



Council Meeting Agenda

Meeting to be held at

Port of Sale Business Centre

Foster Street, Sale

Tuesday 20 June 2017, commencing at 6pm

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

ORDINARY MEETING OF COUNCIL – 20 JUNE 2017

AGENDA & TABLE OF CONTENTS

| | ITEM | PAGE NUMBER |
|----------|---|----------------|
| A | PROCEDURAL | |
| A1 | STATEMENT OF ACKNOWLEDGEMENT AND PRAYER | |
| A2 | APOLOGIES | |
| A3 | DECLARATION OF CONFLICT/S OF INTEREST | |
| A4 | CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING | 7 |
| A5 | BUSINESS ARISING FROM PREVIOUS MEETING/S | 8 |
| A6 | ACCEPTANCE OF LATE ITEMS | 9 |
| A7 | NOTICES OF MOTION | 10 |
| A8 | RECEIVING OF PETITIONS OR JOINT LETTERS | 11 |
| | ITEM A8(1) OUTSTANDING PETITIONS | 12 |
| | ITEM A8(2) RESPONSE TO PETITION – To Retract the Prohibition Notice to Stop Motorbike Activity Freestone Creek Road Briagolong | 13 |
| A9 | INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS | 17 |
| A10 | QUESTIONS ON NOTICE | 18 |
| A11 | MAYORS REPORT | 19 |
| | ITEM A11(1) MAYORS REPORT | 20 |
| A12 | YOUTH COUNCIL REPORT | 22 |
| | ITEM A12(1) YOUTH COUNCIL REPORT | 23 |
| B | REPORT OF DELEGATES | 25 |
| C | OFFICERS' REPORT | |
| | C1 CHIEF EXECUTIVE OFFICER | 26 |
| | ITEM C1.1 CHIEF EXECUTIVE OFFICER'S REPORT | 27 |
| | ITEM C1.2 MAY 2017 PERFORMANCE REPORT | 29 |
| | ITEM C1.3 COUNCIL'S SUBMISSION FOR THE MUNICIPAL ASSOCIATION ACT REVIEW | 38 |

| | ITEM | PAGE NUMBER |
|----------|---|----------------|
| | ITEM C1.4 COUNCIL'S SUBMISSION FOR THE INQUIRY INTO THE SUSTAINABILITY AND OPERATIONAL CHALLENGES OF VICTORIA'S RURAL AND REGIONAL COUNCILS | 43 |
| | C2 GENERAL MANAGER CORPORATE SERVICES | 51 |
| | ITEM C2.1 ASSEMBLY OF COUNCILLORS | 52 |
| | C3 GENERAL MANAGER DEVELOPMENT | 59 |
| | ITEM C3.1 MONTHLY PLANNING DECISIONS – APRIL 2017 | 60 |
| | ITEM C3.2 PLANNING SCHEME AMENDMENT C97 | 69 |
| | C4 GENERAL MANAGER BUILT & NATURAL ENVIRONMENT | 260 |
| | ITEM C3.1 ROAD MANAGEMENT PLAN 2017 | 261 |
| | C5 GENERAL MANAGER COMMUNITY AND CULTURE | 267 |
| | ITEM C5.1 GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES | 268 |
| D | URGENT BUSINESS | 295 |
| E | FURTHER GALLERY AND CHAT ROOM COMMENTS | 295 |
| F | CONFIDENTIAL ATTACHMENTS | 296 |
| G | IN CLOSED SESSION | 297 |



Council Meeting Information

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

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

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



A - PROCEDURAL



STATEMENT OF ACKNOWLEDGEMENT

***“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



A - PROCEDURAL

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:

20 JUNE 2017

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 6 June 2017.

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

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 6 June 2017.

CONFLICT OF INTEREST

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



A - PROCEDURAL

A5 BUSINESS ARISING FROM PREVIOUS MEETING/S



A - PROCEDURAL

A6 ACCEPTANCE OF LATE ITEMS



A - PROCEDURAL

A7 NOTICE/S OF MOTION



A - PROCEDURAL

A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1)**OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

20 JUNE 2017

| ITEM | FROM MEETING | COMMENTS | ACTION BY |
|------|-----------------|----------|-----------|
| NIL | | | |

ITEM A8(2)**RESPONSE TO PETITION: TO RETRACT THE PROHIBITION
NOTICE TO STOP MOTORBIKE ACTIVITY FREESTONE CREEK
ROAD BRIAGOLONG**

DIVISION: DEVELOPMENT
ACTION OFFICER: MANAGER MUNICIPAL SERVICES
DATE: 20 JUNE 2017

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

OBJECTIVE

To consider and respond to a petition submitted to Council in relation to a Prohibition Notice which was served on 84 Freestone Creek Road, Briagolong in relation to excessive motorbike activity.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**RECOMMENDATION*****That Council-***

- 1. Write to the head petitioner advising that negotiations have been undertaken and a mutually agreed position has been developed whereby the motorbike activity will be restricted to:***
 - weekends and public holidays for a total of one hour between 9am and 12pm and one hour between 1pm and 5pm***
 - motorbikes can be ridden for one hour on one weekday per week***
 - maximum of two bikes to be ridden at any one time***
 - no use of adult motorbikes on the property (junior motorbikes to be ridden only)***
- 2. Note that the head petitioner acknowledges that should the motorbike activity occur outside these agreed times, a Prohibition Notice under the Public Health and Wellbeing Act 2008 can be re-issued.***

BACKGROUND

A petition containing sixteen signatures was submitted on 3 May 2017 and received by Council at its meeting of 16 May 2017. The petition requested that council withdraw the current prohibition notice as the motorbike activity at the property is not excessive.

As a result of the petition, Council's Environmental Health Officer and Manager Municipal Services visited the head petitioner and the complainant on 23 May 2017.

A compromise position has now been developed, whereby the motorbike activity will be restricted to minimize noise levels while allowing for a reasonable level of activity to occur. Council will now retract the prohibition notice.

It was also acknowledged that should the nuisance continue outside these agreed times then a Prohibition Notice under the *Public Health and Wellbeing Act 2008* could be re-issued.

OPTIONS

Council has the following options:

1. That Council write to the head petitioner and complainant advising that negotiations have been undertaken and a mutually agreed position has been developed and acknowledges that should the motorbike activity occur outside the agreed times, a Prohibition Notice under the *Public Health and Wellbeing Act 2008* can be re-issued.
2. For council to seek further information.

PROPOSAL

That Council:

1. Write to the head petitioner and complainant advising that negotiations have been undertaken and a mutually agreed position has been developed whereby the motorbike activity will only occur during the agreed times; and
2. Acknowledges that should the motorbike activity occur outside the agreed times, a Prohibition Notice under the *Public Health and Wellbeing Act 2008* can be re-issued.

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 2017-21 Theme 1 Communities states the following strategic objective and related strategy.

Strategic Objective 1.2

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

Strategy 1.1.2

‘Work in partnerships to provide leadership and strategic direction on issues relating to community safety.’

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



On 10th of April 2017 Stephen Cox of 84 Freestone crk rd Briagolong was served with a prohibition notice from the Wellington Shire Council Environmental Health Office for allegedly breaching section 61 of the Public Health and Wellbeing Act 2008 (vic)

The Prohibition notice stated that on his own property where he has lived for many years he may:

- Only ride between the hours of 9.50am - 10.30am and 2.30 pm - 310pm on weekends all year round.
- A maximum of two engines running at any one time within the above listed times
- No use of two stroke engine adult bikes, large capacity motors or loud exhausts
- Only direct relatives of people living at the residence to ride on the property.

The following is a list of Briagolong Residents who live in close proximity to Stephen and concerned citizens who would argue that the above mentioned activities are not in breach of section 61 of the Public Health and Well Being Act 2008 and ask that the prohibition notice be revoked.

| NAME SIGNATURE | ADDRESS | PHONE | DATE |
|----------------------|---------|-------|-----------|
| SEAN WILSON | | | 19/4/17 |
| SPM ARBOY | | | 19/4/17 |
| ROSS JONSON | | | 19/4/17 |
| Lewyn Fry | | | 19/4/17 |
| Suzanne Atkinson | | | 19/4/17 |
| Ellen Anthony | | | 19/4/17 |
| 20 | | | 19/4/2017 |
| John Gossard | | | 19/4/2017 |
| Kevin Bell | | | 19/4/2017 |

Simon Hurrell
Simon Hurrell

PETER JOHNSTON
Peter Johnston
Ryan Cates

MALCOLM JOHNSTON
Malcolm Johnston

George Lane
George Lane
George Lane



A - PROCEDURAL

A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A - PROCEDURAL

A10 QUESTIONS ON NOTICE



A - PROCEDURAL

A11 MAYOR'S REPORT

ITEM A11(1)**MAYOR'S REPORT**

OFFICER: COUNCILLOR CAROLYN CROSSLEY

DATE: 20 JUNE 2017

RECOMMENDATION*That the Mayor's report be noted.*

17 May 2017 to 11 June 2017

| | | |
|--------|---|---|
| 18 May | Volunteer Week - Maffra Community House, Maffra | Mayor Crossley attended. |
| 19 May | Gippsland Local Government Network (GLGN) Councillor forum, Morwell | Cr Hole and Cr Maher represented Council. |
| 20 May | Heyfield Vintage Steam Rally, Heyfield | Mayor Crossley attended. |
| 21 May | Seaton Recreation Reserve AGM, Seaton | Mayor Crossley attended. |
| 23 May | Araluen Primary School – Tour of school, meeting with Principal and participation in Breakfast Club with the students, Sale | Mayor Crossley attended. |
| 24 May | VicRoads Community Information session, Stratford | Mayor Crossley attended. |

This Community information session in Stratford was one of the best attended across the Region. Community engagement was very positive and a variety of topics were covered between all parties, including safety issues on the highway and traffic management through Stratford. VicRoads are happy to receive any further suggestions relating to the duplication of the highway between Sale and Bairnsdale via their website.

| | | |
|--------|---|--|
| 24 May | Council Community Conversation - Yarram Junior Football Club, Yarram | Cr McCubbin and Cr Stephens represented Council. |
| 25 May | Municipal Association of Victoria (MAV) Future of Local Government National Summit, Melbourne | Cr Hole attended as MAV Board member and Council Representative. |
| 26 May | Victorian Young Achiever Awards Gala Presentation Dinner, Melbourne | Cr McCubbin represented Council. |

Wellington Shire Council's 2017 Young Citizen of the Year, Wyatt Kilgower, was nominated in the CFA Excellence Award category. Wyatt was one of only 4 nominees across Victoria which was a magnificent achievement which we would like to commend him for.

| | | |
|--------|--|---|
| 28 May | Commemoration Service - 115th anniversary of end of Boer War, Sale | Cr McCubbin represented Mayor Crossley. |
|--------|--|---|

| | | |
|--------|---|---|
| 31 May | New Professionals Civic Reception, Sale | Mayor Crossley, Cr McCubbin, Cr Bye and Cr Rossetti attended. |
|--------|---|---|

Council hosted our Annual Civic Reception for New Professionals which was attended by approximately 80 New Professionals. Dr Eliki Stathakopoulos and Dr Paul Marosszeky from Maffra Medical Centre were guest speakers and encouraged attendees by telling their story of why they left the city and chose to live in Wellington Shire Council. Attendees also took the opportunity to participate in the great networking opportunity that this event provided.

| | | |
|--------|---|--------------------------|
| 1 June | RAAF Graduation Parade - No 34/35 Air Combat Officer course & No 48 Operations Officer course and Afternoon tea, Sale | Mayor Crossley attended. |
|--------|---|--------------------------|

| | | |
|--------|------------------------------------|--------------------------|
| 1 June | Wellington Youth Art Prize, Maffra | Mayor Crossley attended. |
|--------|------------------------------------|--------------------------|

The Youth Art Prize was first introduced in 2012 and this year there were over 100 entries from young artists across our Shire. Across the 3 different categories, the winners were Nakiah Robinson (watercolour and pencil drawing), Kaitlyn Frances (mixed media, photography and sound) and Mitchell Johnson (photography).

| | | |
|--------|--|--------------------------|
| 2 June | Latrobe Valley Authority (LVA) - New Energy Technologies Roundtable, Churchill | Mayor Crossley attended. |
|--------|--|--------------------------|

| | | |
|--------|--|---|
| 8 June | Committee for Wellington breakfast meeting, Sale | Mayor Crossley, Cr McCubbin, Cr Bye and Cr Hole attended. |
|--------|--|---|

| | | |
|---------|--|--|
| 10 June | Lions Club of Sale - 50th Anniversary and Change-over Dinner, Sale | Mayor Crossley and Cr McCubbin attended. |
|---------|--|--|

| | | |
|---------|---|----------------------------------|
| 11 June | Lions Club of Sale – Rededication of Lions Park, Sale and unveiling/dedication of Memorial chair to Peter Gower | Cr McCubbin attended for Council |
|---------|---|----------------------------------|

**COUNCILLOR CAROLYN CROSSLEY
MAYOR**



A - PROCEDURAL

A12 YOUTH COUNCIL REPORT

OFFICER: YOUTH MAYOR

DATE: 20 JUNE 2017

RECOMMENDATION***That Council receive the Youth Mayor's Quarterly Report.***

Good evening Councillors

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

I'd also like to acknowledge my fellow Youth Councillors who have come along to support me, and also to sit in on the formal Council meeting.

When I last spoke with you I mentioned that Youth Council had put a team into the Sale Relay for Life. Importantly for this worthy cause we didn't only go for a great time – which we had by the way - we raised a little over \$2,000 (which was our target). Murray's parents came along to support us, and Meg, as did some of our friends and past Youth Councillors.

National Youth Week (NYW), 31 March to 9 April, is an important week for us to celebrate. It is a week in which we can 'show off' all that is great about being young, and dedicate energy and resources to activities that bring young people together. It was a busy week for Youth Councillors. NYW this year was in the school holidays which saw some of us sunning on beaches, but the rest of us managed to:

- Run 2 outdoor family film nights, (Rosedale and Heyfield)
- Run a session within a Uniting Care "Life Skills" class on volunteering,
- Provide a disco in Yarram and
- Help at the Ramahyuck Hip Hop Session.

There were also other events happening during this week providing something to do each day if young people were interested. We felt proud of our efforts and certainly learnt a lot that will help make our future events even more successful.

Recently we have spent time workshopping how to better utilise our Facebook page and have begun to make it more of a 'go to' place for our peers to see what's happening, celebrate achievements and so on.

Three of our Youth Councillors help make up the 2017 Youth Parliament Team this year whose bill is "The Victoria Container Deposit Scheme".

The Wellington Youth Art Prize opened on 1 June. Our best supported event to date with over 100 entries. Thanks to staff at the Gippsland Art Gallery, Mayor Crossley and Glenys Butler for their support. A young artist who has entered twice, told me that it is something she looks forward to each year and that she just loves seeing her work on the wall and seeing what others create.

We have also supported other events including: Volunteers Week, Walk to School awards ceremonies, and some Civic Receptions.

We have 3 projects that we are currently working on that will take us through until the end of the year:

- A Mental Youth Festival to be held on 14 October during Mental Health Week. This event will concentrate on things we can do to help us stay mentally healthy.
- Gain greater understanding of the homeless situation in Wellington and see if we can build a program that supports senior school students find stable accommodation to finish school.
- Investigate the logistics of a 'bus with a beautiful name' – a traveling youth space, perhaps shared amongst agencies. Lots of work to do on this one!

Just before I finish up I'd like to mention a guest speaker we had at one of our recent meetings. Jo Roland – one of our peers who is working to making Stratford plastic bag free with Beth Ripper. Jo was inspiring and her vision supports our commitment as a Youth Council to not purchase plastic – so no water bottles for our events, or heavily packaged goods, or plastic shopping bags. It is a challenge! Hopefully some of us will help make bags for Stratford along the way as well.

I'd like to also thank Council for your support at our meetings. We have all really appreciated your support and sharing of broader Council business with you.

Looking forward to filling you in again in a few months on what will be a jam-packed quarter!

ALEX NAIR
Youth Mayor



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

ITEM C1.1**CHIEF EXECUTIVE OFFICER'S REPORT**

OFFICER: CHIEF EXECUTIVE OFFICER

DATE: 20 JUNE 2017

RECOMMENDATION***That the Chief Executive Officer's Report be received.***

- 17 May Tele-conference with Mayor Crossley and Dr Amanda Caples, Victorian Government Lead Scientist regarding onshore conventional gas. The discussion was about the importance of community consultation and various ways of discussing onshore gas with the Wellington Community.
- 18 May Met with John Leslie Trust Board Member Helene Booth regarding council projects.
- 18 May Attended Regional Development Australia (RDA) Gippsland Committee meeting.
- 19 May Attended Gippsland Local Government Network (GLGN) All Councillor forum, Traralgon, along with Crs Hole and Maher.
- 21 – 24 May Attended the 2017 National Congress and Business Expo, Hobart.
- 31 May Met with Southern Rural Water's Managing Director, Clinton Rodda for an MOU signing.
- Hosted a New Professionals Civic Reception, Sale. Guest speakers of the night were Dr Eliki Stathakopoulos and Dr Paul Marosszeky. In attendance was Mayor Crossley, Cr McCubbin, Cr Rossetti and Cr Bye.
- 8 June Attended the **Committee for Wellington Economic Development Update** and invited to speak on Wellington Shire Council's economic and business activities. In attendance was Cr Hole and Cr Bye.
- Met with V/Line Chief Executive Officer, Mr James Perrin and Tim Pianta, Regional Manager East V/Line to discuss the Gippsland Rail needs Study, and in particular services that impact on Wellington east of Traralgon.
- 9 June Attended the Latrobe Valley Infrastructure & Investment Facilitation Group discussion via teleconference.
- 13 June Attending a Latrobe Valley Authority discussion regarding Economic Development Roles.
- Meeting with Latrobe Valley Authority Chief Executive Officer, Karen Cain alongside Mayor Crossley.

- | | |
|--------------|--|
| 14 June | Hosting a meeting with VicRoads and DEDJTR representatives to discuss Country Roads. |
| 15 June | Attending a Regional Development Australia Gippsland Committee meeting, Traralgon. |
| 17 – 21 June | Attending the 2017 National General Assembly , Canberra alongside Cr Hole. |

ITEM C1.2**MAY 2017 PERFORMANCE REPORT**

DIVISION: CHIEF EXECUTIVE OFFICE
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 20 JUNE 2017

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

OBJECTIVE

For Council to receive and note the May 2017 Council Performance Report.

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

That Council receive and note the May 2017 Council Performance Report as attached.

BACKGROUND

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

OPTIONS

Following consideration of the attached May 2017 Performance Report, Council can resolve to either:

1. Receive and note the May 2017 Council Performance Report; or
2. Not receive and note the May 2017 Council Performance Report and seek further information for consideration at a later Council meeting.

PROPOSAL

That Council receive and note the attached May 2017 Council Performance Report.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

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

COMMUNICATION IMPACT

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

LEGISLATIVE IMPACT

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

COUNCIL POLICY IMPACT

The May 2017 Council Performance Report has been prepared in the context of existing Council policies.

COUNCIL PLAN IMPACT

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

Strategic Objective 6.3

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

Strategy 6.3.3

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

MAY 2017 PERFORMANCE REPORT

MAY 2017 COUNCIL PLAN HIGHLIGHTS

Golden Beach Community Centre

Our staff successfully assisted the Golden Beach Community Centre and residents and ratepayers to finalise a Memorandum of Understanding about their shared spaces and resources, resolving a twelve month source of discontent.

Rosedale Old School Committee

Our staff supported Rosedale Prince Street Reserve Committee to hold a special general meeting to halt the cancellation of their incorporation, ratify their new committee members and change their name to Rosedale Old School Committee. It took a lot of time and goodwill from all involved to get to that point and it was a real milestone. The Committee can now move forward with developing activities, markets etc.

User group meeting at Stephenson Park

A well-attended user group meeting was facilitated at Stephenson Park to discuss a range of issues and concerns that had been raised by various stakeholders, some dating back many years. The meeting was positive, solutions focussed and came up with some good actions for all groups to move forward.

Art Gallery Exhibitions

The Gippsland Art Gallery hosted three exhibitions during May, they were Josephine Jakobi's 'Halocline', Marlee McMahon's 'Optic White' and Gippsland Art Gallery Collection exhibition 'Close Encounters with the Collection'. The Maffra Exhibition Space hosted Justin Holt's exhibition 'Scene's from Here'. Gippsland Art Gallery attendance for May (up to 22 May) was 1,805.

Fundraising Dinner

The Gippsland Art Gallery Society held its annual fundraising dinner in conjunction with the National Gallery of Victoria's (NGV) Melbourne Winter Masterpieces exhibition 'Van Gough and the Seasons', at the Criterion Hotel on 4 May with special guest speaker Curator of International Art at the NGV Laurie Benson.

In conjunction with Latrobe Regional Gallery, the Gippsland Art Gallery conducted a bus tour to the NGV on 20 May.

The Wedge Updates

In total 1,360 patrons attended the Wedge (formerly known as the EBBWEC) during May. Highlights included two well attended performances: 275 patrons attended the David Hobson concert on 5 May and 184 patrons attended the Cat Stevens tribute "Peace Train" on 12 May.

Library Programs for Seniors

Two library programs for seniors were delivered at Sale this month in partnership with Council of the Aged (COTA): Aged Care in the Home and Transitioning to Retirement. Another series will be presented later this year at Maffra.

The Library's Tech Tasters computer sessions for seniors were fully booked at Sale and Stratford.

Author's talk

Heyfield Library held a successful evening author's talk by Margareta Osborn with excellent attendance.

Self-Checkout units

The first self-checkout unit was installed at the Sale Library to facilitate patron and staff familiarisation prior to the opening of the Wellington Centre.

Emergency management updates

The Municipal Heat Health Plan was endorsed by the Municipal Emergency Management Planning Committee.

Funding opportunities

In response to funding opportunities from the Latrobe Valley Authority, Council's Priority Projects Advocacy document has been updated to highlight potential funding opportunities for State and Federal Government.

Yarram Aerodrome

Expressions of Interest were advertised for two Council-owned hangars at the Yarram Aerodrome.

West Sale Airport Master Plan

Stakeholder meetings have been completed for the West Sale Airport Master Plan update. Three submissions have been received so far regarding the draft Master Plan.

Gippsland Regional Livestock Exchange

Meetings have been arranged with several agents and producers to discuss further opportunities. Quarterly meetings have been set up with Victorian Livestock Exchange's CEO.

Statutory Reporting Monthly Survey

A survey of planning permit applicants and objectors in 2016 has been completed, with results to be reported to Council on 6 June 2017.

Industrial rezoning

With the support of State Government funding, consultants have been appointed to commence the Wurruk/West Sale Industrial Land Use Strategy to facilitate the future industrial rezoning of land identified in the Sale, Wurruk and Longford Structure Plan. Community and stakeholder engagement will be undertaken as the project progresses.

Boat Ramp Works

Loch Sport boat ramp design was completed. Consultation and final concept of Port Albert boat ramp and parking improvement were also completed.

Concept Plans

Concept Plans for Willow Park, Brennan Park, Lions Reserve and Victoria Park are currently being developed.

Tree planting

Seaspray Tree Planting Program has started with positive community feedback.

Council Plan 2017-21

Council released the 2017-21 draft Council Plan to the public seeking submissions. There was one submission received in relation to the document and this was considered by Council at the meeting on 30 May 2017.

Wellington 2030

After many months of consultation and development, Wellington Shire Council's renewed community vision document 'Wellington 2030' was presented to the public.

MAY 2017

PERFORMANCE REPORT

INCORPORATED IN PERFORMANCE REPORT

| INCOME STATEMENT For the period ending 31 May 2017 | MAY 2017 | | | YEAR TO DATE 2016-2017 | | | | FULL YEAR 2016-2017 | |
|---|----------------|-----------------|----------------|------------------------|----------------|--------------------|----------------------|---------------------|----------------|
| | Actual | Adjusted Budget | Variance | Actual | Commit-ments | Full Year Forecast | Variance to Forecast | Adjusted Budget | Adopted Budget |
| | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's |
| Income | | | | | | | | | |
| Rates and charges | (12) | - | (12) | 54,005 | - | 53,977 | 28 | 53,722 | 53,722 |
| Statutory fees & fines | 54 | 34 | 20 | 641 | - | 653 | (12) | 461 | 461 |
| User fees | 530 | 436 | 94 | 5,692 | - | 6,450 | (758) | 6,114 | 6,117 |
| Grants - operating | 3,183 | 3,067 | 116 | 13,243 | - | 19,594 | (6,351) | 13,527 | 13,619 |
| Contributions - monetary | (10) | 6 | (16) | 264 | - | 259 | 5 | 168 | 165 |
| Other income | 201 | 144 | 57 | 2,518 | - | 2,626 | (108) | 2,205 | 2,225 |
| Total Income | 3,946 | 3,687 | 259 | 76,363 | - | 83,559 | (7,196) | 76,197 | 76,309 |
| Expenditure | | | | | | | | | |
| Employee costs | 2,081 | 1,832 | (249) | 22,319 | 19 | 24,086 | 1,748 | 25,361 | 25,353 |
| Contractors, materials and services | 2,077 | 1,415 | (662) | 21,911 | 1,248 | 27,802 | 4,643 | 29,586 | 28,913 |
| Bad and doubtful debts | - | - | - | - | - | 86 | 86 | 111 | 111 |
| Depreciation and amortisation | 2,193 | 1,848 | (345) | 19,932 | - | 21,334 | 1,402 | 21,760 | 21,760 |
| Borrowing costs | 125 | 127 | 2 | 455 | - | 504 | 49 | 504 | 504 |
| Other expenses | 26 | 59 | 33 | 617 | - | 657 | 40 | 711 | 711 |
| Total Expenditure | 6,502 | 5,281 | (1,221) | 65,234 | 1,267 | 74,469 | 7,968 | 78,033 | 77,352 |
| Surplus for the period | (2,556) | (1,594) | (962) | 11,129 | (1,267) | 9,090 | 772 | (1,836) | (1,043) |

YTD Results

The operating results at the end of May 2017 reflects a surplus of \$11.13 million. The June 30 forecast for a \$9.10 million result will be healthier than the initial adopted budget loss of \$1.04 million. Note: Council budgets seasonally for losses in May and June.

Significant factors for the variances are:

Income

- **(\$0.76 million)** User fees yet to be raised includes; two months of commercial tipping fees of approximately \$416k, one month of attendance fees for leisure facilities of \$258k. Also other registration fees for health, building and animal services will be received during the month of June 2017.
- **(\$6.35 million)** Operating grants to be received mainly relates to 50% of Council's 2017/18 Victoria Grants Commission (VGC) allocation of approximately \$6.1 million being received in early June 2017.
- **(\$0.10 million)** Other income outstanding primarily relates to rent on Council properties and interest on investments expected for the remainder of the year.

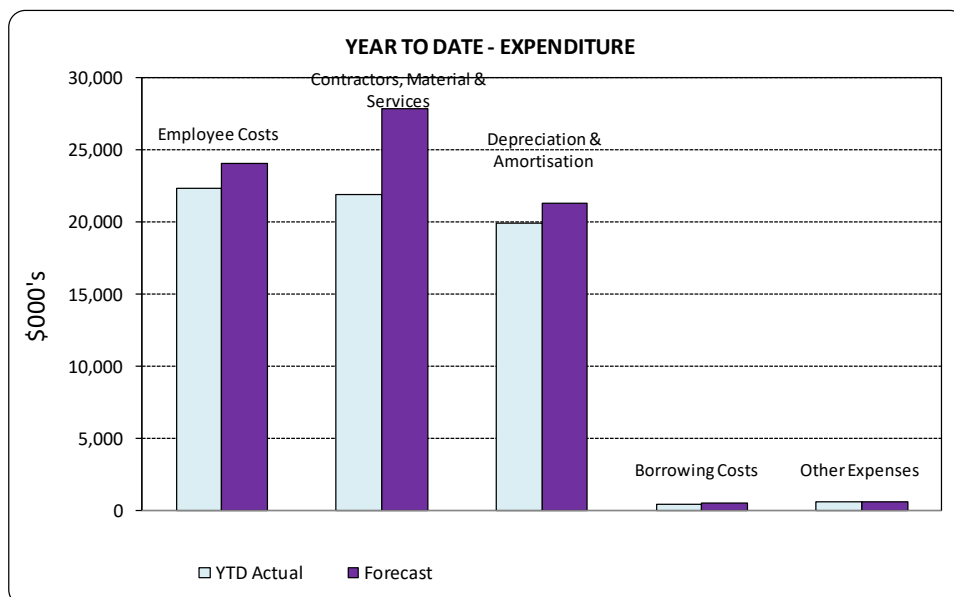
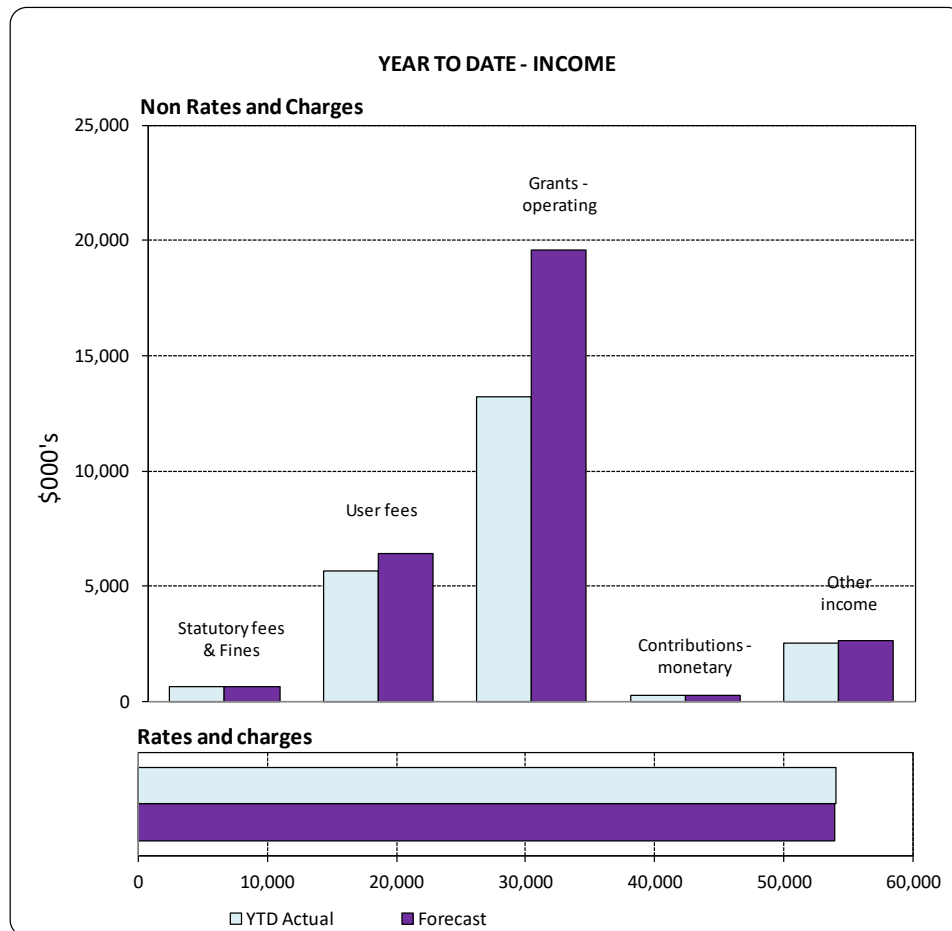
Expenditure

- **\$1.75 million** The majority of the remaining employee costs relates to salaries to be incurred for the final month of June 2017 including a year end accrual. Council's new Enterprise Agreement has been approved with back payment adjustments paid in May 2017.
- **\$4.64 million** The variance in contractors, materials and services are primarily due to:
 - a. \$1.21 million - This includes two months of waste management services and six months of EPA landfill levy payable.
 - b. \$648k - Contractor and material expenditure yet to be expended for road infrastructure mainly relates to the ongoing maintenance of gravel and rural sealed roads to be completed by 30 June 2017.
 - c. \$519k - The Princes Highway/Cobains road intersection upgrade works are being undertaken by the developer. Works are behind schedule due to weather and holdups with service authorities but expected to be completed by the end of June 2017 assuming sufficient fair weather days for work to proceed as planned. This project is not directly controlled by Wellington Shire Council.
 - d. \$478k - Contributions still to be paid to third parties, mainly Wellington Coastal Subdivision Strategy voluntary scheme and for community assistance grants.
 - e. \$477k - Utility charges payable for the rest of the year.
 - f. \$340k - Expenditure yet to be spent mainly on parks, maintenance and other minor landscaping projects.
 - g. The majority of the remaining underspends are distributed over many small amounts such as maintenance of infrastructure and facilities, which is sharing the largest portion of approximately \$241k to be expended by 30 June 2017.
- **\$1.40 million** Depreciation and amortisation charges (non cash) outstanding for the month of June 2017. The final calculations will be finalised as part of the year end process.

Full year Forecast to Adjusted Budget

The forecast surplus of \$9.09 million for 2016/17 financial year reflects improvements against the adjusted budget loss of (\$1.84 million). The majority of the variation relates to Council receiving 50% of its estimated 2017/18 VGC allocation of \$6.14 million in early June 2017. Contractor, material and services will be lower due to delays in the commencement of Kilmany landfill rehabilitation, with the balance of \$1.9 million to be expended in 2017/18.

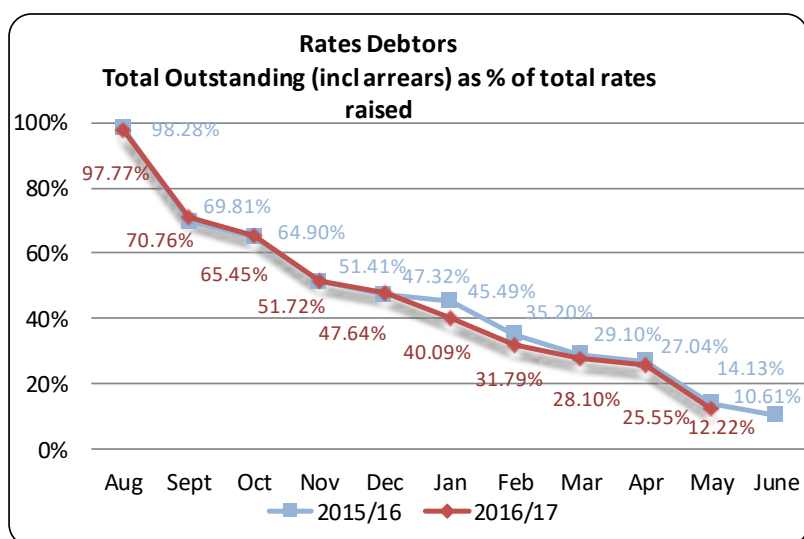
MAY 2017 YEAR TO DATE COMPONENTS AT A GLANCE



BALANCE SHEET

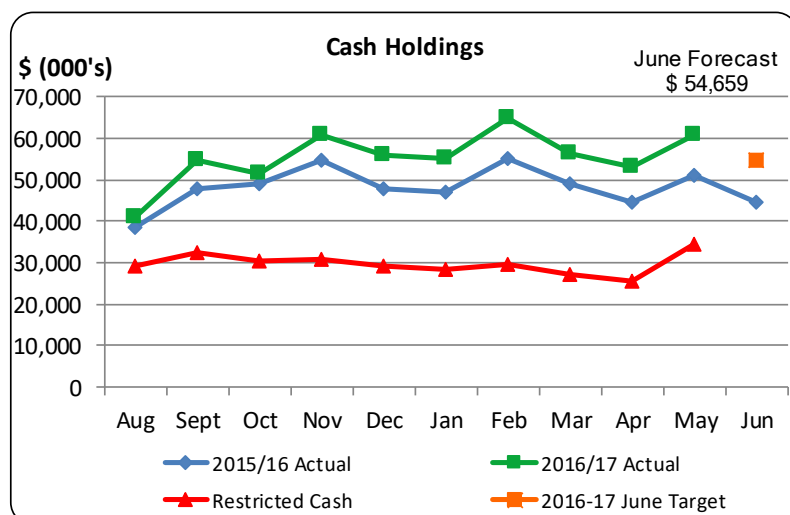
As at 31 May 2017

| Actual | | Actual | Full Year Forecast | Adopted Budget |
|----------------------------|-------------------------------|----------------|--------------------|----------------|
| May 16 | | May 17 | June 17 | June 17 |
| \$000's | | \$000's | \$000's | \$000's |
| Current Assets | | | | |
| 58,300 | Total Current Assets | 69,075 | 61,927 | 43,009 |
| 896,479 | Total Non Current Assets | 905,808 | 916,351 | 925,042 |
| 954,779 | Total Assets | 974,883 | 978,278 | 968,051 |
| Current Liabilities | | | | |
| 12,092 | Total Current Liabilities | 11,283 | 14,213 | 14,997 |
| 10,816 | Total Non Current Liabilities | 10,121 | 9,858 | 11,536 |
| 22,908 | Total Liabilities | 21,404 | 24,071 | 26,533 |
| 931,871 | Net Assets | 953,479 | 954,207 | 941,518 |



The rate debtors outstanding at the end of May 2017 were \$7.41 million (12.22%) compared to May 2016 of \$8.16 million (14.13%). This decrease recognises the impact of the concerted effort by Council through its debt collection and internal processes in collecting outstanding rates.

Final rate instalments for the 16/17 fiscal year were due on 31 May 2017.



To date the cash movements are trending in line with previous years which is encouraging. Council cash holdings at the end of May 2017 of \$60.74 million is above the May 2016 balance of \$50.94 million. The current cash holdings includes restricted funds of \$7.1 million to reserves, \$8.8 million to cover provisions and \$14.07 million associated with the operating and capital carried forwards. Not included in the restricted cash is \$15.3 million of anticipated working capital required until 30 June 2017.

Restricted cash is money that is reserved for a specific purpose and therefore not available for general business

CAPITAL EXPENDITURE PROGRAM

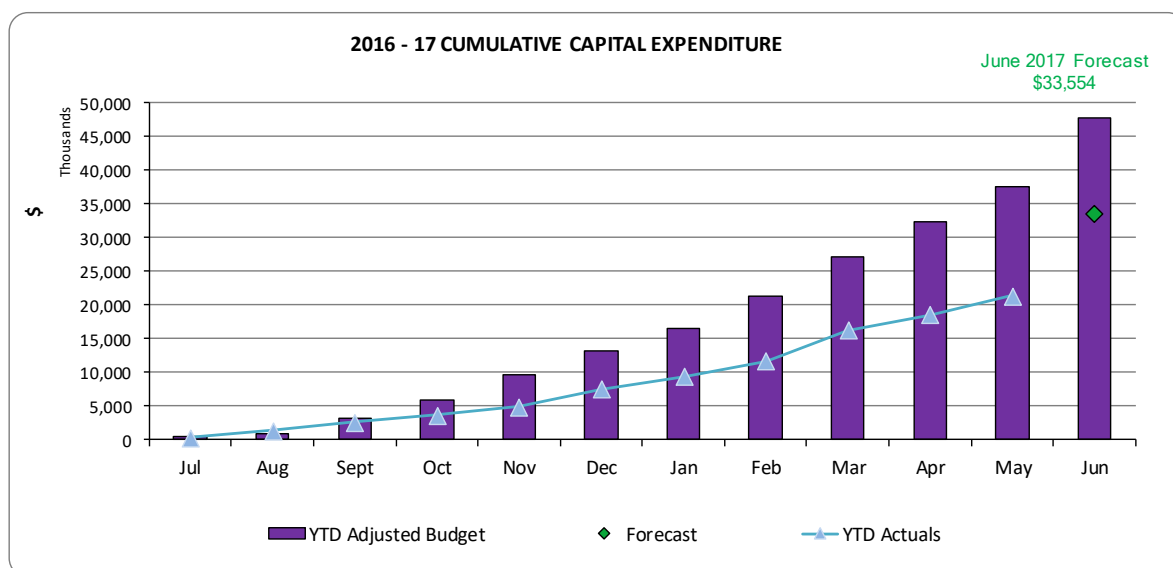
For the period ending 31 May 2017

| | YEAR TO DATE 2016-2017 | | | FULL YEAR 2016-2017 | | |
|---------------------|------------------------|---------------------|---------------------|---------------------|-------------------------------|---------------------|
| | Actual \$000's | Forecast \$000's | Variance \$000's | Forecast \$000's | Adjusted Budget \$000's | Variance \$000's |
| Property | 5,762 | 8,062 | 2,300 | 8,062 | 12,221 | (4,159) |
| Infrastructure | 13,668 | 22,218 | 8,550 | 22,218 | 31,566 | (9,348) |
| Plant and Equipment | 1,913 | 3,274 | 1,361 | 3,274 | 3,359 | (85) |
| Intangibles | - | - | - | - | 707 | (707) |
| Grand Total | 21,343 | 33,554 | 12,211 | 33,554 | 47,853 | (14,299) |

| | YEAR TO DATE 2016-2017 | | | FULL YEAR 2016-2017 | | |
|--------------------|------------------------|---------------------|---------------------|---------------------|-------------------------------|---------------------|
| | Actual \$000's | Forecast \$000's | Variance \$000's | Forecast \$000's | Adjusted Budget \$000's | Variance \$000's |
| Renewal | 15,900 | 24,761 | 8,861 | 24,761 | 31,991 | (7,230) |
| Upgrade | 3,687 | 6,207 | 2,520 | 6,207 | 10,080 | (3,873) |
| Expansion | 1,515 | 2,341 | 826 | 2,341 | 3,671 | (1,330) |
| New Assets | 241 | 245 | 4 | 245 | 2,111 | (1,866) |
| Grand Total | 21,343 | 33,554 | 12,211 | 33,554 | 47,853 | (14,299) |

May 2017 Highlights

- Port of Sale Cultural Hub construction is progressing. The completed skatepark has received community feedback and plenty of use. The roof replacement work is complete and the road and on-street parking is complete except for the final seal which will be completed next financial year.
- The major culverts renewals program for 2016/17 is complete.
- Maffra - Pearson Street reconstruction has commenced.
- Golden Beach roundabout and parking work has commenced.
- Work has commenced on Lays Bridge, Trenton Valley bridge and Forsyths Bridge, all of which are expected to reach practical completion by the end of June.
- Maffra - CBD Parks work has commenced with practical completion expected in early July.
- Gippsland Regional Spots Complex seating improvements, two stand are installed work waiting on delivery of the rest of the seating.
- 7 projects that had contracts already in place have commenced work during the month.



ITEM C1.3**COUNCIL'S SUBMISSION FOR THE MUNICIPAL ASSOCIATION ACT REVIEW**

DIVISION: CHIEF EXECUTIVE OFFICE
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 20 JUNE 2017

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

OBJECTIVE

To approve Council's attached submission to the Victorian State Government's Consultation Paper which details possible reforms to the Municipal Association Act.

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

That Council approve the attached submission to the Victorian State Government's Consultation Paper which details possible reforms to the Municipal Association Act.

BACKGROUND

The current Municipal Association Act, which became law in 1907, ceased to fully reflect the role and activities of the Municipal Association of Victoria (MAV) many years ago.

A recent Auditor-General's review of the effectiveness recommended that the Government review the MAV's functions, roles, responsibilities, powers and obligations in the context of its existing framework.

Minister for Local Government, The Hon Natalie Hutchins MP has urged all Victorian Councils to have their say on how the Municipal Association of Victoria can best serve councils for the future.

A consultation paper has been released which outlines a series of possible reforms to contemporise the Municipal Association Act and address the concerns raised by the Auditor-General's report. The paper is designed to elicit feedback from MAV's members and the wider local government sector to test levels of support for the proposed reforms.

At a Workshop on 6 June 2017 council was presented with a draft submission and given the opportunity to provide feedback.

The close date for submissions to the Consultation Paper has now been extended to Friday, 30 June 2017.

OPTIONS

Council has the following options:

1. To approve Council's attached submission to the Victorian State Government's Consultation Paper which details possible reforms to the Municipal Association Act.; or
2. Not approve Council's attached submission to the Victorian State Government's Consultation Paper which details possible reforms to the Municipal Association Act.

PROPOSAL

To approve Council's attached submission to the Victorian State Government's Consultation Paper which details possible reforms to the Municipal Association Act.

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

Strategic Objective 6.4

Act and lobby on behalf of the priorities of the community.

Strategy 6.4.2

Advocate on the community's behalf to state and federal agencies, the private sector and industry on a range of issues relevant to Wellington Shire community.

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



26 June 2017

Municipal Association Act Review
C/o Local Government Victoria
PO Box 500
MELBOURNE VIC 3002

Dear Sir

WELLINGTON SHIRE COUNCIL SUBMISSION - RESPONSE TO THE MUNICIPAL ASSOCIATION ACT REVIEW

Thank you for the opportunity to provide input into the Victorian Government's review of the *Municipal Association Act 1907*.

Our responses to the proposed reforms as detailed in the Consultation Paper are as follows:

ROLE AND POWERS

1. Do you support the proposed reforms to the role of MAV?

We support the:

- addition of a provision articulating MAV's role.
- inclusion of the five dot points which set out the role of MAV in representing member Councils' interests and being accountable to member Councils. Further, the specific details of each of these dot points needs to be clearly articulated within the document.

We would also support the inclusion of a clause which details MAV's independence as a membership association for Local Government.

2. Do you support the proposed amendments to MAV's powers as a body corporate?

Agree with the proposed reform.

3. Do you support making clear that each council has a right to appoint one of their councillors as their MAV representative?

Agree with the intent of the proposed reform however we believe that the wording of the proposal requires amendment to ensure clarity around:

- MAV being an incorporated body in its own right
- The role of the MAV Board which comprises 12 Council representatives
- The role and composition of State Council.

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RESPONSIBILITIES

4. Do you support the inclusion of responsibilities for the appointed representatives?

We support the inclusion of specific parameters for the appointed council representatives except for "determining the strategic direction of the MAV".

MAV's strategic direction and ongoing review should be determined by the MAV Board in conjunction with input from the State Council representatives and the MAV management team.

5. Do you support the proposal that the State Council have the power to make or amend the MAV Rules?

Agree with the proposed reform.

6. Do you support setting out the functions and responsibility of the board of management in the MA Act?

Agree with the proposed reform and in addition it should detail that:

- MAV Board members should act honestly and in the best interests of MAV
- The MAV Board should ensure good governance throughout MAV
- There is a process in place for assessing the MAV Board's performance.

7. Do you support the addition of conduct provisions for the board of management?

Agree with the proposed reform and supported by our answer to question 6 above.

8. Do you support the requirement for a remuneration policy?

Agree with the proposed reform.

REPORTING AND ACCOUNTABILITY

9. Do you support the principles of sound financial management?

Agree with the proposed reform. We would expect that MAV operate with a high level of transparency and its accounts and financial information should be fully disclosed.

