

Minutes

Of the Ordinary Council Meeting

Location: Cheshunt Hall
Cheshunt

Date: 19 April 2016

Time: 6pm



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

3. **PRESENT**

Administrators:

Mrs Ailsa 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**

NIL

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

ORDER OF BUSINESS

6. **CITIZENSHIP CEREMONY**

Nil

7. **CONFIRMATION OF MINUTES**

RECOMMENDATION:

(Moved: Administrator I Grant/Administrator R Roscholler)

That Council read and confirm the Minutes of the Ordinary Meeting of 15 March 2016, the Special Meeting of 22 March 2016 and the Special Meeting of 4 April 2016 as a true and accurate record of the proceedings of the meetings except for minor alterations disclosed.

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.

9. **RECEPTION OF PETITIONS**

10. **HEARING OF DEPUTATIONS**

PRESENTATION OF REPORTS

11. **ADMINISTRATORS' REPORTS**

Rodney Roscholler – Administrator

I'd like to talk about the North East Waste and Resource Recovery Implementation Plan. I'm a board member of North East Waste and Resource Recovery Group (NEWRRG), which has developed this plan. It will go out for public consultation during May 2016 and I'd really like to encourage the community to have a look at the plan and have some input into it. This is a high level plan. It's not about weekly bin services or organic bin liners. It looks at the whole region and sets a strategic direction for the next decade.

It covers not just our Council, but the whole North East, including: Wodonga, Alpine, Indigo, Towong, Benalla, Mansfield and Towong councils and the Alpine resorts of Falls Creek, Mt Hotham, Mt Buller and Mt Stirling. The North East Implementation Plan sets out the waste and resource recovery (recycling) and infrastructure needs (facilities and equipment) of the north east region and how these will be met over the next 10 years. The Plan is a 10 year strategy to ensure the region has a practical and effective waste and resource recovery (recycling) network. The North East Implementation Plan looks at ways to minimise the environmental and public health impacts of waste while having a cost effective recycling system that reduces what goes to landfill. This is a once-in-a-decade opportunity for government, communities, business and industry to have input into each of the region's plans.

The North East Implementation Plan has been prepared by NEWRRG with the help of: local government, alpine resorts and industry. It is now the community's turn to have their say. Further details about the session will be advertised in local papers and are also available on NEWRRG's website.

We encourage all of our community to attend the local session or visit NEWRRG's website for further information and online opportunities to have input on the North East Implementation Plan. This regional plan will fit in with the State's plan, the State wide Waste and Resource Recovery Infrastructure Plan,

which provides the roadmap to ensure Victoria has the infrastructure to effectively manage waste and resource recovery for the next 30 years. This then will form a whole strategic approach to ensure that Victoria has a first class integrated waste and resource recovery (recycling) system.

Irene Grant - Administrator

Tickets went on sale for early bird Jazz Festival two weeks ago. There have been no price rises at all this year. The major focus this year is on working with business to maximise the impact of the Festival on the local economy. Also on working with Councils economic development team to assist with developing information sessions and offers for business

King George Gardens and Ovens St will be the major focus this year with a Food and Wine hub planned for Ovens St adjacent to the gardens. Local's passes went on sale today and I encourage you to take advantage of this great event. The price of local's passes for the weekend makes it great value.

We are at the end of the cycle for State and Federal Funding and as such the Board have been submitting for new 4 year funding from the State Government and are awaiting announcements on the Arts Council grant application submitted earlier in the year.

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

Nil

13. CORPORATE SERVICES

13.1 GOVERNANCE AND MEETING CONDUCT LOCAL LAW

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	19 April 2016
Author:	Manager - Business and Governance
File Name:	Local Laws and Regulations
File No:	58.020.001

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 to commence making a new Local Law, the Governance and Meeting Conduct Local Law No.2 of 2016 (proposed Local Law). This proposed Local Law provides for the election of the Mayor, the use of the Common Seal and for the procedures governing the conduct of Council Meetings, Special Committee meetings and Advisory Committee meetings.

RECOMMENDATION:

(Moved: Administrator R Roscholler/Administrator I Grant)

That Council, in accordance with sections 111 and 223 of the Local Government Act 1989:

- 1. Gives public notice of its intention to make the Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law (refer attachment), and invites written submissions until Tuesday 17 May 2016;***
- 2. Endorses the Local Law Community Impact Statement – Governance and Meeting Conduct Local Law No. 2 of 2016 (refer attachment) for the purpose of community consultation;***
- 3. Publishes public notices of its intention to make Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law in the Victoria Government Gazette, the Wangaratta Chronicle and on Council's internet website.***

Carried

Background

Section 91 of the *Local Government Act 1989* (the Act) requires Council to make local laws governing the conduct of meetings of the Council and special

committees. Council currently has in place the Meeting Procedure (Administrators) Local Law No. 3 of 2014 which meets this legal provision.

The current meeting conduct Local Law applies specifically for the period of the appointment of administrators and ends on the fourth Saturday in October 2016. Consequently, it is proposed that Council makes a new meeting conduct Local Law to commence on the day following the fourth Saturday in October 2016. A draft of the proposed Local Law has been prepared for consultation with the community (*refer attachment*).

This proposed Local Law seeks to provide for the election of the Mayor, regulate the use of the common seal, regulate the use of Council's name and nomenclature, provide for the procedures governing the conduct of Council Meetings, Special Committee meetings and Advisory Committee meetings, establish the rules of behaviour for those participating in or present at Council Meetings, Special Committee meetings, and Advisory Committee meetings, and provide for the appointment of Councillors as members of committees established by the Council or as Council representatives to external committees and organisations.

The proposed Local Law will incorporate and revoke the following Council policies and guidelines:

- Annual Meeting of Council Policy
- Appointment of Acting Mayor Policy
- Use of Council's Name and Nomenclature Policy
- Use of Mayoral Pendant Policy
- Guidelines for Delegates Reports to Council.

Implications

Policy Considerations

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

Financial/Economic Implications

There is a cost associated with the legal requirements to advertise the making of the proposed Local Law and to advertise the adoption of the proposed Local Law. The preparation and adoption of the proposed Local Law can be met within existing Council resources.

Legal/Statutory

The procedure for making a Local Law is set out in section 119 of the Act.

“Local Government Act 1989 Section 119

Procedure for making a local law

(1) Before a Council makes a local law it must comply with the following procedure.

(2) *The Council must give a notice in the Government Gazette and a public notice stating—*

(a) the purpose and general purport of the proposed local law; and

(b) that a copy of the proposed local law and any explanatory document can be obtained from the Council office; and

(c) that any person affected by the proposed local law may make a submission relating to the proposed local law under section 223.

(2A) *The Council must ensure that—*

(a) a copy of the proposed local law; and

(b) an explanatory document setting out prescribed details in relation to the local law—

is available for inspection at, and obtainable from, the Council office during ordinary business hours.

(3) *After a local law has been made the Council must give a notice in the Government Gazette and a public notice specifying—*

(a) the title of the local law; and

(b) the purpose and general purport of the local law; and

(c) that a copy of the local law may be inspected at the Council office.

(4) *After a local law has been made the Council must send a copy to the Minister.”*

The legally required procedure for making the Local Law will be followed.

Social

In accordance with State legislation all local laws are required to be reviewed to assess any impacts on National Competition Policy and the principles under the Human Rights Charter.

The proposed Local Law is considered to be compatible with the Charter of Human Rights and Responsibilities. A report on the Human Rights Impacts of this Local Law is attached (**refer attachment**).

The introduction of this Local Law imposes no restrictions on competition and therefore complies with National Competition Principles. A report on the competition aspects proposed by this Local Law is attached (**refer attachment**).

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
The non-negotiables

All legislative and compliance requirements are met.

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.

Risk Management

The Local Law will ensure statutory compliance as well as mitigate risks associated with the use of the common seal and the conduct of Council and Committee meetings.

Consultation/Communication

The proposed Local Law will be exhibited to the public as part of the statutory process.

