



Council Meeting Agenda

Meeting to be held at

Port of Sale Business Centre

Foster Street, Sale

Tuesday 15 August 2017, commencing at 6pm

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

ORDINARY MEETING OF COUNCIL – 15 AUGUST 2017

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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:

15 AUGUST 2017

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 1 August 2017.

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

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 August 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:

15 AUGUST 2017

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



A - PROCEDURAL

A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A - PROCEDURAL

A10 QUESTIONS ON NOTICE



A - PROCEDURAL

A11 MAYOR and COUNCILLOR ACTIVITY REPORT

ITEM A11(1)**MAYOR AND COUNCILLOR ACTIVITY REPORT**

OFFICER:

COUNCILLOR CAROLYN CROSSLEY

DATE:

15 AUGUST 2017

RECOMMENDATION***That the Mayor and Councillor activity report be noted.***

11 July 2017 to 7 August 2017

| | | |
|--|---|--|
| 11 July | Citizenship Ceremony, Sale | Mayor Crossley attended. |
| At this recent Citizenship ceremony, a total of ten new citizens, comprising of two families and three individuals, took their affirmation or oath to become new Australians. Six different countries including Pakistan, the Netherlands, India, Fiji, New Zealand and England were represented on this memorable occasion. | | |
| 19 July | Council Community Conversations, Maffra | Cr Hole and Cr Mills attended for Council. |
| 21 July | Opening of Yarram Archies, Yarram | Cr Stephens attended for Council. |
| 22 July | Aqua Energy VIP night, Aqua Energy, Sale | Cr Bye attended for Council. |
| 25 July | Meeting with Parks and Leisure Australia, Sale | Mayor Crossley attended. |
| 26 July | Maffra Community meeting for Great Victoria Bike Ride, Maffra | Cr Hole attended for Council. |
| 26 July | Guest speaker at Yarram Rotary Club, Yarram | Cr Stephens attended for Council. |
| 27 July | Seaspray Community meeting for Great Victoria Bike Ride, Seaspray | Cr Stephens attended for Council. |
| 27 July | Yarram Community meeting for Great Victoria Bike Ride, Yarram | Cr Stephens attended for Council. |

The Maffra, Yarram and Seaspray community meetings were very well attended with around 10 people at Maffra, 30 people at Yarram and 15 people at Seaspray representing local community groups, schools, tourism and business associations. Many fundraising ideas and business opportunities were discussed, such as food and beverage stands, raffles, movies and much more. Campsite set up and changes to traffic conditions were also discussed. Everyone who attended the sessions were enthusiastic and excited by the Great Victoria Bike Ride staying in their town.

| | | |
|---------|--|-----------------------------------|
| 29 July | Commemoration service - 100th anniversary of Battle of Passchendale in WW1, Sale | Cr McCubbin attended for Council. |
| 31 July | Tree Planting at Opal Aged Care, Sale | Cr McCubbin attended for Council. |

4 August

Federation Business School Gippsland
Business Awards Breakfast for Finalists

Cr Stephens attended for
Council.

COUNCILLOR CAROLYN CROSSLEY
MAYOR



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

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

OFFICER: CHIEF EXECUTIVE OFFICER

DATE: 15 AUGUST 2017

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

| | |
|-----------|--|
| 19 July | Met with facilitator, Michael Griffiths regarding Gippsland Local Government (GLGN) project for operational efficiencies. |
| 20 July | Teleconference with Regional Development Australia (RDA) Gippsland Committee meeting. |
| 21 July | Hosted the GLGN Chief Executive Officer's meeting, Sale. |
| 27 July | Meet with Committee for Wellington representative. |
| 28 July | Onsite walk-through of the dedicated exhibition space with Annemieke & Phillip Mein. In attendance was Mayor Crossley and Cr McCubbin. |
| 31 July | Met with South Gippsland Water's Managing Director, Phillippe Du Plessis. |
| 7 August | Met with John Leslie Foundation representative Helene Booth. |
| 8 August | Meeting with Latrobe Valley Authority Chief Executive Officer, Karen Cain alongside Mayor Crossley. |
| 10 August | Attending Gippsland Local Government Network (GLGN) Shared Services Visioning session, Warragul. |
| 11 August | Attending the RAAF – Pilatus PC-21 Transfer Ceremony and Tour of Simulator facility. Attending the Official opening of the Central Gippsland Health Oncology Unit by Harriet Shing MP |

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

DIVISION: CHIEF EXECUTIVE OFFICE
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 15 AUGUST 2017

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

OBJECTIVE

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

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

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

BACKGROUND

The July 2017 Council Performance Report comprises key highlights towards achievement of the 2017 -21 Council Plan.

OPTIONS

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

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

PROPOSAL

That Council receive and note the attached July 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.

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

COUNCIL PLAN IMPACT

Strategic Objective 6.3 states that Council will:

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

Strategy 6.3.3 states that Council will:

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

Strategy 6.2.2 states that Council will:

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

JULY2017 PERFORMANCE REPORT

JULY 2017 COUNCIL PLAN HIGHLIGHTS

Aqua Energy Open Day

The focus during July was on the Gym refit and the Aqua Energy Open Day which was successfully held on 23 July, with activities, demonstrations, competitions and give-aways being enjoyed by approximately one thousand people. Members were delighted with the new equipment, coupled with an improved layout and increased functional training and stretching spaces.

Children were also kept entertained with free child care provided to give mums and dads the chance to participate in activities. There was a visit from a 'Minion', to delight centre visitors and offer photo opportunities.

Multiple 'come 'n' try' group fitness classes were enjoyed throughout the day with a great deal of interest shown for the Mind and Body/Yoga styles, as well as the Les Mills favourites. Membership sales increased and it is hoped that this trend will continue.

GRSC User Group forum

The first User Group forum for Gippsland Regional Sports Complex (GRSC) was held on 20 July with the presence of representatives from all major user groups. Cr Ian Bye attended and announced funding support from the John Leslie Foundation with \$500,000 for the reflooring works at GRSC.

Early Years Plan approved

Wellington Community Early Years Plan was approved by Council. The plan was developed through a detailed community engagement process involving a wide range of people from various locations representing all age groups across the Shire. Responses were summarised and workshopped with partnering organisations and the draft plan was released for public comment and feedback prior to the approval.

Children's Expo

The Children's Expo was coordinated by a sub-committee of the Wellington Early Years Network. Approximately 120 adults and 60 children attended. Feedback received from the community was overwhelmingly supportive with 64 people completing the online survey telling us that they would come to another expo and recommend others to attend. The survey also identified areas of improvement which will assist the sub-committee in planning the 2018 Expo.

Funding applications

Funding applications have been submitted to Sport & Recreation Victoria for the following projects:

- Briagolong Recreation Reserve Clubroom redevelopment (seeking \$100k under the Cricket Facilities Fund);
- Yarram lighting upgrade (seeking \$100k under Country Football & Netball Program).

Outcomes on both funding applications are expected to be known later in 2017.

Demand Assessment & Feasibility Study

Officers presented the Cameron Sporting Complex 'Demand Assessment & Feasibility Study' to Council on 18 July, with two options for project development. Based on Council's feedback a full application for a 3-court model will be submitted under the Community Sports Infrastructure Fund - Better Indoor Stadiums fund for \$3 million. The proposed funding breakdown is:

- \$3,000,000 – Sport and Recreation Victoria – Better Indoor Stadiums Fund
- \$3,440,000 – Wellington Shire Council
- \$250,000 - Cameron Sporting Complex Committee of Management

Art Gallery updates

The Gallery hosted three exhibitions at the Port of Sale Business Centre in July: 'Winter' contemporary works from the Collection, Kenneth Jack's 'View' and 'Bohemians in the Bush' nineteenth and early twentieth century paintings and etchings of Gippsland from various public and private collections.

At the Maffra Exhibition Space, the 2017 Wellington Youth Art Prize was on exhibition until 24 July and Nicole Moorehouse's exhibition 'Expectations' opened on 27 July. Attendance for the Gallery during July was 968.

West Sale Airport Master Plan Update 2017

After extensive stakeholder engagement, Council resolved to approve the West Sale Airport Master Plan Update 2017 at its meeting on 18 July 2017. The Master Plan follows a new format that aligns with the Australian Airports Association's Regional Airports template, provides data on aircraft movements and includes detail on the runway extension and Eastern Recreational Aviation Precinct freehold development.

Planning Permits

Planning Permit Activity Reporting results just released for the 2016/17 financial year show that Council continues to perform strongly with efficiency of planning permit decision making (93% of decisions made in 60 days compared to the Victorian rural average of 77%).

Amendment C84

The Panel hearing for Amendment C84 (Wurruk Growth Area rezoning) was held in July 2017, with the report of the Panel currently pending.

Council has also commenced community and stakeholder engagement for the preparation of the Wurruk/West Sale Industrial Land Supply Strategy.

Amendment C96

Council has publicly exhibited Amendment C96 (Heyfield Low Density Residential Growth Areas), with the submission period closing on 7 August 2017.

Funding for Garden of Life Project

\$200,000 funding was received from the John Leslie Foundation for the 'Garden for Life' project which will develop the former animal enclosure area at the Sale Botanic Gardens.

Silage wrap collection

Large amounts of silage wrap that was left at the end of the growing season were collected at the Kilmany and Yarram Transfer Stations. These Silage wraps are difficult to dispose of as it is illegal to bury them as the wraps have a UV inhibitor preventing them from breaking down for years. Burning silage wrap is also a huge problem as it releases harmful chemicals and contaminants into the atmosphere.

Swing Bridge Open

Iconic heritage listed Swing Bridge at Longford is working once again, following a \$160,000 repair project. The Swing Bridge has been out of action since an act of vandalism in April 2016.

Around 2,500 people visit the bridge each year to see its 46m swing span in action and it will continue to open on Saturday and Sunday afternoons, and on the second Wednesday of every month.



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 15 AUGUST 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 25 July 2017 to 8 August 2017.

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

That Council note and receive the attached Assembly of Councillor records for the period 25 July 2017 to 8 August 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 25 July 2017 to 8 August 2017.

Assembly of Councillors summary of reports received for the period 25 July 2017 to 8 August 2017.

| Date | Matters considered | Councillors and officers in attendance |
|---------------|---|---|
| 1 August 2017 | IT / Diary Meeting | Cr Bye, Cr Hall, Cr Hole, Cr Maher, Cr Stephens David Morcom, Chief Executive Officer Sharon Willison, Mayoral & Councillor Support Person Damian Norkus, Information Technology Officer |
| 1 August 2017 | Agriculture Position Paper Waste Service Boundary Overview Quarterly Performance Report (June 2017) Yarram Pool Heating Study Port of Sale Redevelopment Project – Project Update | Cr Bye, Cr Hall, Cr Hole, Cr Maher, Cr Stephens David Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Corporate Services Chris Hastie, General Manager Built & Natural Environment John Websdale, General Manager Development Sharon Houlihan, Acting General Manager Community & Culture Paul Johnson, Manager Business Development Mark Coleman, Economic Development Officer Tim Rowe, Manager Natural Environment & Parks Samantha Nock, Coordinator Waste & Sustainability Ian Carroll, Manager Corporate Finance |
| 8 August 2017 | SLUPP Agenda – 08 August 2017 | Cr McCubbin, Cr Maher, Cr Bye John Websdale, General Manager Development Dean Morahan, Manager Asset & Projects Paul Johnson, Manager Business Development Ben Proctor, Strategic Planner Sam Pye, Coordinator Infrastructure Development Joshua Clydesdale, Manager Land Use Planning Sabine Provily, Strategic Planner |

OPTIONS

Council has the following options:

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

PROPOSAL

That Council note and receive the attached assembly of Councillors records during the period 25 July 2017 to 8 August 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:

01 August 2017

2. ATTENDEES:

Councillors:

| Name | 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 | | ✓ | | | |

Officers In Attendance:

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

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

| 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:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

1 August 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 (<i>item 5 only</i>) | ✓ | | | | |

| 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 | ✓ | | Sharon Houlihan (<i>Actg. GMCC</i>) | ✓ | |

| Others in Attendance (list names and item in attendance for): | Item No. |
|---|----------|
| Paul Johnson, Mark Coleman | 1 |
| Tim Rowe, Samantha Nock | 2 |
| Ian Carroll | 3 |
| Nic Hall, Chris Head (<i>C Leisure</i>) | 4 |
| Sharon Houlihan | 5 |

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

1. Agriculture Position Paper
2. Waste Service Boundary Overview
3. Quarterly Performance Report (June 2017)
4. Yarram Pool Heating Study
5. Port of Sale Redevelopment Project – Project Update

4. Conflict of Interest disclosures made by Councillors:

Nil

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

08 August 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 Morahan | All | Sam Pye | All |
| Paul Johnson | All | Josh Clydesdale | All |
| Barry Hearsey | x | Sabine Provily | All |
| Ben Proctor | All | | |

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

2. SLUPP Agenda – 08 August 2017

4. Conflict of Interest disclosures made by Councillors:

No Conflicts of Interest Declared

ITEM C2.2**INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF**

DIVISION: CORPORATE SERVICES
 ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES
 DATE: 15 AUGUST 2017

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

OBJECTIVE

For Council to approve the updated Instrument of Delegation, to Members of Council Staff, as attached, due to recent amendments to the *Planning and Environment Act 1987*, *Road Management Act 2004*, and *Road Management (General) Regulations 2016*.

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

That Council approve the updated Instrument of Delegation to Members of Council Staff, as attached.

BACKGROUND

Section 98(1) of the *Local Government Act 1989* provides Council with the ability to delegate power, duties and functions of the Council to a member of its staff. A summary of the updates/amendments made are attached. There have been a number of changes to the *Planning and Environment Act 1987* s.46AS(ac), s.201UAB(1), s.201UAB(2) amended wording & s.224(8) new provision, *Road Management Act 2004* s15(2), s.16(8), s.17(2) & (3), s.18(3), s.19(1) & (5), s.53(2) to s.63(1), s.85, s.87(1), s.116, s.120(2), Schedule 7 Clause 8(1) to Schedule 7 Clause 20(1) delegated position officer change & s.12(7) new provision, *Road Management (General) Regulations 2016* r.13(3), r.16(3), r.18(1), r.23(4) & r.25(1) delegated officer position officer change which require the current Instrument of Delegation to be updated.

OPTIONS

Council has the following options:

1. To approve the updated Instrument of Delegation to Members of Council Staff, as attached; or
2. To amend the updated Instrument of Delegation to Members of Council Staff, as attached, prior to approval.

PROPOSAL

It is proposed that Council approve the updated Instrument of Delegation to Members of Council Staff, as attached.

CONFLICT OF INTEREST

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

LEGISLATIVE IMPACT

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

COUNCIL PLAN IMPACT

The Council Plan 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.

RESOURCES AND STAFF IMPACT

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

S6. Instrument of Delegation – Members of Staff

Wellington Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to:
3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a **resolution** of Council passed on 15 August 2017 and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of WELLINGTON)
SHIRE COUNCIL was hereunto affixed)
this day of 2017)
in accordance with Local Law No 1)
in the presence of:)

.....
Chief Executive Officer

INDEX

| | |
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Amendments are categorised as follows:

| |
|---|
| Denotes change in wording (thing delegated) |
| Denotes new provisions |
| Denotes change in position title / name |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|-----------------------------------|---|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.46AS(ac) | power to request the Victorian Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria. | General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner | Note: when the <i>Victorian Planning Authority Act 2017</i> comes into force on 1 July 2017, the Growth Areas Authority will be superseded by the Victorian Planning Authority |
| s.201UAB(1) | function of providing the Victorian Planning Authority with information relating to any land within municipal district | General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner | Note: when the <i>Victorian Planning Authority Act 2017</i> comes into force on 1 July 2017, the Growth Areas Authority will be superseded by the Victorian Planning Authority |
| s.201UAB(2) | duty to provide the Victorian Planning Authority with information requested under subsection (1) as soon as possible | General Manager Development Manager Land Use Planning Coordinator Statutory Planning Senior Statutory Planner Statutory Planner | Note: when the <i>Victorian Planning Authority Act 2017</i> comes into force on 1 July 2017, the Growth Areas Authority will be superseded by the Victorian Planning Authority |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|-----------------------------------|--|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.224(8) | duty to provide information requested by Victorian Planning Authority under s.201UAB(1) not yet provided to Victorian Planning Authority | General Manager Development Manager Land Use Planning Major Land Use Planning Projects Coordinator Coordinator Strategic Planning Strategic Planner | Note: when the <i>Victorian Planning Authority Act 2017</i> comes into force on 1 July 2017, the Growth Areas Authority will be superseded by the Victorian Planning Authority |

| ROAD MANAGEMENT ACT 2004 | | | |
|--------------------------|---|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.12(7) | duty to fix day, time and place of meeting under subsection (6) and to give notice | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies |
| s.15(2) | duty to include details of arrangement in public roads register Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | Manager Built Environment Coordinator Road Planning & Support | |
| s.16(8) | duty to enter details of determination in public roads register Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | Manager Built Environment Coordinator Road Planning & Support | |
| s.17(2) | duty to register public road in public roads register Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |

| ROAD MANAGEMENT ACT 2004 | | | |
|--------------------------|---|--|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.17(3) | duty to register a road reasonably required for general public use in public roads register Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| s.18(3) | duty to record designation in public roads register Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| s.19(1) | duty to keep register of public roads in respect of which it is the coordinating road authority Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | Manager Built Environment Coordinator Road Planning & Support | |
| s.19(5) | duty to ensure public roads register is available for public inspection Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | Manager Built Environment Coordinator Road Planning & Support | |

| ROAD MANAGEMENT ACT 2004 | | | |
|--------------------------|--|---|--------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.53(2) | power to cause notice to be published in Government Gazette of amendment etc of document in road management plan Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | Report to Council |
| s.54(2) | duty to give notice of proposal to make a road management plan Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |
| s.54(5) | duty to conduct a review of road management plan at prescribed intervals Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |
| s.54(6) | power to amend road management plan Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |

| ROAD MANAGEMENT ACT 2004 | | | |
|--------------------------|--|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.54(7) | duty to incorporate the amendments into the road management plan Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |
| s.55(1) | duty to cause notice of road management plan to be published in Government Gazette and newspaper Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |
| s.63(1) | power to consent to conduct of works on road Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| s.85 | function of receiving report from authorised officer Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |
| s.87(1) | function of receiving complaints Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |

| ROAD MANAGEMENT ACT 2004 | | | |
|--------------------------|--|--|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.116 | <p>power to cause or carry out inspection</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> <p>Position title change from Road Construction & Maintenance Asset Inspector to Built Environment Asset Inspector</p> | <p>General Manager Built & Natural Environment</p> <p>Manager Built Environment</p> <p>Coordinator Road Planning & Support</p> <p>Built Environment Asset Inspector</p> <p>Coordinator Risk Management</p> | |
| s.120(2) | <p>duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>Coordinator Road Planning & Support</p> <p>Coordinator Infrastructure Development</p> | |
| Schedule 7, Clause 8(1) | <p>duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>General Manager Built & Natural Environment</p> <p>Manager Built Environment</p> <p>Coordinator Road Planning & Support</p> | where council is the infrastructure manager or works manager |

| ROAD MANAGEMENT ACT 2004 | | | |
|--------------------------|--|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Schedule 7, Clause 9(1) | <p>duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support</p> | where council is the infrastructure manager or works manager responsible for non-road infrastructure |
| Schedule 7, Clause 9(2) | <p>duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support</p> | where council is the infrastructure manager or works manager |

| ROAD MANAGEMENT ACT 2004 | | | |
|-----------------------------|---|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Schedule 7, Clause 10(2) | <p>where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support</p> | where council is the infrastructure manager or works manager |
| Schedule 7 Clause 12(2) | <p>power to direct infrastructure manager or works manager to conduct reinstatement works</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support</p> | where council is the coordinating road authority |
| Schedule 7 Clause 12(3) | <p>power to take measures to ensure reinstatement works are completed</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support</p> | where council is the coordinating road authority |

| ROAD MANAGEMENT ACT 2004 | | | |
|-----------------------------|---|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Schedule 7 Clause 12(4) | duty to ensure that works are conducted by an appropriately qualified person Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7 Clause 12(5) | power to recover costs Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7, Clause 13(1) | duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2) Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the works manager |
| Schedule 7 Clause 13(2) | power to vary notice period Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7, Clause 13(3) | duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1) Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the infrastructure manager |

| ROAD MANAGEMENT ACT 2004 | | | |
|----------------------------|---|---|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Schedule 7 Clause 16(1) | power to consent to proposed works Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7 Clause 16(4) | duty to consult Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority, responsible authority or infrastructure manager |
| Schedule 7 Clause 16(5) | power to consent to proposed works Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7 Clause 16(6) | power to set reasonable conditions on consent Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7 Clause 16(8) | power to include consents and conditions Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |

| ROAD MANAGEMENT ACT 2004 | | | |
|----------------------------|--|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Schedule 7 Clause 17(2) | power to refuse to give consent and duty to give reasons for refusal Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7 Clause 18(1) | power to enter into an agreement Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7 Clause 19(1) | power to give notice requiring rectification of works Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| Schedule 7 Clause 20(1) | power to require removal, relocation, replacement or upgrade of existing non-road infrastructure Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |

| ROAD MANAGEMENT (General) REGULATIONS 2016 | | | |
|--|--|---|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.13(3) | duty to record on road management plan the substance and date of effect of amendment Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | |
| r.16(3) | power to issue permit Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| r.18(1) | power to give written consent re damage to road Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |
| r.23(4) | power to charge a fee for application under section 66(1) Road Management Act Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support | General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support | where council is the coordinating road authority |

| ROAD MANAGEMENT (General) REGULATIONS 2016 | | | |
|--|--|---|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.25(1) | <p>power to remove objects, refuse, rubbish or other material deposited or left on road</p> <p>Position title change from Coordinator Built Environment Planning to Coordinator Road Planning & Support</p> | <p>General Manager Built & Natural Environment Manager Built Environment Coordinator Road Planning & Support</p> | where council is the responsible road authority |

ITEM C2.3**REMUNERATION COMMITTEE MINUTES**

DIVISION: CORPORATE SERVICES
ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES
DATE: 15 AUGUST 2017

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

OBJECTIVE

For Council to note and receive the minutes, and endorse the actions of the Remuneration Committee meeting, held on 18 July 2017.

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

That:

- 1. Council note and receive the minutes from the Remuneration Committee meeting held on 18 July 2017 as attached; and***
- 2. Council endorse the actions from the Remuneration Committee meeting held on 18 July 2017 as detailed in the attached minutes.***

OPTIONS

Council has the following options:

1. Note and receive the minutes from the Remuneration Committee meeting held on 18 July 2017 and endorse the actions from the meeting; or
2. Not note and receive the minutes from the Remuneration Committee meeting held on 18 July 2017 or endorse the actions from the meeting and seek further information for consideration at a future Council meeting.

PROPOSAL

It is proposed that:

1. Council note and receive the minutes from the Remuneration Committee meeting held on 18 July 2017 as attached; and
2. Council endorse the actions from the Remuneration Committee meeting held on 18 July 2017 as detailed in the attached minutes.

CONFLICT OF INTEREST

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

COUNCIL POLICY IMPACT

The Remuneration Committee reviews Councillor entitlements, expenses, reimbursements and gifts and ensures alignment with Council policy direction and governance in relation to Councillor benefits.

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.



REMUNERATION COMMITTEE MINUTES

Tuesday 18 July 2017 – 9.30am Barkly River Room

MINUTES

PRESENT: Councillor Malcolm Hole (Chair)
Councillor Alan Hall
Councillor Garry Stephens
David Morcom (Chief Executive Officer)
Arthur Skipitaris (General Manager Corporate Services)

APOLOGIES: Nil

1. Declaration of Conflicts of Interest:
No Conflicts of Interest were declared.

2. Minutes of Previous Meeting:

*Moved Councillor Stephens Seconded Councillor Hall
That the minutes of the previous meeting on 18 April 2017 be accepted.*

CARRIED

3. Councillor Costs and Reimbursements

Councillor Costs and Reimbursements spreadsheets were reviewed, discussed and accepted.

- Councillor Expense Summary Report Interim as at 11 July 2017 (Attachment 1)

4. General Business

Nil

The meeting closed at 9.45am

Attachments:

- 1.** Councillor Expense Summary Report Interim as at 11 July 2017 (Attachment 1)

Attachment 1 - Councillor Expense Summary Report Interim as at 11 July 2017

| Wellington Shire Council | | | | | | |
|---|-------------------------------------|-------------|----------------------|--|-------------------------------|--------------------------------|
| Councillors | | | | | | |
| 01100. Councillors Master Account | | | | | | |
| Activity Details | | | | | | |
| Councillor Expenses and Reimbursements - Period 1 July 2016 to 30 June 2017 (interim to 11 July 2017) | | | | | | |
| | YTD Actuals (Incl oncosts) | Commitments | 2016/ 17 Forecast | Left to spend/ receive after commitments | 2016/ 17 Adopted Budget | 2016/ 17 Adjusted Budget |
| Councillor and Mayoral Allowances | 334,679 | - | 337,843 | 3,164 | 373,705 | 373,705 |
| Other Councillor expenses | 50,918 | 513 | 48,490 | 6,618 | 44,250 | 44,250 |
| Grand Total | 385,597 | 513 | 386,333 | 9,782 | 417,955 | 417,955 |



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

ITEM C3.1**MONTHLY PLANNING DECISIONS – JUNE 2017**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

15 AUGUST 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 June 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 June and 30 June 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 June and 30 June 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 June and 30 June 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 2: Services and Infrastructure states the following strategic objective and related strategy:

Strategic Objective 2.3

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

Strategy 2.3.3

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

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

ENVIRONMENTAL IMPACT

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

**PLANNING APPLICATION DETERMINATIONS
FROM 1/06/2017 TO 30/06/2017**

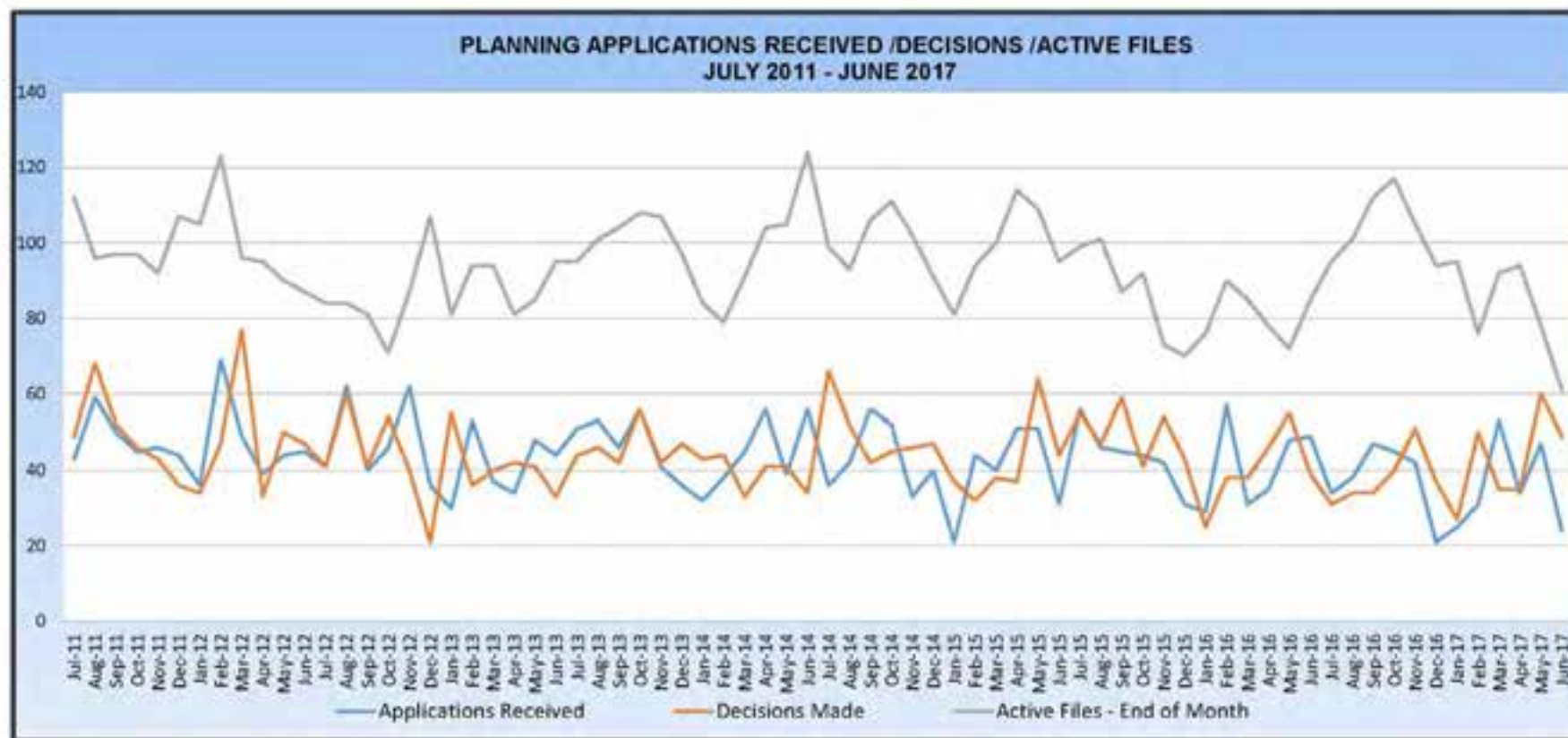
| Application No/Year | Date Received | Property Title & Address | Proposal | Status |
|----------------------------|----------------------|--|--|--|
| 24-1/2017 | 27/01/2017 | Assessment No. 354407 PC 162949 BUNDALAGUAH RD MAFFRA | Buildings and works/construction of 4 tanks and a wash pod | Permit Issued by Delegate of Resp/Auth 26/06/2017 |
| 149-1/2017 | 16/05/2017 | Assessment No. 328112 LOT: 2 PS: 724778T 440 MCLACHLAN RD TINAMBA WEST | Removal of native vegetation. | Permit Issued by Delegate of Resp/Auth 23/06/2017 |
| 291-1/2016 | 23/09/2016 | Assessment No. 183970 LOT: 217 PS: 82059 2,373 SHORELINE DVE THE HONEYSUCKLES | Buildings and works associated with construction of a dwelling. | Permit Issued by Delegate of Resp/Auth 20/06/2017 |
| 76-1/2017 | 15/03/2017 | Assessment No. 434126 LOT: 40 PS: 707316G 2 WALLACE ST SALE | Subdivision of the land into 2 lots. | Permit Issued by Delegate of Resp/Auth 14/06/2017 |
| 81-1/2017 | 20/03/2017 | Assessment No. 108282 LOT: 2 PS: 602234T 198 TYLERS RD PEARSONDALE | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 26/06/2017 |
| 99-1/2017 | 29/03/2017 | Assessment No. 235457 LOT: 1 TP: 190106F 14 NATIONAL PARK RD LOCH SPORT | Buildings and works associated with extensions to existing dwelling | Permit Issued by Delegate of Resp/Auth 6/06/2017 |
| 110-1/2017 | 7/04/2017 | Assessment No. 328674 LOT: 1 PS: 316744N 233 OLD JONES RD HEYFIELD | Buildings and works associated with construction of a single dwelling. | Permit Issued by Delegate of Resp/Auth 14/06/2017 |
| 115-1/2017 | 12/04/2017 | Assessment No. 219352 LOT: 884 PS: 52648 14 HAVEN WAY GOLDEN BEACH | Buildings and works / construction of a dwelling & outbuilding | Permit Issued by Delegate of Resp/Auth 27/06/2017 |
| 119-1/2017 | 13/04/2017 | Assessment No. 227165 LOT: 1998 PS: 70938 63 CENTRAL AVE LOCH SPORT | Buildings and works associated with construction of a single dwelling. | Permit Issued by Delegate of Resp/Auth 6/06/2017 |
| 129-1/2017 | 26/04/2017 | Assessment No. 244715 LOT: 10 PS: 30043 20 VICTORIA PDE LOCH SPORT | Buildings and works associated with construction of a deck and roof. | Permit Issued by Delegate of Resp/Auth 14/06/2017 |
| 140-1/2017 | 4/05/2017 | Assessment No. 312660 LOT: 2 PS: 804053 42A THOMSON ST MAFFRA | 2 lot subdivision to remove common property. | Permit Issued by Delegate of Resp/Auth 6/06/2017 |