10. Do you support increased accountability to the member councils and the Minister as set out in the proposed reforms?

Agree with the proposed reform however, we believe that it may be prudent for the MAV to report to Parliament rather than the Minister as this would recognise the unique role and independence of the MAV from the Government of the day.

11. Do you support the requirement for the MAV to adopt a procurement policy?

Agree with the proposed reform.

12. Do you support the requirement to establish an audit and risk committee as detailed in the proposed reform?

Agree with the proposed reform.

INSURANCE**13. Do you support the inclusion of a regular review mechanism to assess whether the provisions relating to MAV's insurance functions remain appropriate?**

We agree with retaining the requirement for MAV to provide mutual liability insurance for the benefit of Victorian Councils and any other sector if expansion of the fund is in the interest of the participating Victorian member Councils.

We also support a regular review requirement to ensure good governance oversight. However, we disagree that the Minister for Local Government should oversee a review of the insurance provision - refer to question 14 below.

14. Do you support the inclusion of a prudential supervision framework for MAV's insurance activities?

We agree with a prudential supervision framework given the substantial nature of MAV's insurance operations.

The scope and nature of MAV's insurance operations should be detailed in a framework / policy which is available to all Councils for review and input. It should also be detailed in MAV's strategy.

It may be prudent for review to be undertaken by the Minister for Finance, rather than the Minister for Local Government, given the alignment of insurance operations with the finance portfolio.

Yours sincerely



DAVID MORCOM
Chief Executive Officer

Our ref: 85:55
ECM: 2211817

ITEM C1.4**COUNCIL'S SUBMISSION FOR THE INQUIRY INTO THE SUSTAINABILITY AND OPERATIONAL CHALLENGES OF VICTORIA'S RURAL AND REGIONAL COUNCILS**

DIVISION: CHIEF EXECUTIVE OFFICE
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 20 JUNE 2017

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

OBJECTIVE

To approve Council's attached submission for the Inquiry into the Sustainability and Operational Challenges of Victoria's Rural and Regional Councils.

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

That Council approve the attached submission for the Inquiry into the Sustainability and Operational challenges of Victoria's Rural and Regional Councils.

BACKGROUND

The Environment, Natural Resources and Regional Development Committee (ENRRDC) is conducting an inquiry into the sustainability and operational challenges of Victoria's rural and regional councils. The Committee previously called for submissions for this inquiry in July 2016 and is now providing councils with another opportunity to make a submission to this inquiry prior to it commencing public hearings in August 2017.

The terms of reference of the inquiry are to inquire into, consider and report on the sustainability and operational challenges of Victoria's rural and regional councils, including but not limited to the following:

- (a) local government funding and budgetary pressures;
- (b) fairness, equity and adequacy of rating systems;
- (c) impact of rate-capping policies;
- (d) capacity for rural and regional councils to meet responsibilities for flood planning and preparation, and maintenance of flood mitigation infrastructure;
- (e) maintenance of local road and bridge networks; and
- (f) weed and pest animal control

The submissions and evidence taken at public hearings, will form the basis of the Committee's report to the Parliament of Victoria.

At a Workshop on 6 June 2017, council was presented with a draft submission and given the opportunity to provide feedback for inclusion.

Submissions must be made to the ENRRDC by 30 June 2017.

OPTIONS

Council has the following options:

1. To approve the attached submission for the Inquiry into the Sustainability and Operational Challenges of Victoria's Rural and Regional councils; or
2. Not approve the attached submission for the Inquiry into the Sustainability and Operational Challenges of Victoria's Rural and Regional Councils.

PROPOSAL

To approve Council's attached submission for the Inquiry into the Sustainability and Operational Challenges of Victoria's Rural and Regional Councils.

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

Strategic Objective 6.4

Act and lobby on behalf of the priorities of the community.

Strategy 6.4.2

Advocate on the community's behalf to state and federal agencies, the private sector and industry on a range of issues relevant to Wellington Shire community.

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



26 June 2017

The Committee
Environment, Natural Resources and Regional Development Committee
Parliament House
Spring Street
EAST MELBOURNE VIC 3002

Dear Committee Members

INQUIRY INTO THE SUSTAINABILITY AND OPERATIONAL CHALLENGES OF VICTORIA'S RURAL AND REGIONAL COUNCILS

Thank you for the opportunity to provide feedback to the subject inquiry.

Wellington Shire Council has considered the terms of reference and provides the following response:

1. Local government funding and budgetary pressures

a) Cost Shifting




Regional and rural councils are dealing with disproportionate impacts of ongoing cost shifting by State and Federal Governments. The lack of funding is compounded by the inability of rural and regional Councils to raise additional revenue, with some examples of cost shifting as follows:

- *Financial Assistance Grants* - The pause in the indexation of Financial Assistance Grants since 2014/15, placed pressure on regional and rural Councils and for the Wellington Shire the impact has been approximately \$2.6M of lost funding during this time.
- *Victorian Electoral Commission* - The State Government's decision to pass on increased costs for the Victorian Electoral Commission to conduct council elections has meant expenditure increased for councils compared to previous years.
- *Annual Valuations* - A recent decision by the State Government to transition all valuations to the Valuer General (VG), undertake annual valuations and charge Councils a fee to access their rates data will have a substantial financial impact on Councils and ratepayers. Wellington Shire Council's valuation costs will double and this does not include the cost of system integration with the VG and fees to access our rates data.
- *Fire Services Property Levy* - Council has invested substantially in the development of its ratings database and the alignment of its GIS system to ensure compliance with State Revenue Office (SRO) requirement for Councils to collect the Fire Services Property Levy. The requirement for Councils to continue to manage this process and collect data in the way required by the SRO means further administration costs for Councils.

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- *Roadside Weed Control* - The shift of responsibility for rural roadside weed control from the State to Local Government along with insufficient funding places further operational challenges on local Councils. Wellington Shire Council has allocated an additional \$50,000 per annum from Council funds to this program to enable the program to have broader reach across the Shire.
- *School Crossing Supervisors* – State Government funding allocations have not been maintained and the introduction of additional legislative and award requirements has increased the cost of the program for councils.
- *Library Services* - The gradual shift to Councils funding library services has seen the dramatic change from when Victorian libraries were funded 50/50 by the State and Local Governments in the 1970's. The addition of new scanning software is also at the cost of Council so that we can keep up with self-serve requirements to improve service.

Due to the cost shifting pressure detailed above, rural and regional councils are facing a range of funding and budgetary constraints which cannot be met through traditional revenue sources.

b) Geography and distance

Councils such as the Wellington Shire, face many challenges resulting from its geography, a history of regular natural disaster events and the need to provide appropriate infrastructure and services for several townships that experience significant population increases during holiday periods.

It has many disparate communities and delivery of services must be duplicated across these. This creates challenges when dealing with community expectations regarding both the level and nature of services provided. The requirement to provide enhanced sporting, recreational and cultural facilities is also challenging as these are not income producing ventures due to lower population levels and lower incomes.

It must also be noted that there are other challenges due to geography and remoteness that are only experienced by rural and regional Councils. For example, due to a previous attack on individual Council Officers, we have introduced lone worker pendant technology to ensure that Council Officers who travel outside of mobile phone range are safe and can call for assistance at any time. This is an added cost which must be derived from our already constrained income.

- c) *Impact of Superannuation Top Ups* - Since 1998 Victorian Local Government has paid \$1.162b in calls into a defined benefit superannuation scheme. All levels of government operated Defined Benefit Superannuation Schemes. The benefits were defined and, as a result, employer governments need to fund them. The Local Government scheme was established by State legislation and closed to new members in 1993. Although new members were not able to access the scheme after that time, the liabilities to existing members continue to grow.

The structure of the Local Government fund is such that it must be kept fully funded for future liabilities at all times. This is in distinct contrast to the funds operated by the Victorian State Government and Commonwealth Government,

each of which currently have substantial unfunded liabilities. If the same rules of operation were applied to the Local Government fund, \$1,162b in calls and contributions tax would not have needed to be funded in the time since 1998. This requirement, that is unique to Local Government, places significant and often unplanned upwards pressure on rates.

2. Fairness, equity and adequacy of rating systems

A one-size fits all Rate Capping approach is regressive and inappropriate to rural and regional councils. The rate cap makes no consideration of the unique characteristics of each Council, such as remoteness, regional significance, scale, road attributes, population density, socioeconomic status, and/or disadvantage.

Some Councils have greater ability than others to raise revenue from sources other than rates. For example, Metropolitan Councils can substantially supplement rate income from parking meters and parking related fines.

The increase in property values is also not substantial for rural and regional Councils and regardless it must be noted that increasing property values do not always reflect the income means of the owner especially as rural and regional Councils experience higher levels of unemployment and underemployment. This is particularly important for interface councils where rural land within the urban growth boundary experiences significant rises in land value, however, the income potential does not change. There is an increasing need to encourage farming land to continue to remain viable as a farming business for many years. This can prove difficult when land values and, in turn, the rate burden of farming land increases significantly.

Many Rural and Regional Councils also have significant costs relating to infrastructure maintenance and renewal that many Metropolitan Councils do not and have relatively few revenue sources available to them to meet constantly increasing expectations from their communities.

Infrastructure maintenance and renewal requirements are especially challenging, given factors such as those mentioned above and the extensive network of roads, bridges, drainage, walking/cycling paths, etc. that must be managed.

3. Impact of rate-capping policies

Due to the recent introduction of rate capping in Victoria, the impacts have yet to play out. Rural and regional Councils will initially seek efficiencies and savings through a reduction in staff, rationalisation of some services and scaled back maintenance and renewal schedules for assets.

This was the initial experience in NSW which resulted in large infrastructure and maintenance backlogs across the State.

The anticipated impact is that rate capping will be detrimental to the communities and Councils who can least afford to cut costs with a resultant drop in services to support communities, the elderly, families and others requiring high levels of service.

Capping Rates without a clearly articulated strategy for doing so means that the impact will be on communities who can least afford it and who require investment in

infrastructure and support services and those struggling to manage and fund significant population growth.

Apart from impacts on asset renewal funding and services, there may also be some other impacts that could affect councils, for example increase borrowings to fund projects or community requirements. If not managed properly, borrowings could eventually turn into substantial debt where only the interest is serviced.

The motivation to reduce labour costs could also see a greater ongoing reliance on contract / temporary staff. Rural and regional Councils already find it challenging to attract appropriately skilled staff for key roles and a revolving door of temporary staff may directly impact on skill retention, compliance and governance requirements.

4. Capacity for rural and regional councils to meet responsibilities for flood planning and preparation, and maintenance of flood mitigation infrastructure

Wellington Shire Council manages and maintains a flood mitigation system for the township of Seaspray. Presently this system has annual operating costs of \$50,000, which forms part of Council's budget. A recent flood study conducted in Seaspray has recommended improvements to various elements of the system, including the raising of levee banks, development of a management plan and an improved monitoring capacity. While funding may be available in part from State and Federal Government to undertake capital works, ongoing management of the system to a higher level of service is expected to be challenging within ongoing budgetary constraints due to a rate capped income environment.

Additionally, Wellington Shire Council contributes approximately \$50,000 annually towards costs associated with a Regional Water Monitoring Partnership. These costs relate to the operating of infrastructure used for monitoring of waterways, for flood warning. While there is a need to expand flood warning services in some areas of the municipality, and capital funding may be available through grants provided by the state and federal governments, ongoing operational expenses associated with expanding this service are prohibitive.

Several small coastal townships within Wellington Shire including Port Albert, McLoughlin's Beach, Mann's Beach and Robertson's Beach have infrastructure to provide a basic level of protection from the ingress of sea water. These sea walls have a combined length of approximately 3.6km. Council has no current capacity to upgrade these structures to meet challenges associated with climate change or provide improved level of service for the community.

While flood information has been developed and incorporated into the planning scheme for many locations within Wellington Shire, there remains many flood prone areas with limited flood information, mapping or planning controls. Many of these locations have been identified through the Regional Flood Plain Strategies for West Gippsland and East Gippsland Catchment Management Authorities. Generally, there are limited available resources and competing priorities to implement planning scheme amendments and affect appropriate controls. Due to these limitations, an improvement in flood planning controls require relevant funding in addition to Council's regular operating budget.

Wellington Shire Council staff collaborate with the State Emergency Service and other agencies a municipal Flood Emergency Plan and local flood information for

the community. Council has no resources currently available for the development or facilitation of community specific emergency plans.

5. Maintenance of local road and bridge networks

As a large rural shire, Wellington Shire Council coordinates a substantial road network. The length of this network is approximately 3,078km, with an even split between constructed sealed roads and unsealed roads. There are 173 bridges across this length. These roads serve critical functions for local access, tourism, and industry, primarily associated with forestry and agriculture.

While Wellington Shire Council maintains an extensive road network, there is an additional 1,100km of known roads within the municipality, which Council has made a policy decision not to maintain. The need to restrict the service provided in these situations is driven by limited resources and a need to provide a safe and efficient service for the remaining road and bridge network. In many instances, roads which service one or few private properties are not maintained, limiting the maintenance of roads to situations of specific public use and benefit.

Key challenges associated with the maintenance of local roads and bridges include:

- Increasing use of large higher productivity vehicles and associated impact on road assets.
- Maintaining an acceptable level of service over a large road network, originally constructed to low standards.
- Impact of more frequent storm and adverse weather events.
- Reducing availability and rising cost of natural road maintenance materials.
- Volatile nature of costs associated with petroleum products (such as bitumen) and fuel for plant and equipment.
- Costs associated with impact on utility assets (i.e. telecommunications, water, power and gas) resulting from road and bridge maintenance and construction.

Our current annual spend for road and bridge maintenance activities is \$8.4M.

Wellington Shire Council is heavily dependent on income received through the Roads to Recovery Programme, Grants Commission and other funding opportunities to fund the renewal and improvement to its road network. Increased funding is critical to ensure Council can maintain a reliable level of service for all stakeholders.

6. Weed and pest animal control

The recent shift of responsibility for rural roadside weed control from the State to Local Government along with insufficient funding places further operational challenges on local Councils.

For the past two financial years, Wellington Shire Council has received \$69,211 per annum funding support from the State Government to implement a Roadside Weed and Pest Program (RWPP).

Wellington Shire Council has allocated an additional \$50,000.00 per annum from Council funds to this program to enable the program to have broader reach across the Shire.

Wellington Shire Council requires this State Government contribution for the RWPP to continue the current level of on-ground impact and response to community expectations.

Any reduction or complete withdrawal of State Government funding for this program is unlikely to be absorbed by council under the current financial climate; instead the scope and effectiveness of the RWPP is likely to contract to fulfilling base legislative requirements, and remaining funds supporting a minimal program of responding to community requests.

Alternatively, Wellington Shire Council would welcome any increase to funding of the RWPP by the State Government. As effective as this program has been to date in target areas, there are many roadsides across the shire that this program could be expanded to include.

7. Other

There are also Emergency Management responsibilities we have that are better placed with other agencies or authorities for example, the provision, installation, marking and maintenance of fireplugs and hydrants. We also manage schedule 13 permits to burn and the replacement of essential water during bush firefighting.

Also, Wellington Shire Council's history of responsible financial management has ensured that the cash position of the Shire on a year by year basis is reasonably strong.

Like many other rural and regional Councils, to ensure that our cash position remains strong, any discretionary investment on entrepreneurial activities or investment to improve processes and technology, either individually or in conjunction with other Councils, is severely curtailed. Rural and regional Councils do not have the benefit of supplementing rate income as do other larger Metropolitan Councils.

I thank you for the opportunity to make a submission to the inquiry, should you have any questions please do not hesitate to contact me.

Yours sincerely



DAVID MORCOM
Chief Executive Officer

Our ref: as.ss
ECM: 2208632



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 20 JUNE 2017

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

OBJECTIVE

To report on all assembly of Councillor records received for the period 30 May 2017 to 13 June 2017.

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

That Council note and receive the attached Assembly of Councillor records for the period 30 May 2017 to 13 June 2017.

BACKGROUND

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

Below is a summary of all assembly of Councillor records received for the period 30 May 2017 to 13 June 2017.

Assembly of Councillors summary of reports received for the period 30 May 2017 to 13 June 2017.

| Date | Matters considered | Councillors and officers in attendance |
|--------------|--|--|
| 30 May 2017 | Review of 2017/18 Budget Submission Review of 2017/21 Council Plan Submission | Cr Crossley, Cr Maher, Cr Stephens, Cr Mills, Cr McCubbin, Cr Bye, Cr Rossetti, Cr Hole David Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Corporate Services Chris Hastie, General Manager Built & Natural Environment Glenys Butler, General Manager Community & Culture John Websdale, General Manager Development Ian Carroll, Manager Corporate Finance (Item 1) Katy Leighfield, Acting Manager People & Excellence (Item 2) |
| 6 June 2017 | IT/Diary Meeting | Cr Hall, Cr Maher, Cr Stephens, Cr Mills, Cr McCubbin, Cr Bye, Cr Rossetti, Cr Hole David Morcom, Chief Executive Officer Sharon Willison, Mayoral / Councillor Support Officer Damian Norkus, Information Technology Officer |
| 6 June 2017 | Waste Service Review Strategic Fire Management, 90 Mile Beach East Municipal Association Act Review Submission for the inquiry into the sustainability and operational challenges of Victoria's Rural and Regional Councils 2017 Community Satisfaction Results Overview | Cr Hall, Cr Maher, Cr Stephens, Cr Mills, Cr McCubbin, Cr Bye, Cr Rossetti, Cr Hole David Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Corporate Services (Item 3 & 4) Chris Hastie, General Manager Built & Natural Environment Glenys Butler, General Manager Community & Culture John Websdale, General Manager Development Tim Rowe, Manager Natural Environment & Parks (Item 1) Sam Nock, Coordinator Waste & Sustainability (Item 1) Mike McStephen, Emergency Management (Fire) Coordinator (Item 2) Jodie Cosham, Fire Prevention Officer (Item 2) Karen McLennan, Manager Community Wellbeing (Item 5) Catherine Vassiliou, Coordinator Social Planning & Policy (Item 5) |
| 13 June 2017 | SLUPP Agenda | Cr McCubbin, Cr Bye John Websdale, General Manager Development Dean Morahan, Manager Asset & Projects Paul Johnson, Manager Business Development Josh Clydesdale, Manager Land Use Planning Barry Hearsey, Coordinator Strategic Planning Ben Proctor, Strategic Planner Sabine Provily, Strategic Planner Sam Pye, Coordinator Infrastructure Development |

OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records.

PROPOSAL

That Council note and receive the attached assembly of Councillors records for the period 30 May 2017 to 13 June 2017.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

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

COUNCIL PLAN IMPACT

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

Strategic Objective 6.3

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

Strategy 6.3.3

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

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

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

30 May 2017

2. ATTENDEES:

| Councillor Names | In attendance (tick) | | Name | In attendance (tick) | |
|-----------------------------|----------------------|----|-------------|----------------------|----|
| | Yes | No | | Yes | No |
| Cr Bye | ✓ | | Cr Maher | ✓ | |
| Cr Crossley | ✓ | | Cr Mills | ✓ | |
| Cr Hall (<i>on leave</i>) | | ✓ | Cr Rossetti | ✓ | |
| Cr Hole | ✓ | | Cr Stephens | ✓ | |
| Cr McCubbin | ✓ | | | | |

| Officer Names | In attendance (tick) | | Name | In attendance (tick) | |
|--------------------|----------------------|----|--------------------|----------------------|----|
| | Yes | No | | Yes | No |
| D Morcom, CEO | ✓ | | G Butler, GMCC | ✓ | |
| A Skipitaris, GMCS | ✓ | | John Websdale, GMD | ✓ | |
| C Hastie, GMBNE | ✓ | | | | |

| Others in Attendance (list names and item in attendance for): | Item No. |
|---|----------|
| In Carroll, | 1 |
| Katy Leighfield | 2 |

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

1. Review of 2017/18 Budget Submissions
2. Review of 2017/21 Council Plan Submissions

4. Conflict of Interest disclosures made by Councillors:

N/A

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

6 June 2017

2. ATTENDEES

Councillors:

| Name | In attendance (tick) | | Name | In attendance (tick) | |
|-------------|----------------------|----|-------------|----------------------|----|
| | Yes | No | | Yes | No |
| Cr Crossley | | ✓ | Cr McCubbin | ✓ | |
| Cr Hall | ✓ | | Cr Bye | ✓ | |
| Cr Maher | ✓ | | Cr Rossetti | ✓ | |
| Cr Stephens | ✓ | | Cr Hole | ✓ | |
| Cr Mills | ✓ | | | | |

Officers In Attendance:

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

Others in attendance: (list names and item in attendance for)

| Name | Item No. | Name | Item No. |
|-----------------|----------|------|----------|
| Sharon Willison | 1 | | |
| Damian Norkus | 1 | | |
| | | | |
| | | | |

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

1. IT/Diary Meeting - Councillors

4. Conflict of Interest disclosures made by Councillors:

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

6 June 2017

2. ATTENDEES:

| Councillor Names | In attendance (tick) | | Name | In attendance (tick) | |
|------------------|----------------------|----|-------------|----------------------|----|
| | Yes | No | | Yes | No |
| Cr Bye | ✓ | | Cr Maher | ✓ | |
| Cr Crossley | | ✓ | Cr Mills | ✓ | |
| Cr Hall | ✓ | | Cr Rossetti | ✓ | |
| Cr Hole | ✓ | | Cr Stephens | ✓ | |
| Cr McCubbin | ✓ | | | | |

| Officer Names | In attendance (tick) | | Name | In attendance (tick) | |
|--------------------|----------------------|----|--------------------|----------------------|----|
| | Yes | No | | Yes | No |
| D Morcom, CEO | ✓ | | G Butler, GMCC | ✓ | |
| A Skipitaris, GMCS | ✓ | | John Websdale, GMD | ✓ | |
| C Hastie, GMBNE | ✓ | | | | |

| Others in Attendance (list names and item in attendance for): | Item No. |
|---|----------|
| Tim Rowe | 1 |
| Mike McStephen, Jodie Cosham | 2 |
| Arthur Skipitaris | 3 |
| Arthur Skipitaris | 4 |
| Karen McLennan, Catherine Vassiliou | |

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

1. Waste Service Overview
2. Strategic Fire Management – 90 Mile Beach (East)
3. Municipal Association Act Review
4. Submission for the inquiry into the sustainability and Operational Challenges of Victoria's Rural and Regional Councils
5. 2017 Community Satisfaction Results overview

4. Conflict of Interest disclosures made by Councillors:

N/A

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

13 June 2017

2. ATTENDEES

Councillors

| Name | In attendance (tick) | | Name | In attendance (tick) | |
|-------------|----------------------|----|-------------|----------------------|----|
| | Yes | No | | Yes | No |
| Cr Crossley | | ✓ | Cr McCubbin | ✓ | |
| Cr Rossetti | | ✓ | Cr Maher | | ✓ |
| Cr Stephens | | ✓ | Cr Bye | ✓ | |
| Cr Hall | | ✓ | Cr Hole | | ✓ |
| Cr Mills | | ✓ | | | |

Officers In Attendance

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

Others in attendance (list names and item in attendance for)

| Name | Item No. | Name | Item No. |
|---------------|----------|-----------------|----------|
| Dean Monahan | All | Sam Pye | All |
| Paul Johnson | All | Josh Clydesdale | All |
| Barry Hearsey | All | Sabine Provily | All |
| Ben Proctor | x | | |

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

1. SLUPP Agenda – 13 June 2017

4. Conflict of Interest disclosures made by Councillors:

No Conflicts of Interest Declared



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1**PLANNING DECISIONS**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

20 JUNE 2017

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

OBJECTIVE

To provide a report to Council on recent planning permit trends and planning decisions, made under delegation by Statutory Planners during the month of April 2017, for information.

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

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 April and 30 April 2017.

BACKGROUND

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

A copy of planning permit decisions made between 1 April and 30 April 2017 is included in Attachment 1.

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

OPTIONS

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

PROPOSAL

That Council note the report of recent planning permit trends and planning application determinations between 1 April and 30 April 2017.

CONFLICT OF INTEREST

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

COMMUNICATION IMPACT

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

LEGISLATIVE IMPACT

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

COUNCIL POLICY IMPACT

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

COUNCIL PLAN

The Council Plan 2017–21 Theme 5 Economy states the following strategic objective and related strategy:

Strategic Objective 5.2

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

Strategy 5.2.2

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

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

ENVIRONMENTAL IMPACT

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

**PLANNING APPLICATION DETERMINATIONS
BETWEEN 1/04/2017 AND 30/04/2017**

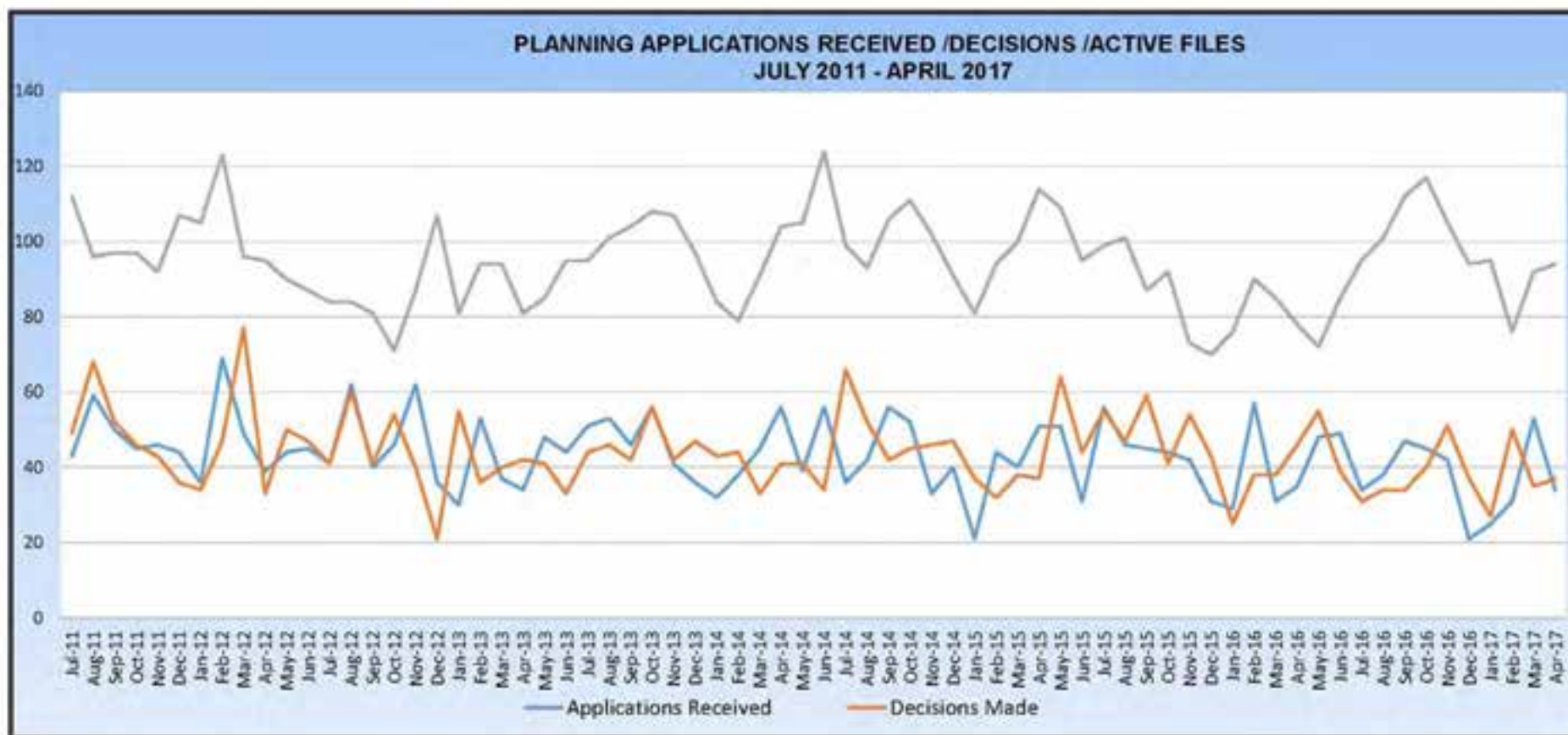
| Application No/Year | Date Received | Property Title & Address | Proposal | Status |
|----------------------------|----------------------|--|---|--|
| 276-4/2011 | 27/02/2017 | Assessment No. 236349 LOT: 1 PS: 769878W 38 NIPE ST LOCH SPORT | Amendment to permit for use and development of a dwelling. | Permit Issued by Delegate of Resp/Auth. 3/04/2017 |
| 237-4/2014 | 30/03/2017 | Assessment No. 378397 LOT: 1 PS: 420125M 124 SHORELINE DVE GOLDEN BEACH | Relocation of alterations block and construction of an access ramp. | Permit Issued by Delegate of Resp/Auth. 7/04/2017 |
| 291-3/2014 | 20/08/2015 | Assessment No. 432534 PC: 375225U GLENMAGGIE RD GLENMAGGIE | Use and development of the land for a dwelling. | Permit Issued by Delegate of Resp/Auth. 18/04/2017 |
| 374-2/2015 | 12/04/2017 | Assessment No. 31674 LOT: 6 LP: 50726 207-209 STAWELL ST SALE | Subdivision of the land into two lots and development of a dwelling. | Permit Issued by Delegate of Resp/Auth. 28/04/2017 |
| 140-2/2016 | 12/10/2016 | Assessment No. 26245 LOT: 12 PS: 26163 135 LANSDOWNE ST SALE | Development of 3 dwellings on a lot and 3 lot subdivision. | Permit Issued by Delegate of Resp/Auth. 19/04/2017 |
| 193-1/2016 | 24/06/2016 | Assessment No. 325621 LOT: 18 PS: 202114 28 ELMA RD GLENMAGGIE | Subdivision of the land into two lots. | Permit Issued by Delegate of Resp/Auth. 21/04/2017 |
| 227-1/2016 | 28/07/2016 | Assessment No. 330571 LOT: 1 TP: 743714B WEIR RD GLENMAGGIE | Use & development of the land for a dwelling & removal of vegetation. | Refusal Issued by Delegate of Resp/Auth. 21/04/2017 |
| 286-1/2016 | 19/09/2016 | Assessment No. 396739 LOT: 11 PS: 527845E 22 EVELYN DVE SALE | Use and development of a second dwelling. | Refusal Issued by the Responsible Auth. 19/04/2017 |
| 305-1/2016 | 4/10/2016 | Assessment No. 89714 LOT: 4 PS: 119758 BASFORD LANE STRATFORD | Use and development of the land for a single dwelling. | Permit Issued by Delegate of Resp/Auth. 3/04/2017 |
| 309-1/2016 | 4/10/2016 | Assessment No. 90589 LOT: 1 PS: 89072 224 BRIAGOLONG | Subdivision of the land into 5 lots. | NOD issued by Delegate of Resp/Auth. 24/04/2017 |
| 330-1/2016 | 14/10/2016 | Assessment No. 37705 LOT: 1 TP: 390888 36-40 POSTER ST SALE | Use and development of the land for vehicle sales. | Permit Issued by Delegate of Resp/Auth. 18/04/2017 |

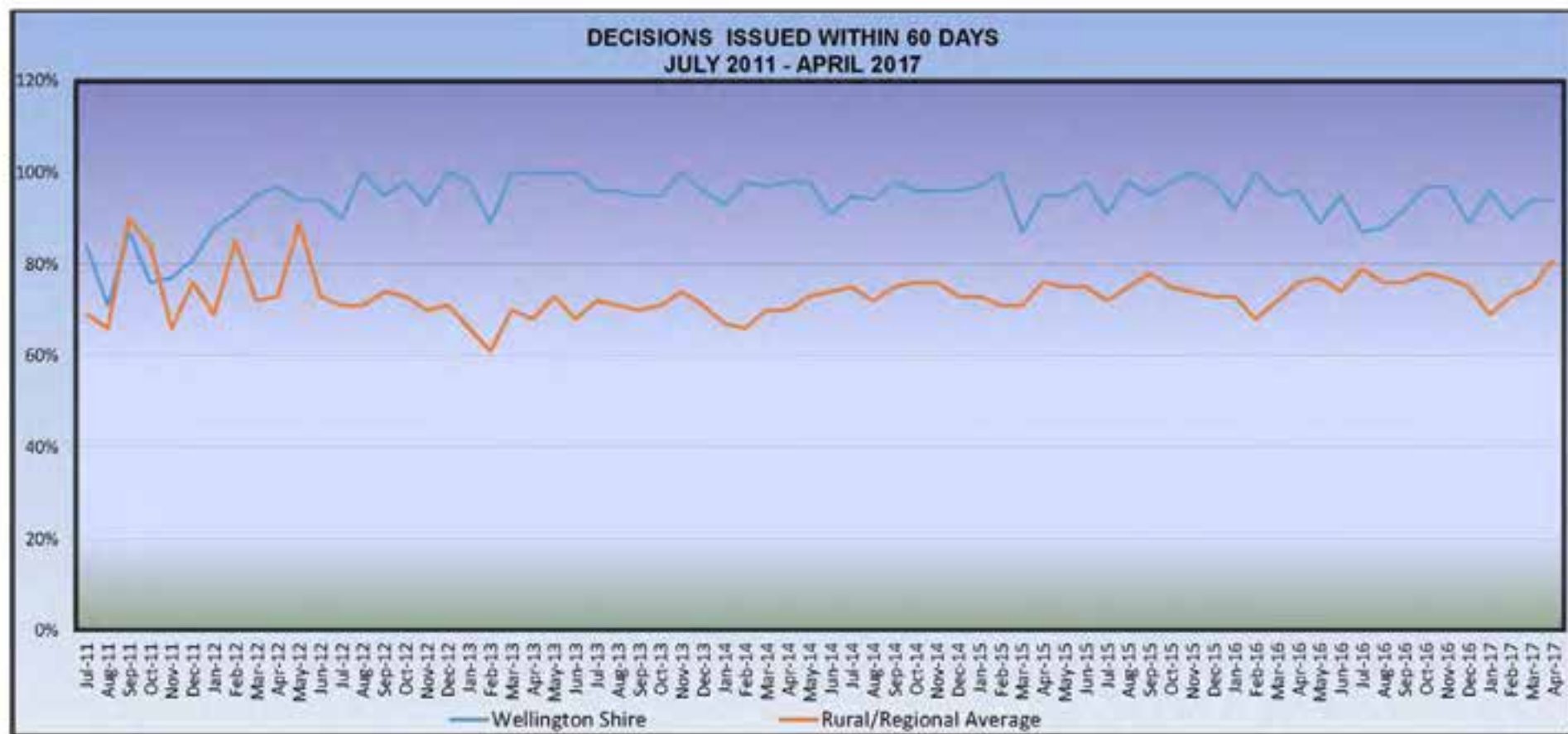
| Application No/Year | Date Received | Property Title & Address | Proposal | Status |
|---------------------|---------------|--|--|--|
| 348-2/2016 | 24/04/2017 | Assessment No. 339596 LOT: 7 TP: 561992B HEYFIELD-UPPER NEWRY | Use and development of the land for intensive animal husbandry. | Permit Issued by Delegate of Resp/Auth 27/04/2017 |
| 385-1/2016 | 14/12/2016 | Assessment No. 195982 CA: 6 SEC: 9 20 HANSEN ST SEASPRAY | Subdivision of the land into 2 lots. | Permit Issued by Delegate of Resp/Auth 20/04/2017 |
| 386-1/2016 | 14/12/2016 | Assessment No. 195446 LOT: 2 PS: 220779 15-25 ELLEN AVE SEASPRAY | Staged subdivision of the land into 7 lots. | Permit Issued by Delegate of Resp/Auth 26/04/2017 |
| 13-1/2017 | 16/01/2017 | Assessment No. 84574 LOT: 1 PS: 812032 1,218 MAFFRA-SALE RD SALE | Re subdivision of 2 existing lots to create 2 new lots. | Permit Issued by Delegate of Resp/Auth 4/04/2017 |
| 30-1/2017 | 7/02/2017 | Assessment No. 358168 PC: 370161W 431 BUNDALACRAH RD MAFFRA | Buildings and works associated with construction of a farm shed. | Permit Issued by Delegate of Resp/Auth 24/04/2017 |
| 32-1/2017 | 13/02/2017 | Assessment No. 117010 PC: 352588K 6-8 BANKSLA AVE GOLDEN BEACH | Buildings and works for construction of an outbuilding (garage). | Permit Issued by Delegate of Resp/Auth 4/04/2017 |
| 36-1/2017 | 17/02/2017 | Assessment No. 436301 LOT: 62 PS: 707317 35 SURKITT BLVD SALE | Subdivision of the land into 2 lots. | Permit Issued by Delegate of Resp/Auth 3/04/2017 |
| 46-1/2017 | 22/02/2017 | Assessment No. 351155 LOT: 173 PS: 54201 17 MT BRADLEY ST COONGULLA | Buildings and works associated with construction of a single dwelling. | Permit Issued by Delegate of Resp/Auth 21/04/2017 |
| 47-1/2017 | 22/02/2017 | Assessment No. 328096 LOT: 2 PS: 724778T 449 MCLACHLANS RD TINAMBA WEST | Resubdivision of 2 existing lots to create 2 new lots. | Permit Issued by Delegate of Resp/Auth 24/04/2017 |
| 48-1/2017 | 23/02/2017 | Assessment No. 199224 LOT: 13 PS: 110211 216 COCHRANES RD SEASPRAY | Use & development of the land/animal keeping & training 50 greyhounds. | Permit Issued by Delegate of Resp/Auth 11/04/2017 |
| 49-1/2017 | 24/02/2017 | Assessment No. 92866 LOT: 2 PS: 605268J 120 FREEMANS LANE STRATFORD | Resubdivision of the land into 2 lots (boundary realignment). | Permit Issued by Delegate of Resp/Auth 11/04/2017 |
| 54-1/2017 | 28/02/2017 | Assessment No. 104889 PTL: 103 PS: 634825 12 JACKSON DVE FULHAM | Buildings and works for construction of an office building. | Permit Issued by Delegate of Resp/Auth 19/04/2017 |

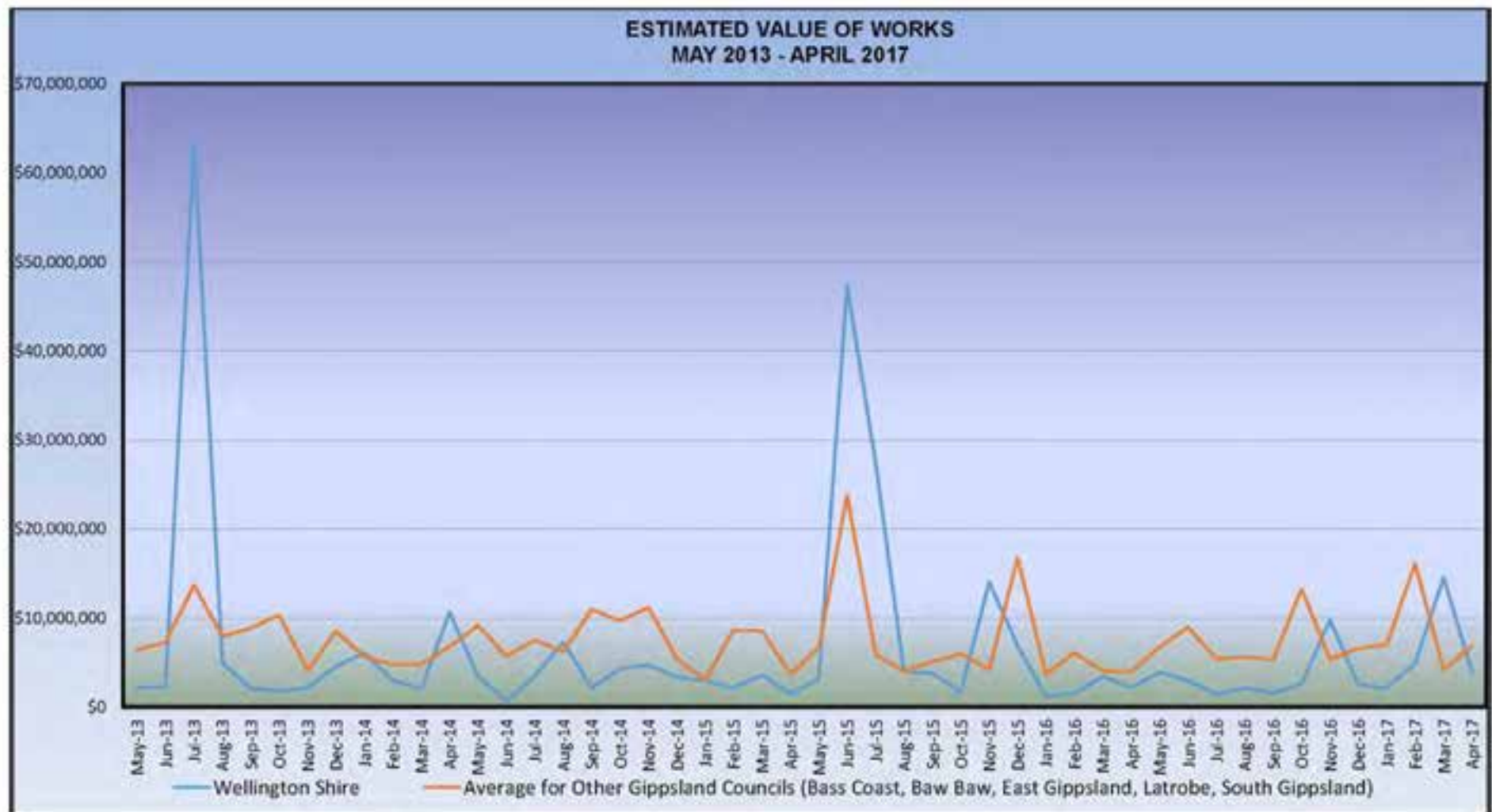
| Application No/Year | Date Received | Property Title & Address | Proposal | Status |
|---------------------|---------------|---|---|--|
| 64-1/2017 | 8/03/2017 | Assessment No. 423061 LOT: 3 PS: 642241V 20 GERRAND DVE LONGFORD | Buildings and works associated with development of a shed. | Permit Issued by Delegate of Resp/Auth 26/04/2017 |
| 65-1/2017 | 8/03/2017 | Assessment No. 186874 LOT: 40 BLK: A PS: 8178 2 CROSBY ST THE HONEYSUCKLES | Buildings and works associated with construction of a shed. | Withdrawn 12/04/2017 |
| 72-1/2017 | 15/03/2017 | Assessment No. 89979 CA: 47A SEC: 3 BENOWORDEN RD PERRY BRIDGE | Removal of native vegetation (Burgan). | Permit Issued by Delegate of Resp/Auth 7/04/2017 |
| 92-1/2017 | 27/03/2017 | Assessment No. 105429 LOT: 1 PS: 333332 78 SALE-COWWARE RD FULHAM | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 24/04/2017 |
| 93-1/2017 | 27/03/2017 | Assessment No. 41830 LOT: 8 PS: 18518 45 LANSDOWNE ST SALE | Demolition of outbuildings. | Permit Issued by Delegate of Resp/Auth 5/04/2017 |
| 94-1/2017 | 27/03/2017 | Assessment No. 438333 LOT: 35 LP: 217699 5 MCLEOD CRT ROSDALE | Buildings and works associated with construction of a dwelling. | Permit Issued by Delegate of Resp/Auth 21/04/2017 |
| 95-1/2017 | 28/03/2017 | Assessment No. 182097 CA: 17B 14-16 MAIN RD ORMANDALE | Buildings & works associated with construction of a scoreboard | Permit Issued by Delegate of Resp/Auth 27/04/2017 |
| 104-1/2017 | 3/04/2017 | Assessment No. 291849 LOT: 3 PS: 9386 252 COMMERCIAL RD YARRAM | Buildings and works associated with construction of a store. | Permit Issued by Delegate of Resp/Auth 18/04/2017 |
| 107-1/2017 | 4/04/2017 | Assessment No. 196170 LIT: 3 PS: 736736M 11 IRVING ST SEASPRAY | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 27/04/2017 |
| 109-1/2017 | 6/04/2017 | Assessment No. 266486 LOT: 1 TP: 116551C 3,697 HYLAND HWY CARRAJUNG LOWER | Construction of a machinery shed. | Permit Issued by Delegate of Resp/Auth 13/04/2017 |
| 112-1/2017 | 10/04/2017 | Assessment No. 331413 LOT: 183 PS: 2563 77 AVON ST BRIAGOLONG | Buildings and works/extensions and renovations to existing depot. | No Permit Required 28/04/2017 |
| 114-1/2017 | 11/04/2017 | Assessment No. 38083 LOT: 1 PS: 61076 155-157 FOSTER ST SALE | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 20/04/2017 |

| Application No/Year | Date Received | Property Title & Address | Proposal | Status |
|------------------------|------------------|---|--|--|
| 116-1/2017 | 13/04/2017 | Assessment No. 358267 LOT 1 PS 414932Q 436 BUNDALAGUAH RD MAFFRA | Buildings and works associated with construction of a garage. | Permit Issued by Delegate of Resp/Auth: 26/04/2017 |

Total No of Decisions Made: 36







ITEM C3.2**PLANNING SCHEME AMENDMENT C97 – SALE SEWERAGE PUMP STATION**

DIVISION: DEVELOPMENT
ACTION OFFICER: MANAGER LAND USE PLANNING
DATE: 20 JUNE 2017

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

OBJECTIVE

- To consider a Planning Scheme Amendment request to rezone land at 36-40 Foster Street and 4 Park Street, Sale and remove the Design and Development Overlay – Schedule 2 (Business/Industry Display Area) to facilitate a new Sale Sewerage Pump Station for Gippsland Water.
- To request the Minister for Planning to authorise Council, as the planning authority, to prepare Amendment C97 – Sale Sewerage Pump Station, pursuant to Section 8A of the *Planning and Environment Act 1987* and once Authorisation is granted, proceed to exhibition.

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

That:

1. ***Council having considered the request (refer to Attachment 1), resolve to advance the Planning Scheme Amendment process to facilitate the rezoning of land and deletion of the Design and Development Overlay – Schedule 2, to accommodate a new Sale Sewerage Pump Station.***
2. ***Council pursuant to Section 8A of the Planning and Environment Act 1987, resolve to request the Minister for Planning to Authorise Council, as the planning authority, to prepare Amendment C97 – Sale Sewerage Pump Station (refer to Attachment 2).***
3. ***Council resolve to proceed with the public exhibition of Amendment C97 – Sale Sewerage Pump Station, once Authorisation is granted.***

BACKGROUND

Given the level of development activity currently being experienced in and around Sale, Gippsland Water has reviewed existing wastewater service provision and the need for new infrastructure to respond to growth projections.

Currently, sewage generated by the Sale township and surrounding areas is directed to the outfall Sewer Pump Station No.1 (SPS1), which is located to the south of Sale (adjacent to the Port of Sale). Gippsland Water considers that SPS1 does not have capacity to support the current or future growth needs of Sale, Wurruk and Fulham.