Submissions will be invited from the community in regards to the proposed Local Law in accordance with section 223 of the Act.

A notice to this effect will be advertised in the Chronicle newspaper and in the Victoria Government Gazette and also on Council's website indicating that submissions will be received up to 6:00pm on Tuesday 17 May 2016.

Persons making submissions can request an opportunity to be heard in respect of their submission at the Ordinary Meeting of Council held on Tuesday 17 May 2016. All submissions will be considered by Council when deciding whether or not to make the proposed Local Law at that Ordinary Meeting of Council.

Council will notify in writing, each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, one of those persons, of the decision and the reasons for that decision.

Options for Consideration

There are no alternatives available to Council that are legally compliant.

Conclusion

Council should commence the process of making the proposed Local Law so as to comply with section 91 of the Act.

Attachments

- 1 LOCAL LAW COMMUNITY IMPACT STATEMENT LOCAL LAW NO.2
- 2 GOVERNANCE AND MEETING PROCEDURE LOCAL LAW 2016

Questions

Delia Jackson – Whitfield

Are S86 committees included and will governance training be provided?

Brendan McGrath, Chief Executive Officer replied that yes, S86 committees will be included and it would be reasonable that governance training will be given.

13.2 COUNCILLOR CODE OF CONDUCT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 2016
Author: Manager - Business and Governance
File Name: Councillor Code of Conduct
File No: 96.005.004

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 commence the process of reviewing and making necessary amendments to the Councillor Code of Conduct (the Code).

RECOMMENDATION:

(Moved: Administrator I Grant/Administrator R Roscholler)

That Council endorses the proposed Councillor Code of Conduct for public exhibition and invites public submissions in accordance with Council's "Major Council Policy Consultation Local Law No.4 of 2015".

Carried

Background

Section 76C of the *Local Government Act 1989* (the Act) requires Council to review, and make any necessary amendments to, its Councillor Code of Conduct within four months after the commencement of section 15 of the *Local Government Amendment (Improved Governance) Act 2015*. Section 15 commenced on 1 March 2016. The Code must therefore be adopted by Council no later than 4 July 2016 in order to comply with the Act.

A recommended Code has been drafted which incorporates the "*Reimbursement of Expenses for Councillors and Members of Council Committees Policy*" and the "*Professional Development for Councillors Policy*" (**refer attachment**). These two policies will be revoked upon commencement of the Code.

The Code includes a commitment to conduct principles and values, clarifies roles, covers the use of Council resources, provides for decision making arrangements and deals with councillor interests, election matters and other obligations as well as media and event protocols. It also provides for reimbursement and support for Councillors in the performance of their civic duties and importantly provides a framework and processes for managing the conduct of Councillors.

Implications

Policy Considerations

This report is the first stage in the adoption of the Code. Council considers the Code 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 Code, consultation will be undertaken in accordance with the Local Law. All submissions and any proposed changes will be considered by Council prior to the Code being adopted.

Financial/Economic Implications

There is a cost associated with the legal requirements to advertise the making of the Code. The preparation and adoption of the Code can be met within existing Council resources.

Legal/Statutory

Section 76C of the Act sets out provisions for the making of a Councillor Code of Conduct.

“Local Government Act 1989 - Section 76C

Councillor Code of Conduct

(1) A Council must review, and make any necessary amendments to, its Councillor Code of Conduct within 4 months after the commencement of section 15 of the Local Government Amendment (Improved Governance) Act 2015 —

(a) by calling a special meeting solely for the purpose of reviewing the Councillor Code of Conduct; and

(b) at that special meeting, approving any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary following the review of the Councillor Code of Conduct.”

(2) A Council must, within the period of 4 months after a general election—

(a) call a special meeting solely for the purpose of reviewing the Councillor Code of Conduct; and

(b) at that special meeting, approve any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary following the review of the Councillor Code of Conduct.

(3) A Councillor Code of Conduct—

- (a) *must include the internal resolution procedure for dealing with an alleged contravention of the Councillor Code of Conduct by a Councillor;*
- (b) *may set out processes for the purpose of resolving an internal dispute between Councillors;*
- (c) *must include any provisions prescribed for the purpose of this section;*
- (d) *must include provisions addressing any matters prescribed for the purpose of this section;*
- (e) *may include any other matters relating to the conduct of Councillors which the Council considers appropriate.*

(5) *A Councillor Code of Conduct must not be inconsistent with any Act or regulation.*

(5A) *A Councillor Code of Conduct is inoperative to the extent that it is inconsistent with any Act or regulation.”*

Section 81AA of the Act provides for the matters to be addressed by the internal resolution procedure of a Council as required by section 76C(3)(a).

“Local Government Act 1989 - Section 81AA

Internal resolution procedure of Council

- (1) *A Council must develop and maintain an internal resolution procedure for the purposes of addressing an alleged contravention of the Councillor Code of Conduct by a Councillor.*
- (2) *The internal resolution procedure of a Council must—*
 - (a) *be specified in the Councillor Code of Conduct; and*
 - (b) *incorporate any prescribed processes including any application process; and*
 - (c) *provide for the selection of an arbiter who is suitably independent and able to carry out the role of arbiter fairly; and*
 - (d) *specify the role an arbiter is expected to undertake in the conduct of any internal resolution procedure including that the arbiter must—*
 - (i) *consider applications alleging a contravention of the Councillor Code of Conduct by a Councillor; and*
 - (ii) *make findings in relation to any application alleging a contravention of the Councillor Code of Conduct which the arbiter must give to the Council; and*

(e) *provide processes to ensure that parties affected by an application alleging a contravention of the Councillor Code of Conduct are given an opportunity to be heard by the arbiter; and*

(f) *specify that the Council and the Councillor the subject of any application made alleging a contravention of the Councillor Code of Conduct are to be given written reasons for any findings made by an arbiter; and*

(g) *address any matters prescribed for the purposes of this section; and*

(h) *include any provisions prescribed for the purposes of this section.”*

The provisions of the Act related to the Code will be complied with.

Social

In accordance with the Local Law, the Code is required to be reviewed to assess any impacts on National Competition Policy and the principles under the Human Rights Charter.

The Code is considered to be compatible with the Charter of Human Rights and Responsibilities. A report on the Human Rights Impacts of the Code is attached (***refer attachment***).

The introduction of the Code imposes no restrictions on competition and therefore complies with National Competition Principles. A report on the competition aspects proposed by the Code is attached (***refer attachment***).

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
The non-negotiables

All legislative and compliance requirements are met.

Risk Management

The adoption of a Councillor Code of Conduct will ensure statutory compliance and appropriate councillor support as well as mitigating the risks associated with Councillor misconduct.

Consultation/Communication

The Code will be exhibited to the public as part of the required Local Law consultation process. Submissions will be invited from the community and a notice to this effect will be advertised in the Chronicle newspaper and also on Council's website indicating that submissions will be received up to 5:00pm on Tuesday 17 May 2016.

Persons making submissions can request an opportunity to be heard in respect of their submission at a Committee of Council Meeting to be held on Monday 23 May 2016.

All submissions will be considered by Council when deciding whether or not to adopt the Code, with or without amendments, at a Special Meeting of Council called solely for the purpose of reviewing the Code.

Council will notify in writing, each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, one of those persons, of the decision and the reasons for that decision.

Options for Consideration

There are no alternative processes available to Council that are legally compliant. Possible options for amendment of the Code may become apparent through the consultative arrangements described earlier in this report.

Conclusion

Council should commence the process of reviewing and making the Code so as to comply with section 76C of the Act.

Attachments

- 1 COUNCILLOR CODE OF CONDUCT COMMUNITY IMPACT STATEMENT
- 2 DRAFT COUNCILLOR CODE OF CONDUCT

Questions

Russell Bird – Whitfield

I believe the same councillors may be running again this year, does this policy assist in stopping what has happened in the past.

Ailsa Fox, Chair Administrator replied that we cannot stop people from reapplying to run for Council. This policy gives Council the tools to better monitor the conduct. Councillors have to sign this code of conduct before they are sworn in.