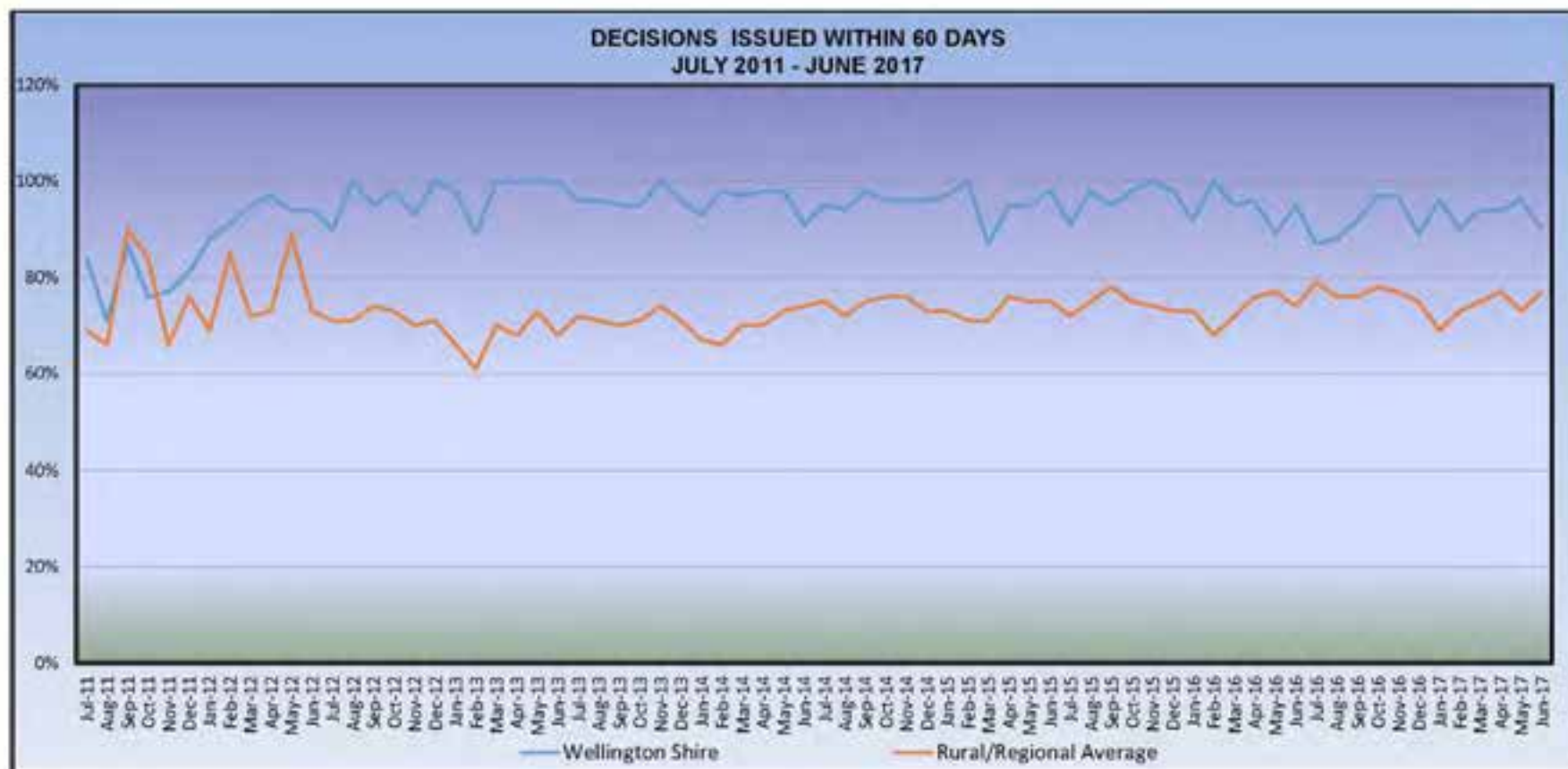
| | | | | |
|------------|------------|--|--|---|
| 174-1/2017 | 31/05/2017 | Assessment No. 399113 LOT: 4 PS: 705892D 335 MYRTLEBANK-FULH FULHAM | Buildings and works associated with construction of a farm shed. | Permit Issued by Delegate of Resp/Auth 15/06/2017 |
| 176-1/2017 | 31/05/2017 | Assessment No. 317776 PCA: 26B SEC: B 17-25 GEORGE ST HEYFIELD | Buildings and works - extensions to restricted recreation facility. | Permit Issued by Delegate of Resp/Auth 19/06/2017 |
| 372-1/2015 | 6/11/2015 | Assessment No. 348169 LOT: 2 PS: 328418K MOROKA RD KOOROOLOO | Buildings and works associated with development of a single dwelling. | Permit Issued by Delegate of Resp/Auth 22/06/2017 |
| 411-1/2015 | 8/12/2015 | Assessment No. 192534 PCA: 8 SEC: 4 69-71 PRINCE ST ROSEDALE | Use and development of the land for a service station. | NOD issued by Delegate of Respon/Auth 14/06/2017 |
| 153-1/2017 | 16/05/2017 | Assessment No. 238220 LOT: 1 PS: 534188A 191-101 NATIONAL PARK LOCH SPORT | Use of the land for a place of worship and associated uses | NOD issued by Delegate of Respon/Auth 29/06/2017 |
| 60-2/2013 | 31/05/2017 | Assessment No. 436089 LOT: S3 PS: 717809A 26 SANDY CREEK RD MAFFRA | 8 lot staged subdivision of the land. | Permit Issued by Delegate of Resp/Auth 28/06/2017 |
| 61-3/2015 | 18/04/2017 | Assessment No. 256438 PC: 369791T 6-8 THIRTEENTH ST PARADISE BEACH | Buildings and works associated with construction of a single dwelling. | Permit Issued by Delegate of Resp/Auth 6/06/2017 |
| 154-1/2016 | 24/05/2016 | Assessment No. 110577 LOT: 5 PS: 4161 729A COWWARR-HEYFIE HEYFIELD | Works associated with the laser grading of the land. | Permit Issued by Delegate of Resp/Auth 29/06/2017 |
| 214-2/2016 | 10/03/2017 | Assessment No. 436683 LOT: 1 TP: 164780P 98 SANCTUARY RD LOCH SPORT | Buildings and works associated with construction of a single dwelling. | Permit Issued by Delegate of Resp/Auth 19/06/2017 |
| 29-1/2017 | 7/02/2017 | Assessment No. 258517 PC: 376158C 101-103 FIFTH AVE PARADISE BEACH | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 22/06/2017 |
| 60-1/2017 | 10/03/2017 | Assessment No. 228932 LOT: 1085 PS: 55692 42 DAVIES ST LOCH SPORT | Buildings and works associated with extension to an existing dwelling. | Permit Issued by Delegate of Resp/Auth 22/06/2017 |
| 80-1/2017 | 20/03/2017 | Assessment No. 81315 LOT: 1 PS: 204085T 31 AIRLY RD STRATFORD | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 6/06/2017 |
| 84-1/2017 | 21/03/2017 | Assessment No. 221556 LOT: 1132 PS: 52648 150 MERIDIAN RD GOLDEN BEACH | Buildings and works associated with construction of a single dwelling. | Permit Issued by Delegate of Resp/Auth 15/06/2017 |

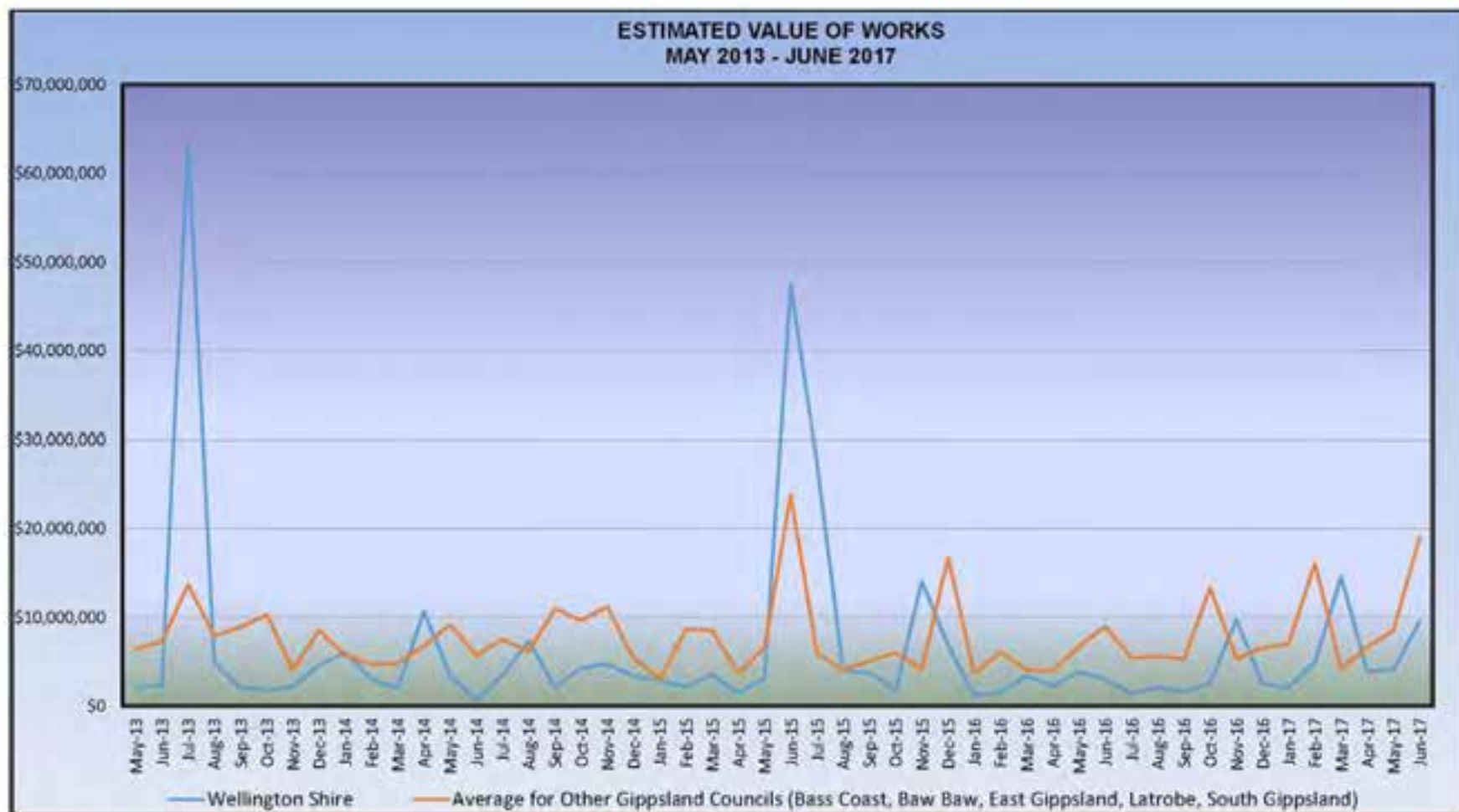
| | | | | |
|------------|------------|---|---|--|
| 111-1/2017 | 10/04/2017 | Assessment No. 245654 LOT: 1096 PS: 34791 3 VICTORIA ST LOCH SPORT | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 28/06/2017 |
| 124-1/2017 | 19/04/2017 | Assessment No. 350702 LOT: 352 PS: 55070 29 GILLUM RD COONGULLA | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 8/06/2017 |
| 152-1/2017 | 16/05/2017 | Assessment No. 382671 LOT: 2 PS: 80699 186 PARKSIDE AERODRO YARRAM | Buildings and works associated with construction of a aircraft hangar. | Permit Issued by Delegate of Resp/Auth 8/06/2017 |
| 157-1/2017 | 18/05/2017 | Assessment No. 407437 LOT: 1 TP: 750940B 205 CARRAJUNG LOWER CARRAJUNG LOWER | Buildings and works associated with a telecommunications facility. | Permit Issued by Delegate of Resp/Auth 1/06/2017 |
| 164-1/2017 | 22/05/2017 | Assessment No. 363259 LOT: 1 PS: 616516E 208 MEWBURN PARK RD TINAMBA | Buildings and works with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 6/06/2017 |
| 170-1/2017 | 30/05/2017 | Assessment No. 369256 LOT: 2 PS: 330757X 186 NEWTON DVE STRATFORD | Buildings and works associated with extension to existing outbuilding. | Permit Issued by Delegate of Resp/Auth 13/06/2017 |
| 173-1/2017 | 31/05/2017 | Assessment No. 403071 LOT: 2 TP: 854613N TARRA VALLEY RD YARRAM | Buildings and works associated with extension to industrial building. | Permit Issued by Delegate of Resp/Auth 14/06/2017 |
| 186-1/2017 | 13/06/2017 | Assessment No. 242479 LOT: 2290 PS: 70941 33 THE BOULEVARD LOCH SPORT | Buildings and works associated with construction of an outbuilding. | Permit Issued by Delegate of Resp/Auth 27/06/2017 |
| 228-1/2016 | 28/07/2016 | Assessment No. 403543 LOT: 2 PS: 602223Y 24A GIBNEY ST MAFFRA | Subdivision of the land into 6 lots including common property | Permit Issued by Delegate of Resp/Auth 13/06/2017 |
| 298-1/2016 | 29/09/2016 | Assessment No. 205856 CA: 63A ROSEDALE-LONCFORD ROSEDALE | Use and development of the land for a Class B Broiler farm. | NOD issued by Delegate of Respon/Auth 22/06/2017 |
| 41-1/2017 | 22/02/2017 | Assessment No. 2782 LOT: 2 PS: 87463 2 DAWSON ST SALE | Buildings and works associated with construction of industrial buildings. | Permit Issued by Delegate of Resp/Auth 6/06/2017 |
| 53-1/2017 | 27/02/2017 | Assessment No. 348268 CA: 4A SEC: C 347 MOROKA RD VALENCIA CREEK | Use of the land for animal keeping (breeding dogs). | NOD issued by Delegate of Respon/Auth 13/06/2017 |
| 70-1/2017 | 10/03/2017 | Assessment No. 41327 LOT: 1 PS: 120201 6-12 JOHNS ST SALE | Buildings and works associated with extension to existing dwelling. | Permit Issued by Delegate of Resp/Auth 27/06/2017 |

| | | | | |
|------------|------------|---|--|--|
| 97-1/2017 | 28/03/2017 | Assessment No. 352799 LOT: 60 PS: 54201 75-77 TAMBORITHA TCE COONGULLA | Buildings and works associated with extension to an existing dwelling. | Permit Issued by Delegate of Resp/Auth 22/06/2017 |
| 105-1/2017 | 3/04/2017 | Assessment No. 11684 LOT: 2 TP: 876916 7 RAGLAN ST SALE | Common property subdivision of the land into 3 lots. | Permit Issued by Delegate of Resp/Auth 16/06/2017 |
| 113-1/2017 | 10/04/2017 | Assessment No. 333641 LOT: 4 PS: 316761N 29-31 MCMILLAN ST BRIAGOLONG | Resubdivision of 2 lots to create 2 new lots. | Permit Issued by Delegate of Resp/Auth 29/06/2017 |
| 118-1/2017 | 13/04/2017 | Assessment No. 221358 LOT: 1110 PS: 52648 106 MERIDAN RD GOLDEN BEACH | Buildings & works associated with construction of a dwelling. | Permit Issued by Delegate of Resp/Auth 29/06/2017 |
| 126-1/2017 | 20/04/2017 | Assessment No. 388439 CA: 11 SEC: C 3,638 PRINCES HWY KILMANY | Creation of access to a road zone | Permit Issued by Delegate of Resp/Auth 16/06/2017 |
| 138-1/2017 | 2/05/2017 | Assessment No. 359596 LOT: 8 TP: 561592B HEYFIELD-UPPER MAFF NEWRY | Use and development of the land for intensive animal husbandry. | Permit Issued by Delegate of Resp/Auth 15/06/2017 |
| 44-1/2017 | 22/02/2017 | Assessment No. 15651 LOT: 1 TP: 161869N 73 THOMSON ST SALE | Re subdivision of 2 existing lots & construction of 2 dwellings. | Permit Issued by Delegate of Resp/Auth 14/06/2017 |
| 117-1/2017 | 13/04/2017 | Assessment No. 434100 LOT: 38 PS: 707316G 6 WALLACE ST SALE | Buildings and works associated with construction of 2 dwellings. | Permit Issued by Delegate of Resp/Auth 15/06/2017 |
| 166-1/2017 | 23/05/2017 | Assessment No. 426262 LOT: 4 PS: 713669L 49 WELLINGTON PARK SALE | Use of the land for a restricted recreation facility (gymnasium). | Permit Issued by Delegate of Resp/Auth 23/06/2017 |
| 172-1/2017 | 30/05/2017 | Assessment No. 7344 LOT: 1 TP: 597239R 69 MACARTHUR ST SALE | On Premises Liquor License. | Permit Issued by Delegate of Resp/Auth 20/06/2017 |
| 179-1/2017 | 6/06/2017 | Assessment No. 369348 LOT: 2 PS: 322701X 357 BOUNDARY CREEK LONGFORD | Buildings and works associated with extension to existing dwelling. | Permit Issued by Delegate of Resp/Auth 9/06/2017 |
| 188-1/2017 | 14/06/2017 | Assessment No. 186882 LOT: 41 BLK: A PS: 8478 2,393 SHORELINE DVE THE HONEYSUCKLES | Removal of vegetation and buildings/works with construction of fence. | Permit Issued by Delegate of Resp/Auth 21/06/2017 |

Total No of Decisions Made: 49







ITEM C3.2**AMENDMENT C92 (PART 2) AND HERITAGE STRATEGY (2017)**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER LAND USE PLANNING

DATE: 15 AUGUST 2017

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

OBJECTIVE

This report seeks to consider the Panel Report (**Attachment 1**) and the associated recommendation for Amendment C92 (Part 2), pursuant to Section 27 of the *Planning and Environment Act 1987*; adopt Planning Scheme Amendment C92 (Part 2) with minor changes (**Attachment 2**) pursuant to Section 29 of the *Planning and Environment Act 1987*; and to approve the Heritage Strategy, 2017 (**Attachment 3**).

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

- 1. Council consider the Panel Report (refer to Attachment 1) and the associated recommendation for Amendment C92 (Part 2) pursuant to Section 27 of the Planning and Environment Act 1987;**
- 2. Council resolve to adopt Amendment C92 (Part 2) with minor changes (refer to Attachment 2) pursuant to Section 29 of the Planning and Environment Act 1987;**
- 3. Council resolve to request the Minister for Planning to approve Amendment C92 (Part 2) with minor changes pursuant to Section 31 of the Planning and Environment Act 1987; and**
- 4. Council approve the Heritage Strategy, 2017 prepared by Heritage Intelligence (refer to Attachment 3).**

BACKGROUND

Council, in conjunction with heritage consultants, Heritage Intelligence Pty Ltd and Jessi Briggs, prepared the Wellington Shire Stage 2 Heritage Study 2016, which was adopted by Council at its ordinary meeting of 6 September 2016. A copy of the adopted Heritage Study 2016 can be accessed via Council's website (refer to link below).

<http://www.wellington.vic.gov.au/Developing-Wellington/Planning-Scheme-Amendments/Amendment-C92>

A component of the study was the preparation of 67 citations and detailed Management Guidelines for those places identified as having met the threshold for local heritage significance. The heritage citations provide a description of the history of the heritage place and its surviving fabric (including buildings, trees, fences, etc) and on this basis, provide an assessment of the heritage significance of the place.

Amendment C92, in its original form, proposed to formally include all 67 places into the Wellington Planning Scheme under the provisions of the Heritage Overlay (HO). Following exhibition of the Amendment however, an objection remained outstanding in relation to the former Federal Coffee Palace, Yarram. On the basis that the outstanding objection related to only one of the 67 places, Council resolved to split the Amendment into two parts to expedite the application of the HO to 66 of the 67 identified places rather than unnecessarily holding up most places through the Planning Panel process.

C92 (Part 1), comprising 66 of the 67 places, was adopted by Council at the meeting of 4 April 2017 and submitted to the Minister for Planning for approval. Amendment C92 (Part 1) has now been approved and came into effect on 13 July 2017.

C92 (Part 2) (the focus of this report) includes only 1 of the 67 places, being the former Federal Coffee Palace, Yarram. Issues raised by a submitter during the exhibition period remained outstanding and Council resolved to appoint an independent Planning Panel to consider these matters.

The submitter objected to the proposed application of the HO to the former Federal Coffee Palace, Yarram on the basis that the provisions will restrict future use and development opportunities for the building. Secondly, the landowner has asserted that the building does not meet the relevant criteria (as detailed in the citation) that is required to meet the threshold for significance and therefore the HO should not be applied.

The Panel has considered Amendment C92 (Part 2) and the matters put forward by the submitter. The Panel Report (**Attachment 1**) has now been provided to Council with recommendations.

The Panel concluded that the Amendment is fully consistent with, and implements, the heritage objectives and strategies set out in the State and Local Planning Policy Frameworks. It was determined that the former Federal Coffee Palace meets the criteria for historic and aesthetic significance. However, the Panel concluded that the place does not meet the criteria for technical significance (Criterion F) or associative significance (Criterion H).

Permitted uses of the building under the Commercial 1 Zone are not changed by the Amendment. The HO will require additional heritage considerations to be taken into account in any permit application for building and works under the zone.

The Panel recommends Wellington Planning Scheme Amendment C92 Part 2 to be adopted subject to the following:

1. Amend the Citation to:
 - a) exclude all references to Criterion F (Technical significance);
 - b) exclude all references to Criterion H (Associative significance); and
 - c) include a Management Plan for the stables that requires full recording and documentation of the extant fabric prior to demolition or alteration.
2. Amend the Schedule to the Heritage Overlay to delete the words 'Yes, stables and underground tank/well' from the column 'Outbuildings or fences which are not exempt under Clause 43.01-3'.

These changes have been made to the documentation proposed to be adopted by Council (**Attachment 2**).

At the earlier request of Heritage Victoria, Council commissioned Heritage Intelligence Pty Ltd to prepare a Heritage Strategy for Wellington Shire. This strategy has now been completed (prepared in consultation with local historical societies) and is also proposed for Council's adoption (refer to **Attachment 3**).

In summary, the strategy reaffirms Council's commitment to the recognition and protection of heritage for future generations (subject to available resources).

OPTIONS

In relation to Amendment C92 (Part 2), Council has the following options:

1. Pursuant to Section 27 of the *Planning and Environment Act 1987* consider the Panel Report (refer to **Attachment 1**) and associated recommendation for Amendment C92 (Part 2) and; pursuant to Section 29 of the *Planning and Environment Act 1987* resolve to adopt Amendment C92 with minor changes (refer to **Attachment 2**); and pursuant to Section 31 of the *Planning and Environment Act 1987*, resolve to request the Minister for Planning to approve Amendment C92 (Part 2) with minor changes.
2. Pursuant to Section 27 of the *Planning and Environment Act 1987* consider the Panel Report and associated recommendation and seek further information or changes to Planning Scheme Amendment C92 (Part 2) for consideration at a future Council Meeting.
3. Pursuant to Sections 27 and 28 of the *Planning and Environment Act 1987* consider the Panel Report and associated recommendation and resolve to abandon Planning Scheme Amendment C92 (Part 2).

In relation to the Heritage Strategy, Council has the following options:

1. Approve the Heritage Strategy, 2017; or
2. Not approve the Heritage Strategy, 2017 and seek further information for consideration at a future Council meeting.

PROPOSAL

That:

1. Council consider the Panel Report (refer to **Attachment 1**) and associated recommendation for Amendment C92 (Part 2) pursuant to Section 27 of the *Planning and Environment Act 1987*;
2. Council resolve to adopt Amendment C92 (Part 2) with minor changes (refer to **Attachment 2**) pursuant to Section 29 of the *Planning and Environment Act 1987*;
3. Council resolve to request the Minister for Planning to approve Amendment C92 (Part 2) with minor changes pursuant to Section 31 of the *Planning and Environment Act 1987*; and
4. Council approve the Heritage Strategy, 2017 (refer to **Attachment 3**).

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Council is required to pay the requisite statutory planning fees to the Minister for Planning for this Amendment. Costs associated with this Planning Scheme Amendment, including the need for a Planning Panel, have been included within the Strategic Planning budget.

LEGISLATIVE IMPACT

Pursuant to Section 27 of the *Planning and Environment Act 1987*, Council is required to consider the Panel Report before deciding whether or not to adopt Amendment C92 (Part 2).

Planning Scheme Amendment C92 (Part 2) has been undertaken in accordance with the requirements of the *Planning and Environment Act 1987*.

COUNCIL POLICY

This report supports and is consistent with Council's adopted Heritage Policy (Policy 3.1.1).

COUNCIL PLAN IMPACT

The Council Plan 2017–21 Theme 1: Our Vision, states the following strategic objective and related strategy:

Strategic Objective 1.3

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

Strategy 1.3.1

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

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

Strategic Objective 2.3

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

Strategy 2.3.1

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

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

PLANNING POLICY IMPACT

The Amendment, if approved, will introduce the HO and associated requirements to the land at 303-305 Commercial Road, Yarram. Amendment C92 (Part 2) is fully consistent with, and implements the heritage objectives and strategies set out in the State and Local Planning Policy Frameworks.

CONSULTATION IMPACT

The exhibition of Amendment C92 took place between Thursday 1 December 2016 and Monday 30 January 2017, and included:

- Approximately 129 notification letters with information sheets sent to all land owners/occupiers directly affected by the Amendment.
- Eleven (11) notification letters with information sheets were sent to relevant community groups.
- Twelve (12) notification letters were sent to the relevant Statutory Authorities.
- Notification in the Gippsland Times (29 November 2016), the Yarram Standard News (30 November 2016), the Latrobe Valley Express (1 December 2016) and Government Gazette (1 December 2016).

Information regarding Amendment C92 is also provided at the following locations:

- Hard copies of the Amendment and associated information sheets were made available for viewing at Sale, Yarram, Stratford, Maffra, Rosedale and Heyfield.
- Council and Department of Environment, Land, Water and Planning websites.

In relation to the Heritage Strategy, feedback was sought from the following stakeholders:

- Historic Societies
- Internal officers (Arts and Culture, Visitor Economy and Events, Statutory Planning)
- Heritage Victoria

Planning and Environment Act 1987

Panel Report

Wellington Planning Scheme Amendment C92 Part 2

23 June 2017

Planning and Environment Act 1987
Panel Report pursuant to Section 25 of the Act
Wellington Planning Scheme Amendment C92 Part 2

23 June 2017

A handwritten signature in dark ink, appearing to read 'Margaret Pitt', with a stylized flourish at the end.

Margaret Pitt, Chair

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List of Abbreviations

| | |
|----|------------------|
| HO | Heritage Overlay |
|----|------------------|

Overview

| Amendment Summary | |
|---------------------------|---|
| The Amendment | Wellington Planning Scheme Amendment C92 Part 2 |
| Brief description | Apply Heritage Overlay (H0351) |
| Subject Site | Former Federal Coffee Palace, 303-305 Commercial Road, Yarram |
| Planning Authority | Wellington Shire Council |
| Authorisation | 24 September 2016 |
| Exhibition | 1 December 2016 to 30 January 2017 |
| Submissions | Submission (1) from Peter Stone (opposing submission) |

| Panel Process | |
|----------------------------|---|
| The Panel | Margaret Pitt |
| Directions Hearing | Yarram Service Centre, Yarram, 11 May 2017 |
| Panel Hearing | None held |
| Site Inspections | 11 May 2017, accompanied by Mr Stone and Council representatives. |
| Date of this Report | 23 June 2017 |

Executive Summary

(i) Summary

Amendment C92 Part 2 ('the Amendment') proposes to apply a Heritage Overlay (HO351) over the former Federal Coffee Palace, 303-305 Commercial Road, Yarram.

Background

The Amendment implements part of the *Wellington Shire Stage 2 Heritage Study 2016*, which identified the former Federal Coffee Palace as meriting heritage protection under Heritage Criteria A, E, F and H, as set out in the Citation.

An opposing submission was lodged by the owner of the place.

Key issues raised in submissions

The issues raised by the submitter were:

- The place does not meet the Heritage Criteria as set out in the Citation
- The overlay would restrict the place's future commercial and/or residential use.

The Panel has inspected the place and considered the arguments put by both the submitter and Council in written supplementary submissions requested in lieu of a hearing.

Conclusions

The Amendment is fully consistent with, and implements, the heritage objectives and strategies set out in the State and Local Planning Policy Frameworks.

The former Federal Coffee Palace meets the criteria for historic and aesthetic significance. However, the Panel concluded that the place does not meet the criteria for technical significance (Criterion F) or associative significance (Criterion H).

Permitted uses of the building under the Commercial 1 Zone are not changed by the Amendment. The HO will require additional heritage considerations to be taken into account in any permit application for Building and works under the zone.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends:

Wellington Planning Scheme Amendment C92 Part 2 to be adopted subject to the following:

1. Amend the Citation to:
 - a) exclude all references to Criterion F (Technical significance)
 - b) exclude all references to Criterion H (Associative significance)
 - c) include a Management Plan for the stables that requires full recording and documentation of the extant fabric prior to demolition or alteration.
2. Amend the Schedule to the Heritage Overlay to delete the words 'Yes, stables and underground tank/well' from the column 'Outbuildings or fences which are not exempt under Clause 43.01-3'.

1 Introduction

1.1 The Amendment

Wellington Planning Scheme Amendment C92 as exhibited proposed to implement the *Wellington Shire Stage 2 Heritage Study 2016* ('the study'), which identified 67 places as meeting the criteria for heritage significance. The Amendment was exhibited for a two month period in December 2016 and January 2017 and attracted a total of 13 submissions.

Twelve of the submissions were subsequently resolved. At its meeting on 4 April 2017, Council made a resolution to split the Amendment into two parts:

- Part 1 comprised the 66 places in respect of which there were no outstanding objections. Council adopted Part 1 at the same meeting.
- Part 2 comprised the former Federal Coffee Palace (HO351). Council resolved to request the Minister for Planning to appoint a Planning Panel to consider the submission in relation to HO351.

The Amendment also proposed to include the *Wellington Shire Stage 2 Heritage Study 2016* in the Wellington Planning Scheme as a Reference Document, and to include Volume 2 of the study (the individual Citations) as an Incorporated Document.

1.2 Panel process

A Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 18 April 2017 and comprised Margaret Pitt (Chair).

A Directions Hearing was held in relation to the Amendment on 11 May 2017 where all parties agreed that the matter could be dealt with effectively without the need for a further hearing. The Panel asked Council to provide a written submission responding to the issues raised by the submitter, and the submitter was given the opportunity to comment (in writing) on Council's submission.

Following the Directions Hearing, the Panel undertook an inspection of the subject site and its surrounds, accompanied by the submitter and the two Council officers present at the Directions Hearing (Ben Proctor and Barry Hearsey).

Council's written submission was received on 1 June 2017. The submitter's comments were received on 14 June 2017.

1.3 The subject site

(i) Site description

The Amendment applies to the site of the former Federal Coffee Palace (the Coffee Palace) at 303-305 Commercial Road, Yarram. The site is shown in Figure 1 below.

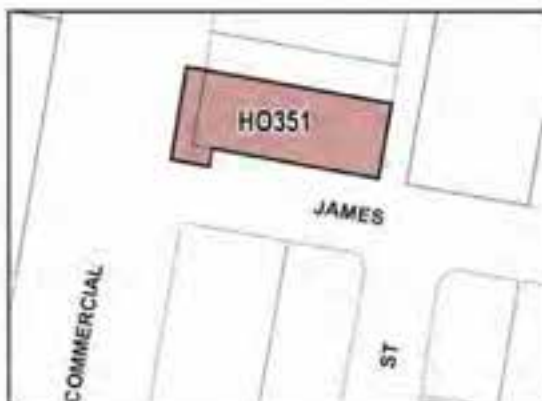


Figure 1 The subject site

The site is in the Commercial 1 Zone and has no overlays.

The Coffee Palace is a two-storey brick building with corbelled chimneys, elaborate parapet and pediments and a wide skillion-roofed verandah to the corner entrance and shopfront. It is prominently situated on a corner in the main street of Yarram. It was built in two stages, the first in 1901 and a larger addition c1905. The building was designed by well-known Melbourne architects Inskip and Butler in the 'Federation Free Classical' style. An early timber stable and underground tank/well are also identified as significant elements of the site.

The building served as a Coffee Palace with accommodation for travellers and boarders, and is also identified as significant for its association with the Temperance Movement.

The exhibited HO Schedule activates External paint controls. Outbuildings or fences controls are also activated in relation to the stables and underground tank/well.

(ii) The Heritage Study

Background

Prior to the creation of the Wellington Shire through Council amalgamations in 1994, the only heritage studies that had been undertaken were the *Port Albert Conservation Study (1982)* and the *City of Sale Heritage Study (1994)*.

The *Wellington Shire Stage 1 Heritage Study (2005)* was commissioned in 2001. The study, undertaken by Context Pty Ltd covered the whole of the Shire. The results of the Stage 1 study are in three volumes:

- Volume 1: Study methods and results May 2005.
- Volume 2: Wellington Shire Environmental History May 2005.
- Volume 3: Wellington Heritage Places database May 2005.

A total of 584 places were assessed in the study as having 'high priority'.

Council identified a shortlist of 171 of the sites identified in Stage 1 for assessment in the next stage of the study.

The *Wellington Shire Stage 2 Heritage Study* was undertaken by Heritage Intelligence Pty Ltd in conjunction with Jessi Briggs, Heritage Consultant, and completed in September 2016. The study's initial task was to refine and prioritise Council's list of 171 potential heritage sites to identify those that 'best represent important historic themes of the Shire'.