The appropriate servicing solution to address capacity issues and respond to growth projections is the introduction of a new sewerage pump station (SPS).

A site selection process was undertaken to determine the best site to accommodate a new SPS in the southern area of Sale. A total of eleven sites were investigated. The assessment considered four main criteria – environmental and social issues, cost and risk. The key constraints affecting site selection included:

- Available land area
- Future land use
- Flood inundation and access constraints
- Proximity to existing residential and commercial areas
- Sensitive uses

Through this process, the subject land at 36-40 Foster Street and part of 4 Park Street, Sale were considered to be the best available site(s) with the lowest community cost (refer to **Figure 1**).



Figure 1: Land subject to Amendment C97 outlined in red

At its meeting of 21 March 2017 Council resolved to authorise the sale of land at Park Street to Gippsland Water for the purpose of facilitating access to the proposed SPS.

Amendment C97 is required to provide a land use zone to facilitate the development of a new SPS, which will provide essential infrastructure to service sustainable residential and industrial growth for the next 50 years. Rezoning the land to Public Use Zone 1 - Service and Utility (PUZ1), better aligns with Gippsland Water's interests as the regional water corporation and is the most appropriate zone for utility infrastructure of the kind proposed. A copy of the rezoning request is included in **Attachment 1**.

Rezoning the land to PUZ1 will recognise the land use for a public utility facility and will provide for associated uses that are consistent with the intent of the public land purpose. This will ensure statutory approval processes are minimised, thus streamlining planning and implementation of infrastructure.

The request also includes the deletion of the Design and Development Overlay – Schedule 2 (DDO2) – Business/Industry Display Area.

The design objective of the DDO2 is to ensure that commercially zoned land is developed in an orderly manner having regard to vehicle, movement, car parking, and the appearance of buildings and works. Having already liaised with VicRoads to secure a functional traffic/movement network

and on the basis that the majority of structures will be located underground, the DDO2 is no longer considered to be required on land to be publicly zoned for pump station infrastructure.

Removal of the DDO2 will also negate the requirement for a planning permit to construct a building or carry out works on the land which, as a consequence of the proposed rezoning to PUZ1, would become 'as of right' provided that they were:

1. For the purpose of the public land i.e. service and utility; and
2. Carried out by or on behalf of the public land manager.

In summary, Planning Scheme Amendment C97 proposes to:

- Rezone land at 36-40 Foster Street, Sale from Commercial 2 Zone (C2Z) to Public Use Zone 1 – Service and Utility (PUZ1)
- Rezone part of land at 4 Park Street, Sale from Public Use Zone 6 – Local Government (PUZ6) to Public Use Zone 1 – Service and Utility (PUZ1)
- Rezone part of land at 4 Park Street, Sale from Public Park and Recreation Zone (PPRZ) to Public Use Zone 1 – Service and Utility (PUZ1)
- Amend Planning Scheme Map 94 to reflect the rezoning
- Delete the Design and Development Overlay – Schedule 2 (DDO2) (Business/Industry Display Area) from the subject land.

The Amendment does not propose any changes to the Floodway Overlay (which affects only a small section of the southern area of the land), Land Subject to Inundation Overlay or Design and Development Overlay – Schedule 6 (RAAF Building Height above 15 metres), which also apply to the subject land.

A full set of the draft Planning Scheme Amendment documents is included in **Attachment 2** to this Report.

OPTIONS

Council has the following options:

1. To advance the rezoning of land and deletion of the DDO2 by requesting the Minister for Planning to Authorise Council, as the planning authority, to prepare Amendment C97 – Sale Sewerage Pump Station pursuant to Section 8A of the *Planning and Environment Act 1987* and once Authorisation is granted, proceed to exhibit Amendment C97; or
2. To not advance the rezoning of the subject land; or
3. To seek further information prior to considering a further report at a future Council Meeting.

PROPOSAL

That Council

1. Having considered the request (refer to **Attachment 1**), resolve to advance the Planning Scheme Amendment process to facilitate the rezoning of land and deletion of the DDO2 to accommodate a new Sale Sewerage Pump Station.
2. Pursuant to Section 8A of the *Planning and Environment Act 1987*, resolve to request the Minister for Planning to Authorise Council, as the planning authority, to prepare Amendment C97 – Sale Sewerage Pump Station (refer to **Attachment 2**).
3. Resolve to proceed with the public exhibition of Amendment C97 – Sale Sewerage Pump Station, once Authorisation is granted.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

As Amendment C97 is a private request, all direct financial costs associated with the Amendment process will need to be met by the proponent.

COMMUNICATION IMPACT

Should Council decide to proceed with Amendment C97, landowners within and directly adjacent to the subject land will receive direct notification of the Amendment once Authorisation is granted by the Minister for Planning. The Council website will also be updated accordingly.

LEGISLATIVE IMPACT

Should Council decide to proceed with Amendment C97 formal Authorisation from the Minister for Planning will be required under the provisions of the *Planning and Environment Act 1987*, prior to public exhibition.

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

COUNCIL PLAN IMPACT

The Council Plan 2017–21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.3

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

Strategy 2.3.1

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

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

PLANNING POLICY IMPACT

Amendment C97 is consistent with and is supported by the State and Local Planning Policy Frameworks (SPPF and LPPF) within the Wellington Planning Scheme; the Sale, Wurruk and Longford Structure Plan (2010), the Gippsland Regional Growth Plan (2014) and the relevant State Government Planning Practice Notes.

COMMUNITY IMPACT

Notification of Amendment C97 will be given in accordance with the requirements set out in the *Planning and Environment Act 1987*, which will include notification in the local newspaper and direct notice to affected landowners.

ENVIRONMENTAL IMPACT

Information provided in support of the rezoning request (see **Attachment 1**) indicates a range of potential environmental impacts associated with the proposed use of the land including matters relating to: noise; odour; flooding and flora and fauna.

It is understood that the proponents have sought advice directly from a range of relevant statutory authorities/agencies including the West Gippsland Catchment Management Authority and VicRoads to inform the proposal at an early stage in the process.

Supporting information accompanying the rezoning request indicates that, where required, all environmental issues can be appropriately managed through a range of detailed mitigation measures.

It is understood that 'best practice' odour mitigation technology will be used to better respond to odour concerns, which have periodically been evident with the existing SPS1 facility. The development of a new facility is expected to lead to improved environmental performance.

In relation to visual impact it is noted that much of the new infrastructure will be located below ground, but for above ground components Gippsland Water will engage with the community and Council in relation to appropriate landscaping and façade treatments given the site's highway prominence.

CONSULTATION IMPACT

The proponents have prepared a Community Engagement Plan that identifies an extensive list of agency/public stakeholders who will be directly consulted as part of the Amendment process. The means of consultation will range from face-to-face meetings to targeted workshops.

Amendment C97 will be exhibited in accordance with the procedures required by the *Planning and Environment Act 1987*. On the basis that support is given for the request to be made to the Minister for Planning to Authorise the Amendment, the process would allow for the following:

- a) The exhibition period for Amendment C97, during which submissions can be made by the general public.
- b) Depending on the nature of submissions received, the ability for Council to either abandon the Amendment, seek to resolve any issues raised by submitters or request the Minister for Planning to appoint an expert independent Planning Panel to consider submissions and make recommendations to Council.

29 May 2017

Our reference: COR/17/44010
Your reference:

Barry Hearsey
Coordinator Strategic Planning
Wellington Shire Council
70 Foster Street
P.O. Box 506
SALE VIC 3850

Dear Barry,

**RE: Rezoning of Land at 4 Park Street (Lot 2 PS448647)
and 36-40 Foster Street (Lot 2 LP118273), Sale**

Over the last 2 years, Gippsland Water has undertaken an extensive site selection process for a new Outfall Sewer Pump Station to meet current and future servicing needs for Sale, Wurruk and Fulham.

The site selected is 36-40 Foster Street, Sale.

The solution also requires the use of 4 Park Street, Sale to allow safe traffic movement into the site and the neighbouring car dealership. It was agreed by Council to sell 4 Park Street to Gippsland Water on the 21st March 2017.

Gippsland Water respectfully requests that Wellington Shire Council accept the rezoning application for these 2 sites to be rezoned to Public Use Zone (Service and Utility). The application was sent on the 29th May 2017 by Gippsland Water's consultants GHD.

If there are any matters about this response that you would like to discuss, please contact myself via either email paul.young@gippswater.com.au or phone 51 774 728.

Yours sincerely



Paul Young
Senior Planning Engineer



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contactus@gippswater.com.au
www.gippswater.com.au

AUTHORISATION TO PREPARE AN AMENDMENT TO
THE PLANNING SCHEME under Section 8a of the
Planning and Environment Act 1987

APPLICATION FORM

Please complete all questions and send a copy of this application form, along with a draft Explanatory Report and any other supporting documents to: planning.amendments@delwp.vic.gov.au

Planning scheme: Wellington Planning Scheme

Amendment No.: C97

Contact details

Name:

Position:

Phone:

Email:

Proponent: Gippsland Water

Details of proposed amendment

1. What land is affected by the proposed amendment? Please include a map if necessary.

The Amendment applies to land at (Lot 2 LP118273) 36-40 Foster Street, Sale and part of (Lot 2 PS448647) 4 Park Street, Sale as show in the maps below





2. Provide a brief description of the proposal.

The amendment proposes to rezone the land from Commercial 2 Zone (C2Z), Public Use Zone 6 (PUZ6) and Public Park and Recreation Zone (PPRZ) to Public Use Zone 1 (PUZ1). The amendment also proposes to remove the Design and Development Overlay – Schedule 2 Business / Industry Display Area (DDO2) from this land.

The amendment is required to provide for compatible land use zoning to facilitate the development of a new sewer pump station, which will provide essential infrastructure to service sustainable residential and industrial growth for the next 50 years. Rezoning the land to PUZ1 Service and Utility better aligns with GW's interests as the regional water corporation and is the most appropriate zone for utility infrastructure.

The amendment also proposes to remove affected land from the DDO2. Removing the DDO2 better aligns with the sites intended rezoning to PUZ1 and future use for a utility installation. The purpose of DDO2 (to control built form for business and industry display areas) is no longer considered relevant if the land is rezoned to PUZ1.

3. Provide a detailed list of the proposed changes to the planning scheme.

The Wellington Planning Scheme is proposed to be amended as follows:

- Rezone land at Lot 2 LP118273 (36-40 Foster Street, Sale) from Commercial 2 Zone (C2Z) to Public Use Zone 1 – Service and Utility (PUZ1)
- Rezone part of land at Lot 2 PS448647 Vol. 10723 Fol. 329 (4 Park Street, Sale) from Public Use Zone 6 – Local Government (PUZ6) to Public Use Zone 1 – Service and Utility (PUZ1).
- Rezone part of land at Lot 2 PS448647 Vol. 10723 Fol. 329 (4 Park Street, Sale) from Public Park and Recreation Zone (PPRZ) to Public Use Zone 1 – Service and Utility (PUZ1).
- Amend Planning Scheme Map No.94 to reflect the rezoning.
- Remove the Design and Development Overlay 2 'Business / Industry Display Area' (DDO2) at Lot 2 LP118273 (36-40 Foster Street, Sale) and amend existing Planning Scheme Overlay Map No.94 DDO.

4. Who has requested the proposed amendment?

- ☐ Council
☒ Other Proponent (please specify): Gippsland Water

5. What notice is proposed to be given?

- ☒ Full notice
☐ 20(2) - please describe the exemption requested and the extent of notice proposed:

6. Does the proposed amendment require ratification by parliament (green wedge land)?

- ☐ YES ☒ NO

If 'YES' why?

7. Does the proposed amendment affect Crown land?

- ☐ YES ☒ NO

If 'Yes', please give notice of the amendment to Native Title Services Victoria (www.ntsv.com.au).

8. Has the proposed amendment been discussed with the department?

- ☒ YES ☐ NO

If 'Yes', when and with whom did the discussion take place?

Email correspondence with Alan Freitag and Meredith Withers from DELWP.

9. Does the Amendment affect the interests or operation of any other government department or agency?

- ☒ YES ☐ NO

If 'Yes', which department/agency?

VicRoads and CMA (West Gippsland CMA)

Has the agency been consulted about the proposed amendment?

- ☒ YES ☐ NO

What was the outcome?

- ☒ Support ☐ Do not support ☐ Other

Please attach any relevant documents. Informal email correspondence provided in support of the proposal.

10. To assist with the assessment of this authorisation, have you attached the following:

Required:

- ☒ Draft Explanatory Report

Additional:

- ☐ Council report/ minutes
- ☒ Draft amendment documentation (e.g. draft zone or overlay schedule, draft policy, maps). Please list:
 - Strategic Assessment Report
 - Instruction Sheet
 - Draft map showing the location of proposed rezoning
 - Draft map showing the location of land proposed to be removed from DD02
- ☐ Draft permit (in case of application for combined permit and amendment)
- ☐ Other documentation (please list):

Please note: you will receive the Minister's decision by email. Please confirm the email address the response to the authorisation application should be sent to:

Once your application has been received by the Minister you will receive a confirmation email.

In accordance with section 8A (7) of the Act, Council may prepare the Amendment specified in this application without authorisation 10 business days after the Minister receives the application, if the Minister has not notified Council of his or her decision within that period.

The background of the slide is a dynamic, abstract image featuring bright, white, streak-like spray or water droplets against a deep blue gradient. The streaks radiate from the left side towards the right, creating a sense of movement and energy.

Gippsland Water

Sale Pump Station & Underground Detention Storage

Planning scheme amendment

June 2017

Table of contents

| | | |
|-----|---|----|
| 1 | Introduction..... | 1 |
| 1.1 | The amendment..... | 1 |
| 1.2 | Project Background..... | 1 |
| 2 | Site and Surrounds..... | 3 |
| 2.1 | Broader Site..... | 3 |
| 2.2 | Surrounding Land..... | 3 |
| 3 | Proposed Planning Scheme Amendment..... | 6 |
| 3.1 | Proposed amendment..... | 6 |
| 4 | Site selection..... | 7 |
| 5 | Planning Controls and Policy Context..... | 9 |
| 5.1 | State Planning Policy Framework..... | 9 |
| 5.2 | Local Planning Policy Framework..... | 14 |
| 6 | Other Relevant Policy Considerations..... | 18 |
| 6.1 | Gippsland regional growth plan..... | 18 |
| 7 | Concept Plan..... | 19 |
| 8 | Identification of key issues..... | 20 |
| 8.1 | Aesthetics and purpose of the existing Design and Development Overlays..... | 20 |
| 8.2 | Odour..... | 20 |
| 8.3 | Noise..... | 23 |
| 8.4 | Traffic..... | 24 |
| 8.5 | Flooding..... | 24 |
| 8.6 | Flora and fauna..... | 25 |
| 8.7 | Cultural heritage..... | 26 |
| 8.8 | Native Title..... | 28 |
| 9 | Specific Planning Matters..... | 27 |
| 10 | Conclusion..... | 29 |

Figure index

| | | |
|----------|------------------------------|---|
| Figure 1 | Proposed amendment area..... | 5 |
|----------|------------------------------|---|

Appendices

Appendix A – Proposed SPS Concept Plan

Appendix B – Preliminary Flooding Advice (West Gippsland CMA, correspondence dated 1 September 2016)

Appendix C – Flora and Fauna Assessment Report for 4 and 6 Park Street, Sale (Indigenous Design Land Management, 2016)

Appendix D – Aboriginal Due Diligence Report, New Sewage Pump Station, Sale (Heritage Insight, 2016)

Appendix E – Plan of Proposed Subdivision (4 Park Street)

Appendix F – Purchase of Land Council Report

1. Introduction

1.1 The amendment

Central Gippsland Region Water Corporation (Gippsland Water) has engaged GHD Pty Ltd (GHD) to prepare Planning Scheme Amendment (PSA) documentation to rezone two adjoining parcels of land in Sale comprising:

- Part of 36 – 40 Foster Street (Princes Highway) on Lot 2 LP118273; and
- Part of 4 Park Street on Lot 2 PS448647.

The rezoning of the above two parts of land to Public Use Zone 1 (PUZ1 Service and Utility) better aligns with Gippsland Water's interest as the regional water corporation and is the most appropriate zone for utility infrastructure.

Removing this land from the Design and Development Overlay – Schedule 2 'Business/Industry Display Area' (DDO2) better aligns with the proposed rezoning to PUZ1 and the intended utility installation purpose (as opposed to business or industry). The purpose of this report is to provide relevant information on the subject site, planning policy context and strategic justification for the proposed PSA to apply the PUZ1 to the land and remove the DDO2 from the land.

1.2 Project Background

Gippsland Water, is one of the major regional water corporations in Victoria. Gippsland Water supplies fresh drinking water to close to 68,000 customers and wastewater services to more than 60,000 customers across an area of approximately 5,000 square kilometres.

Gippsland Water maintains a \$1 billion infrastructure network, which includes:

- More than 2,120 kilometres of water mains.
- More than 1,715 kilometres of sewer mains.
- 16 water treatment plants.
- 14 wastewater treatment plants.
- Two ocean outfalls.

The service area for Gippsland Water spans from Drouin in the west, to Loch Sport in the east, and from Briagolong in the north, to Mirboo North in the south. Gippsland Water's customers also include major industries, six of which are of state and national significance. Baw Baw, Latrobe City, South Gippsland and Wellington shires are incorporated in the service area.

As part of current growth being experienced in the township of Sale and immediate surrounds, Gippsland Water has reviewed existing wastewater service provision and the need for new infrastructure to respond to growth projections.

The Sale Sewerage System dates back to the late 1950's and serves a population of about 12,700. The system services predominately residential land uses, with non-residential contributions consisting of business, industrial and public use zones.

Geographically, Sale is very flat, with a majority of the town sitting at or below 10 mAHD. Due to the high water table, the Sale sewage system mainly consists of a shallow gravity network with multiple (more than 60) lift pump stations.

Currently, sewage generated by the Sale township and surrounding region is directed to the outfall Sewer Pump Station No. 1 (SPS1) to the south of Sale. Gippsland Water consider that SPS1 does not have capacity to support the current needs or future growth of Sale, Warruk and Fulham.

The existing facility (SPS1) experiences hydraulic spills and there is no operational contingency in place. Gippsland Water considers that the existing sewerage infrastructure capacity is limiting Sale's growth and the current system is insufficient to service projected long-term growth.

The appropriate servicing solution to address capacity issues and respond to growth projections is the introduction of a new sewage pump station.

In consultation with Council, a preferred site has been selected and this amendment is required to provide for compatible land use zoning to facilitate the development of a new sewer pump station, which will provide essential infrastructure to service sustainable residential and industrial growth for the next 50 years.

2. Site and Surrounds

2.1 Broader Site

This amendment applies to part of 36 – 40 Foster Street and part of 4 Park Street, Sale, as outlined below. Refer to Figure 1

2.1.1 Part of 36 – 40 Foster Street, Sale

The site at 36 – 40 Foster Street, Sale was previously used as a petrol station (and has since been remediated) and car sale yard. The land fronts Foster Street to the north, Flooding Creek to the south and a Wellington Council Reserve to the east.

A vacant building currently occupies the site surrounded by generous hard stand areas given its previous use as a car sale yard. The land is relatively flat.

This site is currently zoned Commercial 2 Zone (C2Z) and is subject to the Design and Development Overlay – Schedule 2 'Business / Industry Display Area' (DDO2) and Design and Development Overlay – Schedule 6 'RAAF Building Height Above 15 Metres' within the Wellington Planning Scheme and has recently been purchased by Gippsland Water. The portion of land on 36-40 Foster Street to be rezoned to PUZ1 and to be removed from DDO2 as part of this amendment is shown on Figure 1.

2.1.2 Part of 4 Park Street, Sale

4 Park Street is located on the south side of Foster Street, towards Flooding Creek. The land fronts Foster Street to the north and Park Street to the east. The existing sewage pump station SPS1 is located in the southern portion of the site.

The land at 4 Park Street is currently in four zones, comprising:

- Commercial 2 Zone (C2Z) in the north-west corner
- Public Park and Recreation Zone (PPRZ) to the north
- Public Use Zone 6 (PUZ6 – Local Government) to the south
- Public Use Zone 1 (PUZ1 – Service and Utility) including the existing SPS1

The land is also subject to the Design and Development Overlay – Schedule 6 (DDO6 – RAAF Building Height Above 15 Metres).

The portion of land on 4 Park Street to be rezoned as part of this amendment falls within the PPRZ and PUZ6.

The site is generally open to the public and appears to be an extension of the existing passive open space area but, notably, it is separate to the PPRZ and adjoins the Foster Street site recently purchased by Gippsland Water.

2.2 Surrounding Land

The subject land is located on the western periphery of the township of Sale within an area identified in the Wellington Planning Scheme as a Business/ Industry Display area. The subject land is included in the Sale CBD Strategy Plan (March 2012) which includes much of the land south of Foster Street in a cultural and civic precinct. The land generally north of Foster Street includes the retail core of the Sale township, community and civic uses and areas nominated for mixed use development.

North of the site, across Foster Street, are car sale yards and bulky goods retailing. The land directly opposite the site is currently vacant and was previously occupied by the Sale Police Station.

Flooding Creek is located to the south of the subject site and Cullinan Park is located to the east (across Park Street).

Figure 1 Proposed amendment area



3. Proposed Planning Scheme Amendment

3.1 Proposed amendment

The proposed PSA seeks to amend the Wellington Shire Planning Scheme (the planning scheme) in the following way:

- Rezone part of land at 36 – 40 Foster Street from Commercial 2 Zone (C2Z) to Public Use Zone 1 – Service and Utility (PUZ1).
- Rezone part of land at 4 Park Street from Public Use Zone 6 – Local Government (PUZ6) to Public Use Zone 1 – Service and Utility (PUZ1).
- Rezone part of land at 4 Park Street from Public Park and Recreation Zone (PPRZ) to Public Use Zone 1 – Service and Utility (PUZ1).
- Amend existing Planning Scheme Zoning Map 94 to implement the above zoning changes.
- Remove part of land at 36 – 40 Foster Street from the Design and Development Overlay – Schedule 2 Business / Industry Display Area (DDO2) and amend existing Planning Scheme Overlay Map 94 DDO.

The land subject to this PSA request is shown on Figure 1.

In addition to the DDO2, there are other existing overlays which cover the land proposed to be rezoned, comprising:

- Design and Development Overlay (Schedule 6) – RAAF (Building height above 15 metres) (DDO6)
- Land Subject to Inundation Overlay (LSIO)

This amendment does not propose changes to overlays other than removal of the DDO2 which affects the subject land.

4. Site selection

Within the infrastructure network, the existing sewer pump station (SPS1) has given rise to a number of odour and operational issues. As a result, Gippsland Water reviewed the issues associated with the Outfall Sewer Pump Station No.1 (SPS1) and found that it:

- is of insufficient size for the current catchment and the site is constrained which means it cannot be expanded within the existing small allotment,
- occasionally spills into Flooding Creek; and,
- is a source of high odour in an area that is in close proximity to the Wellington Shire Council Offices, Sale Caravan Park and public areas.

The location of the existing SPS1 is shown on Figure 1.

Odour has been a longstanding issue at SPS1 and over the last decade, there have been a number of complaints relating to this issue.

A summary of the main concerns include:

- Prevalence of odour permeating around SPS1 specifically in the neighbouring streets and at the Port of Sale
- Strength of the odour resulting in affected people feeling unwell
- No consistency as to when the odour occurs (not specific to time of day or weather conditions)
- Potential impact the odour has on deterring local tourism, specifically around the Port of Sale
- On-going issue with no noticeable improvement following works carried out by Gippsland Water.

Gippsland Water has attempted to address odour issues and in recent times has implemented a temporary measure to mitigate the odour. This has reduced odour significantly, however, this temporary measure is not fit to be a permanent solution.

A site selection process was undertaken to determine the best site to accommodate a new SPS in the southern area of Sale. A total of eleven sites were investigated.

The assessment considered four main criteria - environmental, social issues, cost and risk. The key constraints affecting site selection included:

- Available land area
- Future land use
- Flood inundation and access constraints
- Proximity to existing residential and commercial areas
- Other sensitive uses.

Through this process, the subject land at 36 – 40 Foster Street and part of 4 Park Street were considered the best available site(s) with the lowest community cost.

The combined sites are considered appropriate for the following reasons:

- Has sufficient space to enable a pumping station to be developed with sufficient capacity to address current and long-term capacity issues
- Can accommodate an advanced odour mitigation facility onsite. It was the only site that was part of the selection process that was large enough for suitable odour mitigation works
- Is located above the 1:100 year ARI flood level, ensuring safe access at all times
- Provides sufficient capacity to service all growth in the region (Sale, Warruk and Fulham areas)
- Allows for the decommissioning and removal of above ground structures at the current SPS1 site. It was the only site that was part of the selection process that enables Gippsland Water to demolish the existing SPS on the site

5. Planning Controls and Policy Context

This section provides an overview of the key elements of the State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF) that are relevant to the amendment.

It is considered that the amendment will better align with the intended use by Gippsland Water to provide essential infrastructure to service future growth in the region.

The purpose of the Public Use Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

The amendment will facilitate the future development of a SPS aligning with the purpose of the zone to provide for public utility facilities. The future use and development, as provided in the draft concept plan, are consistent with the intent of the public land purpose as PUZ1 – Service and Utility.

The purpose of the Design and Development Overlay is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Specifically the purpose of DDO Schedule 2 is:

- *To ensure that land is developed in an orderly manner having regard to vehicle, movement, car parking, and the appearance of buildings and works.*

The requirements of the DDO2 built form controls are considered inappropriate for land strategically identified for uses other than business and industry display. Removing the land from DDO2 will ensure the future SPS site is unencumbered by an inappropriate land use control.

5.1 State Planning Policy Framework

The State Planning Policy Framework (SPPF), contained within all Victorian Planning Schemes, sets the direction for future growth and development of Victoria.

Relevant State Planning Policies are summarised below.

Clause 11.10 – 3: Sustainable Communities

Relevant strategies include:

- *Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and sub-region networks of towns.*
- *Facilitate the release of additional industrial zone land in towns including Warragul, Leongatha, Sale, Lakes Entrance, Paynesville and Mallacoota.*

The amendment will support Gippsland Water to provide essential services, which will facilitate growth in the Sale Northern Growth Area and Warragul Western Growth Area. The Gippsland

Water infrastructure will also support industrial growth in the Fulham Industrial Precinct assisting in the release of industrial zoned land.

Clause 11.10 – 4: Infrastructure

The objective of this clause is to deliver timely and accessible infrastructure that meets regional needs for transport, utilities and community facilities.

Relevant strategies include:

- *Support ongoing investment in water infrastructure and management of water resources to enhance security and efficiency of water supply to industry and urban areas.*

The change in zoning to PUZ1 will better align Gippsland Water's interest as the regional water corporation and the most appropriate zone for utility infrastructure which will support ongoing investment in the management of sewerage infrastructure to industry and urban areas.

Clause 11.01 – 1: Settlement networks

The objective of this clause is to *promote sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Relevant strategies include:

- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Hamilton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Provide for growth in population and development of facilities and services across a region or sub-region network.*

Deliver networks of high-quality settlements by:

- *Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.*

The amendment facilitates the development of a future utility installation, providing essential sewerage infrastructure which will help respond to population growth and support the sustainable development of Sale.

Clause 11.02: Urban Growth

The objective of this clause is to *ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

Relevant strategies include:

- *Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.*

The rezoning of the land to PUZ1 and removing the DDO2 will facilitate the development of a sewer pump station which is key infrastructure to support sustainable urban development and growth in the Sale township and surrounds.

The 2013 Urban Development Program for the Shire of Wellington provides an insight into the future projected growth of the Shire. Relevant findings for the Sale township include:

- *As measured from July 2006 to July 2012 residential building approval activity within the Shire of Wellington has averaged 312 building approvals per annum.*
- *Most (38% or 118 per annum) of the building approval activity since July 2006 has been located within the Statistical Local Area (SLA) of Wellington – Sale.*

- From July 2006 to December 2012 there was an average annual residential lot construction of 232. The most (43%) were minor infill lots, followed by rural residential lot and broadacre/major infill lot construction at 26% each.
- The majority (32%) of residential lot construction activity was located within the suburb of Sale, followed by Wurruk (9%), Stratford (8%) and Maffra (8%).
- Source: Shire of Wellington, Regional Development Report, Urban Development Program, (2013)

More recent Victoria in Future (VIF) population projections for Wellington Shire undertaken by the Department of Environment, Land, Water and Planning continue to project an increase of household and population growth for the Shire over the 20 year period from 2011 – 2031.

| Local Government Area | 2011 population | | | | | 2031 population | | | | |
|-----------------------|-----------------|--------|--------|--------|--------|-----------------|--------|--------|--------|--------|
| | 2011 | 2016 | 2021 | 2026 | 2031 | 2011 | 2016 | 2021 | 2026 | 2031 |
| Wellington (SL) | 42,100 | 42,300 | 42,300 | 42,300 | 42,300 | 42,300 | 42,300 | 42,300 | 42,300 | 42,300 |

Source: Population and household projections to 2031, Victoria in Future, 2016

State Government population projections generally consider that the household and population growth will be centred around the Sale township. Essential infrastructure provision is required to service the increasing number of households and population to provide for sustainable growth. The rezoning of the land to PUZ1 and removing the DDO2 will assist in facilitating the provision of essential infrastructure to support projected growth.

Clause 12.01-1 – Protection of biodiversity

The objective of Clause 12.01-1 is to assist the protection and conservation of Victoria's biodiversity, including important habitat for Victoria's flora and fauna and other strategically valuable biodiversity sites.

Relevant strategies of this clause are to:

- Ensure that decision making takes into account the impacts of land use and development on Victoria's high value biodiversity.

The amendment itself will not result in a loss of vegetation, however any future development of the land will need to consider the potential impact to native flora and fauna of the site. This is discussed further under Section 8.3 and Appendix C of this report.

Clause 13.02-1 – Floodplain management

Relevant objectives of this clause are to assist in the protection of:

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

A small portion of the creek embankment to the south adjoining Flooding Creek is included in a Land Subject to Inundation Overlay (LSIO). High level concept plans have been prepared for the subject land to ensure that the site is fit for future intended purpose. The concept plan

provided in Appendix A shows that the proposed future works are located well away from the land subject to inundation.

Clause 13.04-1 – Noise abatement

The objective of this clause is to assist the control of noise effects on sensitive land uses.

A relevant strategy is to:

- *Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

The potential major noise sources at the subject site were considered to be associated with pump, ventilation fan and standby generator equipment as well as truck movements at the site. Without appropriate mitigation measures, noise associated with the major noise sources, may have an impact to the surrounding sensitive receptors.

Refer to section 8.3 for the noise assessment.

Clause 13.04-2 – Air quality

The objective of Clause 13.04-2 is 'to assist the protection and improvement of air quality'. The relevant strategy is to:

- *Ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses*

The existing asset on Park Street (SPS1) is currently a source of odour. An interim solution to the odour issues at the existing facility is currently being implemented, however the decommissioning of SPS1 and construction of a new facility incorporating odour mitigation controls will be a more efficient, less costly solution to assist protection and improvement of air quality and the surrounding amenity in the long term.

Refer to section 8.1 for the odour assessment.

Clause 14.02-2 – Water quality

The objective of this clause is to protect water quality.

Relevant strategies are to:

- *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*

The existing SPS1 occasionally spills into Flooding Creek during significant wet weather events. The ability to develop a new facility and decommission the existing SPS1 will significantly reduce the likelihood of sewage discharges into the Port of Sale and assist in protecting and improving the water quality of Flooding Creek.

Clause 15.02-1 – Energy and resource efficiency

The objective of Clause 15.02-1 is 'to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions'.

- *Ensure that buildings and subdivision design improves efficiency in energy use*
- *Improve efficiency in energy use through greater use of renewable energy*

Gippsland Water has indicated that the use of solar panels is being investigated to supplement power supply for the future pump station. It is expected that electricity consumption from the site will increase as a result of the extra load from odour control equipment and there is potential to incorporate solar generation capacity into the new design. This will be considered during detailed design of the proposal.

Clause 15.03-2 – Aboriginal cultural heritage

The objective of Clause 15.03-2 is 'to ensure the protection and conservation of places of Aboriginal cultural heritage significance'. Relevant strategies of this clause are to:

- *Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.*
- *Provide for the protection and conservation of pre- and post-contact Aboriginal cultural heritage places.*

The subject land is within an area of cultural heritage sensitivity as it is located within 200 metres of Flooding Creek. The construction of a utility installation, being the new sewerage pump station and underground detention storage would constitute a high impact activity.

An Aboriginal Heritage Due Diligence Report was completed by *Heritage Insight* in October 2016. The report considered the land at 36-40 Foster Street and 4-6 Park Street, Sale and concluded that a Cultural Heritage Management Plan (CHMP) is not required for this activity as the property has undergone significant ground disturbance as defined in the *Aboriginal Heritage Regulations 2007*.

Further detail on Aboriginal Cultural Heritage considerations are included in Section 0 and Appendix D.

Clause 19.03-2 – Water supply, sewerage and drainage

The objective of this clause is to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

Relevant strategies include:

- *Ensure water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses.*
- *Provide for sewerage at the time of subdivision, or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.*
- *Encourage the re-use of wastewater including urban run-off, treated sewage effluent and run-off from irrigated farmland where appropriate*

Rezoning of the land to PUZ1 and removing the DDO2 will assist Gippsland Water to develop a new pump station on the land to assist the provision of sewerage infrastructure to service new development at the time of subdivision. The planning scheme amendment will also strengthen the existing wastewater re-use activities undertaken by Gippsland Water where sewage effluent is transferred to Dutton Downs, allowing treatment and irrigation for agricultural use.

5.2 Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) consists of Council's Municipal Strategic Statement (MSS) and Local Planning Policies. Local Planning Policies are tools used to implement the objectives and strategies of the MSS.

The MSS is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives.

5.2.1 Municipal Strategic Statement (MSS)

The relevant clauses are below.

Clause 21.01 – Municipal Profile

- *The Shire's population increased between the 2006 and 2011 censuses from 40,080 to 41,440.*
- *Sale is the largest urban centre in the Shire with a total population in 2011 of 13,825 persons within the Sale Statistical Local Area, a growth rate of 5.6% since 2006.*

The amendment will support Gippsland Water to provide essential services, which will facilitate growth in the Sale Northern Growth Area and Warruk Western Growth Area.

Clause 21.01-8 – Infrastructure

- *The main urban settlements including Sale, Maffra, Yarram, Heyfield, Stratford and Rosedale are provided with reticulated services and other community infrastructure.*

The rezoning of the land to PUZ1 and removing the DDO2 will facilitate the development of a Utility Installation to service the forecast residential and industrial growth.

Clause 21.02-1 – Settlement and housing

- *It is more efficient to provide for population growth, housing and other non-rural development in existing townships to take advantage of existing infrastructure.*
- *Sale competes with other regional centres for investment and employment.*
- *Many developed areas and areas subject to development pressure are compromised by not having reticulated sewerage and by inadequate stormwater drainage.*

The amendment will assist Gippsland Water to develop a new pump station on the land that will provide sewerage for new development at the time of subdivision. The planning scheme amendment will also support the existing wastewater re-use activities undertaken by Gippsland Water where sewage effluent is transferred to Outson Downs, allowing treatment and irrigation to pasture.

Clause 21.02-3 – Environmental risks

- *The Shire contains areas of land that are liable to flooding and susceptible to fire.*
- *Inadequate drainage and sewerage services can lead to significant environmental degradation.*

A small portion of the creek embankment to the south adjoining Flooding Creek is included in a Land Subject to Inundation Overlay (LSIO). High level concept plans for the subject land incorporate design that allow future works to be located well away from the creek embankment and the land subject to inundation.

Clause 21.02-5 – Built environment and heritage

- *Community viability, social interaction and healthy living can be enhanced by a well designed urban environment, streetscapes and infrastructure to facilitate physical activity and linkages to open space*

The rezoning of the land and removing the DDO2 will facilitate the development of a sewerage pump station which is key infrastructure required to support sustainable urban development and support growth in the Sale township and surrounds.

Clause 21.02-8 – Infrastructure

- *Urban infrastructure is expensive to provide and its development requires long lead times.*

The change in zoning to PUZ1 will better align Gippsland Water's interest as the regional water corporation and the most appropriate zone for utility infrastructure which will support ongoing investment in the management of sewerage infrastructure to industry and urban areas.

Clause 21.03-1 – Vision

Wellington 2030 is a strategic visioning document guiding the Shire up to 2030. This strategic vision document is divided into eight themes, each with their own broad vision as outlined below.

- *Natural Environment: Wellington has clean air and healthy rivers, streams and lakes. The native flora and fauna are plentiful and diverse. Our public land is protected and well managed. Water supplies are secure and abundant.*
- *Population: Wellington's population has grown in a sustainable manner. We have used deliberate strategies to attract and retain more young families and young people while continuing to value the contributions of our older residents.*
- *Development: Wellington has encouraged growth in appropriate locations supported by levels of infrastructure in keeping with the needs of the community while retaining the amenity valued by the community*

The amendment itself will not result in a loss of vegetation, the subject land was selected as it can accommodate an advanced odour mitigation facility onsite, and the site is located above the 1:100 year ARI flood level.

The amendment of the land will ultimately facilitate the development of a sewerage pump station, which is key infrastructure to support sustainable urban development and support growth in the Sale township and surrounds

Clause 21.04-1 – Settlement and housing

- *Sale is the main employment, education, medical and commercial centre of the Shire*
- *Most have reticulated sewerage and water supply, and drainage services, and have had urban growth areas identified.*
- *Physical infrastructure includes drainage, water, waste and energy services, open space and recreation facilities, roads, pedestrian and cycle paths, railways and airfields.*

The rezoning of the land to PUZ1 will facilitate the development of a Utility installation to service current community needs as well as forecast residential and industrial growth

Clause 21.04-2 – Settlement objectives

- *To accommodate future population growth over the next fifteen years in those settlements that can accommodate change and are expected to grow.*

- *To provide adequate infrastructure to existing urban settlements and to identified urban growth areas*
- *To promote improved sewerage infrastructure especially to coastal towns around the Gippsland Lakes and rural townships*
- *To support and reinforce the regional role of Sale.*

The amendment will support Gippsland Water in providing essential infrastructure services, which will facilitate growth in the Sale Northern Growth Area and Wurruk Western Growth Area. The Gippsland Water infrastructure will also support industrial growth in the Fulham Industrial Precinct, assisting in the release of industrial zoned land.

Clause 21.04-3 – Settlement strategies

- *Promote compact urban forms which fully utilise existing residential areas and infrastructure*
- *Encourage increased housing densities and choice throughout the main townships of the Shire in areas that are close to their town centres.*
- *Ensure adequate effluent and stormwater discharge systems are provided in order to lessen existing and future environmental impacts from townships*
- *Prevent high concentrations of nutrients and sediments entering waterways, wetlands and groundwater through stormwater systems*

State Government population projections consider that the household and population growth predicted in Sale will be centred around the township. The rezoning of the land to PUZ1 and removing the DDO2 will assist in facilitating the provision of essential infrastructure to support projected growth.

Clause 21.05-5 – Residential Development

- *Ensure holistic and considered development plans are prepared for all growth areas identified in the strategy plans shown in this Clause. These development plans should ensure that new development achieves a high level of integration with surrounding areas, constitutes a well orientated subdivision pattern, provides adequate open space and neighbourhood facilities, retains native vegetation, creates/links to key movement corridors (for cars, buses, pedestrians and cyclists), and makes holistically considered provision for drainage and other infrastructure*
- *Ensure rezoning of land occurs in a logical and sequential manner that has regard to:*
 - *The staging of infrastructure delivery. This includes the provision of water, sewer, drainage, traffic, pedestrian/cyclist and other relevant infrastructure.*
 - *Access to community services and facilities.*
 - *The general sequencing identified in the Sale, Wurruk and Longford Structure Plan.*

Sale is identified as one of the main urban settlements within the Shire and the provision of reticulated sewerage is key to provide for sustainable growth. The amendment will assist to support this growth.

In addition, the Sale, Wurruk and Longford Structure Plan (2010) identifies the general sequencing of development which is being progressed by Council via amendment C84. Amendment C84 seeks to rezone the Wurruk Growth Area to the General Residential Zone 1 and Low Density Residential Zone.

Council is also progressing a Development Plan for the Northern Growth Area which indicates the potential for standard and low density residential allotments. The potential for mixed use development is provided along the east side of the Princes Highway.

Clause 21.05-10 – Industrial Development

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

The ability to appropriately service future industrial development is key for the sustainable development of Sale. The West Sale Industrial Strategy Plan identifies significant tracts of land identified for future industrial expansion. The Gippsland Water infrastructure will support industrial growth in the Fullham Industrial Precinct assisting in the release of industrial zoned land.

6. Other Relevant Policy Considerations

Relevant Council and regional plans which support increased service and utility provision are discussed below.

6.1 Gippsland regional growth plan

The Gippsland Regional Growth Plan (GRGP) is a long-term strategy for growth of the region to 2041 and beyond. The GRGP recognises that high population growth can put pressure on existing infrastructure services such as water and sewerage and hinder growth in a region.

Table 4 in the GRGP (page 59) considers future growth against existing infrastructure, including sewerage. The table identifies the sewerage network in Sale, as '*significant infrastructure investment may be needed to accommodate growth*'. This implies that the current network requires some upgrades / augmentation in order to support population growth in the town.

7. Concept Plan

A concept layout of the proposed SPS has been prepared to ensure that the site is suitable for future intended use. The development or information contained in the concept plan does not form part of the rezoning application. Rather, the plans have been provided to demonstrate how the site can be used for the purpose of a public utility. The concept plan is provided in Appendix A and may change during the course of the detailed design process.

The concept layout includes the following elements:

- Pump station
- Emergency storage
- Odour treatment
- Screening and grit removal
- Switchboard building and standby generator, including solar panels (if viable)
- Aesthetics

The concept plan has been prepared to ensure that the subject land can suitably accommodate a future facility servicing the future residential and industrial growth of Sale. The concept plan has been prepared, in part, to consider odour and noise emissions from a future facility and how these offsite impacts can be minimised and managed during detailed design.

Importantly, Gippsland Water has noted that the development of a new facility will allow the decommissioning of SPS1 and reinstatement of that site. Gippsland Water is undertaking a separate consultation and engagement process with residents and stakeholders in relation to the façade treatment.

Much of the development for the new facility will be provided in underground tank storage, with some external plant and equipment. Consideration of the plant and equipment in relation to the Wellington Planning Scheme is considered further under Section 9 of this report.

8. Identification of key issues

This section outlines the key issues associated with the rezoning and the future development of the land for utility infrastructure.

8.1 Aesthetics and purpose of the existing Design and Development Overlays

As discussed in Section 3.1, the land subject to this PSA request is subject to both DDO2 and DDO6. The purpose of these overlays are to provide guidance on the design and built form of new development relating to operation of the East Sale RAAF base and the amenity and operation of local commercial areas. Under DDO2 a permit is required for buildings and works, however under DDO6 a permit is not required providing the height of any building is than 15 metres.

Consistent with the provisions of DDO2 and DDO6, the visual impact and aesthetics of the site have been considered when preparing the concept plan through the following:

- Gippsland Water are committed to building a facility that compliments the amenity of the area and retains and enhances the western entrance to Sale
- A screening solution and façade treatment will be workshopped with Council and the community
- Efforts will be made for the design to tie in with the existing commercial development interfacing with the site
- The facility will have minimal impact on the adjacent parkland or footpath connecting to other nearby land uses, including the commercial area interfacing the site. Additionally, pedestrian access to the riverbank will not be reduced.
- There are unlikely to be significant off-site odour or noise impacts.

The rezoning of the land to PUZ1 would better align with the intended purpose of the site and better suit Gippsland Water's ability to provide essential infrastructure to Sale and the broader region.

Removing the DDO2 from the site is considered appropriate for land intended for public utility purposes (as opposed to business or industry) and more appropriately aligns with the sites proposed rezoning to PUZ1. The amendment does not propose to remove DDO6 from the land, given the intent of protecting of RAAF operational requirements.

Whilst the amendment will remove the buildings and works permit requirement under the DDO2, as discussed above, the proposed development addresses the built form considerations of both DDO2 and DDO6. Therefore it is considered removing the DDO2 from the land will not result in built form that is inconsistent with the requirements of this schedule.

8.2 Odour

Gippsland Water has considered the impact of odour emissions from the development of the future facility and how such emissions may be minimised based on a review of similar SPSs in the region and mitigation measures used at those sites.

This section discusses odour considerations at the site, including:

- Discussion of case studies of similar types of developments (where biological treatment is a core part of the treatment process)

- Brief analysis of current Environment Protection Authority (EPA) odour regulations

8.2.1 Case Studies of Similar Types of Developments

With appropriate specification and design, it is considered that an Air Treatment Facility (ATF) based on a combination of biotrickling filters and activated carbon technology can provide satisfactory treatment of odour from the subject land in accordance with EPA design criteria.

Three case studies have been assessed (all in Victoria) illustrating that an ATF based on biological treatment can lead to a satisfactory outcome. The specific locations of the case studies are confidential, however all are located within urban areas and/or service a number of satellite towns and are consistent with the proposed SPS.

Case 1

This SPS receives predominantly domestic sewage, and is located in the midst of residences in an urban area. The SPS underwent a major upgrade about four years ago, and as part of that project the air treatment facility (ATF) was upgraded to one comprising extraction fans in duty/stand-by configuration, a biotrickling filter, two activated carbon filters, and a vent stack. The ATF is situated inside the pump station building. The ATF has been in service for about three years, and since then no community odour complaints have been received about the SPS. Through a comprehensive proof-of-performance testing program, it was shown that the ATF easily met the performance requirements.

Case 2

This SPS receives a mixture of domestic sewage from satellite towns via long rising mains, and some trade waste from a commercial bakery. The SPS was regularly the subject of odour complaints, and was also the subject of an EPA Pollution Abatement Notice. In response, the Retail Water Business procured an air treatment facility (ATF) comprising an extraction fan, an engineered biofilter, and a vent stack. The ATF has been in service for five months, and since then no community odour complaints have been received about the SPS. Furthermore, the community and the EPA have expressed satisfaction with the ATF. The SPS serves approximately 7500 EP. The stack is 13.5 m high with a diameter of 150 mm.

Case 3

This SPS receives a mixture of domestic sewage from satellite towns via long rising mains. It was constructed about six years ago as part of a sewerage scheme augmentation. Although the SPS is located outside a built-up area, the Retail Water Business expected that the sewage would be very sulfurous and procured an air treatment facility (ATF) comprising an extraction fan, two engineered biotrickling filters, an activated carbon filter, and a vent stack. The ATF has been in service since the SPS was constructed, and no community odour complaints have been received about the SPS.