Carl Doring – Whitlands

Will the new rules allow an individual councillor who breaks the code to be dismissed without the whole council to be sacked?

Ailsa Fox, Chair Administrator replied the new Act now provides for an individual Councillor to be dismissed.

Brendan McGrath, Chief Executive Officer replied the provisions of the Act have been endorsed and will come into place after the election.

13.3 COUNCILLOR AND MAYORAL ALLOWANCES

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 2016
Author: Manager - Business and Governance
File Name: Councillor Issues and Information
File No: 10.010.005

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 inform Council of its obligation under the *Local Government Act 1989* (the Act), to increase the level of Councillor and Mayoral allowances in accordance with the adjustment factor specified in a notice published in the Government Gazette by the Minister for Local Government (the Minister) following the Minister's annual review of allowances.

RECOMMENDATION:

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

That Council, in accordance with the provisions of Section 73B of the Local Government Act 1989, increases the level of Wangaratta Rural City Council Councillor and Mayoral allowances, inclusive of the amount equivalent to the current superannuation guarantee rate, by the adjustment factor specified in the notice published by the Minister in the Government Gazette on 26 November 2015 to \$25,035 per annum and \$66,764 per annum respectively.

Carried

Background

The Mayor and Councillors are paid an annual allowance to recognise the demands placed on them in carrying out their civic and statutory functions.

The Act sets out the authority and the arrangements for Councillor and Mayoral allowances. The Act enables the Minister to set limits and ranges of Councillors and Mayoral Allowances. The Act requires Council to review and determine the level of Councillor and Mayoral allowance following an election.

Council, in accordance with Section 74 of the Act, resolved to set the Mayoral and Councillors allowances at \$63,402 per annum and \$23,775 per annum respectively at the Ordinary Meeting of Council on 20 August 2013.

The Minister, in accordance with Section 73B of the Act, must, at least once every year, review the limits and ranges of Councillor and Mayoral allowances. If that review results in a finding that Councillor and Mayoral allowances should be adjusted, the Minister must specify, by notice published in the Government Gazette, an adjustment factor. Council must increase the level of Councillor and Mayoral allowances in accordance with the adjustment factor specified in the notice.

Ministerial notices of an annual adjustment factor have been published in the Government Gazette twice since the setting of the Mayoral and Councillor allowances in August 2013:

- An adjustment factor of 2.5% published on 6 November 2014; and
- An adjustment factor of 2.5% published on 26 November 2015.

Councillors are also paid the equivalent of the superannuation guarantee rate amount at the rate that applies at the time of payment of the allowances as established in the *Superannuation Guarantee (Administration) Act 1992*. The allowances adopted in August 2013 included a 9.25% superannuation guarantee rate amount that applied at that time. Since that time the superannuation guarantee rate has increased to 9.5%, applicable from 1 July 2014.

As a consequence of all of the foregoing Council must increase the Mayoral and Councillor allowances to \$66,764 per annum and \$25,035 per annum respectively. These allowances will apply to the incoming Council until Council reviews and determines the level of the Councillor allowance and the Mayoral allowance in accordance with Section 74 of the Act.

Implications

Policy Considerations

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

Financial/Economic Implications

Provision will be made for these allowances in the 2016/17 budget.

Legal/Statutory

Section 73B of the Act sets out the provisions for the annual review and adjustment of Mayoral and Councillor allowances:

“Local Government Act 1989 - Section 73B

Review of allowance limits and ranges

(1) *In this section, adjustment factor means the percentage increase to be applied to Councillor and Mayoral allowance limits and ranges.*

(2) *The Minister must, at least once every year, review the limits and ranges of Councillor and Mayoral allowances.*

(3) *The Minister must have regard to movements in the levels of remuneration of executives within the meaning of the Public Administration Act 2004 when reviewing the limits and ranges of Councillor and Mayoral allowances under subsection (2).*

(4) *If a review conducted by the Minister under this section results in a finding that Councillor and Mayoral allowances should be adjusted, the Minister must specify by notice published in the Government Gazette—*

(a) *an adjustment factor; and*

(b) *the new limits and ranges of allowances for each category of Councils, adjusted in accordance with the adjustment factor.*

(5) *If a notice is published in the Government Gazette under subsection (4), a Council must increase the level of Councillor and Mayoral allowances in accordance with the adjustment factor specified in the notice.”*

Section 19 of the *Superannuation Guarantee (Administration) Act 1992* sets the superannuation guarantee rate that applies from time to time.

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

The non-negotiables

All legislative and compliance requirements are met.

Consultation/Communication

The requirement for Council to adjust Mayoral and Councillor Allowances is a statutory obligation established under the Act. Council has no discretion in this matter. This report is provided to inform the community.

Options for Consideration

The requirement for Council to adjust Mayoral and Councillor allowances is a statutory obligation established under the Act. There are no alternatives that can be considered.

Conclusion

Council must increase the Mayoral and Councillor allowances in line with the adjustment factors published by the Minister and to allow for the increase in the superannuation guarantee rate.

Attachments

Nil.

13.4 MARCH 2016 QUARTERLY FINANCE REPORT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 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/Administrator I Grant)

That Council reviews and endorses the March 2016 Quarterly Finance Report.

Carried

Background

Council has completed its third 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 3 Year to Date Summary**

	Full year Reviewed Budget \$'000	Year to date Reviewed Budget \$'000	Year to date Actuals \$'000	YTD Variance \$'000	YTD Variance %
Income	54,149	39,718	38,570	(1,148)	-3.0
Expense	(53,128)	(40,298)	(39,890)	408	1.1
Surplus (Deficit)	1,021	(580)	(1,320)	(740)	-2.0

Capital Works Expenses	22,997	16,226	11,321	(4,905)	30.2
		16,226	Actuals plus commitments 17,048	822	(1.6)

Operating Result

Council has \$1,148,000 less income than budgeted at 31 March 2016, however this is partly offset by decreased expenses of \$408,000, leaving an unfavourable year to date variance for operating surplus of \$740,000. This is largely due to timing differences for recurrent grants and other timing differences in operating expenditure.

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. This will result in a permanent favourable variance.
2. \$179,000 increased income due to recognition of animal registration income in the March, budgeted for in April
3. \$42,000 grant income received in advance for Family Day Care services.

Items 2 and 3 are timing differences and is anticipated to resolve by 30 June 2016.

Unfavourable – permanent

4. \$68,000 in reduced user fee income at Livestock Selling Complex. This lost revenue is not expected to recover by financial year end.
5. \$66,000 in reduced user fee income at the Wangaratta Cemetery. This lost revenue is mainly due to reduced plaque sales and expected to result in \$40,000 lost total revenue at the end of the financial year.
6. \$193,000 in reduced user fee income expected at the Bowser landfill. This is due to better divergence of organic waste from the landfill. Current expectations are that this loss of income will not recover in the remaining three months of the financial year.

Unfavourable – due to timing

7. \$133,000 in reduced user fee and grant income for the Wangaratta Child Care centre. This revenue is expected to recover in the remaining three months of the financial year.
8. \$816,000 in reduced recurrent grant revenue due to two months' delay in payment of Commonwealth funding for Packaged Care. This revenue will be recorded by the end of the financial year.
9. \$193,000 in reduced non-recurrent grant revenue associated with capital projects. It is anticipated that this revenue will be received in accordance with the delivery of the associated projects.

Operating Expenses

Favourable

10. \$346,000 reduced expenditure in Field Services projects, including sealed road and gravel road maintenance, urban drainage network. Real savings are anticipated in these programs including signs and line-marking in the 15/16 financial year.
11. \$123,000 reduced expenditure year to date in parks and gardens projects including tree maintenance and sports grounds. This expenditure is anticipated to be expended prior to the end of the financial year.

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, with year-to-date expenditure plus commitments of \$17,048,000 exceeding the YTD reviewed budget figure of \$16,226,000 by \$822,000.

