businesses in unsewered areas.

1.1. Aims

The primary purpose of preparing this DWMP plan is to update the existing DWMP to meet the revised Ministerial Catchment Guidelines, "Planning permit applications in open, potable water supply catchment areas" (DEPI 2012) as well satisfy the obligations of each Shire council as outlined by Clause 32 of the SEPP WoV.

- Currently the Ministerial Catchment Guidelines "Planning permit applications in open, potable water supply catchment areas" (DEPI 2012) (the Ministerial Guidelines) state that the development density should be no greater than one dwelling per 40 hectares in declared special water supply catchment areas. However, the Ministerial Guidelines allow for the relaxation of the 1:40 ha ruling for allotments when a DWMP has been prepared, adopted and implemented by Council and endorsed by the relevant water corporations to address the current requirements. Specifically, the Ministerial Guidelines require that a DWMP address that; Domestic wastewater systems retain wastewater within property boundaries; and
- Wastewater is managed to prevent impacts on groundwater and surface water.

Additionally, the DWMP must include the following components:

- Demonstrate effective monitoring of the condition and management of domestic wastewater treatment systems;
- Results of monitoring and audits being provided to stakeholders; and
- · A process of enforcement action where non-compliance is identified:
- · A process of review of the DWMP every 5 years.
- Independent (accredited) audit of DWMP implementation every 3 years with audit results provided to stakeholders as soon as possible after assessment;
- Demonstration by councils that suitable resourcing for implementation, monitoring, enforcement, review and audit are in place.

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1.2. Background

East Gippsland and Wellington Shires released their existing DWMP in 2006. In 2014, the Shires received funding assistance from the Gippsland Lakes Environment Fund to review the 2006 DWMP and to produce a new and revised version.

The Wetlington and East Gippsiand Shires account for around 15% of Victoria's land area and include water catchments that support the Gippsiand Lakes as well as many other regional waterways of high social, economic and environmental importance. The management and protection of water catchments and regional streams, rivers and takes from the deleterious effects of a wide range of real and potential impacts is considered a high priority by the regional community. With respect to wastewater management in the Shires, the larger towns and most smaller towns are sewered, nevertheless there are a large number of small, relatively remote unsewered settlements as well as areas of rural land use with relatively high densities of unsewered properties.

Some residential areas have been sewered or may be in the process of being sewered, but other areas still rely on orisite wastewater management systems (OWMS) of which there are just under 13,000 in both Shires combined.

The development of this DWMP has provided an opportunity for the Shires to strategically assess the wastewater issues within their respective jurisdictions and develop appropriate strategies and actions to prevent wastewater problems, or at the very least minimise resultant impacts. It clearly articulates each Shires' policy on domestic wastewater and its management.

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2 East Gippsland and Wellington Shires Regional Attributes

Issues and potential threats from on-site domestic wastewater management include: high microbial (E. coli) and detergent (surfactant) levels in stormwater, discharge of grey water to open street drains and stormwater, inappropriate and outdated septic systems, including WC-only (also known as blackwater-only) types, direct off-site discharge of wastewater; small allotments and inadequate effluent disposal areas, high water tables, ageing and poorly-maintained septic systems and high household water use made possible by the availability of reticulated water in some areas.

Based on spatial and planning zone data supplied by East Gippsland and Wellington Shire Councils and by Victorian Government Data Directory (www.data.vic.gov.au), 47 townships were listed in East Gippsland Shire and 33 in Wellington Shire. Of these townships 24 and 11 respectively are sewered, although there are still significant numbers of unsewered dwellings and vacant allotments present within the boundaries of these townships.

In total, approximately 5,078 properties in East Gippsland were estimated to have an onsite domestic wastewater management system while in Wellington Shire the number was estimated at 7,818 (Table 2-1). These estimates are based on data supplied by the councils and are based on individual address points.

Table 2-1. Numbers of domestic on-site wastewater management systems by Shire and planning zone.

	Comments	Comprehensive Development	Description	Openial Residential	Second	Cox Dentity Next petital	N. Maria	N. Public Park S.	Public Die	flurd Canadrosoler	- Daniel	Best Deep	Special line	Tawellit	
Shire	510	E	REED'S	1290	1915	zegi	202	25.00	Petter.	NCD 3	Herr	F-12 m	sup+	4	7
East Gross and	38		2,093	67	13	978	108	15	29	71		1,246	1	443	5,078
Weington		2	2,770	48	13.	2,456	20	41	13	226	1	1,119	14	1,074	7,818
Total	20	2	4,263	110	26	3,434	128	56	62	297	1	2,365	15	1,517	12,896

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Within the Declared Water Supply Catchments there are 5 towns in East Gippsland Shire and 6 towns in Wellington Shire (Table 2-2).

Table 2-2. Towns within Declared Water Supply Catchments (DWSC) (Towns identified as such if they lay within the following planning zones: GR1Z, TZ or LDRZ – see legend of Table 2-1 for zone descriptions).

Shire	DWSC	Sewared Yowm	Unaswered Towns
East Gipoward	Cake Hume	Omen	Benambra
tesisoo# but	Borom River		Club Terrace
East Wagsland	Buchan Kwer (Bachan)		Butters
East Gloovland	Tarebo River		Swifts Crees
Weington	Macailder Kiver (Gervraggie)	Coorgula, Gennuggie, Gennaggie Point. [part sewered]	Licola
Wellingbook	Mitchell River		Dargo
Wellington	Merriman Creek (Semaray)		Gormandale

Townships size and characteristics

There are 403 allotments less than 1 ha in Declared Water Supply Catchments in East Gippsland Shire while in Wellington Shire the number is 2943.

For East Gippsland Shire, a breakdown of the number of unsewered residential properties by township showed that there are 2734 unsewered properties in and around townships including 152 in Declared Water Supply Catchments (Table 2-3).

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Table 2-3. Number of unsewered properties (listed as having onsite systems in Shire database) by township in East Gippsland Shire. Data provided by East Gippsland Shire. (Townships within Water Supply Calchments are shown in bold type).

East Dippoland	Sewared		nber of	Properties with Onable	Total # Properties					
		GAZI	LDNZ	372	men.	MZ2	HLZ3	RLZ4	Systems	
Balcodale:	Yes	1			3	1			9	552
Bernin River	Yes								0	10
Benambra (Lake Hume)				46					48	11
Bendor.				80					.80	- 5
Boole Poole			33						- 33	
Bruthers	Yes		38	14		56			128	27
Buchan				87					87	13
Billioneasi			7						7	
Bumberrah						26			- 26	- 3
Cabbage Tree Creek				9					- 9	1
Cann River	Ten.									18
Camilla (Omen) (Tambo River)						2			2	10
Club Terrace (Bernin River)				15					15	5
Cobungts (Lake Hume)							22		22	
Eagle Point	Yes		:21		26		33		82	70
East Barrodkie	Yes				-		15		15	65
Eastwood	Yes						and the same			129
Daswood			2				64		66	- 8
Ennry				- 6					- 6	1
Emay South				16					16	- 2
Fernbank			13	175					13	2
Genna			-	6.		_			- 6	1
Gipte Point				32			1		33	- 4
Granite Rock				270	34		27		51	- 6
HTivde					-53	_	- 4		4	1
Advisionalite	Yes			2			-		2	13
Keimna	Yes	36	12	1000			_		38	67
Lake Buresa	Yes	10	22	-					32	25
Later Tyers Beach	Yes	59.	27	\vdash			2		29	59
Laters Entrance	Yes	17	43		22	4	26	- 5	117	375
Undersow (includes Walpa)	Yes		55	-1					36	22
Lindenow South	100	-	30	42			_		72	10
Lickney	Yes		-	100	95		49		144	58
Malacoota	Yes						12.7			115
Mario	Ven		11				_		- 13	47
Metate	Yes	-	118			5			128	174
Mount Taylor	100		83			-			33	5
Newlands Arm	. Yes		70						70	55
Newmerella	764		11			36			50	- 6
Netronon	Yes		86	-	42	141			269	22
Nome Nome	740		36	70		6			76	11
Nunearner			97			-			97	13
Orteo (Lake Huma)	-Ves		-		1				1	27
Orbest	Yes		-		-				9	134
Paytennie	Yes		-							264
Raymond Island	Yes	11				51			64	31
Sarsfeid	153	**	66		_	78	15		159	9
Swan Reach	Yes		26			123	- 23		123	18
Swifts Creek	/40			65		143			65	10
Tambo Baper				100		48			41	3
Tamoo Daper Toorioo Arm			12	-		54	81	4	121	14
Too too Arm Wisewigh			31			32	- 41	4	63	8
Wy Yung	Yes		70.		68	34	-		138	68

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In Wellington Shire, there are 2831 unsewered residential properties in and around townships including 234 in Declared Water Supply Catchments (Table 2-4).

Table 2-4. Number of unservered properties (listed as having onsite systems in Shire database) by zone and township in Wellington Shire. Data provided by Wellington Shire. (Townships within Water Supply Calchments are shown in bold type). *Note: Golden Beach and Paradise Beach have a much larger number of properties listed on the database than have dwellings on them (as determined from 2012 serial photography). The number of dwellings is listed below.

Wellington	Sawared	ared Number of Course Systems per Hanning Zone									Total it
Windship .	-	cozi	GHZI	TON	MLE3	111,22	100000000000000000000000000000000000000	NEZA	12.	with Onsite Systems	Properties
Alberton	Tex.									0	105
Bonden	- Allerton					-	2.50		27	27	30
Briagolong						67	- 30		312	409	463
Carcajung						5			2.2	27	29
Coongulla (Glenmaggie)	Yes					33				13	290
Cowwarr									81	81	92
Dargo (Mitchell River)						3			39	42	63
Devon North						41				41	40
Gien Rose						1				1	4
Bassetts Late, Glengarry					3					9	10
Glenmaggie (Macalister River)	Yes					106			5	111	146
Golden Brach	100			489*		-				489^	1373
Gormandale (Merrimans Creek)			_	700		15			24	39	35
Greenwood				9		19				28	29
Heyfield	Yes					64				72	678
Holands Landing	100			16		-	-			16	28
Kinary				-			_		10	10	14
Langsborough		-	41	_	_	-	_	-	- 64	41	45
Licola (Macalister River)		_	41	_		_	_		9	9	16
Loch Sport.	Yes	_	-			_	_		-	0	2511
Longford.	785	2	-		212	-			36	290	4211 826
The state of the s	44	- 2		-	252	100			36		Section of the second
Maffra	Ves		_	7		38	_	24	-	89	1546
Marrys Brach				-		-			80	80	81
McLoughins Beach			_	100		-	_		171	171	179
Murro	_			12		2	_		16	30	30
Myttedatk		_		_		10	_	-		10	10
Newry		_		2222		_			46	46	50
Paradise Beach				285*						285*	572
Port Albert	Partly		2			_	_			2	360
Repertions Brach		_				_			63	-63	66
Rinedale	Yes			15	42		-16			73	706
Sale	Yes			25		12				87	8057
Sicasoray	Yes			21		4		-		21	366
Seator	377424					38				36	88
Stratford	Yes			13		164				177	910
Tarraville									18	18	20
The Hoseysaccies				268						266	278
Tinamba									23	23	30
WonWhen						23				23	24
Woodside					12	34			22	72	22
Windside Beach				39					50	109	114
Wurruk.	Partly			148	45					193	496
Varren	Yes									0	1.195

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2.1. Landuse and Declared Water Supply Catchments

A large proportion of both Wellington and East Gippsland Shires lie within Water Supply Catchments (both Declared and other). For East Gippsland Shire 787,105 halies within Water Supply Catchments (38 %) while in Wellington Shire the corresponding figure is 479,896 ha (43 %) (Figure 2-1, Table 2-5, Table 2-6). Each Shire has large areas of land devoted to forest reserves including the majority of the water supply catchment areas (Figure 2-3). However, there are significant areas of agricultural activity in some of the water supply catchment areas, particularly in the Tambo River catchment of East Gippsland Shire and the Merrimans Creek Catchment of Wellington Shire.

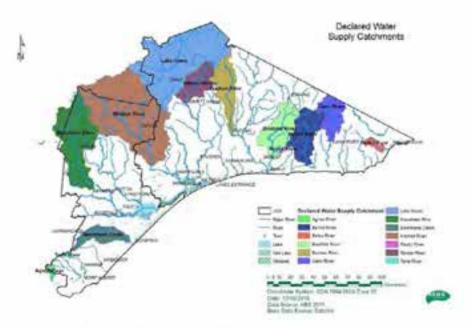


Figure 2-1: Water Supply Catchments within the Shires of East Gippsland and Wellington

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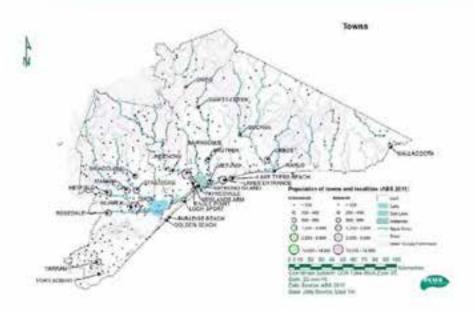


Figure 2-2. Township locations within the Shires of East Gippsland and Wellington.

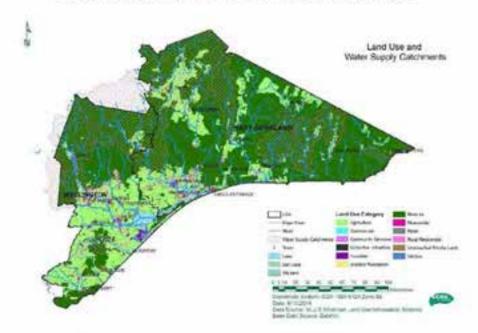


Figure 2-3. Land use within the Shires of East Gippsland and Wellington. Water supply catchments are shown in outline.

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Table 2-5 Landuse (he) by Declared Water Supply Catchments (DWSC) within the East Gippsland Shire

Landuse (ha) Declared Water Supply Catchments (DWSC)	Apricaliste	Commercial	Constrainty Services	Exective industries	industrial	Duttese Recreation	Reserve	hesiderital	1	Bury Testiforial	Undersolved Private Lan	interes	Total
Berton River.	5,819	1	- 8		5		86,385	3	939	390	414	5	93,250
Betica Weet							11,506		39			17	11,56
Brodribb River	1,235		4				91,626		612	113	1	. 33	93,60
Buchan Kver	2,774	3	8	0			78,365	- 1	410	47	13	8	#1,615
Cans River	5,540		5				55,483	23	478	362	4	4	62,29
Lake Hurse	65,401	377	187	- 6	14		225,498	485	4,577	2,119	2,786	141	300,58
Mitchel River	4,278		6				68,627		564	31	150		73,65
Rocky River	tes						3.575		92	20	0.		2,27
Tambo River	17,976						45,650	13	612	248	746	6	68,25
Not in a DWSC	259,222	595	2,553	339	400	413	185,984	3,140	16,078	20,504	19,015	2,458	1.310,70
TOTAL	362,730	976	2.762	345	419	413	1,653,495	3,666	28,401	25,824	23,130	2,645	2,097,00
	17%	41%	<1.%	<1%	dN	41%	79 %	41%	18	1.%	1%	<1%	

Table 2-6. Landuse (ha) by Declared Water Supply Catchments (DWSC) within the Wellington Shire.

Destaced Water Supply Carcheropts (DWSC)	Agriculture	Germential	Commenty Services	Estractive reductation	intention	Cuttine Sevention	Public land, Incl. State and National Parks	Residential	1	New Sections	Declaration Private Lan	Common	Total
Agres Kver	2,644		0				272	. 5	. 95	109	4	3	3,130
Lake Home							59						50
Maceister River	10,489	95	1	73		10	144,514	263	1.043	1,404	1,690	3,942	163,524
Merrimans Creek	10,745	-0	- 13	82			14,968	115	1,466	1,457	558	69	58,497
Mischell River	12.847	155	71				189,629	68	675	1,826	946	74	206,261
Tarra River (WSC)	1,730						929	1	47	92	- 3	16	2,826
Not in DWSC	333,369	477	1.134	312	4,056	1,453	267,380	7,454	15,713	17.951	19,808	5,694	675,080
Total	391,828	735	1,217	466	4,096	1,463	621,760	7,947	19,038	22,838	23,010	9,999	1,104,396
	35 %	41.5	-1%	42.%	+1%	<15	56 %	1.%	2%	25	2%	1%	

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3 Statutory Framework

The requirement for local Governments in Victoria to develop a DWMP is described in Clause 32 of the State Environment Protection Policy (Waters of Victoria) (SEPP WoV) which is an instrument under the Environment Protection Act 1970. Further specifications for DWMPs are set out in the guidelines released by the Victorian Water Minister in 2012. These Ministerial Catchment Guidelines, "Planning permit applications in open, potable water supply catchment areas" (DEPI 2012) spell out in detail the requirements and necessary components of a DWMP (Table 3-1). The guidelines aim to assist water corporations and other referral and responsible authorities in their assessment of planning permit applications for use and development of land within all open, potable water supply catchments in Victoria.

Because of the risks to public health, all use and development should be sited and managed to protect the quality of water collected from a water supply catchment. While water corporations do not have direct control over land in open, potable water supply catchments, they can nevertheless influence development and land use through the strategic and statutory planning process. The Ministerial Guidelines provide guidance in this respect.

The statutory requirements behind the DWMP are complex as a significant amount of other environmental legislation impinges on water supply catchment protection (e.g. the Planning and Environment Act 1987, etc.). The Ministerial Guidelines attempt to be these various components into a more cohesive framework. The material presented in Appendix 1 summarises the key sections of the Ministerial Guidelines as well as the relevant components of other legislation that are relevant to this DWMP including the State Planning Policy Framework of the Planning and Environment Act 1987.

Table 3-1. Domestic Wastewater Management Plan Requirements

Attribuse	Nequirements	Relevant section in OWNEr
Consultation	The DWMP result be prepared or reviewed in consultation with all relevant statishedges including: • other local governments with which catchment/s are shared: • EPA; and • local water corporation/s.	Section 6.1 and Appendix 5 (statement and Appendix 5 (statement and Appendix 5 (statement consultation) Section 6.1 and Appendix 5 (statement consultation)
Protection of surface and groundwaters	The DWMP most corruptine a strategy, including thereines and priorities, he is present discharge of wastewater terporal property boundaries; and is prevent individual and committee impacts on groundwater and surface water beneficial uses.	Action plans - Section 5.1 Action plans - Section 5.1
	The DWMP must provide for: • the effective munitoring of the condition and management of ornibe treatment systems, including but not limited to compliance by permit noiders with permit conditions and the Code;	Action plans - Section 9.1, Table 9.4
Monitoring, compliance and enforcement	 the results of recribering being provided to stateneoiders as agreed by the relevent stateholders. 	Action plant - Section 9.1. Table 9.4 (Hern ES.8) Action plant - Section 9.1. Table
	enforcement action where non-conspliance is identified.	9.4 (see items on Monitoring and Compliance (MCI)
	 a process of review and applating (if nocessary) of the DWMP every 5 years; 	Action plans - Section 9.1, Table 9.4 (New ES.6.)

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Attribute	Requirements	Ankreint jection in DWW/
	 Independent audit by an accredited auditor (water corporation approved) of imprementation of the DWMP, including of monitoring, and enforcement, every Typian; 	Action plans Section 9.1, Table 9.4 (Norm MC.10.)
	 the results of audit lung provided to standarders as soon as provider after the relevant assessment, and 	Action niams - Septime 9.1, Table 9.4 (Born ES.7)
	 Councils are required to demonstrate that suitable resourcing for implementation, including monitoring, enforcement, review and world, is in place. 	Action plans - Section B.1, Table 9.4 (Nors MC.11)

Table 3.1. (cont.) Domestic Wastewater Management Plan Requirements

3.1. Standards and Guidelines

There are a range of published guidelines that are important for determining the conditions under which an onsite wastewater management system can be permitted, installed and maintained. The ministerial catchment guidelines have already been described in section 10.1.1 above;

3.1.1. EPA Code of Practice for Onsite Wastewater Management

The EPA "Code of Practice for Onsite Wastewater Management" (EPA Victoria 2013) ("the Code") is a comprehensive technical document that provides standards and guidance for best practice management of onsite wastewater in Victoria. The Code applies to wastewater (containing sewage) generated by a single domestic household or by multi-dwelling residential, commercial, industrial or institutional facilities. It provides guidance on:

- the selection, approval, management and maintenance of onsite wastewater management systems which treat up to 5,000 litres (L) of wastewater per day.
- systems which freat up to 5,000 L/day of greywater to a quality fit for toilet flushing and cold water supply to clothes washing machines and/or land application; and
- land capability assessment procedures and wastewater flow calculations for designing effluent recycling and disposal systems

3.1.2. EPA Land Capability Assessment – Onsite Wastewater Management

The purpose of the EPA Publication "Land Capability Assessment for Orisite Domestic Wastewater Management" (EPA Victoria 2003) is to

- assist in the assessment of the capability of the site to sustainably manage wastewater within allotment boundaries, and
- identify a management program that should be put in place to minimise the health and environmental impacts of on-site wastewater management.

3.1.3. Australian Standards:

3.1.3.1. AS/NZS 1547:2012 Onsite Domestic Wastewater Management

The Australian Standard, AS/NZS 1547:2012 Onsite Domestic Wastewater Management (Standards Australia 2012) provides guidance for the design and construction of land application areas. If there is an inconsistency between an Australian Standard and the

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EPA Onsite Wastewater Management Systems Code (EPA Victoria 2013), the Code takes precedence. Where the Code does not cover a topic, the relevant Australian Standard should be followed.

3.1.3.2. AS/NZS 3500:2013 Plumbing and Drainage

All plumbing work conducted on site during the installation of an onsite wastewater management system must comply with the Plumbing and Drainage Standard AS/NZS 3500:2013 (Standards Australia 2013). All design solutions should be installed by a licensed plumbing contractor in compliance standard.

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4 Council policies and plans

4.1. Council Plans

East Gippsland and Wellington Shires have a number of strategic plans outlining the vision and objectives for their municipalities and communities. Figure 4-1 shows the connection between the DWMP and other relevant strategies.



Figure 4-1 Link between DWMP and other Council Plans

4.1.1. Council Plans

Council Plans set out each municipality's Vision and Strategic Objectives to deliver services that meet the hopes and aspirations of the community, including residents, land owners and visitors to the Shire. The Plans serve to guide Council's corporate priorities and in certain cases deal with factors that influence the management of domestic wastewater.

4.1.2. Planning Schemes

The Municipal Planning Scheme is a legal instrument under the Planning and Environment Act 1987 that sets out both state-wide and local planning policy for land use; development, and the protection of natural and social values. The purpose of the Planning Scheme is to provide a clear and consistent framework within which decisions about the use and development of land can be made.

The Municipal Strategic Statement provides a vision and clear overarching strategic policy for land use and development in each municipality. These are further refined through issue-specific Local Policies. Zones and overlays applied over each municipality control the use of land.

The need for sustainable management of domestic wastewater is highlighted in both the East Gippsland and Wellington Planning Schemes.