The final report comprises two volumes:

- Volume 1: Key Findings and Recommendations.
- Volume 2 (Parts 1-4): Individual Citations.

The assessment process resulted in a Schedule of 72 places to be documented as part of the Stage 2 study. Of these, 67 places were exhibited as part of the Amendment.

Methodology

The study utilised the standard methodology of field survey, historical research and documentation. Historical information was drawn from primary and secondary sources, including consultation with local historical societies.

Assessment criteria

The assessment criteria used in the study were the Heritage Council of Victoria's *Criteria for the Assessment of Cultural Heritage Significance (adopted 2008)* and *The Burra Charter: the ICOMOS Charter for Places of Cultural Significance (2013)*. The outcomes were recorded on the HERMES database.

The Panel notes that the Citations are detailed and comprehensive, and include Management Guidelines for each site. The Panel is satisfied that the methodology, assessment criteria and thresholds used in the study were rigorous and meet current standards and guidelines.

Assessment of the subject site

The study identified the Coffee Palace as meriting heritage protection under the following Heritage Criteria:

- Criterion A: Importance to the course, or pattern, of Victoria's cultural history.
- Criterion E: Importance in exhibiting particular aesthetic characteristics.
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.
- Criterion H: Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

(iii) The submission

The issues raised by the submitter (the owner of the site) were:

- The place does not meet any of the heritage criteria set out in the Citation and listed above in paragraph 1.3 (ii).
- The HO would restrict the place's future commercial and/or residential use.

1.4 Issues dealt with in this report

The Panel considered all the written submissions. In addressing the issues raised by the submitter and the response from Council, the Panel was assisted by the information provided to it as well as its observations from inspection of the site and surrounds.

In the course of writing this report, the Panel also identified a further issue in relation to the former stables at the rear of the site, and this is discussed under a separate heading.

This report deals with the issues under the following headings:

- Strategic Planning Context
- Heritage assessment issues
 - Criterion A: Historic significance
 - Criterion E: Aesthetic significance
 - Criterion F: Technical significance
 - Criterion H: Associative significance
- Restrictions on future development
- The former stables.

2 Planning Context

Council provided a brief response to the Strategic Assessment Guidelines as part of the Explanatory Report. The Panel has reviewed the policy context of the Amendment and made the following brief appraisal of the relevant planning policies and strategies.

2.1 Policy framework

(i) State Planning Policy Framework

Clause 15 Built Environment and Heritage

Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Clause 15.03-1 Heritage Conservation

Objective:

To ensure the conservation of places of heritage significance.

(ii) Local Planning Policy Framework

Clause 21.07 Yarram and Buckleys Island Road Strategic Framework

Commercial Centre: maintain and promote compact Commercial Centre, meeting the needs of Yarram and District. Protect heritage buildings and promote sensitive infill development.

Clause 21.16 Built Environment and Heritage

Objective

To ensure that the Shire's heritage, including Aboriginal cultural heritage, and heritage of archaeology and scientific interest is conserved and protected for the benefit of future generations.

Clause 21.17 Economic Development

Objectives

To expand and diversify the regional economy and increase employment.

To generate employment within a framework of ecologically sustainable development.

Strategies

Encourage the full development of existing commercial and industrial zoned land to maximise infrastructure efficiencies, except on sites of heritage significance.

Clause 22.22 Heritage Policy

Objectives

To provide direction as to the most appropriate manner to undertake works in heritage places.

To encourage a community climate of respect for, and appreciation of, Wellington Shire's heritage, including buildings, gardens, trees, and other features of importance.

It is policy to: Encourage the conservation of places of heritage significance. This includes places of individual local significance as well as buildings or features that contribute to the significance of a place.

The Panel concludes that the Amendment responds positively to State and local policies and strategies for the conservation of heritage places.

2.2 Ministerial Directions and Practice Notes

(i) Ministerial Directions

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

(ii) Planning Practice Notes

PPN01 - Applying the Heritage Overlay

The Practice Note provides guidance on places that should be included in the HO. It requires the process leading to the identification of significant heritage places to be rigorous and heritage controls to be applied judiciously.

The Amendment is consistent with the Practice Note.

PPN11 - Strategic Assessment Guidelines

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment Guidelines).

PPN13 - Incorporated and Reference Documents

The Practice Note provides guidance on the type of documents that are appropriate for incorporation into a planning scheme.

Amendment C92 incorporates the *Wellington Shire Stage 2 Heritage Study (2016)* as a Reference Document in Clauses 21.20 (Reference documents) and Clause 22.22 (Heritage Policy). Volume 2 of the study (Citations) is to be included as an Incorporated Document, a practice increasingly (and appropriately) being applied by Councils to provide statutory certainty about the significant elements of a heritage place.

The Amendment is consistent with this Direction.

3 Issues

3.1 Heritage assessment

3.1.1 Criterion A: Historic significance

(i) Submission

The submission argued that there was *"no relevance in the building being part of our cultural history... It played no significant role in the development of the town, had no influence on the town's growth, and housed no prominent persons or events. It was neither a social hub nor of any specific aesthetic interest to the townsfolk..."*. The submission also stated that there was *'no social or cultural interest'* in the initial or later uses of the building.

(ii) Council response

Council's response included a brief chronology illustrating the Coffee Palace's role in the period of growth triggered by the release of town lots after Yarram was already established as a commercial centre and the seat of local government for the Albion Shire (from 1897).

- 1901 - The first two-storey section of the Coffee Palace was built for owner James Buckley, designed by architects Inskip & Butler. The Coffee Palace was run by proprietors.
- c1905 - The northern two-storey section of the building (with the arches to Commercial Road) was built. An underground well/tank was also built (date not confirmed).
- While serving as a Coffee Palace, accommodation was provided for travellers and boarders. During this early period, stables with four stalls were built to the rear, to serve both those staying at the Coffee Palace and the Royal Mail Line of coaches.
- 1906 - The building was leased by the Yarram Club, with a billiards room in the c1905 section.
- The Coat of Arms of Australia to the west elevation was probably made and installed prior to 1908, as in May 1908 King Edward VII granted the first Coat of Arms for the Commonwealth of Australia, which had the kangaroo to the left of the crest (while on the Coffee Palace the emu is positioned to the left).
- 1930s - the building continued to serve as a boarding house, now called 'The Palace'. The property remained in the Buckley family until 1946, after which it continued to serve as a boarding house. Throughout its history, the shop to the ground floor primarily served as restaurant or cafe.

(iii) Submitter's comments

The submitter stated that *"there is no set criteria for historic interest"* and it is a matter of personal opinion. In his view, the level of community interest in protecting the Coffee Palace is low compared to significant buildings such as the Yarram Court House and the Union Bank, and that the age of a building is not adequate justification for the HO.

The submitter also queried the inclusion of the stables, which have been altered over time and are in poor condition.

(iv) Discussion

The Panel agrees with the submitter's view that age alone does not equate with historic interest. However, the Citation demonstrates that many other factors were taken into account in reaching the conclusion that the Coffee Palace is historically significant.

Volume 1 of the Stage 2 study states that places were assessed using *The Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance (2013)* as well as the *Heritage Council of Victoria's Criteria for Assessment of Cultural Heritage Significance (2008)*. These criteria are accepted across Australia by Governments and heritage professionals.

The Heritage Council's Guidelines set out the 'tests' applied in assessing historic significance. Although the Guidelines refer to assessments of significance at the state level, the same tests are applied when assessing significance at a local level. The tests require the place to:

- Have a clear association with an 'event, phase, period, process, function, movement, custom or way of life' in the area's cultural history; and
- The association of the place with the event, phase, etc. is 'evident in the physical fabric of the place or in documentary resources or oral history'; and
- The event, phase, etc. is 'of historical importance, having made a strong or influential contribution' to the local area.

The Citation establishes that the Coffee Palace has a 'clear association' with an important period of growth in Yarram and with its functions and way of life. The building itself has significant intactness and integrity, and there is also ample photographic and documentary evidence of its historic role in Yarram. The Citation also demonstrates the importance of the relevant period of growth in the development of the town.

While there are other significant buildings in Yarram associated with this period, the Coffee Palace is one of only two purpose-built temperance facilities known to have been developed in the Shire of Wellington, the other being a modest weatherboard building in the township of Briagolong.

(v) Conclusion

For the above reasons, the Panel considers that the Coffee Palace meets the threshold for historic significance.

3.1.2 Criterion E: Aesthetic significance

(i) Submission

The submission argued that the building "is not aesthetically pleasing. It has no special architectural features except for the add-ons of an unofficial crest and four urns. The arches on the Commercial Road side are without distinction". The submission asserted that the Coffee House, compared with other historic buildings in Commercial Road, "is as plain as any building could possibly be".

(ii) Council response

Council's response to the submission quoted extensively from the Citation, drawing particular attention to the architectural details that are indicative of the building's *'Federal Free Classical'* style, including:

- *corbelled red-brick chimneys*
- *parapet above a bold cornice moulding and two round-arched pediments (one retaining the date and initials of the owner, the second with a Coat of Arms of Australia)*
- *the wide skillion-roof verandah to the corner entrance and shopfront.*

Council also noted that *"the three large semi-circular arched openings to the ground floor are a dominant design element on the west elevation... The highly intact, grand two-storey building is significant as a landmark at the southern end of the township, with a bold façade fronting two streets"*.

(iii) Submitter's comments

The submitter reiterated his opinion that the building is not *'aesthetically pleasing'*. He proposed that his opinion should have the same weight as that of the heritage consultants, whose opinion *'is not substantiated by an empirical survey of the community'*. He also noted elsewhere in his comments that, in his opinion, the Coat of Arms is *"the only aesthetic and significant feature of the building"* but is *"not worthy of an overlay"*.

(iv) Discussion

The Heritage Council's Guidelines also include the 'tests' to be applied in assessing aesthetic significance: The tests require that:

- The physical fabric of the place clearly exhibits particular aesthetic characteristics.
- Critical recognition of aesthetic characteristics by either an appropriately related discipline or public acknowledgement.

In the case of the Coffee Palace, the *"critical recognition of aesthetic characteristics"* was made by practitioners of an *"architectural or related discipline"* (the well-qualified Heritage Consultants who undertook the study) and further endorsement (such as by the local community) is not required under the guidelines.

The Panel's inspection of the site confirmed the descriptions of architectural form and details as set out in the Citation, including the early Australian Coat of Arms. Apart from the stairs and railings inserted under the arched loggia, overpainting of the tuck-pointed brickwork and removal of the verandah frieze, the building is substantially intact and in good condition. These alterations to the original fabric are all noted in the Citation, and the Management Plan includes specific proposals for reversing them.

In relation to the submitter's comment that the building is *'not aesthetically pleasing'*, it is important to recognise the deliberate simplicity of the *'Free Classical Federation'* style in which it was built. Whether its style was dictated by the philosophy of the architects, by its regional location or by a limited budget is unknown, but the style is nevertheless characteristic of the era. Its straightforward style is in distinct contrast with the more

decorative former Union Bank of Australia on the opposite side of Commercial Road, designed by the same architects a decade later in the Arts and Craft style.

In assessing significance, consideration must also be given to form and setting. The Coffee Palace is an easily recognisable landmark on a prominent corner in the main street of Yarram. This clearly contributes to its aesthetic significance.

Although the heritage place referred to below (in an extract from the 2010 Panel Report on Amendment C14 to the Latrobe Planning Scheme) is a 1940s 'Moderne' style shop in Traralgon, the comments provide interesting parallels with the 1901 Coffee Palace:

Although the subject building may not be an outstanding example of the style, it raises questions of stylistic ambition in an Australian regional town and marks an early acceptance of modern international forms in Traralgon. This is reinforced by the building's location on a prominent corner site at one of the key intersections in the Traralgon commercial centre... For its style and date the Panel found it unusual and of local architectural significance... providing an insight into the sophistication and confidence of 1940's Traralgon.

(v) Conclusion

The Panel concludes that the Coffee Palace meets the criteria for aesthetic significance. Its relative simplicity is a feature of its architectural style and era, and does not diminish its significance. The Management Plan includes detailed proposals for restoration to original condition. External paint controls are justified for this building.

3.1.3 Criterion F: Technical significance

(i) Submissions

The submission argued that the building does not demonstrate "a single creative or technical achievement", and that "the building of it was straightforward with no additional skills above those of the period - bricklaying, carpentry, masonry, roofing".

(ii) Council response

Council's response pointed out that technical significance is attributed in the Citation not to the building, but to "the archaeological potential in the area around the stables and in the underground tank/well, and for the craftsmanship of the early Coat of Arms of Australia on the parapet, which dates to pre-1908".

(iii) Submitter's comments

The submitter commented that "none of these indications are sufficient to add weight to an overlay..." He also commented that he had made a preliminary 'dig' in front of the stable, revealing "a nice luggage lock of very early vintage - and several (horse) bones and dozens of (human) teeth", the latter probably sourced to a dentist who once operated on the site. In relation to the well, the submission noted that it "would be interesting to have a diver look at its contents... but there is no need to create an overlay for this purpose".

(iv) Discussion

The Panel has inspected the exterior of the stables and the opening of the tank/well.

The Heritage Council's 'tests' for assessing technical significance are:

- The place contains physical evidence that *'clearly demonstrates creative or technical achievement for the time in which it was created'*, and
- The physical evidence demonstrates *'a high degree of integrity'*.
- The nature or scale of technical achievement is *'beyond the ordinary'* for the period as evidenced by:
 - recognition within the relevant technological discipline, or
 - wide acknowledgement in the local area, or
 - recognition as a *'breakthrough... in terms of design, fabrication or construction techniques'*, or
 - recognition as having *'extended the limits of existing technology'*, or
 - recognition as an outstanding example of *'creative adaptation of available materials and technology of the period'*.

In the Panel's view, neither the well nor the archaeological potential of the area around the stables satisfactorily meet the above tests. The date, materials, capacity and form of the well, and the source of its water, are unknown. It is therefore not possible to assess whether it demonstrates *'technical achievement for the time in which it was created'* and a *'high degree of integrity'*. The *'area around the stables'* is ill-defined and its level of integrity is assessed as *'moderate'*. The Citation provides no evidence of the existence of anything of technical significance in that vicinity.

While the well and stables are of some interest, the Panel considers that they do not meet the criteria for technical significance. In relation to their *'archaeological potential'*, the Panel notes that on page 1 of the Citation the study authors recommend against referral to the Heritage Inventory, and the Panel supports this recommendation. If Council wishes to pursue the option of an archaeological study at some future stage, it could consider whether this could be achieved via a permit condition.

In relation to the Coat of Arms, while it shows a *'high degree of integrity'*, there is no evidence that its design and/or moulding were *'beyond the ordinary at the time of its creation'*. Indeed, the creation of highly ornate mouldings was a skill that had been practised extensively across Victoria in the decades preceding the construction of the Coffee Palace. There is also no evidence that the design was original. For these reasons, the Panel considers that the Coat of Arms does not meet the criteria for technical significance.

The Panel notes that although these three elements do not meet the criteria for technical significance, they have all been appropriately assessed as of historic significance (and, in the case of the Coat of Arms, aesthetic significance) and will still be afforded protection under the HO for the site.

The exhibited HO Schedule identifies the underground well and stables as items not exempt from notice requirements under Clause 43.1-3 of the Planning Scheme. The Panel considers that, in the absence of a finding of technical significance, this additional control is not warranted.

(v) Conclusions

The Panel concludes that the three nominated elements (the well, the area around the stables and the Coat of Arms) do not meet the threshold for technical significance, and that references to it should be deleted from the Citation. The HO Schedule should be amended to remove the notice requirement for the well and stables, which is not warranted in the absence of a finding of technical significance.

(vi) Recommendation

The Panel recommends:

- **Modify the Citation to exclude all references to Criterion F (Technical significance).**
- **Amend the Schedule to the Heritage Overlay to delete the words 'Yes, stables and underground tank/well' from the column 'Outbuildings or fences which are not exempt under Clause 43.01-3'.**

3.1.4 Criterion H: Associative significance**(i) Submission**

The submitter stated that he *"could not think of anyone that the building could stand as a representative of..."*.

(ii) Council response

Council's response explained that associative significance is attributed both to the well-known Melbourne architects (Inskip and Butler) and to the influence of the Temperance Movement. The submission quoted extracts from the Citation supporting associative significance, including the following:

Walter Richmond Butler migrated to Australia from England in 1888, where he had worked with some of the most important figures of the English Arts and Crafts movement... Butler designed a variety of buildings, including residences, shops, warehouses, hospitals, banks, office buildings and ecclesiastical buildings. Butler formed a partnership with George Inskip from 1896 to 1905.

The Temperance Movement originated in the 19th century and urged for the reduction or prohibition of alcohol. Temperance Societies were founded in the United States and England in the 1820's and during the 1830's they emerged in Australia... The Movement saw the establishment of coffee palaces, which aimed to compete with hotels, providing all the amenities and conveniences of hotels but without the alcohol, such as bedrooms, a cafe, dining room, smoking room and billiard room.

(iii) Submitter's comments

The submitter undertook some initial research on the work of Inskip and Butler and noted their *'magnificent designs'* on a range of large and relatively important buildings. The submitter proposed that, because he could find no mention of Yarram's Coffee Palace in

reference documents on the architects, the building should be seen as less significant than *'for more interesting and aesthetically pleasing'* examples of their work.

The submitter also commented that the building was originally intended to be a hotel, and changed to a Coffee Palace (as promoted by the Temperance Movement) only after the first liquor license was granted to a competing premises on the opposite side of Commercial Road. He proposed that the association with the Temperance Movement therefore does not have *'any weight in applying an overlay to the building'*.

(iv) Discussion

The Heritage Council's Guidelines include the 'tests' to be applied in assessing associative significance:

- the place has a *'direct association'* with a person or group of persons who made a strong or influential contribution Victoria's history, and
- the association is evident in the physical fabric and/or in documentary resources and/or oral history', and
- the association:
 - relates to achievements of the person(s) relating to the place, or
 - relates to an enduring and/or close interaction between the person(s) and the place.
- the place allows the clear association with the person(s) to be *'be readily appreciated better than most other places'* in Victoria.

As its architects, Inskip and Butler have a direct association with the building, demonstrated by both the extant building and the documentary evidence of their role as architects, thus meeting the first two elements of the test. Walter Butler has been described as *'an architect of great talent'*, and his clients included wealthy pastoralists and businessmen, the Anglican Diocese of Melbourne and the Union Bank. George Inskip had earlier designed several Union Bank and other bank buildings in partnership with William Robertson.

In Chapter of this report (3.1.2 Aesthetic significance) the Panel reached the conclusion that the Coffee Palace *"meets the criteria for aesthetic significance... its relative simplicity is a feature of its architectural style and era and does not diminish its significance"*. The same conclusion can reasonably be reached as to the significance of the relatively modest Coffee Palace compared to other, much grander buildings designed by Inskip and Butler. Within the practice, a straightforward but well-proportioned design could well be regarded as appropriate for a country town the size and status of Yarram at the time, and the building should be included in any comprehensive survey of the firm's work.

Other elements of the test are more problematic. It is not clear that the association with Inskip and Butler can *'be readily appreciated better than most other places'*. There is no evidence that the Coffee Palace is an exemplar of Inskip and Butler's use of the 'Federation Free Classical' style. Apart from designing the Union Bank in Yarram, there is no evidence that Inskip and Butler had any further connection with (or influence on) the local area, such as might exist if they were local architects. For example, the prominent Camperdown architect W. P. Knights was responsible for many notable buildings in the Western District in

the early twentieth century, and this association has been appropriately recognised under Criterion H in the relevant Citations.

However, the Panel notes that the involvement of prominent Melbourne architects Inskip and Butler as architects for the Coffee Palace has been appropriately recognised in the Citation for its historic significance.

The tests must also be applied in relation to the association with the Temperance Movement. The submitter suggested that the owner's motive was to build a commercially successful business rather than concern about the dangers of drinking. There is no evidence in the Citation that the Temperance Movement was actively involved in the establishment of the Coffee Palace, or that its owner was an adherent of the Movement. It therefore could not be said that the place has a *direct association* with the Temperance Movement, a requirement under the test.

On the other hand, the Panel notes that the Temperance Movement is appropriately recognised in the Citation for its historic significance in Victoria and the influence it had on the development of alcohol-free facilities for travellers.

(v) Conclusion

The Panel concludes that neither the association with Inskip and Butler nor the association with the Temperance Movement meet the threshold for associative significance.

(vi) Recommendation

The Panel recommends:

- **Modify the Citation to exclude all references to Criterion H (Associative significance).**

3.2 Restrictions on future development

(i) Submission

The submission argued that because the building does not meet heritage criteria, *"it should not be part of an overlay that will restrict its function as a commercial and/or residential building... the overlay has the potential to conflict with the appropriate commercial or residential use that I may wish to develop in the future"*.

(ii) Council response

Council's responded that the HO *"will have no impact on the uses allowed as currently stands under the existing Commercial 1 Zoning"*. The purpose of the HO *"is not to influence the use of the land, but rather to recognise the heritage qualities of the former Federal Coffee Palace and to ensure that any future development proposals do not adversely affect the recognised heritage significance and integrity of the building"*.

(iii) Submitter's comments

The submitter reiterated his opinion that the building does not meet heritage criteria, and therefore should not be subject to additional controls. He argued that the phrase 'as of

right' indicates *"the right of the owner to do as he/she pleases with the premises, providing... common, statute and planning laws are complied with. This allows the building to be altered, renovated, modified in any way, again within the current planning laws"*.

He emphasises his *"right to make alternation and modifications as I require, for whatever reasons I may have – but would more than likely be due to a commercial and financial interest as the building is a commercial and rentable residential building that needs to derive an income"*.

(iv) Discussion

The site is in a Commercial 1 Zone. The term 'as of right' applies to the uses listed in Section 1 of the Table of Uses (Clause 34.01-1). It does not relate to Buildings and works (including alterations) which require a planning permit under Clause 34.01-4. The zone provisions do not change as a result of the HO.

The HO imposes an additional requirement for the heritage significance of the place to be taken into account in decision-making. Its purpose is to:

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

The HO is only applied to places that have been assessed by qualified experts as meeting at least one criterion for heritage significance. The assessment is then subject to an Amendment process that allows it to be challenged by affected landowners and other parties. As in this case, the assessment can then be further tested through a public, independent Panel process.

While the HO will not affect the 'use' of the land as defined in the Victorian Planning Provisions, it will affect the way any application alter or demolish the heritage building will be assessed, with protection of its heritage value being the primary consideration.

There are occasions when heritage protection needs to be weighed against competing objectives within the relevant planning scheme. In the Wellington Planning Scheme, the most relevant clauses are the following extracts relating to economic and commercial development objectives in the Shire:

Clause 21.07 Yarram and Buckleys Island Road Strategic Framework

Commercial Centre; maintain and promote compact Commercial Centre, meeting the needs of Yarram and District. Protect heritage buildings and promote sensitive infill development.

Clause 21.17 Economic development

Encourage the full development of existing commercial and industrial zoned land to maximise infrastructure efficiencies, except on sites of heritage significance.

In both cases, the policies contain explicit exclusions for buildings and sites of heritage significance, implying that Council has already made a decision about the relative weight to be given to competing objectives, and that heritage considerations are to be given priority over economic ones.

The Panel acknowledges that the HO will impose additional permit requirements should the current or future owner of the Coffee Palace wish to alter or demolish the building. The Victoria Planning Provisions include 25 overlays addressing a wide variety of planning issues (e.g. flooding, vegetation protection, design and development) and all of them impose additional permit requirements on landowners, in accordance with planning provisions.

However, the Panel considers that the Coffee Palace has been the subject of a rigorous assessment process, and that its heritage significance warrants the application of the HO.

(v) Conclusions

The Panel concludes that the Coffee Palace has been properly assessed as meeting criteria for historic and architectural significance, and that as a result the HO has been applied to the site in accordance with State and local policies. Application of the HO to the Coffee Palace also complies with the *Planning and Environment Act 1987*, which sets out the Objectives of Planning in Victoria at Clause 1, including *'to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value'*.

3.3 The former stables

The Panel notes that the former stables located on the south east corner of the site are listed as 'significant' elements of the site on the basis of their historic significance and for the 'archaeological potential' of the area around them. The stables are described as follows:

A timber outbuilding remains on the east boundary, which is an early stable (date not confirmed). It has a gabled roof and skillion additions off the long elevations. The floor of the stables has since been concreted (Stone n.d.:12, 48). From the public view, the stables appear to be in fair condition and retain a moderate level of integrity. However, the interior is suggested to have been damaged by a fire a number of decades ago.

The stables are not assessed as having any 'aesthetic significance'. The Management Guidelines for the site are silent on the conservation of the extant fabric of the stables. On the other hand, the historic link between the stables and the operation of the Coffee Palace and the Royal Mail service is well established, and they are excluded from the area of the site marked *'preferred location for additions and new development'* in the Citation.

It is therefore unclear on what basis an application to alter or demolish the stables would be assessed.

The stables are a little akin to grandfather's axe. They have been altered, repaired and added to over the years, and there appears to be no evidence of their original configuration. The Panel's recent inspection showed that, while the current stables present as a 'picturesque' structure from the street on the eastern boundary, the alterations are obvious

(and are recognised in the Citation). The other elevations are not visible externally. The Panel also inspected the west elevation, which has recently been substantially altered, albeit with sympathetic materials.

In planning decisions, the link between 'historic' significance and extant fabric that has no aesthetic significance, can be problematic. A suitable outcome can be to require full recording and documentation of the remaining fabric before demolition or substantial alteration is permitted to occur.

(i) Conclusions

The Panel agrees that the stables meet the threshold for historic significance. However, it concludes that, because there is no attribution of aesthetic significance, no documentation of the original stables and no Management Plan for their conservation, Council should amend the Citation to include a requirement for full recording and documentation of the extant fabric of the stables before demolition or substantial alteration is permitted to occur.

(ii) Recommendation

The Panel recommends:

- **Amend the Citation to include a Management Plan for the stables that requires full recording and documentation of the extant fabric prior to demolition or substantial alteration.**

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

AMENDMENT C92 (Part 2)

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the Amendment

The Amendment applies to:

| HO # | Place | Address | Locality | Proposal |
|------|--------------------------------|-------------------------|----------|----------|
| 351 | Federal Coffee Palace (former) | 303-305 Commercial Road | Yarram | Apply HO |

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

The Amendment applies the Heritage Overlay to the land at 303-305 Commercial Road, Yarram as recommended in the Wellington Shire Stage 2 Heritage Study 2016.

The Amendment:

- Amends the Schedule to Clause 43.01 to introduce the place described above by inserting 1 new HO entry
- Amend Planning Scheme Map 195HO

Strategic assessment of the Amendment

Why is the Amendment required?

Council, in conjunction with heritage consultants 'Heritage Intelligence Pty Ltd' and Jessi Briggs, have recently undertaken The Wellington Shire Stage 2 Heritage Study, which was completed in May 2016 and adopted by Council at its regular meeting of 6 September 2016.

Stage 2 follows on from the Stage 1 study completed in 2005. A component of the Stage 1 study was the identification of around 800 places in Wellington Shire that are of 'High' or 'Medium' heritage significance and required further investigation as part of a Stage 2 Study.

Stage 2 of the study involved the detailed investigation of the heritage values of 72 of these 'high priority' places across 9 townships within Wellington Shire including: Cowwarr, Hayfield, Tinamba, Maffra, Boisdale, Briagolong, Stratford, Rosedale and Yarram. Following the detailed assessment, 67 draft citations and detailed management guidelines were prepared for those places which hadn't been too significantly altered and retained sufficient original fabric to meet the threshold of local significance. The Study was prepared in accordance with The

Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013) and its Practice Notes, and Planning Practice Note 'Applying the Heritage Overlay'.

Amendment C92 as originally proposed, was required to implement the findings of the Study through the application of the Heritage Overlay to the 67 individual places for which Heritage Citations were prepared.

Following exhibition of the Amendment, the decision was made to split Amendment C92 into two parts:

- Part 1 comprising all components of the exhibited Amendment excluding the proposed application of the HO to the land at 303-305 Commercial Road Yarram.
- Part 2 separately addresses the application of the Heritage Overlay to the Federal Coffee Palace (former).

The citation for this property (along with all other citations) was also amended following exhibition of the Amendment to include further explanatory text relating to the Management Guidelines.

The application of the Heritage Overlay is intended to ensure that development does not adversely affect the significance of recognised built, cultural and natural heritage places. Under the provisions of the Heritage Overlay, places are afforded an appropriate level of statutory protection. This protection will not prevent development, but will rather guide and inform the landowner and Council of the significant elements of the place that need to be considered in any development proposal.

The Amendment documents have been amended to incorporate the recommendations of the Planning Panel. The following changes have been made:

1. The citation has been amended to:
 - a) exclude all references to Criterion F (Technical significance)
 - b) exclude all references to Criterion H (Associative significance)
 - c) include a Management Plan for the stables that requires full recording and documentation of the extant fabric prior to demolition or alteration.
2. The Schedule to the Heritage Overlay has been amended to delete the words 'Yes, stables and underground tank/well' from the column 'Outbuildings or fences which are not exempt under Clause 43.01-3'

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

The Amendment implements the objectives of Section 4 of the Planning and Environment Act 1987, particularly Section 4(d), which is:

"To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value."

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

Heritage places contribute to the character, amenity and identity of Wellington Shire and enhance its appeal as a place to live, work and visit. Amendment C92 (Part 2) is therefore expected to have positive social and economic benefits.

It is not anticipated that there will be any adverse environmental consequences as a result of the inclusion of the nominated site into the schedule of the Heritage Overlay.

Does the Amendment address relevant bushfire risk?

The Amendment does not increase 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 complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes, pursuant to Section 7(5) of the Planning and Environment Act 1987.

Pursuant to Section 12 of the Planning and Environment Act 1987, the Amendment complies with the following Ministerial Directions:

- Ministerial Direction No. 11 - Strategic Assessments of Amendments.
- Ministerial Direction No. 15 - The Planning Scheme Amendment Process.

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

The Amendment fully supports and implements the State Planning Policy Framework. In particular, it implements the strategies of Clause 15.03 - Heritage in order to achieve the objective of ensuring the conservation of places of heritage significance.

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

Clause 21.16 - Built Environment and Heritage acknowledges that the Shire has significant heritage assets which need to be considered in land use and development decisions. Policy objectives seek to promote the identification, protection and conservation of all places with heritage significance - including heritage precincts. A strategy to achieve this includes the need to incorporate heritage assets in an amendment which protects the site(s) under a Heritage Overlay.

Applying the heritage overlay to the subject site will implement this strategy and afford the place additional policy support through Clause 22.03 - Heritage Policy.

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

The amendment makes proper use of the Victoria Planning Provisions by applying the Heritage Overlay in accordance with the Practice Note: Applying the Heritage Overlay.

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

The following agencies views were sought during exhibition of the Amendment.

- Heritage Victoria
- VicRoads
- VicTrack
- GLAWAC
- Public Transport Victoria
- Aboriginal Affairs Victoria – Heritage
- Office of Aboriginal Affairs Victoria
- National Trust

The following responses were received (including departmental responses on behalf of prescribed ministers).

- DEDJTR – No Objection
- DELWP – Support
- National Trust – Support

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

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

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

Resource and administrative costs

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

The application of the Heritage Overlay is not likely to result in any cost implications for implementing and administering the change resulting from the amendment.

Where you may inspect this Amendment

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

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

Wellington Shire Council
Yarram Service Centre
156 Grant Street
Yarram VIC 3971

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

ATTACHMENT 1 - Mapping reference table

| Location | Land /Area Affected | Mapping Reference |
|------------|---------------------|--|
| Wellington | Yarram | Wellington C92 (Part 2) 001hoMap195 Exhibition |

13/07/2017
C92(Part
2+)**SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY**

The requirements of this overlay apply to both the heritage place and its associated land.