Capital works that have completed in the first nine months of this financial year include:

12. Roll out of organics and new kerbside collection processes
13. Merriwa park Comfort Station redevelopment
14. Wangaratta Splash Park
15. Various drainage works throughout the Council area
16. Regular re-sheeting and road improvements throughout the Council area
17. Township gravel road sealing program
18. Dust suppression road treatments
19. Extension to HP Barr Reserve car park
20. Livestock Selling Complex Roof
21. Street parking ticket machines
22. Merriwa Park infrastructure renewals
23. Moyhu tennis multi-use project
24. City Oval Tennis Precinct building and land improvements
25. Renewal of Aerodrome runway lights
26. WISAC Cogeneration.

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

27. Design and construction of Cell 7 at Bowser Landfill
28. Council's Energy reduction program – lighting at the Wangaratta Government Centre
29. Greta netball and umpire change rooms
30. Bridge renewal program.

Capital works that will be progressed or delivered in the remaining three months include:

31. Further work to progress Aquatics Plan for WISAC Development
32. Everton hall and precinct redevelopment
33. Initial stages of CBD masterplan
34. Organics processing plant
35. Footpath and bike path renewal program.

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

March 2016 year to date Operating Result is delivering an unfavourable result, due mainly to timing differences in grant revenue. Delivery of Council's large capital works program for 2015/16 is achievable with a number of large projects delivered in the first nine months of the year.

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Attachments

1 2016 MARCH QUARTERLEY FINANCE REPORT

Questions

Ron Summers – Wangaratta

What are the further works mentioned in Item 31 on the aquatics plan and what may the costs amount to?

Ailsa Fox, Chair Administrator replied that a detailed design has been called for the new outdoor pool complex.

Alan Clarke, Director Infrastructure replied that the design has gone out to tender and we will have more of idea about costs when those tenders are finalised.

14. COMMUNITY WELLBEING

Nil

15. INFRASTRUCTURE SERVICES

15.1 ROAD AND BRIDGES NAMING PROPOSAL - BULLAWAH CULTURAL TRAIL

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 2016
Author: Executive Assistant - Infrastructure Services
File Name: Road/ Place Naming
File No: 73.020.014

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 seeking approval to advertise proposals for road naming at the river end of Ovens Street to Sydney Beaches and naming of the 2 suspension bridges, proposed by the Bullawah Indigenous Cultural Trail Project Committee and local Elders.

RECOMMENDATION:

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

That Council advertise its intention to name the:

- 1. roadway at the river end of Ovens Street extending to Sydney Beaches as “Bullawah Place”;***
- 2. first suspension bridge as “Dirrawarra Bridge”; and***
- 3. second suspension bridge as “Torryong Bridge”.***

Carried

Background

Council considered a recommendation from the Place Naming Committee to advertise its intention to name the roadway at the river end of Ovens Street at its meeting held on Tuesday 17 March 2015 and resolved as follows:

“That Council advertise its intention to name the section of road at the river end of Ovens Street as “Punt Place”.

3 submissions were received objecting to the name “Punt Place” and considered by the Place Naming Committee and it was decided not to continue the naming process. One of the submissions received was from the Bullawah Indigenous

Cultural Trail Committee suggesting that indigenous names be used in keeping with the Bullawah Cultural Trail commencing from the same location.

It was also decided at the time that any naming proposal should include the entire roadway from the Ovens and Faithful Streets roundabout extending to Sydney Beaches (refer attached location map).

Council's Place Naming Committee received a proposal for naming from the Bullawah Indigenous Cultural Trail Project Committee and local Elders dated 28 January 2016 seeking consideration of indigenous names, as follows:

Bullawah Place	The word Bullawah is a Pangerang word meaning "two over the river" and signifies the new passages of the two suspension bridges over the river. It also signifies Indigenous and non-Indigenous people walking together hand-in-hand toward reconciliation and the coming together of cultures. Bullawah Place acknowledges the importance of the Indigenous use of the river and reinforces the ethos of reconciliation that is behind this important project.	Roadway
Dirrawarra Bridge	Dirrawarra is a Pangerang word meaning together and united. The Dirrawarra Indigenous Network (DIN) brings together Aboriginal, Torres Strait Islander and broader communities to develop a shared vision for the future.	1 st suspension bridge at Sydney Beaches
Torryong Bridge	The name Torryong reflects the Ovens River that is situated under the suspension bridge and will help to educate the local community regarding traditional Aboriginal language.	2 nd suspension bridge

Definitions provided in the submission from the Bullawah Indigenous Cultural Trail Committee

The Place Naming Committee considered the naming proposals at its meeting held on 17 February 2016 and believe the names proposed are an appropriate way of including indigenous road and place names as part of this important cultural project for Wangaratta.

Implications

Policy Considerations

- Place Naming Policy
- Policy for Naming Roads, Streets and Other Access ways

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

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 research and advocate:

in partnership with our indigenous and cultural groups to help ensure that everyone in our community can access, understand and celebrate the diversity and history of our region.

We will create and deliver:

quality and accessible pathways and cycling and walking tracks that build local and regional connections.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Consultation/Communication

The naming proposals will be advertised in the Wangaratta Chronicle and on Council's website seeking community feedback.

Conclusion

The Place Naming Committee consider that the 3 names proposed by the Bullawah Indigenous Cultural Trail Committee to be an appropriate way of including indigenous road and place names as part of the Bullawah Indigenous Cultural Trail project for Wangaratta.

The Place Naming Committee therefore recommend that Council advertise its intention to name the roadway at the river end of Ovens Street extending to

Sydney Beaches as “Bullawah Place” and the first suspension bridge as “Dirrawarra Bridge” and the second suspension bridge as “Torryong Bridge”.

Attachments

- 1 Roadway and bridges location map

15.2 WASTE CHARGE POLICY REVIEW

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 2016
Author: Executive Assistant - Infrastructure Services
File Name: Waste Management
File No: 72.020.015

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 placing the recently reviewed Waste Charge Policy (the Policy) on exhibition seeking feedback from the community. The policy sets out the basis of charges and fees applied for kerbside waste collection and waste received at Council's waste sites. It also sets out the basis for any exemptions to these services and associated costs.

RECOMMENDATION:

(Moved: Administrator R Roscholler/Administrator I Grant)

That Council:

- 1. places the Draft Waste Charge Policy on exhibition seeking feedback from the public, until close of business Wednesday 18 May 2016; and***
- 2. reports back to Council on any feedback received at the Ordinary Council meeting on 21 June 2016***

Carried

Background

The Policy assists to deliver the outcomes specified in Council's Waste Management Strategy. With the introduction of the new kerbside organics collection, a number of changes are needed to how Council delivers its waste services.

There are 5 newly introduced waste service implications that must be considered by Council, as follows:

360 Litre recycling bins to be priced the same as 240 Litre recycling bins

To increase diversion of recyclables from the organics and general waste streams.

Residents indicated that they would prefer a weekly recycling collection due to overflow - this is not an option with the current recycling contract.

The new JJ Richards contract charges the same lift rate for 360Lt as for 240 Lt. Under the current contract they are priced more expensively.

Optional weekly collection for Commercial businesses in the Rural Townships

Commercial businesses are struggling with the fortnightly collection particularly with high amounts of food waste attracting vermin and odours.

The litter bins are serviced in the rural townships weekly, therefore it could be extended to commercial businesses at cost.

Organics caddies and liners

Organics liners are available to all households for free. As organics caddy liners are utilised, residents may collect a new roll directly from Council's customer service.

New caddies will be delivered to new services for free as part of the 3 bin system. Additional replacement, lost or stolen caddies required will be available from Council at an approved fee.

Unit blocks under body corporate management

Remove the garbage, recycling and organics bin charges from the individual rate notices and charge to the body corporate.

Body Corporates will be able to negotiate the overall number and composition of bins and will be charged accordingly, but will be required to have a kitchen caddy for each residence. The Body Corporate will be charged for one roll of liners per residence per annum.

Four strike policy

To ensure the effectiveness of this system Council has introduced a four strike contamination policy.