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East Gippsland Shire requires that all planning permit applications in unsewered areas (for subdivision and/or new dwellings) must be accompanied by information demonstrating that domestic wastewater can be treated and contained on-site in accordance with EPA requirements.

4.1.2.1. Wellington Shire Special Water Supply Catchment Areas Policy (Clause 22.01)

Clause 22.01 of the Wellington Shire Planning Scheme lists the Shire's Special Water-Supply Catchment Areas Policy

The policy states that when considering an application to use or develop land within a Special Water Supply Catchment Area, Council will have regard to the likely impacts of the proposed use or development on water quality and quantity in the catchment.

- New development proposals should not lead to an increase in the amount of nutrients reaching streams, surface water bodies and groundwater
- Any application to use or develop land within a Special Water Supply Catchment
 Area will be referred to the relevant water corporations and/or catchment
 management authority. These include Southern Rural Water, Gippsland Water,
 East Gippsland Water, South Gippsland Water, East Gippsland Catchment
 Management Authority, and the West Gippsland Catchment Management
 Authority.
- Any application to construct a building within 100 metres of a waterway or
 wetland for a use which would generate effluent should include evidence that the
 building site is capable of containing an appropriate water treatment system by
 providing either a Soil Percotation Test in accordance with the EPA Code of
 Practice for Onsite Wastewater Management (EPA Victoria 2013) (the Code); or
 an approved land capability assessment including assessment of the effluent
 disposal system in accordance with the requirement's the Code.
- Subdivision and intensive farming activities in water supply catchments; especially in the lower areas of water supply catchments near take-off points will be discouraged.
- Subdivision and intensive farming activities in aquifer recharge areas will be discouraged.

The ESO8 Planning Overlay "Special Water Supply Catchment Areas" consists of 9 areas totalling 263 hectares, one in the Merimans Creek DWSC (31 ha) and eight in the Mitchell River DWSC (232 ha) (Figure 4-2).

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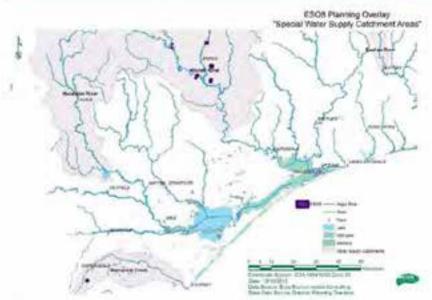


Figure 4-2. ESOB "Special Water Supply Catchment Areas" in the Wellington Shire.

4.1.2.2. East Gippsland Shire Special Water Supply Catchment Areas Policy (Clause 22.01)

The East Gippsland Shire Special Water Supply Catchment Areas Policy points out that planning scheme Clauses 35.01-3, 35.02-3 and 35.03-3 provide that a permit is required for any building within 100 metres of a waterway, wetland or designated floodplain. In addition, Clause 66.02 requires that an application to use or develop land within a Special Water Supply Catchment Area should be referred to the relevant water board or water supply authority.

The Water Supply Catchment Areas Policy items are:

- In considering an application to use or develop land in a Special Water Supply Catchment Area, Council will take account of the likely impacts of the proposed use or development on water quality and quantity in the catchment.
- Any application to use or develop land in a Special Water Supply Catchment.
 Area will be referred to East Gippsland Water or Goulburn Murray Water and may be referred to the East Gippsland Catchment Management Authority.
- Council will require any application to construct a building within 100 metres of a
 waterway or wetlands for a use which would generate effluent to include
 evidence that the building site is capable of containing an appropriate waste
 treatment system by providing either a Land Capability Assessment (LCA) in
 accordance with the EPA Code of Practice for Onsite Wastewater Management
 (EPA Victoria 2013) (the Code); or an "Approval of Waste Treatment System"
 form completed by the Environmental Health Officer.

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- Subdivision and intensive farming activities in water supply catchments, especially in the lower areas of water supply catchments near take-off points will be discouraged.
- Subdivision and intensive farming activities in aquifer recharge areas will be discouraged.
- Where land in a Special Water Supply Catchment is used for timber production, strict adherence to the Code of Forest Practices for Timber Harvesting and to Harvesting & Management Prescriptions will be required.

There is no ESO Planning Overlay for "Special Water Supply Catchment Areas" in the East Gippsland Shire.

4.1.3. Planning Zones

Planning zones mainly align with landuse and the predominant zones within each Shire are Public Conservation and Resource Zone (PCRZ) and Farming Zone (FZ) (Figure 4-3). Water supply catchments lie mostly within PCRZ and FZ.

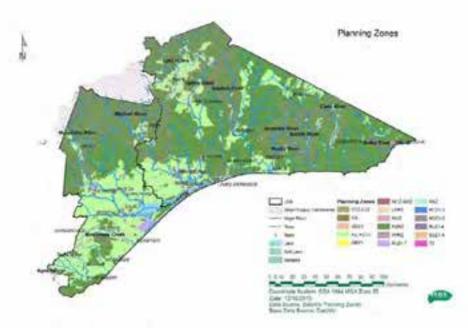


Figure 4-3. Planning Zones within the Shires of East Gippsland and Wellington. Water supply catchments are also shown in outline.

4.1.4. Health and Wellbeing Plans

The East Gippsland Community Health and Welibering Plan (2013-2017) (East Gippsland Shire Council 2013a) and the Healthy Wellington Municipal Public Health and Welibering Wellington and East Gippsland Shires Municipal Domestic Westewater Management Plan Ecos Environmental Consulting Pty Ltd 1271:2018

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Plan 2013-17 (Wellington Shire Council 2013) provide the framework for an integrated approach to public health planning for each Shire. The plans are major policy documents that seek to improve the health, safety and wellbeing of the people who live and work in the Shires. Neither plan specifically mentions water or wastewater, however the underpinning objectives of the plans is to provide regional communities with a healthy living environment and the EWMP assists in achieving that objective.

4.1.5. Urban Stormwater Management Plan

Wellington and East Gippsland Shires Urban management stormwater plans (Wellington Shire Council 2002, East Gippsland Shire Council 2003) provide detailed risk analysis and prioritised actions to address identified threats to environmental and amenity values from inadequately managed stormwater (including where domestic wastewater enters the stormwater system).

More recently the East Gippsland Urban Water Management Strategy and the companion Urban Water Guidelines (East Gippsland Shire Council 2013) seek to reduce sediments and nutrients entering the Gippsland Lakes from urban areas. This is to be achieved through:

- Establishment of vegetation corridors through the urban areas
- Reduction of weed species in urban waterways
- Improving community perception and value of urban waterways
- Identification of recreation opportunities in line with the East Gippsland Shire Council Trails Strategy.

The Urban Water Management Strategy and guidelines are focussed on protecting and improving urban waterways from sediment and related nutrient runoff and on weed and erosion control. While not specifically addressing on-site wastewater management, the strategy approaches are consistent with the aims of this DWMP, perticularly where they intersect with the water supply catchments areas (e.g. stormwater in unsewered towns).

4.1.6. Coastal Townships Urban Design Framework

The Coastal Towns Design Framework was a joint initiative of Wellington Shire Council and East Gippsland Shire Council. The councils developed Urban Design Frameworks for 18 coastal settlements in eastern Victoria. In Wellington this involved the coastal towns of Loch Sport, Golden Beach/Paradise Beach, The Honeysuckles, Seaspray, Woodside Beach, McLoughlins Beach, Manns Beach and Robertsons Beach, while for East Gippsland Shire the relevant towns were Paynesville, Raymond Island, Eagle Point, Metung, Nungurner, Lakes Entrance, Lake Tyers Beach, Marlo, Bernin River, Mallacoots, and Gipsy Point.

The Urban Design Frameworks provide guidance for the future development of urban areas and involved the preparation of realistic design concepts and planning provisions based on community consultation, research and analysis. The Urban Design Frameworks are implemented in the planning scheme and have the same status as other Structure Plans (e.g. Rosedale, Heyfield, Sale Wurruk and Longford).

When planning for growth the councils take into account if the land is suitable for that development. Part of this is the consideration whether sewer infrastructure needs to be

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provided or else if onsite systems are to be used, what the most appropriate minimum lot size should be.

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5 Assessment of current wastewater management situation

5.1. Current situation

The most common onsite wastewater management systems distributed throughout the Shires are

- Primary treatments systems
- Secondary Wastewater Treatment Systems
- Split systems which treat only the toilet wastewater (blackwater). The
 remaining portion of wastewater from showers, baths, basins, etc. (greywater),
 is discharged land with a portion of the discharge entering the storm water
 system which enters local creeks, rivers and ground waters. Split systems are
 distributed across both Shires however, these are no longer installed.

Discharge of greywater to the environment means that local stormwater can be expected to have a very high nutrient and pathogen loading. Research has shown greywater pathogen concentrations can be very high (Birks and Hills 2007).

5.2. Current approvals process

Installation of new waslewater systems in unsewered areas, and modifications to existing systems require Council approval in accordance with the *Environment Protection Act* 1970 and the following key EPA documents:

- The EPA "Code of Practice for Onsite Wastewater Management" (EPA Victoria 2013) (the Code);
- The EPA Publication "Land Capability Assessment for Onsite Domestic Wastewater Management" (EPA Victoria 2003) and
- EPA Certificates of Approval for domestic wastewater systems (note that at the time of writing of this DWMP, the EPA is reviewing this process and the process may change in the future);

Council approval is obtained by making an application for a Septic Tank Permit. Both East Gippsland and Wellington Shires provide application kits describing the necessary information to accompany a permit application.

New dwellings and subdivisions often also require planning approval, which is obtained through a Planning Permit in accordance with requirements of the Municipal Planning Scheme and the Ministerial Catchment Guidelines, "Planning permit applications in open, potable water supply catchment areas" (DEPI 2012) (see Section 3 above and Appendix 1). While all of the Ministerial Guidelines must be addressed where a planning permit is required to use land for a dwelling or to subdivide land, Guideline 1 "Density of dwellings", Guideline 2 "Effluent disposal and septic tank system maintenance" and Guideline 4: "Buildings and works" are particularly relevant with respect to this DWMP.

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A diagrammatic view of the septic tank and planning permit process for each Shire is illustrated in Figure 5-1 and summarised in stepwise form in Table 5-1 following the procedure developed for the Mitchell Shire DWMP (Mitchell Shire Council 2014).

Table 5-1. Steps in approvats process (after Mitchell Shire Council 2014).

lup.	Delets
Application for Permit	 Administration officers register receipt of a paid application which must include: identification of the site, site and building plans, specifications and gar focuses of the proposed scotts tank system, a full description of the proposed means for treating the efficient and forward the application onto the Council Environmental Health Officer (ENC).
Ste imperion	Staff will make an angenerits for an initial on-site inspection which is conducted prior to approval of the application. The CHC will conduct a progress inspection prior to backfilling of trenches. The CHC will conduct a final inspection when Certificate of Compliance has been issued by the plumber and prior to Certificate of the being issued by the Council.
Star Assessment	 An CHO will request a land capability assessment for all applications that fall within a Declared (Declared) Special Water Supply Catchment area. For all other areas CHOs will conduct a site impection to determine whether the site is appropriate for wastewater disposal. The CHO may further request a land capability assessment if they require further clarification on the sites suitability.
Further information/ Nen-Compliance	 If the EHO requires further information the applicant will be notified and the application will not progress until the information is received.
Compliance and Agentival	 Does the EMO is satisfied that all the aspects of the application, plans and specifications stated in the permit to restal comply with the Act, a permit to are will be ispeed. The EMO may have a permit subject to modifications or conditions. Septic permit situation to issued in a DWSC area until the planning permit is issued and conditions of water corporations are considered.
	The DRD will refuse to issue a permit if they consider that: The site of the proposed septic tank system is unsuitable; or The area available for the treatment or disposal of the effluent is not sufficient.
Reflesse to those Perms	The EHO will refuse to save a permit if the proposed domentic westnesser system: is not an EPA approved system for the proposed purpose; is contrary to any State environment protection policy or waste management policy or
	Any influent to grant a permit for install/after a septic fank system must be set field by Council.

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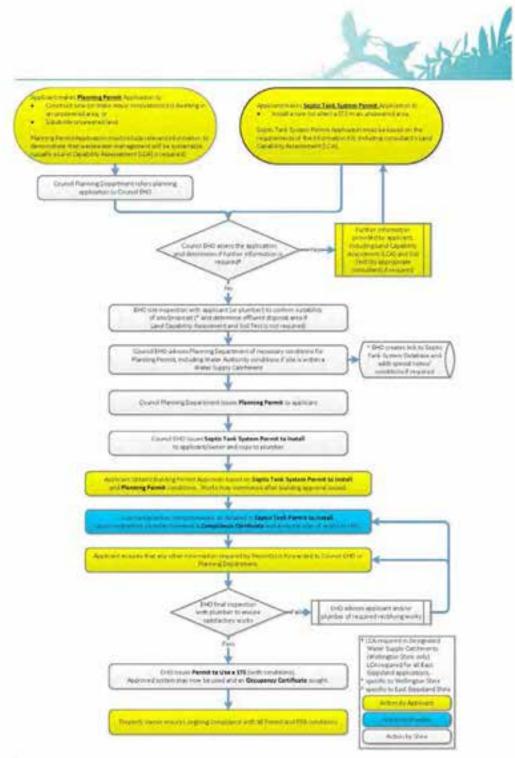


Figure 5-1. Approval Process for on-site wastewater management for East Gippsland and Wellington Shire Councils.

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The planning departments also review all applications to determine if and when a referral authority is to be notified of the application. This includes applications in water supply catchments.

5.2.1. Land Capability Assessment (LCA)

The process for LCAs used by both Shires is that outlined in EPA Code (EPA Victoria 2013). The Code states that a Land Capability Assessment is required for all applications that fall within Declared Special Water Catchment Areas. In all other areas an LCA is not required unless requested by the EHO, this is the situation in Wellington Shire, however in East Gippsland Shire, an LCA is required for onsite wastewater management system applications regardless of whether they lie within a Declared Water Supply Catchment or not.

For Wellington Shire, the EHO will also consider the outcomes of the risk mapping analysis described in Section 8 of this DWMP in determining the requirement of an LCA.

Wellington Shire policy requires all new coastal developments, such as at Loch Sport, Golden/Paradise Beach, McLoughlins Beach, Manns Beach and Woodside Beach, to have a Secondary Treatment Systems with subsurface irrigation.

5.2.2. Maintenance of Septic Tank Systems

The occupants of premises on which a wastewater treatment system is located must maintain the system in accordance with the requirements specified on the permit (e.g. regular servicing, pumping out the septic tank every five years etc.). The EHO may conduct annual inspections of wastewater treatment systems to ensure compliance with the certificate for use. These will be focussed on priority areas as discussed in Section 8.4 later on in this report.

5.2.3. Monitoring and Compliance

Domestic onsite wastewater management systems are required to be operated and maintained in accordance with the conditions in the Council Permit to Use, the Certificate of Approval (CA), and the Code to ensure that human health and the environment are protected (EPA Victoria 2013). Furthermore, the Ministerial Guidelines require a process of monitoring the condition of septic systems and a process of enforcement when noncompliance is identified.

Council may fine a property owner under section 53N and Schedule A of the Environment Protection Act 1970 for failing to have the treatment system regularly serviced on an ongoing basis in accordance with the conditions on the relevant CA and the Council Septic Tank Permit.

East Gippsland and Wellington Shire Councils have established inspection schedules for processing the applications to install or modify domestic onsite wastewater management systems. Although neither council has an active monitoring and compliance procedure to follow up and monitor the condition of all types of domestic wastewater units after a permit to use has been issued and the installation process is complete. Wellington Shire Council does have such a monitoring and compliance procedure for Aerated Wastewater Treatment Systems (AWTS).

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A recommendation of the action plan is to commence monitoring and enforce compliance of domestic wastewater treatment systems. Resourcing a monitoring and compliance program for every property in the Shires is currently not feasible and it is therefore a recommendation of this DWMP is that monitoring is to be prioritised by risk and to begin in localities that have been identified as high risk through the risk mapping component of this plan (see Section 8). This process will identify any non-compliant units and a process of enforcement will ensure action will be taken to ensure systems operate correctly. The initial focus will be on systems within the declared water supply catchments.

5.2.4. Data management

With respect to Aerated Wastewater Treatment Systems (AWTS) qualified maintenance operators certified by the system manufacturers undertake quality inspections and prepare reports for the councils as per the permit conditions and EPA CAs. The data are then entered into an electronic database.

It is recommended in the action plan that service maintenance records are checked and followed up to ensure units are operating correctly. While this is the case for AWTSs in Wellington Shire, the process should be extended to all onsite wastewater management systems in both Shires, focussing firstly on systems in high risk areas described in Section 8 of this DWMP, with an emphasis on systems within the declared water supply catchments.

It is further recommended that both councils retrospectively record unrecorded domestic wastewater treatment systems through utilising the inspections recommended under the proposed compliance program. The initial focus should be on systems in high risk areas described in Section 8 of this DWMP, with an emphasis on systems within the declared water supply catchments. Identification and registration of such systems will assist in managing the risk that unregistered or incorrectly registered onsite wastewater management systems could be operating incorrectly without the council's knowledge.



6 Management of the DWMP

6.1. DWMP Development and stakeholder consultation

The DWMP was prepared by Ecos Environmental Consulting according to terms of reference supplied by Wellington Shire Council and East Gippsland Shire Council and in accordance with the requirements of the Ministerial Catchment Guidelines (DEPI 2012). Development of the DWMP involved internal workshops with Environmental Health and Planning Staff from each council as well as external workshops with the regional water authorities, regulatory agencies and environmental organisations. The DWMP also draws on the material and findings of the 2006 Wellington and East Gippsland Shires DWMP as well as the Municipal Association of Victoria Model DWMP.

The parties consulted in the development of the DWMP were.

- Department of Environment, Land, Water and Planning (DELWP)
- · Department of Health and Human Services, Victoria
- East Gippsland Water
- EPA Victoria
- Gippsland Lakes Committee
- Gippsland Water
- South Gippsland Water
- Southern Rural Water

A list of stakeholder workshops and attendees is presented in Appendix 5

6.1.1. Community Consultation

The Shire councils will undertake a community consultation exercise (public comment) as part of the adoption process.

(Note that this DWMP will be updated with the outcome of community consultation phase)

6.1.2. Implementation

Following Council approval and adoption of this DWMP, actions will be undertaken as outlined in Sections 8 and 9, assuming sufficient resources are available.

Progress made towards completion of the actions outlined in this DWMP will be reviewed on an annual basis. This will include consideration of whether tasks have been completed on time (or are on schedule) and the outcomes achieved. The action plans include an outline of monitoring indicators to assist in determining the outcomes achieved.

The annual review will be a joint undertaking between East Gippsland and Wellington Shires. It will be managed by East Gippsland Shires Environmental Health Manager and Wellington Shires Environmental Health Coordinator. The review will be undertaken in March each year and will include a review of resources required for the following year for incorporation into the coming budget.

An annual report on progress will be distributed to both internal and external stakeholders as outlined in Section 8.7 and in the action plan tables (see Table 9-4).

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7 Water quality risks posed by domestic onsite wastewater management systems

7.1. Microbial pathogens

There are around 150 known gastrointestinal pathogens that can be classified as waterborne. These pathogens may be broadly separated into viruses, becteria, protozoa (single-celled parasites) and helminths (intestinal worms).

The most virulent organisms are typically associated with human sewage and animal faeces. Ingestion of these organisms typically results in gastrointestinal illness of varying degrees depending on the type of pathogen, the numbers of pathogens consumed by the host and the health and immunity of the host. While typical symptoms of gastrointestinal infection may include nausea, vomiting and diarrhoea, for certain pathogens an unfortunately high proportion of those infected develop serious and even life threatening complications (termed sequelae) including encephalitis, meningitis and kidney failure.

Since septic effluent poses a significant biohazard its management is a critical component of good public health practice. It is important that onsite wastewater management systems are designed, installed and managed appropriately to avoid the risk of septic effluent being allowed to contaminate surface waters and groundwaters and limit their beneficial uses.

7.2. Nutrients

Septic effluent is rich in the plant nutnents nitrogen and phosphorus. Areas where there are high densities of on-site wastewater management systems, surface waters and groundwater often have elevated nutrient concentrations. Surface water impacts are typically manifested as blooms of filamentous algae or phytoplankton (single-celled algae) in rivers, streams and takes due to high phosphorous loadings. The Gippstand Lakes are a significant example of an important regional asset that has been affected by high phosphorus loads from its catchment – although onsite wastewater management systems are just one of a number of contributors.

With respect to groundwater, it is nitrogen that tends to be the nutrient parameter of most concern. Partly this is due to the retention of phosphorus in the soil and greater mobility of nitrogen in the subsurface and partly due to the capacity of groundwater to accumulate nitrogen to high concentrations. Where groundwater is used as a source of drinking water, the Australian Drinking Water Guidelines (NHMRC and NRMMC 2011) specify that the concentration of nitrate in the water must be less than 50 mg NOv/L (as nitrate) to protect bottle-fed infants under 3 months of age. High nitrate concentrations can cause infantile methaemoglobinaemia (also known as blue-baby syndrome) where the nitrate affects the function of haemoglobin in the blood limiting its ability to carry oxygen. Clusters of onsite wastewater systems in areas where potable water supplies are sourced from groundwater should be considered a risk factor for nitrate accumulation.

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7.3. Trace Organic Compounds (TOrCs)

In the context of domestic sewage, TOrCs are organic chemicals such as household herbicides and insecticides, detergents, personal care products and pharmaceuticals. In most cases, such chemicals undergo biodegradation by bacterial enzymes in the effluent holding chambers of conventional septic tanks and domestic aerated wastewater systems and further biodegradation in the soil environment of the effluent disposal field. When chlorine is added to the effluent (e.g. such as in domestic effluent of aerated onsite wastewater systems to permit surface imigation), its oxidising effect can also destroy TOrCs persisting through the earlier treatment stages.

Whilst there are literally thousands of chemicals in domestic use, the vast majority are used only in small quantities as part of routine household use and are readily degraded in the orisite wastewater treatment system. Since the principle aim of onsite wastewater management is to retain and treat effluent on site, the effects of persistent TOrCs is likely to only be a problem if effluent is permitted to move offsite. In such circumstances the health risks from microbial pathogens is expected to significantly outweigh the risks from TOrCs and thus management and monitoring for pathogens will also result in the management and control of persistent TOrCs. Until otherwise advised by the EPA, the floous of both councils will be on protecting public health from microbial pathogens through the appropriate management of onsite wastewater management systems.

7.4. Failure modes of on-site treatment systems

Although there are many variations in design, a typical onsite wastewater management system consists of an underground chamber that receives household wastewater. Solids settle to the bottom where they undergo digestion by microorganisms. A frothy soum forms at the surface and also plays a role in biological digestion of the wastewater. Microbiological respiration in this chamber rapidly consumes the available dissolved oxygen and so most of the activity is anaerobic. The semi-clarified liquid is distributed by gravity to the disposal field (also known as an absorption trench). In aerated wastewater treatment systems, an additional chamber is present which is mechanically aerated, providing a better quality of effluent that may comply with less stringent permit conditions (e.g. reduced setback distances from waterways).

