

# Minutes

## Of the Ordinary Council Meeting

**Location:** Council Chambers, Municipal Offices  
62-68 Ovens Street, Wangaratta

**Date:** 16 February 2016

**Time:** 6.00 pm



RURAL CITY OF  
**WANGARATTA**

Brendan McGrath  
Chief Executive Officer



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## 1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

*We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders and to Elders from other communities who may be here today.*

## 2. **OPENING PRAYER**

*Almighty God, we humbly ask thee to bless and guide this council in its deliberations so that we may truly preserve the welfare of the people whom we serve. Amen*

Administrator Fox paid tribute to Council's former Records Administrator Karen Chetcuti who was tragically lost in January 2016. Acknowledgement of how the Whorouly community had been affected and the resilience they had shown under such terrible circumstances. Council's sympathy was extended to Karen's children and a memorial fund has been established to assist with their education and wellbeing. Details of this fund are available on Councils' website. Ailsa also thanked those who had provided support to her following the death of her husband Alan.

## 3. **PRESENT**

### Administrators:

Mrs Alisa Fox, Chair, Ms Irene Grant, Mr Rod Roscholler

### Officers:

Brendan McGrath, Chief Executive Officer, Ruth Kneebone, Director Corporate Services, Alan Clark, Director Infrastructure Services, Jaime Carroll, Director Community Wellbeing, Barry Green, Director Development Services

## 4. **ABSENT**

### Administrators:

### Officers:

## 5. **ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE**

### **ORDER OF BUSINESS**

## 6. **CITIZENSHIP CEREMONY**

Nil.

## **7. CONFIRMATION OF MINUTES**

### **RECOMMENDATION:**

**(Moved: Chair Administrator A Fox/Administrator I Grant)**

***That Council read and confirm the Minutes of the Ordinary Meeting of 15 December 2016 as a true and accurate record of the proceedings of the meeting.***

**Carried**

## **8. CONFLICT OF INTEREST DISCLOSURE**

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a '*conflict of interest*' in a decision if they would receive, or could reasonably be perceived as receiving, a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

**Disclosure must occur immediately before the matter is considered or discussed.**

**Brendan McGrath declared an indirect conflict of interest in item -**

**15.1 C1516-023 RETAIL ELECTRICITY AND NATURAL GAS**

**Member of the Procurement Australia Board.**

## 9. RECEPTION OF PETITIONS

### 9.1 PETITION - BOORHAMAN TRANSFER STATION

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>16 February 2016</b>
<b>Author:</b>	<b>Executive Assistant Corporate Services</b>
<b>File Name:</b>	<b>Closure of Transfer Stations</b>
<b>File No:</b>	<b>72.020.032</b>

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

A petition containing 47 signatures from Boorhaman residents has been received.

The petition requests that Council reconsiders the closure of the Boorhaman Transfer Station.

A copy of the letter has been provided to Administrators under separate cover.

#### **RECOMMENDATION:**

**(Moved: Administrator R Roscholler/Administrator I Grant)**

- 1. That the petition regarding the closure of the Boorhaman transfer station be received.***
- 2. That a report into investigations into the request within the petition be considered at the March Ordinary Council meeting.***

**Carried**

#### Conclusion

In accordance with Local Law No.3 of 2014 – (Administrators) Meeting Procedure, a joint letter presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the joint letter, may be accepted by the Chairperson, unless Council agrees to deal with it earlier.

#### Attachments

Nil.

## 10. HEARING OF DEPUTATIONS

### PRESENTATION OF REPORTS

## 11. ADMINISTRATORS' REPORTS

### **Rodney Roscholler, Administrator - Saleyard Development**

I'd like to talk about the success of the Wangaratta Saleyards Redevelopment and where we are heading from here. On Friday, 5 February the completed redevelopment was celebrated with a massive Blue Ribbon Weaner Sale where 4,173 head of cattle were yarded. But it was a pretty special moment for all those involved in making this project succeed. Reports coming back from the vendors and buyers there on Friday was that the redevelopment has been a resounding success.

The roof not only shelters the cattle from sun and rain, it has also been designed so that it is airy and well ventilated. The installation of soft fall means cattle are now less at risk of injury and can be presented for sale in the best possible condition. There has also been glowing endorsements of the new configuration of the pens and the order the sales now run – it is safer and easier to move around and more accessible for anyone attending sales. We're also saving an enormous amount of water, thanks to the installation of two 400,000 litre tanks to capture the rainwater off the new roof.

Now I want to talk about how this redevelopment happened. When we arrived as Administrators this project was no certain thing. The previous Council had made their intentions clear that they wanted the project to proceed but the organisation had bled a lot of money and at that time we didn't actually have a permanent CEO or Corporate Management Team. Everything was put under review and after seeing detailed design and cost estimates we made it clear that we would only proceed with the project if we could get \$500,000 of someone else's money. We wanted to make sure that ratepayers weren't left to carry the full burden of this significant project. In the financial situation Council was in at the time, it simply wouldn't have been possible to proceed with the project without outside assistance. We were successful in gaining almost \$900,000 of State Government funding, significantly reducing the burden on ratepayers.

Dragging \$900,000 out of the Government meant we got the best deal possible. We would like to thank the State Government for its contributions through the Regional Jobs and Infrastructure Fund and through the Living Victoria Fund. As for the actual construction of the saleyards, I'd like to thank Council's Allan Thrum and Paul Somerville in particular for their management of this project. Allan in particular was at the saleyards most days throughout the redevelopment, working with the builders, Browns Wangaratta, to ensure the project ran well. Browns Wangaratta also deserve credit for successfully carrying out what was a very challenging project. Undertaking a \$3.7m redevelopment while sales continued to take place, is a huge achievement.



The staff at the saleyards, particularly Andrea Nankervis, deserve credit for juggling sales with the redevelopment and keeping things ticking over at a challenging time. We'd also like to thank the agents, buyers, vendors and local farming groups for their support of the project. We made the decision to proceed with the redevelopment because we believe the saleyards can succeed. And we stand by the process we followed to get to this point – even though we were accused by some of procrastinating and urged to make a decision sooner rather than later. The result is, we've been here for less than three years and Wangaratta now has a state of the art selling centre that will serve the region for some time to come.

### **Irene Grant, Administrator - Saleyard Development**

As most of you will know, we are investigating the option of handing over the operation of the saleyards to a co-operative. The reason for this is simple. Numbers at the saleyards need to increase in order for the facility to be viable and to reward the significant investment that has been made by Council and the State Government. We believe the best way to do this is by putting the management of the selling centre into the hands of those who have the most interest in its success.

If people have some skin in the game, they will be more motivated to use the saleyards to sell their own cattle because it's surprising how many people have something to say about the saleyards, but don't support it with their own business.

Interest in this idea has been strong and we encourage people to do their homework and see if they believe it would be a good investment for them. One of the comments we've heard are that this decision should wait until Wangaratta has elected Councillors. If we applied that logic to how we went about things then we wouldn't have been able to attract Government funding for the saleyards and we wouldn't have been able to go ahead with the redevelopment. We want to work together with the community to get the saleyards functioning as well as possible.

A public meeting will be held in coming weeks to gauge community interest and more community consultation will take place after then. We would encourage anyone considering the proposal to look at the facts and figures and approach it with an open mind – together we think we can help the saleyards be great.

### **Rodney Roscholler, Administrator - New Waste Disposal**

I would like to congratulate Wangaratta residents for the way in which the organic waste system has been embraced. In the Budget Review Report at tonight's meeting it shows how the organic waste collection has exceeded all our expectations. The volume of organic waste being collected from Wangaratta households is 25 per cent higher than had been projected.

2,000 tonnes of organic waste has been collected since the system was introduced. There has also been a 40 per cent reduction in kerbside waste

entering Bowser Landfill. We can't emphasise how important it is to reduce the volume of waste going to landfill for both environmental and financial reasons. Environmental levies at landfills are always rising and it is getting harder and harder to maintain a landfill, let alone build a new one. We really had to act in order to plan for the future and the system we adopted was, we thought, the best way to strike a balance between encouraging change and making sure people could still dispose of their waste.

These figures show that the system is working – the community has adapted and embraced the new system to a level beyond our expectations. People should be proud of themselves because ultimately, they are helping the environment and reducing the costs they would have to pay in the future if we had done nothing. We look forward to progressing the organic waste processing facility at Bowser.

Benefits of processing our own organic waste will be enormous, reducing transportation costs, and giving us a valuable resource in the compost that is produced.

## **OFFICERS' REPORTS**

### **12. EXECUTIVE SERVICES**

#### 12.1 ORDINARY COUNCIL MEETING DATES

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>16 February 2016</b>
<b>Author:</b>	<b>Executive Assistant - Corporate Services</b>
<b>File Name:</b>	<b>N/A</b>
<b>File No:</b>	<b>N/A</b>

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Executive Summary**

This report is presented to Council to consider the amendment of the 2016 schedule of Ordinary Council meeting dates.

#### **RECOMMENDATION:**

**(Moved: Chair Administrator A Fox/Administrator I Grant)**

#### ***That Council:***

- 1. Reschedules the Ordinary council meeting for 20 September to 13 September 2016***
- 2. Publishes the amended date in the Wangaratta Chronicle and the Annual Calendar of Meetings on Council's website.***

**Carried**

#### **Background**

The Local Government Act 1989 ("the Act") defines statutory requirements that are to be applied in Council elections.

Section 93A of the Act prohibits Council from making 'major policy decisions' during an election period. Such decisions include awarding contracts beyond the threshold required under a competitive tender process, decisions on certain entrepreneurial activities and decisions about the CEO's employment and remuneration. Section 3(1) defines the 'election period' as starting on the last day on which nominations for that election can be received; and ends on at 6p.m. on election day. This 'election period' is 32 days prior to the election.

In order to facilitate compliance with section 93A of the Act relating to major policy decisions, and in order to comply with Council's Election Period Caretaker Arrangements Policy, it is recommended that Council reschedule its Ordinary

meeting scheduled to be held on Tuesday 20 September 2016 to Tuesday 13 September 2016.