If an organics bin containing contamination is presented four times consecutively for collection and the bin has received a contamination sticker each time, on the fourth occasion the bin will be removed and the waste charge will remain on the property's rates notice.

Implications

Policy Considerations

Waste Management Strategy.

Financial/Economic Implications

The proposed changes will have some financial implications, however, these will depend on the uptake of the services and are likely to be relatively minor.

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

Council aims to encourage sustainable practices for waste disposal through its Waste Charge Policy.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

We will research and advocate:

for a regional approach to waste management that has economic and environmental benefits.

to assist the community to reduce litter and recycle away from home in public places and at events.

We will create and deliver:

the outcomes identified in the Rural City of Wangaratta Waste Management Strategy.

We will focus on our business:

reviewing service levels while balancing community expectations with available resources.

The non-negotiables

Develop initiatives for the community to reduce resource use and waste to achieve sustainable living.

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

N/A

b) Other strategic links

N/A

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform		
Consult	Seek feedback on the draft Waste Charge Policy	Wangaratta Chronicle Council's website
Involve		
Collaborate		
Empower		

Conclusion

The review of the Waste Charge Policy considered a number of issues raised by the community following the introduction of the 3 bin system. The changes identified in this report address some of these concerns. The Draft Waste Charge Policy must now be placed on public exhibition to seek feedback from the community.

Attachments

- 1 Draft Waste Charge Policy

Ann Dunstan – Tarrawingee

Ms Dunstan advised that a strata title owner has indicated that it was difficult to obtain the correct page in the agenda from councils website. Ms Dunstan asked how many organic garbage rolls are allowed to be collected from Council and are they allowed to collect twice a year? And how does this apply to Body Corporate residents? How do you monitor the bin services, is it by camera? If a contaminated bin goes into the truck, does this contaminate the whole load?

Alan Clarke, Director Infrastructure replied that a resident is able to collect organic liners more than once a year. This also applies to Body Corporate residents as well. It is proposed that the Body Corporate residents will have the same charges as normal households with one charge. Whatever the fees are set at for the actual liners, they will be charged this and whichever bin size they are using. The new trucks have a greater numbers of cameras. They record what is going in, when the bins are not put out and particular addresses. Green waste is taken to Shepparton, there is 10% contamination allowance at which the whole load will be terminated. At this point we are currently running at around less than 1%.

Carl Doring – Whitlands

My property is beyond the bin collection service, does this mean I will be charged?

Alan Clarke, Director Infrastructure replied that only people who use the service will be charged. We know who uses the service and who doesn't.

Geoff Lang – Cheshunt

Weekly collections, am I able to opt in only when I need the service?

Alan Clarke, Director Infrastructure replied that this service is only available to commercial properties. You cannot partially opt in. You can opt in and the charge will be dependant on how many times you use the service and how many people at the one time uses the same service. This is based on a sliding scale.

Dehlia Jackson – Whitfield

Due to space limitations at the Transfer Station in Wangaratta during a public holiday, it was unable to cope with the amount of people dropping off loads. Will there be limitations on deposits for commercial operators? And will you make increases in space?

Alan Clarke, Director Infrastructure replied these restrictions were only implemented to commercial operators who were bringing in large trucks. This will not apply to commercial users who bring in their bins to empty. There are changes being made at the transfer stations to alleviate these problems in the future.

Rohan Van Gasterlen – Cheshunt

This question relates to Green Waste. Is Council going to apply the 4 strike policy on green waste, particularly for elderly people?

Alan Clarke, Director Infrastructure replied we will work with people including the elderly. We have assisted and will continue to assist the elderly. I will be happy to take your details after the meeting.

Russell Bird – Whitfield

There are 43 pick up points between here and Moyhu. Does the commitment apply to the whole year for tourism seasonal businesses? Does the charge of \$16 apply to each bin or for a property pick up?

Alan Clarke, Director Infrastructure replied that it is a per bin rate, however the more bins the lower the rate. The \$16 charge was a middle of the road figure if half the bins along this route were picked up. We would look at striking an average rate to apply to the full year. We know how much it costs to run the truck up here so the more bins the less price per bin.

Arnold Pizzini – Cheshunt

With weekly bin collection, would I be able to halve my bins with more frequent collections?

Alan Clarke, Director Infrastructure replied yes, if you have ten bins fortnightly you go to 5 bins weekly. However the normal fortnightly collection is cheaper.

Ben Bergmann – Whitfield

Can we opt in to weekly organics. I think if I opted into additional pick ups during the year, I'm looking at \$5000-\$6000 dollars extra.

Alan Clarke, Director Infrastructure replied we can average this over the year and will apply a sliding scale from 10 to 25 dollars. Costs will be dependant on the amount people that opt in.

Carl Doring – Whitlands

Recycling materials - how much is recycled?

Alan Clarke, Director Infrastructure replied that it all goes to a comingled sorting plant where it is sorted and all is recycled.

Thomas Moritz – Rose River

If you get more people putting bins out, the lower the price. How can this be managed?

Alan Clarke, Director Infrastructure replied that we will calculate on a year by year basis. We are responding to an additional service and therefore a user pays system will need to be implemented.

Anne Dunstan – Tarrawingee

When is the cut off for the opt in service?

Ruth Kneebone, Director Corporate Services replied during the budget consultation period in May/June this year. Some flexibility would be applied in the first year with rate notes being sent out in August.

Anne Dunstan – Tarrawingee

It maybe worth placing a deadline date in the policy. On another note, there is no such thing as a body corporate. They are all Corporations.

16. DEVELOPMENT SERVICES

16.1 PLANNING SCHEME AMENDMENT C70 - HERITAGE REVIEW, 2015 - EXHIBITION, CONSIDERING SUBMISSIONS AND NEXT STEPS IN THE AMENDMENT PROCESS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 2016
Author: Principal Strategic Planner
File Name: C70 - Heritage Review, 2015
File No: 73.030.076

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:

- Report on and consider submissions to Wangaratta Planning Scheme Amendment C70 which implements the recommendations of the Heritage Review 2015. Amendment C70 proposes to apply heritage controls to 110 properties, mainly rural, across the municipality, this deletes existing HO123 (a redundant clause as the property no longer exists), and makes corrections and associated changes to other parts of the Wangaratta Planning Scheme.
- Seek Council's agreement to make changes to the amendment (including removing 2 properties from this amendment) to address submissions to the amendment. It is important to note these properties are still considered to have heritage significance.
- Seek Council's agreement to progress the amendment by adopting the amendment with changes, and submitting the adopted amendment to the Minister for Planning for approval.

RECOMMENDATION:

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

That Council:

1. ***Considers the submissions to Planning Scheme Amendment C70 under section 22 of the Planning and Environment Act 1987;***
2. ***makes changes to the background documents in support of Amendment C70 and makes changes to the exhibited C70 Amendment documents to address matters raised in submissions (outlined in Attachment 1);***

3. ***Adopts Amendment C70 with changes in accordance with Section 29 of the Planning and Environment Act 1987;***
4. ***Submits the adopted Amendment C70 to the Minister for Planning for approval under s35 of the Planning and Environment Act 1987***
5. ***Notifies all submitters to this amendment, and land owners affected by this amendment, of Councils decision.***

Carried

Background

Heritage Review, 2015

The *Heritage Review, 2015* (the Review) provided the catalyst for Amendment C70. The Review evaluated a large number of properties first identified as having heritage significance in the Rural City of Wangaratta Heritage Study, 2004. The Review examined 116 properties however during the consultation some were removed because they no longer met the threshold for significance, had been demolished or were merged from multiple citations/statements of cultural significance to a single citation/statement of cultural significance. The Review updated property information, so that it complies with current heritage regulations, and implements recommendations for protecting heritage places.

Council adopted the Review, and agreed to commence a planning scheme amendment to implement the recommendations at its 17 November, 2015 Ordinary Meeting.