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|-----------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| ALBERTON | | | | | | | | | |
| HO3 | <i>Mareen</i> Banks Street, Alberton (Town Lot 5/2) | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO8 | <i>House</i> Danger Street, Alberton | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO11 | <i>Eabon Eabon</i> Hawdon Street, Alberton (Part CA 4/17) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO1 | <i>House</i> Johnson Street (Manns Beach Road), Alberton (Part CA A/2) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO2 | <i>House</i> 60 Johnson Street (Manns Beach Road), Alberton (CA 6-Section3) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO7 | <i>House</i> Kirksop Street, Alberton (Town Lot 17/3) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO22 | <i>House</i> Old Port Road, Alberton (CA 67D) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO12 | Alberton Butler Factory (former) Russell Street, Alberton (Lot 4/17) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO6 | House Stroleski Street, Alberton (Town lots 1 & 2/3) | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO5 | Store & residence Turnbull Street, Alberton (Town lot 18/2) | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO9 | House Turnbull Street, Alberton (Town lot Part CA 1/7) | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO10 | Victoria Hotel 53 Turnbull Street, Alberton (Part CA 3/6) | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO13 | Farm House Yarram-Alberton Road (South Gippsland Highway), Alberton (Part CA 63) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO14 | House Yarram-Alberton Road (South Gippsland Highway), Alberton (Part CA 63) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO15 | House Yarram-Alberton Road (South Gippsland Highway), Alberton (Part CA 100) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|-------------------|--|--------------------------------|-------------------------------------|---|--|--|----------------------------|--|----------------------------|
| HO248 | Alberton Cemetery 214 Yarram-Port Albert Road, Port Albert | No | No | Yes | Yes | No | No | Alberton Cemetery Incorporated Plan | No |
| BOISDALE | | | | | | | | | |
| HO286 | St George's Anglican Memorial Church 6 Boisdale-Valencia Creek Road, Boisdale | Yes | Yes | Yes, White Cedar tree (<i>Melia azedarach</i>), 1950s Camellia tree & Silver Birch (<i>Betula pendula</i>) | Yes, brick fence and gates | No | No | - | Not assessed |
| HO267 | Boisdale Uniting Church (former) 1 Main Street, Boisdale | Yes | Yes | Yes | Yes, WC building | No | No | - | Not assessed |
| HO288 | General Store, Bakery (former) & House 30 & 32-34 Main Street, Boisdale | Yes | Yes, oven & doors in bakery | No | No | No | No | - | Not assessed |
| HO289 | Stables, Blacksmiths & Wheelwrights and blacksmith's house (former) 35-39 Main Street, Boisdale | Yes | No | No | Yes, fence at no 35 Main Street | No | No | - | Not assessed |
| HO290 | Boisdale Public Hall & Memorials 42-44 Main Street, Boisdale | Yes | Yes - entry, stage & hall only | No | No | No | No | - | Not assessed |
| BRIAGOLONG | | | | | | | | | |
| HO291 | St Patrick's Catholic Church 1 Avon Street, Briagolong | Yes | Yes | No | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

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|--------------------|--|--------------------------------|---|--------------------------------|--|--|----------------------------|--|----------------------------|
| HO78 | <i>Mechanics' Institute and Collection</i> 9-11 Avon Street, Briarolong | - | - | - | - | Yes Ref No H550 | Yes | | No |
| HO292 | <i>ANZAC Park & Fallen Soldiers' Memorial</i> 23 Avon Street, Briarolong | Yes, including cleaning | No | Yes | No | No | No | - | Not assessed |
| HO293 | <i>RSL Sub Branch Club Room</i> 55-57 Avon Street, Briarolong | Yes | Yes | No | Yes, Gillio's Gate | No | No | - | Not assessed |
| HO294 | <i>Annie Whitelaw Memorial Grave</i> Briarolong Cemetery, 570 Boundary Road, Briarolong | Yes, including cleaning | No | No | Yes, stone & cast iron fence to the Annie Whitelaw grave | No | No | - | Not assessed |
| HO295 | <i>Briarolong Uniting Church & Dutch Elm</i> 4 Church Street, Briarolong | Yes | No | Yes, Dutch Elm | No | No | No | - | Not assessed |
| HO296 | <i>All Saints Anglican Church Complex</i> 14 Church Street, Briarolong | Yes | Yes - 1908 church porch, nave & chancel | Yes - Algerian Oak, Blue Cedar | Yes - 1884 church, 1908 vestry, front fence & gates | No | No | - | Not assessed |
| HO297 | <i>Coffee Palace (former)</i> 39 Forbes Street, Briarolong | No | No | No | No | No | No | - | Not assessed |
| HO79 | <i>Mount View</i> Gorge Road, Briarolong | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| BUNDALAGUAH | | | | | | | | | |
| HO77 | <i>Primary School No. 1107</i> Maffra-Sale Road, Bundalaguah | Yes | Yes | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|-------------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|--|----------------------------|
| BUSHY PARK | | | | | | | | | |
| HO298 | Angus McMillan Memorial and Pencil Pines Maffra-Briagolong Road (Road Reserve), Bushy Park | Yes, including cleaning | No | Yes | No | No | No | - | Not assessed |
| CLYDEBANK | | | | | | | | | |
| HO54 | Clydebank Bridge Scarred Trees Bengworden Road, Clydebank Comprises the trees and approximately 150 ha of land. | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| COWWARR | | | | | | | | | |
| HO299 | Christ Church and Lock-up 8-10 Church Street, Cowwarr | Yes | Yes | Yes, Elm | Yes, lock-up | No | No | - | Not assessed |
| HO300 | St Brigid's Catholic Church Complex 13-19 Church Street, Cowwarr | Yes | Yes - church porch, nave & chancel | No | Yes - front fence & gates | No | No | - | Not assessed |
| HO67 | Homeview Heyfield Road, Cowwarr | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO301 | Cricket Club Hotel 18-20 Main Street, Cowwarr | No | No | No | No | No | No | - | Not assessed |
| HO302 | Cowwarr Public Hall & Memorials 31-33 Main Street, Cowwarr | No | No | No | Yes, front fence | No | No | - | Not assessed |
| HO68 | Cowwarr Butter Factory (former) Traralgon-Maffra Road, Cowwarr | - | - | - | - | Yes Ref No H1282 | No | | No |
| DARGO | | | | | | | | | |

WELLINGTON PLANNING SCHEME

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|------------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO48 | <i>Connelly's Inn (Old Hotel)</i> Dargo High Plains Road, Dargo | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO107 | <i>Grant Historic Area</i> McMillans Road, Dargo | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO115 | <i>Good Hope Quartz Goldmining Precinct</i> McMillan Track, Grant Historic Area, Wongungarra | - | - | - | - | Yes Ref No H1268 | No | | No |
| HO113 | <i>Harrisons Cut Gold Diversion Site</i> Upper Dargo Road, Dargo | - | - | - | - | Yes Ref No H1263 | No | | No |
| HO114 | <i>Jungle Creek Gold Mining Diversion</i> Sluice, Grant Historic Area, Dargo | - | - | - | - | Yes Ref No H1258 | No | | No |
| FULHAM | | | | | | | | | |
| HO59 | <i>Fulham Park</i> Myrtlebank Road, Fulham | - | - | - | - | Yes Ref No H331 | No | | No |
| GLENCAIRN | | | | | | | | | |
| HO108 | <i>Barkly River Bridge</i> Licola-Glencairn Road, Glencairn | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HEDLEY | | | | | | | | | |
| HO81 | <i>Gellondale Briquette Plant</i> Coal Pit Road (Lanes Road) and South Gippsland Highway, Hedley | - | - | - | - | Yes Ref No H1058 | No | | No |

WELLINGTON PLANNING SCHEME

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|-----------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|--|----------------------------|
| HEYFIELD | | | | | | | | | |
| HO303 | <i>Heyfield Soldiers' Memorial and Pencil Pines</i> George Street, Heyfield | Yes, including cleaning | No | Yes | No | No | No | - | Not assessed |
| HO304 | <i>St Michael's Catholic Church</i> 2-6 George Street, Heyfield | Yes | Yes | No | No | No | No | - | Not assessed |
| HO305 | <i>Railway Hotel</i> 24 George Street, Heyfield | Yes | No | No | No | No | No | - | Not assessed |
| HO306 | <i>Police Station (former)</i> 6 MacFarlane Street, Heyfield | No | No | No | Yes, stables | No | No | - | Not assessed |
| HO307 | <i>Heyfield Uniting Church and Memorial</i> 46 MacFarlane Street, Heyfield | Yes | Yes | No | No | No | No | - | Not assessed |
| HO308 | <i>Post Office (former)</i> 7 Temple Street, Heyfield | Yes | No | No | No | No | No | - | Not assessed |
| HO309 | <i>St James Anglican Soldiers Memorial Church & Memorials</i> 15 Temple Street, Heyfield | Yes | Yes | No | No | No | No | - | Not assessed |
| HO310 | <i>Heyfield Primary School & 1875 Church of England (former)</i> 22-40 Temple Street | Yes | No | No | Yes, school entrance gateway & arch | No | No | - | Not assessed |
| HO311 | <i>Commercial Hotel</i> 66 Temple Street, Heyfield | Yes | No | No | No | No | No | - | Not assessed |
| HIAWATHA | | | | | | | | | |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|---------------|--|--------------------------------|---|--------------------------------|---|--|----------------------------|--|----------------------------|
| HO110 | A' Frame Bridge, Little Albert River crossing Albert River Road, Hiawatha | - | - | - | - | Yes Ref No H2011 | No | | No |
| MAFFRA | | | | | | | | | |
| HO312 | Beet Sugar Factory Office (former) & Weighbridge Apex Park, McMahon Drive, Maffra | Yes | Yes, c1897 building only | No | Yes, weighbridge | No | No | - | Not assessed |
| HO53 | Strathavon Nurtin RMB 6196, Beet Road via Maffra | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO74 | Primary School No. 861 Church Street, Maffra | Yes | No | No | No | No | No | - | No |
| HO313 | St John's Anglican Church Complex 14 Church Street, Maffra | Yes | Yes - church entry, nave, chancel, apse, organ-chamber, Lych Gate | Yes - Turkey Oak | Yes - Lych Gate; 1950s brick columbarium, fence & gates; timber & wire fence to rectory | No | No | - | Not assessed |
| HO314 | St Mary's Catholic Church Complex Duke Street, Maffra | Yes | Yes - 1871 & 1893 Church; 1924 Church | Yes - Canary Island Date Palms | Yes - Callanan grave site & headstone, Bell | No | No | - | Not assessed |
| HO315 | Maffra Soldiers' Memorial Johnson Street (road reserve), Maffra | Yes, including cleaning | No | Yes | No | No | No | - | Not assessed |
| HO316 | Macalister Hotel 2 Johnson Street, Maffra | Yes | Yes, to c1863 fabric | No | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

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|------------|---|--------------------------------|--|----------------------|--|--|----------------------------|---|----------------------------|
| HO317 | <i>Commercial Bank of Australia (former)</i> 50 Johnson Street, Maffra | Yes | No | No | Yes, brick fence along Thomson Street | No | No | - | Not assessed |
| HO71 | <i>National Bank of Australasia (former)</i> 64 Johnson Street, Maffra | - | - | - | - | Yes Ref No H399 | No | | No |
| HO72 | <i>Court House</i> Johnson Street, Maffra | Yes | Yes | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO73 | <i>Shop</i> 75 Johnson Street, Maffra | Yes | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO318 | <i>Metropolitan Hotel (former)</i> 95 Johnson Street, Maffra | Yes | No | No | No | No | No | - | Not assessed |
| HO319 | <i>Maffra Hotel</i> 122 Johnson Street, Maffra | Yes | No | No | No | No | No | - | Not assessed |
| HO320 | <i>Mechanics Institute, Memorial Hall Complex & Memorials</i> 150-158 Johnson Street & 11-15 Foster Street, Maffra | Yes | Yes, RSL room of the 1922 Great War Peace Memorial Hall only | No | No | No | No | - | Not assessed |
| HO321 | <i>Young's Arcade</i> 160 Johnson Street, Maffra | Yes | No | No | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

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|-------------------------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO75 | Boisdale 494 Maffra-Briagolong Road, Maffra Includes the homestead, garden, outbuildings and water tower | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO322 | St Andrew's Uniting Church 7 Pearson Street, Maffra | Yes | Yes, nave & tower | No | Yes, fence | No | No | - | Not assessed |
| HO76 | Mewburn Park Tinamba Road (Traralgon Maffra Road), Maffra Includes the stables | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| NEWRY | | | | | | | | | |
| HO80 | Mechanics' Institute Boisdale-Newry Road, Newry | Yes | No | Yes | No | No | No | - | No |
| PALMERSTON/PORT ALBERT | | | | | | | | | |
| HO24 | House 6 Albany Street (CA 4/1), Palmerston | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO25 | House 2-4 Brisbane Street, Palmerston | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO26 | House 15 Denison Street (CA 8/5), Palmerston | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|--------------------|--|--------------------------------|-------------------------------------|----------------------------|--|--|----------------------------|--|----------------------------|
| HQ30 | Police Station & Immigration Barracks (former) 6 Denison Street and 5 Colville Street (CA 3, 4/4), Palmerston | - | - | - | - | Yes Ref No H498 | No | | No |
| HQ28 | House 22 Fitzroy Street (CA 6/8), Palmerston | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HQ23 | Tarrawonga 70 Port Albert-Tarraville Road (CA 79A), Palmerston | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| PORT ALBERT | | | | | | | | | |
| HQ34 | Port Albert Heritage Precinct | No | No | Yes – Norfolk Island Pines | No | No | No | Port Albert Heritage Precinct Incorporated Plan | No |
| HQ265 | Port Albert Maritime Museum (former Bank of Victoria) Tarraville Road, Port Albert | - | - | - | - | Yes Ref No H1210 | No | | No |
| HQ32 | Footings of former Powder Magazine (off) Bay Street, near East Street, Port Albert | Yes | No | No | No | No | No | Port Albert Heritage Precinct Incorporated Plan | No |
| HQ35 | Old Port foreshore reserve (south of) Old Port Road, Port Albert | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HQ119 | Roberts' drapers shop (former), residence & tree 63-65 Tarraville Road, Port Albert | No | No | Yes – Cordyline | No | No | No | Port Albert Heritage Precinct Incorporated Plan | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|-----------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO135 | Ship Inn Hotel (former) & tree 73 Tarraville Road, Port Albert | No | No | Yes - Cordyline | No | No | No | Port Albert Heritage Precinct Incorporated Plan | No |
| HO174 | Port Albert Mechanics' Institute 20 Victoria Street, Port Albert | No | Yes | No | No | No | No | Port Albert Heritage Precinct Incorporated Plan | No |
| HO118 | Turnbull Orr and Co Bond Store and Office (former) 41-43 Wharf Street, Port Albert | - | - | - | - | Yes Ref No H1779 | No | | No |
| ROSEDALE | | | | | | | | | |
| HO58 | St Mark's Anglican Church 55-61 Albert Street, Rosedale | - | - | - | - | Yes Ref No H599 | No | | No |
| HO323 | Rosedale Shire Offices (former) and English Elms 1-3 Cansick Street, Rosedale | Yes | No | Yes, English Elms | No | No | No | - | Not assessed |
| HO324 | McCarthy House 10 Lyons Street, Rosedale | Yes | No | No | No | No | No | - | Not assessed |
| HO111 | Railway bridge over Latrobe River & floodplain Dandenong-Sale (Main Gippsland) Railway, Rosedale | No | No | No | No | No | No | - | No |
| HO325 | Lyons Street Beautification Trees and Memorial Reserve Lyons Street (median strip), Rosedale | Yes, including cleaning | No | Yes | No | No | No | - | Not assessed |
| HO60 | Rosedale Hotel 29-31 Lyons Street, Rosedale | - | - | - | - | Yes Ref No H845 | No | | No |

WELLINGTON PLANNING SCHEME

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|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO57 | Primary School (1871 building) Prince Street, Rosedale | Yes | No | Yes | No | No | No | - | No |
| HO62 | Mechanics' Institute Prince Street, Rosedale | Yes | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO64 | Masonic Hall Prince Street, Rosedale | Yes | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO65 | Old Post Office Prince Street, Rosedale | Yes | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO326 | Exchange Hotel (former) 2-10 Prince Street, Rosedale | Yes | No | No | No | No | No | - | Not assessed |
| HO327 | Bank of Australasia (former) 25-27 Prince Street, Rosedale | Yes | No | No | No | No | No | - | Not assessed |
| HO69 | Nambrok Princes Highway, Rosedale | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO328 | St Rose of Lima Catholic Church 4-6 Queen Street, Rosedale | Yes | Yes - church nave, chancel & porch | No | No | No | No | - | Not assessed |
| HO329 | Presbyterian Manse (former) & Cork Oak 44 Queen St, Rosedale | Yes | No | Yes, Cork Oak | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

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|-------------|--|--------------------------------|-------------------------------------|---|--|--|----------------------------|--|----------------------------|
| HO330 | St Andrews Uniting Church 48-52 Queen St, Rosedale | Yes | Yes, porch, nave & chancel | No | No | No | No | - | Not assessed |
| HO63 | Ridge Station 29 Rosedale-Heyfield Road, Rosedale | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO70 | Holey Plain Rosedale-Longford Road, Rosedale | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO82 | Rosedale Railway Station complex Willung Road, Rosedale | - | - | - | - | Yes Ref No H1589 | No | | No |
| SALE | | | | | | | | | |
| HO86 | Sale Town Centre Precinct | No | No | Yes | No | No | No | Sale town centre heritage precinct permit exemptions | No |
| HO121 | Sale Victoria Park Precinct | No | No | Yes – street trees & Victoria Park only | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO122 | Sale St Mary's Precinct | No | No | Yes – street trees only | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO123 | Sale Lake Guthridge Landscape Precinct | No | No | Yes – streets & public reserves only | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO124 | Sale Esso Executive Housing Precinct | No | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |

WELLINGTON PLANNING SCHEME

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|------------|---|--------------------------------|-------------------------------------|-------------------------|--|--|----------------------------|---|----------------------------|
| HO125 | <i>Sale Railway Precinct</i> | No | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO126 | <i>Sale State Bank Houses Precinct</i> | No | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO128 | <i>Sale Stewell & Market Streets Precinct</i> | No | No | Yes – street trees only | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO129 | <i>Sale Thomson Street Precinct</i> | No | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO131 | <i>Sale Netherlands Rural Area Precinct</i> | No | No | No | No | No | No | Sale Rural Heritage Precincts Incorporated Plan | No |
| HO97 | <i>Sale Cemetery</i> Back Maffra Road & Cemetery Road, Sale | Yes | No | No | No | No | No | - | No |
| HO199 | <i>Myrtlebank School (former)</i> Lot 1 LP 84352, Back Maffra Road, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO242 | <i>House & front fence</i> 7 Barkly Street, Sale | No | No | No | Yes – front fence | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO120 | <i>House & front fence</i> 15 Barkly Street | No | No | No | Yes – front fence | No | No | Sale residential heritage precincts permit exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|------------|--|--------------------------------|-------------------------------------|--------------------------|--|--|----------------------------|---|----------------------------|
| HO186 | House 18 Codrington Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO99 | Bishopscourt 4 Cranswick Crescent, Sale | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO154 | House 5 Cunninghame Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO160 | House (Medical Clinic) 36 Cunninghame Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO153 | Pipe crossing Cunninghame Street, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO96 | Remnant trees Cunninghame Street, Sale | No | No | Yes | No | No | No | - | No |
| HO100 | St Paul's Anglican Cathedral 149 Cunninghame Street, Sale | Yes | No | No | No | No | No | State residential heritage precincts permit exemptions | No |
| HO127 | House & front fence 167-69 Cunninghame Street, Sale | Yes | No | No | Yes – front fence | No | No | State residential heritage precincts permit exemptions | |
| HO207 | House & tree 175-77 Cunninghame Street, Sale | No | No | Yes – Caucasian Fir tree | No | No | No | State residential heritage precincts permit exemptions | |

WELLINGTON PLANNING SCHEME

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|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO144 | <i>Municipal Pound (former)</i> 14 Dargo Street, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO138 | <i>Drying Barn</i> 50-54 Dargo Street (CA 14), Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO87 | <i>Bon Accord</i> 153-155 Dawson Street, Sale | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO237 | <i>Peppercorn trees</i> Desailly Street, Sale | No | No | Yes | No | No | No | - | No |
| HO141 | <i>Elm Trees</i> Corner of Desailly & McMillan Streets, Sale | No | No | Yes | No | No | No | - | No |
| HO249 | <i>House & front fence</i> 29 Desailly Street, Sale | Yes | No | No | Yes – front fence | No | No | Sale residential heritage precincts permit exemptions | No |
| HO250 | <i>Presbyterian Manse</i> 30-40 Desailly Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO181 | <i>House & front fence</i> 185 Desailly Street, Sale | No | No | No | Yes – front fence | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO182 | <i>House & front fence</i> 190 Desailly Street, Sale | No | No | No | Yes – front fence | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

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|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO187 | <i>The Minters</i> 207 Desailly Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO227 | <i>St Helen's Private Hospital (former)</i> 37-39 Elgin Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO247 | <i>Stables</i> 67-69 Elgin Street (rear of), Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO233 | <i>House & front fence</i> 80 Elgin Street, Sale | No | No | No | Yes – front fence | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO178 | <i>Gay Nor</i> 11 Fitzroy Street, Sale | No | No | No | Yes – front fence & garage | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO175 | <i>House</i> 47 Fitzroy Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO238 | <i>House & front fence</i> 146-148 Fitzroy Street, Sale | No | No | No | Yes – front fence | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO146 | <i>House</i> 3 Foster Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO104 | St Mary's Catholic Cathedral, former Convent, organ, and Primary School 47-57 Foster Street, Sale | Yes | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO251 | House (Diocesan Centre Office) 63-65 Foster Street, Sale | Yes | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO143 | Former ESSO BHPP Offices (Wellington Shire Council Offices) 66-70 Foster Street, Sale | No | No | No | No | No | No | | No |
| HO83 | Sale Court House 79-87 Foster Street, Sale | - | - | - | - | Yes Ref No H1484 | No | | No |
| HO252 | Borough of Sale Municipal Offices (former) 126-30 Foster Street, Sale | Yes | Yes | Yes - Schinus molle | No | No | No | Sale town centre permit exemptions | No |
| HO253 | House 169 Foster Street, Sale | Yes | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO220 | House 215 Foster St (corner of Foster & Palmerston Streets), Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO45 | Grassdale 8 Grassdale Road, Sale | - | - | - | - | Yes Ref No H261 | No | | No |
| HO216 | House 22 Guthridge Parade, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO218 | House 52 Guthridge Parade, Sale | No | No | Yes – Peppercorns | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO222 | Moneenroe 124-128 Guthridge Parade, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO91 | Fitzpatrick House 143-138 Guthridge Parade, Sale | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO223 | Plane Tree, Sale Hospital 143-71 Guthridge Parade, Sale | No | No | Yes | No | No | No | | No |
| HO224 | The Cottage 146-50 Guthridge Parade, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO231 | Sunnyside 216 Guthridge Parade, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO225 | Blairgowrie House 26 Inglis Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO235 | House 86-88 Lansdowne Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO236 | House 51 Lansdowne Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO185 | Former Woollen Mills (Nylux Factory) 31-47 McGhee Street, Sale | No | No | No | No | No | No | - | No |
| HO155 | St Patrick's College Footbridge Macalister Street, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO156 | House 2 Macalister Street, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO157 | House 6-8 Macalister Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO158 | House 10-12 Macalister Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO101 | Victoria Hall 47-49 Macalister Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO254 | City of Sale Municipal Offices, Hall & Gallery (former) 62-64 Macalister Street, Sale | Yes | Yes | No | Yes | No | No | Sale town centre permit exemptions | No |
| HO85 | Criterion Hotel 90-94 Macalister Street, Sale | - | - | - | - | Yes Ref No H215 | Yes | - | No |

WELLINGTON PLANNING SCHEME

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|------------|--|--------------------------------|-------------------------------------|----------------------------|--|--|----------------------------|---|----------------------------|
| HQ102 | Victoria Park 101-103 Macalister Street, Sale | No | No | Yes | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ255 | House 120 Macalister Street, Sale | Yes | No | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ84 | Primary School No. 545 123-35 Macalister Street, Sale | Yes | Yes | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ256 | House & front fence 143 Macalister Street, Sale | Yes | No | No | Yes – front fence | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ257 | House & tree 152 Macalister Street, Sale | Yes | No | Yes – Magnolia grandiflora | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ258 | House & tree 154 Macalister Street, Sale | Yes | No | Yes – Magnolia grandiflora | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ259 | House 155 Macalister Street, Sale | Yes | No | No | Yes – garage | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ260 | House & tree 156 Macalister Street, Sale | Yes | No | Yes – Oak in front yard | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ261 | Oak tree 158 Macalister Street, Sale | No | No | Yes – Oak in front yard | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ262 | House & hedge 159 Macalister Street, Sale | Yes | No | Yes – hedge | No | No | No | Sale residential heritage precincts permit exemptions | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO263 | House & tree 162-64 Macalister Street, Sale | Yes | No | Yes – mature Elms | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HO264 | House 186 Macalister Street, Sale | Yes | No | No | No | No | No | Sale Residential Heritage Precincts Permit Exemptions | No |
| HO265 | House 190 Macalister Street, Sale | Yes | No | No | Yes – front fence | No | No | Sale residential heritage precincts permit exemptions | No |
| HO92 | Gables 118-120 Macarthur Street, Sale | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO206 | House 123 Macarthur Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO209 | House 125 Macarthur Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO210 | House 133 Macarthur Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO211 | House 135 Macarthur Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HQ212 | Leslie House 152-56 Macarthur Street, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ229 | House 190-92 Macarthur Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ232 | House 209 Macarthur Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ284 | Pine Tree Maffra-Sale Road, Sale | No | No | Yes | No | No | No | | No |
| HQ198 | Woodella Park 1480 Maffra-Sale Road, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ105 | Glebe 1496 Maffra-Sale Road (CA 94), Sale | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ197 | Myrtledowns 1500 Maffra-Sale Road, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ196 | Sale Showgrounds Part CA 92, Maffra-Sale Road, Sale | No | No | Yes | No | No | No | Sale & District Agricultural Society Showgrounds Heritage Permit Exemptions | No |

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|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HQ214 | House 11 Market Street, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ266 | Annie Pain Memorial Kindergarten Hall 61-63 Market Street, Sale | Yes | Yes | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ213 | House 18 Marley Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ267 | House & front fence 45 Marley Street, Sale | Yes | No | No | Yes – front fence | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ281 | Delbridge Hall 64-68 Marley Street, Sale | Yes | Yes | No | No | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ268 | House, garden & front fence 90-94 Marley Street, Sale | Yes | No | Yes | Yes – front fence | No | No | Sale residential heritage precincts permit exemptions | No |
| HQ221 | House 13 Palmerston Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ88 | Charles and Elizabeth Ayres Memorial Nurses Home 36-48 Palmerston Street, Sale | Yes | No | No | No | No | No | - | No |

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|------------|--|--------------------------------|-------------------------------------|-------------------------------------|--|--|----------------------------|---|----------------------------|
| HO228 | House 51 Palmerston Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO234 | House 83-85 Palmerston Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO137 | Redgale Reserve CA 7A, Park Street, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO226 | House 88 Patten Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO289 | Diocese of Sale Bishop's Office & front fence 8-10 Pearson Street, Sale | Yes | No | No | Yes – front fence | No | No | State residential heritage precincts permit exemptions | No |
| HO103 | St Patrick's College 29-41 Pearson Street, Sale | Yes | No | No | No | No | No | State residential heritage precincts permit exemptions | No |
| HO179 | House 155 Pearson Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO180 | House & Trees 166 Pearson Street, Sale | No | No | Yes – Pomegranate, Pear & Oak trees | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO200 | Pooley's Bridge Pooley's Road, Sale | No | No | No | No | No | No | - | No |
| HO106 | King George V Jubilee Avenue- Princes Highway, Sale | No | No | Yes | No | No | No | - | No |
| HO147 | Bridges & Road Alignment Princes Highway, Sale | No | No | No | No | No | No | - | No |
| HO139 | Boat Shed Part CA 23E, Punt Lane, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO190 | House 1 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO191 | House 5 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO192 | Brick Works (former) 7 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO189 | House 8 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO186 | House 22 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

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|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO193 | <i>Maralinga</i> 31 Raglan Street, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO194 | <i>Lyndhurst</i> 67-69 Raglan Street, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO245 | <i>House</i> 100 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO246 | <i>House</i> 105-07 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO243 | <i>House</i> 150 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO239 | <i>House</i> 174 Raglan Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO241 | <i>House, front fence & trees</i> 197 Raglan Street, Sale | No | No | Yes | Yes – front fence | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO98 | <i>St Anne's and Gippsland Grammar School</i> 52-66 Raymond Street, Sale | Yes | No | No | No | No | No | - | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|--|----------------------------|
| HO90 | Sale High School (former) 63-67 Raymond Street, Sale | Yes | No | No | No | No | No | - | No |
| HO270 | Beaurepaire Tyre Service Pty Ltd (former) 80-88 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO271 | Bank of Australasia (former) 104-08 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO272 | AMP Society offices (1930 – former) 118-24 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO273 | Commercial Bank (former) 123-25 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO274 | St Columba's church complex & Logan Reserve 131-71 Raymond Street, Sale | Yes | No | Yes | No | No | No | Sale town centre permit exemptions | No |
| HO275 | Shop 142 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO276 | AMP Society building (1919 – former) 184-86 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO277 | Star Hotel 173-85 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HO89 | Cobb & Co Stables 199 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |

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|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HQ278 | Miss Paton's Arcade (former) 229-239 Raymond Street, Sale | Yes | No | No | No | No | No | Sale town centre permit exemptions | No |
| HQ167 | House 456 Raymond Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ169 | Hawthorne Dairy & House 462-64 Raymond Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ172 | House 476 Raymond Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ168 | House 479-81 Raymond Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ283 | House (Lochee) 483 Raymond Street, Sale | No | No | No | Yes – garage | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ170 | House 493 Raymond Street, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HQ171 | House 499-501 Raymond Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO185 | Latrobe Hotel (former) 511 Raymond Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO184 | House 517 Raymond Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO183 | House, outbuildings & well 525-27 Raymond Street, Sale | No | No | No | Yes – stables & dairy | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO219 | Benacre 1-3 Rebecca Drive, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO145 | HM Prison Sale (former) 13-15 Reeve Street, Sale | No | No | No | No | No | No | - | No |
| HO150 | House 39 Reeve Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO177 | House 138 Reeve Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO61 | Latrobe River Swing Bridge South Gippsland Highway, Sale | - | - | - | - | Yes Ref No H1438 | No | | No |
| HO133 | Thomson River Jetty South Gippsland Highway, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO134 | Robinson Park Trees CA 18C, 23F, & 23G, South Gippsland Highway, Sale | No | No | Yes | No | No | No | - | No |
| HO138 | Sale Canal CA 3 & 18A, South Gippsland Highway & Canal Road, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO163 | House 38 Stawell Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO164 | House 40-42 Stawell Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO165 | House 44 Stawell Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO168 | House 77 Stawell Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO279 | House, garden & front fence 154-56 Stawell Street, Sale | Yes | No | Yes | Yes – front fence | No | No | Sale residential heritage precincts permit exemptions | No |
| HO95 | Powder Magazine (former) 37-45 Stephenson Street, Sale | Yes | No | No | No | No | No | Sale Rural Heritage Precincts Permit Exemptions | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1985? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO132 | Latrobe Wharf, Swan Hotel, & Victoria Hotel Site Swing Bridge Drive, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO161 | House 46 Thomson Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO280 | House 62 Thompson Street, Sale | No | Yes | No | No | No | No | Sale Residential Heritage Precincts Permit Exemptions | No |
| HO178 | Teray 122 Thomson Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO152 | Sale Waterworks Pumping Station and Treatment Plant Part CA 42D, Waterworks Road, Sale | No | No | No | No | No | No | - | No |
| HO215 | Post Box Corner York & Macalister Streets, Sale | No | No | No | No | No | No | - | No |
| HO140 | House 8 York Street, Sale | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO142 | House 57-59 York Street, Sale | No | No | Yes | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO93 | Mechanics' Institute Group 125-141 York Street, Sale | Yes | No | No | No | No | No | - | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|--------------------|---|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|---|----------------------------|
| HO201 | Milk Dairy 178 York Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO202 | Shop 184 York Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO203 | Fire Station (former) 203-07 York Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO204 | Baptist Church 208-13 York Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO205 | Gentofte 222-30 York Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO206 | Laurie 304-06 York Street, Sale | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HOB4 | Our Lady of Sorrows Convent 341-49 York Street, Sale | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| SALE/WURRUK | | | | | | | | | |
| HO149 | Wurruk Primary School No. 2518 15-19 Fisk Street, Wurruk | No | No | No | No | No | No | - | No |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|-------------------------------------|--|--------------------------------|---|----------------------|---|--|----------------------------|---|----------------------------|
| HO150 | Tom's Cottage 10-12 Obway Street, Wurruk | No | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO148 | House 2 (Part CA 3) Riverview Road (Princes Highway), Wurruk | No | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO68 | Kilmany Park Settlement Road & Reid Drive, Wurruk | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO151 | Oak Tree Settlement Road & Reid Drive, Wurruk | No | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| STRATFORD & PERRY BRIDGE | | | | | | | | | |
| HO50 | Stratford Post Office, Court House (former) & Council Chambers (former) 64-66 Tyers Street (Princes Highway), Stratford | Yes | No | No | Yes, the fence section under the porch on the south elevation | No | No | - | No |
| HO52 | Wesleyan Methodist Church (former) 14 Hobson Street, Stratford | Yes | No | Yes | No | No | No | - | No |
| HO331 | Mechanics Institute and Boer Memorial Plaque 17 Hobson St, Stratford | Yes | Yes, original fabric of entry hall, hall & stage & Boer memorial plaque | No | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|--|----------------------------|
| HO332 | Holy Trinity Anglican Church, Hall, Rectory & Memorials Lot 8 (LP215327) & 28 McFarlane Street, Stratford | Yes | Yes, church | No | No | No | No | - | Not assessed |
| HO333 | St Patrick's Catholic Church 2 Merrick Street, Stratford | Yes | Yes | No | No | No | No | - | Not assessed |
| HO55 | Knob Reserve Old Redbank Road, Stratford | Yes | No | Yes | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO334 | Stratford Railway Station and Crane Railway Reserve Road & McFarlane Street, Stratford | Yes | No | No | Yes, crane | No | No | - | Not assessed |
| HO56 | Ramahyuck Cemetery Reserve Ramahyuck Road, Perry Bridge, via Stratford | Yes | No | Yes | No | No | No | - | Yes |
| HO46 | Strathfieldsaye Strathfieldsaye Road, Perry Bridge, via Stratford | - | - | - | - | Yes Ref No H262 | No | - | No |
| HO335 | Stratford Soldiers' Park and Soldiers' Memorial Tyers Street, Stratford | Yes, including cleaning | No | Yes | Yes | No | No | - | Not assessed |
| HO336 | Bakery (former), Shop and Residence 20 Tyers Street, Stratford | Yes | No | No | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|-------------------|--|--------------------------------|-------------------------------------|----------------------|---|--|----------------------------|---|----------------------------|
| HO337 | Carter's Corner and Residence 23 Tyers Street, Stratford | Yes | No | No | Yes, large timber hipped roof building attached to the SW corner of the house | No | No | - | Not assessed |
| HO338 | State Savings Bank (former) 58 Tyers Road, Stratford | Yes | No | No | Yes, front fence | No | No | - | Not assessed |
| TARRAVILLE | | | | | | | | | |
| HO37 | House Bridge Street, Tarraville (CA 2/4) | Yes | No | No | No | No | No | Individual Heritage Places (township areas) Permit Exemptions | No |
| HO41 | Farm House Loughnan Street, Tarraville (Lot E of Block 13) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO18 | Woodcot Park Tannery Road (Manns Beach Road), Myrtle Point/Tarraville (CA 29) | - | - | - | - | Yes Ref No H549 | - | | - |
| HO19 | Farm house. Tannery Road (Manns Beach Road), Myrtle Point (CA 30) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO21 | House Tannery Road (Manns Beach Road), Myrtle Point/Tarraville (CA 105 D&E) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO36 | Christ Anglican Church Tyers Street, Tarraville (CA 3-6/1) | - | - | - | - | Yes Ref No H999 | No | | No |