7.4.1. Mechanisms of onsite system failure

Onsite wastewater management systems can have several modes of failure with the principal mode being disposal field surcharge (i.e. effluent pooling at the soil surface) due to trench clogging. Beal et al. (2005) documented the principal failure modes of domestic onsite wastewater management systems in South East Queensland. These were

- Absorption trench surcharge (59%) due to:
 - Trench length under-design
 - Broken beffles / outlet filters, inadequate destudging (causing blockage and surcharge)
- Odour (10%)

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- Risk of off-site runoff (10%)¹
- Tank disrepair (21%)
- Beal et al. cited other Australian studies from the 1990's suggesting failure rates between 50% (Mt Lofty, Adelaide Hills, 12% surcharging) and 67% (Maroochy Shire, South East Queensland)
- Deliberate pipe disconnection by occupants allowing treated effluent to flow over the ground
- Other human interference (eg. turning off AWT'S aerator).

Broken beffles/outlet filters and infrequent septic tank desludging both allow solids carryover into the trench, thereby reducing the ability of the trench to slowly "leak" effluent into the soil which is a desirable trait of properly-functioning absorption trench. If leaking is impeded the likelihood of surcharge of septic effluent to the surface increases.

⁵ It was not explicit in the paper, but this is assumed to mean direct evidence of off-site runoff. In practice, any surcharging poses a risk of off-site runoff.

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8 Onsite systems catchment water quality risk assessment

In section 5.2.3 it was recommended that monitoring compliance of onsite systems be risk-based and focus on localities that have been identified as high risk through risk mapping. The risk mapping approach developed for the DWMP is described in this section and consists of a semi-quantitative risk scoring exercise. It is appropriate for the high level identification of areas of heightened risk to surface water and groundwater quality across each Shire and can be used by the council EHO's to assist in their decision making with respect to individual sites.

8.1. Data collation, GIS analysis, hazard source identification and mapping

Spatial data for use in the risk assessment of onsite wastewater management across Wellington and East Gippsland Shires was obtained from a range of sources including the Victorian online environmental databases DataVic, Water Measurement Information System, and the Bureau of Meteorology. Additional data sources were Gippsland Water, South Gippsland Water, East Gippsland Water, and Wellington and East Gippsland Shire Councils (Table 8-1).

Table 8-1. Data sources including spatial data used in the risk assessmen

Data Source:	Oata layer	Description				
	16 to Continues	Create DEM to determine aspect, slope and water table droth.				
	Rivers .	Commence to the commence of th				
	Lakes	Calculate setback from waterways and waterbodies				
	Properties	Property vice				
	Flood tayers (3 in 100)	Used to calculate usewirle area				
etaVic Stater Measurement (WMIS) as OM	£5Y5250	Land system – contains sell risk information – MASS_MC/ (encount, WATER_LOG (sell drainage), LEACH (sH), WIND_ER (sell testure), WATER_ER (sell depth)				
DataVic	Soi EC					
	Sol NCay	Used to calculate soil testure				
	Sol pH					
	TW1 (groundwater contours)	Groundwater level used with DEM to calculate depth to water table				
	Planning Overlays	- Interior				
	Flanning Zones					
	DWSC.	Declared Water Sapply Catchments				
	LGA					
and Manager	Locality	Town locations				
Water Measurement Information System (WMIS)	Groundwater Bores	Used to calculate usestile area, setback from bores				
ABS	Town Population					
	Site yairsful data					
arias .	\$7te evaporation data	Used to calculate climate risk				
2000	Annual rainfall map	Oten to carchine crimine Lev				
	Annual pan evaporatios map					
THE	Sewered towns	Website				
	DWSC	Water Supply Catchment confirmation				
sow	Sewered towns	Website				
tow	Sewered towns	GIS Layer				
Orio Caracita	On site system locations	Excel Files with lat/long coordinates				
The state of the s	Aerial photographs					

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8.2. Risk assessment and ranking

8.2.1. Risk model development

The LCA Risk table in the Code (EPA Victoria 2013) was used as a basis for a risk assessment of properties that are permitted to have a dwelling within rural (FZ, RCZ, RAZ, RLZ) and urban (TZ, LDRZ, GR1Z, MUZ) planning zones.

Data for each of the characteristics used to assess the properties in the LCA were obtained where possible and the classifications of risk (or "level of constraint") were identified and whether they related to surface water or groundwater risk.

Although not all LCA site attributes are able to be assessed on a catchment scale, many can be used to provide a general assessment of the land capability for each property. A detailed list of potential risk factors that could be used in risk scoring is presented in Appendix 2.

In developing the risk scores for the classes: the risk factors which were considered to be representative of the highest risk were soil suitability, usable area, slope and climate. These were chosen to represent the likely risks posed by the on-site systems prior to detailed LCA site assessments if these are considered necessary by the EHO; or required due the site being within a declared water supply catchment.

Risk factors were based on a combination of the guidance given in the Victorian Land Capability Assessment Framework 2rd Edition (MAV, DEPI and EPA 2014) and the EPA LCA guidelines (EPA Victoria 2003).

The intention of the risk assessment is to prioritise areas and systems for possible follow up site inspections. A high risk score does not necessarily mean that a particular system actually poses a higher risk, rather it simply means that the Shire council EHO should evaluate the risk at the site more closely.



8.2.2. Property Risk

A number of risk factors were chosen to calculate the risk of having an onsite wastewater management system (CWMS) on each property permitted by the planning zone to have a dwelling.

The risk per property of an OWMS was categorised using the following formula:

Property Risk Score = [((soil suitability constraint + slope constraint) x ((2 x useable area constraint) + climate constraint)) / 10]

The final risk ratings were categorised and mapped in the following way:

- Very High >5.5
- High >4 to <=5.5
- Mod >=1.8 to <=4.0
- Low < 1.8

The constraints used in the risk calculations were

(1) Usable Area Constraint

The usable area for an OWMS was determined by the total lot size minus the areas of land deemed to be unusable according to the limitations listed below. Therefore, the useable area constraints were categorised as follows:

i. Compliant: ≥ 40 ha
ii. Low: 0.4 - < 40 ha
iii. Moderate: 0.2 - < 0.4 ha
iv. High: 0.1 - < 0.2 ha
v. Very High: < 0.1 ha
vi. Unusable: 0 ha

Limitations reducing the area of land on which an OWMS could be located were based on setbacks required by the Code of Practice for Onsite Wastewater Management (EPA Victoria 2013) (Table 8-2). A conservative approach was taken, using the highest setback requirements for each feature:

- a. Distance to water shorter distances means that rainfall runoff is more likely to reach the waterway and less rainfall is required to contribution to a connection between surcharged effluent at the location of an onsite system and the nearest waterway.
 - Within a DWSC, an OWMS cannot be located less than 100 m from a waterway or 300 m from a reservoir, whereas outside a DWSC, the required setback is 60 m from any waterway or waterbody;
- Depth to the water table a shallower soil depth to the saturated zone (groundwater) increases the potential of pathogen movement in to the groundwater.

The requirements for onsite systems is that the vertical depth from the base of the disposal field trench to the highest seasonal water table is 1.5 m. The trench can be up to 0.6 m deep, therefore, a watertable depth of less than 2.1 m results in that part of the property being unusable for an onsite system;

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 Distance from groundwater bore – required setback is 50 m for category 1 and 2a soils and 20 m for category 2b – 6 soils for secondary treatment (see EPA Victoria 2013, Appendix A, Table 9 for soil categories). A 50 m setback was used in the risk calculation.

Table 8-2. Setback distances for classes of onsite wastewater management system. Source: EPA Publication 891. 3 Code of Practice Onsite Wastewater Management (EPA Victoria 2013)

		ethock Distances (m)	
-	Printery Treated Titlered	Secondary Sewage and greywater attlicent	Advances secondary greywater officent
Date, like or reservoir (potable water supply)	300	150	150
Waterways (petable water supply)	100	100	50
Waterways, wettands, estuaries, ocean at high tide, dans, laves, reservoirs (stock and domestic, non-potable)	80	10	30
Groundwater Rore (rategory 1 and 24 sols)	NA:	50	20
Groundwater Bore (category 25 to 6 so/s)	20	20	20
Vertical depth from base of trench to the leghest reasonal watertable	1.5	1.5	1.5

(2) Soil Suitability Constraint

Soil suitability for an OWMS was determined from the hydraulic hazard of the soil (texture, permeability and structure), the depth to rock or other impermeable layer, and other likely limitations due to soil condition. The significance of each characteristic was weighted to account for the likely impact of each on the OWMS risk. Thus the soil suitability was categorised using the following formula:

Soil suitability = $\{(hydraulic hazard \times 3.2) + (depth hazard \times 1.2) + (limitation hazard \times 0.6)\} / 5\}$

a. Hydraulic hazard constraints

The soil characteristics used to categorise the hydraulic hazard constraints were based on soil texture, then adjusted according to likely structure and permeability for each soil texture category (Table 8-3). Therefore, the hydraulic hazard constraint was categorised using the following formula:

Hydroulic hazard constraint = [(soil texture \times 1.4) + (soil structure \times 0.8) + (permeability \times 1)]

Table 8-3. Hydraulic hazard constraints (Data sources EPA Victoria 2013; MAV, DEPI and EPA 2014)

Lovel of Constraint	Self Teathers	Soil Structure (pecfality)	permissibility fact (m/d)	Hydraude Hazard Nating
Nii priow	3. Lorms 2. Sandy lorms	Highly or moderately structured 6s, 6s, 5s, 5s, 4s, 5s	0.5 - 3.0 m/d: 3a, 8h, 2h, 4a	à Loams
Moderately low	4. Clw loams	Weakly structured	0.06 - 0.5 m/d:	2 Sandy Icoms 4 City Icoms
Moderately high	5. Light clays	2a, 3b, 4b, 5c, 6c	40, 4c, 5a, 5o	5 Light class
High	6. Heavy clays 1. Sands	Structureless, massive or hardpan 1, 20, 4c, 5c, 6c	< 0.5 m/d: Sc, 6a, 6a, 6c Or>2.0 m/d: 1, 2s	6 Heavy clays 1 Sands No soil data

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The elements of the hydraulic hazard constraint equation are further explained in the following sections.

Soil texture

Very sandy soils could allow rapid subsurface movement and subsequent discharge to nearby waterways, while dense clay soils could support perched water tables and subsequent surface surcharging in wet weather. The soil texture constraint was categorised as follows:

Low: 3. Looms, 2. Sondy Looms

ii. Moderate low: 4. Clay Loams iii. Moderate high: 5. Light Clays

iv. High: 1. Sands, 6. Heavy Clays

Victoria Clay% GIS data was used to calculate the soil texture, which was supplemented with Victorian Land Systems 1 250 000 GIS layer (LSYS250) where there was no Clay% data. Due to the nature of the data, which provided a % clay content for varying depths (to 2m), the most restrictive soil layer is the one that will likely affect soil suitability for onsite system use. Therefore, the clay content at the most restrictive depth was used to calculate the soil texture. This was generally lower in the profile as there tends to be a gradation of increasing clay content with depth. Soil categories were calculated using the Hazelton and Murphy (2007) field texture and estimated clay content interpretations as follows:

1. Sands: < 10 % clay 2: Sandy loams: 10 – 20 % clay 3: Loams: 20 – 30 % clay 4: Clay loams: 30 – 35 % clay 5: Light clays: 35 – 45 % clay 6: Heavy clays: > 45 % clay

Sail structure

Soil texture data was the only GIS data available for soil structure, therefore the soil structure constraints were based on an average of the soil structure categories for each texture type [listed in square brackets]

i. Low: 6: Heavy clays, 5: Light clays [6a,6b,5a,5b,4a,3a]

ii. Moderate Low: 3: Loams

iii. Moderate: 4: Clay loams [2a,3b,4b,5c,6c]

iv. Moderate High: 2: Sandy loams.

v. High: 1: Sands, [1, 2b, 4c, 5c, 6c]

Soil Indicative permeability

Soil permeability constraints were based on an average of the soil permeability categories for each soil texture type [listed in square brackets]

i. Law: 3; Loams [3a, 3b, 2b, 4a]

ii. Moderate Low: 4: Clay loams

III. Moderate: 2: Sandy looms [4b, 4c, 5a, 5b]

lv. Moderate High: 5: Light clays

v. High: 1: Sands, 6: Heavy Clays [5c, 6a, 6b, 6c, 1, 2a]

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b. Depth hazard

Depth hazard was identified using the LSYS250 GIS layer, which identified the depth hazard as a water erosion hazard (WATER_ER). The depth hazard constraint was categorised as follows:

- Low (WATER_ER 1 or 2): soil depth > 2 m
- ii. Moderate (WATER_ER 3): soil depth 1 2 m
- iii. High (WATER_ER 4): soil depth < 1 in (or no depth data available).

These categories are very similar to those listed in the Victorian Land Capability Assessment Framework (MAV, DEPI and EPA 2014) (Table 8-4).

Table 5-4. Victorian Land Capability Assessment Framework soil depth constraints

Level of Constraint	Soil depth to rock or inther intpermeable layer
Nil se Minor	>15m/
Moderate	1.5~1.0m
Major	< 1.0 m

c. Limitation hazard

Limitation hazards are listed in the LSYS250 GIS layer as PERF_AGG, which consists of description of limitations and penalty points used to rank land systems for inherent production potential after Rowan et al. (2000). The best land for agriculture or horticulture is allocated 10 and the score declines as limitations become more severe, with the least productive land having a score of 0. The limitation constraint was categorised as follows:

i Low 0 points ii Moderate 2 points iii. High: 4 points

The soil condition was calculated from Total limitation potential 10 – (PERF_AGG + Rainfall Score + Steepness Score + Drainage Score) Rainfall, steepness and drainage scores were determined from the Land system and vegetation codes.

The remaining limitations were soil physical condition and soil chemical condition (Table 8-5):

Table 8-5. Soil physical condition and soil chemical condition limitations.

Characteristic	Description	Policits
Soil physical condition	Hard somistence in the A horizon; or low permasbility of profile; or shallow stony learn profile (less than 0.2 in thick).	2
Soil chemical condition	Low nutrient status pure of each engiable calcium, magnesium and potassium less than 6 millisspanalents per 100 g within 1 m; or High salinity (more than 0.2% hotal soluble salts within 1 m of the sali).	2

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(3) Slope Constraint

Increasing slope promotes water shedding. The slope constraint was categorised to be consistent with the Victorian Land Capability Assessment Framework (MAV, DEPI and EPA 2014) (Table 8-6) and is as follows:

- Low lots with an average slope < 6%
- ii. Moderate Low: lots with an average slope 6 10%
- Moderate High: lots with an average slope 10 15 %.
- iv. High: lots with an average slope > 15 %

Table 8-6. Victorian Land Capability Assessment Framework slope constraints.

Lavel of Constraint	Steps gradient % (a) for absorption trenches & beet	Sispe gradient N (b) for surface irrigation	Stope gradient % (x) for subsurface integration
Ni or Minor	+6%	46%	<10%
Moderate	6:13%	6-10%	10-30%
Major	+15%	>10%	>30%

(4) Climate Constraint

The climate risk is the soil moisture surplus where rainfall is greater than evaporation, which can result in surface runoff, saturation and an increase of infitration to the groundwater. The climate constraint was categorised as follows:

- Zone 1: Rainfall exceeds evaporation < 1 month in a year
- ii. Zone 2: Rainfail exceeds evaporation 1 4 months in a year
- iii. Zone 3: Rainfall exceeds evaporation > 4 months in a year

There are seven sites with evaporation data within the two Shires (Table 8-7). Two of these had available data on the Bureau of Meteorology (BOM) website. The available broad rainfall and evaporation maps on the BOM site were used in conjunction with this data to determine that the majority of the study area was likely to be in Zone 2.

Table 8-7. Bureau of Meteorology sites with rainfall & evaporation data

Silv	Partie.	Dates	Zone
84190	Barnsdale Waterworks	1970-2016	
85672	East Sale Airport	1971-2015	2
85034	Glerimaggie Weir	1969-2016	
84121	Crosst SRWSC	1972-1993	
84030	Orbost (comparison)	1994-2011	2
\$4067	Tabborabbera (The Fines)	1974-1980	
64107	Wulgainenang (Piegalant View)	1972-1962	

Risk scores for unsewered properties in the East Gippsland and Wellington Shires are shown in Fig 8-1.

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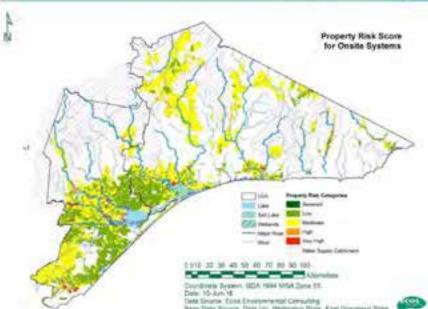


Figure 8-1. Risk scores for unsewered properties in the East Gippsland and Wellington Shires.

8.2.2.1. Unsewered dwellings less than 1km upstream of a drinking water supply reservoir

Southern Rural Water have also requested that unsewered dwellings less than 1km upstream of a drinking water supply reservoir should always be classed as high risk properties. This is to be regardless of any other elements of the risk classification described above. This is to ensure consistency with the water corporations risk management practices and recognises the risk posed by properties that lie close to the reservoirs.

Properties with a Low or Medium risk classification in this area were reclassified to High. Properties with a High or Very High risk classification remained as classified.

8.2.2.2. Mapping and data availability for East Gippsland and Wellington Shires

The risk maps displayed in the following sections are presented at the regional scale to provide an overview of risk for this report. However, each map is produced from a GIS database that allows the user to zoom in for more detailed analysis. These databases, developed for the DWMP, have been supplied to the councils to assist them in assessing the risks associated with new planning permit applications and existing unsewered dwellings:

8.2.3. Risks from future development - housing density

8.2.3.1. Planning zones

Acceptable housing densities vary with the planning zone and whether or not the area is within a Declared Water Supply Catchment. The data on planning zones and housing

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density limits was obtained from the Planning Schemes Online website (DELWP 2015) (Table 8-8, Table 8-9, Figure 8-2). The housing density for each planning zone was calculated separately.

Areas in the Farming Zone (FZ) and in Rural Conservation Zones 1 and 2 (RCZ1 and RCZ2) are the main sources of non-compliance with the maximum permitted housing densities across both Shires.

Table 8-8. Acceptable housing densities for the various planning zones within the Wellington Shire (see Appendix 3 for list of all zones). Note: in a Declared Water Supply Catchment a planning permit application may require referral to a Water Corporation.

Zone	Minimum Substitution stea (let size when planning permit for substitution)	Minimum arms (lot use) for which me phanning parent to required to use land for a steelling	Charters of houses exceeding required limit of planning spre
amning Zone (FZ)	40 Hectares, unless in MID then 25 Hectares	40 Hectares, unless in MID then 25 Hectares	992 houses, mostly hear towns
tural Living Zone 1 (RLZ1)	0.8 Hectaries	0.4 Hectares	
Eural Living Zone 2 + 9 (RLZZ, RLZ3)	2 Hectares	0.4 Hectares	
Rural Living Zone 4 (RtZ4)	4 Hectares	0.4 Hectares	
tural Living Zone 5 (RIZS)	0.6 Hectares	0.4 Hectares	
ow Density Residential Zone (RDLZ)	0.4 Hectares	Not determined	
Township Zone (TZ)	Not determined	300 square metres	
Seneral Residential Zone (GRZ)	Not determined	500 square metres	
Mixed Use Zone (MUZ)	Not determined	300 square metres	
Aural Conservation Zone (RCZ)	40 Hoctares, unless in CSO1 then 100 Hoctares	Dwelling requires a planning permit	156 houses (40 ha minimum) Golden Beach, Flamingo Beach, Glomar Beach, south of Glomar Beach, near Laise Glommaggie 27 houses (100 ha minimum) Flamingo Beach, Glomar Beach
Rural Activity Zone (RAZ)	40 Hectares	Dwelling requires a planning permit	

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Table 8-9 Acceptable housing densities for the various planning zones within the East Gippsland Shire (see Appendix 3 for list of all zones). Note: in a Declared Water Supply Catchment a planning permit application may require referral to a Water Corporation.

žinos.	Minimum Subdivision area (for size when planning permit for subdivision)	Minimum area (Int size) for which no planning permit is required to use land, for a specifing	Charlers of houses exceeding required limit of planning runs
Farming Zone 1 (FZ1)	40 Hectares	40 Hectares	201 houses, mostly near towns
Farming Zone 2 (FZZ)	\$0 Hectares	30 Hectares	59 houses, FZ2 is near Bairmidale
Farming Zone 3 (FZS)	15 Hectares	15 Hectires	200700000000000000000000000000000000000
Farming Zone 4 (FZ4)	1 Hectare	10 Hectures	
Rural tiving Zone 1 (RLZ1)	2 Hectares	1 Hectare	
Rural Living Zone 2 (RLZ2)	4 Hectares	1 Hectare	
Rural Living Zone 3 (RLZS)	8 Hectares	E Hectares	
Rural Living Zone 5 (RLZ4)	15 Hectores	15 Hectares	
Low Density Residential Zone (LDRZ)	0.4 Hectares	Not determined	
Tewnship Zone (TZ)	Not determined	300 square metres	
General Residential Zone (GRZ)	Not determined	300 square motres.	
Mixed Use Zone (MUZ)	Not determined	300 square metres	
Nural Conservation Zone 1 (RCZ1)	10 Hectares	Dwelling requires a planning permit	
Rural Conservation Zone 2 (NCZ2)	50 Hectares	Dwelling requires a planning permit	
Rural Conservation Zone 3 (RCZI)	100 Hostarin	Dwelling requires a planning permit	S8 houses Nyerireilang, Ocean Grange, Eagle Point, Boole Poole Persinsul

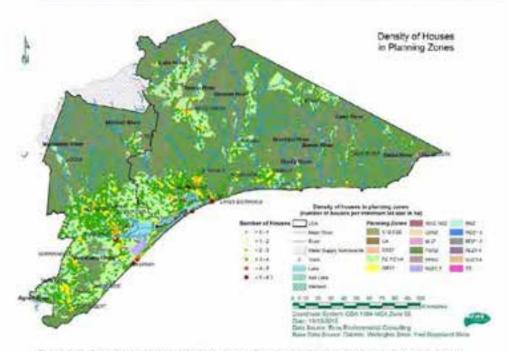


Figure 8-2. Density of houses in planning zones. Dwelling locations are colour coded according to level of compliance with the planning zone requirements. For example, where there is one house or less in the minimum acceptable area given the planning zone, the house is coloured with a green dot.

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The map of housing density compliance with planning zone requirements shows clusters of houses around the major towns that exceed the target planning limits. The housing density calculations were carried out by determining the number of houses in a 1 km radius around each house (including the house) and then dividing by the acceptable number in the same area given the planning zone. This is the method recommended for housing density calculations in the Victorian Water Industry Guidance Note for Determining Dwelling Density when Assessing Planning Permit Applications (VictWater 2012). Note, however, that this is not how the minimum lot size in the planning scheme is determined. If the lot is too small, then the house is not an "as of right" and a planning permit is needed (depending on the zone). If lots comply with the minimum subdivision size target, planning limits are not exceeded. However, the map provides an effective overview of where higher densities are found and allowed under the planning scheme without the need for a planning permit and where "problem" areas may occur.