### **Implications**

#### **Policy Considerations**

Council's Election Period Caretaker Arrangements Policy provides guidance on this matter.

#### **Financial/Economic Implications**

There are no financial or economic implications identified for the subject of this report.

#### **Legal/Statutory**

Section 93A of the Act prohibits Council from making a major policy decision during the election period for a general election.

Section 93B of the Act requires Council to prepare and adopt an election period policy by 31 March 2016.

#### **Social**

There are no social impacts identified for the subject of this report.

#### **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

### **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

#### **Goal**

We are connected

**We will plan and make decisions for the future:**

#### **The non-negotiables**

We consult and engage effectively with the community and provide information that is clear, accessible and easy to understand about local decision making.

### **Strategic Links**

#### **a) Rural City of Wangaratta 2030 Community Vision**

N/A

**b) Other strategic links**

N/A

**Risk Management**

There are no risks identified for the subject of this report.

**Consultation/Communication**

Section 89 (4) of The Act requires that reasonable notice be given to the public of meetings of the Council. This will be achieved by publishing the amended date of the meeting in the Wangaratta Chronicle and the Annual Calendar of Meetings on Council's website.

Public notification will be provided of Council's 2016 Ordinary Meeting dates and venues.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

**Options for Consideration**

1. Reschedule the ordinary Council meeting from 20 September to 13 September 2016.
2. All stakeholders will be notified of Council's decision.

**Conclusion**

**Attachments**

Nil.

### 13. CORPORATE SERVICES

#### 13.1 DELEGATIONS

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>17 November 2015</b>
<b>Author:</b>	<b>Executive Assistant - Corporate Services</b>
<b>File Name:</b>	<b>DEED OF DELEGATIONS</b>
<b>File No:</b>	<b>50.010.083</b>

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

To enable the effective functioning of Local Government operations, the Council has delegated various powers to the Chief Executive Officer and to other Council officers.

The necessary authorities (subject to relevant limitations and reporting requirements) are contained in a consolidated Instrument of Delegation which empowers the Chief Executive Officer (subject to limitations) to sub-delegate certain powers to members of Council staff (other than the power of delegation).

Certain powers are required to be delegated directly by Council to other Council officers.

#### **RECOMMENDATION:**

**(Moved: Administrator R Roscholler/Chair Administrator A Fox)**

#### ***That Council:***

- 1. In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 ("the Act") and the other legislation referred to in the attached Instrument of Delegation by Council to the Chief Executive Officer ("the Instrument"), the Wangaratta Rural City Council ("Council") resolves that:***
  - a) There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation by Council to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.***
  - b) It is noted that the Instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.***

- 2. That in the exercise of the powers conferred by section 98 (1) of the Local Government Act 1989 (“the Act”) and the other legislation referred to in the attached Instrument of Delegation by Council to Members of Council Staff (“the Instrument”), the Wangaratta Rural City Council (“Council”) resolves that:**
  - a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation by Council to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.**
- 3. The instruments come into force immediately the common seal of Council is affixed to the instrument.**
- 4. On the coming into force of these instruments, all previous delegations to members of Council staff (other than to the Chief Executive Officer) are revoked.**
- 5. The duties and functions set out in these Instruments must be performed and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**
- 6. The Instruments of Delegation be signed and sealed by Council.**

**Carried**

### **Background**

Section 98 (1) of the *Local Government Act 1989* (the Act) provides that Council may, by Instrument of Delegation, delegate to a member of its staff any power, duty or function of a Council under the Act or any other Act, other than certain specified powers.

Section 98 (2) provides that the Chief Executive Officer may, by Instrument of Delegation, delegate to a member of Council staff any power, duty or function of their office, except the power of delegation itself.

Other Acts also empower a Council to delegate certain powers, duties or functions. Section 188 of the *Planning and Environment Act 1987* and Section 58A of the *Food Act 1984* empower Council to delegate its powers under those Acts directly to members of Council staff. There is a legal presumption that a power of delegation cannot be sub-delegated in the absence of an express authority to do so.

The *Planning and Environment Act 1987*, Part 9B of the *Environment Protection Act 1970*, Part III of the *Health Act 1958*, Section 41A of the *Domestic (Feral and Nuisance) Animals Act 1994* and the *Food Act 1984* contain specific powers of delegation, but do not contain an express power of sub-delegation. This means

that it is necessary in these instances for the delegation to Council officers to come directly from Council and not the Chief Executive Officer. This is in contrast to the *Local Government Act 1989* and other legislation which provide general powers of sub-delegation.

### **Implications**

#### **Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

#### **Financial/Economic Implications**

Financial delegations to officers are detailed in the relevant Instruments of Delegation to the Chief Executive Officer and Members of Council staff.

#### **Legal/Statutory**

Changes have recently occurred to various Acts and Regulations necessitating required changes to be made to the Instruments of Delegation. The legislative amendments include:

- minor amendments to the *Local Government Act 1989*

The above legislative changes now require that the Instrument of Delegation to the Chief Executive Officer and the Instrument of Delegation by Council to members of Council staff be amended to ensure it remains current and relevant.

#### **Social**

There are no social impacts identified for the subject of this report.

#### **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

### **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

#### **Goal**

We are Sustainable.

**We will focus on our business:**

ensuring our workforce systems and processes are efficient and effective.

#### **The non-negotiables**

All legislative and compliance requirements are met.



**Strategic Links****a) Rural City of Wangaratta 2030 Community Vision**

N/A

**b) Other strategic links**

N/A

**Consultation/Communication**

The Chief Executive Officer and members of Council staff affected by the Instruments of Delegation will be advised on Council's determination.

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to comply with relevant legislation	Likely	Major	High	Annual Review of Delegations

**Conclusion**

To enable the effective functioning of Local Government operations, the Council has delegated various powers to the Chief Executive Officer and to other Council officers. By ensuring Council officers have current delegated powers their actions are effective and compliant with current statutes.

**Attachments**

1 DEED OF DELEGATIONS S5 AND S6 - FEBRUARY 2016

### 13.2 2015/16 BUDGET REVIEW

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Manager Finance  
**File Name:** N/A  
**File No:** N/A

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Executive Summary**

This report is presented to Council to provide an update of Council's full year reforecast financial position compared to the Adopted Budget for 2015/16, and to propose that Council adopts the 2015/16 Budget Review as its budget reporting framework for the remainder of the 2015/16 financial year.

#### **RECOMMENDATION:**

**(Moved: Chair Administrator A Fox/Administrator I Grant)**

#### ***That Council:***

- 1. reviews and adopts the 2015/16 Budget Review***
- 2. reviews and adopts the increase in capital works in the 2015/16 Budget Review***
- 3. adopts the 2015/16 Budget Review as the reference framework for all future budget reporting for 2015/16.***

**Carried**

**Administrator Fox congratulated staff on the capital works budget achievement.**

#### **Background**

Council officers have undertaken a thorough revision of projected income and expenditure for the 2015/16 financial year. The revised targets will become the benchmark framework for future budget reporting.

It is Council's practice to undertake a budget reassessment midway through each financial year. To this end, a comprehensive review of Council's 2015/16 financial position has been undertaken having regard to the following matters:

- The requirement under the *Local Government Act 1989* to establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management
- Council's audited financial position at 2014/15 year end

- Projects and works carried forward from the 2014/15 year
- Income received in 2014/15 in relation to the 2015/16 year
- Outcomes of funding applications
- Unbudgeted works undertaken in response to opportunities
- Known adjustments to income and expenditure.

An explanation of movements since the Adopted Budget to the Budget Review are provided for:

1. Rates Budget surplus (deficit) brought forward
2. Net operating result
3. Capital expenditure

### **Implications**

### **Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

### **Financial/Economic Implications**

### **Full year 2015/16 Summary**

	<b>Budget Review \$'000</b>	<b>Adopted Budget \$'000</b>	<b>Variance Favourable (Unfavourable) \$'000</b>
Rates Budget Surplus (Deficit)	(322)	Nil	(322)
Operating Statement			
Income	54,528	55,325	(797)
Expenses	(53,494)	(52,251)	(1,243)
<b>Surplus (Deficit)</b>	<b>1,034</b>	<b>3,074</b>	<b>(2,040)</b>
Capital Works Expenses	22,944	19,866	3,078

### **Rates Budget Surplus (Deficit)**

A Rates Budget is prepared in order to determine Council's net result in relation to its cash position. It takes into consideration all revenue and expense items from all sources, both Capital and Operating.

The net rates position is reduced to a deficit of \$322,000.

### **Income Statement**

The adopted budget surplus was \$3.074 million. The budget review surplus is \$1.034 million, representing an overall unfavourable movement of \$2.040 million.

This can be explained by the following large favourable and unfavourable movements:

#### Unfavourable

1. Reduction in grant income for FY16 of \$3.27 million. Council received 50% of General Purpose Grants and Local Road Funding Grants on 30 June 2015 (FY15). This income was budgeted to be received in FY16. The change in timing of payment from the Government was not known on or before 16 June 2015 when the FY15/16 Budget was adopted. A further reduction of \$99,000 is attributable to a decrease in expected grant funding.
2. Increase in depreciation of \$990,000. Council's depreciable assets were revalued at 30 June 2015 and this has consequently increased depreciation as compared to the Adopted Budget amount.
3. Removal of expected grant income associated with the CBD masterplan of \$500,000. This grant income now expected to be received in FY17 due to ongoing consultation on the CBD masterplan.
4. The amount of organic waste collected following the changes to kerbside waste collection in September 2015 has exceeded Council's expectations. We are now expecting to collect at least 25% more organic waste than was included in the Adopted Budget. Due to the increased volumes of organic waste collected, Council has increased transportation and processing costs of \$176,000 associated with the commercial composting facility. Partly offsetting this increase in costs are savings of \$141,000 in reduced levies payable to the Environmental Protection Authority (EPA) and reduced depreciation charges for the Bowser landfill site as the life is extended further. The Budget Review has an overall unfavourable movement of \$35,000 as a result of the increased organics volumes.
5. Bowser Landfill was closed to commercial operators in December 2015 which has reduced user fee income by \$135,000.