8.2.2 Analysis of current EPA odour regulations

This section provides an overview of odour criteria and an assessment of buffer requirements.

Odour Overview

Odour Concentration

Odour 'strength' or concentration is measured in odour units (OU), where 1 OU represents the concentration of a sample that can just be detected by 50% of people.

Measurement of Odour

The method of measuring odour concentration most commonly used is Dynamic Olfactometry. In Victoria, the EPA had developed a simple method using dynamic olfactometry – termed the B2 method, and this was used for several decades until the introduction in 2001 of the National Standard for Dynamic Olfactometry AS/NZS 4323.3.

EPA Criteria for Odour

EPA specify design criteria for individual pollutants, where the design criterion is the concentration that is not to be exceeded at odour sensitive locations. In the case of sewage odour (which is a blend of odorous constituents rather than a single odorant) EPA specify several different criteria for different circumstances.

- Odour emissions from licensed discharge points from a premises (i.e. a wastewater treatment plant) must be limited so that the odour level in the downwind plumes at ground-level does not exceed 1 OU. This criterion can however be exceeded on-site – it is only required to be met at and beyond the premises' boundary.

Buffer Assessment

A buffer (separation) distance is a planning instrument used to provide separation of sensitive land uses (i.e. residential, schools, hospitals and recreation reserves) from existing industrial premises with the potential for off-site emissions (odour or dust) that can affect amenity in the event of an upset/malfunction.

Under routine operations, SEPP (AQM) objectives should be met and odour/dust impacts should be confined on-site by implementing environmental management practices. Unlike routine emissions, unintended emissions are often intermittent or episodic and may originate at or near ground level. Separation distances seek to avoid the consequence of upset industrial residual air emissions.

Two classes of buffer/separation distance guidelines are relevant in the context of planning in Victoria. Where there is an industrial use proposed on a land parcel, then the provisions of Clause 52.10 under the Victorian Planning Provisions (VPPs) as specified in the relevant planning scheme will apply. In effect, if the industry is specified in the Table to the Clause, then the corresponding threshold distance to the nearest Residential Zone, Business 5 Zone, Capital City Zone or Docklands Zone must be met.

In the case of an existing industrial use, the use of zoning mechanisms (i.e. industrial zones or the Special Use Zones (SUZ)) or planning overlays (i.e. an Environmentally Sensitive Overlay), specified in the relevant planning scheme allow for certain industrial activities to be identified and, where required, buffer distances between the industrial emission point and nearest sensitive receptors may be defined. The EPA recommend that buffer distances should be established in the relevant planning scheme as without their implementation, the default buffers remain recommendations only and cannot be enforced.

Residential properties (i.e. the nearest sensitive use) are located approximately 130 m to the northeast of the site. The provisions of Clause 52.10 does not specify buffer distances for pump stations while the EPA publication 1518 does recommend separation distances for sewage treatment plants which are linked to the size of the population that they serve.

There is no specific buffer distance recommended for pump stations. Independent of this, mitigation measures such as installing an Air Treatment Facility (ATF) to the stack to reduce the likelihood of odour impacts offsite.

The proposed ATF concept (biotrickling filters with activated carbon) is considered to be standard practice at new, large sewage pump stations.

With appropriate design and odour mitigation measures, the SPS is expected to have significant odour reduction as per other successful installations.

8.3 Noise

Gippsland Water has considered the impact of potential noise emissions from the development of the future facility and how such emissions may be minimised based on review of existing environmental noise conditions, the likelihood of potential noise sources from the subject site, the indicative EPA noise criteria and opportunities for in-principle noise mitigation.

8.3.1 Existing conditions

A review of aerial photography determined the nearest sensitive receptors to the subject site were two residential properties at 15 Park Street and 2 Reeve Street as well as a group accommodation facility at the Sale Motor Village.

A desktop review of the potential existing background noise environment was also undertaken to provide an understanding of the operational noise impact of the subject site in the context of the surrounding acoustic environment.

8.3.2 Potential impact of operational noise

Based on the proposed concept plan (Appendix A), the potential major noise sources at the subject site were considered to be associated with pump, ventilation fan and standby generator equipment as well as truck movements at the site.

The potential noise emanating from the subject site was assessed in accordance with the *State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade No. N-1 (SEPP N-1)*, given the location of the subject site and identified nearest sensitive receptors fall within the major urban area boundary as defined in EPA Publication 1411 *Noise from Industry in Regional Victoria (NIRV)* and is within an area with a population of more than 7000 people.

Noise associated with truck movements may pose an impact to the surrounding sensitive receivers, in particular during night-time operation (if applicable). This noise could be minimised by applying measures such as time restriction, on-site speed limit, and all other measures.

The noise associated with the standby generator could be attenuated via acoustic enclosure and acoustic exhaust muffler.

Noise mitigation measures have been provided below, however it is recommended that further work be conducted to ascertain the likelihood of noise impact and confirm the requirements of specific noise mitigation measures.

8.3.3 Proposed noise mitigation measures

A number of noise mitigation measures could be undertaken at detailed design to ensure that operational noise comply with noise emissions policy, such as:

- Incorporating high density material with minimum gaps for the pump station wet well top enclosure could be used to minimise sound transmission losses through the cover element.
- Installation of the standby generator within an acoustic enclosure with acoustic muffler for the exhaust.
- Select all equipment to minimise noise emissions and maintain in good repair (kept properly serviced). Equipment should be fitted with appropriate silencers and be in good working order. The use of exhaust brakes in vehicles will be eliminated, where practicable.

- Selection of quiet equipment/system as early as the design phase has been considered in the development of the project's operational noise management measures to minimise noise emissions. This will assist in minimising the off-site impact and help in preserving the hearing quality and reducing the Health and Safety risk for on-site employees.
- Minimise truck reversing within the subject site and, where possible, broadband alarms should be used for all site equipment and operational procedures.
- Where practical, operate machines at low speed or power and switch off when not being used rather than left idling for prolonged periods.
- Keep all engine covers closed while equipment is operating.
- Where feasible, exhausts and noise emitting components face away from nearest residences.
- Inform truck drivers of designated vehicle routes, parking locations and delivery hours.

In addition to the above noise mitigation measures, in principle actions could be undertaken to address potential operational noise impact from the subject site. These could include:

- A detailed noise survey in the subject site could be undertaken, including on-site attended and unattended noise monitoring to define the characteristics of the existing background/ambient noise levels during the day, evening and night periods.
- From on-site observation and measurement, confirm the dominant environmental noise within the vicinity of the subject site.
- Based on the noise survey results, confirm noise specific criteria for the subject site.
- Where required, prepare a detailed noise impact assessment of the proposed subject site, with respect to the availability of the detailed design project information.
- Based on the assessment results, identify reasonable and feasible noise mitigation measures and possible recommendations, as necessary, to ensure compliance with the noise criteria.

With appropriate design and noise mitigation measures, the SPS is not expected to have significant noise impact.

8.4 Traffic

VicRoads has reviewed the plan provided and gives in principle agreement to the proposed access.

The design allows for interim and ultimate conditions and safe access for maintenance vehicles to and from site either via Park Street or Foster Road.

As Foster Street is included in a Road Zone Category 1 (RDZ1), a planning permit will be required to create or alter an existing access. The concept plan demonstrates that the site can be reasonably expected to accommodate future traffic movements to and from the site.

Drawings showing proposed truck movements are contained in the concept plan in Appendix A.

8.5 Flooding

The southern boundary of the site adjoins Flooding Creek. Appendix B contains preliminary flooding advice, provided by West Gippsland Catchment Management Authority on 01 September 2016. The preliminary advice provides the following comment:

- The 1% Annual Exceedance Probability (AEP 3) flood level (commonly known as the 1 in 100 year flood) under current climatic conditions is 4.4 metres AHD.

- The Authority understands that site access is intended via a raised roadway across adjacent Lot 2/ PS448647 connecting to Park Street. The Authority will require an assessment of the proposed roadway design to demonstrate that flood behaviour will not be altered.
- The Authority notes that river bank stability work on Flooding Creek will be required in order for an access road to be constructed towards the southern boundary of the property. An investigation by a suitably qualified geomorphologist should be undertaken to identify suitable river bank stabilization alternatives.
- Based on the assessment of the proposed development, the Authority believes that there is scope for the flood risk at the site to be suitably managed.

8.6 Flora and fauna

A Flora and Fauna Assessment was undertaken by Indigenous Design Land Management (IDLm) in September 2016 for 4 and 6 Park Street, Sale, and is provided in Appendix C.

As part of Gippsland Water investigation into the suitability of the site and commissioned a Flora and Fauna Assessment for 4 and 6 Park Street to highlight all flora and fauna found on site through observation and to draw attention to the presence or potential likelihood of significant species or habitat.

In relation to vegetation, the investigation found that:

- *The site has been predominately cleared of native vegetation, with some revegetation or aesthetic plantings of Eucalyptus (Eucalypts) and Melaleuca species (Paperbarks) undertaken. Field assessment identified one small native vegetation patch of poor quality on site comprised of Acacia dealbata (Silver Wattle), along with one "small size class" indigenous tree on the riparian embankment of Flooding Creek.*
- *Whilst one rare or threatened species was potentially identified (Melaleuca armillaris subsp. armillaris), it is considered outside of its natural habitat and has been planted on site. The site is not considered to provide important habitat for, nor be regularly used by any other threatened flora and fauna species at any level of significance (i.e. National/State/Local). However, the likelihood of habitat implications for rare and threatened species increases if disturbance to the unmanaged embankment of Flooding Creek was proposed. In this instance, targeted survey effort for amphibian species would be recommended.*

In addition to the above, the report also recommends the following design measures and modifications in relation to the future detailed design of the utility installation:

- *Adequately protect and retain any tracts of native patches where possible; and*
- *Adequately protect and retain aquatic/semi aquatic habitat and associated waterways adjacent to the study site.*

These design measures should be considered by Gippsland Water as part of the detailed design process. The proposal would use this section of land at 4 Park Street to provide access to the future car yard and utility installation. Access is proposed north of the existing SPS1 which is clear of the existing low grade native vegetation.

The report did not cover the land at 36 – 40 Foster Street as much of the site is a large hard stand area due to its previous use as a car yard.

8.7 Cultural heritage

An Aboriginal Cultural Heritage Due Diligence Report (dated 3rd October 2016) was completed by *Heritage Insight* and included the land to be rezoned at 36-40 Foster Street and 4 Park Street (refer to Appendix D).

The entire site is within an area of cultural heritage sensitivity as it is located within 200 metres of Flooding Creek. The construction of a utility installation, being the new sewerage pump station and underground detention storage would constitute a high impact activity.

Significant ground disturbance can be demonstrated as the study area has undergone extensive earthworks activities including:

- Remodelling through construction and surfacing works, as well as the construction and installation of underground services.
- Prior construction activities associated with the use of the land by the Shell Company of Australia and its predecessor, the British Imperial Oil Company, along with the more recent construction activities associated with the car dealership and surfacing of the surrounding land has resulted in the removal of the topsoil from the land.

The report considered the land assessed at the subject site and concluded that a Cultural Heritage Management Plan (CHMP) is not required for this activity, as the property has undergone significant ground disturbance as defined in the *Aboriginal Heritage Regulations 2007*.

8.8 Native Title

The potential existence of Native Title for the subject land has also been considered by Gippsland Water. Correspondence with the Native Title Coordinator in the Gippsland Land, Planning and Approvals division of the Department of Planning, Environment, Land, Water and Planning (DELWP) provided the following advice:

- *Native Title rights and interests can only exist in circumstances where there has not been any prior extinguishing acts.*
- *The entire area proposed for development by Gippsland Water is land that was subject to freehold title prior to commencement of the Native Title Act 1993.
[In this case, the original Grants by the Crown were for Crown allotments 1 and 2, Section 11, Township of Sale, both of which occurred in 1867]*
- *The issue of these prior freehold titles has extinguished all native title rights and interests over the lands.*
- *The rezoning of the land will not attract any procedural rights under the Native Title Act 1993 provisions.*

As indicated by the correspondence with the Native Title Coordinator, Native Title will not be an issue at the subject site.

9. Specific Planning Matters

9.1.1 Planning Practice Note 2: Public Land Zones

The Planning Practice Note 2 provides guidance about the appropriate use and application of the Public Land Zones. In general accordance with the guidance provided, it is considered that rezoning the land to a public use zone is appropriate given:

- Rezoning the land to PUZ1 will recognise the land use for a public utility facility and will provide for associated uses that are consistent with the intent of the public land purpose. This will ensure statutory approval processes are minimised, thus streamlining planning and implementation of infrastructure to service the needs of future planned development surrounding the site.
- Rezoning will also provide Gippsland Water (as the future public land manager) with a level of flexibility and protection from the surrounding zone provisions, given the special nature of the asset and its control under the *Water Act 1989*.

The rezoning of the land removes planning permit triggers for the future use and development of the land for the intended SPS. A planning permit would however still be required to create or alter access to a Road Zone Category 1 (RDZ1) on Foster Street.

Note: It is noted the amendment proposes to remove the land from DDO2, thus removing any planning permit triggers that may have applied under Schedule 2 to this overlay (see Section 8.1 for further detail).

9.1.2 Land in More than One Zone & Subdivision of Land

The subject land for the PSA falls within four zones. As covered in Section 2.1.2, this includes:

- C2Z for land to be rezoned at 36-40 Foster Street
- PUZ1, PUZ6 and PPRZ for the portion of land to be rezoned at 4 Park Street

The multiple land use zones which apply to 4 Park Street are an anomaly in the planning scheme where the preferred application of zones is for one land use zone for each parcel of land. The future subdivision of the land, which is being undertaken via a separate process, will rectify this anomaly by ensuring only one zone applies to each future allotment.

It is also noted the provisions of the C2Z, PUZ1, PUZ6 and PPRZ that apply to the subject land require a permit for subdivision. However, in some instances the scheme contains overarching exemptions to this requirement.

Specifically, Clause 62.04 outlines the exemptions for a permit requirement to subdivide land that is being carried out by a public authority (i.e. Gippsland Water) as follows:

- *A subdivision by an authority acquiring the land which does not create an additional lot.*
- *A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.*
- *A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.*

Correspondence with the statutory planning department at Council has confirmed that the proposed subdivision does not create an additional lot (rather, the land to be subdivided will

create a reserve (see proposed Reserve No.1 in the portion of land to be subdivided at 4 Park Street on the Proposed Plan of Subdivision, Appendix E).

The sale of the land has previously been considered by Council. In a report to Council on 21 March 2017, in relation to the sale of part of the land on Park Street, the following recommendation was made:

- Council resolve land described as Reserve 1 on proposed plan of subdivision PS804056Q located on Park Street, sale as shown on the plan within is no required for Council purposes.
- Council authorises the Chief Executive Officer to sell Reserve 1 on PS804056Q to Central Gippsland Region Water Corporation (Gippsland Water) at the assessment market valuation with Gippsland Water meeting all costs.

A copy of the Council report is provided in Appendix F.

10. Conclusion

The rezoning of the land to the Public Use Zone – Schedule 1 (PUZ1 Service and Utility) and removing the DDO2 from the subject land will facilitate the development of a new SPS, which will in turn:

- Provide increased sewerage infrastructure capacity to respond to projected population growth and industrial development ensuring that the growth of Sale is sustainable and can be appropriately serviced.
- Allow for the decommissioning of the existing SPS1 and improve odour and environmental impacts from the removal of this facility.
- Ensure that the future facility is suitably located outside of the 1:100 year flood event.
- Rectify anomalous zoning (i.e. a parcel of land in more than one zone) in the planning scheme.
- Provide Gippsland Water (as the future public land manager) with a level of flexibility and protection, given the special nature of the asset and its control under the *Water Act 1989*.

Appendices

GHD | Report for Gippsland Water – Sale Planning Scheme Amendment, 31/34978

Appendix A – Proposed SPS Concept Plan

GHD | Report for Gippsland Water – Sale Planning Scheme Amendment, 31/34976

Appendix B – Preliminary Flooding Advice (West Gippsland CMA, correspondence dated 1 September 2016)

GHD | Report for Gippsland Water – Sale Planning Scheme Amendment, 31/34976



CMA Application No: WG-F-2016-0386
Date: 1 September 2016

Michael Johnstone
Gippsland Water

michael.johnstone@gippswater.com.au

Dear Michael,

| | | |
|------------------|-------------------|------------------------------------|
| Property: | Street: | Foster Street, Sale, Victoria 3850 |
| | Cadastral: | Lot 2, PS188273, Parish of Sale |

Thank you for your enquiry, received at the West Gippsland Catchment Management Authority (the Authority) on 29 August 2016. The Authority understands you require flood advice in relation to the concept plans for a sewage pumping station (SPS0) to service Sale, Wurruk and Fulham.

The 1% Annual Exceedance Probability (AEP³) flood level (commonly known as the 1 in 100 year flood) under current climatic conditions is **4.4 metres AHD⁴**.

The Authority understands that site access is intended via a raised roadway across adjacent Lot 2/ PS448647 connecting to Park Street. The Authority will require an assessment of the proposed roadway design to demonstrate that flood behavior will not be altered.

Additionally, the Authority notes that river bank stability work on Flooding Creek will be required in order for an access road to be constructed towards the southern boundary of the property. An investigation by a suitability qualified geomorphologist should be undertaken to identify suitable river bank stabilization alternatives.

Based on the assessment of the proposed development, the Authority believes that there is scope for the flood risk at the site to be suitably managed.

Please note: This document contains flood level advice only and does not constitute approval or otherwise of any development at this location.

Please refer to the attached explanatory report for further detail.

Should you have any queries, please do not hesitate to contact Catherine Couling on 1300 094 262. To assist the Authority in handling any enquiries please quote **WG-F-2016-0386** in your correspondence with us.

Yours sincerely,

Geraldine Alexander
Statutory Floodplain Officer

Cc: Wellington Shire Council

The information contained in this correspondence is subject to the disclaimers and definitions attached.

ABN 88 062 514 481

Correspondence PO Box 1374, Traralgon VIC 3844

Telephone 1300 094 262 | Facsimile (03) 5175 7899 | Email westgipps@wgcm.vic.gov.au | Website www.wgcm.vic.gov.au

Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953

EXPLANATORY REPORT

Figure 1 – 1% AEP flood extent



Decision Guidelines

The West Gippsland Catchment Management Authority assesses all applications against the following National, State and Local Policies, Guidelines and Practice Notes:

1. 'Technical Flood Risk Management Guideline: Flood Hazard' (Australian Emergency Management Institute, 2014).
2. 'Victoria Flood Management Strategy' (DNRE, 1998).
3. Council Planning Schemes, including the:
 - i. State Planning Policy Framework
 - ii. Local Planning Policy Framework
 - iii. Relevant Zones and Overlays.
4. 'Guidelines for Coastal Catchment Management Authorities: Assessing development in relation to sea level rise' (DSE, 2012).
5. 'Applying for a Planning Permit under the Flood Provisions – A Guide for Councils, Referral Authorities and Applicants' (DELWP, 2015).
6. 'Flood Guidelines - Guidelines for development in flood prone areas' (West Gippsland Catchment Management Authority, 2013).

Table 1 – Flood Data

| | Current conditions |
|--|--------------------|
| 1% AEP flood level at development site | 4.4 m AHD |
| Lowest land elevation at development site (adjacent to Flooding Creek) | 0.2 m AHD |
| Highest land elevation at development site | 4.9 m AHD |
| FLOOD DEPTH | |
| Minimum depth of flooding at development site | 0.0 m |
| Maximum depth of flooding at development site (adjacent to Flooding Creek) | 4.2 m |
| Percentage of property flooded | 35% |
| HAZARD ASSESSMENT | |
| Hazard category at development site | Medium |

1% AEP³ Flood Level Determination

Floods are classified by the frequency at which they are likely to occur. In Victoria, all proposals for development on floodplains are assessed against a flood that, on average, will occur once every 100 years. A flood of this size has a 1% chance of occurring in any given year, and is known as either the 100 year Average Recurrence Interval (ARI⁵) flood or the 1% Annual Exceedance Probability (AEP) flood.

Please note that the 1% AEP flood is the minimum standard for planning in Victoria, and is not the largest flood that could occur. There is always a possibility that a flood larger in height and extent than the 1% AEP flood may occur in the future.

Flood levels for the 1% AEP flood event (commonly known as the 1 in 100 year flood) have not been designated or declared for this area under the *Water Act 1989*. The estimated 1% AEP flood level for the location described above is 4.4 metres AHD which was obtained from the *Port of Sale Flood Study* (2004).

Figure 1 shows the likely extent of flooding during a 1% AEP flood event on the subject property, with flood depths increasing significantly in the immediate vicinity of the waterway. This mapping shows that a significant portion of the land remains flood-free during a 1% AEP flood event.

Additionally, there is a significant depression the adjacent lot, Lot 2/PS448647, with flood depths up to 1.6 metres at the proposed access location. Construction of a roadway at the intended location has the potential to influence flood behaviour.

Definitions and Disclaimers

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.
4. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.
5. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100 year ARI flood will occur on average once every 100 years.
6. Nominal Flood Protection Level – is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.
7. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
8. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
9. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.
10. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.

Appendix C – Flora and Fauna Assessment Report
for 4 and 6 Park Street, Sale (Indigenous Design Land
Management, 2016)

GHD | Report for Gippsland Water –Sale Planning Scheme Amendment, 31/34976



Report for Gippsland Water

Flora and Fauna Assessment Report for 4 & 6
Park Street, Sale

September 2016

Tania Brooker & Ben Imbery



Citation

Brooker, T & Imbery, B (2016), Flora and Fauna Assessment Report for 4 & 6 Foster Street, Sale
Indigenous Design Land Management, Research, Victoria.

Indigenous Design Land Management Pty. Ltd.
1635 Main Road, Research
www.iddesign.com.au

Disclaimer

Indigenous Design Land Management Pty. Ltd. and any associated contractors engaged for this project have endeavoured to provide an accurate and current document. However, this document is not guaranteed to be without flaw or omissions. The information and recommendations provided are current at the time of writing but do not account for any changes in circumstances after the time of publication. Indigenous Design Land Management Pty. Ltd. accepts no liability for any error, loss or other consequence caused or arising from using the information provided within this report.

Acknowledgements

Debbie Archer – Senior Environmental Scientist, Gippsland Water

Antares Fuhrmann – Graduate Consultant, Indigenous Design Land Management

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Contents

| | |
|---|-----|
| Contents..... | iii |
| Executive Summary..... | 1 |
| 1 Introduction..... | 2 |
| 1.1 Project Background..... | 2 |
| 1.2 Site Details..... | 2 |
| 1.3 Project Scope..... | 4 |
| 2 Descriptions of Methods..... | 5 |
| 2.1 Data and Literature Review..... | 5 |
| 2.2 Field Survey..... | 5 |
| 2.2.1 Vegetation..... | 5 |
| 2.3 Limitations..... | 6 |
| 3 Ecological Values..... | 7 |
| 3.1 Vegetation Condition..... | 7 |
| 3.1.1 Ecological Vegetation Classes..... | 7 |
| 3.2 Vegetation Description..... | 9 |
| 3.3 Flora Species..... | 10 |
| 3.3.1 Flora Species Recorded..... | 10 |
| 3.3.2 Vegetation Zones..... | 11 |
| 3.3.3 Native Trees..... | 11 |
| 3.3.4 Significant Flora Species..... | 13 |
| 3.3.5 Significant Vegetation Communities..... | 14 |
| 3.4 Fauna Species..... | 14 |
| 3.4.1 Significant Fauna Species..... | 14 |
| 3.5 Quantification of Significant Flora and Fauna Species Habitat..... | 16 |
| 4 Policy and Legislative Implications..... | 17 |
| 4.1 Commonwealth - Environment Protection and Biodiversity Conservation Act 1999..... | 17 |
| 4.1.1 Implications (Significant Impact Criteria)..... | 17 |
| 4.2 State - Flora and Fauna Guarantee Act 1988..... | 18 |
| 4.2.1 Implications..... | 18 |
| 4.3 Catchment and Land Protection Act 1994..... | 18 |
| 4.4 Planning and Environment Act 1987..... | 19 |
| 4.4.1 Implications..... | 19 |
| 4.5 Victoria's Native Vegetation Permitted Clearing Regulations..... | 19 |

iii

Indigenous Design Land Management

| | | |
|-------|---|----|
| 4.5.1 | Risk-based Approach..... | 19 |
| 4.5.2 | Minimising Impacts on Native Vegetation..... | 19 |
| 4.6 | Water Act 1987..... | 20 |
| 4.6.1 | Implications..... | 20 |
| 4.7 | Aboriginal Heritage Regulations 2007..... | 20 |
| 5 | Conclusion and Recommendations..... | 21 |
| | References..... | 22 |
| | Appendices..... | 23 |
| | Appendix 1: DTP/LI Planning Property Report..... | 24 |
| | Appendix 2: EVC 56: Floodplain Riparian Woodland Benchmark..... | 34 |
| | Appendix 3: Flora Species Recorded on Site..... | 36 |
| | Appendix 4: Fauna Species Recorded Onsite..... | 38 |
| | Appendix 5: EPBC / Victorian Biodiversity Atlas significant flora database search results and assessment of likelihood of occurrence..... | 39 |
| | Appendix 6: EPBC / Victorian Biodiversity Atlas significant fauna database search results and assessment of likelihood of occurrence..... | 42 |
| | Map 1 –Native Vegetation..... | 63 |
| | Map 2 – Tree Locations..... | 64 |

Executive Summary

Indigenous Design Land Management (IDLM) has been commissioned by Gippsland Water to undertake a Flora and Fauna Assessment of 4-6 Park Street, Sale. This report seeks to highlight all flora and fauna found on site through observation and to draw attention to the presence or potential likelihood of significant species or habitat.

The site has been predominately cleared of native vegetation, with some revegetation or aesthetic plantings of *Eucalyptus* (Eucalypts) and *Melaleuca* species (Paperbarks) undertaken. Field assessment identified one small native vegetation patch of poor quality on site comprised of *Acacia dealbata* (Silver Wattle), along with one 'small size class' indigenous tree on the riparian embankment of Flooding Creek.

Whilst one rare or threatened species was potentially identified (*Melaleuca armillaris* subsp. *armillaris*), it is considered outside of its natural habitat and has been planted on site. The site is not considered to provide important habitat for, nor be regularly used by any other threatened flora and fauna species at any level of significance (i.e. National/State/Local). However, the likelihood of habitat implications for rare and threatened species increases if disturbance to the unmanaged embankment of Flooding Creek was proposed. In this instance, targeted survey effort for amphibian species would be recommended.

Recommendations are provided to avoid or minimise impacts on the native patch and to retain native vegetation and habitat where possible. Additionally, statutory considerations and recommendations are outlined with regard to any future development of the site.

1 Introduction

1.1 Project Background

Indigenous Design Land Management (IDLM) has been commissioned by Gippsland Water to undertake a flora and fauna assessment of the subject site. This assessment aims to document the flora and fauna values to identify any priorities for avoidance and minimisation design measures and provide recommendations to inform any future development of the site.

This report does not seek to satisfy or address the information requirements under Clause 52.17 (application of the *Biodiversity Assessment Guidelines* (DEPI 2013) or any other planning matters set out under the Wellington Shire Council Planning Scheme.

1.2 Site Details

The study area (Figure 1) is contained within the Wellington Shire Planning Scheme, the Gippsland Plain bioregion and the West Gippsland Catchment Management Authority area. The site incorporates two properties that are detailed below (DELWP, 2016a).

Address: 4 & 6 Park Street, Sale

Local Government (Council): Wellington

Persistent Feature Identifier (PFI): 4 Park Street, Sale: 100524137
6 Park Street, Sale: 100524129

Standard Parcel Identifier (SPI): 4 Park Street, Sale: 2\PS448647
6 Park Street, Sale: 1\PS448647

Planning Zones

4 Park Street, Sale

Commercial 2 Zones (C2Z);

Public Park and Recreation Zone (PPRZ);

Public Use Zone- Local Government (PUZ6); and

Public Use Zone - Service and Utility (PUZ1)

6 Park Street, Sale

Public Use Zone (PUZ6).

Planning Overlays

4 Park Street, Sale

Design and Development Overlay- Schedule 2 & Schedule 6 (DDO2 & DDO6);
Floodway Overlay (FO); and
Land Subject to Inundation Overlay (LSIO).

6 Park Street, Sale

Design and Development Overlay- Schedule 6 (DDO6);
Floodway Overlay (FO); and
Land Subject to Inundation Overlay (LSIO).

The site is identified as being located within one or more areas of 'Aboriginal Cultural Heritage Sensitivity' as described in the *Aboriginal Heritage Regulations 2007* (DELWP, 2016a). Appendix 1 provides the Planning Property Report(s) for the study area.

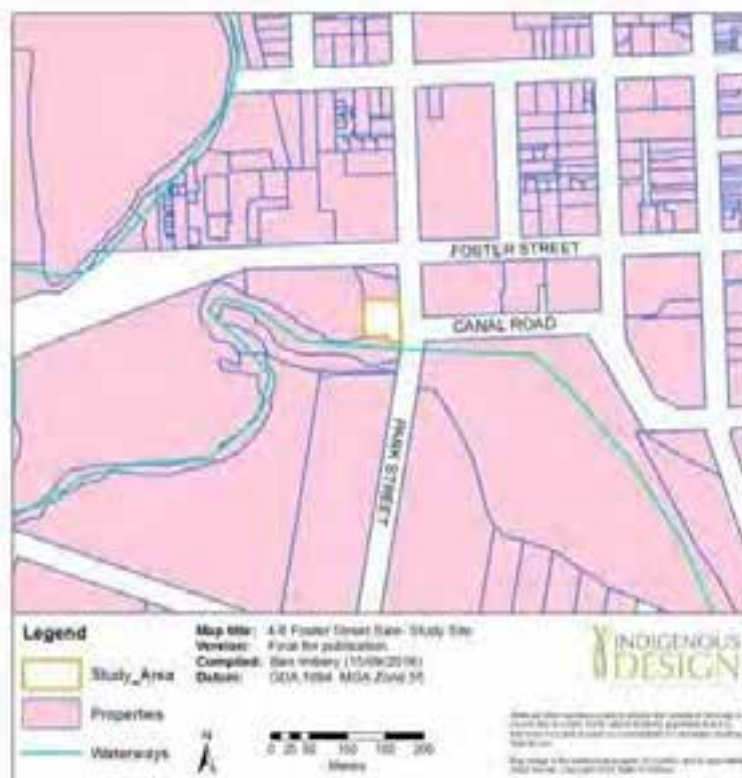


Figure 1: Study area

1.3 Project Scope

- Undertake database searches and existing literature analysis to identify the presence or potential presence of significant species or habitat;
- Undertake field work including:
 - Record full site flora species list;
 - Record full site fauna species list (incidental species list from field observations - does not include any 'targeted' fauna survey);
 - Identification of any native vegetation patches or scattered trees;
 - Recording of any 'large old trees'; and
 - Identification and mapping of any potential habitat for significant species or vegetation communities.
- Outline the following:
 - Description of vegetation condition and native vegetation quality and distribution;
 - Description of any significant vegetation communities or species habitat including distribution, extent and quality;
 - Description of any State or Commonwealth threatened vegetation communities, flora or fauna habitat, individuals or populations potentially impacted by the proposal and the legislative requirements of any such impacts including recommendations for targeted surveys;
 - Recommendations for the avoidance and minimisation of native vegetation and significant species habitat; and
 - Maps detailing the site's ecological assets including vegetation distribution and significant communities / species habitat.

2 Descriptions of Methods

2.1 Data and Literature Review

Prior to field assessments the following resources were used to determine if any taxa listed or protected under the Victorian Flora and Fauna Guarantee (FFG) Act 1988, or the Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999 have been, or potentially could be, located at the site:

- DEPI's *Victorian Biodiversity Atlas* (VBA) (DELWP, 2016b); and
- Commonwealth EPBC Act 1999, Protected Matters on-line search tool (DSEWPC, 2016).

The DELWP's Biodiversity Interactive Map (DELWP, 2016c) was used to gain the following information:

- An insight into the overall distribution of native vegetation on the site and the Ecological Vegetation Class (EVC) to which any remnant vegetation may belong;
- The 'landscape context score' applicable to a particular habitat zone; and
- Guidance on the strategic biodiversity and habitat importance scores of vegetation located on-site.

2.2 Field Survey

A field survey of the assessment site was undertaken on the 13th of September of 2016. During this survey all flora present on the site was recorded and vegetation quality assessments were carried out where appropriate.

2.2.1 Vegetation

Native vegetation is defined in the Victoria Planning Provisions (Definitions- Clause 72) as 'plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses'. DEPI's *Biodiversity Assessment Guidelines* (DEPI, 2013) (the Guidelines) further defines native vegetation into two categories: 'remnant patches' and 'scattered trees' outlined below:

A **remnant patch** of native vegetation is either:

- an area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native; or
- any area with three or more native canopy trees (mature trees greater than 3 metres in height) where the canopy foliage cover is at least 20 per cent of the area.

A **scattered tree** is:

- a native canopy tree that does not form part of a remnant patch.

(DEPI, 2013)

By applying these definitions all native vegetation on the assessment site was categorised as either 'remnant patch' or 'scattered trees'. Native patches were categorised into EVCs and furthermore into habitat zones and boundaries GPS mapped.

Scattered trees on the assessment site were identified, GPS mapped and had their Diameter at Breast Height (DBH) recorded to determine the location and significance of native trees in relation to the proposed development.

2.3 Limitations

The assessment of flora on site was undertaken in September of 2016. It is, therefore, possible that some annual, deciduous or dormant taxa may not have been visible. Additionally, some taxa have not been identified to specific or infraspecific rank due to the absence of flowering, or other material typically used for identification.

The assessment of fauna presence did not include a targeted fauna survey. Consequently, further species are likely to be recorded given further time and or the undertaking of a detailed survey including trapping and monitoring.

3 Ecological Values

3.1 Vegetation Condition

The subject site is bound by Park Street to its east, the Flooding Creek canal to its south and industrial private land to its north and west. The developed town centre of Sale lies to the site's north and east, while land uses to the wider south and west are largely agricultural along with some nature reserves and recreational land use areas.

The vast majority of land surrounding the study area has been cleared of its original native vegetation cover. Remnant vegetation that does remain is largely restricted to strips / corridors which follow the various waterways and associated billabongs. The study site contains part of this riparian vegetation corridor, however it is heavily modified and has previously been cleared.

3.1.1 Ecological Vegetation Classes

Ecological Vegetation Classes (EVC) are a type of vegetation classification which aims to group plant communities according to common flora species, vegetation structure and common environmental factors such as elevation, soils and average rainfall.

The DELWP's *Biodiversity Interactive Map* (DELWP, 2016c) displays the study area as comprising one modelled pre-1750s EVC 56: *Floodplain Riparian Woodland* (Appendix 2). EVC 132: *Plains Grassland* is modelled occupying a vast expanse of land to the site's wider north and east now occupied by the township of Sale, while EVC 56: *Floodplain Riparian Woodland* is shown as covering the myriad of waterways and billabongs to the site's wider south and west.

Extant EVC mapping (DELWP, 2016c) shows EVC 56: *Floodplain Riparian Woodland* remaining within the north-west corner of the study area and EVC 132: *Plains Grassland* immediately to the west of the site. Across the wider surrounds EVC 132: *Plains Grassland* has been reduced to small isolated fragments at the edge of the Sale township and additional areas of EVC 56: *Floodplain Riparian Woodland* reduced to isolated tracts along waterways occasionally extending into adjacent flood plain areas.

Figure 2 displays the distribution of EVC's within the study area and Table 1 details the Bioregional Conservation Status of these EVC's within the Gippsland Plain bioregion (DELWP, 2016c).

Table 1: Bioregional conservation status of assigned ecological vegetation classes

| Ecological Vegetation Classes | Bioregional Conservation Significance |
|---|---------------------------------------|
| 56: <i>Floodplain Riparian Woodland</i> | Endangered |

The DELWP Benchmark for *Floodplain Riparian Woodland* describes the EVC as:

'An open eucalypt woodland to 20 m tall over a medium to tall shrub layer with a ground layer consisting of amphibious and aquatic herbs and sedges. Occurs along the banks and floodplains of the larger meandering rivers and major creeks, often in conjunction with one or more floodplain wetland communities. Elevation and rainfall are relatively low and soils are fertile alluviums subject to periodic flooding and inundation.' (DELWP, 2016c)

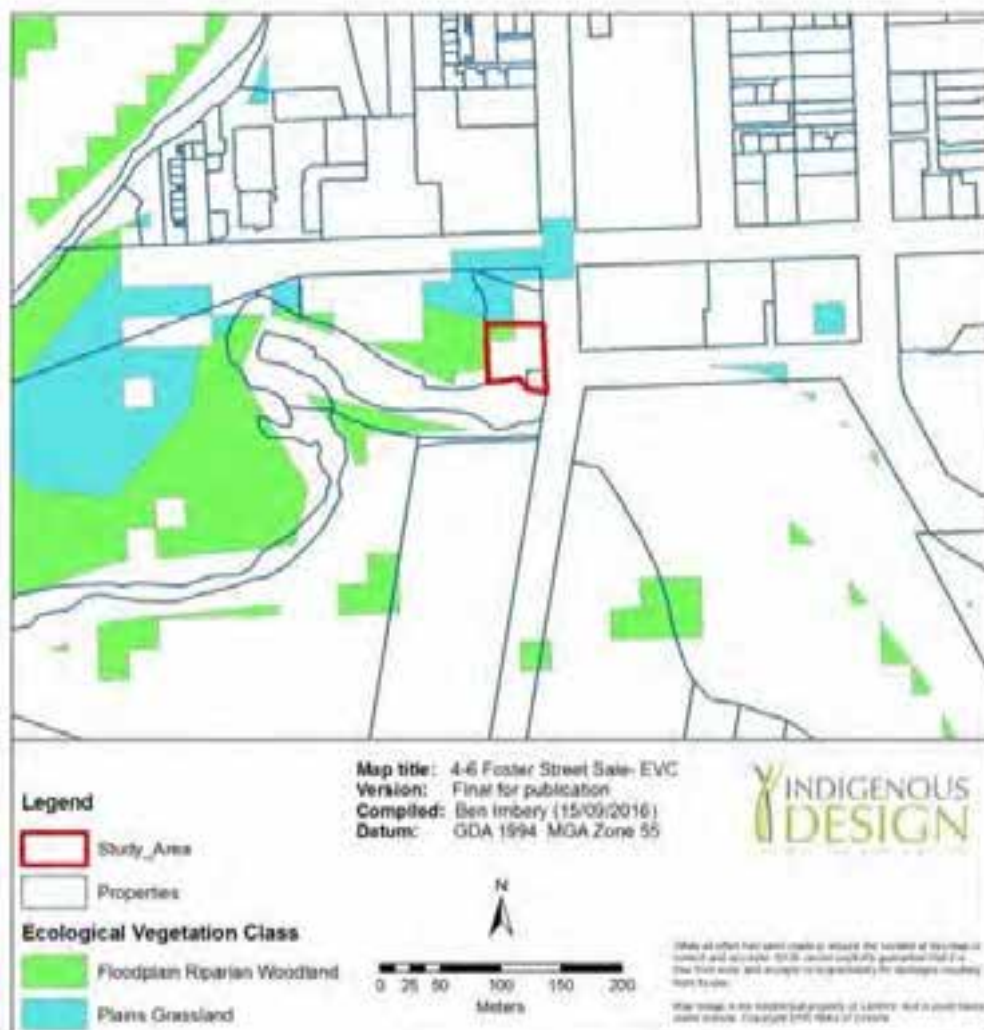


Figure 2 – Distribution of assigned ecological vegetation classes within study area

3.2 Vegetation Description

Vegetation condition on site is very poor and highly modified with very little native vegetation remaining. A number of plantings for aesthetic purposes have been undertaken, which include species not indigenous to the area such as *Eucalyptus nichollii* (Willow Peppermint), *Eucalyptus cladocalyx* (Sugar Gum) and *Metaleuca* (Honey Myrtle) species.

Previous management of the site (regular slashing / mowing) has resulted in a heavily modified "lawn" with no remnant native vegetation and an unmanaged strip of vegetation immediately adjacent to Flooding Creek which is almost exclusively pasture grass and a small amount of recruiting indigenous species (Figure 3).



Figure 3 – Unmanaged vegetation along the Flooding Creek corridor

The study site is dominated by exotic pasture grasses with a canopy cover of 1 remnant *Eucalyptus tereticornis* subsp. *mediana* (Gippsland Red-gum) and the planted exotic species Willow Peppermint, Sugar Gum and *Corymbia ficifolia* (Red Flowering Gum) to approximately 20 meters in height and of good to moderate health (Figure 4).

The middle storey is largely absent, with only a small coverage of native trees and shrubs, with this niche filled by exotic woody weeds. Native species include a number of *Acacias* including *Acacia dealbata* (Silver Wattle), *Acacia mearnsii* (Black Wattle) and *Acacia melanoxylon* (Blackwood) along with 1 *Leptospermum obovatum* (River Tea-tree). Exotic species include planted *Metaleuca* species

(Honey-myrtle) intermixed with *Pittosporum undulatum* (Sweet Pittosporum), *Prunus* sp. (Plum), *Malus* sp. (Apple) and declared noxious weed *Lycium ferocissimum* (African Boxthorn).

The ground storey is dominated by exotic pasture grasses consisting of primarily *Cenchrus clandestinus* (Kikuyu), *Ehrharta erecta* var. *erecta* (Panic Veldt-grass), *Holcus lanatus* (Yorkshire Fog) and *Lolium* spp. (Rye Grass) interspersed with *Plantago lanceolata* (Ribwort), *Trifolium repens* var. *repens* (White Clover) and *Arctotheca calendula* (Cape Weed). A small number of native groundcover species are sparsely scattered on the site (primarily around the planted Sugar Gums), including *Eriodaphne nutans* (Nodding Saltbush) and *Rytidosperma* sp. (Wallaby Grass).



Figure 4 – Ground storey dominated by exotic grasses with planted canopy and mid-storey overhead

3.3 Flora Species

3.3.1 Flora Species Recorded

A total of 45 vascular plants were found to occur within the assessment site. 13 of these 45 are considered to be taxa native to Victoria. Appendix 3 displays the results of the flora survey.

3.3.2 Vegetation Zones

Native vegetation patches (> 25% native vegetation) identified on the study site comprises one small area with limited diversity, making it difficult to determine an EVC, however based on the DELWP EVC mapping EVC 36: *Floodplain Riparian Woodland* was considered to still be relevant and has been applied.

This patch occurs outside of the managed area of the site and is primarily comprised of recruiting Silver Wattle, along with the 1 Gippsland Red-gum found on site and small amounts of Nodding Salt-bush. This patch is identified as FRW1 on Map 1 and totals approximately 100 square meters. Figure 5 shows the location of this patch in relation to the infrastructure on site.



Figure 5 – Silver Wattle native vegetation patch on the Flooding Creek embankment, looking from east to west across the site.

3.3.3 Native Trees

No trees were found on site that meet the definition of a 'scattered tree' (Section 2.1.1), with the single remnant Gippsland Red-gum part of the identified native patch (Figure 6). All other trees found on site were planted examples of non-indigenous species not local to the area and therefore are excluded from this definition. Map 2 shows the location of the planted and remnant trees on site, which correspond to Table 2 below.

Table 2: Tree information

| Tree ID | Botanical Name | Common Name | DBH | Planted Vegetation (Y/N) |
|---------|--|--------------------|-----|--------------------------|
| 1 | <i>Eucalyptus tereticornis</i> ssp. <i>mediana</i> | Gippsland Red-gum | 50 | No |
| 2 | <i>Corymbia ficifolia</i> | Flowering Gum | | Yes |
| 3 | <i>Eucalyptus nicholii</i> | Willow Peppermint | | Yes |
| 4 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 5 | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | Yes |
| 6 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 7 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 8 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 9 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 10 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 11 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 12 | <i>Eucalyptus nicholii</i> | Willow Peppermint | | Yes |
| 13 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 14 | <i>Melaleuca</i> sp. | Honey-myrtle | | Yes |
| 15 | <i>Melaleuca armillaris</i> subsp. <i>armillaris</i> (?) | Giant Honey Myrtle | | Yes |
| 16 | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | Yes |
| 17 | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | Yes |
| 18 | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | Yes |
| 19 | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | Yes |
| 20 | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | Yes |
| 21 | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | Yes |



Figure 6– Single *Eucalyptus tereticornis* subsp. *medianus* (Gippsland Red-gum) found on site on the edge of Flooding Creek

3.3.4 Significant Flora Species

One significant flora species was potentially identified on site, *Melaleuca armillaris* subsp. *armillaris* (Giant Honey-myrtle), as a planted individual. This species is listed as 'Rare' in Victoria under VROTS (Advisory List of Rare or Threatened Plants in Victoria (DSE, 2005) but is not considered indigenous to the local area as it naturally occurs in coastal sandy heaths and riparian scrub eastwards of Marlo. This species is commonly grown as an ornament or street tree and has become naturalised throughout the rest of the state from cultivated stock (VicFlora, 2016).

No other significant flora species were identified on site within the assessed boundary.

Appendix 5 lists the results of the flora database searches using the EPBC database (DSEWPC, 2016) and the VBA (DELWP, 2016b) within a five kilometre radius of the study area. Appendix 5 also provides an assessment of the likelihood of occurrence within the assessment site and the particular native vegetation habitat zone(s) it is most likely to occur in.

Due to the degradation and domination of the study site by exotic pasture grasses and exotic herbaceous ground cover, the likelihood that any of the listed significant species are found on site is low. Within the 5km radius it is more likely that species listed in Appendix 5 such as *Cynoglossum microtuberosum* (Eastern Water-ribbons) and *Booboschoenus fluviatilis* (Tall Club-sedge) could be found within the south east and south west adjoining the nature reserves, riparian tracts and wetlands.

3.3.5 Significant Vegetation Communities

Two threatened ecological communities under the EPBC Act 1999 were identified in database searches within a five kilometre radius of the study area; firstly the Gippsland Red Gum (*Eucalyptus tereticornis* subsp. *mediana*) Grassy Woodland and Associated Native Grassland community. The study area is located within the likely extent of this community (DEWHA, 2010) and 1 Gippsland Red-gum plant was recorded within the study area as an isolated individual. Secondly, the Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains was also likely to occur within the area.

The lack of canopy species, highly modified, weed dominated understorey and lack of species diversity of remaining native vegetation on site (FRW1) rules out the presence of both of these communities within the site.

3.4 Fauna Species

3.4.1 Significant Fauna Species

Survey of the assessment site did not identify any rare or threatened fauna species however a targeted survey was not completed as part of this assessment, with only incidental observations made. Appendix 4 lists all fauna species identified within the assessment site.