Note also that although Figure 8-2 is presented at the regional scale, the related GIS layers have been provided to the Shires and allow for finer scale close ups as required.

8.3. Township assessments

For each town in each Shire, the individual risk scores for each property with an onsite wastewater management system were summed to give a risk score for each town (Table 8-10, Table 8-11). The town boundaries for assessment were based on the residential (GRZ1), lownship (TZ), low density residential (LDRZ) and rural living (RLZ) planning zones.

8.3.1. Priority townships/locations

8.3.1.1. Wellington Shire

The results of the township assessments showed that Golden Beach, The Honeysuckles, Briagolong, Paradise Beach and McLoughlins Beach accounted for approximately 50% of the total risk from on-site systems within the Wellington Shire (Table 8-10, Figure 8-3, Figure 8-4). Other significant contributions to the total risk were Longford, Glenmaggie, Wurnuk and Stratford.

Briagolong (north of Stratford), Stratford and Wurruk (east of Sale) are located on floodplain soils while all the other townships are located on or adjacent to the 90 Mile Beach where sandy soils prevail. These areas are a priority for compliance assessments. Glenmaggie is situated within 1km upstream of Lake Glenmaggie, and so all unsewered properties here have been classified as high risk.

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Table 8-10. Wellington Shire townships sorted by sum of groundwater and surface water risk. Towns located in declared water supply catchments are listed. Township risk = number of dwellings in each risk category multiplied by its property risk rating in GRZ1, MUZ, TZ, LDRZ and RLZ. Dwellings with onsite systems in sewered areas were categorised according to their risk rating for Current Score, and assumed to have a risk of 0 for the Sewer Infilled Score. Township risk was ranked was according to the sewer infilled score.

Non rank within Shire					P None	Number of properties with OWMS in wach risk sategory					7	
	Townskip	DWSC	# OWNE.	Current Risk Sco	Sever idliked to	Sewered Area	The same	Moderale	1	VeryHigh	Propertion of To	Barring Solal
1 1	Golden Breich		433	2276	2276.			160	200	133	15%	.15
2	The Honeyouckles		268	1495	1495			1	- 4	263	10%	247
3	Briagniong		414	1368	1368			387	25	4	9%	35
4	Paradise Beach		286	1281	1281			96	173	17	5%	44
3	Mcloughlins Beach		172	963	963					172	7%	501
8	Longford		795	E49	849			299	26	10	6%	561
7	Gennaggie	Macalistei	.96	437	553	1		. 7	61	27	404	60
1	Wurruk		181	494	488	- 1		374	- 3	1	1%	63
9	Stratford		183	470	463	2		176	-4	. 1	374	66
10	Manin Beach		29	442	442					79	3%	69
1.1	Woodside Beaut		109	441	441			.55	.56	18	3%	72
12	Cowman		81	397	397			.30	- 31	20	3%	73
33	Robertsons Brack		65	364	364					65	2%	77
34	Dargo	Mitchell	45	288	265			12		30	2%	79
15	Roseday		75	267	267		. 1	46	- 2	24	2%	81
26	Heyfield		90	225	231			85	- 4	1	2%	83
17	Langsberough		41	230	230					41	2%	84
38	Newry		47	221	221			2	36	. 9	1%	86
19	Maffra		88	219	219			- 88			1%	87
20	Coongula	Macatister	34	364	196	-1			24	. 3	1%	100
21	Woodsde		6.9	382	182			65	-4		1%	90
22	Beisdate		28	157	157					28	1%	91
23	Tinamba		26	139	139			- 2		24	1%	92
24	Sale		39	129	128			34	2	3	1%	.93
25	Devon North		47	122	122			47			1%	93
26	Carrajung		28	113	113			29	- 6	- 3	1%	94
27	Seaton		29	108	106			37		2	1%	95
28	Gormandale	Menimans.	39	101	101		2	36	-1	177.01	. 1%	96
29	Tarray/fer		17	.95	.95					17	1%	56
30	Marro		28	88	38			24	_1	1	1%	.97
11	Yarram		26	80	77	- 1		25	-1	1.	1%	97
32	Won Wron	awar paymen	25	75	75			22	- 3		1%	.98
33	Loria	Macainter	16	74	74			-10	- 1	. 1	1%	96
34	Hollands Landing		16	70	70			Olygon Pr	14	- 2	0%	. 99
35	Seusorey		22	54	54			22			0%	99
36	Kimany		1.2	35	25			12		Luys	0%	99
17	Gengarry		10	28	28			. 9		- 1	0%	100
38	Mystetuni		31	28	28			. 11			0%	100
39	Pearsondale		7	18	18			7 2		-	0%	100
40	Alberton Fort Albert		4	36 5.6	16	1		2		- 2	0%	100

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Figure 8-3: Property risk for unsewered properties in Golden Beach, and The Honeysuckles.

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Figure 8-4. Property risk for unsewered properties in Briagalong and Paradise Beach

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8.3.1.2. East Gippsland Shire

The distribution of onsite system risk was more evenly distributed amongst East. Gippsland Shire townships compared to Wellington Shire (Table 8-11). Here approximately 50% of the total risk was accounted for by 9 towns: Nicholson, Metung, Buchan, Sarsfield, Nungumer, Wy Yung, Bruthen, Lucknow and Swan Reach.

These towns are all located in the catchments of the Gippsland Lakes or Lake Tyers and most lie lower down in the catchment close to the lakes where soils tend to be sandy and the water table is relatively close to the surface.

Table 8-11. East Gippsland Shire townships sorted by sum of groundwater and surface water risk. Towns located in declared water supply catchments are listed. Township risk = number of dwellings in each risk category multiplied by its property risk rating in GRZ1, MUZ, TZ, LDRZ and RLZ. Dwellings with onsite systems in sewered areas were categorised according to their risk rating for Current Score, and assumed to have a risk of 0 for the Sewer Infilled Score. Township risk was ranked was according to the sewer infilled score.

					10	Number of properties with OWMS in such risk category						
runk runk within Shire	Township	DWSC	# CONNES	Current Risk Score	Sever Hilled 1985	Second Ass.	The same	Windowska	P	Name of Street	Propertion of Tasa	Numbering Testals
1	'Nicholson		290	678	67A		42	244	4		8%	. 4
2	Metang		1.86	542	542		1	83	301	24	6%	1.4
	Backgro		.99	515	515		.11	36	18	54	676	19
4	Sarsfield		169	485	465		2	154	10	3	5%	23
3	Nangarier		101	474	474		4	41.	23	-33	5%	34
6	WyYang		156	467	467			140	10	- 6	5%	81
7	Bridten		124	414	414		3	99	.11	11	5%	40
00	Lacenow		149	404	404			142	7		4%	4
	Swart Reach		128	401	401			99	27	2	4%	45
30	Toories Arm		124	360	360		2	114		. 8	4%	55
11	Nows Nows		25	.143	943		2	43	30	31	4%	51
12	Lakes Entrance		121	349	301	19		93	30	1	3%	-60
13	Swifts Creek		76	236	258		13	45	11	7	3%	63
14	Lindenow South		75	246	246			69	- 6		210	64
35	Newlands Arm		.75	238	230			65	4	8	216	-60
16	Newmerella		72	229	229			63	10	1.	3%	71
17	Wiselegh		66	229	229		1	90	11	4	3%	71
18	Eagle Point		84	230	224	. 1	9	64	.7	.2	2%	71
19	Benamina	LHume	49	189	189		7	16	22	4	2%	71
20	Raymond Island		66	221	174	13		41	2	10	2%	80
21	Grante Rock		55	1.17	1.57			55		1100	2%	-83
22	Elatwood		.58	135	135		- 8	49	1		1%	8
23	Mourk Taylor		42	123	123			36	.3	- 1	1%	84
24	Bendoc		35	120	120			21	12		2%	- 50
25	Lung		22	111	333		1.	5	- 5	-11	1%	- 87
26	Grasy Point.		34	110	510		5	25	2	2	1%	81
27	Tamba Upper		48	100	109		15	32	1		1%	40
28	Walpa		- 26	96	96		3	14	9		1%	90
29	Love Tyers Beach		39	100	95	. 2		36	1		1%	91
30	Lindersow		31	87	67			30	- 1		1%	:02
31	Cobungra		22	79	79		1	15	2	4	1%	93
32	Bumberrah		28	76	76			26	2		1%	94
11	East Rarredale		3.5	65	65			. 8	2	- 5	1%	- 91
34	Lake Bungs		12	91	65	. 8		24			1%	93
.85	Club Terrace	Bornin R	13	62	6.2		1	10	- 2	1	1%	94
-36	Kalimos		39	124	54	27		6.	- 2	4	1%	:97

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				-	Scott .	Aumiter of properties with OWMS in each risk category						
Risk rank within Shine	Township	DWSC	# OWNE	Contest Risk Score	Somer tellibet his	Sewared June	ř	Namente	1	Very High	Properties of Tax	Surving Tates
17	Boole Poole		3.5	44	44		25	- 1			.0%	97%
18	Catringe Two Creek		9	41	-41			- 1	- 5	- 1	-0%	98%
39	Fernbank		13	46	40			33	2		0%	981
40	Genou		6	35	35			- 1		- 5	0%	987
41	Marie		13	12	3.2			1.8			0%	599
40 41 43 43	Orbest		8	28	28			- 6		1	0%	99%
43	Ballament		7	26	28		1	- 3		3	.0%	999
	Bairmdale		11	29	22	- 2		3			0%	1009
44 45 47 48	Dreeo	LHume	- 3	14	14			- 1	1	1	0%	1009
46	Histor		- 5	12	1.2			- 5			8%	3,000
47	Kalimna West		2	- 6	6			2			0%	3009
46	Johnson/ile		1	2	2			1			DN:	1000

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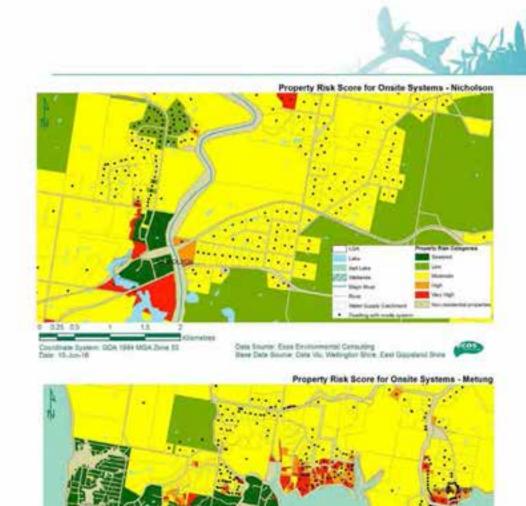


Figure 8-5. Property risk for unsewered properties in Nicholson and Metung

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Figure 8-5. Property risk for unsewered properties in Buchan and Sarsfield

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8.3.1.3. Declared water supply catchments

The acceptable housing density within a Declared Water Supply Catchment (DWSC) is 1:40 ha except for planning zones where a permit is not required to erect a dwelling. The main clusters of houses exceeding the density limit of 1:40 ha within the relevant planning zones are located at Gormandale and Glenmaggie/Coongulta (Table 8-12, Figure 8-7) while smaller clusters occur at Dargo and Benambra (Figure 8-8 to Figure 8-15). These areas are a priority for compliance assessments.

Table 8-12. Water supply catchments (WSC) within each Shire. With the exception of Maffra and Heyfield, all the catchments are Declared Water Supply Catchments (DWSC).

Dentity Distance Water Supply Carabosents		Manther of unawanted housest not complying with maximum allowed density (1 house in 40 ha)	Pleasure James respecting the DWSC consider Denter Systems of him moderates and true mines in any ing assert were not included in this assessment					
ait Gippstand	Berrin River	0 (of 20)						
DWSCI	Brodriph River	0 (of 16)						
1:40 ha	Buchen River	10 (of 4)						
	Caren River	2 (of #5)	FZ1 mor Cann River					
	Lake Hurte	40 (of 100)	18 in FZI near Omeo and Glen Valley, 23 in RLZ3 in Cobangra					
	Mitchell River	0 (of 3)	1+					
	Tantho River	10 (of 35)	FZ1 near Swifts Creek					
Wellington DWSCs L/40-ha	Agnes River	D 40F 5R	-					
	Macalister River	136 (of 169)	11 in FZ, 12 in RCZ1 and 113 in RLZ2, mainly in Glenmaggle and Coorgula					
	Merrimans Creek	97 (of 191)	15 in RLZ2 at Gormandae*, 82 in FZ near Stredlander, Williams Williams South, Gormandale and Calignee North					
	Mitchell River	22 (of 71)	19 in FZ, 3 in RLZZ, all in and around Dargo					
	Tocra River	0 (of 11)						

At the time of an iting, 12 tots on north Calladale Court that were incorrectly cored RIZ2 are under review and expected to be changed to TZ.

The data in Table 8-12 for each DWSC is for the entire catchment. To further prioritise onsite systems for compliance assessment, the township areas in each DWSC were selected from the risk assessment using GIS query tools (Table 8-13). Onsite systems in these towns can be considered to have the highest priority for compliance assessment.



Table 5-13. Towns in declared water supply catchments sorted by onsite system risk.

No					d Sout		200	apertie h visik si			7
rank within Shire	Sounding.	DWSC	s owns	Compare Rick San	Sever billed to	Sewered Aver-		Materiale	4	Very Sign.	Propertion of To
Wellington 5	hire										
7	Germaggie	Macaister #	96	437	553	1.		7	61	27	49
1.4	Durgo	Mitchel II	45	283	283			12	3	30	25
14	Coongula	Magdister R	34	164	196	- 1			24	.0	19
28	Gormandale	Merrimans Ck	39	101	101		2	36	1		-19
33	Licola	Macalister R	16	74	74			36 10	3	- 3	19
aut Gippula	nd Shire										
19	Benantica	LHume	49	189	189		.7	16	22	- 4	- 21
85	Club Terrace	Beren K	15	62	62		1	10	2	2	19
45	Omeo	LHame	3	14	14			1	1	1	01

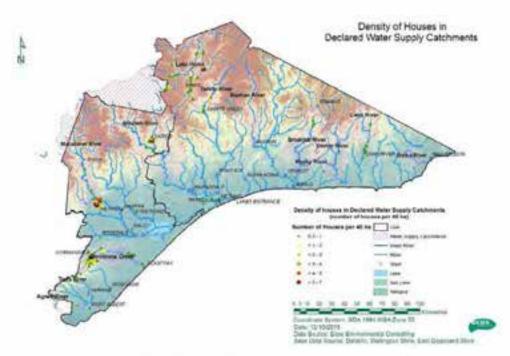


Figure 8-7. Density of houses in water supply catchments.

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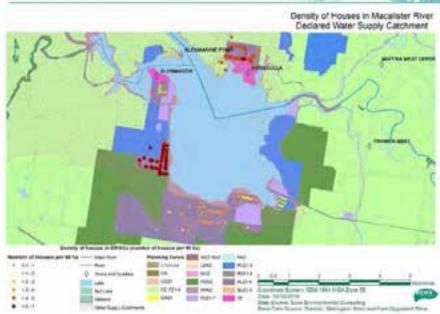


Figure 8-8. Density of unsewered houses (excluding TZ) in the Macalister River Declared Water Supply Catchment around Lake Gienmaggie.

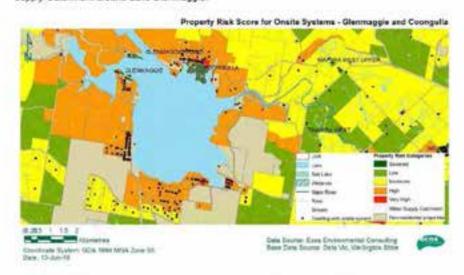


Figure 8-9. Risk for unsewered properties in the Macalister River Declared Water Supply Catchment around Lake Glenmaggie.

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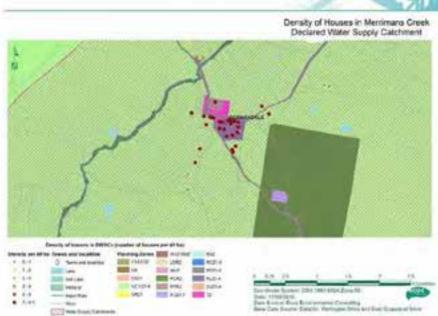


Figure 8-10. Density of unsewered houses (excluding TZ) in the Merrimans Creek Declared Water Supply Catchment at Gormandale.



Figure 8-11: Risk for unsewered properties in the Merrimans Creek Declared Water Supply Catchment at Gormandale.

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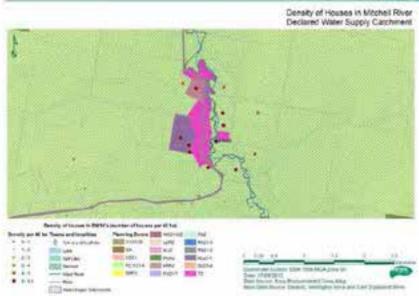


Figure 8-12. Density of unsewered houses (excluding TZ) in the Mitchell River Declared Water Supply Catchment at Dargo.



Figure 8-13. Risk for unsewered properties in the Mitchell River Declared Water Supply Catchment at Dargo.

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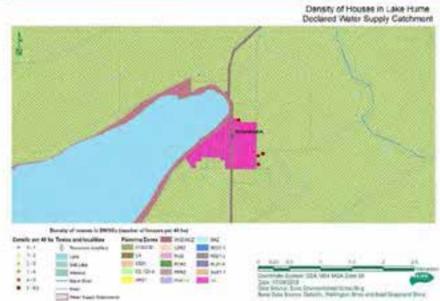


Figure 8-14. Density of unsewered houses (excluding TZ) in the Lake Hume Declared Water Supply Calchment at Benambra.



Figure 8-15. Risk for unsewered properties in the Lake Hume Declared Water Supply Catchment at Benambra.

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8.4. Summary - high, medium and low priority areas

The risk mapping exercise described in the previous sections can be used to set broad priorities for the protection of catchment water quality including declared water supply catchments. The Ministerial Guidelines were designed to assist in the protection of open, potable water supply catchment areas and set out the requirements for DWMPs. Thus high risk houses in the declared water supply catchments should be rated as having the highest priority for compliance monitoring and require the highest degree of oversight. High risk houses outside of the declared water supply catchments should be rated a medium priority along with medium risk houses inside the water supply catchments. All other properties can be considered low priority unless site specific matters not addressed in the risk assessments dictate that they should be treated as a higher priority.

Table 8-14. Priorities for compliance monitoring

Printity for compliance monitoring	Description
Hom	Figh risk houses in the declared water supply satchments Figureties into than Tion apstream Form a drinking water supply reservoir.
Modium	High riss houses subside of declared water supply catchrosents Medium risk houses inside of declared water supply catchroents
Line	 All other properties (unless site specific matters not addressed in the lisk assessments distant that they should be treated as a higher priority)

8.5. Wellington Shire Growth Areas

8.5.1. Longford

Longford is highly valued by its community for the rural residential lifestyle it offers, within close proximity to the services and facilities of Sale. The settlement has been identified in the Sale Wurnuk and Longford Structure Plan (Wellington Shire Council 2010) as its main growth area for rural lifestyle living. Sale Common, part of the Gippsland Lakes Ramsar listed wetlands, is located directly north of Longford. The Longford Development Plan (Wellington Shire Council 2015) sets out the framework for approximately 500 to 700 rural living lots with an average lot size of 8,000 m² (Table 8-15).

The Development Plan was adopted by Council in 2015. Prior to development further detailed background work will be required to be completed on the 11 precincts described in the plan.

Longford has two areas where intensification of residential densities might be optional subject to the appropriate sewerage provisions. The first area is the golf course; 300 lots can be developed on this site subject to appropriate sewerage. The town core, roughly between the Longford Hall and the Primary School has also been identified as having the potential for a more intensified residential use subject to reticulated sewerage provisions over the longer term.

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8.5.1.1. Estimating increase in risk from future development

The current average risk per dwelling, calculated using the OWMS risk scores, was used to estimate the likely risk per future dwelling (Table 8-15). With increased density if rezoning occurs, the total risk for the town will greatly increase due to the extra dwellings. The predicted future total risk in the absence of reticulated sewerage or other risk management measures is 1,689 which would place it ahead of Golden Beach within Wellington Shire in terms of onsite wastewater system risk.

Note that although the flow distance to the nearest waterway is a key risk factor, it does not take into account the fact that the nearby wetland, Sale Common, is a high conservation value wetland of international significance (listed under the International Ramsar Convention). This fact should also be considered when planning for future wastewater management at Longford.

Table 8-15. Estimated future development for Longford and associated risk estimates if unserviered.

Itine	Current number of properties with analte systems per risk sategory	Current number of properties that could patentially have an make system per risk category	Proposed Redevelopment Change	Current Alak	Userly Rick -12 occasion to RUZS, 12 consessed	CSZ1 sewared
72	Mod - 25 High - 24 Very High - 8	Mod - 2 High - 4 Very High - 1	Sewer and approdute GR32	Current town risk		Usely town risk if all proposed development
cost		0	Saw Golf Course Plan is for 300 sewered dwellings	= 849 (TZ+CD1Z+R:Z1)	Likely town risk if FZ is recoved to	occurs and TZ is sewered within CDZ1 = 1,898 If half of RLZ also sewered
MLES	Mod - 234 High - 2 Very High - 1	Mod - 33 High - 2 Very High - 4		Current town risk = 1,068 jabone plus FZ area marked for	RLZS and TZ remains unsewered + 2,182	in addition to TZ and CD12 = 1800
FZ in ereal marked for reasoning to RLZS	sed for Mod-R1 Mod 15 RLZS ring for High-1 Mod 15 prop	Rezone FZ to RLZS, taking property count to approx. 600	recoving to RLES)		If all of RLZ also sowered in addition to TZ and CD1Z + 0	

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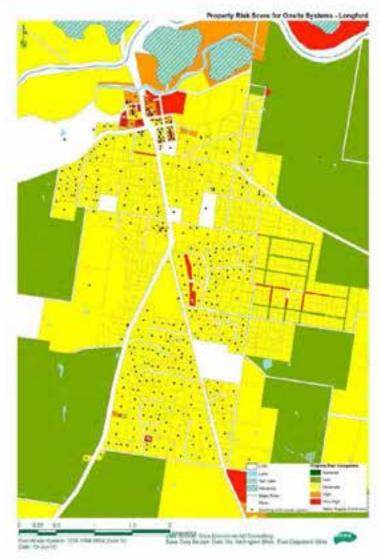


Figure 8-16. Property risks for unsewered properties in Longford, assuming FZ rezoned to RL25 and TZ not sewered. Dots show approximate locations of currently unsewered divellings.