#### Favourable

6. On 23 June 2015 the Federal Government announced an increase in the Roads to Recovery (R2R) funding which has resulted in additional grant income of \$970,000 for FY16.
7. Increase in grant funding and / or contributions for capital works of \$929,000. This largely represents grant and / or contribution income not received in FY15, and now expected to be received in FY16.
8. Two Council properties have been tabled for sale at Council meetings throughout FY16, being the sale of the Shanley Street property and the vacant land adjoining the existing CFA site in Wangaratta. The Budget Review includes the expected gains on the sale of these properties of \$600,000.
9. Additional rates revenue as a result of supplementary rates notices of \$220,000.

After taking into account each of the above significant favourable and unfavourable movements, as a result of the Budget Review Council Officers have reduced operating expenditure by \$270,000 across a range of business units.

### Capital Works

The adopted budget contained capital expenditure of \$19.866 million. Capital expenditure of \$4.1 million was carried over from FY15 as completion of these capital works are now expected in FY16. The capital works for the FY16 Budget Review is \$22.944 million, an increase of \$3.078 million from the Adopted Budget.

This can be explained by the following large movements:

1. An increase in capital expenditure associated with the R2R capital works of \$970,000. This increase is fully funded by Government grants (as mentioned above).
2. Removal of expected capital works of \$600,000 associated with the CBD Masterplan. Reduced capital spend of \$400,000 is expected in FY16, with the remainder to be considered in FY17 once consultation on the CBD Masterplan is complete.
3. Removal of expected capital works of \$900,000 associated with the Aquatics plan for the development of the Wangaratta Indoor Sports and Aquatic Centre. Reduced capital spend of \$600,000 is now expected in FY16, with the balance of \$900,000 to be considered in FY17.
4. Completion of carried forward FY15 capital works projects of \$3.6 million. This includes projects such as the livestock selling complex roofing project, City Oval tennis precinct and rollout of the organic bins.

### Borrowings

The Adopted Budget for FY15/16 included an increase in expected borrowings for the Aquatic Strategy and CBD masterplan, among others. The change to the capital works budget for the Aquatic Strategy and CBD masterplan will reduce the borrowings from \$3.3 million to \$2.3 million.

### **Legal/Statutory**

In accordance with section 127 of the *Local Government Act 1989* (the Act), Council must prepare a budget for each financial year. Additionally, section 136 of the Act requires Council to apply principles of sound Financial Management.

### **Social**

Social benefits of the projects will occur this financial year as outlined in the 15/16 Adopted Budget.

## **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

## **Economic Impacts**

The economic impacts associated with sound financial management are positive for Council's ratepayers, the community and future generations.

## **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

### **Goal**

We are Sustainable

**We will create and deliver:**

our budgeted annual capital works program.

**We will plan and make decisions for the future:**

maintaining a responsible and transparent Long Term Financial Plan.

### **The non-negotiables**

The best use of Council's resources.

All legislative and compliance requirements are met.

## **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inaccurate 2015/16 Reforecast	L	M	M	Regular monitoring and reporting of budget position

## **Consultation/Communication**

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

## **Conclusion**

Council has reviewed its 2015/16 Budget in light of its current financial position. This review has resulted in Council establishing a budget review position for 2015/16.

**Attachments**

- 1 2015/16 Budget Review

## 13.3 DECEMBER 2015 QUARTERLY FINANCE REPORT

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Manager Finance  
**File Name:** 15/16 Budget  
**File No:** 51.060.021

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

**Executive Summary**

This report is presented to Council to provide an update of Council's year-to-date (YTD) financial performance to its Reviewed Budget for 2015/16.

**RECOMMENDATION:**

**(Moved: Administrator R Roscholler/Chair Administrator A Fox)**

***That Council reviews and endorses the December 2015 Quarterly Finance Report.***

**Carried**

**Background**

Council has completed its first quarter financial reporting process in order to manage and monitor its financial position against budget.

**Implications****Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

**Financial Implications****Quarter 2 Year to Date Summary**

	<b>Full year Reviewed Budget</b>	<b>Year to date Budget</b>	<b>Year to date Actuals</b>	<b>Variance</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Income	54,528	25,510	25,654	144
Expense	(53,494)	(27,009)	(27,267)	(258)
<b>Surplus</b>	<b>1,034</b>	<b>1,499</b>	<b>1,613</b>	<b>(114)</b>



<b>(Deficit)</b>				
Capital Works Expenses	22,944	8,791	8,053	(738)

## **Operating Result**

Council has \$144,000 more income than budgeted at 31 December 2015, however this is offset by increased expenses of \$258,000, leaving an unfavourable year to date variance for operating surplus of \$114,000.

A detailed explanation of Operating Result variances follows:

## **Operating Income**

### ***Favourable***

1. \$37,000 increased income from garbage charges as a result of review of kerbside collections

### ***Unfavourable***

2. \$100,000 in reduced user fee income expected at the Bowser landfill (after adjusting for the \$135,000 referred to in the 2015/16 Budget Review). Current expectations are that this loss of income is temporary only and will recover for the remaining six months.
3. \$51,000 in reduced user fee and grant income for the Wangaratta Child Care centre.
4. \$30,000 in reduced income from parking meters. It is uncertain whether the parking meter income will recover in the remaining six months.

## **Operating Expenses**

### ***Favourable***

5. Planning and building costs are \$64,000 lower than expected. This is due to timing of invoices being raised by contractors and Government departments and therefore is expected to correct itself in remaining six months.

For a detailed analysis of the Operating and Capital Works result year to date variances refer to the December 2015 Financial Report. (***refer attachment***)

## **Capital Works**

Progress of the 2016 capital works program is on track and year to date performance has improved since that reported in Quarter 1.

Capital works that have completed in the first six months include:

6. Roll out of organics and new kerbside collection processes
7. Merriwa park Comfort Station redevelopment
8. Wangaratta Splash Park
9. Various drainage works throughout the Council area
10. Regular re-sheeting and road improvements throughout the Council area.

Capital works that are nearing completion, with the substantial works completed in the first six months include:

11. City Oval Tennis Precinct
12. Livestock Complex Roof
13. Design and construction of Cell 7 at Bowser Landfill.

Capital works that will be delivered in the remaining six months include:

14. Upgrade of Council's Electronic Document Management System
15. Further work to progress Aquatics Plan for WISAC Development
16. Everton hall and precinct redevelopment
17. Greta netball and umpire change rooms
18. Initial stages of CBD masterplan
19. Organics processing plant.

### **Legal/Statutory**

In accordance with section 127 of the *Local Government Act 1989* (the Act), Council must prepare a budget for each financial year. Additionally, section 136 of the Act requires Council to apply principles of sound Financial Management. Section 138 of the Act requires the Chief Executive Officer, at least every three months, to prepare a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date and to present this report to Council.

### **Social**

Social benefits of the projects will occur this financial year as outlined in the 15/16 Budget.

### **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

### **Economic Impacts**

The economic impacts associated with sound financial management are positive for Council's ratepayers, the community and future generations.

**2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

**Goal**

We are Sustainable.

**We will create and deliver:**

our budgeted annual capital works program.

**We will plan and make decisions for the future:**

maintaining a responsible and transparent Long Term Financial Plan.

**The non-negotiables**

The best use of Council's resources.

All legislative and compliance requirements are met.

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Poor performance against budget	M	M	M	Regular monitoring and reporting of budget position

**Consultation/Communication**

Consultation has been undertaken with Council managers and corporate management team and the matter is now ready for Council consideration.

**Conclusion**

December year to date Operating Result is on track. Delivery of Council's large capital works program for 2015/16 is achievable with a number of large projects delivered in the first six months of the year.

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**Attachments**

- 1 Council Quarterly Finance Report - December 2015

### 13.4 COMPLAINTS HANDLING POLICY

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Manager - Business and Governance  
**File Name:** Complaints and Grievances  
**File No:** 66.010.005

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Executive Summary**

This report is presented to Council to finalise the process of adopting a major Council policy, the Complaints Handling Policy version 1 2016 (***refer attachment***).

#### **RECOMMENDATION:**

**(Moved: Administrator I Grant/Chair Administrator A Fox)**

***That Council adopts the Complaints Handling Policy version 1 2016***

**Carried**

#### **Background**

Council would like improve the way it delivers services, how it communicates and what it does to support the community. In order to improve, Council understands that it needs to encourage, and be responsive to, feedback, including complaints.

Council also believes that everyone who has been affected by an action or inaction of Council has a right to complain. As a result, complaints handling is considered to be a vital part of serving the community and improving service delivery.

Council's activities are diverse and extensive and as a result Council receives a large number of complaints. It is also important to note that Council staff, in the course of their employment, are required by the *Local Government Act 1989* (the Act) to accept accountability for results and provide responsive service. Consequently, an effective approach to complaints handling is required.

The policy has been developed to ensure that Council has a complaints handling framework that makes it easy for people to make complaints, that supports an effective and timely response to complaints and that also encourages learning from complaints so that we can improve service delivery, communication and community support.

#### **Implications**

## **Policy Considerations**

This report is the final stage in the adoption of a new policy. Council considers this policy to be a Major Council Policy as defined in the Major Council Policy Consultation Local Law (the Local Law).

In the process of developing the policy, consultation has been undertaken in accordance with the Local Law. There have been no submissions received regarding the draft policy.

## **Financial/Economic Implications**

There are no financial or economic implications identified for the subject of this report.

## **Legal/Statutory**

There are no legal/statutory implications identified for the subject of this report.

## **Social**

The policy will provide a framework for the lodgement and resolution of complaints.

## **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

## **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

### **Goal**

We are Connected

### **The Non-negotiables:**

We consult and engage effectively with the community and provide information that is clear, accessible and easy to understand about local decision making.

### **We will plan and make decisions for the future:**

developing strategies to ensure an exceptional customer experience and to enhance communication and engagement.

## **Risk Management**

The policy enhances Council's response to complaints.

The approach addresses the risk that the community becomes disaffected by a perception that Council does not respond effectively or in a timely manner.

### **Consultation/Communication**

Submissions were invited from the community in regards to the policy in accordance with clause 7 of the Local Law.