WELLINGTON PLANNING SCHEME

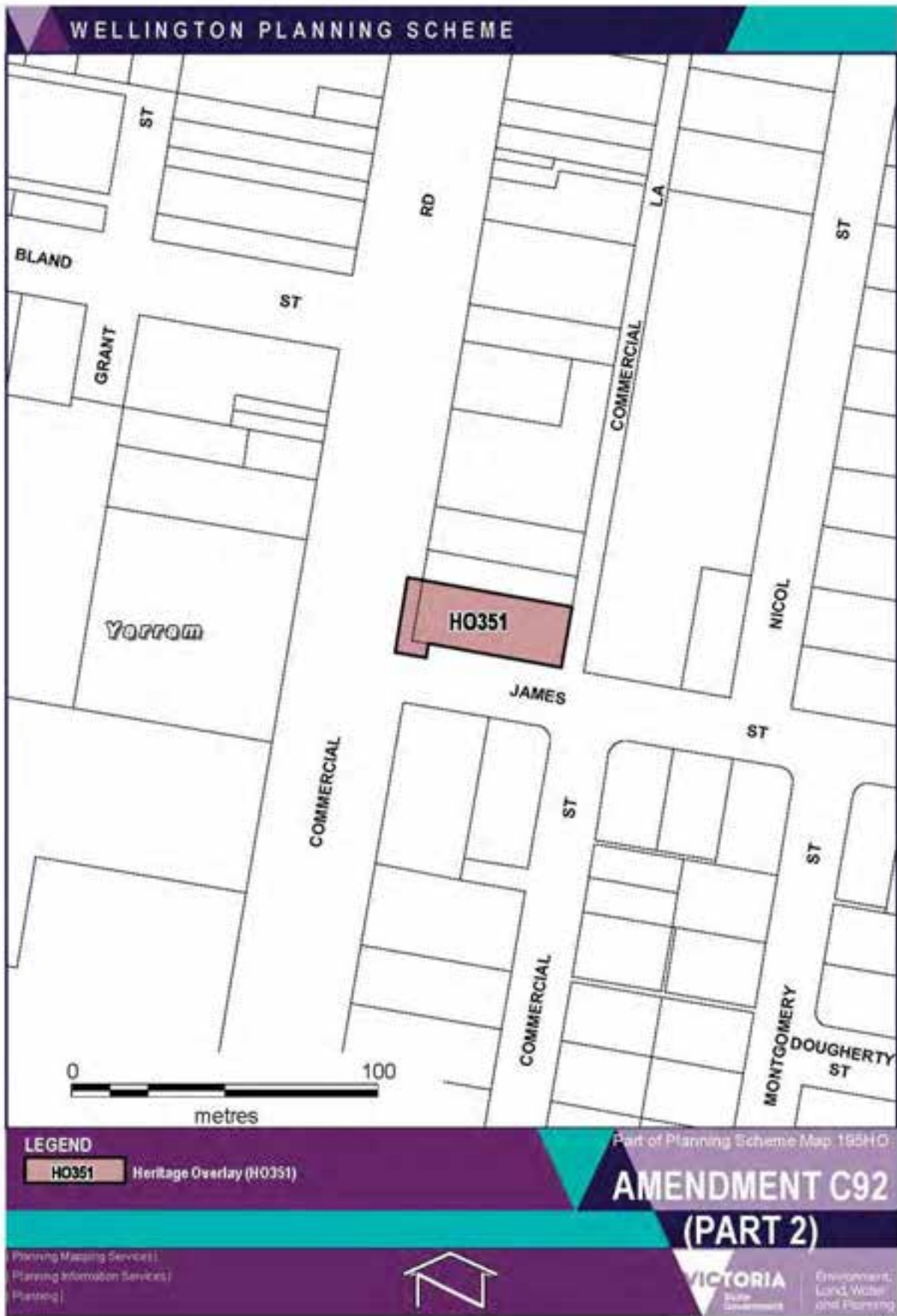
| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|----------------|---|--------------------------------|-------------------------------------|----------------------------|--|--|----------------------------|--|----------------------------|
| HO39 | <i>Ruinous house</i> Manns Beach Road and Old Sale Road, Tarraville (Section 23) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO42 | <i>Green Hills</i> Ray's Road, Tarraville (Lot 15a) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO40 | <i>House (former Commercial Hotel)</i> 20 Reeve Street, Tarraville (Section 1) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO44 | <i>Farm complex</i> Shavis Road, Tarraville (CA 7) | Yes | No | No | No | No | No | Individual Heritage Places (rural areas) Permit Exemptions | No |
| HO38 | <i>State School</i> Stewart Street, Robertsons Beach Road, and McCrae Street, Tarraville (CA 9-10/6) | Yes | No | No | No | No | No | - | No |
| TINAMBA | | | | | | | | | |
| HO339 | <i>St Matthews Anglican Memorial Church, Memorials & Trees</i> 11 Tinamba-Seaton Road, Tinamba | Yes | Yes | Yes, those planted in 1965 | No | No | No | - | Not assessed |
| YARRAM | | | | | | | | | |
| HO340 | <i>St Mary's Catholic Church and Presbytery</i> 5 Buckley Street, Yarram | Yes | Yes, church | No | No | No | No | - | Not assessed |
| HO341 | <i>Mechanics Institute</i> 2-4 Church Road, Yarram | Yes | Yes, hall only | No | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|------------|--|--------------------------------|--|---------------------------------|--|--|----------------------------|--|----------------------------|
| HO342 | Yarram Soldiers' Memorials Commercial Road (road reserve), Yarram | Yes, including cleaning | No | No | Yes, fence | No | No | - | Not assessed |
| HO33 | Court House 87 Commercial Road, Yarram | - | - | - | - | Yes Ref No H1491 | No | - | No |
| HO343 | Holy Trinity Anglican Memorial Church & Memorials 95-99 Commercial Road, Yarram | Yes | Yes – church nave, chancel, narthex, south porch | No | No | No | No | - | Not assessed |
| HO344 | St Andrews United Church and Hall 109-113 Commercial Road | Yes | Yes, church tower & bell, nave & chancel | No | No | No | No | - | Not assessed |
| HO345 | Ventnor house and former surgery, and Palms 135 Commercial Road, Yarram | Yes | No | Yes, 5 Canary Island Date Palms | No | No | No | - | Not assessed |
| HO346 | Regent Theatre 206-212 Commercial Road, Yarram | Yes | Yes | No | No | No | No | - | Not assessed |
| HO347 | Yarram Post Office 216 Commercial Road, Yarram | Yes | No | No | No | No | No | - | Not assessed |
| HO348 | Stockwell's Building 275-281 Commercial Road, Yarram | Yes | No | No | No | No | No | - | Not assessed |
| HO349 | Yarram Club Hotel 287 Commercial Road, Yarram | Yes | No | No | No | No | No | - | Not assessed |

WELLINGTON PLANNING SCHEME

| PS Map Ref | Heritage Place | External Paint Controls Apply? | Internal Alteration Controls Apply? | Tree Controls Apply? | Outbuildings or fences not exempt under Clause 43.01-3 | Included on the Victorian Heritage Register under the Heritage Act 1995? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place? |
|-----------------------|--|--------------------------------|-------------------------------------|----------------------|--|--|----------------------------|--|------------------------------|
| HO350 | Union Bank of Australia (former) 290-292 Commercial Road, Yarram | Yes | No | No | No | No | No | - | Not assessed |
| HO27 | Yarram Butler Factory Commercial Road (South Gippsland Highway), Yarram | Yes | No | No | No | No | No | - | No |
| HO43 | Hawthorn Bank Pound Road, Yarram | - | - | - | - | Yes Ref No H256 | No | | No |
| HO351 | Federal Coffee Palace (former) 303-305 Commercial Road, Yarram | Yes | No | No | | No | No | - | Not assessed |
| OTHER | | | | | | | | | |
| HO112 | Morning Star Gold Battery Site Morning Star Creek (Donnelly Creek Goldfields) | - | - | - | - | Yes Ref No H1265 | No | | No |
| HO117 | Goodwood Sawmill Mullungdung State Forest | - | - | - | - | Yes Ref No H2011 | No | | No |
| HO118 | Vallejo Gantner Hut Mount Howitt Track, Howitt Plains | - | - | - | - | Yes Ref No H46 | No | | No |



Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

AMENDMENT C92

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 1 attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map No. 195HO in the manner shown on the 1 attached map sheets marked "Wellington Planning Scheme, Amendment C92 (Part 2)".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Overlays – Clause 43.01, replace Schedule with a new Schedule in the form of the attached document.

End of document

Locality: YARRAM
Place address: 303-305 COMMERCIAL ROAD
Citation date 2016
Place type (when built): Coffee Palace
Recommended heritage protection: Local government level
Local Planning Scheme: Yes
Vic Heritage Register: No
Heritage Inventory (Archaeological): No

Place name: Federal Coffee Palace (former)



Architectural Style: Federation Free Classical
Designer / Architect: Inskip & Butler (1901 section)
Construction Date: 1901, c1905

Statement of Significance

This statement of significance is based on the history, description and comparative analysis in this citation. The Criteria A-H is the Heritage Council Criteria for assessing cultural heritage significance (HERCON). Level of Significance, Local, State, National, is in accordance with the level of Government legislation.

What is significant?

The former Federal Coffee Palace at 303-305 Commercial Road, Yarram, is significant. The original form, materials and detailing as constructed in 1901 and c1905 are significant. The early weatherboard stables and underground watertank/well are also significant.

Later outbuildings, and alterations and additions to the building are not significant.

How is it significant?

The former Federal Coffee Palace is locally significant for its historical and aesthetic ~~and scientific~~ values to the Shire of Wellington.

Why is it significant?

The former Federal Coffee Palace is **historically significant at a local level** as it illustrates the period of growth that followed the release of town lots by private landholders, when Yarram had firmly established itself as a commercial centre serving an extensive dairying and grazing district, and when Yarram was the seat of local government for the Alberton Shire. The first two-storey section of the Coffee Palace was built in 1901 for owner James Buckley, designed by architects Inskip & Butler. The Coffee Palace was run by proprietors. The northern two-storey section of the building (with the arches to Commercial Road) was built c1905. An underground well/tank was also built (date not confirmed). While serving as a Coffee Palace, accommodation was provided for travellers and boarders. During this early period, stables with four stalls were built to the rear, to serve both those staying at the Coffee Palace and the Royal Mail Line of Coaches. The building was leased by the Yarram Club from 1906, with a billiards room in the c1905 section. The Coat of Arms of Australia to the west elevation was probably made and installed prior to 1908, as in 7 May 1908 King Edward VII granted the first coat of arms for the Commonwealth of Australia, which had the kangaroo to the left of the crest (while on the Coffee Palace the emu is positioned to the left). In the 1930s, the building continued to serve as a boarding house, now called 'Yarram House'. The property remained in the Buckley family until 1946, after which it continued to serve as a boarding house. Throughout its history, the shop to the ground floor primarily served as restaurant or cafe. ~~The former Federal Coffee Palace is significant for its association with Melbourne architects Inskip & Butler. The building is also significant for its association with the Temperance Movement. The movement saw the establishment of coffee palaces, which aimed to compete with hotels, providing all the amenities and conveniences of hotels but without the alcohol. (Criteria A-6-14)~~

The former Federal Coffee Palace is **aesthetically significant at a local level** for its architectural details in the Federation Free Classical style, illustrated on both the original 1901 architect-designed building and c1905 section that reflects the same style. The Free Classical style is evident in the tall corbelled red-brick chimneys, parapet above a bold cornice moulding and two round-arched pediments (one retaining the date and initials of the owner; the second with a Coat of Arms of Australia), and the wide skillion-roof verandah to the corner entrance and shopfront. The skillion-roof verandah is clad with galvanised corrugated iron and is supported by stop-chamfered timber posts. The three large semi-circular arched openings to the ground floor are a dominant design element on the west elevation. Also notable is the brick construction using handmade tuck pointed red-bricks, creating triple-brick walls to the ground level and double-brick walls to the first floor. Also significant are the brick plinth, the timber-lined alcove entrance, timber paneled doors (most with bolection moulds; some with sidelights and highlights), the three large windows to the shopfront with multipanes to the top quarter, and the original one-over-one timber sashes with segmental-

arched heads with radiating voussoirs and rendered sills. The highly intact, grand two-storey building is significant as a landmark at the southern end of the township, with a bold façade fronting two streets. (Criterion E)

The former Federal Coffee Palace is scientifically significant at a local level for the archaeological potential in the area around the stables and in the underground tank/well, and for the craftsmanship of the early Coat of Arms of Australia on the parapet, which dates to pre-1908. (Criterion F)

Statutory Recommendations

This place is recommended for inclusion in the Schedule to the Heritage Overlay of the Wellington Shire Planning Scheme to the boundaries as shown on the map.

| | |
|--|---|
| External Paint Controls | Yes |
| Internal Alteration Controls | No |
| Tree Controls | No |
| Outbuildings or fences which are not exempt under Clause 43.01-3 | Yes, stables and underground tank/well <u>No</u> |
| Prohibited Uses May Be Permitted | No |
| Incorporated Plan | No |
| Aboriginal Heritage Place | Not assessed |

Map of recommended boundary for Heritage Overlay



KEY

- Recommended for Heritage Overlay
- Title boundary

Federal Coffee Palace (former)
303-305 Commercial Rd, Yarram

Project: Wellington Shire Stage 2 Heritage Study
Client: Wellington Shire Council
Author: Heritage Intelligence Pty Ltd
Date: 12/2/16

History

Locality history

The Tarra Creek pastoral run was taken up in the 1840s, in the area that now encompasses the Yarram township. In the early 1850s, John Carpenter built a flour mill and sawmill near the Tarra River, upon which a bridge was soon built. A small township began to develop on private land on the west side of the River, which was first named Barkly, after Victorian Governor Sir Henry Barkly. However, the small township soon became known as Yarram Yarram; the parish name. Yarram is an Aboriginal word thought to mean 'plenty of water' or 'billabong'. The town would be called Yarram Yarram until 1924 (Fletcher & Kennett 2005:79; YDHS website).

Yarram was part of the first Shire established in Gippsland – Alberton Shire established 1864 – where a District Road Board was formed in 1855 (Context 2005:38). In 1857, the first store was opened in the town of Yarram Yarram by Charles Devonshire. Soon other stores were established as the town grew, including a shanty on the site of the Yarram Hotel. The development was a result of the marketplace located in Yarram, which served local farmers who preferred the location over the more distant Port Albert (YDHS website). The first mechanics' institute was built in 1860 and a school opened in 1861. All communication during this period was via Port Albert to the south (Fletcher & Kennett 2005:80).

Yarram's growth was constrained by the release of private land for sale. Development within the town gained momentum from the 1880s, with town allotments purchased from private landholders (Fletcher & Kennett 2005:80). One such developer was James Nicol, who owned the land east of Commercial Road, between (just north of) Gipps Street and James Street. Nicol subdivided the land and sold town allotments from 1889. By the 1890s, Yarram had established itself as a commercial centre, servicing an extensive dairying and grazing district. The Yarram Butter Factory (1891) was a major component of the industry in this area of the Shire (Context 2005:12, 38). The township of Yarram Yarram was gazetted in 1893 and in 1897 the Alberton Shire offices were relocated to Yarram, establishing the southern town as a seat of Government (Context 2005:38; YDHS website).

From the early 1900s, large areas of land were selected in the Strzelecki Ranges to the north and west of Yarram for dairying, supplying cream to the butter factory. By 1903, Yarram Yarram also had a Shire hall, four churches, the Commercial and Yarram hotels, Masonic and Rechabite Lodges and a state school. At the centre of the pastoral district, Yarram remained the cattle market for southern Gippsland (*Australian handbook* 1903). The Yarram courthouse opened in 1908, the hospital was officially opened in 1914 and a higher elementary school was established in 1918. In 1921, the Great Southern railway Line from Melbourne reached Yarram (Context 2005:30, 41, 44). The Forests Commission established an office in Yarram in 1945 to manage the reforested lands in the region. From the 1950s, the Housing Commission and several housing co-operatives built many new homes in Yarram. However, the town was affected by the decline of rural industries in the 1970s. The milk factory and railway line closed in 1987 (Fletcher & Kennett 2005:80).

In 1994, Wellington Shire was created by the amalgamation of the former Shires of Alberton, Avon and Maffra, the former City of Sale, most of the former Shire of Rosedale, as well as an area near Dargo which was formerly part of Baimsdale Shire (Context 2005:39). The town continues to serve as an important regional centre. It is also the location of the regional headquarters for the Department of Natural Resources and Environment (Fletcher & Kennett 2005:80).

Thematic context

This place is associated with the following themes from the *Wellington Shire Thematic History* (2005):

9. Developing Cultural Institutions and Way of Life

The temperance movement originated in the 19th century and urged for the reduction or prohibition of alcohol. Temperance Societies were founded in the United States and England in the 1820s and during the 1830s they emerged in Australia. Active temperance groups in Australia were the

Independent Order of Rechabites, the Band of Hope and the Women's Christian Temperance Union. These groups aimed to educate about the dangers of drinking and campaigned for changes to the law, such as the introduction of six o'clock closing and the development of dry suburbs (Hutchinson 2014).

The movement saw the establishment of coffee palaces, which aimed to compete with hotels, providing all the amenities and conveniences of hotels but without the alcohol, such as bedrooms, a cafe, dining room, smoking room and billiard room. Many coffee palaces opened in Melbourne in the 1880s, with more than fifty existing by 1888 (Hutchinson 2014). They were also built throughout Victoria. Within the study area, coffee palaces were known to have opened at 39 Forbes Street, Briagolong (c1891) in a small weatherboard building, and at 303-305 Commercial Road, Yarram (1901) which was an impressive two-storey brick building.

Place history

In June 1874, James Nicol, farmer of Woranga, purchased 328 acres in Yarram (crown portions 43, 44, 45 & 51, Parish of Yarram Yarram). Nicol subdivided the land, creating lots east of Commercial Road, between (just north of) Gipps Street and James Street. This included the lots on the east side of Commercial Road, lots on Nicol Street and Nicol Lane. Nicol sold lots from 1889, up until his death in 1922 when the remaining land was transferred to John Nicol, Robert P. Nicol and William J. Nicol (LV:V677/F323).

In July 1888, Joseph Hoy, grazier of Giffard West, purchased two prominent corner lots fronting Commercial Road, from Nicol. These were Lot 1 (the current 303 Commercial Road) and Lot 14 (current 211 Commercial Road) (LV:V2044/F614). The current 303 Commercial Road remained land under Hoy's ownership (RB).

Hoy sold Lot 1 (the current 303 Commercial Road) to James Buckley, grazier of 'Greenmount', Yarram, in November 1899. Buckley retained ownership of the property until 1910 (LV:V2044/F614). Buckley was the son of Edmund Buckley, a grazier with a large run in the district. James was also a grazier and became one of the district's leading citizens. He was elected a Councillor of the Shire of Alberton. Buckley died in St Kilda in 1923 (*Gippsland Standard*, 14 Dec 1923, as cited in Stone n.d.:24).

In 1901, the rate books indicate that James Buckley's lot in Yarram contained only store rooms and the property had a low Net Annual Value (NAV; approximately 10% of the total value) of 4 pounds. By 1902, Lot 1 comprised a 'premises', with a NAV of 80 pounds. The following year in 1903, James Buckley's Lot 1 was recorded with a 'Coffee Palace', with a NAV of 80 pounds. This indicates that the Coffee Palace was built for Buckley in 1901. The owner's initials and this date appear on the corner parapet which contains the words 'JB, A.D 1901' (RB).

In 1901, only the southern section of the two-storey building was erected (the extent of the building covered by the verandah, on the west elevation). The building was constructed with triple-brick walls to the ground level and double-brick walls to the first floor. The first floor also had Baltic pine floors. (Stone n.d.:45). An article that was published in the *Gippsland Standard* on 8 October 1901 (cited in Stone n.d.:6-8) stated that by September 1901 the construction of a new brick structure had been completed on the corner of Commercial and James streets (the current Commercial Road), referred to as Sale Yard Corner. The building was built for James Buckley, owner of 'Greenmount', and was the first two-storey store constructed in Yarram (the two-storey Yarram Hotel was located opposite). The building had a 32 ft (approx 9.75m) frontage to Commercial Street and a 76ft (approx 23m) frontage to James Street (which comprises only the south-west portion of the existing building). The article reported that Buckley initially intended to construct a large single-storey building on the corner lot, which he had designed by architects Inskip & Butler of Melbourne. Tenders for a single-storey building were called for, to be returned by 21 March 1901. However, due to the increasing value of land, Buckley decided to instead erect a two-storey building with eight additional rooms (Inskip & Butler presumably provided the drawings for this amended design). The tender for the two-storey building to be built at Sale Yard Corner was won by contractors John Casbolt and James Graham. The elevation was 24 ft from footpath to parapet, with a large floor space to the ground floor for stores, all

of which had 13ft walls. The first floor comprised eight rooms, all with 11ft walls. The apartments were reached by a substantial staircase and at this date the prospect of the building serving as a first class coffee palace was proposed. Buckley's 'commodious and substantial corner block' was considered 'an ornament to the town' (*Gippsland Standard*, 8 Oct 1901, as cited in Stone n.d.:6-8).

The Coffee Palace was opened in 1901 (Stone n.d.:18) and was run by proprietors, while Buckley resided in Dickens Street, St Kilda. The first occupants were James McGrory, followed by James Wood, and Caleb Keyte (RB). The building contained the commercial or cafe space at the front of the ground floor, with a residential entrance to the rear, providing access to the first floor residence (Stone n.d.:12). The first floor rooms on the north side were reportedly built with skylights instead of windows, anticipating the construction of an addition (Stone n.d.:46).

A photo dating to 1902 (Figure H1) showed people marching along James St, and the south elevation of the coffee palace (Stone n.d.:34). The two-storey section with verandah and the single-storey skillion-roofed section to the rear were built by this date (this rear section had an entrance door that has since been bricked up). The original iron frieze and round brackets to the verandah were visible in this photo (and Figure H3). A second early photo (Figure H2) showed the west elevation of the 1901 building, prior to the addition of the later section to the north (Stone n.d.:10). The photos show locations of signage to the verandah at this date.

The northern two-storey section of the building was then built; the section with arches to Commercial Road. Sources state that this northern half of the building was constructed in either 1905 or 1906 (YDHS; Stone n.d.:18). This is supported by early photographs (Figure H3) that show that the northern section had been built, prior to the construction of the substantial two-storey Yarram Club Hotel to the north, which was built in 1912. Contradicting this, the rate books indicate that the value of the property (which would have increased with such a substantial addition) remained the same throughout this period. It was in 1913 that the NAV of the Coffee Palace increased from 75 pounds in 1912, to 115 pounds (RB).

An early photo (Figure H3) of the coffee palace, now built to its full extent along Commercial Road, and shows the large shopfront window to James Street. The cast iron frieze and brackets of the verandah are visible (Stone n.d.:20). The two-storey addition comprised a billiard room at the ground floor and boarders' accommodation on the first floor (Stone n.d.:12). The large billiard room included a pressed metal ceiling, timber dado walls and Baltic pine floor (YDHS). In 2015, eight concrete stumps remain at floor level to support a full-sized billiard table. It is thought that the building was also intended to have a first floor balcony, which was never constructed (the bolts running along the centre of the facade were for this purpose; and that cables were later attached) (Stone n.d.:18-9).

The Coat of Arms of Australia to the west elevation was probably made and installed prior to 1908, as in 7 May 1908 King Edward VII granted the first coat of arms for the Commonwealth of Australia, which had the kangaroo to the left of the crest. Prior to this there was no official crest and could include any animals or insignia and be used on any private building; the coat of arms on the Coffee Palace has the emu positioned on the left of the crest (Stone n.d.:23). Further research into the coat of arms is required as to its origins.

During this early period, stables with four stalls were built to the rear to serve those staying at the Coffee Palace and the Royal Mail Line of Coaches (remain in 2015) (Stone n.d.:26). While serving as a Coffee Palace, accommodation for travellers and boarders was listed in the Sands & McDougall directories in 1905 and 1906 under proprietor J. S. Wood. A Ms Sherry ran the boarding house in the 1900s or 1910s. From 1906, the Union Bank of Australia conducted business at the Federal Coffee Palace (until the bank was built in 1914) (Stone n.d.:34). The building was leased by the Yarram Club from 1906, and is suggested to have been the first location for the club (YDHS; plaque on site). However, another history notes that the Yarram Club, with Jack Stockwell as secretary, moved to Buckley's building in 1906, having previously occupied Stockwell's Coffee Palace (the earlier 1892 building where Stockwell's Building is now) (Adams 1990; Stone n.d.:19).

In 1910 the property was transferred from James Buckley to Lily Buckley and Josephine Buckley, both spinsters, of 'Greenmount' and Dickens Street, St Kilda. The property remained in the Buckley family until 1946 (LV:V2748/F446). James Buckley's name continued to appear as the owner of the 'Coffee Palace' in the rate books (RB).

From 1916 to at least 1920, the Federal Coffee Palace was leased by proprietress Mrs Ellen Weir, who advertised 'first class meals and every comfort for boarders' (RB; Stone n.d.:35). Internal renovations were carried out in the 1920s, particularly to the downstairs shop space (as evidenced by materials uncovered in recent renovations) (Stone n.d.:48). In the 1930s, the Pykes ran the boarding house, called Yarram Boarding House (Stone n.d.:37). A photo dating post-c1914 (Figure H4) showed the west elevation which was face-brick, with the round-arches and return verandah to the ground floor. A 1930s photo (Figure H6) showed that by this date the building served as 'Yarram House', with the name painted in the parapet (Stone n.d.:30-1).

An 1950s oblique aerial showed the extent of the building at this date, which is very similar to that which remains in 2015. A number of tall brick chimneys projected from the roof (most of which appear to remain). Early outbuildings were located to the rear (east) of the building (Stone n.d.:44).

In June 1946, Lily Buckley, the surviving proprietor, sold the property to Angela Chenhall, married woman of Yarram Yarram (LV:V2748/F446). Angela Chenhall is known to have conducted the boarding house at 'Yarram House' from 1939, prior to purchasing it in 1946 (Stone n.d.:33, 37). In June 1957 the property was sold to the McConville's, who also operated a boarding house, before it was sold to the Pykes, 'Yarram Boarding House Proprietors' in 1967 (LV:V2748/F446). The rooms were often occupied by people working in the district (Stone n.d.:37). Since 1974 the building has had a number of owners (LV:V2748/F446).

Throughout its history, the building has primarily served as a coffee palace, temporary or permanent accommodation for boarders or as leased flats; a veterinary clinic (c1987-c1997; in rooms since demolished), a restaurant or cafe, and one of the outbuildings (a lined shed) even reportedly served as a dentists room (Stone n.d.:33). The corner shop has served as a restaurant since 1997 and the billiards room currently serves as a space for music lessons (Stone n.d.:43). In 2015, the Federal Coffee Palace cafe occupies the corner shop, and a business occupies the first floor.

In the 1980s, the stairs behind the arches on the west elevation were constructed (Stone n.d.:38). In the 1990s, extensive internal renovation works were carried out under new owners, as well as the replacement of the roof cladding where necessary. In 1991-2 the exterior was painted and the name 'Federal Coffee Palace' reinstated on the Commercial Road parapet, and the fence and gate added to the recessed balcony (between the arches) on the west facade (Stone n.d.:49).

In 2015, an aerial shows that outbuildings (shed and carports) are located along the northern boundary. A timber outbuilding remains on the east boundary, which is an early stable (date not confirmed). The floor of the stables has since been concreted (Stone n.d.:12, 48). A large well/underground tank remains to the rear of the property (used for rubbish until the 1960s).

Inskip & Butler, architects

Walter Richmond Butler (1864-1949) migrated to Australia from England in 1888, where he worked with some of the most important figures of the English Arts and Crafts movement, including architects William Lethaby, Ernest Gimson and the Barnsley Brothers. Butler retained the Arts and Crafts philosophy throughout his career in Australia. Butler's would design a variety of buildings, including residences, shops, warehouses, hospitals, banks, office buildings and ecclesiastical buildings. Two of Butler's major clients were the Diocese of Melbourne (as the Anglican Diocese Architect) and the Union Bank (Dermelley 2012:128; Pearce 1991:23). Between 1889 and 1893, Butler established a partnership in Melbourne with Beverley Usher.

Butler later formed a partnership with George H. Inskip (1867-1933) between 1896 and 1905, establishing Inskip & Butler. Butler had many residential commissions during this period, many of which favoured the design elements typical of the period, with Arts and Crafts references (Dermelley 2012:128).

Between 1907 and 1916, Butler formed Butler & Bradshaw with Ernest R. Bradshaw. In 1908 Butler notably designed the David Syme Tomb at Boroondara cemetery in Kew (Dermelley 2012:128). Butler's designs for the Union Bank during this period were designed to be easily identified, with similar designs often repeated throughout Australia (Dermelley 2012:128).

A later partnership formed was with his nephew Austin R. Butler as W. & R. Butler between 1919 and 1938. Butler's greatest impact on Australian architecture was through the papers he delivered, such as 'The prospect of the development of the arts among the handicrafts' (1893) and 'Garden design in relation to architecture' (1903), which engendered Butler's first-hand knowledge of English Arts and Crafts philosophy (Dermelley 2012:128).



Figure H1. A photo dating to 1902, with a parade marching (some wearing kilts) down James Street. The sign reads 'J. S. Wood with E. L. Grano, Gorcer and Ironmongery', referring to a tenant of the building (Stone n.d.:34).



Figure H2. At the right of the photo is the first section of the Coffee Palace, built in 1901. At this date the second northern section had not been built, nor had the Yarram Club Hotel been built to the north, dating this photo to pre-1912 (Stone n.d.:10).



Figure H3. A photo of the Coffee Palace with both sections built. At this date the two-storey Yarram Club Hotel had not been built to the north (1912) which confirms that the second section was built pre-1912. On the west elevation of the coffee palace was a full length opening to the ground floor (for the anticipated balcony) (Stone n.d.:20).



Figure H4. A photo taken after c1914 (when the Strand Hall was built to the south) The full extent of the west elevation was evident, with the return verandah to the shopfront (Stone n.d.:31).



Figure H5. A photo of 'Yarram House' in the 1930s (cars date to 1934) showing the face-brick exterior and new name to the parapet (Stone n.d.:33).



Figure H6. An oblique aerial photo from the 1950s showed the building from the north and the extent of the additions to the rear (Stone n.d.:44).

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first coat of arms for the Commonwealth of Australia in 1908, which had the kangaroo to the left of the crest). Further research into the coat of arms is required.

Figure D6. Detail of brickwork with highly skilled (and expensive) craft of tuck pointing (the fine, thin, straight lines in the middle of the mortar joints). Some of the tuck pointing has come off over time. The mortar between the red brickwork would have been coated with a red oxide wash, and the white tuck pointing ribbons applied over the top to give a crisp and precise finish.