8.5.2. The Rural Living Areas

Weltington Shire has 58 areas with a Rural Living Zone applied. Within the 58 areas there are 1780 parcels. The Rural Living Zones have minimum subdivisions sizes identified ranging from 0.6 Ha to 4 Ha. The minimum lot size for a house to be built on a lot is 0.4 Ha.

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Most Rural Living Zone areas are in close proximity of a township. Significant rural lifestyle areas can be found in Longford, Briagolong, Stratford, Maffra, Rosedale and north of Heyfield (including Seaton and around Lake Glenmaggie).

Not all Rural Living areas are fully developed. Of those, land within Rosedale and Heyfield has recently been rezoned for rural living purposes in response to anticipated pressure for growth.

8.5.3. Coastal towns

All coastal settlements in the Wellington Shire are subject to a Settlement Boundary Plan, which is reflected in the local policy within the Planning Scheme and the zones applied. Outside the settlement boundary development is restricted due to the vulnerability of the coastal area and environmental constraints. The township's main function is for tourism and to provide for holiday houses. There will be limited growth in these settlements - all within the existing town boundaries (although in Golden Beach around 50% of the blocks are vacant).

8.5.4. Growth area risk assessment

Based on the approach used for Longford in Section 8.5.1.1, the risk assessment scores were estimated for potential future dwellings for all Wellington Shire unsewered localities. The change in total risk was then calculated and is presented for each township in Table 8-16, and displayed graphically for the 25 top ranked townships (ranked by amount of change in risk) in Figure 8-17.

For Wellington Shire the growth in future onsite wastewater risk is dominated by Golden Beach and followed by Longford due to the reasons described in Section 8.5.1. The figure was constructed assuming full development consistent with existing growth plans. Under this scenario, Longford accounts for around 11% of the future risk growth for the Shire.

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Table 8-16. Estimated change in risk from onsite wastewater management systems due to potential future development for Wellington Shire townships. Towns show in grey font are sewered to various degrees. OWMS = Onsite Wastewater Management Systems

Township	Current fish	intil risk	Potential Nuk **	Current it OWMS	Patiential # OWMS	Potential new II OWMS -	Total Nisk Charge
Albertur (orminal)	18	16	482	4	100	96	466
Bondare	157	157	168	. 26	30	2	- 11
Bringolong	1368	1368	1498	414	459	45	130
Carraling	113	113	124	28	31	3	11
Exemption converses:	164	196	259	34	42	. 8	84
Cowware	397	397	437	81	92	- 11	40
Dargo	283	283	376	45	61	16	90
Devon North	122	122	135	47	52	5	13
Glengary	28	28	34	10	11	1	
dismograph (several)	437	553	695	96	117	21	147
Gor mandate	101	101	101	39	39	1.50	
happetletel (accoming)	225	231	462	90	168	78	231
Horands Landing	70	70	120	16	28	12	50
Kirmany	35	35	40	12	14	2	- 7
Lamphornigh	230	230	249	41	45	4	11
Liona	74	74	74	16	16	0	
park harriverson	- 17		- 14	10	10		- /3
* Longford (no development)	849	549	1003	295	341	46	15
* Longford (including area of FZ to be	1068	1068	1693	377	979	602	82
recovery in proposed development) with recovery F2 > RL25	1000	- Food	1003	311	ara	002	
Majths (sinewest)	219	219	271	88	107	19	- 50
Manns Beach	442	442	450	79	81	2	
Michaelman Beach	963	963	1002	172	179	7	3
Moornapa			. 5		2	2	
Marrie	88	88	90	28	29	- 1	
Myrtistania	28	28	33	11	12	1	
Newry	221	221	229	47	49	2	
Ninety Mile Beach: Golden Beach *	2276	2276	4359	493	931	436	208
Ninety Mile Beach: Paradise Beach.*	1281	1281	1963	286	429	143	68.
Kinety Afrie Beach: The Honeysuckies	1495	1495	1551	266	278	10	- 5
Perantendale	18	18	18	7	7	0.12	
Paint Athers (seventies)	6	. 0	0	1	- 1		
Robertsons Beach	364	364	370	65	66	- 1	
Reservice (sewerce)	267	267	322	75	87	12	- 6
Sold (conserved)	128	126	106	39	48	9	3
Sexpetia (In-worne))	54	54	88	22	33	11	3
Seaton	108	108	224	39	80	41	11
hirupfacti (interestal)	470	463	529	183	210	27	- 0
Tarracia	95	95	101	17	18	1	
Tinumba	139	139	162	26	30	4	2
Won Wron	75	75	82	25	27	2	
Woodsde	182	182	100	69	76	7	- 1
Woodside Brach	441	441	463	109	114	5	- 2
When it he had been the	494	458	600	181	215	34	113
Faculty (Albert of Co.	80	77	84	28	31	3	111

^{*} Longford has been listed here twice - once without proposed redevelopment and one with full redevelopment (Longford

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Redevelopment).

* For Golden Beach and Paradise Beach, in some cases a dwelling can be built on I lot, in other cases; 4 lots should be in the same ownership before land can be developed (WSC Kinety Mile Plan 2015). Therefore, the vacant lots have been calculated on the assumption that an average of half could have a new OWMS.

[&]quot;The number of potential new OWMS has assumed that none are installed where the land has been identified as being within is sewered area



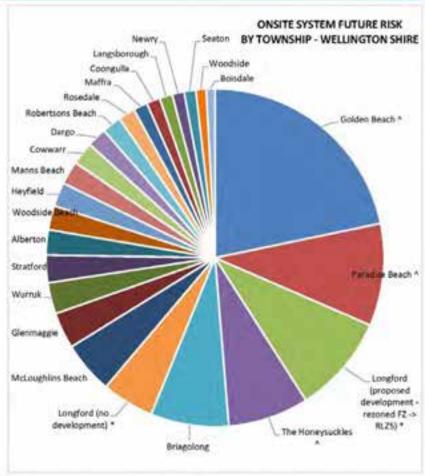


Figure 8-17. Potential future risk from onsite wastewater management system development by township – Weilington Shire. The top 25 localities are shown. *Longford is shown in the graph twice, once for if no development occurs and once for full proposed development. * Towns on the Ninety Mile Beach.

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8.6. East Gippsland Shire Growth Areas

Using the method described in sections 8.5.1.1 and 8.5.4, a growth area risk assessment was conducted for East Gippsland Shire. The calculated change in total risk is presented for each township in Table 8-17, and displayed graphically for the 25 top ranked townships (ranked by amount of change in risk) in Figure 8-18.

The data in Table 8-17 was constructed assuming:

- · that GRZ is sewered;
- that TZ where no onsite wastewater management systems locations were provided are also sewered, and
- that all LDRZ and RLZ are unsewered, with the exception of the LDRZ to the west of Metung which is known to be sewered.

For East Gippsland Shire the growth in future onsite wastewater risk is to the north of Bairnsdale at Wy Yung, with a spread of similar risk across a number of towns (Figure 8-18)

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Table 8-17. Estimated change in risk from onsite wastewater management systems due to potential future development for East Gippsland Shire townships. Towns shown in grey font are sewered to various degrees. OWMS = Onsite Wastewater Management Systems.

	Corner	See Sec.	Proproise	Coment #	Personnal	Potential	Total Kish
Township	Rick	Mak	Rick "	OWMS	# DWMS	# OWNST	Change
Boirnadole Areo	THE PERSON NAMED IN	7990.0	THE SECTION AND ADDRESS OF THE PERSON ADDRESS OF THE PERSON AND ADDRESS OF THE PERSON ADDRESS	100012	1	- V	Action (L)
Samulah (merent)	29	22	902	- 11	238	227	99
Louis discrepantal (newstern)	65	- 65	111	15	34	19	4
Diswood	135	135	185	53	70	17	9
Granite Rock	137	137	162	33	65	10	2
Lischster (strengest)	404	404	567	149	209	60	36
Mount Taylor	123	121	129	42	64	22	5
By hep (steerall	467	467	1106	116	354	198	63
Other East Gippsland towns		-	1,000	110	374	100	- 23
Buran River preemed	.0	0	430	0	102	102	43
Benambra	189	189	410	40	104	55	22
Bendoc	120	120	186	- 13	52	19	- 6
Socie Pocie	44	44	38	.33	46	B	1
English (process)	414	414	764	124	209	85	15
Buchan	315	515	661	39	133	M	14
Bulumwaa	28	28	94	7	22	15	- 6
Bumberraly	76	76	95	28	34	6	
Cabbage Tree Creek	41	41	33	- 5	11	2	
Cattinge Free Creek	- 0	0	12	0	4	- 4	
Club Terrace	62	62	263	- 15	52	37	26
Cobungra	79	79	111	22	32	10	- 5
Day'r faitt (sherred)	230	224	462	84	176	92	25
Loury	111	111	141	22	30	32	-
Fernbank	40	40	76	13	24	11	
Genga	35	85	54	6	10	4	
Gipny Point	110	110	134	84	41	7	
Hillaide	12	12	24	5	10	5	1
	2	1	72	1	20	19	7
foliational (removal)	124	54	80	89	47	8	1
Kolema (apricent)		- 6					- 1
Kalimna West	- 6		- 6	2	2		
mir Boye (severent	93	65	69	12	.33	- 1	
Later Types Beach (revered)		96	106	. 39	43	- 4	- 1
Cultur Entrance (invented)	.149	301	450	121	176	55	. 14
Lindeniae (Sewerrel)	.87	87	119	.81	43	12	3
Lindenow South	246	246	350	75	109	34	- 10
Attornional Engineers	- 0	0	417	0	141	141	41
Afterly Democratif	32	11	314	13	128	115	21
Metang (granner)	542	542	1401	136	862	226	85
Newtonin (int present)	230	230	368	75	318	43	- 11
Newmerelia	229	229	276	72	88	16	
Nichalian (invented)	678	678	770	290	334	34	
Norma Norma	343	343	500	.56	127	41	. 15
Nangarner	474	474	399	101	132	31	12
Ocea beneral;	14	14	225	1	64	61	21
Other Streenvel	26	28	188		59	51	- 16
Pasticiotte General II	.0	0	527	0	77	27	- 53
Buyercold littled bulwarrow	221	174	253	- 66	96	10	
Sarsfield	485	485	635	169	220	51	.14
Server Research (Severant)	401	401	1329	128	343	215	- 90
Swifts Creek	258	258	288	76	85		3
Tambo Upper	109	109	126	46	56		1
Toorloo Arm	360	360	510	124	178	54	13
Wa/pa	96	96	118	26	33	7	- 2
Wiseleign	229	229	273	66	900	14	4

[&]quot;The number of potential new CWMS has been determined assuming that none are installed where the land has been identified as within a sewered area.

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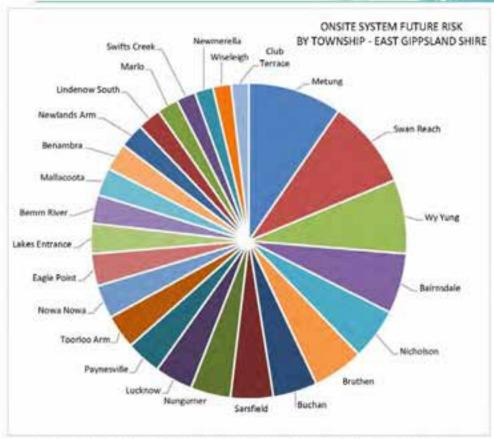


Figure 6-18. Potential future risk from onsite wastewater management system development by township – East Gippsland Shire. The top 25 localities are shown.

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8.7. Reporting and periodic review

Key requirements of this DWMP are listed in the Ministerial Guidelines (see also Appendix 1). The Ministerial Guidelines specify that onsite wastewater treatment systems be effectively monitored for their condition and management and that the results of monitoring be provided to stakeholders as agreed by the relevant stakeholders. Stakeholders for this DWMP are listed in Section 6.

It is a recommendation of this DWMP that an annual report be sent to stakeholders describing:

- the results of onsite wastewater management system compliance monitoring.
- enforcement action where non-compliance is identified, and
- annual meetings may be held with stakeholders on an as needs basis.

Monitoring of onsite wastewater treatment systems for their condition and management should include compliance by permit holders with relevant permit conditions and the EPA Code of Practice – Onsite Wastewater Management (EPA Victoria 2013).

Implementation of the DWMP is to be subject to an independent audit by an accredited auditor (water corporation approved), including of monitoring and enforcement, every 3 years. The results of audit should be provided to stakeholders as soon as possible after the relevant assessment.

According to the Ministerial Guidelines, Councils are required to demonstrate that suitable resourcing for implementation, including monitoring, enforcement, review and audit, is in place. It is understood that resourcing is unlikely to be available for assessments of all onsite wastewater treatment systems, however the risk assessment conducted for this DWMP has identified a short-list of systems that are a high priority for assessment. These systems should form the focus of compliance monitoring in the first instance.

The DWMP is to be reviewed and updated (if necessary) every 5 years, therefore the next review should be 2021. Steps involved in the review include:

- · Convening of a project management team,
- Gathering necessary information, including onsite wastewater management system data for each town. Refer to Action Plans for relevant monitoring indicators:
- Revision of risk assessments for each town/area and create a new list of priorities for improved domestic wastewater management;
- · Revision of action plans for the next five years of implementation;
- Seeking Council approval and adoption of plan in each Shire.

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9 Risk management

9.1. Actions Plans

The 2006 DWMP included an ambitious list of actions which was based on a comprehensive review and stakeholder consultation process. Although many of the major items listed were successfully closed off during the operational lifetime of the plan, there remained a number that could not completed and have been carried over to the 2016 plan.

Furthermore, based on a review of actions conducted for the current plan, some actions have been identified as no longer being relevant or a priority due to changing circumstances and improved risk analysis information, and some new action items have been identified. Action items for the next five years are listed in this chapter. A list of closed-off action items from the 2006 DWMP is contained in **Appendix 4**.

9.1.1. Summary of Strategic Objectives

Each action plan is based on one or more strategic objectives. These are summarised in Table 9-1 and Table 9-2.

Table 9-1. Municipality Wide Strategic Objectives from the 2006 DWMP (all continued on 2016 plan)

No.	Destruction	Continued for 2010 DWMP
ı	The WSC and EGSC content to entering into a Memorandum of Understanding (MoU) with the relevant seater corporations that will clearly articulate the following: 1. The level of resources to be allocated to the plan implementation. The allocation of resources to support approach, compliance and maintenance auditing will take into consideration: - the level of support relevant water conscrations can provide - the risk profile of the property 2. The allocated process that support outcome (1) 1. Communication strategies between Councils and water corporations to trief on plan implementation and completed actions Process. The intention is to have the MoU completed and signed off by 20 December 2016. Once the MoU is finalized, all parties recognise this process has the potential to reliable the Ministerial catchinered Guideline - Flanning permit applications in open, potable water supply catchinent areas (DEPL2012).	New item for 2016 DWMP Plan
2:	To increase the resources available for management of domestic wastewater to ensure actions identified in this plan can be implemented.	*
£	To improve regulation and enforcement reschargions for outdated and non-compliant systems.	1
Ł	To improve the database of septic tank permit information to underpin implementation of a compliance program and future education programs.	
E.	Development of a summarity industrian program for unsewared properties to improve understanding of how on site efficient systems work, how to achieve best practice management and low to reduce the rivis to public health and the environment from poorly managed systems. High-risk areas are to be targeted by the program initially. These include all priority towns and unsewered subdivisions of <1ha.	×
£	To ensure that when new septic tank permits are housed and when properties change hands, powers are informed that a westle tank permit applies to the property and understand the conditions of that permit.	
7	To ensure town planning policy adequately considers wastewater management issues with respect to minimum allotment size and the implications of establishing reticulated sewer on development density.	

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Ä.	To clarify circumstances in which Land Cauability Assessments (LCAs) need to be undertaken and to improve the quality of LCAs received.	
	To monitor the performance of high risk septic tank systems (e.g. AWTSs) to ensure compliance with permit conditions.	
10	To investigate the approach to compliance for other septic tank systems.	-
u.	To ensure there is a high level of understanding amongst Council staff of the importance of domestic wastewater management and how it can impact on other Council functions, such as planning and stormwater management.	-
12.	To maintain and dewrop working relationships with relevant external stakeholders.	1
11	To ensure ongoing development of Environmental Health staff skills and expertise, and efficient induction and training of new staff.	

Table 9-2. Individual Towns Shalegic Objectives from the 2006 DWMP, Objectives carried through onto 2016 plan are shown with a tick. Revised and new objectives are noted.

W.	Description	for 2016 (INVSAIR				
1	All high and medium priority towns - determine and set minimum lot size required for sustainable onsite management and determine approach to undeveloped lots that are smaller than this minimum.	*				
2.	All high and medium priority towns - undertake community education to achieve improved domestic wastewater management and to encourage installation of improved systems where required.	*				
C	All high and medium priority towns - develop a targeted monitoring and compliance programs.	1				
4	Dargo, Cowwart, Swifts Creek, Buchan, Ensay, Rowa Nowa, Bendoc, Newmerella, Undonow South - Investigate incrowed stormwater management, building on existing actions in the Stormwater Management Flans, to reduce public health risk (e.g. covers over drains) and to reduce environmental impact (e.g. writinsts, ment bads). (Note: Alberton removed from 2015 list due to being sewered)					
	Metang East/Niangumer - work with council planning department to ensure Municipal Planning. Scheme reflects development potential hims a wastewater management perspective. J. (Note: Metang List has been partially sewmed since 2005).					
6	West Wy Yang work with East Gippliand Water to consider options for connecting to the nearby sower system.					
,	Briagolong - investigate risk to groundwater in further detail and determine capacity for further unsewand development.					
K.	For the southern Ninety Mile Beach region (Golden/Paradise Beach, Woodside Beach, The Hoseysackies, and McLoughlins Beach) and for Manns Beach and Robertsons Beach to the south work -determine approach to prolife management based on land capability.					
10	Hollands Landing - determine sustainable approach to onsite management of domestic wastewater.					
n	Sewer Infill - determine strategic approach to sewer Infil, e.g. restrict subdivision or ensure subdivised areas are sewered.	*				
11-	Wellington Shire develop closer relationship with Gopsland Water and Investigate options for expansion of sewer system in larger townships based on development alans and risk assessments contained within the DWMF.	for 2016 plan)				
12	Based on the risk assessment conducted for this DWMP, the onsite wastewater management systems in the following Declared Water Supply Catchment townships; Dargo, Gormandais, Loota, Grennagge, Seaton, Benandara, Club Terrace, and Dineo, should be adapted to a further risk assessment (including a lite inspection). The residue of the risk assessment should be used to guide an appropriate manifoling and inspection program by the satisfaction of the relevant water corporation statemoiders. The Globaland water corporation may contribute resources to easier in the declared special water supply catchment areas. Refer to Table 9.1 – Item 1. In relation to a commitment for a MoU.	New for 2016 plan				
11	in East Sippoland Shire, the distribution of risk from smalle wastewater systems is more evenly spread over a range of transmiss across the Shire and is making due to risk to groundwater. The top 10 townships (Nicholson, Sandlard, Wy Yang, Lucknow, Toorion Arm, Bruthen, Lakes Entransm. Swan Result, Bushan and Metung) account for just over 30% of the total Shire risk and should be the subject of a further risk assessment. The results of the risk assessment should be used to guide an appropriate monitoring and inspection program to the satisfaction of the regional environment agency statemented.	New for 2015 plan				

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Rec.	Description	Ser 2016 DWMF
18	Undernow South - undertake community consultation to determine whether area should be sewered or reposed to restrict further subdivision (No longer a strategic objective, done).	×
15	Alterton - work with South Gipsland Water to investigate potential for sewering town to nearby Tarraville treatment plant (which services Yarram). (No larger a strologic objective, town now sowered)	×
10.	Bermm River - apply for external funding to assist in investigation of sustainable wastewater management approach. (No longer a strategic objective, town now sewered)	×
17.	Barrola Perinsula - Lase with East Gops land Water regarding current sewer investigation and. If sewering is not implemented, determine approach to sustainable orwite dispusal. (No larger a strotegic objective, area now sewered)	x
18	Coongaila/Grennaggie and Loch Sport - continue role as partner in investigation into impivative solutions to domestic wastewater management (No longer a strategic objective, sowns new annexed)	×
19.	Costal towns - ensure domestic wastewater management issues are incorporated appropriately into Countal Townships Urban Design Framework. (No Junger a strategic objective, domestic wastewater management issues now incorporated into UDF)	×

9.1.2. Issues-based Action Plans

Issues-based action plans were developed in 2006 and reviewed and updated in 2016 and address the following areas:

- · Capacity building:
- Information management and data collection;
- Community education;
 Strategic planning;
- · Land capability assessments;
- Monitoring and compliance;
 Building better partnerships with internal and external stakeholders;
 Training for environmental health officers.

Priority area for implementation and related strategic objectives for each issue are detailed in Table 9-3.

Table 9-3. Issues-based action plans. Responsible person is the Environmental health

manager/co-on		
field	Priority area for implementation	Strategic objectives
Cassony Building (CB)	A) of municipality	To secure resources to ensure actions identified can be implemented. To improve regulation and enforcement rescharations for outdated and non-compilant systems.
Information Mana	growth and Data Colection	n (MA)
Update septic tank permit database	Identified high risk properties	Enhance existing distaliase of septic tank permit information to underpin implementation of a compliance program and future education programs.
Extension Septic Tarm Details at Change of Ownership	All of municipality	Ensure new excepting owners are informed of the existence of a septic tan and any recorded problems. Where a septic tank permit cannot be located establish the details of the septic system.
Community Educa	tion (CE)	
	High risk areas are to be targeted by the program in tially. These include all priority towns and ansewered subdivisions in TZ, LDRZ and BLZ	Raise awareness of septic tank management; Change the behaviour of honse owners and achieve a higher level of compilance with permit conditions and best practice management;

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Head	Priority area for implementation	Strategic objectives
Strategic Flavore	E(SP)	
	At of wasiciowity	To ensure land use planning policy adequately considers westewater management issues with respect to minimum allotment size and the implications of establishing refliculated sewer on development density in the Planning Scheme.
Monitoring and C	Compliance (MC)	
Conglasce	hetially priority towns/areas, expanding to whole of municipality dependent on experience in priority towns	To monitor the performance of high risk septic tank systems (e.g. AWTSs) to ensure compliance with permit conditions. To must light the approach to compliance for other septic tank systems.
Baiding Better Po	etherobios with Internal an	d External Staturborders
Internal statumoider communication (IS)	Initially priority towns/areas, expanding to whole of municipality	To ensure there is a high level of understanding of the importance of domestic west-water management and how it can impact on planning and stormwater management.
External statementer communication (ES)	history priority towns/area, expanding to whole of municipality	To maintain and develop working relationships with relevant stateholders
Training for Enviro	ormental Health Officers (1	10
	Within EH Department	To ensure ongoing development of environmental health staff skills and ensertise, and efficient induction and training of new staff.