Appendix 6 lists the results of fauna based database searches using the EPBC database (DSEWPC, 2016) and the VBA (DELWP, 2016b) within a five kilometre radius of the overall study area. Appendix 6 also provides an assessment of the likelihood of occurrence within the assessment site and the particular native vegetation habitat zone(s) it is most likely to occur in.

Within the 4-6 Park Street property, terrestrial fauna habitats are limited to individual canopy trees located along the southern boundary and the planted trees within the site. These trees would provide a roosting or surveying position for birds of prey or migratory species or as linkages to other vegetated areas. However, the habitat is very small, fragmented and in most cases not old enough to have developed suitably sized hollows for birds or arboreal mammals, with no hollows for potential habitat observed. Given the significant distance to larger expanses of contiguous native bushland it is unlikely that any threatened mammals listed in Appendix 6 would be found in the study area or that these canopy trees provide important habitat for any of the threatened avian fauna listed in Appendix 6.

Further afield throughout the south east, the 5km radius takes into account a series of wetland bodies and adjoining floodplains which could provide important habitat for avian species listed within Appendix 6 such as *Aythya australis* (Hardhead) which are, 'found in freshwater swamps and wetlands and occasionally in sheltered estuaries' (BiB 2016a) and *Anas rhynchos* (Australasian Shoveler) which have a preferred habitat of, 'all kinds of wetlands, preferring large undisturbed heavily vegetated freshwater swamps (Birdlife 2016a) which could favour these habitats.

The Flooding Creek corridor along the southern boundary of the site contains moderate tracts of riparian vegetation which provides aquatic and semi-aquatic habitats.

Records of fish species within the 5km radius include: *Galaxia pusilla* (Dwarf Galaxia) and *Nannoperca* sp. 1 (Flinders Pygmy Perch). Dwarf Galaxia can be found in 'still, shallow, permanent and temporary freshwater habitats' (Saddler, Jackson, & Hammer, 2010) and Flinders Pygmy Perch is 'often found in small systems with a low flow rate and quiet vegetated areas in streams, billabongs and lakes.. Not usually found in open water, prefers covered habitats' (Nativefish 2016). Habitat for these species may be provided within Flooding Creek immediately adjacent to the site.

Analysis of species records on the VBA (DELWP, 2016a) found 1 record of *Litoria aurea* (Green and Golden Bell Frog) within a 10 kilometre radius of the study area and one record of *Litoria raniformis* (Growling Grass-frog) within a 5 kilometre radius. Habitat for the Green and Golden Bell Frog occurs in 'a range of lentic (still water) and terrestrial habitats in the coastal plains and low foothills of the hinterland including lowland forest, Banksia woodland, wet heath land, riparian scrub complex, riparian forest, damp forest, shrubby dry forest, limestone box woodland and cleared pastoral areas' (Gillespie 1996) (DSEWPC 2016H). Growling Grass Frog 'likes to live amongst reeds, sedges and rushes growing in and along slow moving streams, ponds, lagoons, swamps, lakes and farm dams' (DSE 2007). Habitat for these species is unlikely within the majority of the study area, but may increase in likelihood within the vegetated embankment of Flooding Creek. These species are also unlikely to utilise the site as a corridor for disbursement especially with the town centre of Sale and Princes Hwy in close proximity.

3.5 Quantification of Significant Flora and Fauna Species Habitat

Under the Guidelines (DEPI, 2013) the importance of any native vegetation on site in relation to its provision of habitat for significant species is considered through the analysis by DELWP of modelled rare or threatened species habitat and the proportional impact of the proposal. A Biodiversity Assessment Report (BAR) or *Biodiversity Impact and Offset Requirements Report (BIOR)* will be required to be produced to document the removal of any native vegetation on site. This will quantify significant flora and fauna species habitat impacts and identify 'specific' offsets that may apply for these species.

4 Policy and Legislative Implications

4.1 Commonwealth - Environment Protection and Biodiversity Conservation Act 1999

The EPBC Act establishes a Commonwealth process for assessment of proposed actions that are likely to have a significant impact on matters of National Environmental Significance (NES) or on Commonwealth land. An action (i.e. project, development, undertaking, activity, or series of activities), unless otherwise exempt, requires approval from the Commonwealth Environment Minister if they are considered likely to have an impact on any matters of NES. A referral under the EPBC Act is required if a proposed action is likely to have a 'significant impact' on any of the following matters of NES:

- World Heritage properties;
- National heritage places;
- Ramsar wetlands of international significance;
- Threatened species and ecological communities;
- Migratory and marine species;
- Commonwealth marine area;
- Nuclear actions (including uranium mining); and
- Great Barrier Reef Marine Park.

4.1.1 Implications (Significant Impact Criteria)

No items are identified as requiring further consideration under the EPBC Act, notwithstanding this the following recommendations are made:

- Any future development of the site should ensure storm water management systems are appropriate to minimise impacts to the aquatic and semi-aquatic habitats adjacent to the site and any threatened species these habitats may potentially contain. Potential changes to water quality and flow levels of water entering the aquatic habitats must be appropriately considered; and
- Assess whether a targeted amphibian survey will be required if any proposed development will disturb and remove vegetation within the Flooding Creek riparian strip in order to protect buffers for potential threatened species habitat. This decision should be based on the type and level of impact proposed.

4.2 State - Flora and Fauna Guarantee Act 1988

The Flora and Fauna Guarantee (FFG) Act 1988 is the primary State legislation for the protection of native plants, native animals and ecological communities on public land and waters in Victoria. Species and ecological communities can be listed as threatened under the Act based on assessments by an independent Scientific Advisory Committee. Threatening processes may also be listed.

4.2.1 Implications

A count of those species requiring removal which are listed as protected under the FFG Act will be required to be completed within areas of public land. The site is located on private property and this requirement therefore does not apply.

4.3 Catchment and Land Protection Act 1994

4 weeds declared noxious under the Catchment and Land Protection (CaLP) Act 1994 were identified on site during assessments (Table 3). Two of these weeds are categorised within the West Gippsland Catchment Management Authority region as 'Regionally Controlled' and two are categorised as 'Restricted' (DELWP, 2015e).

Table 3: Declared noxious weeds identified within study site

| Botanical Name | Common Name | Classification |
|-------------------------------|------------------|-----------------------|
| <i>Asparagus asparagoides</i> | Bridal Creeper | Restricted |
| <i>Cirsium vulgare</i> | Spear Thistle | Regionally Controlled |
| <i>Lycium ferocissimum</i> | African Boxthorn | Regionally Controlled |
| <i>Oxalis pes-caprae</i> | Soursob | Restricted |

In accordance with Section 20 of the CaLP Act, land holders and managers have a responsibility to take all reasonable steps to:

- avoid causing or contributing to land degradation which causes or may cause damage to land of another land owner;
- eradicate regionally prohibited weeds;
- prevent the growth and spread of regionally controlled weeds on their land;
- prevent the spread of, and as far as possible, eradicate established pest animals.

4.4 Planning and Environment Act 1987

4.4.1 Implications

Native Vegetation

Under Clause 52.17 of the LCC Planning Scheme, a planning permit is required to clear or disturb native vegetation within the study area. Native vegetation will be impacted and or require removal under the proposal and as such, application of the 'Guidelines' to obtain a planning permit for the works is necessary. Upon completion of the final site design layout, the information provided within this report can be used to determine the risk-based pathway of the proposal and information requirements under the Guidelines.

4.5 Victoria's Native Vegetation Permitted Clearing Regulations

4.5.1 Risk-based Approach

The Guidelines (DEPI, 2013) detail the approach to the assessment and categorisation of biodiversity risk attributed to permitted native vegetation clearing in Victoria. The categories of risk and their subsequent information requirements are as follows:

- **Low Risk** – No site assessment or report required. Permit application made based on desktop and modelled information only.
- **Moderate Risk** – Site assessment and habitat hectares report required.
- **High Risk** – Site assessment and habitat hectares report required.

The risk-based pathway is determined by combining the extent risk and the location risk of the native vegetation proposed to be removed, in accordance with Table 3 and Table 4 of the Guidelines (DEPI, 2013). The site is contained within "Location A" risk.

The risk based pathway if removal of the remnant patch on site was required is "Low" with removal of vegetation in *Location A* being less than <0.5 hectares and <15 scattered trees.

4.5.2 Minimising Impacts on Native Vegetation

Any design measures or modifications should aim to:

- Adequately protect and retain any tracts of native patches where possible; and
- Adequately protect and retain aquatic/semi aquatic habitat and associated waterways adjacent to the study site.

4.6 Water Act 1987

4.6.1 Implications

The construction of any bridges, culverts or fords across a 'designated waterway' in Victoria require a 'works on waterways' permit from the relevant Catchment Management Authority (WGCMA, 2016).

4.7 Aboriginal Heritage Regulations 2007

A Cultural Heritage Management Plan may be required to address any requirements under the Aboriginal Heritage Regulations 2007 (DTPLI, 2016), as the site is identified as being located within an area of 'Aboriginal Cultural Heritage Sensitivity' (DELWP, 2016a) for any future development.

5 Conclusion and Recommendations

A Flora and Fauna Assessment of 4-6 Park Street, Sale has identified that the site has been predominately cleared of native vegetation, but contains some revegetation or aesthetic plantings of *Eucalyptus* (Eucalypts) and *Melaleuca* species (Paperbarks). One small native vegetation patch of poor quality on site was identified which was primarily comprised of Silver Wattle. Any future removal of this identified remnant patch on site would fall under the "Low" risk based pathway.

Whilst one rare or threatened species was potentially identified (*Melaleuca armillaris* subsp. *armillaris*), it is considered outside of its natural habitat and has been planted on site. The site is not considered to provide important habitat for, nor be regularly used by any other threatened flora and fauna species at any level of significance (i.e. National/State/Local). However, the likelihood of habitat implications for rare and threatened species increases if disturbance to the unmanaged embankment of Flooding Creek was proposed. In this instance, targeted survey effort for amphibian species would be recommended.

Recommendations to avoid or minimise impacts on the native patch and to retain habitat where possible include:

- Retain the small amount of remnant native vegetation and habitat still remaining on site within the unmanaged strip adjacent to Flooding Creek; and
- Ensure storm water management systems are appropriate to minimise impacts to the aquatic and semi-aquatic habitats adjacent to the site and any threatened species these habitats may potentially contain.

Control and treatment of declared noxious weeds should be undertaken to cease the spread of seed throughout adjoining land and waterways. Other high threat environmental weeds should also be controlled so as to ensure the enhancement of the remaining native vegetation.

References

- DELWP. (2016a). *Planning Property Report*. State Government of Victoria.
- DELWP. (2016b). *Victorian Biodiversity Atlas*. Retrieved January 14, 2016, from Victorian Government Department of Sustainability and Environment: <https://vba.dse.vic.gov.au/vba>
- DELWP. (2016c). *Biodiversity Interactive Map*. Retrieved June 22, 2016, from Victorian Government Department of Sustainability and Environment: <http://www.dse.vic.gov.au/about-dse/interactive-maps>
- DELWP. (2016c). *Ecological Vegetation Classes by Bioregion*. Retrieved January 14, 2016, from Department of Environment, Land, Water and Planning: http://www.dse.vic.gov.au/__data/assets/pdf_file/0017/241910/GipP_EVCs_combined.pdf
- DELWP. (2016d, January 14). *Protected flora controls*. Retrieved January 14, 2016, from Department of Environment and Primary Industries: http://www.depi.vic.gov.au/__data/assets/pdf_file/0014/315401/201510-FFG-protected-flora-list.pdf
- DELWP. (2016e). *Invasive Plant Classification - West Gippsland*. Retrieved January 14, 2016, from Department of Environment and Primary Industries: <http://www.dpi.vic.gov.au/agriculture/pests-diseases-and-weeds/weeds/?a=99806>
- DEPI. (2013). *Permitted clearing of native vegetation- Biodiversity assessment guidelines*. Melbourne: Department of Environment, Land, Water and Planning.
- DEWHA. (2010). *Gippsland Red Gum Grassy Woodland and Associated Native Grassland*. ACT: Commonwealth of Australia.
- DSE. (2004). *Vegetation Quality Assessment Manual – Guidelines for applying the habitat hectares scoring method - Version 1.3*. October 2004, Melbourne: Victorian Government Department of Sustainability and Environment.
- DSE. (2011). *Native Vegetation - technical information sheet: Defining an acceptable distance for tree retention during construction works*. Melbourne: Victorian Government Department of Sustainability and Environment.
- DSEWPC. (2016). *Protected Matters Search Tool - Environment Protection and Biodiversity Conservation Act 1999*. Retrieved June 22, 2016, from Australian Government Department of the Environment: <http://www.environment.gov.au/epbc/pmst/>
- DTPLI. (2016). *Planning Property Report*. Retrieved 6 21, 2016, from Department of Transport, Planning and Local Infrastructure: <http://services.land.vic.gov.au/maps/pmo.jsp>
- WGCMA. (2016). *Works on Waterways*. Retrieved 6 22, 2016, from West Gippsland Catchment Management Authority: <http://www.wgcma.vic.gov.au/for-landholders/works-on-waterways>

Appendices

Appendices commence on the next page.

Department of
Environment, Land,
Water and Planning

Planning Zones

COMMERCIAL 3 ZONE (C3Z)
SCHEDULE TO THE COMMERCIAL 3 ZONE
PUBLIC PARK AND RECREATION ZONE (PPRZ)
SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE
PUBLIC USE ZONE - LOCAL GOVERNMENT (PUZL)
SCHEDULE TO THE PUBLIC USE ZONE - LOCAL GOVERNMENT
PUBLIC USE ZONE - SERVICE AND UTILITY (PUZS)
SCHEDULE TO THE PUBLIC USE ZONE - SERVICE AND UTILITY



Zones Legend

| | | |
|---------------------------------|--|---------------------------|
| ACZ - Activity Centre | IND2 - Industrial 2 | GRZ - General Residential |
| C3Z - Commercial 3 | IND3 - Industrial 3 | GRZ - General Residential |
| RZ1 - Residential 1 | LDH2 - Low Density Residential | GRZ - General Residential |
| RZ2 - Residential 2 | RUZ - Rural Use | PAZ - Rural Activity |
| RZ3 - Residential 3 | NRZ - Neighbourhood Residential | PCZ - Rural Conservation |
| RZ4 - Residential 4 | POUZ - Public Open Space/Resource | ROZ1 - Road - Category 1 |
| RZ5 - Residential 5 | PRZ - Priority Development | ROZ2 - Road - Category 2 |
| C4Z - Commercial 4 | PPRZ - Public Park & Recreation | RGZ - Residential Growth |
| C5Z - Commercial 5 | PUZL - Public Use - Local Government | RLZ - Rural Living |
| CA - Conservation Land | PUZS - Public Use - Service & Utility | RUZ - Rural |
| CCZ - Capital City | PUZT - Public Use - Transport | SUZ - Special Use |
| CDE - Comprehensive Development | PUZU - Public Use - Urban | TZ - Township |
| DZ - District | PUZV - Public Use - Veterans/Community | UFZ - Urban Floodway |
| DKZ - Environmental Park | PUZW - Public Use - Workers/Community | UGZ - Urban Growth |
| FZ - Farming | PUZX - Public Use - Local Government | |
| GRZ - General Residential | PUZY - Public Use - Other Public Use | |
| GWKZ - Green Wedge A | PUZZ - Public Use - Other Public Use | |
| GWZ - Green Wedge | FE - Port | |

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A report prepared under a Planning Information Request



Department of
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Page 2 of 4

Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 2 (DDO2)
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 6 (DDO6)



FLOODWAY OVERLAY (FO)
FLOODWAY OVERLAY SCHEDULE (FO)
LAND SUBJECT TO INUNDATION OVERLAY (LSIO)
LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)



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36 FOSTER STREET SALE PLANNING REPORT (2016)



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Page 6 of 6

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land
HERITAGE OVERLAY (HCO)



Overlays Legend

| | |
|---------------------------------------|--------------------------------------|
| AFD - Airport Environs | LSO - Land Subject to Inundation |
| BMD - Bushfire Management (also WMO) | MALD1 - Melbourne Airport Environs 1 |
| CLPD - City Link Project | MALD2 - Melbourne Airport Environs 2 |
| DDPO - Development Contributions Plan | NCO - Neighbourhood Character |
| DDO - Design & Development | PD - Parking |
| DDOPT - Design & Development Plan | PWD - Public Acquisition |
| DPO - Development Plan | RD - Road |
| EAD - Environmental Audit | RCD - Road Closure |
| EMO - Erosion Management | SBD - Special Building |
| ESO - Environmental Significance | SLO - Significant Landscape |
| FD - Flooding | SMD - Salinity Management |
| HO - Heritage | SRD - State Reserve |
| IFO - Incorporated Plan | VPO - Vegetation Protection |

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Page 6 of 6

Areas of Aboriginal Cultural Heritage Sensitivity

This property is within, or is affected by, one or more areas of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007.

The data provides indicative information about the location and extent of areas of Aboriginal cultural heritage sensitivity and is provided to assist with the decisions about the potential need to prepare a Cultural Heritage Management Plan in relation to proposed activities on this property.

For further information about whether a Cultural Heritage Management Plan is required go to [Aboriginal Heritage Planning Tool](#)

To find out if your property has any recorded Aboriginal cultural heritage places, such as scarred trees, occupation sites or places of burial, you can request information from the Victorian Aboriginal Heritage Register.

Find out more about the [Victorian Aboriginal Heritage Register](#)



Aboriginal Cultural Heritage Sensitivity Aboriginal Cultural Heritage Sensitivity Selected Land

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4 PARK STREET SALE PLANNING PROPERTY REPORT



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Page 8 of 8

Planning Property Report

from www.dpi.vic.gov.au/planning on 22 September 2016 10:59 AM

Address: 5 PARK STREET SALE 3850

Lot and Plan Number: Lot 1 PS448647

Local Government (Council): WELLINGTON Council Property Number: 393801

Directory Reference: VicRoads: 693 08

Planning Zone

PUBLIC USE ZONE - LOCAL GOVERNMENT (PUZ)

SCHEDULE TO THE PUBLIC USE ZONE - LOCAL GOVERNMENT



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Zones Legend

| | | |
|--|--|---------------------------|
| ACZ - Active Centre | RI1 - Industrial 1 | RI2 - General Residential |
| RI1 - Industrial 1 | RI2 - Industrial 2 | RI3 - General Residential |
| RI2 - Industrial 2 | RI3 - Industrial 3 | RI4 - General Residential |
| RI3 - Industrial 3 | RI4 - Low Density Residential | RI5 - General Residential |
| RI4 - Low Density Residential | RI5 - Mixed Use | RI6 - Rural Activity |
| RI5 - Mixed Use | RI6 - Neighbourhood Residential | RI7 - Rural Conservation |
| RI6 - Neighbourhood Residential | RI7 - Public Conservation & Resource | RI8 - Rural - Category 1 |
| RI7 - Public Conservation & Resource | RI8 - Priority Development | RI9 - Rural - Category 2 |
| RI8 - Priority Development | RI9 - Public Park & Recreation | RI10 - Residential Growth |
| RI9 - Public Park & Recreation | RI10 - Public Use - Service Facility | RI11 - Rural Living |
| RI10 - Public Use - Service Facility | RI11 - Public Use - Education | RI12 - Rural |
| RI11 - Public Use - Education | RI12 - Public Use - Health Community | RI13 - Special Use |
| RI12 - Public Use - Health Community | RI13 - Public Use - Transport | RI14 - Township |
| RI13 - Public Use - Transport | RI14 - Public Use - Community/Ordnance | RI15 - Urban Pioneers |
| RI14 - Public Use - Community/Ordnance | RI15 - Public Use - Local Government | RI16 - Urban Growth |
| RI15 - Public Use - Local Government | RI16 - Public Use - Other Public Use | |
| RI16 - Public Use - Other Public Use | RI17 - Port | |

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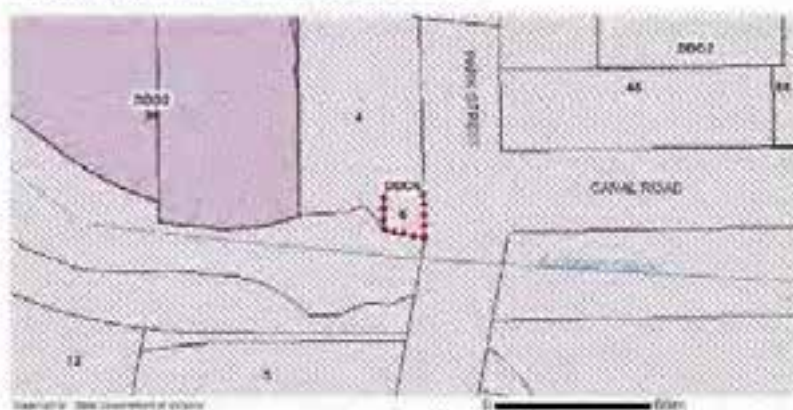
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Page 1 of 1

DESIGN AND DEVELOPMENT OVERLAY (DDO)
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1 (DDO)

FLOODWAY OVERLAY (FZO)
FLOODWAY OVERLAY SCHEDULE (FSO)
LAND SUBJECT TO INUNDATION OVERLAY (LSO)
LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSOS)



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30

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Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land
HERITAGE OVERLAY (HO)



Overlays Legend

| | |
|---------------------------------------|--------------------------------------|
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| DDOPT - Design & Development Plan | PNO - Public Acquisition |
| DPO - Development Plan | RO - Road Closure |
| EAO - Environmental Audit | RCD - Road Closure |
| EMO - Erosion Management | SBO - Special Building |
| ESD - Environmental Significance | SLC - Significant Landscape |
| FZ - Flooding | SMD - Safety Management |
| HO - Heritage | SRO - State Reserve |
| IPC - Incorporated Plan | VPO - Vegetation Protection |

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SALE-36FOSTER-SALE-ALPINE-AND-OTHR-01-01-01



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Page 3 of 5

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Areas of Aboriginal Cultural Heritage Sensitivity

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The data provides indicative information about the location and extent of areas of Aboriginal cultural heritage sensitivity and is provided to assist with the decisions about the potential need to prepare a Cultural Heritage Management Plan in relation to proposed activities on this property.

For further information about whether a Cultural Heritage Management Plan is required go to [Aboriginal Heritage Planning Tool](#).

To find out if your property has any recorded Aboriginal cultural heritage places, such as scarred trees, occupation sites or places of burial, you can request information from the Victorian Aboriginal Heritage Register.

Find out more about the [Victorian Aboriginal Heritage Register](#).



Aboriginal Cultural Heritage Sensitivity Aboriginal Cultural Heritage Sensitivity Sale M&L Land

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A Sale Street 36/38 Planning Project - 16/09/2016



Page 4 of 5

Department of
Environment, Land,
Water and Planning

Further Planning Information

Planning scheme data last updated on 15 September 2016.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State, local, particular and general provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#).

This report is NOT a **Planning Certificate** issued pursuant to Section 180 of the Planning & Environment Act 1987.

It does not include information about exhibited planning scheme amendments, or zoning that may affect this land.

To obtain a Planning Certificate go to [Titles and Property Certificates](#).

For details of surrounding provisions, visit this service to get the [Project](#) for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#).

For other information about planning in Victoria visit [www.dels.vic.gov.au/askplanning](#).

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Appendix 2: EVC 56: Floodplain Riparian Woodland Benchmark

Department of
Sustainability and
Environment

EVC/Bioregion Benchmark for Vegetation Quality Assessment
Gippsland Plain bioregion
EVC 56: Floodplain Riparian Woodland

Description:
An open eucalypt woodland to 20 m tall over a medium to tall shrub layer with a ground layer consisting of amphibious and aquatic herbs and sedges. Occurs along the banks and floodplains of the larger meandering rivers and major creeks, often in conjunction with one or more floodplain wetland communities. Elevations and rainfall are relatively low and soils are fertile alluvium subject to periodic flooding and inundation.

Large trees:

| Species | DBH (cm) | #/ha |
|------------------------|----------|---------|
| <i>Eucalyptus spp.</i> | 80 cm | 15 / ha |

Tree Canopy Cover:


| %Cover | Character Species | Common Name |
|--------|--|-------------------|
| 20% | <i>Eucalyptus camaldulensis</i> | River Red-gum |
| | <i>Eucalyptus tereticornis</i> ssp. <i>mediana</i> | Gippsland Red Gum |
| | <i>Eucalyptus ovata</i> | Southern Gum |

Understorey:

| Life form | #Spp | %Cover | LF code |
|--------------------------------------|------|--------|---------|
| Immature Canopy Tree | 1 | 5% | IT |
| Understorey Tree or Large Shrub | 1 | 10% | T |
| Medium Shrub | 1 | 13% | MS |
| Large Herb | 1 | 13% | LH |
| Medium Herb | 1 | 10% | MH |
| Small or Prostrate Herb | 1 | 5% | SH |
| Large Tufted Grassland | 1 | 10% | LTD |
| Large fine-tufted Grassland | 1 | 10% | LFG |
| Medium to Small Tufted Grassland | 1 | 10% | MTD |
| Medium to Fine fine-tufted Grassland | 1 | 10% | MTF |
| Scrubland or Climber | 1 | 5% | SC |
| Grassland/Herb | 1 | 10% | GH |

| LF Code | Species typical of at least part of EVC range | Common Name |
|---------|---|----------------------|
| T | <i>Acacia implex</i> | Lightwood |
| MS | <i>Acacia melanoxylon</i> | Redwood |
| MS | <i>Quercus lamellata</i> | Tree Elm |
| MS | <i>Baccharis spirocha</i> var. <i>spirocha</i> | Swamp Broom |
| MS | <i>Myrsine australis</i> (detritus s.l.) | Tree Violet |
| LH | <i>Lythra incisa</i> | Small Butter |
| LH | <i>Peucedanum sulcatum</i> | Harry Knotweed |
| LN | <i>Sedum quadridentatum</i> | Culinary Purslane |
| MS | <i>Acacia oxycarpa</i> (detritus) | Wattle-wattle |
| MS | <i>Hydrocotyle lutea</i> | Many Pennywort |
| MS | <i>Stellaria purpurea</i> | Prickly Starwort |
| MS | <i>Vernonia glabra</i> | Trailing Spurred |
| SH | <i>Oxalis corniculata</i> s.l. | Yellow Woodswallow |
| SH | <i>Gerardia repens</i> | Kalbarri-worm |
| LTD | <i>Cenchrus ciliaris</i> | Tall Sedge |
| LTD | <i>Poa laevis</i> (detritus) | Common Tussock grass |
| LFG | <i>Phragmites australis</i> | Common Reed |
| MTD | <i>Juncus acutis</i> | Hollow Rush |
| MTD | <i>Cyperus</i> spp. | Flat-topped |
| MTD | <i>Microstema stipuloides</i> var. <i>stipuloides</i> | Stinging Grass |
| MTD | <i>Briza media</i> | Common Spike-sedge |
| SC | <i>Galinsoga sepium</i> | Large Bindweed |

Ecological Vegetation Class benchmark



Appendix 3: Flora Species Recorded on Site

| Origin | Botanical Name | Common Name | EPBC | VIC. Adv. | FFG | Recorded On Site |
|--------|---|----------------------------|------|-----------|-----|------------------|
| | <i>Acacia dealbata</i> | Silver Wattle | | | | + |
| | <i>Acacia mearnsii</i> | Black Wattle | | | | + |
| | <i>Acacia melanoxylon</i> | Blackwood | | | | + |
| * | <i>Arctotheca calendula</i> | Cape weed | | | | + |
| * | <i>Araujia sericifera</i> | Moth Vine | | | | + |
| * | <i>Asparagus asparagoides</i> | Bridal Creeper | | | | + |
| * | <i>Bellis perennis</i> | English Daisy | | | | + |
| * | <i>Brassica sp.</i> | Turnip | | | | + |
| * | <i>Cardamine hirsuta s.l.</i> | Common Bitter-cress | | | | + |
| * | <i>Cenchrus clandestinus</i> | Kikuyu | | | | + |
| * | <i>Cerastium glomeratum s.l.</i> | Common Mouse-ear Chickweed | | | | + |
| * | <i>Cirsium vulgare</i> | Spear Thistle | | | | + |
| * | <i>Conyza sp.</i> | Fleabane | | | | + |
| * | <i>Corymbia ficifolia</i> | Flowering Gum | | | | + |
| * | <i>Dactylis glomerata</i> | Cocksfoot | | | | + |
| * | <i>Ehrharta erecta var. erecta</i> | Panic Veldt-grass | | | | + |
| | <i>Einadia nutans</i> | Nodding Saltbush | | | | + |
| * | <i>Eradium botrys</i> | Big Heron's-bill | | | | + |
| * | <i>Eucalyptus cladocalyx</i> | Sugar Gum | | | | + |
| | <i>Eucalyptus nichollii</i> | Willow Peppermint | | | | + |
| | <i>Eucalyptus tereticornis subsp. mediana</i> | Gippsland Red-gum | | | | + |
| * | <i>Fumaria sp.</i> | Fumitory | | | | + |
| * | <i>Galium aparine</i> | Cleavers | | | | + |
| * | <i>Holcus lanatus</i> | Yorkshire Fog | | | | + |
| * | <i>Hypochaeris radicata</i> | Flatweed | | | | + |
| | <i>Leptospermum obovatum</i> | River Tea-tree | | | | + |
| * | <i>Lolium spp.</i> | Rye Grass | | | | + |
| * | <i>Lycium ferocissimum</i> | African Box-thorn | | | | + |
| * | <i>Lysimachia arvensis</i> | Pimpernel | | | | + |
| * | <i>Malus sp.</i> | Apple | | | | + |
| | <i>Melaleuca sp.</i> | Honey-myrtle | | | | + |
| # | <i>Melaleuca armillaris subsp. armillaris</i> | Giant Honey Myrtle | | R | | + |
| | <i>Myosotis sp.</i> | Forget-me-not | | | | + |
| * | <i>Oxalis pes-caprae</i> | Soursoy | | | | + |
| | <i>Oxalis sp.</i> | Wood Sorrel | | | | + |
| * | <i>Phalaris arundinacea</i> | Reed Canary-grass | | | | + |
| | <i>Phragmites australis</i> | Common Reed | | | | + |
| # | <i>Pittosporum undulatum</i> | Sweet Pittosporum | | | | + |
| * | <i>Plantago lanceolata</i> | Ribwort | | | | + |

| Origin | Botanical Name | Common Name | EPBC | VIC. Adv. | FFG | Recorded On Site |
|--------|-------------------------------------|---------------------|------|-----------|-----|------------------|
| * | <i>Poa annua</i> | Annual Meadow-grass | | | | + |
| * | <i>Prunus sp.</i> | Prunus | | | | + |
| * | <i>Ranunculus sp.</i> | Buttercup | | | | + |
| | <i>Rumex sp.</i> | Dock | | | | + |
| | <i>Rytidosperma sp.</i> | Wallaby Grass | | | | + |
| * | <i>Santhus oleraceus</i> | Common Sow-thistle | | | | + |
| * | <i>Stellaria media</i> | Chickweed | | | | + |
| * | <i>Trifolium repens var. repens</i> | White Clover | | | | + |

| Origin | |
|--------|---|
| # | Native species that may be considered alien in some circumstances |
| * | Exotic species |

Appendix 4: Fauna Species Recorded Onsite

| ORIGIN | Zoological Name | Common Name | EPBC | VIC. Adv. | FFG | TREATY | Recorded On Site |
|--------|------------------------------|-------------------|------|-----------|-----|--------|------------------|
| | <i>Corvus coronoides</i> | Australian Raven | | | | | + |
| | <i>Gymnorhina tibicen</i> | Australian Magpie | | | | | + |
| | <i>Malurus cyaneus</i> | Superb Fairy-wren | | | | | + |
| * | <i>Oryctolagus cuniculus</i> | European Rabbit | | | | | + |
| | <i>Porphyrio porphyrio</i> | Purple Swamphen | | | | | + |

| Origin | |
|--------|--|
| * | Introduced |
| *? | Introduced but there is doubt that the taxon has ever been established in Victoria |
| ? | There is doubt that the taxon has ever been established in Victoria |

Appendix 5: EPBC / Victorian Biodiversity Atlas significant flora database search results and assessment of likelihood of occurrence

| Taxon Name | Taxon Common Name | Taxon Origin | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|----------------------------------|-----------------------|--------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Balboschoenus fluviatilis</i> | Tall Club-sedge | | | Poorly Known | | VBA | Shallow water on edges of lakes and billabongs and open swamps (SoYR 2016a) | 12/07/2011 | Low |
| <i>Cyanogeton microtuberosum</i> | Eastern Water-ribbons | | | Rare | | VBA | Common in fresh, still or slow flowing water, in small creeks, swamps and farm dams. Also in stagnant water that is often highly eutrophic and humic from farm runoff (RBG 2016) | 18/10/2011 | Low |
| <i>Diuris punctata</i> | Purple Diuris | | | Vulnerable | | VBA | Lowland native grassland, grassy woodland, healthy woodlands and open heathlands, usually on fertile, loamy soils and including periodically inundated areas (DEPI 2016) | 1/09/1937 | Low |
| <i>Dodonea procumbens</i> | Trailing Hop-bush | | | Vulnerable | | VBA | grassy woodland dominated by River Red Gum in western Victoria, healthy dry forest in central Victoria, damp heath in far-western Victoria and sedge wetland, healthy woodland and damp heathland in eastern Victoria (DSEWPC 2016c) | 4/11/1900 | Low |

| Taxon Name | Taxon Common Name | Taxon Origin | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|--------------------------------|------------------------------|--------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Glycine latrobeana</i> | <i>Clover Glycine</i> | | Vulnerable | Vulnerable | | VBA / DSEWPC | Grassland and grassy woodland habitats, less often in dry forests, and only rarely in heathland. Populations occur from sea level to c. 1,200 m altitude on a range of soil types including alluvial soils, and those derived from sandstones, mudstones, granite and basalt. Soils are usually clay, but may also have high loam content (DSE 2010a). | 01/01/1882 | Low |
| <i>Prasophyllum correctum</i> | <i>Gaping Leek-orchid</i> | | Endangered | Endangered | Listed | DSEWPC | Remnant Central Gippsland Plains Kangaroo Grass (<i>Themeda triandra</i>) grassland and Forest Red Gum (<i>Eucalyptus tereticornis</i>) grassy woodland (DSE 2010b). | NA | Low |
| <i>Pseudanthus ovalifolius</i> | <i>Oval-leaf Pseudanthus</i> | | | Rare | | VBA | in the south it is found near coastal dry sclerophyll forest growing in sandy soils, in the north it grows in shallow rocky soils and on rocky outcrops of primarily granite (ENSW 2016) | 13/11/1899 | Low |
| <i>Pterostylis grandiflora</i> | <i>Cobra Greenhood</i> | | | Rare | | VBA | Moist well drained soils in open forests. Dappled shade (SoYR 2016b) | 01/01/1899 | Low |
| <i>Thelymitra epipactoides</i> | <i>Metallic Sun-orchid</i> | | Endangered | Endangered | Listed | VBA / DSEWPC | Primarily in mesic coastal heathlands, grasslands and woodlands, but also in drier inland | 01/10/1895 | Low |

| Taxon Name | Taxon Common Name | Taxon Origin | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|---|--------------------|--------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | | heathlands, open forests and woodlands. (DSE 2003). | | |
| <i>Zieria veronicea</i> subsp. <i>veronicea</i> | <i>Pink Zieria</i> | | | Rare | | VBA | Grows on well-drained sandy soils in heath or healthy woodland (DPIPTAS 2016) | 16/10/1960 | Low |

REFERENCES

| | | |
|--------------|--|---|
| SoYR 2016a | <i>Bolboschoenus fluviatilis</i> | http://fe.yarraranges.vic.gov.au/Residents/Trees_Vegetation/Yarra_Ranges_Plant_Directory/Yarra_Ranges_Local_Plant_Directory/Lower_Storey/Aquatic_and_Semi-aquatic/Bolboschoenus_fluviatilis |
| RBG 2016 | <i>Cynogeton microtuberosum</i> | https://vicflora.rbg.vic.gov.au/flora/taxon/76557c5c-570b-4de0-be0f-f6f596babfac |
| DEPI 2016 | <i>Diuris punctata</i> | http://www.depi.vic.gov.au/_data/assets/pdf_file/0014/250430/Purple_Diuris_Diuris_punctata_var._punctata.pdf |
| DSEWPC 2016 | <i>Dodonaea procumbens</i> | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=12149 |
| DSE 2010a | National Recovery Plan for the Clover Glycine <i>Glycine latrobeana</i> | Oberon Carter and Geoff Sutter |
| DSE 2010b | National Recovery Plan for the Gaping Leek orchid (<i>Prasophyllum correctum</i>) | Michele Kohout and Fiona Coates |
| ENSW 2016 | <i>Pseudanthus ovalifolius</i> | http://www.environment.nsw.gov.au/threatenedSpeciesApp/profile.aspx?id=10682 |
| SoYR 2016b | <i>Pterostylis grandiflora</i> | http://fe.yarraranges.vic.gov.au/Residents/Trees_Vegetation/Yarra_Ranges_Plant_Directory/Yarra_Ranges_Local_Plant_Directory/Lower_Storey/Orchids/Pterostylis_grandiflora |
| DSE 2003 | Recovery Plan for 25 threatened orchid taxa of South Australia, Victoria and New south Wales 2003 - 2007 | Fiona Coates ¹ , Jeff Jeanes ² and Andrew Pritchard ³ |
| DPIPTAS 2016 | <i>Zieria veronicea</i> subsp. <i>veronicea</i> | http://dpiptas.tas.gov.au/Documents/Zieria-veronicea-subsp.-veronicea-listing-statement.pdf |

Appendix 6: EPBC / Victorian Biodiversity Atlas significant fauna database search results and assessment of likelihood of occurrence

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|--|-----------------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| Birds | | | | | | | | |
| <i>Accipiter novaehollandiae novaehollandiae</i> | Grey Goshawk | | Vulnerable | Listed | VBA | Found in most forest types, especially tall closed forests (BiB 2016b). | 21/01/2009 | Low |
| <i>Alcedo azurea</i> | Azure Kingfisher | | Near Threatened | | VBA | Usually found in association with aquatic habitats such as well vegetated streams where waters are slow flowing. They also inhabit billabongs, lakes, swamps, lagoons and dams. They are usually found in shady and often overhanging vegetation. Diet comprises small fish (galaxias sp.), crustaceans and aquatic insects, occasionally amphibians and aquatic invertebrates (Higgins, 1999) (BiB 2016b). | 16/01/2009 | Low |
| <i>Anas rhynchos</i> | Australasian Shoveler | | Vulnerable | | VBA | All kinds of wetlands, preferring large undisturbed heavily vegetated freshwater swamps. It is also found on | 15/07/2006 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|------------------------------|-------------------|-----------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | open waters and occasionally along the coast. Nests are built on the ground in dense vegetation, sometimes on a stump or hollow of a tree that is standing in water (Birdlife 2016a). | | |
| <i>Anseranas semipalmata</i> | Maggie Goose | | Near Threatened | Listed | VBA | Floodplains and wet grasslands. Maggie Geese build nests in secluded places, usually close to wetlands (BiB 2016c). | 31/03/2007 | Low |
| <i>Anthochaera phrygia</i> | Regent Honeyeater | Critically Endangered | Critically endangered | Listed | DSEWPC | Most records come from box-ironbark eucalypt associations, where the species seems to prefer more fertile sites with higher soil water content, including creek flats, broad river valleys and lower slopes. Other forest types regularly utilised by regent honeyeaters include wet lowland coastal forest dominated by swamp mahogany (<i>Eucalyptus robusta</i>), spotted gum-ironbark associations and riverine woodlands (DSEWPC | NA | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|---------------------------|---------------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | 2016a). | | |
| <i>Ardea intermedia</i> | Intermediate Egret | | Endangered | Listed | VBA | They inhabit mudflats, saltworks and shallow margins of tidal estuaries and inland rivers and lakes (DSE 2010a). | 30/12/1998 | Low |
| <i>Ardea modesta</i> | Eastern Great Egret | | Vulnerable | Listed | VBA | They inhabit mudflats, saltworks and shallow margins of tidal estuaries and inland rivers and lakes (DSE 2010a). | 26/01/2010 | Low |
| <i>Ardeotis australis</i> | Australian Bustard | | Critically endangered | Listed | VBA | Found on dry plains, grasslands and in open woodland (BiB 2016d). | 01/01/1850 | Low |
| <i>Aythya australis</i> | Hardhead | | Vulnerable | | VBA | Found in freshwater swamps and wetlands and occasionally in sheltered estuaries. They prefer deep, fresh open water and densely vegetated wetlands for breeding (BiB 2016e). | 26/05/2008 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|--------------------------------------|----------------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Biziura lobata</i> | Musk Duck | | Vulnerable | | VBA | Found in deep freshwater lagoons, with dense reed beds (Birdlife 2016b). | 26/07/1999 | Low |
| <i>Botaurus poiciloptilus</i> | Australasian Bittern | Endangered | Endangered | Listed | DSEWPC / VBA | Frequents reedbeds, and other vegetation in water such as cumbungi, lignum and sedges. The nest is a shallow structure of dry or green reeds, within a clump of reeds in water or a swamp (SA-MDB 2016). | 22/02/1992 | Low |
| <i>Chlidonias hybridus javanicus</i> | Whiskered Tern | | Near Threatened | | VBA | Prefers shallow terrestrial freshwater wetlands, freshwater swamps, brackish and saline lakes, floodwaters, sewage farms, irrigated croplands and large dams (BiB 2016f). | 8/01/1991 | Low |
| <i>Egretta garzetta nigripes</i> | Little Egret | | Endangered | | VBA | Frequents tidal mudflats, saltwater and freshwater wetlands, and mangroves (Day and Simpson 2010). | 26/07/1999 | Low |
| <i>Falco subniger</i> | Black Falcon | | Vulnerable | | VBA | Found along tree-lined watercourses and in isolated woodlands, mainly in arid and semi-arid areas. It roosts in trees at night and often on power poles by day (BiB 2016g). | 26/07/1999 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|-----------------------------|---------------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Gallinago hardwickii</i> | Latham's Snipe | | Near Threatened | | VBA | Found in small groups or singly in freshwater wetlands on or near the coast, generally among dense cover. They are found in any vegetation around wetlands, in sedges, grasses, lignum, reeds and rushes and also in saltmarsh and creek edges on migration. They also use crops and pasture (BiB 2016h). | 23/01/2010 | Low |
| <i>Grantiella picta</i> | Helmeted Honeyeater | Vulnerable | Vulnerable | Listed | DSEWPC | Swamp and streamside habitat with eucalypts such as Manna Gum, Mountain Swamp Gum, and Swamp Gum, with a dense shrub and sedge understorey. Habitats adjacent to the swamps and creeks are also used (BiB 2016i). | NA | Low |
| <i>Grus rubicunda</i> | Brolga | | Vulnerable | | VBA | Large open wetlands, grassy plains, coastal mudflats and irrigated croplands and, less frequently, mangrove-studded creeks and estuaries (BiB 2016j). | 01/01/1850 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|----------------------------------|---------------------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Haliaeetus leucogaster</i> | White-bellied Sea-Eagle | | Vulnerable | Listed | VBA | Usually seen high in a tree, or soaring over waterways and adjacent land. The nest can be located in a tree up to 30m above the ground, but may also be placed on the ground or on rocks (BiB 2016k). | 24/01/2010 | Low |
| <i>Hirundapus caudacutus</i> | White-throated Needletail | | Vulnerable | | VBA | Although they occur over most types of habitat, they are probably recorded most often above wooded areas, including open forest and rainforest, and may also fly between trees or in clearings, below the canopy, but they are less commonly recorded flying above woodland (Higgins, 1999) (DSEWPC 2016b). | 21/01/2010 | Low |
| <i>Hydroprogne caspia</i> | Caspian Tern | | Near Threatened | | VBA | Usually found near the coast, in extensive wetlands, on coastal and interior beaches and sheltered estuaries. Lives equally well in fresh water and saline environments (BiB 2016l). | 16/01/2009 | Low |
| <i>Ixobrychus minutus dubius</i> | Little Bittern | | Endangered | | VBA | Requires dense riparian vegetation. Forested rivers, | 1/01/1970 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|--------------------------------|-------------------|-----------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | inlets and estuarine wetlands (Day and Simpson 2010). | | |
| <i>Lathamus discolor</i> | Swift Parrot | Critically Endangered | Endangered | Listed | DSEWPC | Found in dry sclerophyll forests and woodlands, suburban parks and gardens and flowering fruit trees (BIB 2016m). | NA | Low |
| <i>Limosa lapponica baueri</i> | Bar-tailed Godwit | Vulnerable | | | DSEWPC | The Bar-tailed Godwit is found mainly in coastal habitats such as large intertidal sandflats, banks, mudflats, estuaries, inlets, harbours, coastal lagoons and bays. It is found often around beds of seagrass and, sometimes, in nearby saltmarsh. It has been sighted in coastal sewage farms and saltworks, saltlakes and brackish wetlands near coasts, sandy ocean beaches, rock platforms, and coral reef-flats. It is rarely found on inland wetlands or in areas of short grass, such as farmland, paddocks and airstrips, although it is commonly recorded in | NA | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|-----------------------------------|-------------------------------------|-----------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | paddocks at some locations overseas (Marchant & Higgins 1993) (DSEWPC 2016c). | | |
| <i>Limosa lapponica menzbieri</i> | Northern Siberian Bar-tailed Godwit | Critically Endangered | | | DSEWPC | The Bar-tailed Godwit is found mainly in coastal habitats such as large intertidal sandflats, banks, mudflats, estuaries, inlets, harbours, coastal lagoons and bays. It is found often around beds of seagrass and, sometimes, in nearby saltmarsh. It has been sighted in coastal sewage farms and saltworks, saltlakes and brackish wetlands near coasts, sandy ocean beaches, rock platforms, and coral reef-flats. It is rarely found on | NA | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|--|---------------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | inland wetlands or in areas of short grass, such as farmland, paddocks and airstrips, although it is commonly recorded in paddocks at some locations overseas (Marchant & Higgins 1993) (DSEWPC 2016d). | | |
| <i>Melanodryas cucullata cucullata</i> | Hooded Robin | | Near threatened | Listed | VBA | Highest density in semi-arid nw. Victoria where they inhabit mallee scrubs, cypress pine woodlands, mallee heaths with scattered trees and box-ironbarks forests. Uncommon in s. Vic where they occur in a range of lightly timbered habitats containing tall shrubs. These include Box woodlands, coastal heaths and healthy woodlands (Day and Simpson 2010). | 18/11/1979 | Low |
| <i>Nycticorax calledonicus hillii</i> | Nankeen Night Heron | | Near threatened | | VBA | Frequents well-vegetated wetlands, and is found along shallow river margins, | 21/01/2010 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|-----------------------------|------------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | mangroves, floodplains, swamps, and parks and gardens (BiB 2016n). | | |
| <i>Oxyura australis</i> | Blue-billed Duck | | Endangered | Listed | VBA | Congregate on large, deep open freshwater dams and lakes in autumn. The daylight hours are spent alone in small concealed bays within vegetation. Breed in secluded, densely vegetated situations with the nest constructed in cumbungi. | 23/03/1989 | Low |
| <i>Phalacrocorax varius</i> | Pied Cormorant | | Near Threatened | | VBA | Found in marine habitats, including estuaries, harbours and bays. It is also found in mangroves and on large inland wetlands in eastern Australia. Breeds in colonies on coastal islands, flooded tree plains, mangroves and sometimes on artificial structures such as beacons (BiB 2016o). | 2/02/2011 | Low |
| <i>Platalea regia</i> | Royal Spoonbill | | Near threatened | | VBA | Found in shallow freshwater and saltwater wetlands, intertidal mud flats and wet grasslands. Will also use | 26/01/2010 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|----------------------------------|--------------------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | artificial wetlands such as sewage lagoons, saltfields, dams and reservoirs (BiB 2016p). | | |
| <i>Plegadis falcinellus</i> | Glossy Ibis | | Near Threatened | | VBA | Requires shallow water and mudflats. Found in well-vegetated wetlands, floodplains, mangroves and ricefields (BiB 2016q). | 19/01/2007 | Low |
| <i>Porzana pusilla palustris</i> | Baillon's Crake | | Vulnerable | | VBA | Usually found only in shallow wetlands. Found where wetlands exist. Can be found foraging in swamps and dams (Day and Simpson 2010). | 4/01/1978 | Low |
| <i>Rostratula australis</i> | Australian Painted Snipe | Endangered | Critically endangered | Listed | DSEWPC / VBA | Inhabits inland and coastal shallow freshwater wetlands, occurring in both ephemeral and permanent wetlands, particularly where there is grass. Individuals have been spotted in artificial dams, sewage ponds and waterlogged grasslands (DSEWPC 2016e). | 27/01/1977 | Low |
| <i>Stagonopleura guttata</i> | Diamond Firetail | | Near Threatened | | VBA | Found in open grassy woodland, heath and farmland or grassland with scattered trees (BiB 2016r). | 30/12/1998 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|----------------------------|-------------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Stictonetta naevosa</i> | Freckled Duck | | Endangered | | VBA | Prefers permanent freshwater swamps and creeks with heavy growth of Cumbungi, Lignum or Tea-tree. During drier times they move from ephemeral breeding swamps to more permanent waters such as lakes, reservoirs, farm dams and sewage ponds (AM 2016). | 26/05/2008 | Low |
| <i>Tringa nebularia</i> | Common Greenshank | | Vulnerable | | VBA | Found on sheltered coasts with reefs and rock platforms or with intertidal mudflats. They are also found in intertidal rocky, coral or stony reefs, platforms and islets that are exposed at high tide, also shores of rock, shingle, gravel and shells and on intertidal mudflats in embayments, estuaries and coastal lagoons, especially those fringed with mangroves. (DSEWPC 2016f). | 12/01/2001 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|---------------------------|----------------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Tringa stagnatilis</i> | Marsh Sandpiper | | Vulnerable | | VBA | The Common Greenshank is found in a wide variety of inland wetlands and sheltered coastal habitats of varying salinity. It occurs in sheltered coastal habitats, typically with large mudflats and saltmarsh, mangroves or seagrass. The edges of the wetlands used are generally of mud or clay, occasionally of sand, and may be bare or with emergent or fringing vegetation, including short sedges and saltmarsh, mangroves, thickets of rushes, and dead or live trees (DSEWPC 2016g). | 21/02/2006 | Low |
| Mammals | | | | | | | | |
| <i>Cercartetus nanus</i> | Eastern Pygmy-possum | | Near Threatened | | VBA | Inhabits a wide range of vegetation alliances, ranging from sub-alpine woodland through Ash forests, gully forests, peppermint forests and stringybark forests to box ironbark forest, healthy woodlands (especially those dominated by <i>Banksia</i> sp.), coast scrub, wet heath and | 30/08/1967 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|-------------------------------------|------------------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | sub-alpine heath in the grampians (Menkhorst, Knight 2010). | | |
| <i>Dasyurus maculatus maculatus</i> | Spot-tailed Quoll | Endangered | Endangered | Listed | DSEWPC | Recorded from a wide range of habitat types including rainforest, wet and dry sclerophyll forest, coastal heathland, scrub and dunes, woodland, healthy woodland, swamp forest, mangroves, on beaches and sometimes in grassland or pastoral areas adjacent to forested areas. | NA | Low |
| <i>Petauroides volans</i> | Greater Glider | Vulnerable | | | DSEWPC | | NA | Low |
| <i>Pteropus poliocephalus</i> | Grey-headed Flying-fox | Vulnerable | Vulnerable | Listed | DSEWPC / VBA | Occur in subtropical and temperate rainforests, tall sclerophyll forests and woodlands, heaths and swamps as well as urban gardens and cultivated fruit crops | 1/11/1951 | Low |
| Amphibians | | | | | | | | |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|---------------------------|----------------------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Litoria aurea</i> | Green and Golden Bell Frog | Vulnerable | | | DSEWPC | In Victoria, the Green and Golden Bell Frog has been recorded in a range of lentic (still water) and terrestrial habitats in the coastal plains and low foothills of the hinterland including lowland forest, Banksia woodland, wet heath land, riparian scrub complex, riparian forest, damp forest, shrubby dry forest, limestone box woodland and cleared pastoral areas (Gillespie 1996) (DSEWPC 2016H). | NA | Low |
| <i>Litoria raniformis</i> | Growling Grass Frog | Vulnerable | Endangered | Listed | DSEWPC, VBA | Likes to live amongst reeds, sedges and rushes growing in and along slow moving streams, ponds, lagoons, swamps, lakes and farm dams. They can be found floating in warmer waters that are between 18 and 25 degrees (DSE 2007). | 21/02/1963 | Low |
| Fish | | | | | | | | |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|---------------------------|----------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Galaxiella pusilla</i> | Dwarf Galaxias | Vulnerable | Endangered | Listed | DSEWPC, VBA | Dwarf Galaxias has broad habitat requirements and occurs in slow flowing and still, shallow, permanent and temporary freshwater habitats such as swamps, drains and the backwaters of streams and creeks, often (but not always) containing dense aquatic macrophytes and emergent plants (Cadwallader & Backhouse 1983; McDowall 1996; Hammer 2002a). In larger pools, the species is usually found amongst marginal vegetation. Some wetlands where it occurs may partially or completely dry up during summer (Humphries 1986) and such wetlands rely on seasonal flooding plus linkages to other sites where the species occurs, for recolonisation (Backhouse & Vanner 1978). Wetlands connected to a more permanent waterbody (such as river or creek) may also be vital to their long- | 28/03/2012 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|-------------------------|----------------------|---------------------|-------------------------|-----------------|-----------------|--|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| | | | | | | term survival (particularly during extended dry conditions) and must therefore be considered as part of the habitat requirement critical to survival (DSEWPC 2016i). | | |
| <i>Nannoperca sp. 1</i> | Flinders Pygmy Perch | | Vulnerable | | VBA | Often found in small systems with a low flow rate and quiet vegetated areas in streams, billabongs, lakes and even irrigation channels. Not usually found in open water, prefers covered habitats. Often seems to form loose aggregations (Nativefish 2016)n | 28/03/2012 | Low |