Figure D7. A timber outbuilding remains on the east boundary, which is an early stable (date not confirmed). It has a gabled roof and skillion additions off the long elevations. The floor of the stables has since been concreted (Stone n.d.:12, 48). From the public view, the stables appear to be in fair condition and retain a moderate level of integrity. However, the interior is suggested to have been damaged by a fire a number of decades ago. A large well/underground tank remains to the rear of the property (not sited).



Figure D1. The two-storey building has a hipped roof clad with corrugated iron, and is constructed of handmade tuck pointed red-bricks (overpainted), with a brick plinth. Both main elevations have a rendered (overpainted) parapet above a bold cornice moulding; the southern elevation retains the urn at the end.



Figure D2. The chamfered corner entrance has a round-arched section above the parapet, with consoles and urns either side. The face of the arch bears the words 'JB A.D 1901' in relief.



Figure D3. The west elevation comprises the 1901 section (with the verandah) and c1905 section (loggia with the round arches to the ground floor). Above the centre of the parapet is a projecting section that holds the coat of arms.



Figure D4. The rear (east) elevation has a small modern addition off the 1901 single-storey section (on the south boundary). Outbuildings (shed and carports) are located along the northern boundary to the rear.



Figure D5. The patriotic Coat of Arms of Australia, located on top of the parapet facing Commercial Road, in the c1905 section of the building, not long after Federation. The kangaroo is on the right and the emu on the left, which is opposite to the first coat of arms for the Commonwealth of Australia granted by King Edward VII in 1908).



Figure D6. Detail of brickwork with highly skilled craft of tuck pointing (the fine, thin, straight lines in the middle of the mortar joints). Some of the tuck pointing has come off over time. The mortar between the red brickwork would have been coated with a red oxide wash, and the white tuck pointing ribbons applied over the top to give a crisp and precise finish.



Figure D7. A timber outbuilding remains on the east boundary, which is an early stable (date not confirmed). It has a gabled roof with a filled in opening in the gable end, and another one below, and skillion additions off the long elevations.

Sources

All photos taken in 2015 by Heritage Intelligence Pty Ltd as part of Wellington Shire Stage 2 Heritage Study.

Comparative Analysis

There are only two purpose-built coffee palaces that are known to remain in Wellington Shire; these are located in Briargolong and Yarram.

The Coffee Palace (former) at 39 Forbes St, Briargolong was built c1891 and is a modest weatherboard building in the Federation Georgian style. It is constructed of sawn timbers and remains largely intact. Located near the main intersection, it forms part of the historic commercial centre of the town.

The Federal Coffee Palace (former) at 303-305 Commercial Road, Yarram was built in 1901 with an addition built c1905 along Commercial Road in the same style. The dominant two-storey brick building is Federation Free Classical in style, designed by Melbourne architects Inskip & Butler (1901 section). It is highly intact and retains the original verandah to the corner shopfront. It is a landmark building within the main street of Yarram.

Charles Stockwell opened the first coffee palace in Yarram in c1892 at 275-281 Commercial Road, which was integrated as part of the dominant two-storey Stockwell Terrace built c1908; some of the walls are said to remain within the later building.

Management Guidelines

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

This building is in very good condition and well maintained, however, there are some recommendations below especially relating to some guidelines for paint removal, the underground tank and heritage enhancement.

1. Setting

- 1.1. Retain clear views of the elevations that can be seen from Commercial Road and James Street.
- 1.2. Ensure signs and services such as power poles, bus shelters, signs, etc are located so that they do not impact on the important views and the magnificent architecture of this building.
- 1.3. Paving
 - 1.3.1. For Federation era historic buildings, appropriate paving could be pressed granitic sand, or asphalt. If concrete is selected, a surface with sand-coloured- size exposed aggregate would be better with the Federation style.
 - 1.3.2. Ensure the asphalt or concrete does not adhere to the building itself. Insert 10mm x 10mm grey polyurethane seal over a zipped Ableflex joint filler around the plinth, to ensure concrete does not adhere to it, and to allow expansion and joint movement and prevent water from seeping below the building.

2. Additions and New Structures

- 2.1. New structures should be restricted to the area shown in the blue polygon on the aerial map below.
- 2.2. Sympathetic extensions are preferred. E.g. New parts that are in the same view lines as the historic building as seen from Commercial Road and to a lesser extent, from James Street.

- 2.3. Where possible, make changes that are easily reversible. E.g. The current needs might mean that a doorway in a brick wall is not used, or located where an extension is desired. Rather than bricking up the doorway, frame it up with timber and sheet it over with plaster, weatherboards, etc.
- 2.4. If an extension is to have a concrete slab floor, ensure it will not reduce the air flow under the historic brick building.
- 2.5. Avoid hard paths against the walls. Install them 500mm away from the walls and 250mm lower than the ground level inside the building. Fill the gap between the path and wall with very coarse gravel to allow moisture to evaporate from the base of the wall. See section 7.
- 2.6. New garden beds at the rear.
 - 2.6.1. These should be a minimum of 500mm from the walls, preferably further, and the ground lowered so that the finished ground level of the garden bed is a minimum of 250mm lower than the ground level which is under the floor, inside the building. Slope the soil and garden bed away from the building, and fill the area between the garden bed and walls, with very coarse gravel up to the finished level of the garden bed. The coarse gravel will have air gaps between the stones which serves the function of allowing moisture at the base of the wall to evaporate and it visually alerts gardeners and maintenance staff that the graveled space has a purpose. The reason that garden beds are detrimental to the building, is by a combination of watering around the base of the wall and the ground level naturally builds up. The ground level rises, due to mulching and leaf litter and root swelling, above a safe level such that it blocks sub floor ventilation, and the wall is difficult to visually monitor on a day to day basis, due to foliage in the way.

3.1. Ranges

3.1.1. Removable ramp construction

- 3.1.1.1. A metal framed ramp which allows air to flow under it, to ensure the subfloor vents of the building are not obstructing good airflow under the floor, which will allow the wall structure to evaporate moisture, reduce termite and rot attack to the subfloor structure and reduce rising damp in brick/stone walls.
 - 3.1.1.2. If it is constructed of concrete next to brick walls this may cause damp problems in the future.
 - 3.1.1.3. Ensure water drains away from the subfloor vents, and walls and any gap between the wall and the ramp remains clear of debris. Insert additional sub floor vents if the ramp has blocked any of them.
 - 3.1.1.4. The hand rails on the ramp should not be a feature, which would detract from the architecture. Plain thin railings painted in the same colour as the walls, so that they blend in, would be appropriate.
- 3.2. Metal banisters may be installed at the front steps. They are functional and minimalist and they have a minor visual impact on the architecture and therefore they are a suitable design for an accessible addition.

4. Reconstruction and Restoration

If an opportunity arises, consider restoring and reconstructing the following.

- 4.1. Remove the pool-style fencing and the external staircase under the ground floor arched loggia, and if a fence is necessary, construct a simple picket or palisade fence. The fence

- #### 4.4. Tables

4.5.4.1.6.1 *Revised and discredited, in full*
the vibrant fabric of the Stables prior to demolition or substantial alteration.

- 5.1. Mortar repairs: Match the lime mortar, do not use cement mortar. Traditional mortar mixes were commonly 1:3 limesand. Take care not to remove remaining tuck pointing.
- 5.2. Paint and Colours (also see Paint Colours and Paint Removal)
 - 5.2.1. It is recommended to paint the exterior joinery of the building using original colours (paint scrapes may reveal the colours) to enhance the historic architecture and character. Refer to Figs H2 and H3 for guidance.
 - 5.2.2. Note, even though some paints claim to 'breathe', there are no paints available, that adequately allow the brick walls to 'breathe'.
 - 5.2.3. Paint removal: It is strongly recommended to chemically remove the paint from the bricks and render, except the Coat of Arms of Australia. This must be done chemically (never sand, water or soda blast the building as this will permanently damage the bricks, mortar and render. Never seal the bricks or render as that will create perpetual damp problems). Removal of the paint will not only restore the elegance of the Federation architecture, but it will remove the appearance of peeling and fading paint, and ongoing costs of repainting it every 10 or so years.
- 5.3. Remove any dark grey patches to the mortar joints - this is cement mortar which will damage the bricks, as noted above, and reduce the longevity of the walls. Repoint those joints with lime mortar. The mortar is not the problem it is the messenger, alerting you to a damp problem (also see Water Damage and Damp)
- 5.4. Modern products: Do not use modern products on these historic brick and rendered walls as they will cause expensive damage. Use lime mortar to match existing.

6.1. Retaining and restoring the heritage fabric is always a preferable heritage outcome than replacing original fabric with new.

6.2.1. Obtain a copy of "Salt Attack and Rising Damp" by David Young (2008), which is a free booklet available for download from Heritage Victoria website. It is in plain English, well illustrated and has very important instructions and should be used by tradesmen, Council maintenance staff and designers.

6.3.1. Use galvanised corrugated iron roofing, spouting, down pipes and rain heads. It is preferable to use short sheet corrugated iron and lap them, rather than single long sheets, but it is not essential.

6.4.1. It is important to repair rather than replace where possible, as this retains the historic fabric. This may involve cutting out rotten timber and splicing in new timber, which is a better heritage outcome than complete replacement.

6.5. Ivy. Ivy should be fully removed as the roots the stems increase in size and are so strong that they will create big cracks in brick walls and push timber buildings over. Ivy will cause very expensive damage to the buildings.

7.1. Signs of damp in the walls include: lime mortar falling out of the joints, moss growing in the mortar, white (salt) powder or crystals on the brickwork, existing patches with grey cement mortar, or the timber floor failing. These causes of damp are, in most cases, due to simple drainage problems, lack of correct maintenance, inserting concrete next to the solid masonry walls, sealing the walls, sub floor ventilation blocked, or the ground level too high on the outside.

7.3. Water falling, splashing or seeping from damaged spouting and down pipes causes severe and expensive damage to the brick walls.

7.4. Repairing damage from damp may involve lowering of the ground outside so that it is lower than the ground level inside under the floor, installation of agricultural drains, running the downpipes into drainage inspection pits instead of straight into the ground. The reason for the pits is that a blocked drain will not be noticed until so much water has seeped in and around the base of the building and damage commenced (which may take weeks or months to be visible), whereas, the pit will immediately fill with water and the problem can be fixed before the floor rots or the building smells musty.

7.5. Damp would be exacerbated by watering plants near the walls. Garden beds and bushes should be at least half a metre away from walls.

- 7.6. Cracking: Water will be getting into the structure through the cracks (even hairline cracks in paint) and the source of the problem needs to be remedied before the crack is filled with matching mortar, or in the case of paint on brick, stone or render, the paint should be chemically removed, to allow the wall to breathe properly and not retain the moisture.
 - 7.7. Subfloor ventilation is critical. Check that sub floor vents are not blocked and introduce additional ones if necessary. Ensure the exterior ground level is 250mm or more, lower than the ground level inside the building. Good subfloor ventilation works for free, and is therefore very cost effective. Do not rely on fans being inserted under the floor as these are difficult to monitor, they can breakdown as they get clogged with dust, etc, and there are ongoing costs for servicing and electricity.
 - 7.8. Engineering: If a structural engineer is required, it is recommended that one experienced with historic buildings and the Burra Charter principle of doing 'as little as possible but as much as necessary', be engaged. Some of them are listed on Heritage Victoria's Directory of Consultants and Contractors.
 - 7.9. Never install a concrete floor inside a solid masonry building, as it will, after a year or so, cause long term chronic damp problems in the walls.
 - 7.10. Never use cement mortar, always match the original lime mortar. Cement is stronger than the bricks and therefore the bricks will eventually crumble, leaving the cement mortar intact! Lime mortar lasts for hundreds of years. When it starts to powder, it is the 'canary in the mine', alerting you to a damp problem – fix the source of the damp problem and then repoint with lime mortar.
 - 7.11. Do not install a new damp proof course (DPC) until the drainage has been fixed, even an expensive DPC may not work unless the ground has been lowered appropriately.
- 8. Paint Colours and Paint Removal**
- 8.1. A permit is required if you wish to paint a previously unpainted exterior, and if you wish to change the colours from the existing colours.
 - 8.2. Even if the existing colour scheme is not original, or appropriate for that style of architecture, repainting using the existing colours is considered maintenance and no planning permit is required.
 - 8.3. If it is proposed to change the existing colour scheme, a planning permit is required and it would be important to use colours that enhance the architectural style and age of the building.
 - 8.4. Rather than repainting, it would be preferred if earlier paint was chemically removed from brick, stone and rendered surfaces, revealing the original finish.
 - 8.5. Chemical removal of paint will not damage the surface of the stone, bricks or render or even the delicate tuck pointing, hidden under many painted surfaces. Removal of the paint will not only restore the elegance of the architecture, but it will remove the ongoing costs of repainting it every 10 or so years.
 - 8.6. Sand, soda or water blasting removes the skilled decorative works of craftsmen as well as the fired surface on bricks and the lime mortar from between the bricks. It is irreversible and reduces the life of the building due to the severe damp that the damage encourages. Never seal the bricks or render as that will create perpetual damp problems.
- 9. Services**
- 9.1. Ensure new services and conduits, down pipes etc, are not conspicuous. Locate them at the rear of the building whenever possible, and when that is not practical, paint them the same colour as the building or fabric behind them, or enclose them behind a screen the same colour as the building fabric that also provides adequate ventilation around the device. Therefore, if a conduit goes up a red brick wall, it should be painted red, and when it passes over say, a cream coloured detail, it should be painted cream.

10. **Signage** (including new signage and locations and scale of adjacent advertising signage)

- 10.1. Ensure all signage is designed to fit around the significant architectural design features, not over them.
 10.2. Use external spotlights to light signs, not internally lit light boxes.

Resources

Wellington Shire Heritage Advisor

Young, David (2008), "Salt Attack and Rising Damp, a guide to salt damp in historic and older buildings" Technical Guide, prepared for Heritage Victoria.

Download from their web site or ask Wellington Shire's heritage advisor to email a copy to you.

NOTE: The blue shaded area is the preferred location for additions and new development.



Heritage Strategy

Wellington Shire



Planning - Infrastructure - Tourism - Recreation - Gardens - Culture

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Introduction

Knowing - Protecting – Supporting – Communicating

What is Heritage and Why is it Important?

Communities possess a collective heritage that can include buildings, parks, farms, landscapes, archives and collections of objects gathered by residents. These all combine to give a unique cultural identity to the people who live in a particular area. So what is 'heritage'?

Broadly speaking,

Heritage is those things from the **past** that are valued enough **today** to **save** for the people of **tomorrow**

Heritage sites and buildings can have a very positive influence on many aspects of community development. Regeneration, housing, education, economic growth and community engagement are examples of the ways in which heritage can make a very positive contribution to community life.

This is because:

- The historic environment is a proven source of benefit to local economies, particularly through its value as a tourist attraction.
- An attractive heritage environment assists in drawing external investment as well as retaining existing businesses of all types, not just tourism-related.
- People are very proud of their local history, but don't always express how much they value a place until it's threatened. Because it adds character and distinctiveness to an area, heritage is fundamental in creating a 'sense of place' for a community.
- Adaptive reuse of heritage buildings is an important factor in creating sustainable communities.

- Heritage buildings add value to regeneration projects, both in terms of the economic and environmental advantage of reuse over new buildings and in adding character to a precinct.
- Heritage places can be a potent driver for community action.
- Heritage places are an excellent local educational resource for people of all ages. Also, learning about the history of a place is a good way of bringing communities together through a shared understanding of the unique cultural identity heritage places give to an area.

(Adapted from 'Why Heritage is an Important Community Asset', Heritage Perth)

Wellington Shire's Local Heritage Context

Wellington Shire has a rich cultural heritage encompassing aboriginal heritage and from the 1840s, early explorers such as McMillan and Strzelecki; ports, pastoral settlement and economic boom periods; agricultural history that includes grazing, dairy farming and sugar beet production; timber industry, a unique gold mining history, religious places and important commercial, civic and residential histories relating to townships. The township of Port Albert was established in the 1840s, with other coastal villages being settled by the 1850s.

Since the 1970s rural residential living has steadily increased in popularity. All of these stories are expressed in the surviving heritage places throughout the Shire. It is important to protect heritage places because they help to strengthen personal and community identity and are places of social and spiritual significance that should be preserved and passed on to future generations. Importantly, they are also tourism assets that attract visitors, may create new business opportunities and contribute significantly to Wellington Shire's economy.

Many of the places already identified and protected within Wellington Shire are located in Sale and Port Albert; however, a few other examples of places recognised as significant to the whole of the State of Victoria are protected by the state government's Victorian Heritage Register and includes: Briagolong Mechanics Institute and its Collection, the Cowwarr and Yarram Butter Factories, industrial places such as gold mining sites at Dargo and Wongungarra and a briquette plant at Hedley; infrastructure such as bridges at Hiawatha, Latrobe River in Sale and the Rosedale Railway complex; commercial places such as the former National Bank of Australasia in Maffra, the former Bank of Victoria in Port Albert, the Rosedale Hotel and Criterion Hotel in Sale; farms at Fulham; public places such as the Court Houses in Sale and Yarram and churches in Tarraville and Rosedale.



Protected Federation era commercial buildings in Yarram (Source: L. Huddle 2011)

Strategy Context

Heritage in Australia is protected through a regulatory framework at Commonwealth, state and local level. There are statutory obligations for protecting and managing cultural heritage and state and local planning frameworks. Heritage places are assessed as being of national, state or local significance and depending on their level of significance, are managed through a mix of legislation, policies, and strategies. The section below summarizes the regulatory context and its application in Victoria and explains how it applies to Wellington Shire.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Places of national heritage significance are protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act 1999) and are listed on the National Heritage List. The National Heritage List includes natural, historic and Indigenous places that are of outstanding national heritage value to the Australian nation. Currently, the Avon Wilderness is the only place in Wellington Shire on this list. The EPBC Act 1999 requires that approval be obtained from the Department of the Environment before any action takes place that could have a significant impact on the national heritage values of a listed place.

Aboriginal Heritage Act 2006 & Aboriginal Heritage Regulations 2007

The Aboriginal Heritage Act 2006 & Aboriginal Heritage Regulations 2007 provide protection for all Aboriginal places, objects and human remains regardless of their

inclusion on the Victorian Aboriginal Heritage Register or whether they are located on public or private land.

Victorian Heritage Act 1995

The Victorian Heritage Act 1995 is administered by Heritage Victoria and is the Victorian Government's key piece of cultural heritage legislation. The Heritage Act establishes the Victorian Heritage Register, the Heritage Inventory and the Heritage Council of Victoria. Historic places significant to Victoria are recorded on the Victorian Heritage Register (VHR) or, if archaeological sites (non-Aboriginal), on the Victorian Heritage Inventory (VHI) and are protected by the Victorian Heritage Act 1995. There are currently twenty-nine places in Wellington Shire listed on the Victorian Heritage Register. These are automatically included on the schedule to the Heritage Overlay in the Wellington Planning Scheme.

State Planning Policy Framework

The State Planning Policy Framework (SPPF) sets out the state's policy directions for Victoria. Clause 15.03 relates specifically to heritage and its objective is:

'To ensure the conservation of places of heritage significance.'

The SPPF obliges Council to: "...identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme" and to take account of relevant legislation, including the Aboriginal Heritage Act 2006 and recommendations of the Victorian Heritage Council.

Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) contains the strategic land use objectives for Wellington Shire. The LPPF policy statements need to implement and be consistent with the SPPF. There are three key elements within the Wellington Planning Scheme which relate to heritage: The Municipal Strategic Statement, the Heritage Policy and the Heritage Overlay.

Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is the key local strategic planning document for Wellington Shire. It identifies long-term directions about land use and development in the Shire, presents a vision for its community and other stakeholders and provides the rationale for the zone and overlay requirements and particular provisions in the planning scheme.

Clause 21.01-5:

'There are a number of important post-European heritage precincts and individual buildings within the Shire, together with significant Aboriginal heritage sites.'

These heritage assets contribute to the diversity and interest of the Shire and need to be protected.'

Clause 21.02-5 and clause 21.04-3 capture the land-use vision for Heritage:

'The Shire's cultural and heritage features are important state and national assets.'

And it is required that:

'... development is sympathetic to the existing character and heritage of townships throughout the Shire.'

In support of this vision, The Wellington Planning Scheme also includes the following guiding statements in 21.03 Vision - Strategic Framework

'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'

and:

'Wellington is a vibrant, inclusive and creative community that promotes, values and celebrates its culture and heritage.'

Local Planning Policies

Clause 22.03 of the Wellington Planning Scheme, 'Heritage Policy', applies to all places and areas affected by a Heritage Overlay. The local planning policy needs to have regard to and implement the strategic objectives in the SPPF and MSS. Clause 22.03 sets out objectives and policies to encourage the retention of locally significant and contributory heritage places within the Heritage Overlay.

Heritage Overlay

The Heritage Overlay is a state-standard Victorian Planning Provision (VPP) used to identify and protect heritage places. It has two parts: the general provisions incorporating the purpose, scope, permit requirements and decision guidelines and the schedule. The provisions in Clause 43.01 Heritage Overlay cannot be altered by Council. While the Clause itself is standard across Victoria, the schedule can be amended by a local planning authority to list individual properties and add some limited exemptions for permits such as tree removal, external painting of buildings and controls over internal changes to a building.

The purpose of the Heritage 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 conserve and enhance heritage places of natural or cultural significance.

- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Council's Heritage Vision Statement

Wellington Shire is committed to considering heritage in all aspects of Council operations, leading the community in conserving and enhancing our cultural heritage and celebrating our history through the support of tourism, business initiative, knowledge and skills.

Council has an important role to play in the identification and protection of its heritage places and is guided by Commonwealth, state and local legislation, policies and strategies. The level of significance of a heritage place determines which legislative framework governs its protection. The vast majority of heritage places in Australia are of local significance and therefore they are protected by local government planning schemes.

One of the objectives of planning in Victoria is:

"to conserve and enhance those buildings, areas and other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value".

(Source: Section 4(1)(d) - Planning and Environment Act 1987)



Protected Court House, Sale. (Source: L. Huddle, 2009)

What is a Heritage Strategy?

Victorian Heritage Strategy

The state government's strategy for heritage in Victoria is contained in: '*Victoria's Heritage: strengthening our communities*'. The strategy has six key policy directions:

- Recognising a rich and diverse heritage
- Using our heritage for a sustainable future
- Managing for growth
- Telling Victoria's story
- Building strong, inclusive networks and partnerships
- Resourcing the community

The State's Heritage Strategy informs the State Planning Policy Framework (SPPF) of the Planning Scheme and also sets the direction for funding priorities.

A Municipal Heritage Strategy for Wellington Shire

A municipal heritage strategy sets out priority actions to identify, protect and celebrate our cultural heritage at a local government level. The Heritage Strategy is a tool to assist Wellington Shire in meeting its heritage obligations under the Planning and Environment Act 1987 and the State Planning Policy Framework. It sets directions and priorities for the identification, protection, management and promotion of Wellington's heritage and for the involvement of the community in those processes.

The Heritage Strategy is a 'whole of Council' strategy. Implementation of the Strategy, particularly in relation to further heritage studies, is subject to available resources.

Importantly, the Heritage Strategy considers how Council identifies, manages and promotes the heritage assets under its ownership. Leading by example is an important element of promoting good heritage management within the community. The toolkit provided to Councils as a guide to developing a heritage strategy contains the following checklist which provides prompts to specifically address this issue:

Heritage Strategy Themes

A Heritage Strategy will normally include actions under four key themes¹:

1. Knowing (i.e. identifying, assessing and documenting heritage places).
2. Protecting (i.e. securing statutory protection for significant places, developing policy/guidelines to assist decision making, appropriate management).
3. Supporting (i.e. incentives, advisory services and financial assistance).
4. Communicating and promoting (i.e. measures to raise awareness and appreciation of the heritage of the area).

Consultation with all Council departments, Councillors', and the community was an integral part of the process in developing the strategy. This strategic approach is supported by Heritage Victoria who is a key partner in the promotion of local government heritage programs and services.

The strategy is simple and concise so as to encourage wide understanding and use of the document.

The Heritage Strategy will allow Council to:

- Identify positive heritage measures already being employed
- Identify and prioritise work to be done in the future
- Appropriately manage and monitor the heritage assets

¹ (Source: Toolkit Municipal Heritage Strategies: A Guide for Councils. Heritage Victoria, Department of Planning and Community Development (1 Spring Street, Melbourne 3000))

- Celebrate achievements.



Knowing:

Identification - Assessment - Documentation

The identification, assessment and documentation of heritage within Wellington Shire are essential to understanding the relevance and effectiveness of existing documentation and protection. This allows Council to introduce measures that will ensure the appropriate management of the Shire's heritage assets into the future.

Existing Documentation

The Shire is an amalgamation of the former Shires of Alberton, Avon, Maffra, Rosedale and the City of Sale. Only some of these former shires have previously completed heritage studies.

The former Shire of Alberton completed the *Port Albert Conservation Study* (1982) and the City of Sale completed the *Sale Heritage Study* (1994).

The former Shire of Maffra carried out a scoping study in 1994 with a thematic environmental history that was published as *Macalister Landscapes: history and heritage in Maffra Shire* (1994).

Wellington Shire completed the Stage 1 Heritage study in 2005, which included:

- A review of the Port Albert and Sale Heritage Studies.
- Draft thematic environmental history of the whole of Wellington Shire (later published as *Wellington landscapes: history and heritage in a Gippsland shire* (2005))
- The great majority of places were considered to be of local significance, that is, places that are important to the heritage and historic character of the Wellington Shire.
- 1,787 places were listed in the Wellington Heritage Places database including three pre-existing databases of monuments, trees and bridges.
- Priorities for Stage 2 study were:
 - 408 places mostly in the areas of the former City of Sale and Shire of Alberton were recommended for application of the Heritage Overlay through a planning scheme amendment. This has been completed.
 - 584 places identified as 'high priority' for further research.
 - 219 places identified as 'medium priority' for further research.

- 111 places identified as low priority for further research.
- 94 places with Aboriginal and/or natural heritage values.
- 180 places identified for no action in Stage 2.
- 107 places identified as having interpretative value but not suitable for a Heritage Overlay.

Strategies for Knowing

- Investigate (subject to resourcing) the 800 places identified 8 years ago in Wellington Shire that are of High or Medium potential heritage significance.
 - Divide this task into smaller stages either geographically, or by type. For example, public places such as halls, schools, churches, fire stations, etc. could be prioritised over the whole of the Shire for a 'Stage 2 Heritage Study'.

Note: Council completed the Wellington Shire Stage 2 Heritage Study in 2016 which assessed 67 'high priority' places. Formal protection for these places is being implemented via Planning Scheme Amendment C92.

 - Complete the draft Environmental Thematic history after the whole Shire has been assessed in a series of stage 2 heritage studies.
- Investigate ways to integrate indigenous heritage into the Shire's heritage documentation.
- Work with historical societies and other community groups and organisations to determine the extent of significance assessments that have been carried out for locally important objects and collections and establish a list of community managed collections that prioritises further assessments to be done.
- Establish a means to ensure the ongoing documentation of new heritage information (new discoveries, demolition of buildings, impacts of fire flood on heritage places).

Protecting:

Statutory Protection - Policy Development - Appropriate Management

The successful management and protection of Wellington Shire's heritage assets will require a combination of strong policy, appropriate application of the heritage overlay and development of Conservation Management Plans. These tools can be used to provide clear direction and support for decision making concerned with proposed changes to heritage within the municipality.

Existing Protection

In addition to the regulatory framework outlined in the introduction to this report, Council has taken steps to provide further protection for heritage assets. Wellington Shire Council commissioned consultants in 2001 to undertake a Shire wide Stage One study to identify all post-contact (for the purpose of the study 'post-contact' was defined as the period since first contact between Aboriginal and non-Aboriginal people) places of cultural significance within Wellington Shire and to make recommendations for their future conservation. The former Shire of Alberton completed a heritage study in 1982 and several of the heritage places were protected in the planning scheme. The places were assessed in accordance with the criteria adopted by the Victorian Heritage Council.

The former City of Sale also completed the Sale Heritage Study in 1994, although this primarily focused on the places within the town. The Wellington Shire Stage Two Heritage Study was adopted by Council in 2003 and recommendations were implemented into the planning scheme through Amendment C26 in 2008 which introduced most of our current Heritage Overlay controls within Sale and Port Albert.

A small number of places were carried across for protection from individual planning schemes after amalgamation, without extensive documentation. Apart from these, the former Shires of Maffra, Alberton (except Port Albert), Rosedale and Avon have not been extensively researched, documented or protected to-date. Council has however, recently completed a Stage 2 Heritage Study which assessed and documented 67 'high priority' places across 9 townships within Wellington Shire including: Cowwarr; Heyfield; Tinamba; Maffra; Boisdale; Briagolong; Stratford; Rosedale and Yarram. The findings of this study are currently being implemented via Planning Scheme Amendment C92.

Strategies for Protecting

There are currently 272 individually significant sites and 10 heritage precincts recognised in the schedule to the Heritage Overlay in the Wellington Planning Scheme. A further 67 individual places are proposed to be added via Planning

Scheme Amendment C92. Within a heritage precinct the primary objective is to ensure the conservation of those elements that contribute to the area's significance. Not every building or landscape element will be significant and the removal or alteration of non-contributory elements or the development of these sites is not usually a major concern. The objective is to ensure that when development does occur, it occurs in a manner which is appropriate to the significance, character and appearance of the heritage area.

- Complete Conservation Management Plans (CMP) (subject to resourcing) for complex places, especially those managed by Council such as Community halls and infrastructure, as a means to provide a manual for the stakeholders to plan, manage and improve the facility without loss of heritage values.
- Encourage CMPs to be prepared for complex places privately owned.
- Check the existing Heritage Overlay Schedule and Mapping to correct anomalies and the curtilage on complex sites. Check that Statements of Significance exist and that they are consistent with the controls that have been triggered. For example, tree controls where significant trees have been identified.
- Ensure there is a well understood process for Council staff to guarantee awareness of places that are currently being assessed for their heritage significance to enable action under s.29 of the Building Act 1993.
- Develop and adopt heritage guidelines and make these publicly accessible.
- Develop a process whereby Council departments access and use CMPs (subject to resourcing) to guide development of Council owned heritage assets.

Supporting:

Advice - Assistance - Incentives - Strategies

Provision of support plays a key role in the management and protection of heritage assets by encouraging stakeholders to consider the impacts of their actions and follow the required relevant process when proposing changes to a heritage place.

Existing Support

Financial Assistance for Owners and Managers of Heritage Properties

- Waiving Planning Permit fee Program (where the Heritage Overlay is the only planning permit trigger)

Heritage Advisory Service

Professional advice is provided free to the community regarding:

- Alterations and extensions, technical skills, restoration
- Real Estate agents, builders, designers
- Planning applications
- Promotion of heritage places and protection

Strategies for Supporting

- Coordinated approach by Council to support good conservation practice for historic documents and artifacts held:
 - by Council
 - by local historical societies, museums and other history groups
- Continue to work with the Wellington Shire Heritage Network (WSHN) to provide links to key heritage documents online and available to download. E.g. Heritage Studies, list of reference books, Heritage Victoria publications on technical matters, etc.
- Encourage Council staff to access the heritage advisor early in project development.



Restored Steam Roller, a private initiative to preserve and promote the heritage of Heyfield's Coleman family business. (Source: L. Huddle)

Communicating:

Promotion - Awareness - Appreciation

Engagement between heritage professionals, Council staff and the wider community can serve as a valuable way to encourage further understanding and appreciation of heritage matters and can promote broad involvement in not only protecting heritage, but also in promoting heritage as a tourism asset, and enhancing amenity and liveability in Wellington Shire.

Strategies for Communicating

- Encourage continued cataloguing and digitizing of the local historical groups' collections by the Wellington Shire Heritage Network (WSHN) and where possible, make the information about holdings available for education, research and promotion to assist in the appreciation and conservation of heritage places.
- Strengthen links with the State Library of Victoria, the Public Records Office Victoria and the Centre for Gippsland Studies at Federation University to provide expertise and access to Wellington Shire Heritage Documents
- Work with the Wellington Shire Heritage Network and other local organizations to increase the number of historical local newspapers available over the internet through TROVE
- Enter heritage place details from the 2005 Heritage Study database onto the Hermes database so that it is publicly available through the Victorian Heritage Database.
- Develop half yearly meetings between Council's heritage advisor/planner and representatives of all Council departments who make decisions about the use, upgrading and management of heritage places.
- Encourage relevant Council staff to join Heritage Victoria's Heritage Chat network.
- Encourage Council's heritage advisor and relevant staff to attend Heritage Victoria's regular "Local Government Heritage Workshops".

Strategies for Appreciating

- Establish stronger links with community heritage organisations.



Protected Boisdale Hall (Source: L. Huddle)



Protected War Memorial in Maffra (Source: L. Huddle 2009)

Conclusion

Amazing diversity is found in heritage places because they represent aspects of our evolving culture including houses of all eras, religious places, cemeteries, public places such as halls, trees and gardens; memorials and engineering infrastructure such as bridges, waterworks and many others. This heritage strategy will inform the Wellington Shire Council regarding the nature of our important heritage, how to protect it, how to support the community and various authorities in managing it and in promoting and communicating initiatives towards appreciating our heritage.