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Table 9-4: 2016 DWMP Action plan for Weilington and East Gippsland Shire Councils

Action	Action steps	Trees	Construents and risks	Mositoring redicators	critics Chica	Comments and action (alon (since 2006 plan)
CB.3	Investigate external funding opportunities, e.g. Community Water Brants, Victorian Water Smart Fund.	EH. MAV, DELWP	Funding populatility	Amount of funding obtained.	Chapting	Benn River, Carn River, Tambo Bluff, Metung East & Bantola Penn, Loch Sport, Coongula, Alberton & Olemangula sewined (funding gained from CTW&SS)
IM.Z	Refine existing database to ensure sufficient information is included. Assess need for software enhancement.	Del	Resources : required	Outatainse andated.	2016	Ongoing
мх	Develop a list of unsewered properties that do not have septic task permit details included in the datasses.	EH, Kates Office	Security of information.	Out available to be printed.	2018	Ongoing
IM.4	Compile existing hand copy files and determine value of transferring information to emotivonic database. If sootheartie determine process for undertaking transfer.	EH.	Resources required. Condition of hand copy files.	No. of hard copy files found. Transfer process documented.	2017	Ongoing 1000- Die details added
IM.7	Develop an audit program for properties without soptic tank permit details in the electronic database. (Could include seeking records from plumbers who install systems in the area.)	žH:	Arsources required.	Audit program documented	2018	Not done, however both Shires are looking at this as a long Term Program. Further investigation in high risk areas.
ILM	Determine process for establishing the type and location of the system when there is no record of a septic tank permit.	ЕН	Resources required.	Process documented.	2018	Ongoing as part of 1. Flanning referral process. 2. Complaints process. 3. Transfer of property process.
JM.14	Add septic tank details to presenty details are	EH .		No. of records added due to change of ownership.	2016	Onening
CE.4	Mentify ownership details in priority areas.	DR, Rates office	Security of information	List available to be printed.	2017	In progress
CES	Distribute fact sheets to residents in priority areas. Where type of septic system is known, target fact sheets sent.	EH	Resources required	No. queries from residents who received fact shorts.	2017	Required in high risk areas - will implement target areas
19.1	Pacilitate internal workshop between Environmental Health, Planning and Engineering departments of Council to increase understanding of diosestic washinwater haues. (In conjunction with actions (5.1 and TR.1)	EH, Planning Dept., Engineering Dept.	Staff manufability	No. of meetings/ workshops held.	2016	Ongoine
SP.7	Investigate and resolve the extent to which existing planning scheme provisions reflect the land use constraints associated with the hability to dispose of wastewater on-site.	Planning Dept., EH.	Restriction on development potential. Staff and resources required.	Land use combraints in relation to on- site worke water disposal identified.	Ongoing	Revised term Standard settlects in compliance with the EPA Code of Practice
SP.A	Determine the need to develop a Special Water Catchment Policy or similar tool to have an agreed strategic approach between Council and all Water Corporations.	Planning Dept., DH. External Stakeholders	Restriction on development potential. Staff and resources required.	Agreement on the need for a Social Water Catchrient Policy or similar tool.	Gregoria	Revised Sem. Strategic Planning matter in conjunction with Ministerial guidelines and GS risk analysis.
ws.	Review the case for expansion of sever system for Longford is conjunction with Glookland Water	Planning Dept., CH.	Restriction on development potential	Agreement on extension of sower network	Ongoing	New to 2016 DWMP

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Action No.	Action slipps	June	Constraints and risks	Manitoring Indicators	etion Date	Comments and action taken (since 2006 plan)
MC1	For high risk systems develop system that requests tandholders or their service agents to submit evidence of maintenance on a quarterly basis and sampling results annually.	EH	Landholder reaction to increased expectations. Availability of service agents.	Percentage of properties with treatment plants that send maintenance report.	2016	Ongoing maintenance however sampling results not undertaken by either Shine.
MC 2	Establish a system on the information database to rumind EH Dept when next submission due.	EH		System established.	2016	Dispoint development
MCA	Prepare a standard letter to be sent to landholders. If maintenance details are not submitted.	EH. MAV		Letter completed	2016	Dryping development
MC.4	Send letter to landholders if maintenance details are not submitted within one month of the due date.	ЕН	Resources required.	No. of reminder letters sent.	2016	Ongoing development
MCS	Develop paricy and procedures for dealing with non-compliance.	DH	Legislative power to act on non- compliance. Resources required.	Policy and procedures documented. Process for implementation developed.	2016	Ongoing development
MC.6	Develop system for impection of properties with high risk systems (e.g. AWTSs).	EH .	Resources required.	Insection process documented	2017	Quarterly reports receiver and necessary action take (WSC) Earl Guarders! do not undertake consistently traverer will be fully implemented during tenure of plan
MC 9	Investigate approach to improving programs for other (non-AWTS) septic tank systems	DH .	Resources required.	Investigation outcomes documented. Compliance program	2017	Ongoing development
MC 10	Independent audit by an accredited auditor (water corporation approved) of implementation of the DWMP, including of monitoring and enforcement, every 3 years;	EH	Resources required.	Audit outcomes documented. Compliance program revised.	2019	Ongoing development
MC.11	Councils are required to demonstrate that suitable resourcing for implementation, including monitoring, enforcement, review and suiffs, is in place.	EH .	Resources required.	Work plan for EH Department, wastewatel management activities developed. Evidence supplied to external stateholders	Dec 2016	Annual review for the following 12 months
15.1	Brief Council Treams regarding impact of DWMP outcomes on planning, stormwater and so on (potentially in congenction with action TR.1)	EH, Proxing, Infrastructur e	Assilability of staff.	No. meetings/ works/loops held.	2016	Опроте
6.1	Provide annual report to Internal staxeholders (Council, Planning Dept. Infrastructure Dept. etc.) on progress of DWMP.	DH. internal stakeholders	Resources required.	Annual reports distributed.	Ongoing	Refer ESA
15.3	Provide annual report to external state holders on DWMP progress.	EH, external stakeholders	Resources required:	Annual reports distributed to state/solders.	Ongoing	Not done

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Action No.	Artion steps	Team	Constraints and risks	Managery Indicators	Compliant Date	Community and action (alum (since 2006 plan)
25.6	Involve external stakeholders in the review of the DWMF. Undertake review in 2021	EH, external stakeholders	Time taken for external utawaxo'ders.	tio, meetings/ works/logs held.	Cingoing	Revised action item. Previous review should have been completed in 2010 tust was undertaken in 2015
E%.7	The results of the three yearly sudfit to be provided to stateholders as soon as possible after the relevant assessment.	ER, externar stakeholden	Time taken for external stakeholders	Audit competed and report forwarded to external stakeholders	2018	New action item
TRIS	Maintain awareness of MAV and industry sensinary/workshops relevant to domestic washrwater management and attend sessions as training badget allows.	EH, MAV, Industry Groups	Training budget limits ability of staff to attend seminars.	workshops	Ongoing	Orgoing

9.1.3. Action Plans for Priority Towns/Areas in East Gippsland Shire

Table 9-5. East Gippsland Shire Priority Towns/Areas and Strategic Objectives.

Priority stuli for Implementation	Strategic.objectives
Buchan, Swifts Creek, Nowa Nowa, Entay, Bendoc, Nowmercia (Kiver)	Determine and set minimum lot size required for sustainable omite management and determine approach to undeveloped loss that are smaller than this minimum. Undertake community education to achieve improved domestic westewater management and to encourage installation of improved systems where required. Develop a targeted monitoring and compliance program. Investigate improved stormwater management to reduce public health risk and environmental impact.
Lindonsw South (Kind)	Determine and set minimum lot size required for sustainable onsite management and determine approach to undeveloped lots that are smaller than this minimum. Undertake community education to achieve improved domestic westewater management and to encourage installation of improved systems where required. Develop a targeted monitoring and compilance program.
Number and Metang (Num)	Othermine and set minimum lot size required for sustainable orariz management and determine approach to undeveloped lots that are smaller than this minimum. Work with council planning area to ensure Municipal Planning Scheme reflects development potential from a wastewater management perspective. Undertake community education to achieve improved domestic wastewater management and to encourage installation of incrowed systems where required. Develop a targeted monitoring and compilance program.
Gove Point (Cove)	 Undertake community education to achieve improved domestic washewater management and to encourage installation of improved systems where required. Develop a targeted recribining and compliance program.
West Wy Yung and other Sewerage on'll (Wy)	 Work with East Gippsland Water to consider options for connecting to the nearby sewer system. Undertake community education to achieve improved domestic wastewater management and to encourage installation of incurved vastems where required.
	 Determine strategic approach to sewer infil, e.g. restrict subdivision or ensure subdivided areas are sewered.

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Table 9-6. East Gippsland Shire Action Plans for Priority Towns/Areas

Action No.	Action steps	Team	Constraints and risks	Monitoring indicators	Compli- estion Date	Comments and action taken Island 2006 (MWM)
River, 5	Ensure new houses and upgraded waters implement full onsite disposal.	EH	Land capability.	Aid, of septic taris permits issued.	2016	Completed + angoing
Ever 4	truestigate improved stormwater management to reduce putric health risk, e.g. covers over drains.	EH, Stormwater	Resources required.	Investigation outcomes documented and action plan revised.	On Going	Not done
tiver.5	trivestigate improved stormwater management to reduce environmental insust, e.g. wetland, need bed.	EH, Stormwater, EGCMA, EPA	Resources required.	Investigation outcomes documented and action plan revised.	On Going	Not done
(Ver,K)	Develop a monitoring and compliance program (linked to: action MC 1-9)	СН	Resources required.	Program implemented.	2019	Not done
Lind 4	Community education to achieve improved management and encourage installation of improved systems (part of actions CE.4 & CE.5).	Ен	Ability to identify landholders requiring information.	Eachheets sent.	2018	Councis and EGA strategic policy to enthicage development in Undertow sewer district.
Links.	Ensure new houses and asgraded systems implement full profite disposal.	EH	Land capatility.	No of septic tank permits ward.	Completed	Completed
Elvid.6	investigate improved stor mwater management to reduce public haufth frist, e.g. covers over drains.	EH, Stormwater	Resources required.	Investigation outcomes documented and action plan revised.	On Going	Not done
Lind?	Investigate Insorved stornwater management to reduce environmental inspect, e.g. writind, need bed.	EH, Stormwater EGCMA, EPA	Briouves required.	Investigation outcomes documented and action plan revised.	On Going	Not dose
Lodi	Develop a monitoring and compliance program (Irrised to actions MC 1 %).	EH	Resources required.	Program. Implemented.	2018	Not done
Nund	Undertake community education to ensure improved management of seotic systems (part of actions CE 4 & CE 5).	Ен	Ability to identify landholders requiring information	Facts/eets distributed	2017	See CE 4 and 5
Nan.4	Develop a monitoring and compliance program (Inked to actions MC.1-9).	EH.	Resources required.	Program implemented.	2017	See MC 1-9
G pay 1	Community education to active emproved management if sewering not implemented (part of actions CE.A & CE.S).	EH	Ability to identify landholders requiring information.	Pactificates distributed	3017	Not done
Gov2	Develop compliance and monitoring program if severing not implemented. (Linked to actions MC.19)	EH	Resources required.	Program Implemented.	3017	Not done
Wy.4	Where severing will not occur undertake community education to ensure improved management of septic systems (part of actions CE 4 & CE.1).	EH	Ability to identify landholdors requiring information.	Factalweets distributed	On Going	Not done
Wy3	Develop a recritoring and compliance program for unsowered areas? (Inited to actions MC.1-9)	EH	Resources, required.	Fragrams impremented.	2017	See MC 1-9

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9.2. Comment on planning action items

9.2.1. Stormwater management in unsewered townships

It is acknowledged that implementation of wetlands or reed beds would require origoing management and maintenance to ensure their effectiveness. Where this approach is taken a supporting monitoring and evaluation program would be developed.

9.2.2. Monitoring and Compliance

On construction of a new home or renovation of an existing home that incorporates a septic tank system, a septic tank permit is issued that details:

- The type of system and the conditions relating to installation and maintenance of the system:
- The approved installation plan incorporating positioning of the proposed effluent disposal area.

A compliance program seeks to ensure that property owners are complying with the conditions of the septic tank permit. This can be achieved by

- AWTS monitoring certificates of maintenance and sampling requirements submitted regularly by property owners to councils.
- Conducting a rolling program of regular site inspections in high risk areas and for high risk systems.

Note that the maintenance and monitoring required is dependent on the type of septic system in place. Regular compliance monitoring is particularly relevant to Aerated Wastewater Treatment Systems (AWTSs).

Compliance is a legislative responsibility for Local Government. Appropriate enforcement activity will be undertaken on the systems that are bought to the attention of Shire Council.

9.2.3. Community education program for unsewered properties

Further to the community education action items listed in Table 9-3 and Table 9-6 it is recommended that a community education program be developed for unsewered properties with the following aims:

- . to improve understanding of how onsite wastewater management systems work,
- provide guidance on how to achieve best practice management, and
- provide guidance on how to reduce the risks to public health and the environment from poorly managed systems.

Areas will be addressed in order of priority.

9.2.4. Consideration of planning instruments

The use of planning instruments to control the risk of effluent moving offsite from domestic wastewater systems is a complex area and could involve a number of potential measures (e.g. development of new ESOs, use of S173 agreements, etc.). Council planning departments have extensive expenience in this area and it is recommended that

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the Council Environmental Health Departments work with their Planning Departments to develop appropriate approaches for each municipality.

9.2.5. Changes to legislation for a levy to support compliance monitoring

An ongoing issue for Councils in Victoria is that they do not have a revenue source to cover the cost of ongoing compliance monitoring. This is a statewide issue and requires legislative changes to allow councils to levy charges for compliance monitoring. Wellington Shire and East Gippsland Shire Councils will continue to explore opportunities to progress this issue at the state level.

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Appendix 1 - Statutory Framework

10.1. Relevant legislation specifying DWMP statutory requirements

As stated in Section 3, the requirement for local Governments in Victoria to develop a DWMP is described in Clause 32 of the State Environment Protection Policy (Waters of Victoria) (SEPP WoV) which is an instrument under the Environment Protection Act 1970. Further specifications for DWMPs are set out in the Ministerial Catchment Guidelines, "Planning permit applications in open, potable water supply catchment areas" (DEPI 2012). The Ministerial Guidelines aim to assist water corporations and other referral and responsible authorities in their assessment of planning permit applications for use and development of land within all open, potable water supply catchments in Victoria.

'Open' water supply catchments are where part or all of the catchment area is in private ownership and access to the catchment is unrestricted².

The following sections summarise the key sections of the Ministerial Guidelines as well as the relevant components of other legislation that are relevant to this DWMP including the State Planning Policy Framework of the Planning and Environment Act 1987.

10.1.1. Ministerial Guidelines (DEPI 2012)

Each of the following guidelines must be addressed where a planning permit is required to use land for a dwelling or to subdivide land.

10.1.1.1. Guideline 1: Density of dwellings

Where a planning permit is required to use land for a dwelling or to subdivide land or where a planning permit to develop land is required pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective:

- the density of dwellings should be no greater than one dwelling per 40 hectares (1.40 ha), and
- each lot created in the subdivision should be at least 40 hectares in area.

This does not apply where:

Category 1: A planning permit is not required to use land for a dwelling, to subdivide land or to develop the land

Category 2: A permit is required but the proposed development will be connected to reticulated sewerage.

Category 3: A Catchment Policy has been prepared for the catchment and endorsed by the relevant water corporation following consultation with relevant local governments, government agencies and affected persons. The proposed development must be consistent with the Catchment Policy. Or,

² By comparison, in 'closed' catchments, the whole of the catchment area is publicly owned and public access is prohibited.

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Category 4: All of the conditions listed below are met, in which case the water corporation will consider allowing a higher density of development than would otherwise be permitted by Guideline 1.

- the minimum lot size area specified in the zone for subdivision is met in respect
 of each lot;
- the water corporation is satisfied that the relevant Council has prepared, adopted
 and is implementing a Domestic Wastewater Management Plan (DWMP) in
 accordance with the DWMP Requirements (described in Table 10-1) and
- the proposal does not present an unacceptable risk to the catchment having regard to:
 - the proximity and connectivity of the proposal site to a waterway or a potable water supply source (including reservoir);
 - the existing condition of the catchment and evidence of unacceptable water quality impacts;
 - the quality of the soil;
 - the slope of the land;
 - the link between the proposal and the use of the land for a productive agricultural purpose;
 - the existing lot and dwelling pattern in the vicinity of site;
 - any site remediation and/or improvement works that form part of the application; and
 - the intensity or size of the development or use proposed and the amount of run-off that is likely to be generated.

Note: this requires analysis in addition to a land capability assessment required pursuant to Guideline 2.

Domestic Wastewater Management Plan Requirements

A DWMP will be considered an acceptable basis for a relaxation of Guideline 1 (as set out above) where the requirements in relation to the DWMP (described in Table 10-1) are satisfied.



Table 10-1. Domestic Wastewater Management Plan Requirements

Attribute	Requirements
Consultation	The DWMF must be prepared or reviewed in consultation with all relevant statemoiders including: • other local governments with which catchment/s are shared: • EPA: and • local water corporation/s.
Protection of surface and groundwaters	The DWMF must comprise a strategy, including timelines and priorities, to: • grovent discharge of sastessater beyond property boundaries; and • prevent individual and consulative impacts on groundwater and surface water beneficial uses.
Monitoring, compliance and andorcement	The DWMP must provide for: the effective monitoring of the condition and management of onsite treatment systems, including but not imited to commission by permit holders with permit conditions and the Code; the results of receivoring being provided to stateholders as agreed by the relevant statecholders; enforcement action where non-compliance is identified. a process of review and updating if necessaryl of the DWMP every System; independent audit by an accordited auditor (without composition approved) of instrumentation of the DWMP including of constraint and enforcement, every 3 years; the results of audit being provided to stateholders as soon as possible after the relevant assessment; and Councils are required to denomistrate that suitable resourcing for implementation, including recording performent, review and audit, is in state.

These requirements incorporate and build upon (but do not displace) Council responsibilities for developing DWMPs as set out in clause 32(2)(e) of the SEPP.

10.1.1.2. Guideline 2: Effluent disposal and septic tank system maintenance

Any application for a planning permit must demonstrate that a proposed use, development or subdivision of land to which these Guidelines apply will comply with all applicable laws and guidelines (described in sections 10.1.2 to 10.1.8 of this document), including the need to obtain a Council permit under the Environment Protection Act 1970 for the installation of an onsite wastewater management system and associated systems.

10.1.1.3. Guideline 3: Vegetated corridors and buffer zones along waterways

Planning and responsible authorities should encourage the retention of natural drainage comidors with vegetated buffer zones at least 30 metres wide along waterways. This will maintain the natural drainage function, minimise erosion of stream banks and verges and reduce polluted surface run-off from adjacent land uses.

10.1.1.4. Guideline 4: Buildings and works

Buildings and works (including such things as land forming and levee bank construction) should not be permitted to be located on effluent disposal areas, to retain full soil absorption and evaporation capabilities, and should be setback at least 30 metres from waterways to minimise erosion and sediment, nutrient and salinity-related impacts.

Appropriate measures should be used to restrict sediment discharges from construction sites in accordance with Construction Techniques for Sediment Pollution Control, Environment Protection Authority (EPA Victoria 1991) and Environmental Guidelines for Major Construction Sites, Environment Protection Authority (EPA Victoria 1996).

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10.1.1.5. Guideline 5: Agricultural activities

To prevent the pollution of waterways and damage to streamside vegetation (which contributes to bed and bank stability and filters overland flows entering the stream), stock access to waterways should be minimised.

10.1.2. Environment Protection Act 1970

Section 53M of the Environment Protection Act 1970 provides that a municipal council must refuse a permit if a proposed onsite waste water/septic tank system is contrary to any State environment protection policy (SEPP) or waste management policy.

The State Environment Protection Policy (Waters of Victoria) (SEPP WoV) adopts the precautionary principle as a principle that should guide decisions about the protection and management of Victoria's surface waters when considering a permit for a septic tank system. The proper application of the principle requires consideration of the cumulative risk of the adverse impact of onsite waste water/ septic tank systems on water quality, in open potable water supply catchments, resulting from increased dwelling density.

Clause 32 of the SEPP WoV specifies EPA's expectations in relation to on-site domestic wastewater management (see Section 10.1.3 below), and the EPA provides further guidance in relation to onsite treatment systems, e.g. the Code of Practice for Onsite Waste Water Management (EPA Victoria 2013) (Section 3.1.1)

10.1.3. State Environment Protection Policy Waters of Victoria (SEPP WoV)

The DWMP must incorporate, and build upon Council's responsibilities for developing DWMPs set out in clause 32(2)(e) of the SEPP. This clause states that local councils need to

- Where relevant, develop and implement a domestic wastewater management plan in conjunction with water corporations and communities that
 - (i) Reviews land capability assessments and available domestic wastewater management options to prevent the discharge of wastewater beyond allotment boundaries and prevent impacts on groundwater beneficial uses.
 - (ii) Identifies the preferred options, together with costs, funding needs, timelines and priorities, and
- Provides for the assessment of compliance of on-site domestic wastewater systems with permit conditions

Clause 32 further states that on-site domestic wastewater needs to be managed to prevent the transport of nutrients, pathogens and other pollutants to surface waters and to prevent any impacts on beneficial uses³. Cumulative effects of onsite wastewater treatment systems should also be considered.

in addition to the requirements for a Council DWMP, clause 32 also requires that

 Occupiers of premises with an on-site domestic wastewater system need to manage that system in accordance with permit conditions and the EPA Code of Practice for Onsite Wastewater Management (EPA Victoria 2013), as amended.

A peneficial use is defined in the Enumerorant Protection Act 1978 and includes a current or future environmental value or use of surface waters or groundwaters that corrounables want to protect.

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Occupiers also need to regularly assess the performance of their system against permit conditions.

- Municipal councils need to:
 - assess the suitability of land for on-site domestic wastewater systems prior to approving a development. To assist in this regard, the EPA provides guidance in Land Capability Assessment for Onsite Domestic Wastewater Management (EPA Victoria 2003) as amended (see also Section 3.1.2 in this document):
 - ensure that permits are consistent with guidance provided by the EPA, including that provided in the EPA Code of Practice for Onsite Wasteweter Management (EPA Victoria 2013), as amended; and
 - work with the EPA to identify existing unsewered allotments which are not capable of preventing the discharge of wastewater beyond allotment boundaries, or preventing impacts on groundwater beneficial uses.

10.1.4. Groundwater SEPP

Depending on local conditions, under some circumstances on-site system disposal fields can drain to groundwater, particularly in areas where the water table is shallow and hydraulic loadings are high. The Groundwaters of Victoria SEPP (Government of Victoria 1997) provides a regulatory framework for the protection and management of groundwater environments in Victoria.

The groundwater SEPP identifies a range of beneficial uses dependent on different categories of groundwater and seeks to preserve the categorisation of local groundwater so the beneficial uses are not significantly impacted. Consequently, councils need to consider the cumulative effect of onsite wastewater treatment systems when assessing permit and planning applications and planning amendments to ensure that groundwater quality is protected.

10.1.5. Planning and Environment Act 1987

10.1.5.1. State planning and environmental policies that apply to open, potable water supply catchment areas

The Planning and Environment Act 1987 describes procedures for preparing and amending planning provisions, planning schemes, obtaining permits under schemes, settling disputes, enforcing compliance with planning schemes, and other administrative procedures (DTPLI 2015).