Amendment C70

Amendment C70 proposes to implement the recommendations of the Heritage Review, November 2015. It does this by *applying* the Heritage Overlay to 110 properties across the municipality. It also proposes to *delete* HO123 a redundant provision (heritage property has been demolished) at the request of a private proponent. It further proposes associated *corrections* to the Wangaratta Planning Scheme. The corrections include reordering of the Schedule to Clause 43.01 Heritage Overlay, amending the Schedule to Clause 61.03 to reflect correct maps and amending Planning Scheme Map Nos. 44HO and 45HO that were incorrectly excluded from Amendment C43 due to an administrative error. The Amendment also *revises* the incorporated document *Heritage Overlay Permit Exemptions Incorporated Plan*.

Amendment C70 was authorised by the Minister for Planning (8 January, 2015) for exhibition, which occurred from 18 February, 2016 – 24 March 2016.

Discussion:

Submissions to the Amendment:

Prior to the exhibition period, 112 individual property owners and occupiers (110 owners and occupiers with controls being introduced, 1 deleted and 1 amended), relevant authorities and Committees of Management were directly notified by letter. A Frequently Asked Questions sheet and an Amendment Submission Form were included in the notice. The notice appeared in the Wangaratta Chronicle on the 12, 19 and 26 February 2016, and a notice appeared in the Victorian Government Gazette 18 February, 2016. During the exhibition period (10) ten formal submissions were received.

Of the submissions:

- (5) Five supported the amendment (or had no objections to the amendment)
- (1) One supported the amendment subject to a minor change
- (2) Two requested changes to the amendment (and change to the background documents to the amendment).
- (1) One requested changes to the background documents to the amendment (but did not provide any comments on the amendment).
- (1) One objecting to the amendment being applied to their individual property

The breakdown of the submissions is as follows:

- (5) Five submissions were received from authorities (Goulburn Murray Water, Vic Roads, Department of Environment, Land, Water and Planning and National Trust Australia (Victoria))
- (4) Four submissions were received from individual land owners/occupiers and community members
- (1) One submission was received from another party (the Committee of Management of the Everton Hall)

A *summary* of the matters raised in submissions and other enquiries, and how they will be addressed can be found in Attachment 1.

Post Exhibition Changes to Amendment C70:

Formal submissions and enquiries resulted in changes to the amendment. These changes are summarised as:

- Changes to the background documents (The Heritage Review, 2015, including the maps and citations/statements of cultural significance).
- Changes to the exhibited amendment documents:
 - o Municipal Strategic Statement and Local Planning Policy
 - o Schedule to the Heritage Overlay
 - o Maps
 - o Heritage Overlay Permit Exemptions Incorporated Plan.

A *summary* of the submissions and an outline of the recommended changes to the amendment can be found in Attachment 1.

As part of the exhibition process, notification was sent to an incorrect property in Eldorado due to an error with the street addressing. As a consequence, the owners of the property to be affected by the Heritage Overlay did not receive notification during the formal exhibition period. It is proposed to remove this

property (HO229) from the amendment due to a lack of due process, and include it in a future heritage amendment.

Heritage Overlay Permit Exemptions Incorporated Plan (Incorporated Plan):

Changes to the Incorporated Plan were exhibited as part of this amendment. A workshop was held with Council's Planning Team to discuss the proposed changes. The workshop identified further changes to the Incorporated Plan that could be made to make the plan easier to understand. These changes are considered to make the document more user friendly by grouping permit exemptions within each zone by the level of significance of the heritage place. The changes are not considered to impose any additional burden and are described in Attachment 1.

Objecting Submission

One submission objected to the application of the Heritage Overlay to an individual property on the grounds of financial impact, unsubstantiated heritage value and the arbitrary application of the overlay (ie. no study has been undertaken to confirm validity). This submission relates to proposed HO222 – Elmwood, Tarrawingee. It is proposed to remove this place from this amendment to negotiate the matters raised in this submission. This property will be reconsidered as part of a future heritage amendment. Council is anticipating commencing a heritage amendment addressing other heritage properties during 2016-17.

The two properties proposed to be removed from this amendment are being removed for procedural reasons. They are considered to be of heritage significance and are to be included in a future amendment.

The chart below illustrates the key steps in the amendment process. The orange steps indicate the progress of the amendment to date, and the blue steps indicate the final steps in the amendment process. By agreeing to the post exhibition changes summarised in this report and described in Attachment 1, the matters raised by submitters are considered to be addressed. In circumstances where all matters are addressed, Council is able to adopt the amendment without the need for a Planning Panel.



Implications

Policy Considerations

The *Heritage Act 1995* and the *Aboriginal Heritage Act 2006* provide the legislative context for this amendment. The Wangaratta Planning Scheme provides the statutory framework to consider heritage matters.

C70 is supported by the State Planning Policy Framework (SPPF) and Municipal Strategic Statement (MSS) of the Wangaratta Planning Scheme. Both support identification and conservation of heritage places through application of the Heritage Overlay to places of local significance.

Clause 15.03 *Heritage Conservation* provides for conservation of heritage places based on aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.

Clause 22.06 *Environmental Management and Heritage* supports this work by using the available planning tools to encourage the conservation of heritage places.

This amendment furthers other heritage projects completed including the Rural City of Wangaratta Heritage Study 2004, (which provides the foundations for protecting heritage places within the municipality), and Amendments C43 and C44 which applied the Heritage Overlay to rural properties and made refinements to existing urban precincts and properties.

Financial/Economic Implications

Financial Impacts:

This amendment is funded by Council under the Strategic Planning 2015-2016 budget.

Costs directly attributed to this proposal are the responsibility of Council. The main costs associated with planning scheme amendments are identified as:

- Running a Planning Panel including expert Heritage input (costs TBA). To provide an indicative cost estimate, a Panel hearing running 2 days and heard by 1 member may cost around \$8-10,000 (A Planning Panel is not required for this amendment based on the changes recommended);
- Statutory amendment fees associated with processing a planning scheme amendment (a cost of approximately \$2,200).

Economic Impacts:

The economic implications (to the greater community) are considered to be positive. Council has a number of mechanisms in place to assist land owners affected by the Heritage Overlay. These mechanisms help reduce the individual financial burden and provide an overall economic benefit. These mechanisms include:

- Exempting minor development from permit requirements in accordance with the 'Heritage Overlay Permit Exemptions Incorporated Plan, 2015'
- Providing affected land owners with free heritage advice (provided by Councils Heritage Advisor).

- Adaptive re-use of a number of listed places provides opportunity for commercial/tourist uses that may not otherwise be allowed under the current zone, applied using the schedule to the HO.

Legal/Statutory

It is a statutory role of Council to identify and protect places of local heritage significance, by applying the Heritage Overlay.

The amendment process enforces statutory timelines. Council has an obligation to consider submissions and formally make a resolution about how to progress the amendment.

Social

This amendment provides social benefit for the greater community. The amendment recognises people, places and events that contribute to the evolution of Wangaratta and surrounding rural places, and provides a physical link to those places for future generations.

Environmental/Sustainability Impacts

This amendment allows for the adaptive reuse of many buildings. This promotes re-using existing building materials and infrastructure, and reducing demand for new materials, and minimising impacts of sprawl.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

We will plan and make decisions for the future: requires completion

by updating the Planning Scheme and the Municipal Strategic Statement by developing new and reviewing

The non-negotiables requires completion

The provision of high quality and diverse community and professional arts, cultural and heritage projects and

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

This review is consistent with the 2030 Community Vision particularly '*preserving and celebrating cultural icons*'.

b) Other strategic links

Hume Regional Growth Plan, 2014 – The amendment is consistent with the direction to maintain and enhance cultural heritage assets contained within the Hume Regional Growth Plan, 2014.

Risk Management

A risk assessment has been completed for this project.

The key risks are:

- Property owners are unhappy with the application of heritage controls on their properties (for a variety of different reasons)
- Potential loss of buildings, (due to having identified the buildings but not having relevant protection for use/development/demolition) until the introduction and gazette of permanent planning controls

The risks associated with this amendment are considered to be minor and have been minimised through consultation and educating the community about the common myths often associated with heritage controls. Processing the amendment in a timely manner will minimise the loss of any buildings in the interim.