Each community is different and it is this diversity of experiences and values that has created the richness of heritage we have today. It is thus important that the process of developing a historical strategy is locally owned and driven. The recommendations provided in this report are the result of input from diverse parties, guided by local and professional historical expertise. This strategy will enable the Wellington Shire Council and communities to ensure important aspects of our heritage are valued today, and saved for the people of tomorrow.



Protected Former Methodist Church, Stratford. (Source: L. Huddle, 2010)

ITEM C3.3**PLANNING SCHEME AMENDMENT C98 – WEST SALE
AERODROME RUNWAY EXTENSION FACILITATION**

DIVISION: DEVELOPMENT
ACTION OFFICER: MANAGER LAND USE PLANNING
DATE: 15 AUGUST 2017

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

OBJECTIVE

To request the Minister for Planning to prepare and approve Amendment C98 (refer to **Attachment 1**) in accordance with Section 8(1) and Section 20(4) of the *Planning and Environment Act 1987*.

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

That Council resolve to request the Minister for Planning to prepare and approve Amendment C98 (refer to Attachment 1) in accordance with Section 8(1) and Section 20(4) of the Planning and Environment Act 1987.

BACKGROUND

In January 2017, the State Government announced that \$5M in funding would be provided to complete infrastructure improvements at West Sale Airport. This followed the announcement by the Minister for Defence in September 2015 that RAAF Base East Sale had been selected for Department of Defence's AIR 5428 Pilot Training System. As outlined by Air Force in a 'Concept of Operations', West Sale Airport will continue to be used as an essential part of Air Force pilot training.

A funding agreement between Wellington Shire Council and Regional Development Victoria was drafted consistent with the Concept of Operations, requiring works to extend and resurface the existing east-west runway at West Sale Airport.

Noting the significant changes proposed to airport infrastructure, To70 Aviation Pty Ltd in association with Kneebush Planning drafted the West Sale Airport Master Plan Update 2017 (the Master Plan). Besides being a contemporary airport master plan, the Master Plan provides strategic level support for an amendment to the Wellington Planning Scheme to make relevant changes to zoning and corresponding overlays.

Changes from the 2011 Master Plan Update are as follows:

- The Master Plan follows a new format, which aligns with the Australian Airports Association's Regional Airports Master Plan Template.
- Data is presented on aircraft movements.
- The Master Plan includes the Australian Noise Exposure Forecast, which describes noise around the airport based on aircraft type and changes in movements until 2037.
- Native vegetation remains an important consideration. Detail is included on vegetation protected by State and Federal legislation.
- In relation to the growth and development of the airport, both the runway extension and the Eastern (Recreational Aviation) Precinct freehold development are described in detail.
- The Dash 8 Q400 is (re)confirmed as the design aircraft.
- A SWOT analysis of the airport which describes the strengths, weaknesses, opportunities and threats is included.

On 2 May 2017 Council released the draft Master Plan for consultation. The consultation period allowed important feedback to be included in the Master Plan.

An extensive consultation exercise was undertaken as part of the Master Plan update, which ensured stakeholders were briefed regarding the planned runway extension works. Over twenty meetings were held with on and off airport stakeholders and adjoining land owners. Feedback from the meetings was positive, with all acknowledging the fact that they are located within close proximity to an operational airport.

At the commencement of the consultation period over sixty letters were distributed to residents located within the Airport Environs Overlay.

Emails seeking feedback on the Master Plan were also sent to ten other government departments, agencies and authorities.

The opportunity to make submissions was included in a media release and submissions could easily be made via an online portal. A full summary of the consultation process, submissions received and changes made to the Master Plan in response to submissions can be found at **Attachment 2**.

Approved by Council on 18 July 2017, the Master Plan now provides the strategic justification required to undertake a Planning Scheme Amendment to rezone the land to facilitate the required runway extension works. This includes rezoning land at the eastern and western edge of the runway from the Farming Zone to the Special Use Zone and rezoning surplus land to the north of the runway from the Special Use Zone to the Farming Zone (refer to map in **Attachment 1**). It is also proposed to amend the existing Airport Environs Overlay extents (AEO1 and 2) to reflect the West Sale Airport 2037 Standard Australian Noise Exposure Forecast (ANEF) (Airservices Australia endorsed 26 June 2017). This will involve a significant reduction in the extent of the Airport Environs Overlay compared to the current overlay extent (refer to **Attachment 1**). The amendment also updates current references to the 2002 Master Plan throughout the Wellington Planning Scheme so that the updated Master Plan is now referred to.

OPTIONS

1. That Council resolve to request the Minister for Planning to prepare and approve Amendment C98 (refer to **Attachment 1**) in accordance with Section 8(1) and Section 20(4) of the *Planning and Environment Act 1987*; or
2. That Council resolve not to request the Minister for Planning to prepare and approve Amendment C98 in accordance with Section 8(1) and Section 20(4) of the *Planning and Environment Act 1987* and seek further information prior to considering a further report at a future Council Meeting.

PROPOSAL

That Council resolve to request the Minister for Planning to prepare and approve Amendment C98 (refer to **Attachment 1**) in accordance with Section 8(1) and Section 20(4) of the *Planning and Environment Act 1987*.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The financial cost of the amendment process has been accommodated in the Strategic Planning budget for 2017/18. Council is required to pay the associated statutory fees to the Minister for Planning for Amendment C98.

COMMUNICATION IMPACT

Extensive consultation was undertaken during the Master Plan process. A full summary of the consultation process, submissions received and changes made to the Master Plan in response to submissions made can be found at **Attachment 2**.

Due to the need to expedite a project of regional and State significance, where the views of relevant stakeholders are known, Amendment C98 is not proposed to be exhibited and Ministerial Intervention will be requested for a 'fast tracked' amendment, which can be prepared, adopted and approved by the Minister for Planning without public exhibition, pursuant to Section 20 (4) of the *Planning and Environment Act 1987*.

LEGISLATIVE IMPACT

The preparation of Amendment C98 and the request for Ministerial approval is in accordance with the requirements of the *Planning and Environment Act 1987*.

COUNCIL PLAN IMPACT

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

Strategic Objective 2.3

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

Strategy 2.3.1

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

The 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 5.2.1

'Create a supportive investment environment that encourages new development and job growth.'

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

PLANNING POLICY IMPACT

The Amendment C98 is consistent with the State and Local Planning Policy Frameworks (SPPF and LPPF) within the Wellington Planning Scheme and the relevant State Government Planning Practice Notes.

ENVIRONMENTAL IMPACT

Native grassland impacts associated with the runway extension works are currently being assessed by ETHOS NRM (Environmental Planning and natural resource management consultants). Required statutory approvals (including potential EPBC Act approvals) will be obtained by Council prior to the commencement of works (and appropriate offsets secured).

CONSULTATION IMPACT

On 2 May 2017 Council released the draft Master Plan for public comment, which included the following consultation:

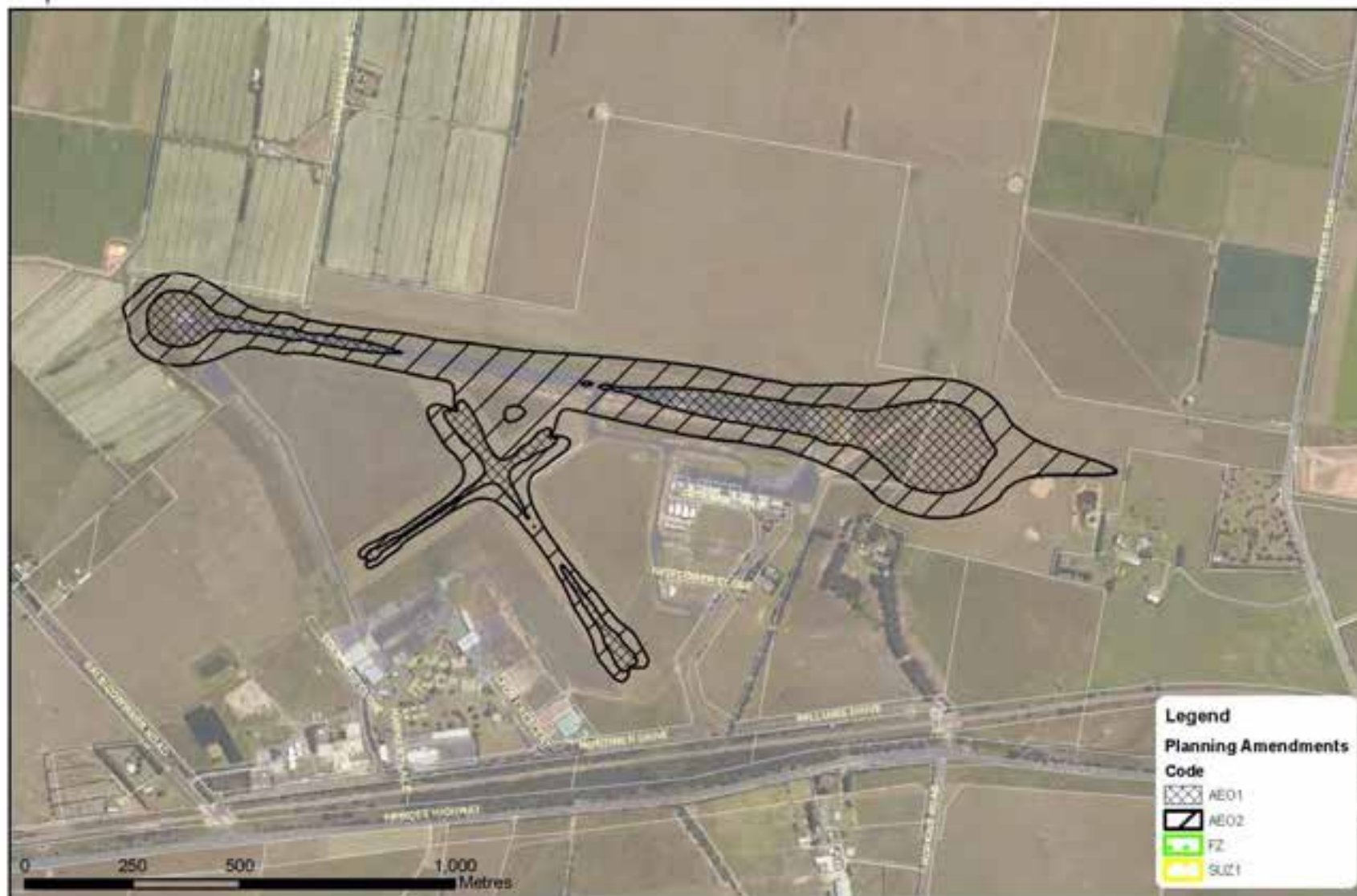
- Over twenty meetings were held with on and off-site stakeholders and adjoining land owners. Feedback from the meetings was positive, with all acknowledging that they are located within close proximity to an operational airport.
- Over sixty letters were sent to those who resided within the current Airport Environs Overlay extent.
- Ten letters were sent to relevant Authorities.
- Media releases, inviting public feedback.
- Option to provide submissions via an online portal in addition to written submissions.

A full summary of the submissions made can be found in the Submission Summary and Response Table at **Attachment 2**.

Having regard to the relevant statutory requirements and the process recently undertaken with the Master Plan update, Amendment C98 is not considered to require further consultation with the broader community.

Ministerial Intervention will be requested for a 'fast tracked' amendment, which can be prepared, adopted and approved by the Minister for Planning without public exhibition, pursuant to Section 20(4) of the *Planning and Environment Act 1987*.



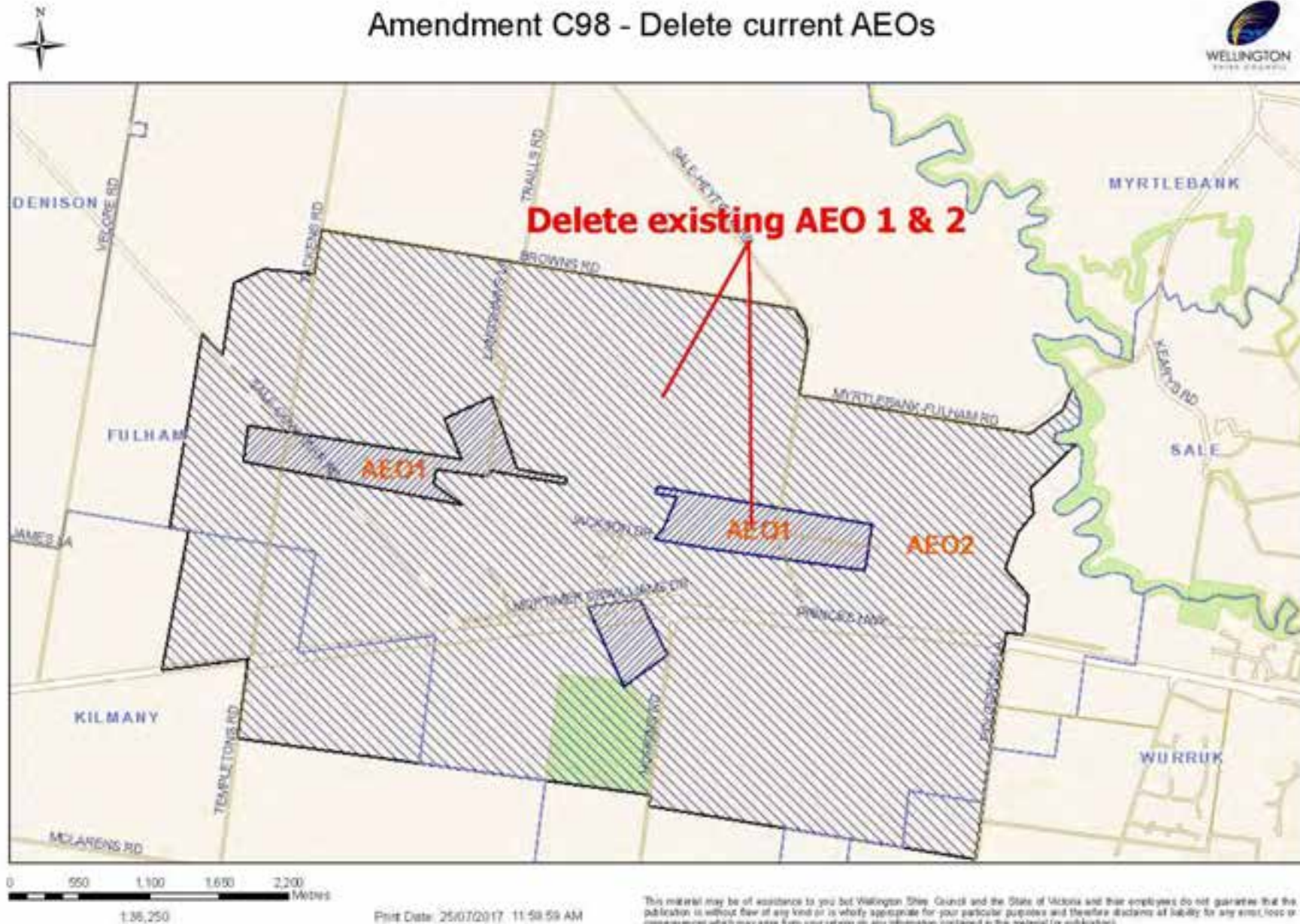




WEST SALE AERODROME - C98 - ZONES ONLY



Amendment C98 - Delete current AEOs



21.20



REFERENCE DOCUMENTS

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

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

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

22.05

11/02/2016
C66/Procedural
rule

AERODROME AND ENVIRONS POLICY

This policy applies to applications to use and develop land covered by the Airport Environs Overlay within and/or around the East Sale Royal Australian Air Force (RAAF) Base, West Sale Aerodrome and the Parkside Aerodrome at Yarram.

Policy basis

The East Sale RAAF Base and West Sale Aerodrome are significant developments in the Shire and provide a range of important employment, transport, and economic development opportunities. The Parkside Aerodrome at Yarram is an important transport facility for the community of Yarram and district, and provides some related development opportunities.

Objectives

To ensure that the safety and efficiency of aerodrome operations is not prejudiced by any new use or development of land nearby.

To ensure that any detrimental effects of aircraft operations are taken into account in planning the use or development of land nearby.

To provide for a range of education and industry opportunities in association with aeronautical activities conducted at the aerodromes.

Policy

It is policy that the following matters be taken into account when considering applications to use or develop land within and around aerodrome:

General:

- The effect of the proposal on the amenity of area.
- The need to co-ordinate the planning of areas close to the aerodrome.
- The suitability of building design and external building materials.
- The height of the proposed development.
- Whether the grant of a permit would detrimentally affect the operational safety of aircraft or the opportunity for the reasonable future expansion of the aerodrome.
- Buildings within a designated Australian Noise Exposure Forecast area should be considered in accordance with the provisions of the Standards Association of Australia, AS 2021-1994.

East Sale RAAF Base:

- Whether the land is located within a designated area on the:
 - East Sale - Explosive Ordinance Safe Guarding Map, issue No. 4.
 - RAAF Base East Sale - Vic. 2003 Australian Noise Exposure Forecast (ANEF) - Computer Reference INM020, Drawing No. DGF-AF 93/170.
 - RAAF Base East Sale - Vic. Defence (Area Control) Regulations Gazetted Areas (overall), Drawing No. DGG-AF 96/088.

and the implications of associated controls/guidelines.

West Sale Aerodrome

- Whether the site relevant to the application is located within the designated area for development as shown on the West Sale ~~Aerodrome~~-Airport Master Plan 2017 (~~November 2002~~ or any superseding documents).
- Whether the application will adversely affect the functionality of the West Sale Aerodrome.
- Whether the application will adversely impact sites specified as having significant flora and fauna values as outlined in the West Sale ~~Aerodrome~~-Airport Master Plan 2017 (~~November 2002~~ or any superseding documents) and the West Sale Aerodrome Public Authority Management Agreement, June 2003 or any superseding documents.

Policy reference

- West Sale ~~Aerodrome~~-Airport Master Plan 2017 (~~November 2002~~ or any superseding documents).
- West Sale Aerodrome Public Authority Management Authority, June 2003 (as amended) or any superseding documents.

11/02/2016
C93
C92

SCHEDULE 1 TO CLAUSE 37.01 THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1**.

WEST SALE AERODROME

Purpose

- To provide for the safe and efficient operation of the West Sale Aerodrome.
- To provide for the development of aeronautical industries and activities.
- To provide for educational facilities appropriate to the site.
- To ensure existing and future activities on the site will not adversely impact areas specified as having significant flora and fauna values.

1.0
19/01/2006
VC37

Table of uses

Section 1 - Permit not required

| Use | Condition |
|---------------------|---|
| Apiculture | Must meet the requirements of the apary Code of Practice, May 1997. |
| Education centre | |
| Industry | Must involve aeronautical activities. |
| Mineral exploration | |
| Mining | Must meet the requirements of Clause 52.08-2. |
| Search for stone | Must not be costeaning or bulk sampling. |
| Transport terminal | |

Section 2 - Permit required

| Use | Condition |
|---|-----------|
| Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone) | |
| Mining – if the Section 1 condition is not met | |
| Place of assembly (other than Drive-in theatre) | |
| Search for stone – if the Section 1 condition is not met | |
| Any other use in Section 1 if the Section 1 condition is not met | |

Section 3 - Prohibited

Use

Drive-in theatre

Hospital

2.0

11/02/2016
C43 Proposed
C43

Use of land

All use of land must not adversely effect the operation of the West Sale Aerodrome.

The West Sale Aerodrome should be operated in accordance with the West Sale ~~Aerodrome~~ Airport Master Plan ~~2017~~ November 2002 (or any superseding documents), and the West Sale Aerodrome Public Management Agreement, June 2003 (or any superseding documents).

3.0

11/02/2016
C43 Proposed
C43

Subdivision

None Specified

4.0

11/02/2016
C43 Proposed
C43

Development of land Buildings and works

All development of land must be in accordance with the West Sale ~~Aerodrome~~ Airport Master Plan ~~November 2002~~ 2017 (or any superseding documents) and the West Sale Aerodrome Public Management Agreement, June 2003 (or any superseding documents).

Permit Requirement:

A permit is not required to:

Construct a building or to construct or carry out works that are associated with the extension of the existing runway undertaken in accordance with the adopted West Sale Airport Masterplan 2017 (or any superseding document).

5.0

26/06/2008
C44 Proposed
C44

Advertising signs

Category I of the table at Clause 52.05 applies to this schedule.

ATTACHMENT 2 – SUMMARY TABLE OF SUBMISSIONS – WEST SALE AIRPORT MASTER PLAN UPDATE 2017

Discussions were also arranged with Avisure and Transport for Victoria. Both indicated satisfaction with Council's response to their submission.

| Date | From | Summary | Response |
|-------------|---|---|--|
| 9 May 2017 | Hans Matsoo | Hans indicated that YWSL does have instrument procedures. Therefore, the last statement in paragraph may be incorrect. | To70 acknowledge that the comment is correct and that 3.4.2 states incorrectly that there are no instrument procedures at YWSL. This has been corrected. In fact, YWSL does have non-precision instrument approach procedures in place (which are included in the ANEF). Section 3.4.2 has been updated. |
| 9 May 2017 | Southern Rural Water | SRW assessed the proposal and has concluded that it has no impact on their business interest. Therefore, SRW concluded that they have no objections. | Noted that SRW have no objection to the Master Plan Update. |
| 10 May 2017 | West Gippsland Catchment Management Authority | West Gippsland CMA reviewed the proposed Master Plan indicated their support. WGCMA also provided updated information regarding local waterways and the 1 in 100-year flood overlay. | Noted the support provided for the Master Plan by WGCMA. |
| 26 May 2017 | Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) | GLaWAC formally advised that they do not have concerns regarding the proposal and they are comfortable with the project progression. | Noted that GLaWAC have no objections to the Master Plan Update. |
| 29 May 2017 | Department of Environment, | The department offers the following comments: | Noted the acknowledgement from DELWP regarding the Master Plan Update environmental section and |

| Date | From | Summary | Response |
|-------------|------------------------|--|--|
| | Land, Water & Planning | <ul style="list-style-type: none"> The Master Plan Update adequately identifies the significant biodiversity assets on airport land. Potential work will impact the threatened flora community. The department acknowledged that the Master Plan Update has demonstrated minimisation of any impact on the most significant areas from the location of works. Any native vegetation removal may require approval under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i>, <i>Flora and Fauna Guarantee Act 1988</i> and the <i>Planning and Environment Act 1987</i>. The biodiversity value of the land that the airport is seeking to acquire through the land-swap has not been fully established. | support for the ongoing management of retained grassland at the site. |
| 31 May 2017 | Transport for Victoria | <p>Transport for Victoria supports Council in planning for long-term development and offered the following comments:</p> <p><i>Public Safety Zone (NASF)</i></p> <p>Recommended the inclusion of Public Safety Zones based on the Queensland model to assist planning pending NASF publishing a guideline.</p> | <p><i>Public Safety Zone (NASF)</i></p> <p>In lieu of NASF guidelines, the Master Plan Update has drawn the dimensions of the Queensland based Public Safety Zone and included as a table. Further assessment on impacts would be required following implementation and at time of next Master Plan.</p> |
| | | <p><i>Ground Transport Options</i></p> <p>Consideration of more detail for ground transport options and provision of a shuttle service.</p> | <p><i>Ground Transport Options</i></p> <p>Council believes the Master Plan Update covers ground transport sufficiently pending further investigation of RPT services as part of future Master Planning.</p> |

| Date | From | Summary | Response |
|------|------|---|---|
| | | <p><i>Dash 8 – Q400</i></p> <p>TFV supports planning for Q400 as the design aircraft but notes a lack of detail pertaining to plans for such an aircraft to operate at West Sale and terminal infrastructure to deal with the capacity.</p> <p>TFV expressed its support for any terminal expansion and refurbishment when an increase in passenger services is likely.</p> | <p><i>Dash 8 – Q400</i></p> <p>The Q400 was used as the design aircraft considering pavement strength and PCN compatibility. Requirements within the RAAF CONOPS is the influencing factor for the runway length (PC-21 landing plus take-off roll) in addition to previous Master Plan's identifying 1,800m as the ultimate runway length.</p> <p>Furthermore, considering the scope of the Master Plan Update, an investigation into future RPT services and required infrastructure planning would form part of a subsequent Master Planning initiative.</p> |
| | | <p><i>Land Sales</i></p> <p>Transport for Victoria is concerned at the proposal to sell land within the airport. It has been suggested amending this policy in favour of more long-term lease arrangements.</p> | <p><i>Land Sales</i></p> <p>Council acknowledge the concern of TFV. However, there has been considerable research into the approach and Council is mindful of balancing lease arrangements for the ERAP site against higher levels of interest and ultimately growth in aviation related activities.</p> <p>The strong interest that Council is attracting for the current phase of the development indicates that the scheme is encouraging aviation businesses to consider West Sale.</p> |
| | | <p><i>Long term industrial development</i></p> <p>Although Transport for Victoria supports the long-term planning for the approved planning scheme C89, located</p> | <p><i>Long term industrial development</i></p> <p>The concern of TFV is noted and although this development is not specifically related to the airport</p> |

| Date | From | Summary | Response |
|------|------|---|--|
| | | southeast of the airport, it is concerned that the Princess Highway and Melbourne-Bairnsdale Railway separates two airport sites, forming a connectivity barrier, potentially increasing congestion and safety risk. | master plan, Council would like to note that traffic studies would form part of any development for that planning scheme with regard to connectivity to the airport. |
| | | <i>Land Exchange</i> Transport for Victoria suggested Council consider acquiring the land required for the runway extension rather than exchanging it. Transport of Victoria considers that the acquisition would be more advantageous for YWSL. | <i>Land Exchange</i> Council acknowledge the comment and would seek to reassure TFV that the decision to exchange, rather than acquire land, was thoroughly investigated and has delivered the best possible outcome for West Sale Airport, the land-holder and Council. |
| | | <i>2nd sealed runway</i> TFV enquired whether the demand or need for a second sealed runway has been considered or investigated. | <i>2nd sealed runway</i> The Master Plan Update 2017 has not considered the expansion or re-surfacing of a second runway as the scope of operations being considered does not justify any investigation at this stage. This question could certainly be a worthwhile discussion during subsequent Master Planning iterations. |
| | | <i>Princes Highway East Duplication</i> Transport of Victoria advised that nine sections funded by the \$260M Princes Highway East Duplications will not be completed until mid-2019 and the Fulham 2 section is scheduled for completion by mid-2018. Therefore, please correct the statement regarding the project in the Master Plan Update. | <i>Princes Highway East Duplication</i> To70 has corrected Section 2.1.3 of the Master Plan Update with the information provided by TFV. |

| Date | From | Summary | Response |
|-------------|-----------------|---|--|
| 2 June 2017 | Avisure Pty Ltd | <p>Avisure specialise in wildlife and bird strike risk management, Avisure's team of aviation ecologists have been helping airports and aviation industry stakeholders throughout Australia and around the globe since 1996. Avisure provided the following comments:</p> <ul style="list-style-type: none"> • Wildlife hazard management strategy is not mentioned, apart in the overview of NASF and MOS 139 generic requirements. • In section 1.2, Avisure recommended to include 'ensuring the safe and efficient transport of people to and from the region' as core objectives and purposes of the MP. • Section 2.2 should include existing wildlife hazards and wildlife strike information. • Section 2.3.4 should address wildlife hazard risk and potential changes in risks, considering the airport development. Local weather patterns and likely effect on scheduled operations should also be mentioned. • Wildlife hazards should be included in the Critical Airport Planning Parameters (Section 2.5). This should include an analysis of existing and future on-airport features and off-airport locations that attract wildlife. • Section 2.5.2 should include aircraft type in the movement data. • Table 6 acronyms and definitions need to be expanded and clarified. Avisure also commented on the runway extension in relation to PC-21 operations and | <p>Wildlife Hazard Management policies and procedures are not in scope for the Master Plan Update.</p> <p>Council has proposed that based on previous interactions with Avisure and participation in the RAAF East Sale Aviation Wildlife Hazard Group, that West Sale Airport consider current practices regarding wildlife hazard management during day to day operations.</p> <p>There are already some processes in place to minimise wildlife interaction with aircraft such as improved fencing and baiting programs.</p> <p>It should be noted that there have been minimal hazardous interactions with wildlife at West Sale. T070 will update Table 6, including acronyms and explanations. Commercial rationale of RPT services was not within scope of the MP update.</p> |

| Date | From | Summary | Response |
|-------------|-------------------------------------|--|--|
| | | <p>commercial validity of selecting the Q400 as the design aircraft.</p> <ul style="list-style-type: none"> Section 3.1.1 needs to include reference to NASF, other documentation and reference to landscaping and waste management guidelines. Avisure raised questions about the runway extension in relation of PC-21 requirements. Section 3.5 does not include assessing and monitoring wildlife hazards as part of the actions. | |
| 2 June 2017 | Moorabbin Airport Corporation (MAC) | MAC is fully supportive of the West Sale Airport Master Plan Update. | Council would like to thank Moorabbin Airport Corporation for the support. |
| 5 June 2017 | Department of Defence (Defence) | <p>Defence welcomes the upgrades proposed for the West Sale aerodrome and appreciates Council's support for the relocation of the Basic Flying Training School to RAAF Base East Sale. Defence wants to note that its use of restricted airspace for training purposes is expected to increase. Therefore, Defence provided the following comments:</p> <ol style="list-style-type: none"> Page 15 of the Master Plan refers to Restricted Airspace (RA1). Defence advised that East Sale restricted areas are under review for change to Conditional Status RA2. Page 35 of the Master Plan Update states that East Sale offers a great opportunity for Class C licence pilots. Defence advised that civilian access to East Sale aerodrome will not be available, and access to the East | <p>Council notes the positive response from Defence and is looking forward to working closely with RAAF East Sale in the future.</p> <p>Council will continue to support Defence throughout the process of engaging airspace regulators and the Office of Airspace Review to develop an optimal solution for the local airspace, including availability and ongoing management.</p> <p>The proposed changes to airspace have no impact on the Master Plan Update however Council will facilitate discussions between the aviation community and Department of Defence to ensure greater understanding between stakeholders and</p> |

| Date | From | Summary | Response |
|--------------|---------------|---|--|
| | | Sale control zone is unlikely to be approved during flying training operations. | Council on how RAAF's increased use of West Sale will impact access. |
| 23 June 2017 | RDA Gippsland | RDA Gippsland strongly supports the West Sale Airport Masterplan Update. | Council would like to thank RDA Gippsland for their support for an asset that has regional significance. |

ITEM C3.4**2017 AGRICULTURE POSITION PAPER**

DIVISION:

DEVELOPMENT

ACTION OFFICER:

GENERAL MANAGER DEVELOPMENT

DATE:

15 AUGUST 2017

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

OBJECTIVE

For Council to approve the 2017 Agriculture Position Paper.

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

That Council approve the 2017 Agriculture Position Paper as provided in Attachment 1.

BACKGROUND

The Agriculture Position Paper (Attachment 1) was developed to recognise the significant contribution that agriculture makes to the health and vitality of the Wellington Shire economy. Currently agriculture, including dairy, beef, grains, horticulture, is the second largest employer in the Wellington Shire. More than one third of the Wellington Shire comprises farmland.

The purpose of the Agriculture Position Paper is to inform Council and the community of the issues that farmers believe are impacting on the short, medium and long-term viability of agriculture in the region. Awareness of these issues will enable Council to develop a range of policies that:

- take into account the challenges faced by farmers;
- assist farmers to build stronger and more resilient businesses and communities;
- identify opportunities available to farmers; and
- create new opportunities for agriculture in Wellington Shire.

The consultation process to update the Agriculture Position Paper included:

- a roundtable event on 4 May attended by members of the Agriculture Industry Reference Group, individuals nominated by peak industry bodies, industry leaders and Councillors; and
- surveys – information collated from the roundtable was used as a basis for an agriculture sector survey distributed to 1400 primary producers across the Shire. Council received 352 survey responses.

The information and responses received during these consultation activities is now reflected in the 2017 Agriculture Position Paper.

OPTIONS

The following options are available to Council:

1. Approve the 2017 Agriculture Position Paper; or
2. Not approve the 2017 Agriculture Position Paper and seek further details for consideration at a future Council meeting.

PROPOSAL

That Council approve the 2017 Agriculture Position Paper to enable the paper to go to print and then be circulated to the Farming and Agribusiness sectors.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The update of the 2014 Agriculture Position Paper has been completed on time and within existing operational budgets.

COMMUNICATION IMPACT

Communication related to the 2017 Agriculture Position Paper included a roundtable event held on 4 May attended by Agriculture Industry Representative Group (AIRG), individuals nominated by peak industry bodies, industry leaders and Councillors. In addition, a survey was posted out to over 1400 rural ratepayers for input, with 352 replies received.

COUNCIL PLAN IMPACT

The Council Plan 2017-21 Theme 2 Services and Infrastructure and Theme 5 Economy states the following strategic objectives and related strategies:

Strategic Objective

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

Strategy 2.3.1

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

Strategic Objective

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

Strategy 5.2.1

'Create a supportive investment environment that encourages new development and job growth.'