Planning schemes set out policies and provisions for use, development and protection of land. Each local government area in Victoria is covered by a planning scheme (DTPLI 2015).

The importance of water quality and water catchments is specifically addressed in Clause 14.02 in the State Planning Policy Framework in all planning schemes (DEPI 2012). In this clause it is State planning policy to:

Protect reservoirs, water mains and local storage facilities from potential contamination

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- Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.
- Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Clause 19 03 of the State Planning Policy Framework adopts the strategy:

 Ensure water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses (DEPI 2012).

It is State Planning Policy (Clause 14.02-1) (DEPI 2012) that planning authorities must have regard to relevant aspects of

- any regional catchment strategies approved under the Catchment and Land Protection Act 1994 and any associated implementation plan or strategy, including any regional river health and wetland strategies (see Section 10.1.8 of this document).
- any special area plans prepared under the Heritage Rivers Act 1992 and approved under the Catchment and Land Protection Act 1994, and
- Guidelines for planning permit applications in open, potable water supply catchment areas (DEPI 2012).

10.1.5.2. Section 173 of the Act

Section 173 of the Planning and Environment Act 1987 allows Councils to negotiate an agreement with an owner of land to set out conditions or restrictions on the use or development of the land, or to achieve other planning objectives in relation to the land (DPCD 2015). Such agreements are commonly known as Section 173 agreements. Once completed, the agreement is lodged against the title of the property. Section 173 Agreements are frequently used by Water Corporations or Councils when planning applications are located in special water supply catchments. In such cases, the agreement usually specifies maintenance requirements for onsite wastewater systems.

10.1.6. Public Health & Wellbeing Act 2008

The Public Health & Wellbeing Act 2008 replaced the Health Act 1958 and lists types of nuisances which are offensive or could pose a health risk. Under this Act, Councils have a duty to remedy such nuisances. This includes investigating complaints relating to the itlegal management of domestic wastewater and taking action to rectify the nuisance where this is necessary.

10.1.7. Water Act 1989

Section 183 of the Water Act 1989, empowers Water Corporations to inspect and measure existing septic tank systems. Furthermore, under Section 147 of the Act, systems that do not comply with the Public Health and Wellbeing Act 2006 and the Environment Protection Act 1970, can be required by the Water Corporation to connect to the sewer where this is available.

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10.1.8. Catchment and Land Protection Act 1994

The importance of water catchments is also reflected in the special area plans prepared by Catchment Management Authorities, under Division 2 of Part 4 of the Catchment and Land Protection Act 1994. These plans assess the land and water resources of catchments in a region and identify objectives and strategies for improving the quality of those resources, they are also able to direct land use activities in a catchment (DEPI 2012).

10.1.9, Local Government Act 1989

The Local Government Act set outs the provisions under which the Councils operate and empowers Councils to have local laws and regulations, including those for management of onsite wastewater treatment systems.

10.2. Regulatory Authorities

A range of regulatory authorities have responsibilities that involve onsite wastewater management systems. These are summarised in Table 10-2.

Table 10-2. Regulatory authorities and their responsibilities relevant to the DWMP

Authority	fale
	Wellington and Cast Gippstand SNIre Councils are responsible for resuling permits for new onsity systems under the Environment Protection Act SNIO. The Councils are also responsible for the management of all orable systems within their respective boundaries and this includes the impaction of existing systems and ensuring compliance with Council and EPA requirements. The legal requirements of the Council's (EPA Victoria 2018) include: • issuing planning permits with a requirement that refoulated severage is provided at the time of sub-division where switchester cannot be contained within the boundaries of them; alignment;
	 assessing land development applications to determine the sustability of a site for an onsite wastewater management system;
	assessing crostle wastewater management permit applications;
	 boxing Permits to Install/After and Certificates to the enode westewater management systems;
Weilington and	 refusing to issue a Planning Permit or Septic Tank Permit for a proposed development, where Council conciders wastewater cannot be contained within the boundaries of the site and reticulated sewerage is not available or will not be provided at the time of sub- division;
Shire Council	 It is the role of the water corporations to salply water fit for surpose and where this innotives drinking water, the water corporations have legislative obligations in the protection of drinking water calcherance. In particular, they have an obligation in protecting such calcherants form the impacts of on-lie washewater management, systems.
	 ensuring systems are installed in accordance with the relevant Certificate of Approve (see EPA website), the conditions on any Flanning or Septic Tank Permit issued for a site and the relevant Australian Standard;
	 ensuring systems are managed in accordance with the Seotic Tark Permit, the viewest Certificate of Approval, this Code and, where approache, the most incest version of AS/NZS1547 through relevant compliance and enforcement programs; and
	desercing Domestic Wastewater Management Flam.
	Orand assesses applications for Permits to Install or After and operate smalle wastewater management systems, under the Act (Section 53) QJ. Permits are issued with conditions. Council must refuse to issue a permit it.
	 the proposed orable wastewater treatment system and associated dispose/hecycling system is contrary to any State Environment Protection Policy

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Letterity	Ball
	the application and/or land capability assessment record does not satisfy Council that wastewater cannot be sustainably managed on that site; or the proposed onsite wastewater treatment system does not hold a sument Certificate of Approval from EPA.
	Approve Fight EPA.
Department of House and Human Services	The department administers the Sofe Drinking Woter Act 2003 and has responsibilities under the Public Health and Wellbeing Act 2008.
	Wellington and Cest Giopsiand Shire Councils to within or interact the East and West Giospian Catchment Management Authorities (CMAs). The role of the CMAs miswarp to the DWMP is listed in their statement of obligations under the Wister Act 1999 (DEXWP 2006) and is as follows: a) Facilitate and coordinate the management of catchments in an integrated and subtainable management by balancing emirrormental, social and economic certside at long.
	 c) Pan and make decisions within an integrated calciment management content: recognizing the integral relationship between mans, their catchments and constal
	systems;
Catchroint	 using the best enalative scientific information; targeting resources to address priorities and deliver maximum improvement in resource condition;
Management Authorities	 d) Provide opportunities for community engagement in the integrated management of catchments including rivers and related water and land ecosystems; d) Develop strategic partnerships with other relevant authorities and government agencies;
	Promote and apply a risk monagement approach for natural assets which seeks to preserve the quality of the natural assets;
	 g) Promote and adopt an adaptive approximate integrated catchment management, including continuous review, innovation and increvement; n) Manage benieves operations in a praders, efficient and responsible manner; act as the carefactor of river health and provide regional leadership on issues relating their health; and
	 Undertake the operational management of the Environmental Water Reserve as a key pomponent of an integrated program of river, wettand, floodyssin and apaller restoration.
Desartment of Environment, Land, Water and Planning	The Department of Environment, Land, Water and Planning (DELWP) is responsible for the management of environment, water resources, land management and planning in Victoria. DELWP may advise Councils on specialist matters where an on-site system may influence land, water and planning issues.
	EPA administers the Environment Protection Act 1970, and Waters of Victoria and Groundwater of Victoria SEPPs and is responsible for:
	producing guidance documents for:
	 wastewater treatment system testing and accreditation
	 the Certificate of Approval (CA) process
	iii änsle wastewater mayagement.
	providing advice on and interpretation of the guidance;
Environment.	 sessessing applications for Certification of Approval from manufacturers/Important of ornite westewater it values it systems;
Postercion Nationally Victoria	 leading Certificates of Approval that provide legal consent for appropriately accredited onvite wastewater treatment systems to be sold in Victoria;
(LAV)	 keeping the website based list of currently approved systems and their CAs up to date (see www.epa.vic.gov.au/your-environment/water/onsite-wastewater);
	 rescinding CAs and removing them from the list of approved systems on the EPA website.
	EPA Guilance includes:
	 EPA 891.3 Code of Fractice – Drivite Washewater Management (EPA Victoria 2011);
	 EPA 746.1 Land Capability Assessment - Onsite Wastewater Management (EPA Victoria 2003); and
	 EPA 760 Guidelines for Aerated Orolle Wastewater Treatment Systems (EPA Victor) 2012)

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Authority	Role
Municipal Association of Victoria (MMV)	MAV has prepared guidance documents for domestic westewater management include a temprishe for a DWMF and a model LEA report and procedures. The documentation is consistent with EPA Guidance documents.
Victorian Building Authority (VBA)	The VBA incorporates the roles and responsibilities of the former Planting Industry Commission (PIC and Toestes all plantiers and onsite wastewater management system installation of onsite wastewater management systems including internal planting works.
	Water Corporations proving services within Wellington and East Glopsland Spines are Glopsland Water, East Glopsland Water, South Glopsland Water and Southern Rural Water.
Water Corporations	It is the role of the water corporations to supply water fit for purpose and where this involves drinking water, the water corporations have a strong interest in the protection of drinking water calchiments. In particular, they have a legislative obligations in protecting such catchinents from the impacts of onsite wasterwater management systems.
	Where a proposed onsite system is located within a directing water catchment, the proposal must be referred to relevant water corporation for assessment and approval prior to Council issuing approval for the development.
Victorian Divilland Administration Tribusui (VCAT)	VCAT was established under the Victorian Civil and Administrative Tribunal Act 1996. It is a tribunal where civil dispates, administrative decisions and appears can be heard before Judge or member. The purpose of VCAT is to provide an economical, effective and independent tribunal for dispute resolution. VCAT has made a number of important decisions on disputes with respect to provide wastewater.

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Appendix 2 - Water quality risk factors

Table 10-3. Attributes which were investigated for potential use in risk model development (characteristics in bold were chosen for the risk assessment).

Characteristic	Data-Source	Captamation	Assistment Process
Land area evallable for LAA	Property layer from DataVic	Available land calculated as total property area minus areas classed as unusable (within setbacks, near borss, high watertable, (one hundred years flood area)	Compliant 2 40 ha Low Risk 0.4 - < 40 ha Moderane Risk 0.2 - < 0.4 ha High Risk 0.1 - < 0.2 ha Very High Risk < 0.1 he Extreme Risk 0 ha
Surface waters - setback distance (m)	Calculated from DEM, rivers and lakes layers.	Area of property within the setback is classified as unusable for land application area(s) (LAA).	Distance of potential disposal fields from ephemeral and permanent drainage lines, creaks, rivers, takes, dams and all other surface waters. In DWSC waterway setback is 100 m, reservoir setback is 300 m, outside DWSC waterway and waterbody setback is 60 m.
Flood Likelihood	Flood layers (1 in 100) from DateVic	Requirements for siting onsite wastewater infrastructure (including LAAs) away from areas subject to flooding can vary between Councils.	Access official records where available. Note presimity of LAAs to waterways and areas subject to flooding. Area under 21500 flood layer is classed as unsuitable for LAA.
Watertable Depth (m) below the bace of the LAA	Watertable depth created from SWL and Elevation DEMs	The required soil depth to protect groundwater depends on soil type; high permeability soils generally require a greater separation distance (soil depth).	Distinguish between temporary (seasonal) perched watertables (motifing indicates wetting and drying) and permanent watertables.
Groundwater bons	Groundwater bores layer from WMS - EPA 89 L.8 Setbacks Minor > Söm, Major c>20-50m, Major c>20m Setback for soil categories 2b-6 is 20m, for soils 1-2a is either 50 or 20m (50 may become 20 if certain requirements met)	Accepuse depth of soil to protest groundwater resources largely depends on soil type and climete.	Note the presence of bores on the site or in the locality, and depth of any standing water in pits or bores. Area within 50 m of bore is considered unsuitable for LAA
Slope gradient (%) Slope Form (affects water shedding ability) (a) for absorption trenches and beds (b) for surface irrigation (c) for subsurface irrigation	Slope created from DEM	Land application of effluent becomes increasingly constrained with increasing slope gradient, increasing the chances of effluent runoff or subsurface seepage.	Slape can be measured in the field using a clinometer. Topographic contour lines on site plan can also be used.
Soil Tenture, Indicative Permanbility	SoilfsClay from DataVic Texture Group from Hacelton & Murphy 2010 : Indicative percolation rate from teo.org Soil Categorisation EPA 891.3 LSYS250 WIND_ER (used where other data not available)	Soil textures are categorised as 1. Gravels and Sands 2. Sandy Learns 3. Loarns 4. Clay Learns 5. Light Clays, or 6. Medium to Heavy Clays (AS/N251547: 2012). The rate at which water moves through the soil reflects the soil's permeability and determines the rate at which effluent is applied to land in litres per square metre per day (men per day). The application rate for each type of land dispersal and recycling system is listed in Table 9 in the Code. Whilst the leading rate for LAA design is based on the permeability, it is less than the true permeability.	Use the Code and AS/N2S1S47:2012 to analyse and identify the texture of each soil horizon. Refer also to McDonaid et al. (1990). Generally, expessment of soil texture is adequate to determine soil permissbility from AS/N2S1S47:2012. The constant-head parameter (AS/NSZ1S47:2012) can also be used, but not if soils are waterlogged or shrink-swell tranks are present. NOTE that the falling-head percotation text is no langer considered acceptable by the EPA.

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Characteristic	Data Source	Explanation	Assessment Process
Rainfall (climate - difference between rainfall and evaporation)	BOM contour map of annual rainfull categories	Seasonal rainfall, evaporation and	Gather Burnau of Meteorology (BoM) data and determine average and maximum monthly rainfall, and average monthly
Pan Evaporation (climate - difference between rainfall and evaporation)	BOM contour map of annual evaporation categories	temperature putterns influence potential evapotranspiration in land application areas.	evaporation. Risk levels Low: Rainfall > evaporation < 1 month Mod: Rainfall > evaporation 1 - 4 months High: Rainfall > evaporation > 4 months
Sell Depth to Rock or other impermisable layer (m)	LSYS230 : WATER_ER	Deeper soils generally have a greater assimilative capacity for effluent (depending on soil type).	Comment on the total soil depth, using field investigation or other sources of information such as bore logs, as well as the thickness of each soil horizon, to adequately characterise the soil beneath the LAA. The Code requires description of soil characteristic details 1.5m below the base of the LAA.
Aconst (affects solar radiation received)	Aspect created from DEM	The aspect or the direction that a viope is facing influences selar exposure.	Estimate the general direction of the slope of the land aspication area(s) (LAN). If there are multiple aspects, focus on the area's most variable for LAN.
Landulip potential (Eroson, or potential for proton)	LSYS250 : MASS_MOV	Unstable areas (steep, unvegetated, dispersive sols etc.) are awaily amartable for LAAs without mitigation.	Note any solding or potential eroxion sites as well as any part landslips or slope failures.
Sol Dranage	LSYS250 WATER_LOS	LAAs should be located in areas of good surface and subsurface (soil) drainage.	Determine whether rainfall will be shed (run off) or soun in, and note any wateringgord areas, which may be indicated by hydrophilic vegetation.
Electrical Conductivity (Conjugation) as a measure of soil salinity	Soil EC from DataVic	EC test result infers the salisity of the sali and its potential inspect on plant growth on the LAA, Refer to Haariton & Murphy (2007) for interpretation of EC test results. Application of efficient increases salt content of solic over time.	This cheso and simple test measures the amount of dissolved saits and can be undertaken using a hand hard motor using 1.5 solwater suspension, or in a suitable sail testing laboratory.
pix (Naveument larger for plants)	Soil pH from DataVic LSYS250 LEACH (used where Soil pH data not evaluable)	Acid soin (pH c5) or a leafner soils (pH sH) may constrain plant growth and should be anseled at of by use of chemical additions (e.g. time for acidity).	This test can be undertaken using a soil pit- test kit, a calibrated hand-beld meter using 15 solwater suspension, or in a suitable soil testing laboratory.
No trata Avoltable			
Landform	(plose can been assessed)	Landform shape and the position of LAAs on slopes influence drainage and runoff characteristics both onto any potential LAAs as well as downslope of them (i.e. will runoff be evenly shed, or concentrated or dispersed flows?).	Topographic maps can be used to assess broad landform (seconor phology), and seed its such as position on slope and whate of slope should be assessed in the field, especially for any LAAs.
Greying or Mottling (see Mansel Soil Colour Chart)	indicators of soil drainage (soil texture is another indicator of indicator permeability and is available)	Greyed so's indicate permanent saturation (permanent watertable), while orange, yellow and red mottles indicate seasonal saturation with intermittent periods of drying (perched or seasonal watertable).	Describe the soil, including the dominant soil colour (using Munsell soil colour chart) and the proportion and colour of any mortiling or gloying (soil that is grey's), blush or greenish) in each soil nor look. Include a photograph to illustrate.
Stormwater run on		LANs should not be located in areas with high run on, without mitigation such as upslose diversion structures. Downslose runoff diversion may be useful.	Note evidence of run on to potential UAAs. (such as sediment dams and well ground) and determine likely flow path(s) of runoff from UAAs.
Settuck Distances (non- waterway)		Determining the roost appropriate position for IAAs should be prioritised over placement of building areas.	Note any constraints to required settlack all stances being net, e.g. lot size and shape
Vegetation coverage over the site		Good vegetation cover is important to prevent erosion as well as for uptato of water and nutrients from efficient.	Vegetation cover (N) and type je.g. turfor woodamilj should be determined or estimated.
Cation Exchange Capacity		influences the ability of the soil to hold and eachange sations; a major controlling agent for soil situations statutely, nativent availability for plants and the soil's reaction to fest loses and other.	Recommended for soils suspected to have low firstify. This test is undertaken in a suitable soil testing laboratory and is a precursor for recasoring soils(fy).

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Characteristic	Duta Source	Explanation	Assessment Process
		emeriorants (refer to Hazelton & Murphy, 2007).	
Sedum Almorption Ratio (SAR)		The ratio of sodium to calclam and magnesium (beneficial elements) in the soli solution, with higher ratios potentially damaging to plants and solis.	Recommended for soils or efficient suspected to have remated sodium inveils, especially soils that discerne in water, producing turbidity. This test is undertaken in a suitable soil realing laboratory.
Emerum Aggregate Class consider in content of anticity)		£AC results infer dispersibility (as ped staining, self dispersion or both). LAAs should not be installed in soils with moderate or high dispersibility, without adequate mitigation (e.g. add tion of gymen, use of infigation).	The Emerson Aggregate Test (EAT) is used to assers soil dispersibility and susceptibility to erosion and degradation. Refer to Hazerton & Marsoly (2007) for test methodology. The EAT should be the first test of sell structure stability. If the soil is dispersive mensuring its sodicity is highly desirable and can lead to a correct gypourodology economication.
Rock Fragments (size & volume %)		Course rock fragments displace sail volume and therefore can limit assimilative capacity of soils.	Visually estimate the size and proportion of course rock fragments (posities etc.) in each horizon, tadge to see if rocks indicate shallow bedrock.
South of the st		The percentage of sodium compounds on cation exchange sites on soil particles. £59 >6% may cause damage to the soil structure. Refer to Hazelton & Marphy (2007). Effluent and preywater contain sodium.	Recommended for sol's or efficient suspected to have elevated sodium levels, especially sol's that disperse in water, producing furbidity. This test is undertaken in a unitable soit heating blateratory, in conjunction with testing cation exchange capacity and exchangeable capacity and exchangeable capacity and exchangeable capacity.
Bock outcoon (% of surface)		Rock euterops of spriace so'l nortrons and therefore can limit assimilative capacity of LAAs for effluent. Outerops can indicate shallow bedness. Some rocks are shrongly fish and and permeable and others are not.	Estimate the amount (N cover) and type of any rack protrading from the ground on the site.
Fit ⁷ (mounted)		Casecity to assimilate efficient depends on the physical and chemical characteristics of the imported fill material(s).	Observe the extent and characteristics of any imported fill, particularly on potential LMs.
Land Sultability		An LCA is used to determine which land is suitable and unsuitable for LAAs.	Areas that are unsuitable for LAAs should be excluded to determine available LAA on the site. A number of small and separate areas are often not suitable for UAAs.

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Appendix 3 - Key to planning zones

Table 10-4. Key to planning zones

Megney	Code	Planning Types Name
stastral	IN12-IN32	Industrial Zone
ommercial	CEL-2	Coromercial Zone
	MUZ	Mixed Use Zone – not public land is a commercial zone
	PCRZ	Fuois Conservation and Resource Zone
	PPRZ	Public Park and Recreation Zone
	PUZI-7	Public Use Zone
Nic Land	RCZ1-3	Rural Conservation Zone
	PCRZ	Public Conservation and Renource Zone
	R021-2	Road Zones
	LORZ	Low Density Residential Zone
	GRZ1	General Residential Zone
sidential	MUZ	Mixed Use Zone
	C021	Comprehensive Development Zone ~is a residential zone in this case
	77	Township Zone
	FE	Farming Zone
rai.	MAZ	Raral Activity Zone
	R121-5	Rural Dving Zones
	HCZ1-3	Bural Conservation Zones
SUM I	SUZI	Special Use Zone: Earth and Energy Resources Industry
Special Purpose	CA	Commonwealth Land

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Appendix 4 - Action Plan items from 2006 DWMP not carried forward to 2016 plan

Action plan items in this appendix were either completed, or due to changing circumstances are no longer considered a priority in the 2016 plan.

Issues Relevant to Municipalities as a Whole

Aution	Action steps	Comments and action taken
Capacity	hilding	
CB.1	Investigate potential to obtain additional funds from Council budget, (tase out)	Investigated No success, no funding
CB-2	investigate potential for a domestic wastewater management levy for all unsewered homes.	Not done. No appetite from Council, Legality is unresolved.
CB-4	Work with EFA and DSE to improve regulation and enforcement mechanisms to remedy septic tank systems that are operating in accordance with their permits but do not satisfy current standards.	No EPA Regulation Review process never completed despite discussio paper. (See Hard Copy)
CB.5	Investigate strategies for addressing the issue of landowner's attility to pay for upgrades required.	Funding not available
Informa	tion Management and Data Collection	
Update:	eptic tank permit database	
IM.1	Laise with MAV pilot program regarding potential database module components.	Ongoing
IM.5	Submit data transfer program for incorporation into budget	No funding available as is not separately funded
IM.6	On budget approval implement stata transfer program	N/A
IM.B	Submit audit program for inconposation into budget	Salamit for Budget item during the tenure of the plan
IM 6	On budget approval implement audit program	Not done (see comments show)
Ectabilis	Septic Tank Details at Change of Ownership	and the profession of the second control of
	Establish/enhance link between the property system and the EH team to ensure that Section 32	
M.10	notices inform potential property buyers of the existence of a septic system, the conditions of the permit and any recorded problems. Blints with education action CE 30	To be intalemented
M.12	Submit program to access missing information for incorporation into budget	N/K
MIL	On budget approval implement program to access missing information.	N/R
Commu	Nty Education	
	vity education for property owners and residents in priority towns and high risk acess	
	Develop fact sheets addressing issues such as:	
	How septic tank systems work.	
	Owner obligations.	
	How to achieve best system performance (maintenance & household practices).	PROPERTY OF THE PROPERTY OF TH
CE.1	How to detect a falling system.	Ongoing improvement to website
	Impacts of falling systems.	and continued education program
	Septic task permits.	
	Water conservation.	
	Anise of greywater.	
CE.J	Develop modia release to publicise availability of fact sheets.	Not Required
6.30	Display fact sheets on Council website and make available at Shire Offices.	Orgoing addate on website
CE 6	Design a community evaluation survey and process for completion.	Not Required
CE.7	Submit survey process for budget approval.	Not linquired
CE.B	Undertake a community evaluation survey.	Not Required
Commu	sity education for new septic tank permit holders and new property owners with septic tank	
systemi		
CE-9	Prepare a standard covering letter to be circulated to new teptic tank permit helders and new property owners with a set of fact sheets.	Originity updates
CE.10	Establish a system (or refine existing system) whereby Rates Office notify EN Dept. when a change of home ownership occurs for an unsewered property. (Linked to Action IM 10)	To be established (WSC) Completed (EG)
CE.11	EH Dept. to distribute fact sheets as permits are issued and when a change of home ownership occurs. Where type of septic system is known, target fact sheets sent.	To be established (WSC) Completed (EG)
Strategi	Planning	
THE RESERVE AND ADDRESS.		164 A A
59.2	Determine minimum lot size required for sustainable onsite wastewater management for all	LCA dependent.