A notice to this effect was advertised in the Chronicle newspaper on Friday 18 December 2015 and also on Council's website indicating that submissions would be received up to 5.00pm on Friday 22 January 2016.

No submissions have been received.

The policy has been developed using Better Practice Guidance material from the Victorian Ombudsman, NSW Ombudsman and the relevant Australian Standard, AS/NZS 10002:2014 Guidelines for complaint management in organisations.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

### **Conclusion**

The Complaints Handling Policy version 1, 2016 has been developed using contemporary better practice guides and has been placed on exhibition for public review and submissions as required by the Major Council Policy Consultation Local law. No submissions have been received and consequently the policy is recommended for adoption by Council.

### **Attachments**

- 1 Complaints Handling Policy Version 1, 2016

### 13.5 VOTING METHOD FOR THE 2016 GENERAL ELECTION

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Manager - Business and Governance  
**File Name:** Election 2016  
**File No:** 50.050.018

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Executive Summary**

Council elections may be conducted by either attendance voting or postal voting methods. This report is presented to Council to consider the method of voting to be employed at the 2016 Wangaratta Rural City Council general elections.

#### **RECOMMENDATION:**

**(Moved: Administrator R Roscholler/Chair Administrator A Fox)**

***That Council, pursuant to section 41A of the Local Government Act 1989, endorses the use of postal voting for the conduct of the 2016 Wangaratta Rural City Council general election.***

**Carried**

#### **Background**

The Local Government Act 1989 (the Act) contemplates Council elections being conducted by attendance voting, unless the Council decides that the election is to be by full postal voting (s41A).

Under the postal voting system, all voters are posted their ballot papers along with statements, photographs and recommended preferences submitted by candidates. Voters complete their ballot papers and return them by post to the Returning Officer over a two-week period in October of the election year.

In the attendance system, voting is primarily undertaken at polling booths on election day. Voters may choose to vote by post under this system, but they must submit an application before receiving their postal voting material. In this scenario, candidates' information is not included with postal voting material. In addition the Returning Officer may provide pre-poll voting at a specified location on a day, or days, before the election day.

In October 2012, the Victorian Electoral Commission (VEC) conducted elections on behalf of 78 of Victoria's 79 Councils. Eight councils chose to conduct their elections by attendance election, while the remaining 70 councils conducted postal elections. The 2008 and 2012 Wangaratta Rural City Council general

elections were conducted by postal voting. No rural councils have used attendance voting for some time.

There are a number of considerations regarding the use of either postal or attendance voting. Both methods have advantages and disadvantages.

Postal voting consistently delivers higher participation and formality rates and results in higher effective participation – in the order of 15 per cent for the 2008 and 2012 elections. The following table shows both rates for the 2012 general elections.

Measure	Wangaratta 2012 Postal	State 2012 Postal	State 2012 Attendance
Participation rate	82.7%	72.5%	63.6%
Informal voting rate	6.6%	4.7%	10.1%

The disparity between attendance and postal elections in relation to the rate of voter turnout and the incidence of informal voting has also been a consistent feature over time with the gap ranging from 2.9 per cent to 19.5 per cent in any one election period. The gap in 2012 was 8.9 per cent. The following table shows voter turnout rates over time (% of enrolled voters who cast a vote).

LG election	2004	2005	2004 & 2005	2008	2012
Postal	75.1%	75.7%	75.5%	76.0%	72.5%
Attendance	55.7%	72.8%	67.6%	70.0%	63.6%

This participation gap appears to be largely accounted for by lower participation by non-resident voters and to a lesser extent by voters aged 70 and over, who are far less likely to cast a vote if they are required to attend in person. Voting is not compulsory for either of these groups.

Postal voting is more convenient for voters, giving them ready access to information to inform their vote and more time to consider preferences.

Critics of postal voting argue that it presents a risk that voters may regard postal information packs as junk mail or that the system is insecure and open to abuse or that it diminishes the importance of local government through an electoral system which demands less 'active' democratic participation.

It has also been claimed that it may lower the bar for 'dummy' candidates, who need do little more than issue a statement of up to 150 words and a small deposit to nominate. However, in 2012 nine fewer candidates contested postal elections on average (25 per municipality) than attendance elections (34 per municipality).

Some aspects of attendance voting include its familiarity to voters, because it is used for federal and state elections. Voting in person could foster a stronger sense of participation in local democracy. It has also been argued that, by adopting the method used for federal and state elections, attendance voting raises the status of local government elections.



## **Implications**

### **Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

### **Financial/Economic Implications**

A postal election generally costs less than an attendance election because it is much less labour intensive. The VEC reports that “Postal voting... is somewhat cheaper (approximately 25–30 per cent average) than attendance elections.

### **Legal/Statutory**

Section 41A of the Act allows Council to decide that all voting at an election or at a poll of voters is to be by means of postal voting subject to sub-section 41A(2A) which provides that voting at a general election must be conducted by the same means, whether attendance or postal voting, as the previous general election was conducted unless the Council has decided at least eight months before the election day to change the means of conducting the voting.

The election day for the 2016 general elections is 22 October 2016. Consequently, Council has until 22 February 2016 to make a decision to change the method of voting from postal voting to attendance voting.

No action is required on Council’s part in order to retain the method of voting employed at the last general election.

### **Social**

A system of postal voting brings the substantial benefit of increasing the number of people who vote and vote validly. In particular, non-resident voters and voters aged 70 years and over have greatly increased participation rates when elections are conducted by postal voting.

Voters who do not live in the municipality clearly benefit from the ease of voting under the postal system. Under the attendance system, these voters would have three choices, complete and return a postal vote application, pre-poll vote or come into the municipality on election day to vote.

Voters with mobility problems, including people who are aged, infirm or disabled can face difficulties attending a polling place and therefore benefit from a postal system.

### **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

## **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

## **Goal**

### **The non-negotiables**

There are opportunities for everyone to participate and contribute to social, economic and cultural life.

### **Options for Consideration**

Council can decide to change the method of voting from postal voting to attendance voting if that decision is made by 22 February 2016. However, the disadvantages of this voting method outweigh the advantages, including:

1. lower participation rates
2. higher informal vote rates
3. inconvenience for those with limited mobility
4. remote communities to have to travel to a polling booth
5. potentially higher costs
6. wastage of how to vote cards and election material is greater with subsequent environmental cost
7. less consistent information for voters regarding all candidates
8. those candidates with less resources are disadvantaged
9. less time for the voters to consider their choice and therefore there is a potential for voters to make a less informed vote
10. confusion regarding the location of polling places.

### **Conclusion**

The advantages for the community of postal voting outweigh any disadvantages. Consequently, Council should endorse retention of postal voting for the 2016 Wangaratta Rural City Council general elections.

### **Attachments**

Nil.

### 13.6 COUNCIL PLAN PROGRESS REPORT - 1 OCTOBER - 31 DECEMBER 2015

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Executive Assistant - Corporate Services  
**File Name:** Council Plan  
**File No:** 20.030.01

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Executive Summary**

This report is presented to Council to communicate Council's performance against the Council Plan for the period 1 October – 31 December 2015.

#### **RECOMMENDATION:**

**(Moved: Administrator I Grant/Administrator R Roscholler)**

***That Council receives the Council Plan 2013-2017 Progress Report for the period 1 October – 31 December 2015.***

**Carried**

#### **Background**

Part of Council's Mission is to provide the leadership necessary to maintain open communication and community engagement. Providing regular reports to the community on Council's progress against the outcomes that we hope our work will achieve will assist to achieve this mission. These results measure our progress against what is important and allow both ourselves and everyone in our community to understand the impact that we are having.

## **Implications**

There are 19 indicators included in the progress report. When compared to the results for July - September 2015:

- six indicators are favourable
- three indicators are equal to the previous quarter
- three indicators are unfavourable
- four indicators require annual community satisfaction survey data. This survey will commence in February 2016.
- three indicators require data that is unavailable at this time.

Favourable or improved indicators include participation in maternal and child health services, number of food safety assessments, reduction in time taken to decide planning applications, delivery of capital works program, number of major events attracted and staged in the municipality and adoption of the Council's Long Term Financial Plan.

The indicator for participation in Home and Community Care service has reduced. Council is required to meet the targets set by the Department of Health and Human Services in Victoria rather than an increase in participation.

A decrease in utilisation of aquatic facilities is reported of 1.8%. WISAC attendance remains constant with only a 0.3% drop, whilst reduced attendance at outdoor pools has contributed up 1.5%. Attendance at the Olympic pool nearly doubled from the 2014 to 2015 December quarters; however this did not offset the reduced attendance due to the Yarrunga pool closure.

Fewer attendances have been recorded at the Wangaratta Performing Arts Centre and Wangaratta Galley compared to the same quarter in 2014, with a reduction of 5.86%. Factors contributing to this reduction are that the performing arts centre has held seven less performances in 2015 and the Wangaratta Art Gallery held a very successful National Photographic exhibition attracting over 1,000 visits in November 2014. When attendances for July to December 2015 are compared to July to December 2014, total attendances have remained static with a small reduction of only 0.05%.

## **Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

## **Financial/Economic Implications**

There is no immediate financial impact related to this report; however, resourcing of some actions that are necessary to achieve our targets will require consideration in future Council budgets.

## **Legal/Statutory**

The *Local Government Act 1989* requires Council to prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later.

## **Social**

The Council Plan 2013-2017 provides for the achievement of a number of social objectives.

## **Environmental/Sustainability Impacts**

The Council Plan 2013-2017 provides for the achievement of a number of Environmental/Sustainability objectives.

## **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

### **Goal**

We are Connected.

### **We will plan and make decisions for the future:**

developing strategies to ensure an exceptional customer experience and to enhance, communication and engagement.

### **The non-negotiables**

We consult and engage effectively with the community and provide information that is clear, accessible and easy to understand about local decision making.

## **Strategic Links**

### **a) Rural City of Wangaratta 2030 Community Vision**

The Council Plan supports the aspirations and objectives of the Rural City of Wangaratta 2030 Community Vision.