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

RESOURCES AND STAFF IMPACT

This matter is being addressed within the existing resources of the Development Division.

COMMUNITY IMPACT

Community and stakeholder feedback provided as part of the sector engagement process was captured in the preparation of the 2017 Agriculture Position Paper.



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

AGRICULTURE POSITION PAPER 2017



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Introduction

This Agriculture Position Paper will enable Council to better understand the needs, concerns and aspirations of primary producers living in the region. It is modelled on, and builds upon, the 2014 Agriculture Position Paper which has been used extensively over the past three years to:

- increase Council's understanding of issues impacting on the agriculture sector;
- advocate to State and Federal Government, industry and other agencies about issues relating to agriculture in the region;
- inform business and investment opportunities in infrastructure and support services in the region; and
- ensure key agriculture issues are considered when developing policies or allocating resources.

Methodology

The methodology for developing this Agriculture Position Paper is comprised of:

- meetings with major stakeholder organisations to discuss the scope of the Agriculture Position Paper;
- challenges and opportunities identified at a professionally facilitated workshop attended by primary producers; and
- survey results collated by Council, following the distribution of a detailed questionnaire to ratepayers identified as primary producers on the Wellington Shire Council database.

A snapshot in time

Council recognises that the Agriculture Position Paper provides a snapshot of primary producers' views at a particular point of time. Positive events which are likely to have shaped the responses include an extended period of higher than average rainfall, an unprecedentedly high beef price, and strong demand for lamb and wool. On the negative side, the dairy industry has been experiencing great volatility, including the retrospective cut in milk prices and the closure of processing plants elsewhere in the state.

Another factor that has certainly impacted on the responses is the rising price of land, and concerns that young people are not able to enter the industry.



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Scope of the survey

The survey incorporated issues raised at the roundtable workshop, including:

- intensive agriculture
- extensive agriculture
- people (training, health, labour, etc)
- water and water infrastructure
- energy and transport infrastructure
- livestock facilities
- agribusiness
- technology

Representation

Surveys were completed by 352 ratepayers which is a 25% response rate. Council is confident that it represents an accurate cross-section of agricultural producers in the region.

Importantly, 92% of respondents are recognised by the Australian Tax Office as a primary producer. Property sizes range from 19ha to 24,000ha with the majority of land being used for beef production, followed by dairy and sheep (lamb/wool). Other land uses (in order of magnitude) are grain or fodder production, horticulture, timber, processing and agritourism/grapes/winery.

Like the 2014 results, more than 70% of respondents were aged 50 or older, 25% were aged between 35 and 50, and less than 5% were aged 35 or younger. Further examination, however, reveals that the managers of the two largest enterprises were aged below 35, 50% of the managers of the largest 26 enterprises were aged between 35 and 50 and every manager of the 32 smallest enterprises was aged above 50. These statistics suggest that on a per hectare basis, younger farmers may be more actively involved in agriculture in the region than the survey indicates.

Key points

1. The survey revealed significant concerns amongst respondents about the high price of land and the challenges it poses both to expansion/diversification, and to young people wanting to farm.
2. At the same time, many respondents recognised the benefits of rising land prices for retiring or downsizing farmers. Most do not believe that lifestyle properties and/or



The Heart of Gippsland

housing developments are impacting on their business, and are in favour of ratepayers being able to excise a dwelling to create a rural residential lot. This illustrates the dilemma for policy makers between allowing market forces to determine prices, and cushioning their impacts. It also suggests that the traditional family-owned farming model may no longer be the most appropriate, and that alternative models should be explored to encourage younger farmers to get involved in the industry.

3. Almost half (46%) of the respondents who answered the question about corporate farms regard them as a negative, while 33% saw them as a positive. The remainder were equivocal, with several saying they could see both good and bad aspects to corporate farming.
4. Negative impacts on community and families was the most cited reason against corporate farms, followed by rising land prices, competition for smaller farmers, and concerns about animal welfare and the environment. Those in favour of corporate farms saw rising land prices as a positive, and also cited increased skills, more efficient farming systems, employment and cash flowing into the community as benefits. Several also commented that corporate farms were a way of involving young people, and promoting a career path in agriculture.
5. Respondents were overwhelmingly positive about intensive farming, provided that it is carried out "in the right place", and meets environmental and animal welfare rules. The reasons in favour of intensive farming included "a more efficient use of land", "good for the economy" and "any agriculture is good agriculture". Those who were against intensive farming were concerned about the impacts on neighbours and neighbouring land values, animal welfare and the environment.
6. While the roundtable workshop identified 'macro' factors such as lack of transport networks and supply chain infrastructure as barriers to expansion/diversification, the survey revealed that personal circumstances eg age, costs and lack of affordable land, are the key factors preventing respondents from exploring opportunities to expand or diversify their businesses.
7. The relatively small group (around 25-30%) of respondents that are actively contemplating expansion or diversification are likely to be younger than the majority of respondents. Their responses revealed a high level of optimism and enthusiasm, and a wide range of ideas including ecotourism, agriforestry, boarding kennels, oaks and truffles, fine wool, aquaculture and orchards. Consequently, there could be long-term value for the region in building the capacity of this group to develop their skills and networks and explore funding opportunities to bring their ideas to fruition.



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8. The lack of skilled labour prevents just 7% of respondents from employing more people in their business, while the lack of affordable labour is an issue for just 10% of respondents. In contrast, 75% said they simply did not have the need for labour. *It should be noted, however, that many of these respondents are older farmers who are scaling back, perhaps to a size that preserves their primary producer status. These farmers have little or no need of paid labour, preferring to manage their businesses on their own or with the help of one family member. Their age also prevents them from considering opportunities for expansion or diversification.*
9. Frustration with employment red tape (Workcover, superannuation, visa applications and taxes) was cited regularly throughout the survey, suggesting that it deters people from employing both local and overseas labour. Assistance to help primary producers understand and/or complete the paperwork may help to reduce this barrier.
10. Many respondents suggested farming apprenticeships, scholarships and practical hands-on experience for students, and promotion of agriculture in schools to encourage young people into the sector. They also called on the Council, the Victorian government, Agriculture Victoria and the Department of Water, Planning and Environment (DELWP) to publicise its lifestyle benefits, share case studies on what people have achieved, and to promote agriculture as a career.
11. Concerns about natural resource issues, including climate change and drought management appear to have lessened since the 2014 Agriculture Position Paper. For example, only two respondents cited water or climate change as barriers to expansion, compared to 15% of respondents in 2014. This is most likely due to more favourable weather conditions over the past three years, and perhaps, too, the impact of the MID modernisation program.
12. Roads and roadside maintenance is the area most ratepayers would like to see their rates spent, followed by garbage collection/recycling and weed and pest control.
13. Respondents cited lack of competition and throughput (and therefore lower prices - "it's a buyer's market") as the main reason for not using the Sale Livestock Exchange.



Further insights

Labour

1. Respondents who indicated that skills shortages were an impediment to their business cited a range of mainly practical farm skills, including shearing and wool classing, animal husbandry and machinery operation and maintenance.
2. Several respondents indicated that sourcing affordable, reliable casual/seasonal labour was an issue for their business, indicating that there could be scope for an agency to coordinate such workers.
3. Only 15% of respondents have or would contemplate employing backpackers and less than 7% have or would contemplate employing refugees.

Local education and promotion of agriculture

1. Several respondents indicated there was already adequate local training (eg AgriTrain) in place. However, around 45% put forward topics for consideration, indicating that there is healthy interest in attending education and extension programs in the region.
2. Marketing and exporting emerged as a potential topic for education.
3. Many respondents suggested publicising the lifestyle benefits of farming, as well as promoting agriculture as a career ("rather than a cottage industry") to encourage younger people into the sector. On the other hand, however, a number said that lack of profitability, the cost of land, and pricing pressures (eg from supermarkets, corporate farms, overseas markets etc) would continue to make farming unattractive to younger people.
4. Respondents suggested farmers, industry stakeholders and government explore possibilities for young people to pursue agriculture as a career. Key issues include:
 - land affordability;
 - land ownership versus other forms of tenure;
 - mentorships;
 - scope for older, retiring farmers to assist younger, unrelated farmers to be involved in/carry on existing businesses;
 - non-traditional forms of agriculture eg corporate farming, intensive farming;
 - education (including apprenticeships/practical on-farm experience);
 - promotion of agriculture within schools; and



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- career pathways.
5. Development of an interest group comprising younger farmers is encouraged, with a focus on:
- developing business and leadership skills;
 - developing networks;
 - exploring emerging markets, technologies and opportunities for expansion/diversification/value-adding;
 - identifying mentorship opportunities;
 - identifying funding opportunities; and
 - developing and implementing action plans.

Sustainability

1. Respondents revealed a strong interest in wanting to learn more about sustainability (including soil health, minimising the environmental impacts of farming, and alternative farming systems). Sustainability was the second most requested topic in 'local farmer training', and was the area most cited (after 'all') that could benefit from Research and Development funding.
2. Sustainability was also the third most common reason for contemplating changing or diversifying an enterprise, after risk management and creating an additional income stream.

Water management

1. Almost half the respondents irrigate on their properties. The most common sources of irrigation water are the Macalister Irrigation Channels (MID) (42%), streams and rivers (24%) and bores (19%).
2. In 2017, 42% of respondents cited 'water irrigation security' as being critical to their businesses, and 14% as 'important to have'. In 2014, those responses to the question of 'water security' were 61% and 25% respectively. *However, it should be noted that the inclusion of 'irrigation' in the 2017 survey question may have skewed the results. If the answers are reweighted by excluding the respondents who answered 'not applicable' (presumably those who do not irrigate), similar results to 2014 were received ie 64% said that water irrigation security was 'critical to their businesses', and 21% said it was 'important to have'.*



3. A similar issue arises in relation to whether MID irrigation modernisation programs have benefitted a ratepayer's property. Confining the answers to those of the respondents who live in the MID increases the 'yes' response from 20% to 50%. The benefits listed by respondents were extensive and included efficiencies in time, labour and water use, increased reliability and improved grass and milk production.

Opportunities for expansion, diversification and value-adding

1. Diversification (of enterprise and risk) is the most common reason for respondents to contemplate diversifying or changing their enterprise, followed by creating an additional income, and sustainability.
2. Similar proportions of respondents said they have contemplated expanding their business, and have contemplated diversifying or changing their businesses (30% and 25% respectively).
3. A smaller proportion of respondents (15%) have contemplated value-adding. Start-up costs, lack of skills and knowledge, and red-tape are the most significant barriers for these respondents.
4. There was considerable overlap between the reasons for, and examples of, expansion and diversification suggesting that the same people answered yes to each of those questions. Given that age was frequently cited as a reason for not expanding or diversifying, it is likely that most people in this subgroup are aged in their fifties and younger.
5. As more than half the fodder used on-farm is purchased, and almost all of the purchased fodder is grown outside the region, there may be expansion/diversification opportunities in this area.

Government, red-tape and road infrastructure

1. Only 30% of respondents felt that red tape or bureaucratic processes were a constraint on their business. The most common complaints related to employment (including visa applications), planning and building permits and vegetation clearing.
2. The majority of respondents do not regard roads as an impediment to their business. Of those who did have an issue, 'rough' or 'poorly maintained' roads were the biggest problem (causing wear and tear on equipment and increasing contractor costs), followed by roads and bridges that were inadequate for heavy machinery.
3. Several respondents expressed frustration at the lack of accessibility and understanding of farmers' needs by the Victorian government and its departments (eg Agriculture



Victoria and Department of Land, Water, Environment and Planning). They called for more extension workers, extension programs, investment in farming communities, and promotion of agriculture generally. Some called for tariffs and other regulations to maintain fair prices for produce, and to help younger farmers enter the industry.

Other observations

1. More than 60% of respondents are members of Landcare, and 46% are members of the Victorian Farmers Federation, suggesting that these are good avenues for communication and information gathering.
2. Only 31% of respondents have developed a succession plan. This is despite more than 75% being aged 50 or older.
3. Rising water tables and salinity have only affected a small number of respondents (3% 'seriously' and 11% 'moderately'). However, as some respondents indicated that between 150-500 hectares have been impacted, it may be worthwhile to ask future respondents what proportion of their properties are affected.
4. Compared to 2014, there was less openly-expressed dissatisfaction with amount, and expenditure, of Council rates.
5. In 2014, wild dogs were frequently cited as a pest issue. In 2017, weeds and weed control were a more significant pest issue.

For consideration

Short term/within Council's immediate sphere of influence

1. Strengthen rural planning policy to support intensive agriculture where relevant environmental standards are met.
2. Investigate the impacts on the community of corporate farming (ie are the perceptions in this survey accurate, and if so, what are the causes, and what can be done to alleviate the impacts).
3. Continue to support MID2030 upgrades.
4. Promote Wellington Shire as a place to live and farm.
5. Implement workshops (offered by Council or with other providers) to help primary producers understand and complete paperwork and other obligations related to employing new staff.



The Heart of Gippsland

6. Encourage ratepayers to identify the roads, bridges etc that they consider are dangerous, require maintenance or are unsuitable for their businesses and inform Council.
7. Implement workshops (offered by Council, DELWP or Landcare) to help ratepayers identify weeds and obtain necessary accreditations to control weeds and other pests.
8. In relation to roadside weed control:
 - encourage ratepayers to maintain roadsides; and
 - continue to lobby State and Federal government for funding to control weeds along roadsides.
9. Continue to explore recycling opportunities for silage wrap and other farm refuse, and options for easier rubbish and/or recycling disposal for farm properties.
10. Discuss with State Government, DELWP and education providers about delivery of a range of short courses on business and marketing, sustainability etc.
11. Ensure that farmers have access to services and information to manage the impacts of climate change.

Medium term/planning for the future

1. Ensure that planning regulations encourage and can accommodate different types of farming systems.
2. Continue to investigate opportunities for expansion and diversification, including tapping into overseas markets and identify the infrastructure necessary to do so.
3. Examine the legislative framework that prevents businesses from exploring value-adding opportunities and consider lobbying State and Federal government for changes.
4. Continue to lobby State and Federal government for research and development to assist agriculture and agricultural endeavours, including alternative practices and export markets.





C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**ROAD DISCONTINUANCE AND ROAD EXCHANGE – UNUSED GOVERNMENT ROAD (GARRETT'S ROAD) AND PART OF LOT 1 TP907301 PARISH OF GLENCOE SOUTH, AT LONGFORD**

DIVISION: BUILT AND NATURAL ENVIRONMENT
ACTION OFFICER: MANAGER ASSETS & PROJECTS
DATE: 15 AUGUST 2017

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

OBJECTIVE

The objective of this report is for Council to consider and authorise a road exchange on a section of Garretts Road, Longford.

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

- 1. Pursuant to Section 189 and Section 223 of the Local Government Act 1989, Council resolve to advertise its intention to subdivide and transfer Lot 1, TP907301, Parish of Glencoe South to the owner of 514 Garretts Road for the purposes of a road exchange; and***
- 2. Pursuant to Section 206 including Clauses 2 & 3 of Schedule 10 and Section 223 of the Local Government Act 1989, Council resolve to advertise its intention to discontinue the section of unused Government road and to exchange this discontinued road for a portion of Lot 1 TP907301, Parish of Glencoe South;***
- 3. Council place a public notice of the proposed transfer of Lot 1 TP907301 and discontinuance of the unused Government road in local newspapers;***
- 4. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the road exchange including placing a notice in the Victoria Government Gazette.***

BACKGROUND

The purpose of this report is to seek authorisation from Council to complete a road exchange which was initially commenced in 1967 by the Shire of Rosedale.

In 1967 as part of the original Longford Gas Plant development a section of Garretts Road (previously Foremans Road) at Longford required upgrading, namely realigning and widening. The following sequence of events took place:

1. The owner of 514 Garretts Road, Longford (property owner) requested the Shire of Rosedale undertake the road upgrade works to enable construction of the gas plant;

2. The Shire of Rosedale attempted to obtain State Government funding to meet the cost of the required roadworks but were unsuccessful;
3. In a letter dated 11 April 1967 the Shire of Rosedale stated that should the property owner require the roadworks to proceed immediately, it would be necessary to provide the funds to the Shire directly to undertake the works. The estimated cost for the proposed roadworks, including land acquisition, at the time was \$64,750;
4. On 25 May 1967, the property owner paid an initial amount of \$41,000 for the Rosedale Shire to commence works;
5. The Shire of Rosedale acquired land in front of the proposed plant for the road realignment and roadworks commenced.
6. A final payment of \$9,000 was requested by the Shire of Rosedale and on 29 November 1967, the amount was paid by the property owner;
7. All works were completed except for the final road discontinuance and transfer of land.

A Statement of Expenditure to 29 December 1967, obtained from the Shire of Rosedale's records, show contributions from the property owner totalling \$50,000 against an expenditure of \$49,996.25 which included survey, fencing and land compensation costs.

The land acquired by the Shire of Rosedale for the roadworks on the northern side of Garretts Road included a parcel of land being an irregular area of 2.66ha, acquired from CA12 Section B Parish of Glencoe South. It is opposite the gas plant and a portion of this section of land and the unused Government Road has been paved for carparking and landscaped and maintained by the property owner. The title for this land is shown in Attachment 1.

In 1987 the property owner obtained a building permit for a new interview room and guardhouse. During footing inspections, it was discovered that the interview room footings straddled the boundary of the property owner's title and the unused government road. A subsequent report tabled at the Shire of Rosedale on 21 September 1987 resolved the following;

"That no objection be offered to the existing siting of the interview room and guardhouse and for the proposed siting of the new administration building carpark".

In 2010 the property owner sought the approval for the construction of a new first aid /fire response building, whereupon it was established that the location of this proposed building would again straddle the property owner's title and the unused government road. This again highlighted the need to resolve the matter of private buildings on Crown land particularly noting legal and insurance issues.

As land with a public highway status owned by Council cannot be exchanged for a Government Road, discussions were held with the Department of Environment, Land, Water and Planning (DELWP) to determine the best way forward and two options were identified.

An aerial photo of the general area and the unused government road and the realigned road are shown in Attachment 2. The unused (by the public) Government Road is shown in red, while the land shown in yellow and green is the land acquired by the Shire of Rosedale for this project as detailed on the title in Attachment 1.

Attachment 2 shows the Longford Gas Plant to the south of the unused government road (shown in red) as well as the guardhouse that straddles the title and the government road.

One option is to simply discontinue the government road and purchase the land from the Crown and transfer the land to the property owner. This option would require the land to be purchased at market value which is estimated at approximately \$120,000.00.

The other option proposed is considered the most appropriate and least costly option, however it requires three steps to complete.

1. The Council owned freehold land in front of the gas plant (Attachment 1), will need to be subdivided into two lots and transferred to the property owner. The proposed subdivided lots are shown in yellow and green in Attachment 2.
2. Part of the Government Road, shown red and the current Council owned land, shown green in Attachment 2 will need to be discontinued.
3. Undertake a land exchange with the property owner for the Crown Land shown in red with the freehold land shown yellow in Attachment 2. Note; Ministerial consent has already been obtained as shown in Attachment 3.

Legal advice has been sought in preparing an agreement to undertake this transfer and to retain the public road status and complete the road exchange with the property owner.

On conclusion of the road exchange process, the property owner will consolidate titles for land shown red and green in Attachment 2 into their parent title. The property owner has agreed that this component will be done at no cost to Wellington Shire Council.

OPTIONS

Council has the following options available:

1. Progress the subdivision, transfer, discontinuance and road exchange in accordance with this report; or,
2. Not progress the subdivision, transfer, discontinuance and road exchange at this point noting issues with the property owner's assets on the Government Road would remain unresolved.

PROPOSAL

That:

1. Pursuant to Section 189 and Section 223 of the *Local Government Act 1989*, Council resolve to advertise its intention to subdivide and transfer Lot 1, TP907301, Parish of Glencoe South to the owner of 514 Garretts Road for the purposes of a road exchange; and
2. Pursuant to Section 206 including *Clauses 2 & 3 of Schedule 10 and Section 223 of the Local Government Act 1989*, Council resolve to advertise its intention to discontinue the section of unused Government road and to exchange this discontinued road for a portion of Lot 1 TP907301, Parish of Glencoe South;
3. Council place a public notice of the proposed transfer of Lot 1 TP907301 and discontinuance of the unused Government road in local newspapers;
4. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the road exchange including placing a notice in the Victoria Government Gazette.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

By completing the road exchange Council will incur costs for stamp duty, legal advice and survey costs, estimated at \$15,000, however, it will finalise previous commitments made by the Shire of Rosedale. It should also be noted that the \$50,000 contribution made by the property owner to the Shire of Rosedale for land acquisition and road construction would be significant in today's dollar value.

The transfer of Lot 1 TP907301 to the property owner is to be for nil consideration. The portion of the subdivided Lot 1 TP907301 not forming part the road exchange and to be retained by the property owner is estimated to be valued at \$17,782. This calculation is made on an area basis from a current land valuation obtained for Council land being the whole of Lot 1 TP907301.

The property owner will be liable for the cost of consolidating titles.

LEGISLATIVE IMPACT

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

The road discontinuance and road exchange is being undertaken pursuant to *Section 206 including Clauses 2 & 3 of Schedule 10 of the Local Government Act 1989*. The Minister for Environment, Climate Change and Water has provided written consent to the road exchange. See attachment 3.

COUNCIL POLICY IMPACT

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

COUNCIL PLAN IMPACT

The Council Plan 2017 – 21 Theme 2 Services & Infrastructure states the following Strategic Objectives and Strategies:

Strategic Objectives

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

Strategy 2.4.2

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

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

COMMUNITY IMPACT

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

CONSULTATION IMPACT

Consultation impacts will be addressed as part of seeking submissions in accordance with Section 223 of the *Local Government Act 1989*.

RISK MANAGEMENT

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

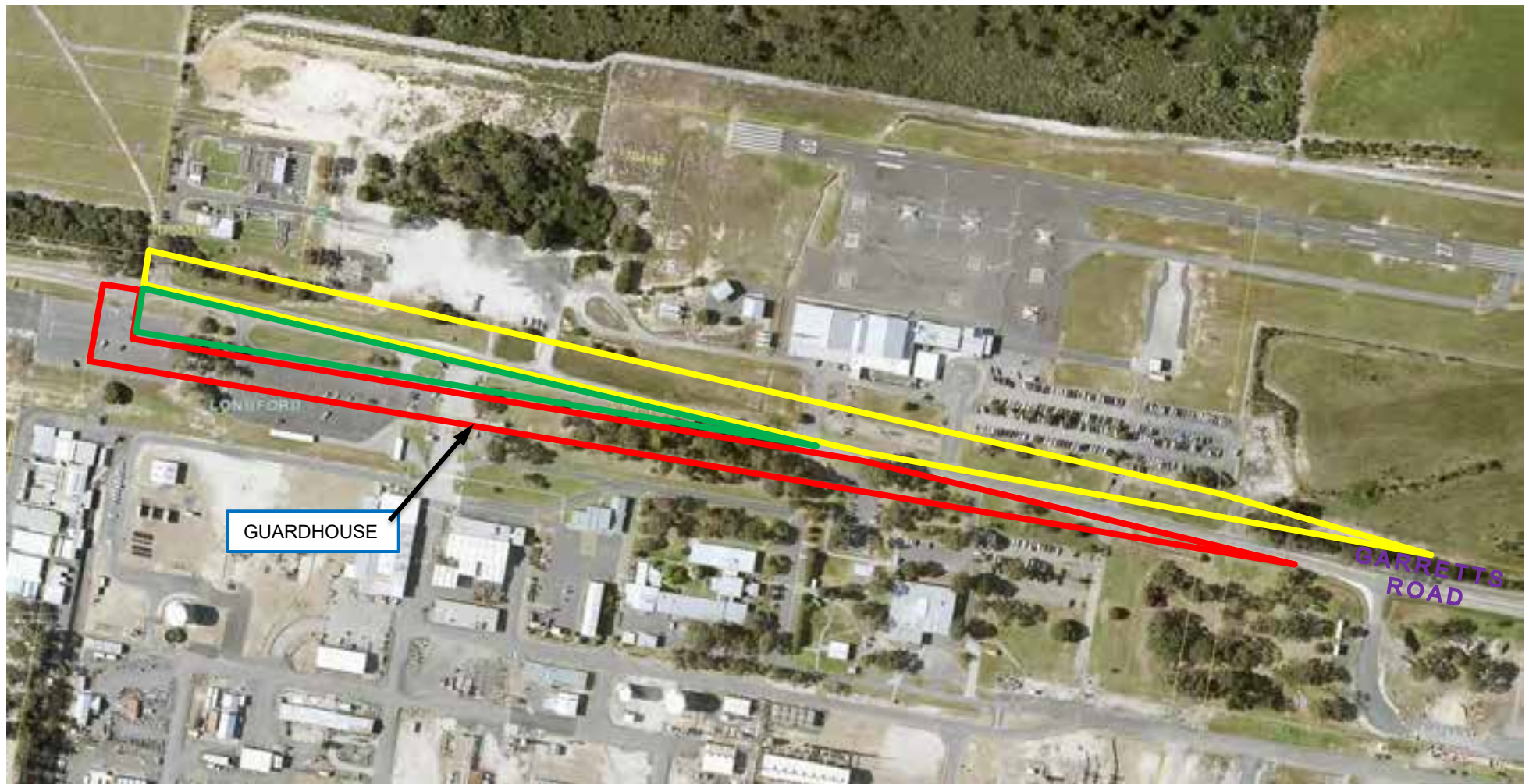
Attachment 1 - Land Acquired by the Shire of Rosedale for Roadworks.

Delivered by LANDATA® Land Victoria timestamp 26/07/2012 16:06 Page 1 of 1
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| TITLE PLAN | | EDITION 1 | TP907301S | | | | | | |
|--|---|---|------------------|-----------------------------|--|---|--|----------------------------------|--|
| LOCATION OF LAND Parish: GLENCOE SOUTH Township: - Section: E Crown Allotment: 12A (PT) Crown Portion: - Last Plan Reference: Derived From: VOL. 8909 FOL. 474 Depth Limitation: 50 FEET BELOW THE SURFACE | | Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN | | | | | | | |
| Description of Land/Easement Information ENCUMBRANCES THE RIGHTS OF THE PUBLIC TO USE THE ABOVE DESCRIBED LAND AS A PUBLIC HIGHWAY BY VIRTUE OF A PROCLAMATION PUBLISHED IN THE GOVERNMENT GAZETTE DATED THE 15TH DAY OF MAY 1968 | | THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES COMPILED: Date: 11-3-2008 VERIFIED: A. DALLAS Assistant Registrar of Titles | | | | | | | |
| | | | | | | | | | |
| <table border="1"> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan, this does not imply separately identifiable parcels under Section 84 of the Sale of Land Act 1962.</td> </tr> <tr> <td colspan="2">LOT 1 = CROWN ALLOTMENT 12A (PT)</td> </tr> </table> | | | | TABLE OF PARCEL IDENTIFIERS | | WARNING: Where multiple parcels are referred to or shown on this Title Plan, this does not imply separately identifiable parcels under Section 84 of the Sale of Land Act 1962. | | LOT 1 = CROWN ALLOTMENT 12A (PT) | |
| TABLE OF PARCEL IDENTIFIERS | | | | | | | | | |
| WARNING: Where multiple parcels are referred to or shown on this Title Plan, this does not imply separately identifiable parcels under Section 84 of the Sale of Land Act 1962. | | | | | | | | | |
| LOT 1 = CROWN ALLOTMENT 12A (PT) | | | | | | | | | |
| LENGTHS ARE IN LINKS | Metres = 0.3048 x Feet (2) Metres = 0.201168 x Links | Sheet 1 of 1 Sheets | | | | | | | |

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Attachment 2 – Proposed Road Discontinuance and Land Exchange



Govt. Road to be Discontinued Road to be Exchanged Land to be Transferred

***Note - Land shown in Yellow and Green is the land described on Certificate of Title in Attachment 1**

Attachment 3.



**Department of Environment
and Primary Industries**

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DX 219284

**CONSENT FOR ROAD DEVIATION
LOCAL GOVERNMENT ACT 1989**

Under Clause 2 (2) of Schedule 10 of the *Local Government Act 1989*, I, Pat Lambert, Manager Property Services, Public Land Services, as delegate of the Minister for Environment and Climate Change, hereby consent to the deviation of a road in the Parish of Glencoe South, shown blue on the attached plan labelled GS/30.04.14 which is government road to the land shown red on the same plan which is not Crown land.

Department correspondence no 15L10.4225

Pat Lambert

Manager Property Services

Public Land Services

(As delegate for the Minister for Environment and Climate Change)

Date:

7/5/14

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Information Privacy Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment and Primary Industries, PO Box 500, East Melbourne, Victoria 3002.





ITEM C4.2**ROAD DISCONTINUANCE – UNUSED COUNCIL ROAD BETWEEN WHARF AND NORTH STREETS PORT ALBERT**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 15 AUGUST 2017

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

OBJECTIVE

The objective of this report is for Council to consider the advertising, discontinuance and sale of an unused Council Road between Wharf and North Streets, Port Albert.

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

- 1. Pursuant to Section 206(1) including Clause 3 of Schedule 10 and Section 223 of the Local Government Act 1989, Council resolve to advertise its intention to discontinue an unused road between Wharf Street and North Street, Port Albert shown red on the attached plan; and***
- 2. Council place a notice of the proposed discontinuance of an unused road between Wharf Street and North Street, Port Albert, in local newspapers and serve a copy of the notice on abutting property owners and statutory authorities; and***
- 3. In the event of no objections, Council resolve to discontinue an unused road between Wharf Street and North Street, Port Albert and place a notice in the Victoria Government Gazette; and***
- 4. Council dispose of the discontinued road to the abutting land owner in accordance with Wellington Shire Council Policy 4.3.6 Sale, Exchange and Acquisition of Land.***

BACKGROUND

The owner of the properties at 35 and 37 Wharf Street and 34 North Street, Port Albert has been in discussion with council officers regarding a proposal to discontinue/close a council road and for them to purchase the closed road.

The council road is unlikely to have been used as a Public Highway for many years (if at all) and the road has been fenced into the proponent's property in an urban setting for a number of years.

There are several steps that are required to be carried out to discontinue the road and to sell the land to the current occupying landowner. As the person requesting the road discontinuance owns the abutting land on both sides of the unused road it is unlikely that there will be any objections to the discontinuance of the road and sale of the land, therefore this report is being prepared to combine the first two steps and in the event that no objections are lodged then it will negate the need to prepare an additional Council Report.

1. It is proposed to notify relevant Statutory Authorities, place notices in the local papers and for copies of the public notice be served on abutting property owner(s).
2. If there are no objections then the road will be discontinued and sold to the abutting landowner in accordance with Wellington Shire Council Policy 4.3.6 Sale, Exchange and Acquisition of Land.

OPTIONS

Council has the following options available:

1. Support the discontinuance/closure and sale and advise that the road is not required for public traffic pursuant to Sections 206 & 223 and Schedule 10 of the *Local Government Act 1989*; or
2. Not agree to the discontinuance/closure and advise that the unused Government road is required for public traffic.

PROPOSAL

That:

1. Pursuant to *Section 206(1) including Clause 3 of Schedule 10 and Section 223 of the Local Government Act 1989*, Council resolve to advertise its intention to discontinue an unused road between Wharf Street and North Street, Port Albert shown red on the attached plan; and
2. Council place a notice of the proposed discontinuance of a section of unused road between Wharf Street and North Street, Port Albert, in local newspapers and serve a copy of the notice on abutting property owners and statutory authorities; and
3. In the event of no objections, Council resolve to discontinue a section of unused road between Wharf Street and North Street, Port Albert and place a notice in the Victoria Government Gazette; and
4. Council dispose of the discontinued section of road to the abutting land owner in accordance with Wellington Shire Council Policy 4.3.6 Sale, Exchange and Acquisition of Land.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

The road intended to be discontinued/closed is a council road and will be closed and sold, with costs borne by the property owner. Compensation for the land will be payable to Wellington Shire Council at market value.

LEGISLATIVE IMPACT

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

COUNCIL POLICY IMPACT

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

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

COUNCIL PLAN IMPACT

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

Strategic Objective 2.2

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

Strategy 2.2.2

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

This report supports the above Council Plan strategic objective and strategy

COMMUNITY IMPACT

There will be no negative identifiable community impact as this section of Council road is not being used by the public and is not required for public road (public highway) purposes.

CONSULTATION IMPACT

A letter of proposed road discontinuance was sent to the adjoining landowner the Department of Environment, Land, Water and Planning. On request, a further letter was also sent to the Department's licensee.

Letters received from the Department and its licensee have no objection to the proposal.

Attachment 1.

**PROPOSED ROAD DISCONTINUANCE AND SALE OF
UNUSED COUNCIL ROAD, BETWEEN WHARF AND NORTH STREET,
PORT ALBERT**



COUNCIL ROAD TO BE DISCONTINUED AND SOLD





C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S



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.