| Scientific Name | Common Name | Conservation Status | | | Database Source | Preferred Habitat Notes | Date of Last Record | Likelihood of Occurrence |
|-----------------------------|---------------------|---------------------|-------------------------|-----------------|-----------------|---|---------------------|--------------------------|
| | | EPBC Listing | Victorian Advisory List | FFG Act Listing | | | | |
| <i>Prototroctes maroena</i> | Australian Grayling | Vulnerable | Vulnerable | Listed | DSEWPC | The Australian Grayling is diadromous, spending part of its lifecycle in freshwater and at least part of its larval and/or juvenile stages in coastal seas. Adults inhabit cool, clear, freshwater streams with gravel substrate and areas alternating between pools and riffle zones. (DSEWPC 2016j) | NA | Low |

| REFERENCES | | |
|----------------|-------------------------|---|
| BiB 2016a | Grey Goshawk | http://www.birdsinbackyards.net/species/Accipiter-novaehollandiae |
| BiB 2016b | Azure Kingfisher | http://www.birdsinbackyards.net/species/Ceryx-azureus |
| Birdlife 2016a | Australasian Shoveler | http://birdlife.org.au/bird-profile/australasian-shoveler |
| BiB 2016c | Maggie Goose | http://www.birdsinbackyards.net/species/Anseranas-semipalmata |
| DSEWPC 2016a | Regent Honeyeater | https://www.environment.gov.au/biodiversity/threatened/publications/factsheet-regent-honeyeater-xanthomyza-phrygia |
| DSE 2010a | Action Statement No 120 | http://www.depi.vic.gov.au/__data/assets/pdf_file/0004/251185/Great_Egret_Ardea-alba.pdf |
| DSE 2010a | Action Statement No 120 | http://www.depi.vic.gov.au/__data/assets/pdf_file/0004/251185/Great_Egret_Ardea-alba.pdf |
| BiB 2016d | Australian Bustard | http://birdlife.org.au/bird-profile/australian-bustard |
| BiB 2016e | Hardhead | http://www.birdsinbackyards.net/species/Aythya-australis |
| Birdlife 2016b | Musk Duck | http://www.birdlife.org/datazone/speciesfactsheet.php?id=363 |
| SA-MDB 2016 | Australasian Bittern | http://root.ala.org.au/bdrs-core/mdnm/fieldguide/taxon.htm?id=29026 |
| BiB 2016f | Whiskered Tern | http://www.birdsinbackyards.net/species/Chlidonias-hybrida |
| BiB 2016g | Black Falcon | http://www.birdsinbackyards.net/species/Falco-subniger |
| BiB 2016h | Latham's Snipe | http://www.birdsinbackyards.net/species/Gallinago-hardwickii |
| BiB 2016i | Painted Honeyeater | http://www.birdsinbackyards.net/species/Grantiella-picta |
| BiB 2016j | Brolga | http://www.birdsinbackyards.net/species/Grus-rubicunda |

| | | |
|--------------|---------------------------|---|
| BIB 2016k | White-bellied Sea-Eagle | http://www.birdsinbackyards.net/species/Haliaeetus-leucogaster |
| DSEWPC 2016b | White-throated Needletail | |
| BiB 2016l | Caspian Tern | http://www.birdsinbackyards.net/species/Hydroprogne-caspia |
| BiB 2016m | Swift Parrot | http://www.birdsinbackyards.net/species/Lathamus-discolor |
| DSEWPC 2016c | Limosa lapponica | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=844 |
| DSEWPC 2016d | Limosa lapponica | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=844 |
| BiB 2016n | Nankeen Night-Heron | http://www.birdsinbackyards.net/species/Nycticorax-caledonicus |
| BiB 2016o | Pied Cormorant | http://www.birdsinbackyards.net/species/Phalacrocorax-varius |
| BiB 2016p | Royal Spoonbill | http://www.birdsinbackyards.net/species/Platalea-regia |
| BiB 2016q | Glossy ibis | http://birdsinsbackyards.net/species/Plegadis-falcinellus |
| DSEWPC 2016e | Australian Painted Snipe | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=77037 |
| BiB 2016r | Diamond Firetail | http://www.birdsinbackyards.net/species/Stagonopleura-guttata |
| AM 2016 | Freckled Duck | http://australianmuseum.net.au/freckled-duck |
| DSEWPC 2016f | Common Greenshank | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=832 |
| DSEWPC 2016g | Marsh Sandpiper | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=833 |
| DSEWPC 2016h | Litoria aurea | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=1870 |

| | | |
|------------------------|--|---|
| DSE 2007 | Growing Grass Frog | http://www.dse.vic.gov.au/_data/assets/pdf_file/0016/103408/GGF_fact_sheet.pdf |
| DSEWPC 2016i | Dwarf Galaxias | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=56790 |
| DSEWPC 2016j | Australian Grayling | http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=26179 |
| Day and Simpson 2010 | Field Guide to the Birds of Australia | |
| Menkhorst, Knight 2010 | A Field Guide to the Mammals of Australia, Third Edition, 2010. Oxford University Press. | |
| Nativefish 2016 | Southern Pygmy Perch | http://www.nativefish.asn.au/southern-pygmy-perch.html |

Map 1 -Native Vegetation



Map 2 – Tree Locations





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Appendix D – Aboriginal Due Diligence Report, New
Sewage Pump Station, Sale (Heritage Insight, 2016)

GHD | Report for Gippsland Water –Sale Planning Scheme Amendment, 31/34978



**Aboriginal Heritage Due Diligence Report
New Sewage Pump Station, Sale**

**Cultural Heritage Advisor: Kathleen Hislop
Heritage Insight P/L**

Date: October 03, 2016

Report prepared for Gippsland Water

Conclusion: A CHMP is NOT required for this activity, as the property has demonstrably undergone significant ground disturbance as defined in the Aboriginal Heritage Regulations 2007.

I certify that the information contained in this report is correct to the best of my knowledge.

If you have any questions about this assessment, please don't hesitate to contact Heritage Insight P/L on (03) 9376 6569.

Report author: Kathleen Hislop B Archaeology (Hons)

Report approved by David Rhodes, BA, MA (Prelim), MICOMOS, MAACAI, Director, Heritage Insight P/L



| Aboriginal Heritage Due Diligence Report New Sewage Pump Station, Sale | |
|---|--|
| Lot(s): 2\LP118273, 1 & 2\PS448647, 3B~11\PP5695 | Parish: Sale |
| LGA: Wellington | Address: 36-40 Foster Street, 4-6 Park Street, Sale |
| Total Area : 7265.54m ² (approx.) | Current Use: Car dealership, park and existing pump station |



Map 1: Location of the study area



Statutory Requirements: *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2007*

1. *Is any part of the activity in an area of cultural heritage sensitivity, as defined in the Regulations?*

Yes

Yes, all of the study area is located within 200m of Flooding Creek. Land within 200m of a waterway is considered to be an area of cultural heritage sensitivity (r. 23 (1)).

2. *Is or would the proposed activity carried out on the land be a high impact activity, as defined in the Regulations?*

Yes

The construction of a utility installation affecting an area exceeding 25m² is defined as a high impact activity in the *Aboriginal Heritage Regulations 2007* r. 43 (xxiii) (D).

3. *Can significant ground disturbance be established?*

Yes

Section 23(2) states that if it can be demonstrated that the study area has undergone significant ground disturbance as defined by the *Aboriginal Heritage Regulations 2007*, the study area is no longer considered to be an area of cultural heritage sensitivity and a CHMP is not required for the proposed activity. Evidence for significant ground disturbance is discussed on pages 6 and 12-16.

4. *Is a CHMP required for the proposed activity?*

No

A CHMP is NOT required for the proposed activity as the study area has undergone significant ground disturbance as demonstrated by the land use history and the site inspection. There is also no likelihood that the activity will impact on a known or potential Aboriginal place.

5. *Is there a Registered Aboriginal Party (RAP) for the study area?*

Yes

The RAP for the study area is the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC). As this is a preliminary heritage assessment, no consultation was carried out with the GLaWAC as part of this project.



Existing Conditions

The study area is located on the northern side of Flooding Creek, to the south of Foster Street (Princes Highway) and west of Park Street in Sale (Map 2). The western half of the study area is flat and currently contains the disused buildings from a car dealership and boat maintenance facility. The ground is covered with asphalt and the allotment is surrounded by a wire fence. There is a boat ramp leading from the southern boundary of the allotment to Flooding Creek. The eastern half of the study area is predominantly comprised of parkland. The rise and fall of elevation within the study area forms a retarding basin following the line of trees. The current pump station is located in the south eastern corner of the study area.

The study area is located on the 'Intermediate Terraces – Gippsland' geomorphic unit. It is situated on a 'Plain above flood level (relative relief <9m)' landform (Department of Environment and Primary Industries – Biodiversity Interactive Map, accessed 15/9/2016). The underlying geology is Pleistocene to Holocene age alluvium, comprising unconsolidated gravel, sand and silt deposits (Department of Economic Development, Jobs, Transport and Resources – GeoVic3, accessed 15/9/2016). An alluvial terrace deposit is recorded across the north western section of the study area.

The current vegetation within the study area comprises grass, young eucalypts and a variety of planted shrubs and bushes. However the pre-1750 ecological vegetation class (EVC) identified in the study area indicate that the majority of the study area was most likely covered with Floodplain Riparian Woodland (EVC 56), while the north western section was Plains Grassland (EVC 132) (Department of Environment and Primary Industries – Biodiversity Interactive Map, accessed 15/9/2016; Department of Environment and Primary Industries - EVC Benchmarks, accessed 15/9/2016).



Map 2: Existing conditions in study area (NearMap 2016)



Land Use History

During the 1840s, the study area was located within the pastoral run 'The Heart', licensed to John Foster. Much of this run was subdivided and became the township of Sale. An early parish map identifies the study area lying within Lot 1 of Section 11, purchased by D. Stern in 1864. A soil contamination report undertaken by GHD for part of the study area identified four individuals as land owners between 1902 and 1924 (Table 1) before the allotment was purchased in 1925 by the forerunner of the Shell Company of Australia, The British Imperial Oil Company. The owner of the western half of the study area was listed as the Shell Company of Australia in 1977. In 1996, ownership passed to the Wellington Shire Council before being sold again to Albert and Lois McCracken in 1997. In 2004, the western allotment was purchased by Valley Autos Pty Ltd and in 2014 by TVS Enterprises Pty Ltd.

Table 1: Land owners identified for the study area between 1902 and 1925 (reproduced from GHD 2016)

| Owner | Date |
|--------------------------------------|------|
| W. Bryan | 1902 |
| C. Bryan | 1905 |
| T. Little | 1915 |
| D. Howard | 1924 |
| The British Imperial Oil Company Ltd | 1925 |

An 1850s feature survey plan of Flooding Creek indicates that part of the study area may have been cleared by this time (Figure 1). The map also indicates that the land adjacent to the creek was 'low level ground'. No major development of the township had taken place at this time, although it can be seen encroaching from the east as far as Raymond Street. The original alignment of Flooding Creek is relatively straight to the south of the study area but takes a sharp turn to the south beyond the study area boundary. The parish map in Figure 2 shows the original alignment in relation to the Sale Canal.

In a 1957 aerial photograph, there is a structure, potentially a petrol station, present in the north western region of the study area (Figure 3). The study area is devoid of trees except for one large tree on the northern boundary. The southern half of the study area is bare grassland. The structure or petrol station is still present in 1978 (Figure 4); however the tree on the northern boundary is no longer there. No other vegetation other than grass is visible across the rest of the study area. The current sewer pump station is visible in the south eastern corner, while the southern boundary line of the allotment now appears to have been subsumed into Flooding Creek.

The structure or petrol station is present in the 1991 aerial photograph along with the current pump station (Figure 5). Large vegetation is now present with a line of trees running north-south through the study area and thick vegetation is visible along the creek bank. When compared to the current conditions within the study area (Map 2), the vegetation visible in 1991 must be quite young as the tree canopies are not very broad. This sequence of images clearly shows that all large vegetation in the study area postdates 1978.

Historic Sites and Places

No historical sites are registered within the study area. Two historical sites adjacent to the study area are registered on the Victorian Heritage Inventory, the 'Former Proud's Sawmill' to the east and the 'HM Prison Cistern' to the north. HM Prison is also on the Shire of Wellington Heritage Overlay, along with the Sale Canal.

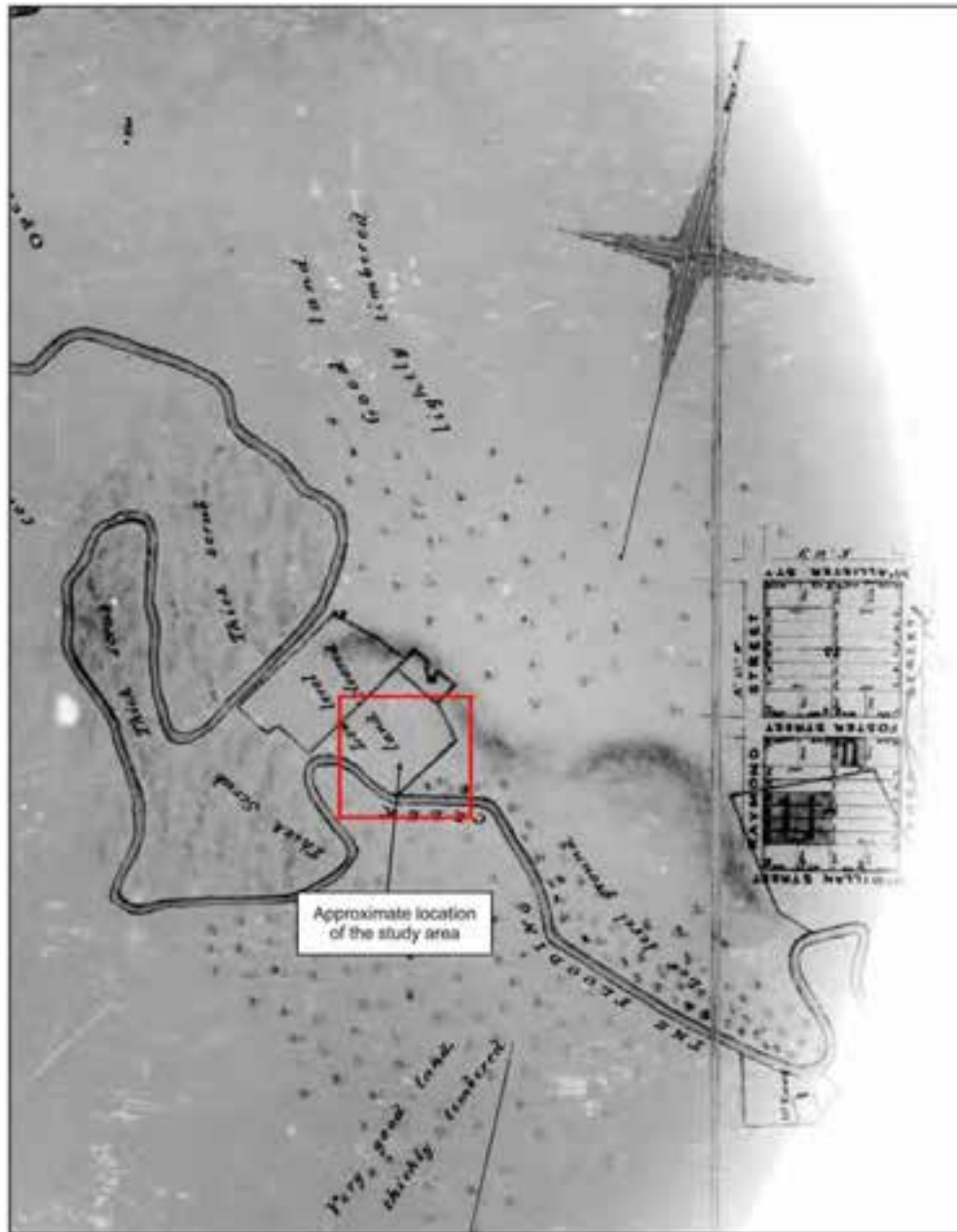


Figure 1: 1850 Feature Plan of Flooding Creek (FEATR591, Public Record Office Victoria)



Figure 2: Close up of the alignment of Flooding Creek after construction of Sale Canal (Department of Lands and Survey 1951)



Figure 3: 1957 aerial photograph (Land Victoria Aerial Photography)



**Aboriginal Heritage Due Diligence Report
New Sewage Pump Station, Sale**

**Cultural Heritage Advisor: Kathleen Hislop
Heritage Insight P/L**

Date: October 03, 2016

Report prepared for Gippsland Water

Conclusion: A CHMP is NOT required for this activity, as the property has demonstrably undergone significant ground disturbance as defined in the Aboriginal Heritage Regulations 2007.

I certify that the information contained in this report is correct to the best of my knowledge.

If you have any questions about this assessment, please don't hesitate to contact Heritage Insight P/L on (03) 9376 6569.

Report author: Kathleen Hislop B Archaeology (Hons)

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3. *Can significant ground disturbance be established?*

Yes

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The study area is located on the northern side of Flooding Creek, to the south of Foster Street (Princes Highway) and west of Park Street in Sale (Map 2). The western half of the study area is flat and currently contains the disused buildings from a car dealership and boat maintenance facility. The ground is covered with asphalt and the allotment is surrounded by a wire fence. There is a boat ramp leading from the southern boundary of the allotment to Flooding Creek. The eastern half of the study area is predominantly comprised of parkland. The rise and fall of elevation within the study area forms a retarding basin following the line of trees. The current pump station is located in the south eastern corner of the study area.

The study area is located on the 'Intermediate Terraces – Gippsland' geomorphic unit. It is situated on a 'Plain above flood level (relative relief <9m)' landform (Department of Environment and Primary Industries – Biodiversity Interactive Map, accessed 15/9/2016). The underlying geology is Pleistocene to Holocene age alluvium, comprising unconsolidated gravel, sand and silt deposits (Department of Economic Development, Jobs, Transport and Resources – GeoVic3, accessed 15/9/2016). An alluvial terrace deposit is recorded across the north western section of the study area.

The current vegetation within the study area comprises grass, young eucalypts and a variety of planted shrubs and bushes. However the pre-1750 ecological vegetation class (EVC) identified in the study area indicate that the majority of the study area was most likely covered with Floodplain Riparian Woodland (EVC 56), while the north western section was Plains Grassland (EVC 132) (Department of Environment and Primary Industries – Biodiversity Interactive Map, accessed 15/9/2016; Department of Environment and Primary Industries - EVC Benchmarks, accessed 15/9/2016).



Map 2: Existing conditions in study area (NearMap 2016)

~ 5 ~



Land Use History

During the 1840s, the study area was located within the pastoral run 'The Heart', licensed to John Foster. Much of this run was subdivided and became the township of Sale. An early parish map identifies the study area lying within Lot 1 of Section 11, purchased by D. Stern in 1864. A soil contamination report undertaken by GHD for part of the study area identified four individuals as land owners between 1902 and 1924 (Table 1) before the allotment was purchased in 1925 by the forerunner of the Shell Company of Australia, The British Imperial Oil Company. The owner of the western half of the study area was listed as the Shell Company of Australia in 1977. In 1996, ownership passed to the Wellington Shire Council before being sold again to Albert and Lois McCracken in 1997. In 2004, the western allotment was purchased by Valley Autos Pty Ltd and in 2014 by TVS Enterprises Pty Ltd.

Table 1: Land owners identified for the study area between 1902 and 1925 (reproduced from GHD 2016)

| Owner | Date |
|--------------------------------------|------|
| W. Bryan | 1902 |
| C. Bryan | 1905 |
| T. Little | 1915 |
| D. Howard | 1924 |
| The British Imperial Oil Company Ltd | 1925 |

An 1850s feature survey plan of Flooding Creek indicates that part of the study area may have been cleared by this time (Figure 1). The map also indicates that the land adjacent to the creek was 'low level ground'. No major development of the township had taken place at this time, although it can be seen encroaching from the east as far as Raymond Street. The original alignment of Flooding Creek is relatively straight to the south of the study area but takes a sharp turn to the south beyond the study area boundary. The parish map in Figure 2 shows the original alignment in relation to the Sale Canal.

In a 1957 aerial photograph, there is a structure, potentially a petrol station, present in the north western region of the study area (Figure 3). The study area is devoid of trees except for one large tree on the northern boundary. The southern half of the study area is bare grassland. The structure or petrol station is still present in 1978 (Figure 4); however the tree on the northern boundary is no longer there. No other vegetation other than grass is visible across the rest of the study area. The current sewer pump station is visible in the south eastern corner, while the southern boundary line of the allotment now appears to have been subsumed into Flooding Creek.

The structure or petrol station is present in the 1991 aerial photograph along with the current pump station (Figure 5). Large vegetation is now present with a line of trees running north-south through the study area and thick vegetation is visible along the creek bank. When compared to the current conditions within the study area (Map 2), the vegetation visible in 1991 must be quite young as the tree canopies are not very broad. This sequence of images clearly shows that all large vegetation in the study area postdates 1978.

Historic Sites and Places

No historical sites are registered within the study area. Two historical sites adjacent to the study area are registered on the Victorian Heritage Inventory, the 'Former Proud's Sawmill' to the east and the 'HM Prison Cistern' to the north. HM Prison is also on the Shire of Wellington Heritage Overlay, along with the Sale Canal.

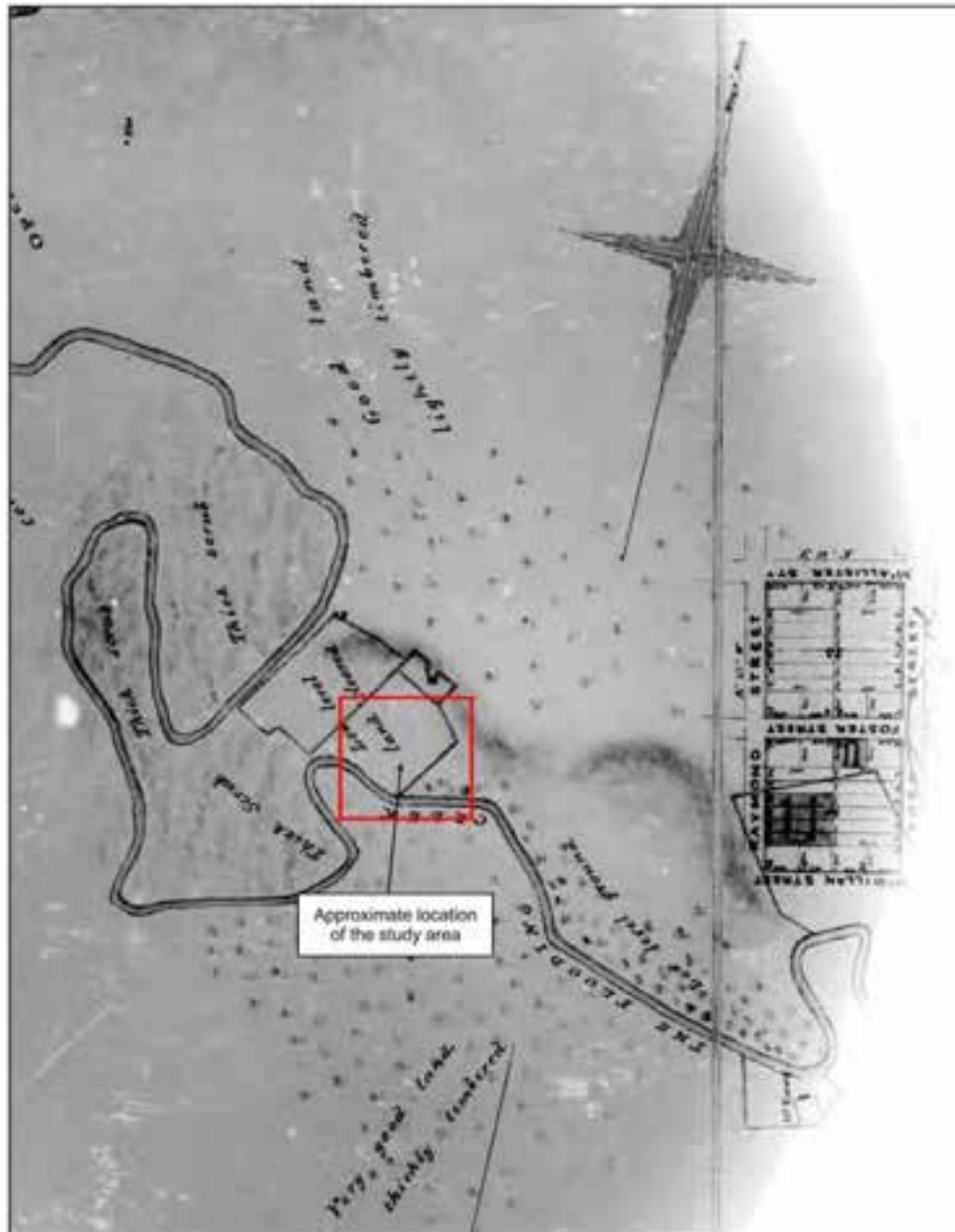


Figure 1: 1850 Feature Plan of Flooding Creek (FEATR591, Public Record Office Victoria)



Figure 2: Close up of the alignment of Flooding Creek after construction of Sale Canal (Department of Lands and Survey 1951)



Figure 3: 1957 aerial photograph (Land Victoria Aerial Photography)



Figure 4: 1978 aerial photograph (Land Victoria Aerial Photography)



Figure 5: 1991 aerial photograph (Land Victoria Aerial Photography)



Results of the Aboriginal Victoria VAHR Search

A search of the Aboriginal Victoria (AV) site registry via the Aboriginal Cultural Heritage Register and Information System (ACHRIS) was carried out on September 16, 2016. This search showed that the study area has not been subject to a previous Cultural Heritage Management Plan (CHMP) or archaeological investigation. There are no previously registered Aboriginal Places within the study area.

There are 21 Aboriginal Places, located within 5km of the study area; only ten of these Aboriginal Places are within 2km. One registered Aboriginal Place (VAHR 8321-0459) is located within 200m and is registered as both an Aboriginal historical place and Aboriginal Ancestral Remains (Burial). The remaining nine Aboriginal Places registered within 2km of the study area comprise two scarred trees, four artefact scatters, one low density artefact distribution, one object collection and a second Aboriginal historical place associated with an Aboriginal Ancestral Remains (Burial). The Aboriginal Places are predominantly located in close proximity to the Thompson River, Flooding Creek and the associated wetland environment. The artefact scatters are associated with CHMPs to the west of Sale.

This low density of sites may be attributable to the dearth of archaeological work that has occurred in this region or the long period of European settlement over the higher land surfaces, destroying cultural heritage sites in the process. Waterways were an important sources of fresh water and associated resources for Aboriginal people who camped beside them and used creeks as routes through the landscape.

One CHMP has been undertaken within 200m of the study area and is located along Foster Street. CHMP 10761 (Phillips et al. 2010) was prepared for a road duplication along the Princes Highway from Wurrak to Sale. Desktop, standard and complex assessments were undertaken for the CHMP. The desktop assessment site prediction model suggested that Aboriginal Places are most likely to occur on higher ground and terraces overlooking water sources. Places may also be located on alluvial flats adjacent to water sources; however repeated episodes of flooding on the low lying areas adjacent to water sources may have buried sites under alluvium or caused the translocation of sediments containing site material away from their original depositional location. No new Aboriginal Places were identified during the standard assessment. Three Aboriginal Places (VAHR 8321-0404, 8321-0405, and 8321-0406) were recorded during the complex assessment. VAHR 8321-0406 was the Aboriginal Place identified nearest to the current study area. It was a low density subsurface artefact site located on the west bank of Flooding Creek. Artefacts were at shallow depths (230mm maximum). It was considered likely that the artefacts had been transported downstream during flooding or imported when the Sale Causeway was constructed in the 1960s.

Location of Existing Services within the Study Area

DEYD (Dig Before You Dig) information was requested for underground utilities and services within proximity of the study area (Appendix 1). Information was also provided by the Gippsland Water for underground service locations that they had previously identified (Appendix 1). The information indicates that there is existing water, stormwater, sewer, Telstra and electricity services present within the study area.



Results of Field Inspection

A field inspection was undertaken of the study area on September 23, 2016 by Kathleen Hislop (Heritage Insight Pty Ltd) and Michael Johnstone (Gippsland Water). Plates 1 to 3 show the current sewer pump station along the eastern side of the study area. This area is densely populated with underground pipe works and cabling. Exposed ground adjacent to this area contained a high density of gravel mixed through silt and is likely to be disturbed ground (Plate 4). Plates 5 and 6 show the alignment of the stormwater drain running north to south through eastern allotment and how it is situated in relation to the western allotment. This region acts as a retarding basin. It is worth noting that the western allotment of the study area (seen in the background of Plate 6) has an artificial change in land level showing that either the eastern allotment drainage area has been cut and modified, or the western allotment has been filled and raised; it is most likely the former. Plate 7 shows land modification undertaken at the rear of the pump station and the alignment leading to the sewer overflow (marked with the range pole). The creek bank adjacent to the eastern allotment has been modified in the past as evidenced by the lining of basalt rocks along the edge of the water.

Plates 9 to 14 present a general overview of the western allotment. There is asphalt/bitumen across almost the entire surface (excepting where there are plants). Underground drainage is evident to the north and south of the structure (Plates 10, 13 and 14). Gippsland Water has also undertaken survey works within the allotment and identified the location of the underground gas, water and electrical services within the property boundaries. These lead from Foster Street to the main structure and from the rear of the main structure to the shed. Adjacent to the shed is the entrance to the boat ramp that descends to Flooding Creek (Plate 15). The creek bank through this section is overgrown with bushes; however it was possible to identify that there were basalt rocks lining the creek bank (Plate 16). The entire section of creek bank along the boundary of the study area has therefore been modified at some time in the past to cater for the boat access and to create the landscaped condition it is now in.



Plate 1: Existing pump station (facing west)



Plate 2: Existing pump station (facing west)



Plate 3: Location of existing utilities connecting to pump station (facing south)



Plate 4: Gravel surface in region of existing pump station



Plate 5: Alignment of the stormwater drain in the retarding basin (facing south)



Plate 6: Low point in the retarding basin showing the disparity in ground level between the western and eastern sides of the study area (facing west)



Plate 7: Rear of the existing pump station and location of the sewer overflow in the foreground (facing east)



Plate 8: Basalt lining the creek bank in the eastern side of the study area (facing south)



Plate 9: Abandoned car dealership building and asphalt/bitumen ground surface (facing south west)



Plate 10: Car dealership and location of drainage pit above the range pole (facing south west)



Plate 11: Gate entrance to rear of the car dealership. Note the asphalt/bitumen ground surface (facing south)



Plate 12: Rear of the car dealership and shed. Note the asphalt/bitumen ground surface (facing west)



Plate 13: Water drainage facility for washing cars at the rear of the car dealership (facing north)



Plate 14: Shed at the rear of the car dealership showing drainage pits to the left and above the range pole (facing south east)



Plate 15: Entrance to the boat ramp on the eastern side of the shed (facing south east)



Plate 16: Basalt lining the creek bank of the western side of the study area (facing south)

Western Allotment - Soil Contamination Report Borehole Results

Gippsland Water commissioned GHD to undertake a Limited Environmental Investigation within the western allotment of the study area to investigate the soil contamination status of the land. This study was undertaken in June 2016 (GHD 2016). Part of their research identified that when the Shell Company of Australia had been required to remove contaminated soil from the land and replace it with clean fill as a condition of sale of the property in 1996. This had been complied with.

GHD drilled five boreholes to a maximum depth of 10m across the allotment. The geological framework identified by GHD within the western allotment comprised a layer of bitumen/crushed rock overlying variable depth fill. Below this was sandy clay overlying sand.

Boreholes 1 and 5 were located on the northern and southern sides of the current structure (car dealership). Borehole 1 was specifically placed in the northern region of the allotment where the former service station was located. Fill was noted to a depth of 3.5m in Borehole 1 and it was thought that this may have been the location of the former fuel tank nest. Fill was identified to a depth of 3.9m in Borehole 5. GHD suggested that this may also have been associated with underground fuel storage, even though located to the south of the service station.

Boreholes 2, 3 and 4 were drilled across the southern region of the allotment. Though broadly similar, the soil descriptions show variability between the ratio of sand and clay content with most descriptions indicating clay as the main component in the soil.

As indicated on page 4, the Pleistocene – Holocene age geology within this region is identified as alluvium, comprising unconsolidated gravel, sand and silt deposits. Topsoils (A horizon) are likely to contain some decomposed organics within the soil from when exposed as a land surface. Soils predominantly containing clay are identified as B horizon subsoils. None of the boreholes indicate the presence under the fill of a buried natural topsoil layer (A horizon). The borehole results therefore suggest that the topsoil (A horizon) in the western allotment of the study area is no longer present. Topsoil removal would have been undertaken when levelling the allotment for the construction of the initial structure, possibly service station, in the northern region and the more recent construction of the car dealership and laying of asphalt/bitumen across the remainder of the allotment. These activities, particularly the recent construction of the car dealership and associated surfacing, would have been undertaken by mechanical means.



Discussion of Results

Under Section 6 of the *Aboriginal Heritage Regulations 2007*, the preparation of a mandatory Cultural Heritage Management Plan (CHMP) is required if:

- (a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; and
- (b) all or part of the activity is a high impact activity.

Regulation 23 (2) states that:

If part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.

Therefore if an area of cultural heritage sensitivity within the study area can be shown to have undergone significant ground disturbance it should no longer be considered an area of cultural heritage sensitivity.

Significant ground disturbance is defined by the *Aboriginal Heritage Regulations 2007* as:

disturbance of -

- (a) the topsoil or surface rock layer of the ground; or

- (b) a waterway -

by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping

The research contained within this document and the subsequent field inspection of the study area have identified that the ground surface within the study area has undergone extensive remodelling through construction and surfacing works, as well as the construction and installation of underground services. In the western allotment, prior construction activities associated with the use of the land by the Shell Company of Australia and its predecessor, the British Imperial Oil Company, along with the more recent construction activities associated with the car dealership and surfacing of the surrounding land has resulted in the removal of the topsoil (A horizon) from the land. The car dealership works were undertaken within the last 10 to 15 years and as such the levelling of the land prior to construction would have been carried out by excavation machinery. The eastern allotment within the study area contains a number of underground services associated with the existing sewer pump station and stormwater drainage. The lowest region of this allotment acts as a water retarding basin and the difference in the level of the boundary between the western and eastern allotments most likely indicates that this area has undergone remodelling (excavation to lower land level) prior to the planting of the trees (approximately 1970s). This remodelling would have been undertaken using excavation machinery, as would the installation of the underground services.

These extensive earthwork activities have resulted in a high level of ground disturbance consistent with the definition of significant ground disturbance as defined by the *Aboriginal Heritage Regulations 2007*.

Upon undertaking a reasonable level of inquiry, as presented in this document, the study area, identified as lying within an area of cultural heritage sensitivity has been assessed as having undergone significant ground disturbance within the meaning of the *Aboriginal Heritage Regulations 2007*. This is due to removal of the topsoil in the western allotment and the extensive disturbance to the topsoil in the eastern allotment as a result of mechanical works associated with construction, installation and land remodelling for underground



services, construction of early structures, including a service station with underground fuel tanks and the car dealership, as well as the surfacing of the western allotment with asphalt/bitumen.

As significant ground disturbance can be established for the area of cultural sensitivity within the study area, a mandatory CHMP is not required.

Although a mandatory CHMP is not required for the study area, the client should be aware that the *Aboriginal Heritage Act 2006* provides blanket protection for Aboriginal cultural heritage. Under section 27 and 28 of the *Aboriginal Heritage Act 2006*, it is an offence to knowingly commit an act that is likely to harm Aboriginal cultural heritage. In the event that suspected Aboriginal archaeological sites are found during the works within the study area, the following protocol MUST be followed to ensure compliance with the Act.

- All works within 10m of the relevant discovery area must cease immediately and if necessary protective fencing erected around the relevant area;
- The person making the discovery shall immediately notify a heritage advisor. An appropriately qualified heritage advisor must be engaged to record the findings and advise on possible management strategies. The heritage advisor will facilitate communication with the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC);
- While works are suspended the nominated project delegates, the heritage advisor and representatives of the GLaWAC must evaluate the Aboriginal cultural heritage.

If you have any questions about this assessment, please don't hesitate to contact Heritage Insight Pty Ltd on (03) 9376 6569.

Regards,

Kathleen Hislop
Senior Project Archaeologist



References

Legislation

Aboriginal Heritage Act 2006

Aboriginal Heritage Regulations 2007

Organisations

Dial Before You Dig

Land Victoria Aerial Photography storage facility (Laverton)

Public Record Office Victoria

Internet Resources

Department of Economic Development, Jobs, Transport and Resources – GeoVic3
(<http://www.energyandresources.vic.gov.au/earth-resources/maps-reports-and-data/geovic>)

Department of Environment and Primary Industries: Biodiversity Interactive Map
(<http://www.depi.vic.gov.au/environment-and-wildlife/biodiversity/biodiversity-interactive-map>)

Department of Environment and Primary Industries – EVC Benchmarks
(<http://www.depi.vic.gov.au/environment-and-wildlife/biodiversity/evc-benchmarks>)

Department of Premier and Cabinet – ACHRIS
(<https://applications.vic.gov.au/apps/achris/public/>)

Heritage Council Victoria – Victorian Heritage Database
(<http://vhd.heritagecouncil.vic.gov.au/>)

Published Resources

Department of Lands and Survey 1951, 'Township of Sale. Parish of Sale. County of Tanjil',

GHD 2016, *Sale Outfall Pump Station Upgrade and Relocation Limited Environment Investigation*, GHD, Traralgon.

Phillips, O, Mialanes, J, Kiddell, H & Woodfield, L 2010, *Princes Highway Duplication, Warrack to Sale Cultural Heritage Management Plan 10761*, Dr. Vincent Clark & Associates, Coburg & Woodend.