## **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Council Plan targets not achieved leading to reputational risk	Low	High	Moderate	Identified unfavourable variances are being examined and addressed. Regular

				monitoring and reporting
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### **Conclusion**

This report assists Council to monitor its performance in achieving the targets prescribed within the Council Plan.

### **Attachments**

- 1 COUNCIL PLAN REPORTING - OCT - DEC 2016

### **Gallery Question**

#### **Jim Lewis – Wangaratta**

Noted that the indicators on the Council plan are very specific and are not covering a lot of what you actually do.

Only 6 are favourable not a good start, 6 out of 19 are favourable.

There are a lot of answers that are not available, I think if it's going to be presented we should wait or do it in another years' time.

#### **Ruth Kneebone – Director of Corporate Services**

Responded that some are annual comparisons and that we have an obligation to report quarterly. Some of the indicators are local government performance reporting framework indicators that we have chosen. It is agreed that some of the indicators do not lend themselves to quarterly reporting.

#### **Brendan McGrath – Chief Executive Officer**

Responded in agreement that the story about work being achieved would be more interesting. The Governor General however tells us we have to be very measurable and quantitative and demonstrate that a number of things have been achieved.

### 13.7 PROPOSED ELECTION PERIOD POLICY

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>16 February 2016</b>
<b>Author:</b>	<b>Director - Corporate Services</b>
<b>File Name:</b>	<b>ELECTIONS</b>
<b>File No:</b>	<b>50.050.002</b>

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Executive Summary**

This report is presented to Council to recommend the endorsement of its Proposed Election Period Policy on public exhibition.

#### **RECOMMENDATION:**

**(Moved: Administrator I Grant/Administrator R Roscholler)**

***That Council endorses the Proposed Election Period Policy for public exhibition in accordance with Council's 'Major Council Policy Consultation Local Law No. 4 of 2015'.***

**Carried**

## **Background**

Victorian Council elections will be held on 22 October, 2016. *The Local Government Act 1989* (the Act) prescribes the process for conducting local government elections. Section 93B of the Act was introduced in the *Local Government Amendment (Improved Governance) Act 2015* and now requires all councils to adopt and maintain an 'election period' policy by 31 March 2016.

The election period policy will explain to the community how Council will conduct its business immediately prior to an election. This is to ensure the election is not compromised by inappropriate electioneering and to safeguard the authority of the incoming council. The policy must cover the following three matters.

1. Preventing inappropriate decisions and misuse of resources
2. Limiting public consultation and council events
3. Equitable access to council information.

Council adopted its current 'Election Period Caretaker Arrangements Policy' at its July 2012 ordinary meeting. Council's 'Major Council Policy Consultation Local Law No. 4 of 2015' prescribes the Election Period Caretaker Arrangements Policy as a 'Major Council Policy' and sets out the procedure for making a change to major council policies.

## **Implications**

### **Policy Considerations**

Council's current Election Period Caretaker Arrangements Policy is relevant to this report. The Election Period Policy is a Major Council Policy as defined in Council's 'Major Council Policy Consultation Local Law No. 4 of 2015'. This Local Law prescribes the procedure to make or change a Major Council Policy.

The purpose of this proposed policy is:

*To ensure that:*

- *The ordinary business of local government in the Rural City of Wangaratta continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established 'caretaker' conventions.*
- *The general elections for the Wangaratta Rural City Council on Saturday 22 October 2016 and any subsequent elections are conducted in a manner that is ethical, fair and equitable and is publicly perceived as such.*

This Policy will commit Council, during the election period to:

- *avoid making significant new policies or decisions that could unreasonably bind a future Council; and*
- *ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of*



*an election, or improperly advantage existing Councillors as candidates in the elections.*

*The Policy addresses:*

- *major policy decisions;*
- *significant decisions;*
- *Council resources;*
- *information;*
- *Council communications and publications;*
- *functions and events;*
- *travel and accommodation;*
- *Councillor expenditure;*
- *advice to candidates about the election process; and*
- *monitoring and enforcing the policy.*

### **Financial/Economic Implications**

There are no financial or economic implications identified for the subject of this report.

### **Legal/Statutory**

Section 93B the Act requires Council to prepare and adopt an election period policy by 31 March 2016.

### **Social**

There are no social impacts identified for the subject of this report.

### **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

### **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

#### **Goals**

We are Sustainable  
We are Connected

#### **We will plan and make decisions for the future:**

To make sure that everything we do – from building assets to delivering events – considers the physical, social, cultural and financial needs of all our community members.

### **The non-negotiables**

All legislative and compliance requirements are met.

We consult and engage effectively with the community and provide information that is clear, accessible and easy to understand about local decision making.

### **Strategic Links**

#### **a) Rural City of Wangaratta 2030 Community Vision**

N/A

#### **b) Other strategic links**

N/A

### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Breaches of legislative requirements under the Act.	Moderate	Moderate	Moderate	Review, consultation and application of Council's Election Period Policy

### **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Proposed policy to be placed on public exhibition for a period of 28 days.	Proposed policy to be placed on Council's website and available at Council officers
Consult	Any person has the right to make a submission and request to appear in person to support the submission	Submissions considered and opportunity provided to be heard.

Officers believe that appropriate consultation will occur, allowing a decision to be made regarding the Proposed Election Period Policy at its March Ordinary meeting

**Options for Consideration**

Council may elect not to endorse the Proposed Election Period Policy for public exhibition; however this would not be in accordance with its 'Major Council Policy Consultation Local Law No. 4 of 2015'.

**Conclusion**

In order to provide guidance to Council officers, Administrators, the public and Council candidates, and to comply with the Act and Councils 'Major Council Policy Consultation Local Law No. 4 of 2015, it is appropriate for Council to endorse the Proposed Election Period Policy for public exhibition.

**Attachments**

- 1 Election Period Policy & Impact Statement - February 2016

## 14. COMMUNITY WELLBEING

### 14.1 ACTIVE WANGARATTA COMMUNITY GRANTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Community and Recreation Officer  
**File Name:** Active Wangaratta Community Grants  
**File No:** 68.040.010

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

***Ailsa Fox moved that item 14.1 be deferred to a later meeting. Irene Grant seconded the motion. Carried***

#### Executive Summary

This report is presented to Council to consider the establishment of a new community grant program titled 'Active Wangaratta'.

The Active Wangaratta program aims to overcome barriers in participation to sport and recreation opportunities by children and young people in the Rural City of Wangaratta.

The program will comprise two separate categories:

**Category One** - will facilitate support to local recreational clubs and organisations to develop new programs and activities to increase participation and club membership, particularly from those within our community lacking the financial capacity to be involved.

**Category Two** - will provide financial assistance for children and young people to travel to compete at regional or State level sporting competitions.

It is proposed that this program will be funded through ongoing revenue received from the installation of an Optus Telecommunication mobile phone tower at the HP Barr Reserve. It is anticipated that the tower would provide an annual revenue stream of approximately \$15,000 commencing in 2016/17 with a two and a half per cent incremental increase each year thereafter.

#### **RECOMMENDATION:**

##### ***That Council:***

- 1. endorses the establishment of the Active Wangaratta Community Grant Program and***
- 2. supports the retention of the Optus Telecommunication mobile***

***phone tower revenue into a reserve account for the purpose of establishing the program forward from the 2016/17 financial year.***

## **Background**

Through bi-annual sport and recreation forum workshops undertaken by council officers, local sport and recreation clubs and organisations have reported that maintaining and increasing participation and membership is an ongoing challenge. Many factors contribute to these current challenges including finance and time constraints which represent a significant barrier to sport and recreation participation, particularly for local families.

It has been identified that overcoming difficulties in participation, growth and membership retention, currently faced by grassroots clubs and organisations, could be aided through the establishment of the 'Active Wangaratta' community grant program. This new grant program aims to provide grants up to \$2,000 to applicants that demonstrate a project that will encourage the involvement of children and young people in a healthy and active recreational pursuit, and who previously have been unable to access such opportunities.

Other additional outcomes that would strengthen an application will include:

- how the project will lead to increased membership
- how the project removes barriers within the community
- how the project will lead to increased volunteer involvement
- how the project will lead to increased community connectivity
- demonstrating the sustainability of the project beyond the period of the grant funding.

Partnered cash contributions by the club and organisation will not be necessary, however a financial commitment (be it cash or 'in kind' services) from an applicant organisation will greatly strengthen the application process.

Category 1: eligible applicants must be a local recreational club or organisation within the Rural City of Wangaratta municipality or an incorporated not-for-profit organisation. Grant of up to \$2,000 may be applied for.

An additional category providing financial assistance for children and young people to travel to compete at regional or State level competitions has been established to overcome barriers facing residents to provide access to sporting opportunities.

Category 2: eligible applicants must be individuals (18 years or younger) who can apply for grants up to \$500 and will be required to outline how the funding will assist them to access elite sporting opportunities and/or attend sporting events that they otherwise could not have attended.

No partnered cash contribution will be required, however a financial commitment from an applicant will significantly strengthen an application. In kind contributions will also be taken into consideration.

The provision of the Active Wangaratta Community Grant program will deliver a variety of social benefits as well as assisting to improve health outcomes for communities through the reduction of the rising rates of obesity; with one in two Australians now overweight and experiencing chronic illness - *Sporting Capital Changes and Challenges for Rural Communities Victoria – RMIT*.

### **Implications**

#### **Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

#### **Financial/Economic Implications**

The Active Wangaratta Community Grant is based on the commitment by Council of revenue stream of approximately \$15,000 per annum from the Optus Telecommunication mobile phone tower in the HP Barr Reserve.

	2015/2016 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income	\$	15,000	15,000	
Expense	\$	15,000	15,000	
Net Result		Nil	Nil	

#### **Legal/Statutory**

There are no legal/statutory implications identified for the subject of this report.

#### **Social**

The benefits of the proposed Active Wangaratta Community Grant program are many, as it is an investment in social capital (increased social networks and connectivity). The opportunity to increase participation in sport and recreation can reduce rates of depression, anger and stress and improve levels of trust through social inclusion for marginalised groups and reduce crime rates - *Physical Exercise and Psychological Well-Being: A population study in Finland – Preventative Medicine*.