Consultation/Communication

Information about Consultation and Communication has been discussed in the “**Discussion**” section of this report.

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	<i>We will keep you informed</i>	<ul style="list-style-type: none"> • Notice in a local newspaper • Notice in the Victorian Government Gazette • Written notification to prescribed Ministers, agencies, community groups and affected land owners and occupiers
Consult	<i>We will keep you informed, listen to you and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on Drafts and proposals.</i>	<ul style="list-style-type: none"> • Obtain public feedback on the amendment, change final documents accordingly. <p>This has resulted in 6 to this amendment.</p>
Involve	N/A	N/A

Collaborate	N/A	N/A
Empower	N/A	N/A

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

Options for Consideration

Option 1 (Recommended)

Make changes to the exhibited amendment to address submissions and enquiries to the amendment, adopt the amendment, and submit to the Minister for Planning for approval.

This demonstrates Council has considered the submissions, responded to matters raised during the exhibition process. Finalising the amendment will complete the implementation of the Review.

Option 2 (Not recommended)

Adopt the amendment, without change. This does not address the matters raised by submissions, and is contrary to the reason for seeking feedback.

Option 3 (Not recommended)

Abandon the amendment. This is not recommended as it fails to implement a significant, Council funded strategic project. Abandoning the amendment will also result in an environment of uncertainty in planning decision making, investment and may leave heritage properties vulnerable to demolition without proper consideration of their value to the community, the built environment, the local economy and tourism.

Conclusion

Amendment C70 has been progressed to the final stages of the amendment process. The amendment implements the recommendations of the Review. This amendment uses the right policy tools to provide recognition and protection of local heritage places. Substantial consultation has occurred with the community and resulted in a low number of submissions. Changes to the final documents will address the outstanding submissions, whilst providing protection for places of local heritage significance

It is recommended Council adopt amendment with changes, and submit to the Minister for Planning for Final Approval.

Attachments

- 1 Attachment 1 - Submission and Enquiry Summary

16.2 WALDARA LOW DENSITY RESIDENTIAL PRECINCT - ENDORSEMENT OF BACKGROUND REPORT MARCH 2016

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 2016
Author: Coordinator Strategic Planning
File Name: Wangaratta Planning Scheme Amendment C61
Waldara Low Density Precinct Permanent Controls
File No: 73.030.076

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 formally endorse the *Waldara Low Density Residential Precinct Background Report, March 2016* (the Report). The Report has been prepared to provide context, strategic justification and key directions for the future growth and development of the Waldara Low Density Residential Precinct (the Waldara Precinct).

It is proposed to introduce the Report into the Wangaratta Planning Scheme as a 'reference document' through Amendment C61. This means consideration must be given to the contents of the Report when considering planning permit applications for subdivision in the Waldara Precinct. Amendment C61 proposes a suite of planning controls to guide future growth in the Waldara Precinct.

Amendment C61 has received conditional authorisation from the Department of Environment, Land, Water and Planning (DELWP) to proceed to exhibition. The formal endorsement of the Background Report by Council is a condition of the authorisation.

RECOMMENDATION:

(Moved: Administrator I Grant/Administrator R Roscholler)

That Council:

- 1. endorses the Waldara Low Density Residential Precinct Background Report, March 2016 (the Report) as the strategic basis for preparation of Amendment C61 to the Wangaratta Planning Scheme;***
- 2. supports the inclusion of the Report as a reference document in the Wangaratta Planning Scheme through Amendment C61.***

Carried

Background

Purpose of Report

At its Ordinary Meeting of June 2014, Council considered a report advising of the ongoing problems with stormwater drainage and changes to planning controls that were causing development pressure in the Waldara Precinct. Council resolved to prepare a Development Plan to apply to the Precinct 'to control the future subdivision pattern and provision of infrastructure'.

Since that time, much background work has been done to design a suitable stormwater drainage strategy for the Precinct that will be both effective and acceptable to the North East Catchment Management Authority (NECMA) due to the presence of a designated waterway. A Strategic Drainage Plan has been prepared by Council to the satisfaction of NECMA and is attached within the Report (**refer to Attachment 1**). Some key directions from the Strategy are contained within the proposed Development Plan for the Precinct.

Current challenges facing the Waldara Precinct, as identified and discussed within the Report, include the existing subdivision pattern, the reticulated sewerage network, localised stormwater flooding, the movement network and retention of native vegetation. Changes to State-wide planning legislation now allow subdivision of lots down to 2,000sqm in areas zoned for Low Density Residential development. This has put increasing pressure on existing issues within the Waldara Precinct.

The Report identifies some possible solutions to these issues through a series of recommendations and a subsequent suite of planning tools. The Report, in essence, sets out the strategic basis for Amendment C61. The primary aim of the amendment is to protect the existing neighbourhood character and amenity of the Waldara Estate, whilst providing adequate road and drainage infrastructure and clarity to cater for opportunities for modest growth.

The suite of planning tools identified in the Report are:

1. A Precinct Development Plan: to show the Waldara Estate in plan form with a proposed future movement network, key land uses, stormwater drainage infrastructure and neighbourhood areas.
2. A Schedule to the Low Density Residential Zone: to identify neighbourhood areas and prescribe a minimum subdivision lot size for each.
3. A Design and Development Overlay: to set out design objectives for future development within the Estate with minimum standards and requirements for neighbourhood character, road access, drainage infrastructure and native vegetation supported by the Precinct Development Plan.

Status as a Reference Document

In addition to these specific controls, it is proposed to make the Background Report a 'reference document' within the Wangaratta Planning Scheme. In order to be a reference document, the Report requires endorsement by Council.

Reference documents 'provide background information to assist in understanding the context within which a particular policy or provision has been framed'

(*DELWP Planning Practice Note 13: Incorporated and Reference Documents*). In this case, the Report will be referenced in the Design and Development Overlay in the 'Decision Guidelines' section; and formally identified as a reference document at Clause 21.12 of the Municipal Strategic Statement.

A reference document does not have the same statutory weight as an Incorporated Document. This is not considered an issue, however as the main recommendations from the Report are encapsulated within planning scheme controls. This is the better outcome, rather than having controls hidden away in an Incorporated Document. Revisions can be made to the Report without the need for a planning scheme amendment (unlike an Incorporated Document that requires a full planning scheme amendment in order to be revised).

Implications

Policy Considerations

Strategic directions in Council's *Population and Housing Strategy 2013* acknowledge that existing land zoned for low density residential purposes around Wangaratta City should be used to accommodate demand until 2013, including encouraging the subdivision of larger low density residential allotments. The promotion of further subdivision in the Low Density Residential Zone should be informed by an integrated approach, having regard to infrastructure, drainage, neighbourhood character and traffic issues.

Financial/Economic Implications

Possible future costs will include Planning Panel fees, should the amendment proceed to Panel; and \$798.00 for approval of the amendment by the Minister for Planning. It is proposed to fund these fees from the planning scheme amendments operational budget.

Legal/Statutory

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

Social

The Report seeks to balance the aspirations of residents in the Waldara Estate with a clear direction to accommodate further growth within the area. The Report sets out recommendations that require consideration of neighbourhood character as part of any assessment of new subdivision in the Estate. This will ensure that existing elements that make Waldara an attractive place to live are identified, and protected. This is considered a positive social outcome for residents of the Waldara area.

Environmental/Sustainability Impacts

The Report identifies stormwater management and retention of native vegetation as issues within the Estate. The Report recommends improvements to the

stormwater drainage system, which will result in better quality water entering the Ovens River system, as well as reducing nuisance flooding within the Estate. The protection of native vegetation through appropriate subdivision design will also have a positive impact on ecological values within the Estate.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We will plan and make decisions for the future: To be completed

by updating the Planning Scheme and the Municipal Strategic Statement by developing new and reviewing

that develop options for overcoming drainage deficiencies within rural and urban areas.