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Appendix 1 – Utility Services Present in the Study Area



Telstra



[illegible]







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Email: info@heritageinsight.com.au Website: www.heritageinsight.com.au

Clippind Water Feature Survey

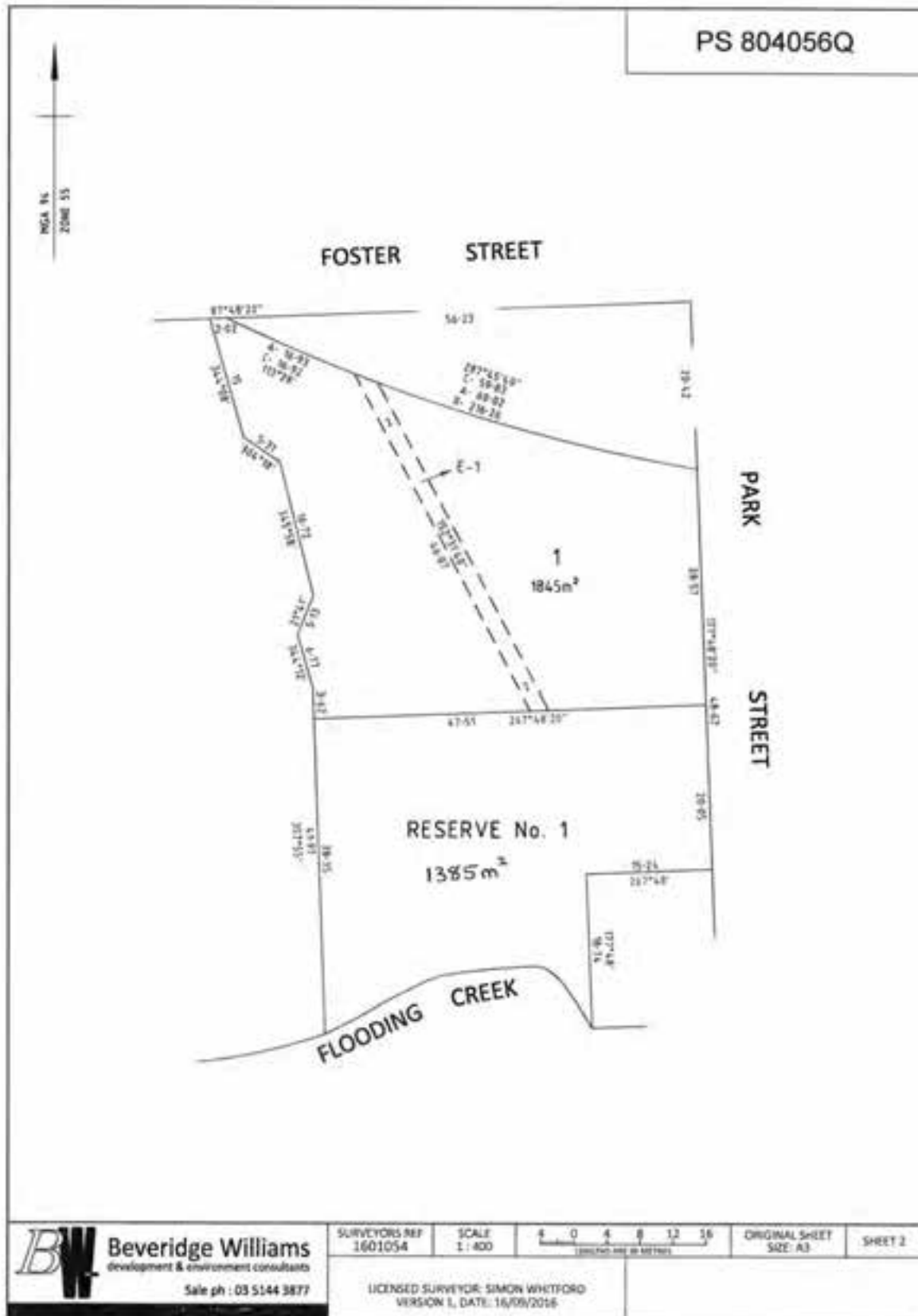


Appendix E – Plan of Proposed Subdivision (4 Park Street)

GHD | Report for Gippsland Water – Sale Planning Scheme Amendment, 31/34978

PROPOSED

| | | | |
|--|---|--|---|
| PLAN OF SUBDIVISION UNDER SECTION 35 OF THE SUBDIVISION ACT 1988 | | EDITION 1 | PS 804056Q |
| LOCATION OF LAND PARISH: SALE TOWNSHIP: SALE SECTION: 11 CROWN ALLOTMENT: 1 (PART) TITLE REFERENCE: VOL. 10723 FOL. 329 LAST PLAN REFERENCE: PS 448647 (LOT 2) POSTAL ADDRESS: [at time of subdivision] 4 PARK STREET, SALE, VIC. 3850 MGA CO-ORDINATES: E: 503 330 ZONE: 55 (of approx centre of land N: 5 781 730 GOA 94 in plan) | | COUNCIL NAME: WELLINGTON SHIRE COUNCIL | |
| VESTING OF ROADS AND/OR RESERVES ROADS AND RESERVES VEST IN THE COUNCIL/BODY/PERSON NAMED WHEN THE APPROPRIATE VESTING DATE IS RECORDED OR TRANSFER REGISTERED. ONLY ROADS AND RESERVES MARKED THUS (N) VEST UPON REGISTRATION OF THIS PLAN. | | NOTATIONS ALL THE LAND IS TO BE ACQUIRED FREE FROM ALL ENCUMBRANCES OTHER THAN ANY EASEMENTS SPECIFIED ON THIS PLAN. LAND TO BE ACQUIRED BY COMPULSORY PROCESS: - LAND TO BE ACQUIRED BY AGREEMENT: RESERVE No. 1 OTHER PURPOSE OF PLAN: REMOVAL OF PART OF EASEMENT E-1 SHOWN ON PS 448647. GROUNDS FOR REMOVAL: CONSENT OF CENTRAL GIPPSLAND REGION WATER CORPORATION. | |
| IDENTIFIER RESERVE No. 1 | COUNCIL/BODY/PERSON CENTRAL GIPPSLAND REGION WATER CORPORATION | | |
| NOTATIONS DEPTH LIMITATION: DOES NOT APPLY SURVEY: This plan is based on survey (Lot 1 only). STAGING: This is not a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No. | | | |
| EASEMENT INFORMATION | | | |
| LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road) | | | |
| EASEMENTS MARKED (-) ARE EXISTING EASEMENTS. EASEMENTS MARKED (+) ARE CREATED UPON REGISTRATION OF THIS PLAN. EASEMENTS MARKED (*) ARE CREATED WHEN THE APPROPRIATE VESTING DATE IS RECORDED OR TRANSFER REGISTERED. EASEMENTS MARKED (#) ARE REMOVED WHEN THE APPROPRIATE VESTING DATE IS RECORDED OR TRANSFER REGISTERED. | | | |
| Symbol - | Easement Reference E-1 | Purpose PIPELINE & ANCILLARY PURPOSES | Width (Metres) 2 - |
| | | | Origin PS 448647 - SEC. 136 OF THE WATER ACT 1989 |
| | | | Land Benefited/in Favour Of CENTRAL GIPPSLAND REGION WATER CORPORATION |
|  Beveridge Williams development & environment consultants Sale ph: 03 5144 3877 | | SURVEYORS FILE REF: 1801054 LICENSED SURVEYOR: JOHN JACKSON VERSION 1, DATE: 16/09/2016 | ORIGINAL SHEET SIZE: A3 SHEET 1 OF 3 |



| | | | | | | PS 804056Q | |
|--|-------------------------------------|--------------------------|------|--|----------------------------------|----------------------------|--|
| VESTING DATES & TRANSFER REGISTRATION DATES OF ACQUIRED LAND | | | | | | | |
| Land affected | Land acquired by compulsory process | | | | Land acquired by agreement | URS reference | Assistant Registrar of Titles Signature |
| | Vesting date | Government Gazette | | Date of recording of vesting | Date of registration of transfer | | |
| | | Page | Year | | | | |
| Reserve No. 1 | | | | | | | |
| | | | | | | | |
|  Beveridge Williams development & environment consultants Sole ph : 03 5144 3877 | | SURVEYORS REF 1501054 | | LICENSED SURVEYOR: SIMON WHITFORD VERSION 1, DATE: 16/03/2016 | | ORIGINAL SHEET SIZE: A3 | SHEET 3 |

Appendix F – Purchase of Land Council Report

GHD | Report for Gippsland Water – Sale Planning Scheme Amendment, 31/34976

ITEM C3.4**PROPOSED SALE – PARK STREET SALE TO GIPPSLAND WATER**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER BUSINESS DEVELOPMENT

DATE:

21 MARCH 2017

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

OBJECTIVE

For Council to consider a request from Central Gippsland Region Water Corporation (Gippsland Water) to purchase Council land described as Reserve 1 on proposed plan of subdivision PS804056Q located at Park Street, Sale.

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

1. *Council resolve land described as Reserve 1 on proposed plan of subdivision PS804056Q located on Park Street, Sale as shown on the plan within is not required for Council purposes.*
2. *Council authorise the Chief Executive Officer to sell Reserve 1 on PS804056Q to Central Gippsland Region Water Corporation (Gippsland Water) at the assessed market valuation with Gippsland Water meeting all costs.*

BACKGROUND

On 15 November 2016 Gippsland Water made a formal request to purchase Council land located at Park Street, Sale. The site would provide access for the proposed Sale Outfall Sewage Pump Station which is to be located on adjacent land.

Gippsland Water indicated the purchase would be at market value where they would provide for costs. The Valuer General has confirmed the market value as at October 2016 is \$62,500.

The plan below shows the approximate area of Council land on Park Street – note the existing Gippsland Water infrastructure to the south.



The purchase of the Park Street site will be one of the first steps in what will be a significant investment in meeting the long-term objectives of servicing future growth to Sale, Warruk and Fulham as well as eliminating environmental risks such as overflows and noxious odours.

Attachment One contains the proposed plan of subdivision showing Reserve 1 which is the land in question.

OPTIONS

The following options are available to Council:

1. Progress the sale at market value; or
2. Not progress the sale at this time.

PROPOSAL

That

1. Council resolve land described as Reserve 1 on proposed plan of subdivision PS804056Q located on Park Street, Sale as shown on the plan within is not required for Council purposes.
2. Council authorise the Chief Executive Officer to sell Reserve 1 on PS804056Q to Central Gippsland Region Water Corporation (Gippsland Water) at the assessed market valuation with Gippsland Water meeting all costs.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The sale of land at market value would result in a positive financial impact for Council.

Gippsland Water have stated they will meet all legal and design costs and disbursements. They would also be responsible for expenses related to the lodgement of plans at Land Victoria and issuing new titles.

LEGISLATIVE IMPACT

Council is exempt from the provisions of the *Local Government Act 1989* (Vic), Section 189, with respect to the sale of lands effected with a "public body" as defined in the legislation and is therefore not required to publicly advertise the proposed sale.

Gippsland Water as the acquiring authority must comply with the provisions of the *Land Acquisition and Compensation Act 1986* (Vic).

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.

The proposed sale does not conflict with Council's policy regarding the Sale, Exchange and Acquisition of Land.

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

Planning permit requirements related to the subdivision or development on the adjacent land will need to be satisfied by Gippsland Water.

RESOURCES AND STAFF IMPACT

This matter is being addressed within the existing resources of the Development Division

COMMUNITY IMPACT

No community impacts have been identified as directly related to the sale of land.

Gippsland Water have advised that the proposed Sale Outfall Sewage Pump Station would service growth to Sale, Warruk and Fulham.

ENVIRONMENTAL IMPACT

No environmental impacts have been identified as related to the sale of land however Gippsland Water have advised that the proposed Sale Outfall Sewage Pump Station would eliminate environmental risks such as overflows and noxious odours.

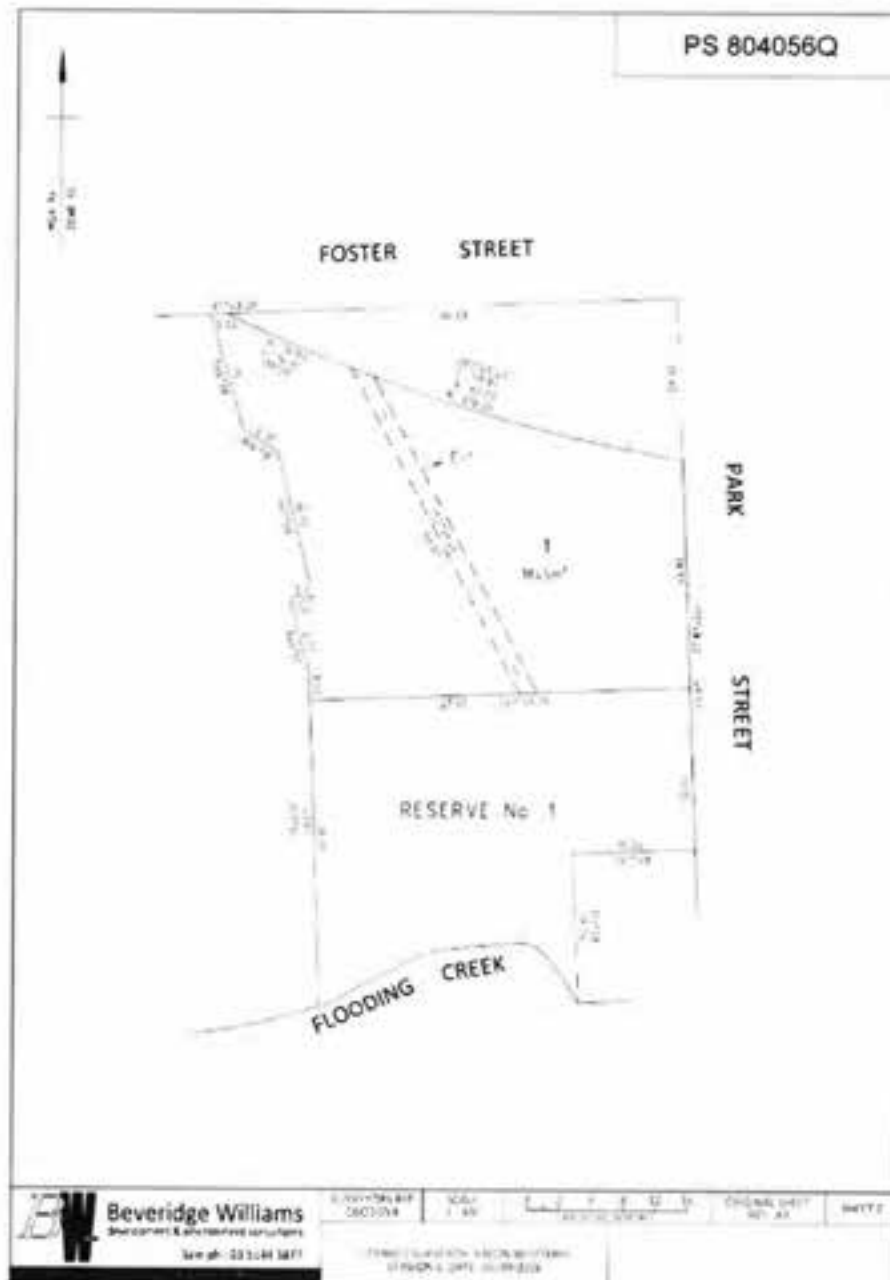
CONSULTATION IMPACT

No consultation has been identified as necessary in relation to the sale of land.

RISK MANAGEMENT IMPACT

No risk management impacts have been identified as applicable in authorising the sale of Council land.

Attachment One – Reserve 1 on proposed plan of subdivision PS804056Q





C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

GHD

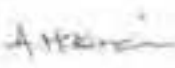



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Document Status

| Revision | Author | Reviewer | | Approved for issue | | |
|----------|-------------------------------------|----------------------------|---|--------------------|---|------------|
| | | Name | Signature | Name | Signature | Date |
| A | J Mooney M Asimakis S Gunawan | A McKenzie D Gutteridge | ON FILE | B George | ON FILE | 02/05/2017 |
| 0 | J Mooney M Asimakis S Gunawan | A McKenzie D Gutteridge |  | B George |  | 26/05/2017 |
| 1 | J Mooney M Asimakis S Gunawan | A McKenzie D Gutteridge |  | B George |  | 13/06/2017 |

www.ghd.com



Draft Community Engagement Plan



Proposed new sewerage pump station facility in Sale (SPSO)

2017

Table of Contents

| | Page |
|-------------------------------|------|
| 1 Project Background | |
| 1.1 Milestones Table | 3 |
| 1.2 Key facts | 4 |
| 2 Community Engagement | |
| 2.1 Objectives | 5 |
| 2.2 Stakeholders | 5 |
| 2.3 Contacts | 7 |
| 2.4 Key messages | 8 |
| 2.5 Timing | 8 |
| 2.6 Next Steps | 9 |
| 3 Action Plan | 10 |
| 4 Project Timelines | 12 |

1.0 Project Background

Currently Sale's sewage is directed to the existing sewerage pump station (SPS) to the south of Sale (SPS1). Gippsland Water intends to construct a new sewerage pump station near the existing pump station to service all existing and future growth of Sale.

Gippsland Water plans to ensure that works will be compliant with all relevant legislative requirements including EPA requirements.

1.1 Project Milestones table

| Task no. | Project task/description | Timing |
|----------|-------------------------------------|---|
| 1 | Project definition and announcement | October – November 2015 |
| | Information gathering | December – January 2016 |
| | Criteria | February – March 2016 |
| | Options development and assessment | April – June 2016 |
| 2 | Selection of preferred site | by end June 2016 |
| 3 | Land Acquisition | <ul style="list-style-type: none"> February 2017 TVS enterprises June 2017 Council Parkland |
| 4 | Planning Scheme Amendment | <ul style="list-style-type: none"> Application to Council May 2017 Normal process, exhibition and community engagement Zoning PUZ1 June 2018 |
| 5 | Functional Design | February 2017 to November 2017 TBC |
| 6 | Detailed Design | November 2017 to February 2018 TBC |
| 7 | Tender | March 2018 to July 2018 TBC |
| 8 | Construction | November 2018 to November 2020 TBC |

1.2 Key facts

- Capacity – the existing Sale Outfall Pump station is under-performing and operating over capacity, and this has been the situation for some time now;
- Need to cater for Sale's forecast growth;
- The existing site is constrained, and needs to be at least four times the size/capacity to deal with existing issues, before considering future/growth in the area; and
- Context – Port of Sale is going through beautification.

2.0 Community engagement

2.1 Objective of the project's community engagement

Engagement Purpose

- Ensure the façade and screening solution proposed will be acceptable to the community and council
- Work with the community to improve the amenity of the existing facility
- Ensure that sufficient engagement is undertaken to adequately inform the project, its development and pre-application and approvals processes through the re-zoning of the sites to PUZ1 via a Planning Scheme Amendment

Engagement Process:

- Gippsland Water wishes to engage with key stakeholders to develop landscape plans for the new Sewer Pump Station
- Gippsland Water wishes to partner with Council and stakeholders to ensure landscaping component of the project is in line with community and council expectations.

Our Commitment:

- To build a facility that complements the amenity of the area and caters for all existing and future growth included within the Sale, Wurruk and Fulham areas.
- To collaborate with Council, the local community and other stakeholders to develop a façade/screening solution that retains and enhances the western entrance to Sale.

2.2 Stakeholders

Government stakeholders:

- EPA
- CMA
- DELWP (PSA process)

Internal Stakeholders

- Gippsland Water Board
- Gippsland Water Executive Leadership Team
- Gippsland Water Community Consultative Committee

Special interest stakeholders:

- Wellington Shire Council officers
- Wellington Shire Council councillors
- Broader Sale Community
- Resident living across the river to the south of the site
- Media – Gippsland Times newspaper
- Car dealership
- Steve Wallbrink - Landscape designer
- Saint Mary's Catholic Primary School
- Friends of Sale Botanic Gardens
- Sale and District Garden Club
- Maffra and District Landcare Network

Community group stakeholders:

- Port of Sale Cultural Hub and Precinct Steering Group (made up of community members, many of whom are from below list of stakeholder groups)
 - Wellington Shire Youth Council
 - Wellington Regional Tourism
 - Businesses to the north of the site
 - Sale Business and Tourism Association
 - Sale and district field naturalists
 - Committee for Wellington
 - Sale Motor Village caravan park
 - Port of Sale Heritage Cruises – Alan Lewis
 - Wellington Visitor Information Centre
 - Jeremy Kasper, skate park users representative
 - Wellington Access and Inclusion Group
 - Sale History Group
 - Gunaikurnai Land and Waters Aboriginal Corporation
 - Esso BHP-Billiton Wellington Entertainment Centre Advisory Group
 - Gippsland Art Gallery Advisory Group
 - George Gary Centre Inc (operators of future café in new cultural hub)
 - *Wellington Shire Council business units:*
 - *Natural Environment (Parks and Gardens)*
 - *Arts and Culture (libraries, art galleries, entertainment venues)*
 - *Economic Development*
 - *Built Environment*
 - *Community Wellbeing*
 - *Town Planning*
 - *Mayoral and Councillor support staff*

2.3 Key Communications Contacts

Internal – Gippsland Water

| Name | Role | Email | Phone |
|-----------------|---------|--|------------|
| Paul Young | project | paul.young@gippswater.com.au | 51 774 728 |
| Chloe Smethurst | comms | chloe.smethurst@gippswater.com.au | 51 77 4824 |
| Kate Lancaster | comms | kate.lancaster@gippswater.com.au | 51 77 4793 |

External

| Name | Role | Email | Phone |
|--------------------|--------------------------|-------|-------|
| Paula Hopson – WSC | comms | | |
| Sharon Houlihan | Project Mgt Port of Sale | | |

2.4 Key Messages

There are a range of key messages which need to be conveyed in any engagement undertaken for this proposal, which include:

- A. Currently sewage generated by the Sale township is directed to the Outfall Sewer Pump Station No.1 (SPS1) to the south of Sale. SPS1 is not large enough to cater for the existing and future growth of Sale, Wurruk and Fulham.
- B. Gippsland Water is developing a plan to upgrade the SPS1 adjacent to its current location to adequately cater for the needs of the community now and into the future. The upgraded pump station needs to be at least four times bigger than the existing facility.
- C. Gippsland Water is in the process of purchasing a block of land from Wellington Shire adjacent to the existing pump station site to enable the upgrade to progress and safe access to the site for Gippsland Water and the neighbouring car dealership.
- D. Gippsland Water has made an application to rezone the site and adjacent land to PUZ1.
- E. Gippsland Water will build a facility that compliments the local amenity and caters for all existing and future growth including within the Sale, Wurruk and Fulham areas.
- F. While an interim odour reduction solution was recently installed within the existing pump station, the upgraded facility will include technology to mitigate odour.
- G. Gippsland Water will work with the community, council and other stakeholders to develop a facade and screening solution that retains and enhances the western entrance to Sale.
- H. The facade/screening will not commence until construction of the Sewer Pump Station has been completed. Likely to be in 2020.

2.5 Timing

As per the project plan, the main segment of engagement will begin in January 2017 with Wellington Shire council officers and councillors, and run through to late 2017, after extensive community consultation and a final site boundary design is established. After which time Gippsland Water will continue to be available for community feedback on construction works until the project's completion, expected in 2020.

2.6 Next Steps

- Finalising draft landscape design concept plans
- Work with WSC to publicise and send out invitations to public workshops
- Hold workshops with the public and landscape designer
- Fulfil planning scheme amendment obligations (eg. public exhibition for 30 days)

3 Community Engagement Action Plan

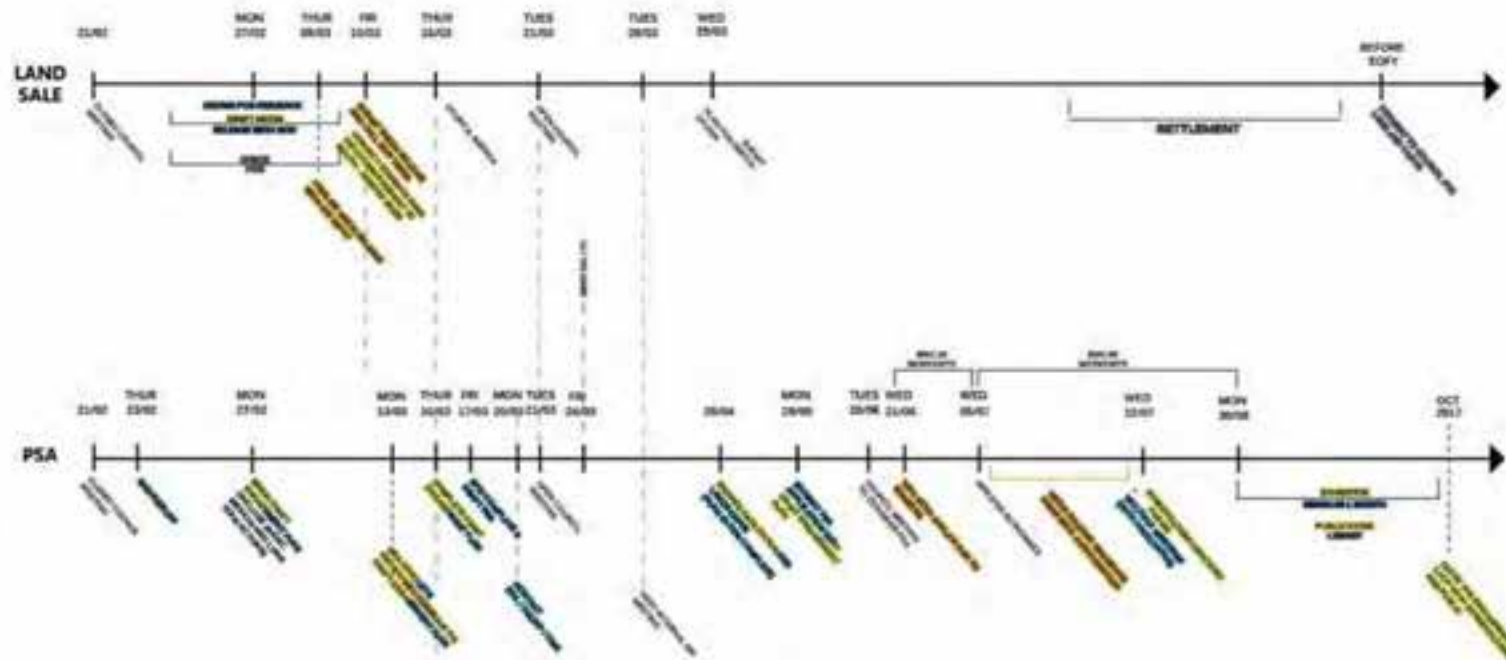
| Stakeholders | Contact | GW representative relationship | Level of Engagement | Key Messages | Method(s) of engagement | Place | Timing |
|---|---|---|---------------------|--------------|--|----------------------|---|
| GOVERNMENT STAKEHOLDERS | | | | | | | |
| EPA | | Paul Young | COLLABORATE | A – G | Face to face meetings, phone, email | Local EPA Office | 30 th March and ongoing |
| CMA | | Paul Young | CONSULT | A – C | Face to face meetings, phone, email | Local CMA Office | 30 th March and ongoing |
| DELWP (PSA process) | | Paul Young | COLLABORATE | A – G | Face to face meetings, phone, email | Local DELWP Office | 20 th March and ongoing |
| INTERNAL STAKEHOLDERS | | | | | | | |
| GW Board | Nicole Griffin | Paul Young | CONSULT | A – G | board updates | Transition office | ibc |
| GW Exec Team | Nicole Griffin, Paul Clark, Peter Skelton | Paul Young | CONSULT | A – G | executive team updates | Transition office | ongoing |
| GW Community Consultative Committee | | Paul Young Comms Rep | CONSULT | A – G | CCC meetings | Transition office | 7 th March and ongoing |
| Comms and project team | Paul Young, Chloe Smithurst, Kate Lancaster | Paul Young, Chloe Smithurst, Kate Lancaster | COLLABORATE | A – G | regular project and engagement meetings | Transition office | ongoing |
| SPECIAL INTEREST STAKEHOLDERS | | | | | | | |
| Wellington Shire Council officers | Sharon Hounihan, Paula Hopson, John Webdale | Paul Young | COLLABORATE | A – G | ongoing meetings, face to face meetings, phone, email | WSC offices | ongoing |
| Wellington Shire Council councillors | all councillors | Paul Young | COLLABORATE | A – G | GW presentations at council meetings, invitation to stakeholder meetings | WSC offices | 21 Feb, 21 March, 18 April, and as necessary |
| Resident living across the river to the south of the site | | Paul Young | CONSULT | A – G | face to face meeting | Resident's home | 14 th March and ongoing |
| Media – Otagoland Times newspaper | | Paul Young Comms Rep | INFORM | A – G | email, phone, interviews | email / phone | 10 th March and ongoing |
| Car dealership | | Paul Young | COLLABORATE | G, E, G | email | email / phone | ongoing |
| Landscape designer | Steve Walbrick | Paul Young Comms Rep | COLLABORATE | E, G | Face to face | GW Transition office | 1 st April until façade completion |

| COMMUNITY GROUP STAKEHOLDERS | | | | | | | |
|--|--|-------------------------|--|-------|---|--|---------------------|
| > Port of Sale Cultural Hub and Precinct Steering Group (made up of community members, many of whom are from below list of stakeholder groups) | | | | | | | |
| <ul style="list-style-type: none"> ▪ Wellington Shire Youth Council ▪ Wellington Regional Tourism ▪ Businesses to the north of the site ▪ Sale Business and Tourism Association ▪ Surrounding businesses ▪ Sale Police Station ▪ Sale and district field naturalists ▪ Sale field and game association ▪ Sale Motor Village caravan park ▪ Port of Sale Heritage Cruises – Alan Lewis ▪ Wellington Visitor Information Centre ▪ Jeremy Kasper, skate park users representative ▪ Wellington Access and Inclusion Group ▪ Sale History Group ▪ Gunakumal Land and Waters Aboriginal Corporation ▪ Esso BHP-Billiton Wellington Entertainment Centre Advisory Group ▪ Gippsland Art Gallery Advisory Group ▪ George Gary Centre Inc (operators of future café in new cultural hub) ▪ Wellington Shire Council business units: <ul style="list-style-type: none"> ○ Community Wellbeing and Town Planning ○ Natural Environment (Parks and Gardens) ○ Arts and Culture (libraries, art galleries, entertainment venues) ○ Economic Development ○ Built Environment ○ Mayoral and Councillor support staff | | Paul Young Comms Rep | | A - G | Two public workshops facilitated by Gippsland Water and Landscape Architect Steve Wallbrink | Wellington Shire Council Chambers Wellington Entertainment Centre | 29 June and ongoing |

4 Project timelines



SALE SPS OUTFALL PROJECT TIMELINES



Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

AMENDMENT C97

EXPLANATORY REPORT

Who is the planning authority?

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

The Amendment has been made at the request of Gippsland Region Water Corporation (Gippsland Water).

Land affected by the Amendment

The Amendment applies to land at (Lot 2 - LP118273) 36-40 Foster Street, Sale and part of (Lot 2 - PS448647) 4 Park Street, Sale.

What the amendment does

The Wellington Planning Scheme is proposed to be amended as follows:

- Rezone land at Lot 2 LP118273 (36-40 Foster Street, Sale) from Commercial 2 Zone (C2Z) to Public Use Zone 1 – Service and Utility (PUZ1)
- Rezone part of land at Lot 2 PS448647 Vol. 10723 Fol. 329 (4 Park Street, Sale) from Public Use Zone 6 – Local Government (PUZ6) to Public Use Zone 1 – Service and Utility (PUZ1).
- Rezone part of land at Lot 2 PS448647 Vol. 10723 Fol. 329 (4 Park Street, Sale) from Public Park and Recreation Zone (PPRZ) to Public Use Zone 1 – Service and Utility (PUZ1).
- Amend Planning Scheme Map 94 to reflect the rezoning
- Remove the Design and Development Overlay 2 'Business / Industry Display Area' (DDO2) at Lot 2 LP118273 (36-40 Foster Street, Sale) and amend existing Planning Scheme Overlay Map No.94 DDO.

Strategic assessment of the Amendment

Why is the Amendment required?

As part of growth currently being experienced in the township of Sale and immediate surrounds, Gippsland Water (GW) has reviewed existing wastewater service provision and has identified the need for new infrastructure to respond to growth projections.

Currently, sewage generated by the Sale Township and surrounding region is directed to the outfall Sewer Pump Station No.1 (SPS1) to the south of Sale. GW consider that SPS1 does not have capacity to support the current needs or future growth of Sale, Wurruk and Fulham.

The existing SPS1 facility occasionally experiences hydraulic spills into Flooding Creek and there is no operational contingency in place. GW consider that the existing sewerage infrastructure capacity is limiting Sale's growth and the current system is insufficient to service projected long-term growth.

The appropriate servicing solution to address capacity issues and respond to growth projections is to introduce a new sewage pump station.

The amendment is required to provide for compatible land use zoning to facilitate the development of a new sewerage pump station, which will provide essential infrastructure to service sustainable residential and industrial growth for the next 50 years. Rezoning the land to PUZ1 'Service and Utility' more appropriately aligns with GW's interests as the regional water corporation and is the most appropriate zone for utility infrastructure.

The amendment also proposes to remove DDO2 which currently affects part of the site. This approach is considered appropriate for land intended for public utility purposes (as opposed to business or industry) and aligns with the proposed rezoning to PUZ1.

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

The amendment supports the following objectives of planning in Victoria, as set out in Section 4 of the *Planning and Environment Act 1987*:

- Objective 4(1) (a) – *to provide for the fair, orderly, economic and sustainable use, and development of land.*
- Objective 4(1) (e) – *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

The rezoning of the identified land and removing the DDO2, which partially affects the site, will accommodate the development of the land for utility infrastructure.

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

It is considered the amendment will not result in any significant adverse environmental, social or economic effects.

The rezoning of land to PUZ1 and removing the DDO2 will assist economic development by enabling the construction of larger capacity wastewater infrastructure to service the current needs and projected future growth of Sale and surrounds.

It is also considered the amendment will provide environmental and social benefits, by planning provision of new infrastructure that efficiently and effectively meets community needs and protects waterway and human health, and also allows the existing facility (with capacity and odour issues) to be decommissioned.

Does the Amendment address relevant bushfire risk?

The amendment will not result in any increase to the risk to life, property, community infrastructure or the natural environment from bushfire.

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

The amendment is consistent with Ministerial Directions on the Form and Content of the Planning Schemes under section 7 (5) of the *Planning and Environment Act 1987*.

The amendment is consistent with Ministerial Direction No 11 – Strategic Assessment of Amendments, as outlined in this Explanatory Report.

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

The amendment both supports and implements the objectives and strategies of the State Planning Policy Framework (SPPF).

Clause 11.10-3 – Sustainable communities: The amendment will support Gippsland Water to provide essential services, which will assist to facilitate growth in the Sale Northern Growth Area and Warruk Western Growth Area. This GW infrastructure will also support industrial growth in the Fulham Industrial Precinct assisting the release of industrial zoned land.

Clause 11.10-4 – Infrastructure: The change in zoning to Public Use Zone 1 – Service and Utility will better align Gippsland Water's interest as the regional water corporation and is the most appropriate zone for utility infrastructure which will support ongoing investment in the management of water infrastructure to urban areas.

Clause 11.01-1 – Settlement networks: The amendment facilitates the development of a future utility installation, to provide essential sewerage infrastructure in response to population growth and support sustainable urban development of Sale.

Clause 11.02 – Urban Growth: The rezoning of the land to PUZ1 and removing the DDO2 will facilitate the development of a sewerage pump station which is key infrastructure required to support sustainable urban development and growth in the Sale Township and surrounds.

Clause 12.01-1 – Protection of biodiversity: Ecological studies undertaken for the proposed SPS have indicated the amendment itself will not result in any vegetation loss.

Clause 13.02-01 – Floodplain management: A small portion of the creek embankment to the south adjoining Flooding Creek is included in a Land Subject to Inundation Overlay (LSIO). High level concept plans for the subject land incorporate design that allow future works to be located well away from the creek embankment and areas subject to inundation.

Clause 13.04-1 – Noise abatement: The potential major noise sources at the subject site were considered to be associated with pumps, ventilation fans and standby generator equipment as well as truck movements at the site. Appropriate noise mitigation measures will be considered at the detailed design stage.

Clause 13.04-2 – Air quality: The existing asset on Park Street (SPS1) is currently a source of high odour which is treated by a costly interim solution. Decommissioning this facility and replacing it with a new facility that has odour treatment technology will assist in the protection and improvement of air quality.

Clause 14.02-2 – Water quality: The existing SPS1 will occasionally spill into the Port of Sale during wet weather events. The ability to develop a new facility and decommissioning of the existing SPS1 will reduce the likelihood of sewage discharges into the Port of Sale and assist to protect and improve the water quality of Flooding Creek.

Clause 15.02-1 – Energy and resource efficiency: GW has indicated that the use of solar panels are being investigated to supplement power supply for the future pump station. It is expected that electricity consumption from the site will increase as a result of the extra load from odour control equipment and there is potential to incorporate solar generation capacity into the new design. This will be considered during detailed design stage of the project.

Clause 15.03-2 – Aboriginal cultural heritage: An Aboriginal Cultural Heritage Report was completed in October 2016. The assessment determined that while the subject land is within an area of cultural heritage sensitivity and the construction of a utility installation would constitute a high impact activity, significant ground disturbance can be demonstrated as the study area has undergone extensive earthworks activities. A Cultural Heritage Management Plan (CHMP) is therefore not required.

Clause 19.03-2 – Water supply, sewerage and drainage: The rezoning of the land to PUZ1 and removing the DDO2 will assist Gippsland Water to develop a new pump station on the land will assist in providing sewerage capacity for new development at the time of subdivision. The planning scheme amendment will also strengthen existing wastewater re-use activities undertaken by GW where sewage effluent is transferred to Dutson Downs, allowing treatment and irrigation to pasture.

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

The amendment supports and implements the objectives and strategies of the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS). Relevant Clauses include the following:

Clause 21.01: Municipal Profile

- *The Shire's population increased between the 2006 and 2011 censuses from 40,080 to 41,440.*
- *Sale is the largest urban centre in the Shire with a total population in 2011 of 13,825 persons within the Sale Statistical Local Area, a growth rate of 5.6% since 2006.*

The amendment will support Gippsland Water to provide essential services, which will support growth in the Sale Northern Growth Area and Warruk Western Growth Area.

Clause 21.01 – 8: Infrastructure

- *The main urban settlements including Sale, Maffra, Yarram, Heyfield, Stratford and Rosedale are provided with reticulated services and other community infrastructure.*

The rezoning of the land to PUZ1 and removing the DDO2 will facilitate the development of a Utility Installation to service forecast residential and industrial growth.

Clause 21.02-1 – Settlement and housing

- *It is more efficient to provide for population growth, housing and other non-rural development in existing townships to take advantage of existing infrastructure*
- *Sale competes with other regional centres for investment and employment.*
- *Many developed areas and areas subject to development pressure are compromised by not having reticulated sewerage and by inadequate stormwater drainage*

Rezoning the land to PUZ1 and removing the DDO2 and resultant ability for GW to develop a new pump station on the land will assist in sewerage provision for new subdivisions. The planning scheme amendment will also support existing wastewater re-use activities undertaken by Gippsland Water where sewage effluent is transferred to Dutson Downs, allowing treatment and irrigation to pasture.

Clause 21.02-3 – Environmental risks

- *The Shire contains areas of land that are liable to flooding and susceptible to fire.*
- *Inadequate drainage and sewerage services can lead to significant environmental degradation.*

A small portion of the creek embankment to the south adjoining Flooding Creek is within a Land Subject to Inundation Overlay (LSIO). Concept design plans allow future works to be located well away from the creek embankment and areas subject to inundation.

Clause 21.02-5 – Built environment and heritage

- *Community viability, social interaction and healthy living can be enhanced by a well designed urban environment, streetscapes and infrastructure to facilitate physical activity and linkages to open space*

Rezoning the land to PUZ1 and removing the DDO2 will facilitate the development of a sewerage pump station which is key infrastructure required to support sustainable urban development and growth in the Sale Township and surrounds.

Clause 21.02-8 – Infrastructure

- *Urban infrastructure is expensive to provide and its development requires long lead times.*

The change in zoning to Public Use Zone 1 – Service and Utility will better align Gippsland Water's interest as the regional water corporation and is considered the most appropriate zone for utility infrastructure. The rezoning will support ongoing investment by GW in managing sewerage infrastructure provision to industry and urban areas.

Clause 21.03-1 – Vision

Wellington 2030 is a strategic visioning document guiding the Shire up to 2030. This strategic vision document is divided into eight themes, each with their own broad vision as outlined below.

- *Natural Environment: Wellington has clean air and healthy rivers, streams and lakes. The native flora and fauna are plentiful and diverse. Our public land is protected and well managed. Water supplies are secure and abundant.*
- *Population: Wellington's population has grown in a sustainable manner. We have used deliberate strategies to attract and retain more young families and young people while continuing to value the contributions of our older residents.*
- *Development: Wellington has encouraged growth in appropriate locations supported by levels of infrastructure in keeping with the needs of the community while retaining the amenity valued by the community*

The amendment itself will not result in vegetation loss and the subject land was selected as it can accommodate advanced odour mitigation facilities onsite, and is also located above the 1:100 year Average Recurrence Interval (ARI) flood level.

The amendment of the land will ultimately facilitate the development of a sewerage pump station which is key infrastructure to support sustainable urban development and growth in the Sale Township and surrounds.

Clause 21.04-1 – Settlement and housing

- *Sale is the main employment, education, medical and commercial centre of the Shire*
- *Most have reticulated sewerage and water supply, and drainage services, and have had urban growth areas identified.*
- *Physical infrastructure includes drainage, water, waste and energy services, open space and recreation facilities, roads, pedestrian and cycle paths, railways and airfields.*

The rezoning of the land to PUZ1 will facilitate the development of a Utility Installation to service current community needs and forecast residential and industrial growth.

Clause 21.04-2 – Settlement objectives

- *To accommodate future population growth over the next fifteen years in those settlements that can accommodate change and are expected to grow.*
- *To provide adequate infrastructure to existing urban settlements and to identified urban growth areas*
- *To promote improved sewerage infrastructure especially to coastal towns around the Gippsland Lakes and rural townships.*
- *To support and reinforce the regional role of Sale.*

The amendment will support GW is providing essential infrastructure services to facilitate residential growth in the Sale Northern Growth Area and the Warruk Western Growth Area. The infrastructure will also support industrial growth in the Fulham Industrial Precinct.

Clause 21.04-3 – Settlement strategies

- *Promote compact urban forms which fully utilise existing residential areas and infrastructure*
- *Encourage increased housing densities and choice throughout the main townships of the Shire in areas that are close to their town centres.*
- *Ensure adequate effluent and stormwater discharge systems are provided in order to lessen existing and future environmental impacts from townships.*
- *Prevent high concentrations of nutrients and sediments entering waterways, wetlands and groundwater through stormwater systems.*

State Government population projections consider housing and population growth predicted in Sale will be centred around the existing township. Rezoning the land to PUZ1 and removing the DDO2 will provide essential infrastructure to support this projected growth.

Clause 21.05 – 5 Residential Development

- *Ensure holistic and considered development plans are prepared for all growth areas identified in the strategy plans shown in this Clause. These development plans should ensure that new development achieves a high level of integration with surrounding areas, constitutes a well orientated subdivision pattern, provides adequate open space and neighbourhood facilities, retains native vegetation, creates/ links to key movement corridors (for cars, buses, pedestrians and cyclists), and makes holistically considered provision for drainage and other infrastructure*
- *Ensure rezoning of land occurs in a logical and sequential manner that has regard to:*
 - *The staging of infrastructure delivery. This includes the provision of water, sewer, drainage, traffic, pedestrian/ cyclist and other relevant infrastructure.*
 - *Access to community services and facilities.*
 - *The general sequencing identified in the Sale, Wurruk and Longford Structure Plan.*

The Sale, Wurruk and Longford Structure Plan (2010) identifies the general sequencing of development which is being progressed by Council via amendment C84. Amendment C84 seeks to rezone the Wurruk Growth Area to General Residential Zone 1 (GRZ1) and the Low Density Residential Zone (LDRZ).

Council is also progressing a Development Plan for the Northern Growth Area which indicates the potential for standard and low-density residential allotments. The potential for mixed use development is provided along the east side of the Princes Highway.

Sale is identified as the main urban settlement in the Shire and providing reticulated sewerage is a key to providing sustainable growth. The amendment will assist to support this growth.

Clause 21.05 – 10 – Industrial Development

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

The ability to appropriately service future industrial development is key for the sustainable development of Sale. The West Sale Industrial Strategy Plan identifies significant tracts of land identified for future industrial expansion. The proposed future GW sewerage pump will support the release of industrial land and industrial growth in the Fulham Industrial Precinct.

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

The amendment properly uses the Victoria Planning Provisions by applying the appropriate zone to the identified land to better align with GW's interests as the regional water corporation.

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

Views will be sought from relevant agencies during the exhibition process.

Preliminary advice from West Gippsland Catchment Management Authority (CMA) stated that they believe there is scope for the flood risk to be suitably managed. The land subject to this amendment is the only site, out of a site selection process, that is located above the 1:100 year ARI flood level.

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

The amendment will not have an impact on the transport system.

Resource and administrative costs

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

The amendment will have minimal impact on the resource and administrative costs of the responsible authority.

Where you may inspect this Amendment

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

- Wellington Shire Council, 18 Desailly Street, Sale

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

Submissions

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by [insert submissions due date].

A submission must be sent to: [insert Council's address]

Panel hearing dates

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

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

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

AMENDMENT C97

INSTRUCTION SHEET

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

The Wellington Planning Scheme is amended as follows:

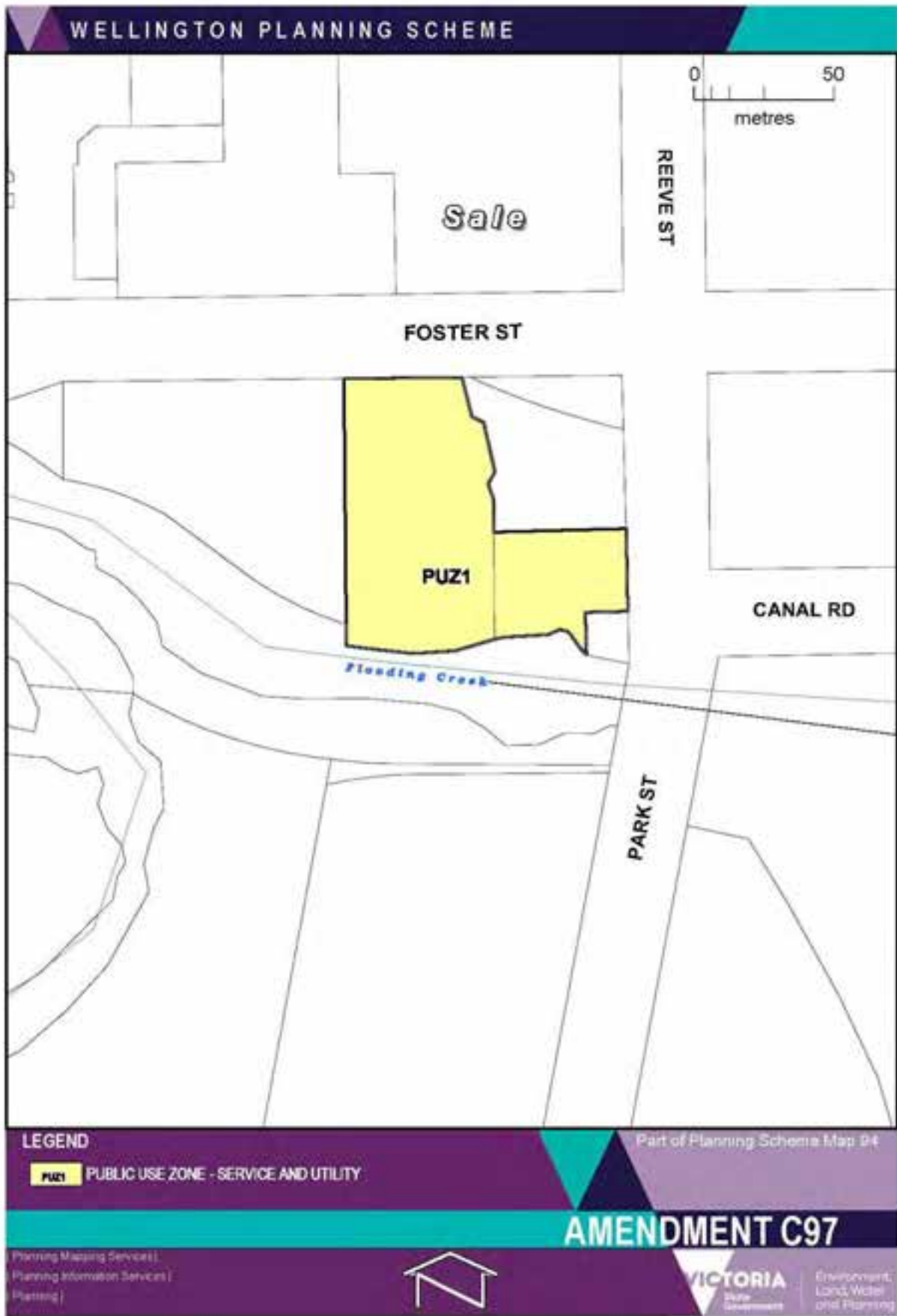
Planning Scheme Maps

The Planning Scheme Maps are amended by a total of two (2) attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No.94 in the manner shown on the one (1) attached map marked "Wellington Planning Scheme, Amendment C97".
2. Amend Planning Scheme Map No.94 DDO in the manner shown on the one (1) attached map marked "Wellington Planning Scheme, Amendment C97".