#### **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

## **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

### **Goal**

We are Healthy.

### **We will research and advocate:**

to ensure we prosper from the economic benefits of nature based and recreational attractions.

on behalf of our groups and committees to ensure they have the resources and knowledge to do the things they need to do.

### **We will create and deliver:**

exceptional services and programs that help our families and children to be healthy, happy and connected.

a focus on making it easy for people to volunteer in our community by connecting people, promoting opportunities and celebrating the brilliant contributions our volunteers make.

### **We will plan and make decisions for the future:**

that ensure we are responding to the current and long-term recreational needs of our community.

that focus on creating sustainable and quality recreation reserves throughout our municipality.

### **We will focus on our business:**

by making sure that all our teams work together to plan, develop and deliver innovative recreation projects.

by ensuring that we have the processes in place to support our community groups and committees to be viable and sustainable.

### **The non-negotiables**

Everyone can access a range of recreation facilities and programs that encourage an active and healthy lifestyle.

## **Strategic Links**

### **a) Rural City of Wangaratta 2030 Community Vision (Page 20)**

- The Rural City of Wangaratta is a community with a strong sense of connectedness
- Our community values diversity of people, is inclusive and cohesive

- Individuals, groups and communities are actively engaged and participate in community activities. Sport, recreation, arts and culture, play an important roles in bringing communities together and improving personal and community health and wellbeing

## **b) Municipal Public Health Wellbeing Plan**

- 4.3.2.1 Support activities that build community and social networks
- 4.3.2.3 Provide support to community groups and organisations that seek opportunities for innovation, collaboration and community strengthening
- 4.3.2.5 Support and encourage volunteering throughout the community
- 4.4.3 Support our community to be resilient
- 4.5.2 Develop infrastructure, programs and resources that support and facilitate affordable active living
- 4.6.1 Improve the health and wellbeing for those who are socio economically disadvantaged

## **c) Recreation and Open Space Strategy**

- 4.4 Benefits of Recreation – (P15)
- 6.0 Facilitation – Engage with stakeholders to increase their capacity to provide for recreation (P 24)
  - Establish partnerships to encourage recreation provision
  - Provision of funding to stimulate stakeholders to respond to community needs
  - Improve the capacity of the community to provide for recreation
- 7.2.1 Facilitate various activities including forums and guest speakers with the sport and recreation sector to build capacity and skills that will result in increased participation rates through innovations such as:
  - Offering flexible membership options for new members
  - Effectively promoting events and activities
  - Trying innovative ways to deliver activities and modifications that make it easy for new participants (P30).

## **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Sporting club or	(2) unlikely	(1) insignificant	(3) Low	Vetting of application



organisation inability to implement project (category 1)				and organisation together with monitoring throughout the project. Finance acquittal or funds to be returned
Individual does not participate in event (category 2)	(3) possible	(1) insignificant	(4) Low	Vetting of application and endorsement by club contact person. Finance acquittal or funds to be returned

### **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Internal and external	Council Paper and promotion via The Chronicle Community Connections homepage
Consult	Internal and external sport club organisation	Liaise with sport clubs, The Centre, Regional Sports Victoria
Involve	Sports clubs and the community	Provision of information via guidelines, fact sheet and application form
Collaborate	Eligible applicants	Application and meetings via email and face to face
Empower	Successful applicants and the community	Letters, email, phone and face to face

The above reflects the appropriate community consultation to be conducted upon Council endorsement of the Active Wangaratta Program.

### **Conclusion**

Council's endorsement for the proposed Active Wangaratta Program will:

- provide support to community sporting groups and organisations to engage with children and young people who may not previously have had access to sport and recreation activities outside of their school programs; and
- provide financial assistance for children and young people (up to 18 years of age) to enable travel and participation in competition at regional or State level.

The program will aid clubs in increasing participation and club membership and provide improved health and social outcome for individuals, families and the local community.

### **Attachments**

- 1 Active Wangaratta Program Guidelines
- 2 Active Wangaratta Application Form - Category One
- 3 Active Wangaratta Application Form - Category Two



## 14.2 THE WANGARATTA PROJECT - CBD MASTERPLAN

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Director - Community Wellbeing  
**File Name:** Streetscape/CBD Administration/Streetlife  
**File No:** 82.015.001

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

### **Executive Summary**

This report is presented to Council for information regarding the 'The Wangaratta Project – Central Business District (CBD) Masterplan'. The draft plan was presented to Council for endorsement at the October 2015 Special Council meeting.

Significant community feedback was received during the review period conducted between October 2015 and January 2016. Under the initial project timetable, the masterplan was scheduled to be presented to Council for adoption at the February 2016 meeting. To enable sufficient time to adequately review all submissions and make appropriate revisions to the Masterplan accordingly, the final document will now be presented to Council for adoption at the March 2016 Council meeting.

### **RECOMMENDATION:**

**(Moved: Administrator I Grant/Administrator R Roscholler)**

***That Council notes the extension to the date for the presentation for adoption of the 'Wangaratta Project – Central Business District Masterplan'.***

**Carried**

**Irene Grant – Acknowledged the work of the staff and all the community who have put in submissions. A great way of moving our community forward that reflects on the people who live here and also visit.**

### **Background**

'The Wangaratta Project – Central Business District (CBD) Masterplan' has been developed to address the long term needs of the City of Wangaratta. The Masterplan will facilitate significant outcomes for the city, the municipality and the wider region including:

1. Increased economic activity driving increased employment, business and investment opportunities
2. Increased tourism and visitation to both the city and the region
3. Improved city infrastructure, facilities and landscaping
4. Increased cultural and artistic activities and presence within the CBD
5. Increased pride and use of the city centre
6. Increased use and linkages to the Ovens River
7. Improved pedestrian and transport options

After extensive consultation with the community over a twelve month period to inform the development of the plan, Council determined to place the draft Masterplan on public exhibition at its October 2015 Special Council meeting.

**Process:**

The following stages have been completed in the development of the draft CBD Masterplan:

1. Research – significant review of existing strategies and plans has been undertaken as well as relevant community consultation and engagement information.
2. Consultation – consultation was conducted with Council officers, business and retail owners/operators, community groups and the broader community. This was implemented over several stages as the plan was developed and reviewed.
3. Plan Development – the masterplan was developed to align with the priorities identified in existing strategies and by the community and Council.
4. Review of draft masterplan – the draft masterplan was placed out for community review and comment for three months to ensure adequate opportunity for input and feedback.

The masterplan is now being revised to respond appropriately to the feedback received from the community during the review period. Given the significant level of response to the draft plan, an extended period of time is required to allow for thorough review and appropriate changes to the document.

**Community Review Period:**

Council endorsed the draft CBD Masterplan for community review in October 2015. The initial formal consultation period was from October 23rd until 27 November 2015 however due to significant levels of community interest and the time of year, the review period was extended until 18 December 2015.

The review period was advertised and promoted in the Wangaratta Chronicle, on Council's website, through Council's advisory committees and in local community facilities such as the Council offices, the Wangaratta Library and Café Derailleur. Copies of the plan were also available at these venues.

In addition, two Conversation sessions were held in the King George gardens (on November 19th and 20th) to provide people with the opportunity to meet with and discuss the project with Council officers.

### **Submissions and Comments:**

140 copies of the masterplan were printed and distributed to community members. In addition 12 copies were left for review within community facilities. Six copies of the draft plan were returned to Council from community facilities (Wangaratta Library and Café Deraillleur) with hand written comments throughout.

24 people attended the two conversation sessions held in the King George Gardens. 7 community members requested meetings or provided information/feedback to Council officers via the phone.

- A total of 158 submissions were made as part of the process.
- 37 of these submissions were from organisations, services and groups.

The submissions provide a variety of responses to the masterplan. Some support the masterplan and its direction, some have concerns or disagree in principle with an element of the masterplan, some request specific changes, and several raise concerns about the capacity of the masterplan to be implemented.

Revisions are now being made to the plan that respond to the submissions as appropriate. Changes will only be made where they do not jeopardise the strategic justification or direction of the masterplan.

Some minor changes will be made to the plan in response to recommendations by Council officers to address errors and gaps identified and streamline the capacity to implement.

### **Implications**

#### **Policy Considerations**

The Masterplan is a high level strategic document that will guide and direct a number of policies and strategies across the City.

#### **Financial/Economic Implications**

Adoption of the masterplan will have significant and ongoing financial implications for Council. The implementation of the priorities and projects within the masterplan will require large scale investment and strategic financial planning. A key objective of the masterplan is that the impacts of these projects will generate significant economic benefits for the city.

\$400,000 is allocated in Council's revised budget 2015/2016 to facilitate the implementation of projects within the masterplan. The masterplan is also considered in Council's long term financial plan.

Achievement of many of the projects will rely on Council's capacity to financially support planning and implementation. It is also anticipated that significant levels of financial contribution will be sought from State and Federal funding bodies. Private and community investment will also be integral to the implementation of many of the priority projects.

### **Legal/Statutory**

Many projects within the masterplan are complex and require a continued focus on planning and legal considerations; including land ownership, planning authorisation and legislative compliance. These considerations are being addressed as far as practical within the masterplan. More detailed and specific focus on legal and statutory elements will be implemented on an individual basis for each project.

### **Social**

The key objective of the Wangaratta Project has been the development of a plan that will achieve social activation and benefit. It is anticipated that the realisation of key projects and the redevelopment of key CBD sites will achieve a range of social, cultural and economic benefits for the city and the wider regions residents.

### **Environmental/Sustainability Impacts**

The masterplan has several key projects that focus on the environmental protection and sustainability of the city. Enhancing the natural environment and recognising it as a key strength is a strong priority for the community and Council.

### **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

#### **Goal**

We are Growing

#### **We will create and deliver:**

unique, engaging and relevant public art that helps to make our city, neighbourhoods and towns interesting

Choose an item.

#### **We will plan and make decisions for the future:**

that enhance the landscapes of our main roads and key township entrances.

that encourage growth in Wangaratta's CBD and establish it as a regional retail centre.

Choose an item.