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Support Courts Transmiss through page in Farmeron's location appropriate consideration of demercial existence insues. P. S. Conservatives for Insues. P. S. Conservatives for Insues. P. S. Conservatives for Insues. P. S. Develop strategic approach to severage infill and extension in sewered boars. South Copability Assessments. I.C.A.1 Review and document circumstances in which LCAs need to be undertaken. I.C.A.2 Determine and ser minimum requirements for preparation of LCAs in accordance with existing specifications. I.C.A.3 Determine and ser minimum requirements for preparation of LCAs in accordance with existing sput deliver. I.C.A.4 Development consistency and template preparation of LCAs in accordance with existing sput deliver. I.C.A.4 Development on package and template for SCA providers in consultation with providers. I.C.A.4 Development on package and template overlable on country which is consultation with providers. I.C.A.5 Development on package and template overlable on country which is consultation with providers. I.C.A.6 Development on package and template overlable on country which is consultation with providers. I.C.A.7 Provide information package and template overlable on country which is providers to the provider of the provider of the providers of the providers on country which is consultation to the provider of the provider responsibility to the provider of the minimum responsability of the provider of minimum responsability in the region through a distance in the Accountry of the Accountry of the providers of the providers of the providers. I.C.A.6 Development is subject approval in providers in process for ILCAs providers. I.C.A.7 Submit LCAs training program for incorporation into budget. I.C.A.8 To budget approval improvement training groups for the providers of the providers. I.C.A.9 Notice that ICAs to inventigate on a screedistrict process for ILCAs providers. I.C.A.9 Notice the ICAs to inventigate on a screedistrict process for ILCAs providers. I.C.A.9 Development	Action	Action Rept	Comments and action taken
Land Capability Assessments 2.5 Control couldon from the washingwater management, developed appropriate consideration of formulation with Strategic developed into Planning Schemes as amendments. 2.6 Develop strategic approach to severage infill and extension in several bases. Land Capability Assessments Land Capability Assessment			
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and East Goppland Strees. Not done TR.4 Develop an EH specific induction program that includes fraining on land capability assessment and planning tools. Committed	400	ADMINISTRATION OF THE PROPERTY	2.425
TR.4 Develop an CH specific induction program that includes training on land capability assessment and planning tools. Committed	18.3		Not dane
1.575500.7570	TEX	Develop an EH specific induction program that includes training on land capability assessment	Consisted
	TR.G	Encourage MAV to provide additional courses relevant to domestic westenater management.	Disening .

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Priority Towns/Areas -Strategic objectives completed since 2006

Table 10-5. Individual Towns Strategic Objectives from the 2005 DWMP that were completed.

te:	Shire	Description
1	Wellington	Aberton, work with fourth Goppland Water to investigate potential for severing town to nearly Tantaville treatment plant (which services Yarram). (As longer a stronger adjective, town more sewered)
2	East Goosland	Bernin River - apply for external funding to assist. In investigation of sustainable wastewater management approach. (No longer outrotogic objective, town new sewered)
L.	East Gippsland	Barrinia Penimula . Salse with East Gippcland Water regarding current sewer investigation and, if sewering is not implemented, determine approach to sustainable onsite disposal. (No larger a strategic objective, once now sewered)
6	Wellington	Coorgula/Germaggie and Loch Sport - continue role as partner in investigation into inhovative solutions to domestic wastewater management (No langer a strategic adjective, towns now lewered)
s.	Wellington and East Glouward	Coastal towns - ensure domestic wastewater management issues are incorporated appropriately into Coastal Townships Brown Design Framework. (No Jonger a strotegic objective, domestic wastewater management asses now incorporated into LIDF)

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Priority Towns/Areas - East Gippsland Shire

Action	Action stags	Comments and action taken
Buchan, Se	vitis Creek, Noma Nowa, Ensay, Bendoc, Newmerela	
River 1	Community education to active emproved management and encourage installation of improved systems (part of actions CE 4 & CE.5)	
River 2	Determine minimum lot size required and preferred approach to sustainable onsite management (part of action \$9.2).	Refer SP 2 and 5
Bernm Rive		
Bert.1	Apply for external funding to investigate sustainable wastewater approach.	Done
ten Z	Investigate options for reticulated sewerage or common efficient drainage scheme.	Done Reticulated sewer provided
Ben I	Undertake community consultation regarding preferred approach.	Done Reticulated sewer provided
Bern 4	Community education to activitive improved management and encourage installation of improved systems (part of actions CE 4 & CE 5).	Done Acticulated sewer provided
lien.5	Develop a monitoring and compliance program (linked to actions MC 1-9).	Date Reticisted sewer provided
Banks is Fe	nitula .	
Banks.T	Liane with EGW regarding newer investigation.	Done Reticulated sewer provided
flerits.2	Determine approach to sustainable orisite disposal if sewering not implemented.	Done Reticulated unver provided
Banks 3	Community education to achieve improved management if sewering not implemented (part of antions Ct. 4 & Ct. 5).	Done Reticulated sewer provided
Barris 4	Develop compliance and monitoring program if severing not impremented. (Linked to actions MC L9)	Done Reticulated sewer provided
Underson!	South	Sept Minute Selection
Lind.1	Determine minimum lot sizes for redgum plains so sandy rises (part of action SP.2).	See SP2
Und 2	Determine strategy for matching planning zones to land systems.	Councils and EGW strategic policy to encourage development in Lindonous sesser district
Lind.3	Community consultation to determine whether area should be regorded or sewered.	Councils and EGW strategic policy to encourage development in Lindenow sever district
Nangumer	/Metung East	
Nun.1	Determine minimum of size appropriate for onsite westerwater management (port of action 59.2). Work with council planning area to incorporate domestic westerwater strategy into Coasta Towns	
hun.2	Orban Design Framework so as to ensure further subdivision of land is restricted (part of action SP 4).	
West Wy Y	and other Severage Infit	
Wy.1	Determine minimum lot size appropriate for wastewater management (part of action SP.Z):	See SP 2
	Work with council planning area to determine strategic approach, e.g. restrict subdivision or	
Wy.2	ensure subdivided areas are sewored or issue a common efficient drainage scheme." (Port of action 59.6.)	Done - Inprogress
Wy.E	Consider polions for connecting to nearty sewer system, eg. low pressure sewer.	Done

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Priority Towns/Areas - Wellington Shire

Action	Action steps	Comments and action taken
Coorgula/0	CHARLES TO A CONTROL OF THE PARTY OF THE PAR	
C/G.1	Continue role as partner in Country Towns Water Supply and Sewerage Program investigation into innevative domestic wastewater solutions.	Done
C/4/2	Determine minimum lot size and approach to sustainable onsite disposal in interim (part of action 59.2)	Done
C/G,3	Develop strategy for new houses, or upgrades that occur before sewer investigation complete.	Dane
C/G.4	Community education to achieve improved management and encourage installation of improved systems (part of actions CE.4 & CE.5).	Done
7/6.5	Develop compliance and monitoring program? (Inited to actions MC 1 ft)	Not done
Loch Sport		
Loch I	Continue role as partner in Country Towns Water Supply and Sewerage Program investigation into innovative domestic wastewater solutions.	Done
toch2	Bennew approach to sustainable ensite disposal.	Done
tock3	Develop strategy for new houses, or upgrades that occur before sewer investigation	Done
	complete. Community education to achieve improved management and encourage initialistion of	
Loch 5	Improved systems (part of actions CE 4 & CE.5).	Done
Athenton	Develop compliance and monitoring program (finised to actions MC.1-9).	Done
Abeton Ab.1	Community education to activities improved management and encourage installation of	Done
	Innorceed systems (part of actions CE 4 & CE 5). Investigate patential to sewer town to Tarraville WWTP in consultation with South	
Ab2	Gippuand Water	Done
Ab.I	Determine minimum lot size required for sustainable onsite management (surt of action 59.2).	Dane
Ab.4	Develop strategy for undeveloped lots that are smaller than minimum lot size (part of action 59.3).	Done
Ab.5	Ensure new houses and upgraded systems implement full ensite disposal.	Done
Abs	Investigate improved stormwater management to reduce public health risk, eg. covers over drains.	Done
An.7	Investigate improved stormwater management to reduce environmental impact, eg. wetland, reed bed.	Done
8-d/A	Develop a monitoring and compliance program (linked to actions MC.1-9)	Done
Cowwart an	nd Dargo	
CAD.1	Community education to achieve improved management and encourage installation of improved systems (part of actions CE.4 & CE.5).	Ongoing
C&D.2	Determine minimum lot size required for sustainable onsite management (part of action SP.2).	Ongoing
C&D.3	Develop strategy for undeveloped lots that are smaller than minimum set size (part of action \$P.3).	Ongoing
CAD.4	Ensure new houses and upgraded systems implement full onsite disposal.	Done
CEDS	Investigate improved stormwater management to reduce public health risk, eg. covers over	Ongsing
	drains. Investigate improved stormwater management to reduce environmental impact, eg. wetland.	100F1.F3
CADA	reed ted.	Done
CBD.7 Coastal Ares	Develop a monitoring and compliance program (Inited to actions MC.1-9) as in particular, Golden Beach, Paradise Beach, McLoughlins Beach and Woodside.	Organg
Covert t	Take active role in development of Coastal Townships Urban Design Framework and Wellington Coastal Strategy to ensure domestic wastewater issues are incorporated appropriately (part of action SPA).	Onesing
Coest, 2	Determine impact of land capability on approach to onsite management (part of action SP 2).	Ongoing
Coast 4	Community education to achieve improved management and encourage installation of improved systems (part of actions CE,4 & CE,5).	Not done
Count 3	Develop a monitoring and compliance program (linked to actions MC.1-9)	Not done
Briagniong		
frieg 1	Investigate risk to groundwater in further detail and determine casacily for further unswered development in the town.	Not done
Blig.Z	Determine minimum lot size required for suntainable westewater management (part of action SP 2).	Not done
Ring.3	Develop strategy for underwiceped lots that are smaller than minimum lot size (part of action \$9.3).	Dene
Bring A	Ensure new houses and upgraded systems implement full onsite disposal.	Done

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Attien V	Action steps	Comments and action teams
Biag.5	Community inducation to achieve improved management and encourage installation of improved systems (part of actions CE 4 & CE 5).	Not done.
Bring Si	Develop a monitoring and compliance program (Insted to actions MC.3-9)	Not done
Hollands	Linding	
HL1	Determine sistalnable approach to onsite management.	Siot.done
HLZ.	Continuality education to achieve improved management and encourage installation of improved systems (part of actions CE.4 & CE.5).	Not done
HCE:	Develop a monitoring and compliance program (linked to actions MC.1-8)	Not done
Sewerage	Infili Developments around Sale, Maffra, Heyfield, Rosedale, Yarram, and Stratford.	
PAULT	Determine minimum let size appropriate for onsite wastewater management (part of action \$2.2).	Done
HF0.2	Work with council planning department to determine strategic approach, e.g. restrict subdivision or ensure subdivided areas are sewered ¹ . (Part of action SP.6)	Ongoing
nersa:	Develop a closer relationship with relevant water corporations and investigate options for expansion of the sewer system ² .	Ongoing
HRI.4	Where severing will not occur undertake community education to ensure improved management of septic systems (part of actions CE 4.6 CE.5).	Ongoing
Infilia	Develop a monitoring and conspliance program (Inked to actions MC 1-9).	Ongoing

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Appendix 5 - Stakeholder Workshops

Wellington and East Gippsland Shires Domestic Wastewater Management Plan – Workshop 1 – Review of DWMP Scope

May 1 2015, Wellington Shire Offices, 70 Foster St, Sale

Attendees:

- Martin Richardson (Gippsland Lakes Committee resigned)
- · Fiona Pfeil (Catchment Officer, Gippsland Water)
- Vince Lopardi (Water Resources & Catchment Planning, Southern Rural Water)
- Kerry Matthews (Catchment Management & Water Quality, South Gippsland Water)
- Paul Young (Senior Planning Engineer, Gippsland Water)
- John Roche (Acting Senior Environmental Health Officer (EHO), East Gippsland Shire Council)
- · Vanessa Ebsworth (Manager, Municipal Services, Wellington Shire Council)
- Barry Nicholl (Manicipal Building Surveyor and Environmental Health Coordinator, Wellington Shire Council)
- · Dean Graham (EHO, Wellington Shire Council)
- Andrew Fairhall (EHO, Weilington Shire Council)
- Elliot Robertson (Department of Health and Human Services)
- Nick O'Connor (Ecos Environmental Consulting)
- · Tracy Clark (Ecos Environmental Consulting)

Apologies

- Simon Robertson (East Gippsland Water)
- EPA Victoria

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C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1 2016-001 PORT OF SALE HUB TENDER AWARD

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

DATE: 2 AUGUST 2016

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

OBJECTIVE

The objective of this report is to request Council to enter into a contract for the construction of the Port of Sale Cultural Hub. This project will facilitate the integration of the following services Sale Public Library, Gippsland Art Gallery, Wellington Visitor Information Centre, Council Chambers and cafe.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council adopts the recommendations contained in the attached confidential Tender Evaluation Report for contract 2016 001 Port of Sale Cultural Hub Construction; and
- 2. That the information contained in the confidential document item F1.1 2016-001 Port of Sale Cultural Hub Construction of this Council meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Manager Built and Natural Environment on 13 July 2016 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) contractual matters:

be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.

BACKGROUND

The redevelopment of the former civic centre at 70 Foster Street, Sale in to the Port of Sale Cultural Hub will incorporate the relocation of Sale Public Library, Gippsland Art Gallery, Wellington Visitor Information Centre, Council Chambers and café.

Funding allocations for the Port of Sale Cultural Hub project (excluding external precinct works) are as follows:

Australian Government – Department of Infrastructure and	\$1,500,000
Regional Development	
Victorian Government – Regional Development Victoria	\$4,000,000
Victorian Government – Local Government Victoria	\$750,000
John Leslie Foundation	\$1,500,000
Council	\$3,250,000
Cultural Hub Approved Sub Total	\$11,000,000
Council – roof cladding replacement	\$275,000
Cultural Hub Approved Total	\$11,275,000

Total cultural hub project approved allocation of \$11,275,000 is inclusive of \$275,000 for roof cladding replacement as previously approved in Council budget.

OPTIONS

Council has the following options:

- 1. To enter into a contract for the Port of Sale Cultural Hub construction as described; or
- 2. To not enter into a contract for the Port of Sale Cultural Hub construction as described.

PROPOSAL

That:

1. Council adopts the recommendations contained in the attached confidential Tender Evaluation Report for contract 2016 001 Port of Sale Cultural Hub construction.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Funding for this project is included in the Capital Works Program as adopted by Council.

COMMUNICATION IMPACT

Communications regarding project progress and community impact will continue as per the External Communications and Community Engagement Plan developed specifically for this project.

LEGISLATIVE IMPACT

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

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objective

"Assets and infrastructure that meet current and future community needs"

Strategy 4.2

"Ensure assets are managed, maintained and renewed to meet service needs."

Strategy 4.3

"Manage Council community facilities planning to ensure that outputs are based on identified community needs."

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

RESOURCES AND STAFF IMPACT

The Assets & Projects Unit will provide the staff and resources to manage this contract and is supported by the Executive Manager Major Projects.

COMMUNITY IMPACT

There will be minimal short term impact on the neighbouring property as works are completed. The aim is to minimise this impact to non-business hours and ensure access to all properties/businesses is maintained. There will be some impact to services during relocation from current facilities to the new facility which will be communicated broadly to the community.

ENVIRONMENTAL IMPACT

The proposed works will have minimal environmental impact, with the Contractors complying with Council's Guidelines on Environmental Management for Roadwork Projects.

CONSULTATION IMPACT

Despite short term interruptions associated with the construction works there will be a positive long term impact on the community. Consultation will continue with key stakeholders and the broader community throughout the construction phase of the project in accordance with the project's External Communications and Community Engagement Plan, as it has during the design phase.

RISK MANAGEMENT IMPACT

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

ITEM C4.2 PROPOSED SALE OF PART 14-16 LIVINGSTON ROAD YARRAM

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

DATE: 2 AUGUST 2016

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

OBJECTIVE

For Council to authorise the sale of part of Council land located at 14-16 Livingston Road, Yarram to Radial Timber Australia Pty Ltd.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council resolve that land described as part 14-16 Livingston Road, Yarram as shown on the plan within and more specifically referred to as part Lot 1 on Title Plan 243882R Volume 08073 Folio 659 is not required for Council purposes.
- 2. Council advertise its intention to sell the land at or above the current market value by private treaty to Radial Timber Australia Pty Ltd, subject to the provisions of the Local Government Act 1989 section 189 and 223, including calling for submissions in relation to the proposed exchange.
- 3. Subject to not receiving any submissions, Council authorise the Chief Executive Officer to offer for sale the land at or above the current market value including executing necessary documents.
- 4. The information contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built and Natural Environment on 18 July 2016 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: h) any other matter which the Council or special committee considers would prejudice the Council or any person; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.

BACKGROUND

The property located at 14-16 Livingston Road, Yarram is a one hectare site owned by Council and used in connection with the Yarram Works Depot. Radial Timber Australia Pty Ltd (RTA) resides on land to the south and operates a timber processing mill and has recently acquired land to the north in line with plans to expand their operations.

Since 2012 RTA have been in discussions with Council officers regarding options to acquire Council's land. In 2015 a lease was established so as to facilitate a link between two of their sites.

The plan below outlines the leased land and area RTA have expressed interest in acquiring.



This report recommends that Council progress the subdivision and sale of land by private treaty to RTA at or above market value. The proposed sale of the land and buildings is based on an "as is" state and no further work or improvements are to be undertaken. RTA have agreed in principle to the site in its current condition.

In line with advice received from Council's planning department, the site would need to be subdivided and then consolidated with one of RTA's existing lots to ensure road access is available.

The Confidential Attachments provide further detail including:

- 1. Recommended offer for sale
- 2. Photos of RTA development
- 3. Lease
- 4. Valuation report.

OPTIONS

The following options are available to Council:

- 1. Progress: or
- 2. Not progress at this time.

PROPOSAL

That:

- 1. Council resolve that land described as part 14-16 Livingston Road, Yarram as shown on the plan within and more specifically referred to as part Lot 1 on Title Plan 243882R Volume 08073 Folio 659 is not required for Council purposes.
- Council advertise its intention to sell the land at or above the current market value by private treaty to Radial Timber Australia Pty Ltd, subject to the provisions of the *Local Government Act 1989* section 189 and 223, including calling for submissions in relation to the proposed exchange.
- Subject to not receiving any submissions, Council authorise the Chief Executive Officer to offer for sale the land at or above the current market value including executing necessary documents.
- 4. The information contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built and Natural Environment on 9 August 2016 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: h) any other matter which the Council or special committee considers would prejudice the Council or any person; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

This report recommends a sale of land at or above market value. If the sale progresses this will result in a positive financial impact for Council.

LEGISLATIVE IMPACT

Section 189 of the *Local Government Act 1989* (Vic) obligates Council to provide public notice of the intention to sell land, and to give consideration to any submissions received. A further Council report would be required in the event any submissions being received.

COUNCIL POLICY IMPACT

Wellington Shire Council's Policy for the Sale, Exchange and Acquisition of Land accords with best practice guidelines. It states that transactions should be in the best interests of the community and provide the best result (financial and non-financial) for Council and the community.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategies:

Strategic Objective

"Assets and infrastructure that meet current and future community needs."

Strategy 4.1

"Undertake service delivery planning to provide community assets in response to identified needs."

Strategy 4.2

"Ensure assets are managed, maintained and renewed to meet service needs."

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

PLANNING POLICY IMPACT

Advice has been obtained relating to planning impacts and this has confirmed that the land can be subdivided and its use is consistent with the Industrial 1 Zone.

RESOURCES AND STAFF IMPACT

This matter is being addressed within the existing resources of the Built Environment Business Unit.

COMMUNITY IMPACT

Progressing this sale will likely result in a higher and better use of the site and, within the context of the broader development plans RTA have, will positively benefit employment within the Yarram region.

ENVIRONMENTAL IMPACT

Environmental considerations relating to possible contamination will be addressed through the Contract of Sale and Disclosure Statement where indemnity provisions will apply.

CONSULTATION IMPACT

Council's Built Environment Strategic Group have been provided with updates regarding surplus land and land suitable for disposal. Consultation will take place in the form of seeking submissions in accordance with s223 of the *Local Government Act 1989*.

RISK MANAGEMENT IMPACT	
The recommendation within this report is considered to have addressed risk management in	npact.
Meeting Agenda - Ordinary Council Meeting 2 August 2016	230

C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE





E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

ITEM F1.1 2016-001 PORT OF SALE CULTURAL HUB CONSTRUCTION (REFER TO ITEM C4.1 OF THIS AGENDA)



ORDINARY COUNCIL MEETING 2 AUGUST 2016

On this 13 July 2016, in accordance with Section 77 Clause (2)(c) of the *Local Government Act* 1989; I, Christopher Hastie (delegate) declare that the information contained in the attached document **ITEM F1.1 2016-001 PORT OF SALE CULTURAL HUB CONSTRUCTION** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act* 1989:

d) contractual matters

General Manager Built and Natural Environment (delegate)

ITEM F1.2 PROPOSED SALE OF 14-16 LIVINGSTON ROAD YARRAM (REFER TO ITEM C4.2 OF THIS AGENDA)



ORDINARY COUNCIL MEETING 2 AUGUST 2016

On this 18 July 2016, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Christopher Hastie (delegate) declare that the information contained in the attached document **ITEM F1.2 PROPOSED SALE OF 14-16 LIVINGSTON ROAD YARRAM** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

h) any other matter which the Council or special committee considers would prejudice the Council or any person;

Concret Manager Puilt and Natural Environment (d

General Manager Built and Natural Environment (delegate)



G. IN CLOSED SESSION

COUNCILLOR

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

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

IN CLOSED SESSION

COUNCILLOR

That:

That:

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