End of document







C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**ROAD MANAGEMENT PLAN 2017**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT
 DATE: 20 JUNE 2017

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

OBJECTIVE

For Council to approve the attached Road Management Plan 2017, following a review pursuant to provisions of the Road Management (General) Regulations 2016.

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

That Council approve the attached Road Management Plan 2017, following a review pursuant to provisions of the Road Management (General) Regulations 2016.

BACKGROUND

At the ordinary meeting of Council held on 21 March 2017, Council authorised the issue of a notice to amend the Road Management Plan, pursuant with Section 10 of the Road Management (General) Regulations 2016.

A notice was published in line with Council's resolution inviting submissions from all members of the community. As a result, 10 submissions were received. All submissions were subsequently provided to Councillors.

Feedback from Council's civil liability insurer, MAV Insurance, was also sought in relation to the draft Road Management Plan 2017.

Following consideration of the submissions received and feedback from Council's liability insurer, several amendments have been made to the draft Road Management Plan 2017, including:

- General changes to grammar, punctuation and terminology.
- Removal of several clauses which are procedural or operational in nature.
- Reduction of time for reactive inspections, generated from customer enquiries, from 20 days to 10 days.
- Changes to defect descriptions to improve clarity.
- Reduction in response times for defects.
- A simplified method of prioritising path defects which does not utilise a severity rating.

All amendments made to the draft Road Management Plan 2017 have either maintained or increased the level of service for the community.

OPTIONS

The following options are available to Council:

1. Approve the attached Road Management Plan 2017, following a review pursuant to provisions of the Road Management (General) Regulations 2016; or
2. Not approve the attached Road Management Plan 2017 at this time.

PROPOSAL

That Council approve the attached Road Management Plan 2017, following a review pursuant to provisions of the Road Management (General) Regulations 2016.

CONFLICT OF INTEREST

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

COMMUNICATION IMPACT

As required by the *Road Management Act (General) Regulations 2016*, notice to amend the Road Management Plan has been published in the Victorian Government Gazette, Gippsland Times, and the Yarram Standard News.

A copy of the Draft Road Management Plan 2017 was made available online via Council's website and in hard copy at the Sale and Yarram Service Centres.

Should the recommendation be approved, the 2017 Road Management Plan will be made available on Council's website and in hard copy at the Sale and Yarram Service Centres, in addition to copies of the Register of Public Roads.

LEGISLATIVE IMPACT

The review of the Road Management Plan has been undertaken in accordance with the *Road Management Act 2004*, the *Road Management Act (General) Regulations 2016* and relevant Code of Practice.

It is a requirement of the *Road Management Act (General) Regulations 2016* that municipal councils who have made a Road Management Plan must conduct a review of that plan in the same period as they are required to conduct a review of the Council Plan, 6 months after each general election or by the next 30 June, whichever is later.

FINANCIAL IMPACT

The proposed changes to the criteria used to determine which roads are 'reasonably required for general public use' have a financial impact of approximately \$20,000 per year. This estimate is based on the changes resulting in the addition of approximately 25km of road to the register of public roads, at an average cost of \$800 per kilometre per year for maintenance of this classification of road. This financial impact can be funded through a transfer from capital funding for gravel road reconstruction to operating budgets.

Other proposed amendments to the Road Management Plan have been developed considering the availability of existing budgets and resources.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy

Strategic Objective 2.1

"Council services and infrastructure are responsive to identified current and future community needs within budgeted parameters".

Strategy 2.1.1

"Undertake service delivery and infrastructure master planning to provide community assets in response to identified needs"

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

RESOURCES AND STAFF IMPACT

The Road Management Plan review has accounted for existing resources available to discharge Council's duties to inspect, repair and maintain public roads established within the *Road Management Act 2004*.

CONSULTATION IMPACT

Notice of the Road Management Plan review was advertised in the Gippsland Times on Tuesday 28 March 2017, the Yarram Standard News on Wednesday 29 March 2017 and the Victorian Government Gazette on Thursday 30 March 2017.

Ten submissions were received in relation to the Draft Road Management Plan 2017 and considered in developing the amended Road Management Plan 2017, attached. A written response will be provided to each of those who made a submission through this process following adoption of the Road Management Plan 2017.

RISK MANAGEMENT

A Road Management Plan can provide a policy defence from litigation under the *Road Management Act 2004* and subsequently minimise Council's exposure to risk. A compliant Road Management Plan is also an audited requirement of Council's liability insurers, MAV Insurance. MAV Insurance have provided feedback which has been incorporated into the reviewed document.



Road Management Plan

2017

SCHEDULE OF CHANGES AND AMENDMENTS

| Version No. | Description | Date | Comment | Authorised |
|-------------|---------------------------------|-------------------|---|------------|
| No. 1 | Road Management Plan 2004 | 5 October 2004 | Original | Council |
| No. 2 | Road Management Plan 2009 | 19 May 2009 | Whole Document Review | Council |
| No. 3 | Road Management Plan 2012 | 15 September 2012 | Whole Document Review | Council |
| No. 4 | Road Management Plan 2013 | 2 July 2013 | Alterations to Intervention Levels, Hierarchy Description alterations, General formatting | Council |
| No. 5 | Draft Road Management Plan 2017 | 20 June 2017 | Alterations to Appendix A, Reasonably Required for General Public Use Criteria, alteration to inspection frequencies, alteration to intervention levels for Vegetation Clearance Zone, additional defects listed in Appendix C, lowering of road defect response times, changes to footpath and shared path defects and lowering of response times, inclusion of audit and review time frames, general formatting and editing of document structure | |

Contents

| | |
|---|----|
| 1. Introduction..... | 4 |
| 2. Stakeholders..... | 4 |
| 3. Register of Public Roads..... | 5 |
| 3.1 Other Road Authorities | 5 |
| 3.2 Roads Reasonably Required for General Public Use..... | 5 |
| 3.3 Public Highways | 6 |
| 3.4 Infrastructure for which this Road Management Plan does not apply | 6 |
| 4. Responsibilities of Road Users | 7 |
| 5. Type of Infrastructure | 7 |
| 6. Asset Hierarchies..... | 8 |
| 6.1 Road Hierarchy Description | 8 |
| 6.2 Footpath Hierarchy Description..... | 9 |
| 7. Road & Path Management..... | 10 |
| 7.1 Management Process..... | 10 |
| 7.2 Inspection | 10 |
| 7.2.1 Defect Inspections | 10 |
| 7.2.2 Condition Inspections..... | 10 |
| 7.3 Road Maintenance Standards and Process | 11 |
| 7.3.1 Proactive Maintenance | 11 |
| 7.3.2 Reactive Repairs | 11 |
| 7.4 Footpath Maintenance Standards and Process..... | 12 |
| 8. Customer Requests & Notification..... | 12 |
| 9. Management System | 12 |
| 10. Audit & Review | 13 |
| 11. Index of Appendices | 13 |

1. Introduction

Wellington Shire Council manages the public roads for which it is the Coordinating Road Authority or Responsible Road Authority under the *Road Management Act 2004* in accordance with this Road Management Plan (RMP).

The primary objective of this RMP is to establish a management system for the road management functions of Wellington Shire Council, based on policy and operational objectives and to set the relevant standard in relation to these objectives.

Wellington Shire Council manages a public road network in excess of 3100km. The RMP is based on establishing objectives that allow the safe and efficient management of this road network.

Wellington Shire Council will make all reasonable endeavors to meet the requirements set out in this RMP. However, in events beyond Wellington Shire Council's control, such as natural disasters, including but not limited to fires, floods and droughts, or other factors including limited financial, human or other resources, Wellington Shire Council reserves the right to suspend compliance with its RMP.

If the Chief Executive Officer of Wellington Shire Council considers it appropriate to suspend this RMP they will write to the Council Officer with responsibility of enacting this RMP, advising that some or all of the timeframes and other commitments documented, are to be suspended. See Appendix G – Request to suspend Road Management Plan.

Once the events beyond the control of Wellington Shire Council have abated, or partially abated, Wellington Shire Council's Chief Executive Officer will write to the Council Officer with responsibility of enacting this RMP which parts of the RMP are reactivated and when.

2. Stakeholders

Key stakeholder groups who use the road network and/or are affected by this RMP include:

- Residents & businesses who reside within the municipality of Wellington Shire Council.
- Users of vehicles such as trucks, buses, commercial vehicles, cars and motor cycles.
- Pedestrians, including those with disabilities and the elderly with restricted mobility.
- Users of a range of miscellaneous smaller, lightweight vehicles such as cyclists, mobility scooters, wheel chairs, prams, etc.
- Tourists & visitors to the municipality of Wellington Shire Council.
- Emergency service authorities (e.g. Victoria Police, CFA, Ambulance, SES).
- Utility agencies that use the road reserve for their infrastructure (e.g. water, sewerage, gas, electricity, telecommunications).
- State & Federal Government that periodically provide support funding to assist with management of the road network.

3. Register of Public Roads

The *Road Management Act 2004* determines a road authority must keep a Register of Public Roads specifying the public roads for which it is the Coordinating Road Authority.

The Wellington Shire Council Register of Public Roads includes the roads that are managed in accordance with this RMP. Public roads in which Wellington Shire Council is the Coordinating Road Authority are determined in conjunction with Section 17 of the *Road Management Act 2004*.

The Wellington Shire Council Register of Public Roads is available to access via download from:

www.wellington.vic.gov.au

The Wellington Shire Council Register of Public Roads is available to access in hard copy from:

- Wellington Shire Council Sale Service Centre – 18 Desailly Street, Sale, Victoria.
- Wellington Shire Council Yarram Service Centre – 156 Grant Street, Yarram.

3.1 Other Road Authorities

Wellington Shire Council is not the sole Coordinating Road Authority or Responsible Road Authority within the municipality. Other roads authorities include VicRoads, Department of Environment, Land, Water and Planning and private & corporate bodies.

VicRoads is the coordinating road authority for all declared arterial roads within the municipality.

The Road Management Act 2004 Code of Practice – Operational Responsibility for Public Roads, details the operational responsibilities between Road Authorities.

3.2 Roads Reasonably Required for General Public Use

Section 17(3) of the Road Management Act requires that the relevant Coordinating Road Authority must register on its Register of Public Roads a road in respect of which the road authority has made a decision that the road is *reasonably required for general public use*.

Upon receipt of a written request to include a road on Wellington Shire Councils Register of Public Roads, the Public Use Assessment Criteria (see **Appendix A**) is used to assist in the determination by a council officer, with appropriate delegation applicable to this decision, whether the road is *reasonably required for general public use*. Should the road be determined *reasonably required for general public use*, it shall be applied to the Register of Public Roads and managed in conjunction with this RMP.

3.3 Public Highways

A road may be a Public Highway without necessarily being included on the Register of Public Roads. The non-inclusion of a Public Highway on the Register of Public Roads does not affect the rights of the public to use that road, however indicates that Wellington Shire Council has not determined the road *reasonably required for general public use* and it is not managed in conjunction with this RMP.

3.4 Infrastructure for which this Road Management Plan does not apply

- Any road, driveway or pedestrian pathway on private property and/or providing access from private property to a public road.
- Any named unconstructed road which Council does not maintain but which provides access from private property to a public road.
- Roads or tracks, regardless of whether the road or track is located within a road reserve, that are not constructed to Council's minimum standards and are not listed on Council's Register of Public Roads.
- Any access track or driveway location within a road reserve, that was not constructed by or on behalf of Council that only provides access to adjoining private property and are not already listed on Council's Register of Public Roads.
- Any Arterial Road, National Highway or Freeway.
- Roads or tracks maintained by the Department of Environment Land Water and Planning.
- Railway Structures and associated assets set out in a Rail Safety Interface Agreement as being the responsibility of others.
- Any utility infrastructure or assets located within the road reserve.
- Any non-road infrastructure as defined by the *Road Management Act 2004*.

4. Responsibilities of Road Users

Road users have obligations and duties when travelling on Wellington Shire Councils public roads, in accordance with the provisions documented in the Road Safety Act 1986 and summarised below.

A person who drives a motor vehicle must drive in a safe manner having regard to all relevant factors including (but not limited to) the:

- Physical characteristics of the road
- Prevailing weather conditions
- Level of visibility
- Condition of the motor vehicle
- Prevailing traffic conditions
- Relevant road laws and advisory signs
- Physical and mental condition of the driver

A road user other than a person driving a motor vehicle must use a road in a safe manner having regard to all the relevant factors.

A road user must have regard to the rights of other road users and the community, taking reasonable care to avoid conduct that may:

- Endanger the safety and welfare of other road users
- Damage any infrastructure on the road reserve
- Harm the environment of the road reserve

5. Type of Infrastructure

The type of infrastructure covered in this plan includes road infrastructure (e.g. physical roadways, footpaths, road shoulders) and road related infrastructure (e.g. road drainage assets & formations, traffic control devices, warning & regulatory signage).

Infrastructure not covered under this plan includes any area of public road that has not been developed by a road authority for use by the public as a roadway or pathway and any other non-road related infrastructure (e.g. roadside bushland, utility assets, private driveways).

Wellington Shire Council may undertake works on Public Roads and non-Public Roads for other purposes, including fire mitigation and management and noxious weed control. These activities are not performed in line with this RMP and determined by other Council strategies, plans and procedures.

6. Asset Hierarchies

Road and footpath assets are classified into hierarchies. The role which each asset plays within the road or footpath network determines its hierarchy. The more central the asset is within the network, the higher its utilisation. This position is supported by average daily vehicle and pedestrian counts.

Asset hierarchies allow a risk based approach to resource allocation and prioritisation that sees those assets receiving the most utilisation receiving a higher priority for inspection, maintenance, and repair. This is driven by the presumption that defects on assets with greater utilisation have a higher likelihood of consequence.

6.1 Road Hierarchy Description

| Hierarchy Classification | Description | Indicative Daily Traffic |
|--------------------------|--|--------------------------|
| Link | Link between Arterial Roads, major community nodes or activity centres. | > 1500 |
| Collector | Collects traffic from the local road network and directs traffic to Link or declared arterial roads. Through or major destination roads. | > 1000 |
| Local Access A | A major access road for local residential or commercial traffic or public facility. Must be a through road or road to significant destination. | 150 – 1500 |
| Local Access B | A minor access road for local residential or commercial traffic. | 30 - 500 |
| Local Access C | Generally a no through road servicing limited stakeholders however may continue as an unmaintained road into bushland etc. Limited public use. | < 40 |

6.2 Footpath Hierarchy Description

| Classification | Description |
|--|---|
| Shared Paths located within road reserves | Paths that provide for shared use between both pedestrians and cyclists. Can include recreational routes or links between key community destinations. Shared Paths are likely to have a diverse range of users. Shared paths have specific maintenance and management requirements. |
| High Activity Footpaths | High Activity footpaths provide connections within CBD and Town Centres. These paths also link major public transportation hubs including bus stops and railway stations to town centres. High Activity paths are likely to have a diverse range of users and are most likely to have the highest traffic volumes. |
| Medium Activity Footpaths | Medium Activity paths provide connections to major destinations including schools, recreation facilities, hospitals, aged care facilities, libraries, community centres and residential nodes. These can also include major recreational paths. These paths are likely to have a diverse range of users. These routes are likely to have high traffic volumes at certain times. |
| Low Activity Footpaths | Low Activity paths provide connections to and within residential and industrial areas. These paths are likely to be used less frequently. |

7. Road & Path Management

7.1 Management Process

An illustrated management process for roads and path assets is included as **Appendix B**. The management process includes proactive and reactive inspections, repairs of defects found to exceed stated intervention levels a program of capital renewal and upgrade works.

7.2 Inspection

Wellington Shire Council has a statutory duty to inspect public roads for which it is the responsible authority. These roads are included within the Wellington Shire Council Register of Public Roads. These inspections relate to the types of infrastructure detailed in Section 5 of this RMP.

There are two primary types of inspections employed as part of this Road Management Plan:

- Defect Inspections
- Condition Inspections

Proactive Road and Footpath inspection frequencies are documented in **Appendix E**.

7.2.1 Defect Inspections

The primary purpose of a Defect Inspection is to inspect the asset for defects exceeding nominated intervention levels as documented in **Appendix C - roads** and **Appendix D - footpaths**. The inspection can be generated from:

- 1) A proactive inspection program
- 2) A Customer Request, as detailed in Section 8 of this RMP
- 3) Notification of an incident or accident on the road or footpath network

7.2.2 Condition Inspections

Condition inspections are undertaken to ascertain information relating to remaining useful life of an asset or asset component. This information is used for renewal programming and Asset Management purposes. Condition Inspections intended to provide a high-level assessment of the overall network, as opposed to identifying individual or specific defects.

7.3 Road Maintenance Standards and Process

A schedule of intervention levels for defects and corresponding response times for repair has been established for roads managed in conjunction with this RMP (**Appendix C**).

The Road Management Act 2004 does not require roads or paths to be upgraded to a higher standard to which they were originally constructed and it is not the intention of this plan to upgrade any road. The upgrade of assets is limited to Council's capital works program, special charge schemes or private development.

7.3.1 Proactive Maintenance

Proactive maintenance activities are cyclic and are performed in conjunction with predetermined proactive maintenance programs. These works are in addition to works specifically generated from proactive and reactive defect inspections (see Section 7.2).

Proactive maintenance activities may include but are not limited to:

- Gravel Road Grading
- Sealed Road Patrol
- Shoulder and Drainage Maintenance
- Roadside Grass Slashing
- Street Sweeping
- Line Marking

The allocation of resources directed to individual assets as part of proactive maintenance programs may consider:

- Asset Hierarchy
- Vehicles Per Day (estimated where unknown)
- School Bus Use
- Industry Use
- Topography
- Knowledge of other localised deterioration factors

Roads with a hierarchy classification of Local Access C will receive limited proactive maintenance

7.3.2 Reactive Repairs

Intervention levels are used in Defect Inspections (see Section 7.2). All defects identified exceeding the nominated intervention levels are to be repaired or treated with temporary measures within the corresponding response time. Temporary measures may include, but are not limited to:

- Erecting warning signage
- Performing a temporary repair
- Closing the road to traffic

7.4 Footpath Maintenance Standards and Process

A schedule of defect intervention levels and corresponding response times is listed in **Appendix E**.

These are recorded as a part of footpath programmed Defect Inspections (see Section 7.2) or as a result of a Customer Request.

8. Customer Requests & Notification

Customer requests and/or notification relating to a defect listed in **Appendix C** of this RMP will result in a reactive defect inspection within 10 working days (see section 7.2).

If, at first contact with a customer, there is notification of a defect listed in **Appendix F**, communication with the relevant depot supervisor or works coordinator, or if unavailable another Built Environment Operations team member, must be made by telephone in addition to recording the customer request.

9. Management System

Wellington Shire Council uses a centralised asset system for:

- All asset data
- Inspections, Defects and corresponding Actions
- Works completed

Customer requests and notifications are recorded in Wellington Shire Council's document management system, with a record of works available linked in the central asset system.

The systems that assist in delivering the objectives of this Road Management Plan are under continuous development and improvement.

10. Audit & Review

Aspects of the Road Management Plan will be reviewed on a regular basis, to monitor compliance with established standards and to create a history of relevant information to inform decision making.

| Road Management Plan Component | Audit / Review Frequency |
|--|--|
| Monitoring of compliance with inspection frequency, as specified in Appendix E. | Monthly |
| Monitoring of compliance with response times, as specified in Appendices C & D. | Monthly |
| Review of customer requests received, considering responsible Maintenance Team and Request Type. | Each Month and Annual Total (Financial Year and Calendar Year) |
| Review of defects collected, considering asset type, responsible maintenance team, defect type and response time compliance. | Annual Total (Financial Year and Calendar Year) |

11. Index of Appendices

Appendix A - Reasonably Required for General Public Use Assessment Criteria
 Appendix B - Road Management Process
 Appendix C - Road Defect Intervention Levels and Response Times
 Appendix D - Footpath and Shared Path Defect Intervention Levels and Response Times
 Appendix E - Inspection Frequencies
 Appendix F - Priority Response Defects
 Appendix G - Request to Suspend the Road Management Plan Form

APPENDIX A

REASONABLY REQUIRED FOR GENERAL PUBLIC USE ASSESSMENT CRITERIA

1 Background

- 1.1 Wellington Shire Council (WSC) currently has Public Road network of approximately 3100km. These roads are inspected, maintained and repaired in conjunction with the Road Management Act 2004 (*the Act*) and WSC Road Management Plan.
- 1.2 All Public Roads are listed in the WSC Register of Public Roads.
- 1.3 All Public Roads are allocated an asset hierarchy in line with the WSC Road Management Plan.
- 1.4 WSC roads that have not been determined Public Roads since the introduction of *the Act* have been allocated a road hierarchy of Non Council Maintained (NCM). These roads are not inspected, maintained or repaired by WSC.
- 1.5 Section 17(3) of *the Act* specifies that where a road authority has made a decision that a road is *reasonably required for general public use*, the road must be registered on its Register of Public Roads.
- 1.6 When assessing whether an existing NCM road is *reasonably required for general public use* (e.g. in response to a request from a member of the public), it is important to validate against standard criteria for an equitable and consistent outcome for the whole of community.

2 Reasonably Required for General Public Use Evaluation Criteria

- 2.1 The following criteria is used to determine if a road is reasonably required for general public use and therefore subsequently deemed a Public Road:
 - a) The road is essential for at least two discrete land owners. Crown land is considered a discrete land owner in instances where the road is utilised on a daily basis for public access.
 - b) Of the two discrete land owners who require the road for access noted in point (a), a minimum of one of the land owners must require the road for:
 - i. Essential access to a principal place of residence, or;
 - ii. Essential access to a commercial operation, which is in operation for a minimum of 5 days per week.
 - c) There is no reasonable alternative access to the road.

- d) The road must have been previously developed for use as a road, free from any physical obstruction and capable of being maintained.
- e) The physical road must be located in a designated road reserve or other land where Council has appropriate authority to undertake its relevant duties.
- f) The road reserve must be fenced with clear boundaries between adjoining private land.
- g) The road will require a registered name.

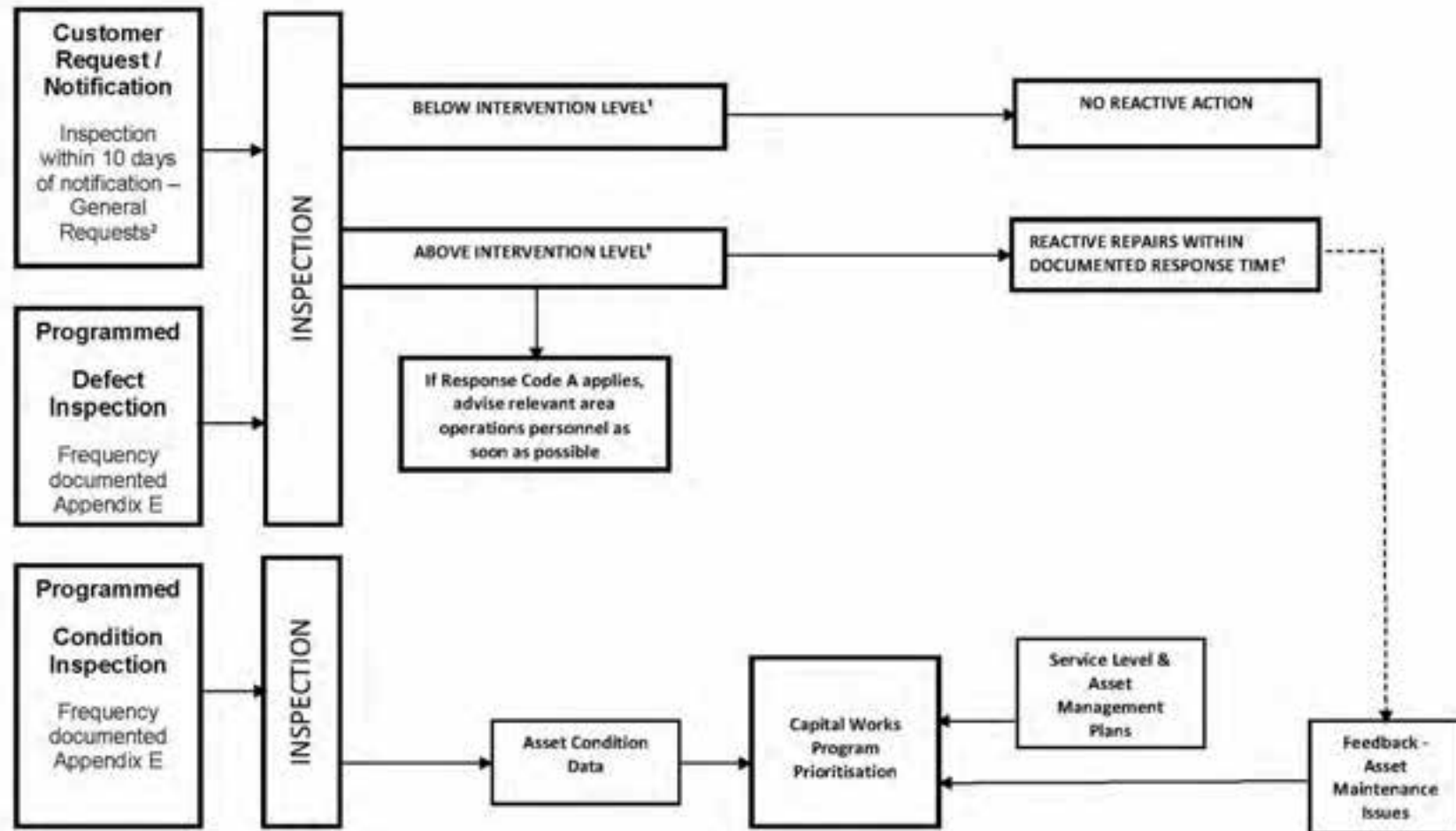
3 Determination & Review

- 3.1 A delegated Council officer with authority to alter the Register of Public Roads will make a determination taking into account the evaluation criteria listed in Section 2.
- 3.2 If a road is deemed to be reasonably required for general public use for part of its length only, the point where it ceases to meet the above criteria will generally be the point where it ceases to be designated as a Public Road. If there is a principal place of residence within 500m of this location, the area of Public Road may be extended to its access point.
- 3.3 A member of the public may request a further review by Council in instances where a road is not determined to meet the evaluation criteria listed in Section 2. In this instance Council officers will table a report at an ordinary meeting of Council for determination.

4 Road Management

- 4.1 If as a result of using the criteria, a determination is recommended that a road be designated as a Public Road, a road hierarchy shall be applied in conjunction with the road hierarchy descriptions within the Road Management Plan.
- 4.2 Maintenance and repair of assets is limited to the standard in which roads have been originally constructed. The upgrade of assets is limited to the WSC capital works program, special charge schemes and approved private upgrades works or private development projects (e.g. subdivisions).

APPENDIX B - ROAD MANAGEMENT PROCESS



¹ See Appendix C – Defect Intervention Levels and Response Times

Road Management Plan 2017 - Appendix B: Road Management Process

APPENDIX C – Road Defect Intervention Levels and Response Times

| Defect | Severity | Extent | Response Code |
|---|--|--|---------------|
| Obstructions or Immediate Hazards on Roadway | | | |
| Materials causing slippery and dangerous conditions | Area greater than 5m ² | Any location in traffic lane | A |
| Fallen Trees | Height of obstacle greater than 100mm | Across traffic lane, reducing clear width to less than 8m | A |
| Water | Depth greater than 100mm | Any location in traffic lane, reducing clear width to less than 6m | A |
| Obstacle on roadway or shoulder | Height of obstacle greater than 100mm | Any location in traffic lane | A |
| Damaged or Missing Pit Lid | Crevise greater than 50mm in width or likely to fail further | Any location | A |
| Damaged or Missing Bridge Deck section | Crevise greater than 50mm in width | Any location | A |
| Pavement deformation in sealed road | Depth greater than 150mm | In trafficked area, diameter greater than 400mm | A |
| Sealed Roads | | | |
| Pothole | Depth greater than 50mm | Diameter greater than 200mm | B |
| Edge drop off onto shoulder | Drop off greater than 75mm | Distance greater than 10m | C |
| Edge Break | Encroaching seal by distance greater than 100mm | Distance greater than 500mm | C |
| Gravel Shoulders | Potholes or scoring with a depth greater than 75mm | Diameter greater than 300mm for potholes or distance greater than 10m for scouring | D |
| Pavement Failure | Sealed surface has broken up and extensive shoving / displacement has occurred creating a defect greater than 75mm in height or drop | In trafficked area | B |
| Wheel Ruts and depressions | Deformation of depths greater than 75mm under a straight edge | In trafficked area | C |
| Shoulder Build-Up | Shoulder material height above seal preventing water run-off | Distance greater than 30m | D |
| Vegetation Growth on Seal | Encroaching sealed surface by distance greater than 100mm | Distance greater than 50m | D |
| Kerb & Channel Raised or Rolled | Channel raised greater than 50mm in comparison to road surface | Distance greater the 300mm | D |

| Defect | Severity | Extent | Response Code |
|---|--|--|---------------|
| Gravel Road Pavement | | | |
| Pothole | Depth greater than 100mm | Diameter greater than 300mm | B |
| Rutting | Ruts with depth greater than 100mm | In trafficked area | C |
| Corrugations | Depth greater than 50mm | Distance greater than 20m | C |
| Scouring | Depth greater than 100mm | In trafficked area | C |
| Rock or object protruding through pavement surface | Greater than 50mm above pavement surface | In trafficked area | B |
| Vegetation Growth on Pavement | Encroaching pavement by distance greater than 300mm | Length greater than 20m | D |
| Roadside Vegetation | | | |
| Vegetation cover intruding over a carriageway | Minimum height clearance of 4.5 m | - Over traffic lanes - 2.5m each side of centre of road (5.0m total) – Local Access urban roads | D |
| Vegetation growth on verge of sealed road | Grass length greater than 300mm | 1.5m from edge of seal, where no physical obstruction exists | D |
| Trees, shrubs and grasses restricting design sight distance to intersections or signs | Design sight distances not met | Any location | C |
| Traffic Control Devices | | | |
| Intersection Control | Missing or illegible Intersection Control Sign (e.g. Stop or Give Way) | Any location | B |
| Missing or illegible Warning Sign | Missing or illegible Sign | Any location | C |
| Ineffective Delineation | Defective guide post or reflector | Culvert crossing or at site of roadside hazard | C |
| Ineffective Safety Barrier | Missing barrier or damaged to significantly reduce effectiveness | Culvert crossing or at site of roadside hazard | D |
| Illegible Pavement Marking | Illegible pavement markings | At Intersections, Rail Crossings and Pedestrian Crossings | C |
| Illegible Pavement Marking | Illegible pavement markings | At all locations apart from intersections, rail crossings or pedestrian crossings | D |
| Drainage | | | |
| Blocked Pipe or Culvert | Preventing adequate drainage | | C |
| Damaged Pipe or Culvert | Preventing adequate drainage | | C |
| Blocked Drainage Pit | Preventing adequate drainage | | B |
| Blocked Open Drain | Preventing adequate drainage | | C |

RESPONSE TIME MATRIX

| | | RESPONSE CODE | | | |
|----------------|----------------|---------------|---------|----------|----------|
| | | A | B | C | D |
| ROAD HIERARCHY | LINK | 24 hours | 7 days | 14 days | 30 days |
| | COLLECTOR | 24 hours | 14 days | 30 days | 60 days |
| | LOCAL ACCESS A | 24 hours | 30 days | 60 days | 90 days |
| | LOCAL ACCESS B | 48 hours | 60 days | 90 days | 120 days |
| | LOCAL ACCESS C | 48 hours | 90 days | 120 days | 180 days |

APPENDIX D - Footpath and Shared Path Defect Intervention Levels and Response Times

1. DEFECTS:

| | Tripping | Cracking and Height Differences | Obstructed Clearance Zone | Defective Signage (Shared Paths) |
|-----------------|----------|---|---------------------------|---|
| Severity Rating | 20mm | <ul style="list-style-type: none"> Cracks 10mm wide or greater, or; On paved or asphalt surfaces, undulation of 40mm or greater measured with a 1.2m straight edge, or; Vertical uplifts of 20mm or greater. | Clearance 2.0m above path | Missing or eligible shared path signage |

2. DEFECT RESPONSE TIMES:

| Path Hierarchy | Response Time |
|-----------------|---------------|
| High Activity | 30 days |
| Shared Paths | 60 days |
| Medium Activity | 90 days |
| Low Activity | 120 days |

APPENDIX E – INSPECTION FREQUENCIES

1.1 Road Inspections Frequencies

Proactive Road Inspections, as a minimum, will be undertaken at frequencies in the timeframes as indicated in the following table:

| ROAD HIERARCHY | DEFECT INSPECTION FREQUENCY | CONDITION INSPECTION FREQUENCY |
|----------------|-----------------------------|--------------------------------|
| Link | Once in a 4-month period | 3 Years |
| Collector | Once in a 7-month period | 3 Years |
| Local Access A | Once in a 14-month period | 3 Years |
| Local Access B | Once in a 14-month period | 3 Years |
| Local Access C | Once in a 24-month period | 3 Years |

1.2 Footpath Inspections Frequencies

Proactive Footpath Inspections, as a minimum, will be undertaken at frequencies in the timeframes as indicated in the following table:

| FOOTPATH HIERARCHY | HAZARD INSPECTION FREQUENCY | CONDITION INSPECTION FREQUENCY |
|--------------------|-----------------------------|--------------------------------|
| HIGH ACTIVITY | Once in a 7-month period | 3 Years |
| MEDIUM ACTIVITY | Once in a 14-month period | 3 Years |
| LOW ACTIVITY | Once in a 24-month period | 3 Years |

1.3 Bridge Inspections Frequencies

Bridge Inspections, as a minimum, will be undertaken at frequencies in the timeframes as indicated in the following table:

| INSPECTION DESCRIPTION | TIMBER BRIDGE FREQUENCY – ALL ROADS | CONCRETE BRIDGE, MAJOR CULVERTS AND FLOODWAY FREQUENCY – ALL ROADS |
|--|---|--|
| Vicroads Standard – Level One Inspection | Once in a 12-month period | Once in a 2-year period |
| Load test or structural assessment | As required by findings of level one inspection | As required by findings of level one inspection |

APPENDIX F – PRIORITY RESPONSE DEFECTS

The list below provides examples of defects that warrant a priority response. If there is notification of a defect listed below, communication with the relevant depot supervisor or works coordinator, or if unavailable another Built Environment Operations team member, must be made by telephone in addition to recording the customer request.

Roads

- Spill, creating slippery or other hazardous situation.
- Road work site unsafe (i.e. missing signing, hazardous plant or materials).
- Severe subsidence or surface damage.
- Obstacles on roadway or shoulder.
- Flooding.

Bridges

- Guard rail broken or missing.
- Deck plank missing or broken.
- Deck spike protruding hazard.
- Structural damage reducing capacity.

Drainage

- Pit lid missing or unserviceable.
- Blocked water causing flooding.

Footpaths and Shared Paths

- Surface collapse or significant obstacle.

Traffic control devices

- Missing or illegible regulatory signage.
- Malfunctioning Traffic Signals.

If the defect can be rectified with an immediate response these works must be undertaken. If the works required cannot be undertaken within resources currently available, the site must be made safe and repair works programmed and prioritised for either maintenance or capital works as is appropriate.

APPENDIX G – REQUEST TO SUSPEND ROAD MANAGEMENT PLAN FORM

TO: MANAGER BUILT ENVIRONMENT

I, the Chief Executive Officer of Wellington Shire Council, consider, due to the following reasons beyond the control of Wellington Shire Council:

1)

2)

3)

...limiting the resources available to Wellington Shire Council and its other conflicting priorities, meaning the following requirements of the Wellington Shire Council Road Management Plan cannot be met and will be suspended:

| WELLINGTON SHIRE COUNCIL ROAD MANAGEMENT PLAN REQUIREMENT | ITEM SUSPENDED (Yes or No) |
|--|----------------------------|
| Inspection Frequencies per Appendix E of Road Management Plan | |
| Road Defect Intervention Levels & Response Times per Appendix C Road Management Plan | |
| Footpath Defect Intervention Levels & Response Times per Appendix D Road Management Plan | |
| Reactive inspections within 7 days of Customer Request or Notification per Section 8 of Road Management Plan | |

Once the events beyond the control of Wellington Shire Council have abated, or partially abated, I will advise the Manager of Built Environment which parts of the Road Management Plan are to be reactivated and when.

SIGNED: _____

DATE: _____



C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE

ITEM C5.1**GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES**

DIVISION: COMMUNITY AND CULTURE
ACTION OFFICER: MANAGER COMMUNITY WELLBEING
DATE: 20 JUNE 2017

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

OBJECTIVE

For Council to receive the minutes from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 24 April 2017, including financial statement.

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

That Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management's Ordinary meeting held on 24 April 2017, including financial statement.

BACKGROUND

The Gordon Street Recreation Reserve Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of the Special Committee are:

- To manage, operate and maintain the Gordon Street Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Gordon Street Recreation Reserve for the use and enjoyment of the local community.

As provided under the Committee's Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee.

OPTIONS

Council has the following options:

1. Receive the minutes from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 24 April 2017, including financial statement; or
2. Seek further information to be considered at a future Council Meeting.

PROPOSAL

That Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 24 April 2017, including financial statement.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services & Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.2

Council assets are responsibly, socially, economically and sustainability managed.

Strategy 2.2.2

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

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

CONSULTATION IMPACT

Meetings held by the Gordon Street Recreation Reserve Committee of Management are open to the public.

GORDON STREET RECREATION RESERVE Special Committee of Council

MINUTES

MEETING DATE, MEETING TIME MEETING VENUE

Meeting Opened Time: 7.06

24/04/2017

Gordon Street Reserve

1. Present / Apologies

| Name | Title | Representing | Present / Apology |
|-------------------|----------------|----------------------------------|-------------------|
| Malcolm Hole | Councillor | | Present |
| Barbara Cook | | Heyfield Vintage Machinery Group | Present |
| David Reid | | Heyfield Junior Football Club | Apology |
| Gael McGee | | Heyfield Cricket Club | Apology |
| Debbie Tews | | Heyfield Junior Netball | Present |
| Lee Clarke | | Heyfield Traders & Tourism Assn | Present |
| Scott Anderson | | Heyfield Basketball Club | Apology |
| Kelvin Sundermann | Vice President | Heyfield Tennis Club | Present |
| Vacant | | Pigeon Club | Vacant |
| Geoffrey Healy | | Heyfield Football Netball Club | Apology |
| Brian Brown | President | Community | Present |
| Patrick Rodaughan | Secretary | Community | Present |
| Charles Wojcinski | Treasurer | Community | Present |
| Craig Bennett | | Community | Apology |
| Richard Fawaz | | Community | Present |

Quorum Achieved? Yes Guest : WSC Marcus Stone – WSC Bodye Darvill

2. Declaration of Conflicts of Interest; Read Chairperson Kelvin

3. Confirmation of Minutes of Previous Meeting (note any corrections)

Moved: Pat
CARRIED

Seconded: Barb

Chairperson to sign and date previous minutes to be filed by Secretary

4. Business Arising from Previous Minutes; Nil

5. Correspondence In:

- 27.02.17 – Marcus Stone – Gordon St – Proposed Electrical Works
- 01.03.17 – Gabrielle Francis – Community Committees Information
- 05.03.17 – Marcus Stone – Gordon St Rec – Access gate from Gordon Street Query
- 17.03.17 – Gabrielle Francis – School Holiday Program at Heyfield
- 17.03.17 – Gabrielle Francis – Playing sport on Anzac Day 2017
- 31.03.17 – Gabrielle Francis – Free Community Lunch for Culturally and Linguistically Diverse Community
- 04.04.17 – Gabrielle Francis – Volunteer Registration Form
- 12.04.17 – Marcus Stone – Gordon St Dishwasher
- 13.04.17 – Gabrielle Francis – Access to drinking water in community sport grants
- 13.04.17 – Gabrielle Francis – Wellington Shire Solar Power & Battery Storage Information Night 20th April 2017
- 13.04.17 – Gabrielle Francis – Occasional Child Care in Sale
- 18.04.17 – Gabrielle Francis – Defibrillators for sporting clubs and facilities.
- 18.04.17 – Gabrielle Francis – Free office furniture
- 20.04.17 – Marcus Stone – Gordon Street Reserve Dam Options
- 21.04.17 – Bodye Darvill – Boundary run-off distances on football grounds

6. Correspondence Out

- 25.03.17 – Pat Rodaughan to Gabrielle Francis – basketball Report
- 25.03.17 – Pat Rodaughan to Gabrielle Francis – GSR Minutes
- 04.04.17 – Pat Rodaughan to Gabrielle Francis – Volunteer Registration Form
- 04.04.17 – Pat Rodaughan to Gael McGee/Josie Stubbe – Condition Report
- 23.04.17 – Pat Rodaughan to Gabrielle Francis

7. Reports

7.1 Chairperson's Report:

New Volunteer Craig Stevenson helping with mowing duties Working on defects to the Pavilion

Leak at public toilet block, replaced old pipes with all new copper pipe Council 60/40

Install water to coaches box

Cored Goal Squares and fertilizer to all grounds to be applied.

Power to scoreboard organized 1st May

Vandalism at reserve we may need to look at installing security cameras.

7.2 Treasurers Report Attached

Moved Charlie Wojcinski 2nd Brian

7.3 User Group Reports :

Vintage Engines

Rally in 3 weeks we won't have the loading ramp finished in time. Put posts in for the blacksmiths workshop.

Tennis

Water run off issue and want to sound proof ceiling very echoing.

Cr Hole

Services to old engines area, Pat already included in the master plan.

Heyfield Traders

500 visitors to RV @ 90.00 per stay. Toilet block is still an ongoing issue. \$45,000.00 to the town. Is an annual audit being done on middle oval ?

Heyfield Junior Football Club

David Reid (apology) The smell from the basketball/netball change rooms is still really bad.

Heyfield Junior Netball Club

9 Junior teams going well. Applying for grants. Lock on the netball rooms is faulty. 81 registered players.

8. Volunteers New volunteer registration has been sent to Council

9. OHS / Risk / Facility Fault Report:

10. New Rules of the Committee to be endorsed by Council

11. General Business:

Marcus: Options for Dam – going with option 2

Tennis court resurfacing remedial works of the rust stains will be budgeted for next year.

Master plan updated need to prioritize.

Latrobe Community Package \$9M DEWLP – allocating to 9 reserves in Gippsland

Gordon Street Reserve is in the running.

Congratulations to Girls Junior Football.

Cricket Club Nets – looking for funding

Second netball court need to add to the masterplan.

Cr Hole: Flowers for Bruno. Pat already sent. Women's sport – change rooms, showers etc, are they adequate.

Brian: Faults – Pat email Marcus updated list.

Richard Fawaz: Asked Marcus if the Contractors paid out or retained money for repairs.

Pat Rodaughan: Thanked Marcus for the work he has done to resolve the issues we had.

Barb Cook: Shed for old engines members pushing for funding.

12. Next Meeting: AGM 26/06/2016 AGM AND GENERAL MEETING

Meeting Closed Time: 8.20pm

These minutes are:

Confirmed as true and correct on ...24/04/2017.....
Date

Or

Corrections have been made and noted at the meeting on
Date

Chairperson Signature



GORDON STREET RESERVE MEETING 24/4/2017

INCOME

| | |
|------------------|---------------------|
| FRIDGE | \$ 250.00 |
| JAN GST | \$ 337.55 |
| VENUE HIRE | \$ 400.00 |
| SCOREBOARD | \$ 1,000.00 |
| FEB GST | \$ 156.29 |
| BAL AT 31/1/2017 | \$ 23,737.71 |
| | <u>\$ 25,881.55</u> |

EXPENDITURE

| | |
|---------------------|--------------|
| VERN GRAHAM | \$ 39.45 |
| GIPPSLAND RAMS | \$ 423.50 |
| GARY LEE SPRINKLERS | \$ 342.00 |
| GIPPSLAND PEST | \$ 990.00 |
| TIMBERLINE | \$ 266.27 |
| ASHPHALT | \$ 1,500.00 |
| HIRST CLEANING | \$ 209.00 |
| AUST POST | \$ 31.00 |
| ALDERSEA HIGGINS | \$ 1,595.00 |
| TIMBERLINE | \$ 259.09 |
| HIRST CLEANING | \$ 376.20 |
| VERN GRAHAM | \$ 1,497.94 |
| I G A | \$ 48.00 |
| GIPPSLAND WATER | \$ 2,135.41 |
| T V MOTORS | \$ 189.85 |
| ROHAN CHRISTIAN | \$ 281.60 |
| BAL AT 31/3/2017 | \$ 15,697.24 |

\$ 25,881.55

MOWING ACCOUNT

INCOME

| | |
|--------------|---------|
| INTEREST FEB | \$ 2.94 |
| INTEREST MAR | \$ 2.66 |

BALANCE AT 31/1/2017 \$ 6,302.23

BALANCE AT 31/3/2017 \$ 6,307.83

BAL AT 31/3/2017 \$ 6,307.83

MASTER PLAN

INCOME

| | |
|-----------------|-----------|
| INTEREST FEB | \$ 0.29 |
| INTEREST MAR | \$ 0.31 |
| BAL AT 1/2/2017 | \$ 264.28 |

BAL AT 1/4/2017 \$ 264.88

Brian F. Brown



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S



G. IN CLOSED SESSION

G. IN CLOSED SESSION

COUNCILLOR

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

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

IN CLOSED SESSION

COUNCILLOR

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