Choose an item.

### **The non-negotiables**

Our urban areas and rural townships are safe and friendly, where everyone can participate and contribute.

Residential, rural, commercial and industrial land that is appropriately protected, planned and developed to

### **Strategic Links**

#### **a) Rural City of Wangaratta 2030 Community Vision**

1. 'Wangaratta, a premier liveable city'
2. The rural landscape, unique and distinct
3. A healthy environment
4. A vibrant community
5. A thriving regional economy
6. A safe and accessible community
7. A culture of life-long learning
8. Celebrating our arts, culture and heritage

### **Risk Management**

Likelihood: The likelihood of this risk is moderate – high

Mitigation action: Submission summary of key themes is included in this report

### **Consultation/Communication**

Extensive consultation has been conducted throughout the project. A full summary of consultation outcomes will be presented with the final masterplan.

The review of the masterplan was extensive with a range of methods employed to encourage participation and support accessible opportunities.

All information is currently being reviewed and the revised masterplan will be presented for adoption at the March Council meeting.

### **Options for Consideration**

This report is presented for information.

### **Conclusion**

The development of 'The Wangaratta Project – CBD Masterplan' has been driven by the objective of achieving significant benefits for the City of Wangaratta, and the wider Hume region. Implementation of the plan will focus on realising the opportunities that exist in the environmental, built and community elements of the city.

The final plan will be presented to Council for adoption at the March Council meeting.

**Attachments**

Nil.



## 15. INFRASTRUCTURE SERVICES

### 15.1 C1516-023 RETAIL ELECTRICITY AND NATURAL GAS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Executive Assistant - Infrastructure Services  
**File Name:** Retail Electricity and Natural Gas  
**File No:** 30.077.023

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Conflict of Interest – Brendan McGrath – Chief Executive Officer

#### Executive Summary

This report is presented to Council to provide details of the evaluation of a tender for retail electricity and natural gas through Procurement Australia.

#### **RECOMMENDATION:**

**(Moved: Administrator R Roscholler/Administrator I Grant)**

#### ***That Council:***

- 1. Awards AGL the Procurement Australia Contract No. 1906/0625 for the supply of Retail Electricity, Natural Gas and Associated Products for a period commencing 1 January 2016 and ending 30 June 2018.***
- 2. Authorise the Chief Executive Officer to sign and seal all the relevant contract documents for Procurement Australia Contract No. 1906/0625 for the supply of Retail Electricity, Natural Gas and Associated Products when available.***
- 3. Discloses the contract price for Contract No. 1906/0625 for the supply of Retail Electricity, Natural Gas and Associated Products.***

**Carried**

**Ailsa Fox – The contract price is a unit price, the expenditure the Council has on services is approximately \$1.5 million per year and the contract saves \$40,000 per year.**

#### Background

Procurement Australia acted as the tendering agent for a number of councils for the retail supply of electricity and / or natural gas from licensed retailers.

Participating councils are currently supplied under the following Procurement Australia contracts:

- 1212/1407 Natural Gas and Associated Services (expiry 31 March 2016)
- 1407/0614 Electricity Supply to Public Lighting (expiry 31 July 2016)
- 1606/0607 Retail Electricity and Associated Services (expiry 30 June 2016)

The current contracts for natural gas and public lighting have no further extensions. The retail electricity contract does have two extensions left, however Procurement Australia decided that with the current market conditions, to tender all the energy categories at one time.

The term of the contract is for 30 months from 1 January 2016 with two 12 month options exercisable at Procurement Australia's discretion.

The attached subsequent Procurement Australia Tender Report 1906/0625 for the supply of Electricity for Public Lighting, details the conduct of the tender, the evaluation and the recommendations.

From the Procurement Australia evaluation report, AGL is the recommended tenderer for the retail supply of electricity for large and small sites, and public lighting. AGL is also the recommended tender for the supply of natural gas.

### **Implications**

#### **Policy Considerations**

There are no specific Council policies or strategies that relate to this report.

#### **Financial/Economic Implications**

The recommended tender will provide savings of \$39,569 per annum. This saving is based on the energy consumption remaining the same.

#### **Legal/Statutory**

There are no legal/statutory implications identified for the subject of this report.

#### **Social**

There are no social impacts identified for the subject of this report.

#### **Environmental/Sustainability Impacts**

There are no environmental/ sustainability impacts identified for this subject of this report.

### **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

### **Goal**

We are Sustainable

#### **We will create and deliver:**

major energy savings through the conversion of Council owned streetlights to energy efficient alternatives.

### **Strategic Links**

#### **a) Rural City of Wangaratta 2030 Community Vision**

N/A

#### **b) Other strategic links**

N/A

### **Conclusion**

The Procurement Australia evaluation has assessed that AGL is the recommended tenderer for the retail supply of electricity for large and small sites, and public lighting. AGL is also the recommended tender for the supply of natural gas.

### **Attachments**

- 1 1906/0625 Retail Electricity, Natural Gas Evaluation Report - Confidential
- 2 Tender Financial Statement - Confidential

## 16. DEVELOPMENT SERVICES

### 16.1 AUSTRALIAN TEXTILE MILLS PETITION

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Executive Assistant Development Services  
**File Name:** Wangaratta Planning Scheme Amendment C57  
**File No:** 73.030.073

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

A petition/joint letter containing 21 signatures from former employees of Australian Textiles Mills (formerly Bruck Mills) was received and laid on the table at the 15 December 2015 Council meeting.

In accordance with the Local Law No.3 of 2014 – (Administrators) Meeting Procedure, a joint letter presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the joint letter, may be accepted by the chair person, unless Council agrees to deal with it earlier.

The petition calls upon *‘the Administrators to explain in a Public Forum why they are supporting the dismantling of this iconic business and site and why they have ignored the expert planning advice’*.

#### **RECOMMENDATION:**

**(Moved: Administrator A Fox/Administrator R Roscholler)**

#### ***That Council:***

- 1. Accepts the petition and advises the author that any formal exhibition period for Planning Scheme Amendment C57 has not yet commenced and that they are encouraged to make a submission to that process.***

**Carried**

#### Background

An application has been made to Council to consider a rezoning and planning permit for the above site on the basis of better facilitating the long term operation of the facility. There are many steps in such a process and one of those is to

exhibit in order to hear and consider any feedback on the proposal. As the proposal has not reached this stage and the full details of the proposal have not been exhibited it is difficult for Council to consider any submissions.

At Council's 30 October 2015 Special meeting a report was presented to determine how to proceed with Amendment C57 in light of a detailed assessment of the amendment on strategic grounds, advice from the Environment Protection Authority (EPA) regarding environmental risk and a revised rezoning proposal submitted by the proponent.

Council moved that:

1. *Having considered the strategic assessment of the proposal, proceed to formal public exhibition of Amendment C57 to the Wangaratta Planning Scheme to allow the community and key stakeholders an opportunity to provide feedback to the proposal; and*
2. *Request the Environment Protection Authority to participate in a joint process with Council under Section 20B of the Environment Protection Act 1970 to allow consideration of all environmental, social and economic issues prior to Council making a final decision on the merits of the amendment.*

Council has written to the Environment Protection Authority and is also seeking authorisation from the Department of Land Water and Planning in order to progress this matter to a formal exhibition process in order to seek community comment.

### **Conclusion**

The petition/joint letter raises concerns regarding Amendment C57 and as such it is recommended that the author be encouraged to make a submission following the formal exhibition of the proposal where all of the application details are available.

### **Attachments**

Nil.

16.2        AWARD PRESENTATION: TOM BROWN, GBGHA, TO PRESENT  
WATTS WORKING BETTER PREMIERS AWARD TO COUNCIL

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>16 February 2016</b>
<b>Author:</b>	<b>Executive Assistant Development Services</b>
<b>File Name:</b>	<b>PUBLIC LIGHTING</b>
<b>File No:</b>	<b>82.080.001</b>

**Attachments**

Nil.

**17. SPECIAL COMMITTEE REPORTS**

Nil

## 18. ADVISORY COMMITTEE REPORTS

### 18.1 ADVISORY COMMITTEE REPORTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Executive Assistant Corporate Services  
**File Name:** N/A  
**File No:** 10.020.002

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

Minutes of the following Advisory Committee Meetings are reported to Administrators for information (refer attachments)

1. The Arts, Culture and Heritage Advisory Committee held a meeting on 12 October 2015.
2. The Arts, Culture and Heritage Advisory Committee held a meeting on 14 December 2015.

#### **RECOMMENDATION:**

**(Moved: Administrator I Grant/Chair Administrator A Fox)**

***That Council notes this report.***

**Carried**

#### Attachments

- 1 The Arts, Culture and Heritage Advisory Meetings



## 19. RECORDS OF ASSEMBLIES OF ADMINISTRATORS

### 19.1 RECORDS OF ASSEMBLIES OF ADMINISTRATORS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 16 February 2016  
**Author:** Executive Assistant Corporate Services  
**File Name:** N/A  
**File No:** 01.020.020

#### Executive Summary

An “Assembly of Administrators” is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision and is either of the following:

- a meeting of an advisory committee where at least one Administrator is present; or
- a planned or scheduled meeting that includes at least half the Administrators and at least one Council officer.

At an assembly of Administrators, a written record is kept of:

- a) the names of all Administrators and members of the Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by an Administrator attending; and
- d) whether an Administrator who has disclosed a conflict of interest leaves the assembly.

The written record of an assembly of Administrators is, as soon as practicable:

- a) reported at an Ordinary Meeting of the Council; and
- b) incorporated in the Minutes of that Council meeting.

Date	Meeting details	Refer
22/12/2015	Assembly of Administrators Meeting	Attachment
27/01/2016	Assembly of Administrators Meeting	Attachment

#### **RECOMMENDATION:**

**(Moved: Administrator R Roscholler/Chair Administrator A Fox)**

***That Council receives the reports of Assemblies of Administrators.***

**Carried**

#### Attachments

- 1 Administrators Briefing Forum Meetings

## 20. NOTICES OF MOTION

Nil

## 21. URGENT BUSINESS

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

### Executive Summary

This report is presented to Council to consider changing Council's arrangements with the Department of Environment, Land, Water and Planning for the management of the HP Barr Reserve. The current arrangement where the land is vested in Council limits Council's management options; the more recent model used by the Department of Environment, Land, Water and Planning has such land reserved for public use and then has councils appointed as Committees of Management.

#### **RECOMMENDATION:**

***(Moved: Chair Administrator A Fox/ Administrator R Roscholler)***

***That Council requests the Department of Environment, Land, Water and Planning to:***

- 1. revoke Council's current status as Committee of Management***
- 2. divest the land from Council***
- 3. reserve the land for public use and***
- 4. appoint Council as the Committee of Management.***

**Carried**

### Background

The vesting of public land to councils was introduced many years ago with the intention of simplifying Council's management role and this is the current arrangement for the HP Barr Reserve. The Crown Lands Act 1976 added some unintended complications to the management role and as a result limits some uses. One such limitation currently applicable to the HP Barr Reserve is that Council cannot issue a licence for uses such as a telecommunications tower, the Department of Environment, Land, Water and Planning can issue such a licence on Council's behalf but they will then receive all income from the lease.

The majority of public reserves now operate under a slightly different model where the land is reserved for public use and then has councils appointed as the

Committee of Management. This arrangement allows councils to receive the financial benefits from leases and removes a lengthy bureaucratic process. Council can move to this more recent model by revoking the current Committee of Management arrangements, having the Department divest the land from Council, reserve the land for public use and then re-appoint Council as the Committee of Management.

Council currently has a project scoped to erect lighting towers at the No. Two oval which is linked to the proposed telecommunications tower in the same location. The lighting project is not scoped nor funded to proceed in isolation of the telecommunications project and this project cannot proceed without the financial benefits going to Council unless these proposed management changes are implemented. The permit for the telecommunications facility was issued by Council on 15 May 2015 (permit number 14/218).

### **Implications**

#### Policy Considerations

There are no specific Council policies or strategies that relate to this report.

#### Financial/Economic Implications

There are no costs involved in implementing this proposal and it opens the way for Council to receive income from potential commercial leases.

### **Social**

There are no social impacts from this proposal but the changed arrangements would allow activities to occur that could improve social outcomes in the future.

#### Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

### **Options for Consideration**

1. Leave the current management arrangements in place.
2. Request the Department of Environment, Land, Water and Planning to complete the actions necessary to implement the changed management arrangements.

### **Conclusion**

The current management arrangements limit Council's ability to fully manage the HP Barr Reserve. The changes proposed reflect the more recent methods of managing public reserves and in doing so reduces what are often protracted bureaucratic processes.

## 22. PUBLIC QUESTION TIME

### **Ron Summers – Wangaratta**

Is the Council considering the use of a lobbyist when it presents the latest submission for Federal Government funding in Round 3 of the “National Stronger Regions Programs” for the proposed Aquatic Strategy.

If so, what is the budget allocation for the costs associated with these lobbyist services.

**Brendan McGrath, Chief Executive Officer**, responded that we do not envisage using any consulting services to assist us in advocating for funding to the Federal Government. There is no budget provision for this submission. It would make sense for a four or five million dollar funding application to spend in the vicinity of several thousand dollars on a consultant to help us make the right connections in cases of significant projects. We don't however plan to do this with the Aquatic submission.

### **Barbara Miller – Wangaratta**

Where is the council at with signage to the New Splash Park, not only within the city but on the major entrances to the city?

**Alan Clark, Director of Infrastructure**, responded that there has never been any intention to place signs on the major entrances to the city, and there are no plans in the near future. The signs in the immediate vicinity of the splash park have been ordered and he will confirm during the week to see if they have been put in place. Their location will be in the streets immediately around the Splash Park.

Where is the council at with signage to the entrance to the Multi Deck Car Park? There is none on the Reid Street Entrance at Victoria Parade. This lack of signage may contribute to low usage of this car parking facility.

**Alan Clark, Director of Infrastructure**, responded that after construction of the car park and in line with the Councils signage policy, parking signs were erected and put in place. We have been working closely with the real estate agents who now manage all aspects of the Co-store and have reviewed the signage on a far wider basis resulting in the implementation of a new strategy. This new signage will better reflect the multi-deck. The new signs have been ordered and will be erected in the near future.

Where is the council at with providing a bus shelter [covered seated area] at the Cemetery in Mason Street? It is noted that a new stop and shelter was constructed outside the Children's' Centre in Handley Street, shortly after the beginning of the new Bus Route around the city was implemented at least two years ago, this new route also included Mason Street.

**Alan Clark, Director of Infrastructure**, responded we have an annual budget for bus shelters and this year's allocation had been spent. However additional money has been allocated for the shelter outside of the cemetery and this will be installed soon.

**Ken Clark – Wangaratta**

On the 1<sup>st</sup> of September last year I raised the question of the removal of seats outside the CBD specifically the one located in Riley Street opposite the Wangaratta Rural Supplies. On the 5<sup>th</sup> of October 2015 I advised of the removal of the seat at the back of Merriwa Park in Willard Street which people use after they have been walking along the ramps and stairs. On the 22<sup>nd</sup> of October after being informed by Council that there were no seats that they could ever remember being in Riley Street, I forwarded a photo taken on google of the offending seat. It is now five and a half months since this issue was raised and I am embarrassed every time I see the gentleman with a disability who used the seat that I have requested to be replaced. Can I be given a timeline as to when this may happen?

**Alan Clark, Director of Infrastructure**, responded we have an annual budget for seats and they have been expended this year. However we have found the money to purchase these two extra seats. Two seats have been ordered; nevertheless only one seat has been delivered at this time and will be installed in Riley Street very shortly. It will not be installed where the original seat was but will be in the same area.

**Luke Davies – Wangaratta**

Will Council comply with the Australian Library and Information Association National Standards and Guidelines for Public Libraries in relation to staffing numbers and levels in the proposed new library model?  
When and where will the Wangaratta Library staff positions be advertised?

**Brendan McGrath, Chief Executive Officer**, replied that each of the High Country councils will be looking at the structure of their libraries, what positions are required and which positions will need to hold various qualifications. We will have high regard to standards, guidelines and recommendations in making these decisions. We would expect that this proposed structure will be finalised very shortly and that the recruitment process will follow on from this. We would hope that these will be finalised by 1 July 2016.

**Gary Nevin – Wangaratta**

My question relates to the exhibition of C65 and I'm asking, can you do better in the way of the exhibition of the document? It appears on the internet and I have to open 23 files and it is not a far crack of the whip. Is there any reason why the Council itself cannot put the document onto their website?

**Barry Green, Director of Development Services**, responded this is a state government controlled process and the documents are contained within the state government website. The state have them listed on their website to ensure there

*is only one place for the electronic documentation to be contained and there will be no other discrepancies. They want councils to only use that website.*

**Jenny Hart – Wangaratta**

Given that council first requested for tender in November 2015, why have Council re-advertised the tender for demolition of Yarrunga Pool, now closing on 8 March 2016?

**Alan Clark, Director of Infrastructure**, responded that we had only received one tender submission and we were not happy with that submission. We felt that we could get a better result by reissuing the tender which has now been done. The tender remains the same and we are hoping for more respondents.

Given that council in April 2011 adopted an aquatic strategy, then administrators adopted a different aquatic strategy in April 2015, is it feasible that the new elected Council in 2016 could adopt a different aquatic strategy. Therefore, given the obvious public sentiment against the current aquatic strategy as indicated at the Our Say forum last night, would it be wise to postpone demolition of a valuable public asset in the Yarrunga Pool until an elected council is in place?

**Brendan McGrath, Chief Executive Officer**, responded any council is entitled to adopt a policy or strategy that is different from a council that precedes them. We do not intend to wait on important decisions or delay in the hope or expectation that the incoming council will adopt or not adopt a strategy. When there is an accepted policy position then that council will go ahead and make the approximate actions to implement until such time there was a different direction.

Why is council proceeding with the demolition of the Yarrunga pool before there is confirmation of the \$7.5 million funding required from State and Federal Governments to implement the Aquatic Strategy? What will happen if this funding is not forthcoming and the Yarrunga pool has been demolished given Council has not applied for exemption to rate capping?

**Brendan McGrath, Chief Executive Officer**, responded the aquatic strategy separates the Olympic and Yarrunga pool into two different components. The strategy stated that the Yarrunga pool would close upon the construction of the splash park and the Olympic pool would close upon construction of the new Olympic facility at the Barr Reserve. The Yarrunga pool has never been contingent on the success of the sourcing of funding for the new Olympic pool. While they are linked and part of the same strategy they are quite separate in terms of what their futures were linked to.

**Irene Grant, Administrator**, added that the Yarrunga pool closure was not made lightly, the condition of the pool was critical and a huge amount of money would need to be spent to keep it running.

**Anne Dunstan - Tarrawingee**

There is a small 'no dogs allowed' sign situated at the splash park and I have often seen dogs cooling off in the facility. There is a small sign that notifies users

and states that recycled water is used and pets are not permitted. I would like to request that we have more prominent signage. Is this something that would be feasible?

**Alan Clark, Director of Infrastructure**, replied that the dog issue is one of concern and we will look into sending more enforcement officers to the area as well as signage.

At a previous council meeting I was promised an update of ongoing costs of the splash park to include all costs such as, contractors, plumbers, parts, materials, landscaping, general maintenance, utilities costs and the cost of staff. Will these be forthcoming?

**Alan Clark, Director of Infrastructure**, responded that yes we can provide those figures personally, at the time the splash park had just opened and we had no operating costs to record. We will be happy to supply the updated costs to date.

## 23. CONFIDENTIAL BUSINESS

### RECOMMENDATION:

(Moved: Administrator R Roscholler/ Administrator I Grant)

***That Council resolves to close the meeting to members of the public in accordance with section 89(2) of the Local Government Act 1989 to consider the following items:***

#### **23.1 Consideration of Potential Land Transaction**

***Item 23.1 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to : (e) proposed developments.***

## 24. CLOSURE OF MEETING

The Meeting closed at 7.32pm.