The non-negotiables to be completed

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

Quality and sustainable drainage development and maintenance.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

This proposal will support the desired outcomes of Strategy 1 of the Community Vision, including:

- *Housing growth has been gradual, well-planned and matched by the extension of infrastructure and services.*

b) Other strategic links

N/A

Risk Management

If Council does not endorse the Background Report, there are two possible consequences, being:

1. DELWP may not let Council proceed to exhibit Amendment C61; or
2. Council may need to redraft the amendment controls to remove reference to the Background Report.

Neither outcome is desirable and both can be avoided by endorsing the Background Report as recommended.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will keep you informed.	Planned presentation to residents of Waldara Estate prior to formal exhibition of Amendment C61.
Consult	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	Formal exhibition of Amendment C61 will include letters to residents and agencies, receiving and responding to submissions.
Involve	N/A	N/A
Collaborate	N/A	N/A
Empower	N/A	N/A

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

Options for Consideration

1. Do not endorse the Waldara Low Density Residential Precinct Background Report, March 2016 as a reference document to support Amendment C61 to the Wangaratta Planning Scheme. By not endorsing the Report, the conditional authorisation from the Minister for Planning to proceed with Amendment C61 will be placed in jeopardy. The Report forms an important part of the suite of planning tools to assist the future development of the Waldara Estate. Failure to endorse the Report will undermine the effectiveness of the planning controls. (Not recommended)
2. Endorse the Waldara Low Density Residential Precinct Background Report, March 2016 as a reference document to support Amendment C61 to the Wangaratta Planning Scheme. Endorsement of this Report by Council will assist Council to meet conditions of authorisation to proceed with Amendment C61. Endorsement of the Report as a reference document will ensure its appropriate status within the suite of planning tools that have been developed to guide the future growth of the Waldara Estate. (Recommended)

Conclusion

The *Waldara Low Density Residential Precinct Background Report, March 2016* has been prepared to provide context, strategic justification and key directions for the future growth and development of the Waldara Low Density Residential Precinct.

It is proposed to introduce the Report into the Wangaratta Planning Scheme as a 'reference document' through Amendment C61. This means consideration must be given to the contents of the Report when considering planning permit applications in the Waldara Precinct.

Amendment C61 has received conditional authorisation from the Department of Environment, Land, Water and Planning (DELWP) to proceed to exhibition. The formal endorsement of the Background Report by Council is a condition of the authorisation.

Attachments

- 1 FINAL WALDARA LDRZ BACKGROUND REPORT MARCH 2016

16.3 ECONOMIC DEVELOPMENT AND TOURISM STRATEGY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 2016
Author: Manager - Economic Development and Tourism
File Name: Regional Economic Development
File No: 25.010.007

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 seek adoption of the Economic Development & Tourism Strategy 2015 - 2017 for the Rural City of Wangaratta. This document has been prepared following a detailed review of the existing strategy, consultation with key stakeholders and consideration of a changing market environment. Consideration was given to producing a longer term strategy however with Council elections due in 2016 it was decided to produce a two year strategy, as this allows any new Council time to assess its priorities for economic development and Tourism.

RECOMMENDATION:

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

That Council:

- 1. Places the draft the Economic Development and Tourism Strategy 2015 – 2017 on public exhibition.***
- 2. Makes a copy of the draft document available at Council's offices and on Council's website.***

Carried

Background

The existing Economic Development and Tourism Strategy was due for review 30 June 2015 and the Economic Development and Tourism Unit has undertaken significant business and industry consultation to develop this updated strategy. The strategy considers all aspects of economic generation in the municipality including, but not limited to, health and allied industries, hospitality, retail, tourism, manufacturing and agribusiness. Feedback received from the consultation processes highlighted areas of focus being employment generation and youth retention.

As part of the overall strategy an Investment Attraction Action plan has also been developed to provide direction for investment attraction activities for the coming

year. Investment attraction is an important element in job creation, providing employment opportunities in the region, and assisting with youth retention. Targeted investment attraction also has the potential to improve existing, and develop new supply chains, adding value for local businesses.

Implications

Policy Considerations

The existing Economic Development and Tourism Strategy was due for review 30 June 2015.

Financial/Economic Implications

The strategy has been developed in-house and in accordance with the budget allocation for the Economic Development and Tourism Unit. The strategy aims to improve economic outcomes for local business and to attract investment to the region.

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 Growing

We will research and advocate:

to encourage development of the former Ovens College Site that has a strong community benefit.

to advance regional agricultural opportunities.

We will create and deliver:

tourism products and experiences that attract visitors.

We will plan and make decisions for the future:

that provide assistance to local manufacturers and help our existing industry sectors grow, innovate, and employ more people.

We will focus on our business:

ensuring our workforce systems and processes are efficient and effective.

The non-negotiables

Our economy is diverse and strong – providing our residents with a range of employment and lifestyle opportunities.

Our rural community is supported and recognised as a significant contributor to the economic and social character of the municipality.

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
Strategy not adopted	L	H	M	Ensure Council reviews and adopts strategy

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Make adopted strategy available to the public	Strategy on Council's Website Strategy available for inspection at Wangaratta Government Centre

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

Conclusion

The new Economic Development and Tourism Strategy is the result of input from staff and extensive business and industry consultation. Having considered the

outcome of the detailed review of the existing strategy, consultation and key stakeholder feedback a revised document has been developed that addresses the focus areas for the coming year. Noting that the economic climate is an ever-changing area that needs to be monitored and, as such, any strategy should be able to adapt to provide for the long term sustainability of the municipality and its greater business community.

Attachments

- 1 ECONOMIC DEVELOPMENT AND TOURISM STRATEGY 2016 - 2018

Questions

Delia Jackson – Whitfield

The local tourism operators were involved once last year. Could the Tourism Operators be involved?

Ailsa Fox, Chair Administrator replied the strategy is being placed on public exhibition for comment. This provides you with opportunity to make submissions.

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

18.1 ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 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. Place Naming Committee held a meeting on 17 February 2016.
2. Audit Advisory Committee held a meeting on 29 February 2016.

RECOMMENDATION:

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

That Council notes these minutes.

Carried

Attachments

- 1 ATTACHMENT - PLACE NAMING COMMITTEE MINUTES
- 2 ATTACHMENT - AUDIT ADVISORY COMMITTEE MINUTES

19. RECORDS OF ASSEMBLIES OF ADMINISTRATORS

19.1 RECORDS OF ASSEMBLIES OF ADMINISTRATORS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 April 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
08/03/2016	Administrators Briefing Forum	Attachment
22/03/2016	Administrators Briefing Forum	Attachment
16/02/2016	Briefing Prior to Ordinary Council Meeting	Attachment
15/03/2016	Briefing Prior to Ordinary Council Meeting	Attachment
22/03/2016	Briefing Prior to Special Council Meeting	Attachment
04/04/2016	Briefing Prior to Confidential Meeting	Attachment

RECOMMENDATION:

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

That Council receives the reports of Assemblies of Administrators.

Carried

Attachments

- 1 ATTACHMENT - ASSEMBLY OF ADMINISTRATORS BRIEFING FORUM
- 2 ATTACHMENT - ASSEMBLY OF ADMINISTRATORS COUNCIL MEETING BRIEFINGS - 4

20. NOTICES OF MOTION

Nil

21. URGENT BUSINESS**22. PUBLIC QUESTION TIME****Ken Clarke – Wangaratta**

Is the Toilet in Lowe Court still going ahead?

Alan Clark, Director Infrastructure replied that there had been a meeting last week and the construction will commence in the coming weeks.

Luke Davies – Wangaratta

I would like to point out that the minutes for the special meeting 22/03/2016 to approve the CBD Masterplan are in some areas not entirely accurate. I was at this meeting and was wondering are these meetings being recorded with a recording device? Perhaps this is something council should investigate.

Ailsa Fox, Chair Administrator replied, we were hoping Luke would be here to clarify further on his question.

Brendan McGrath, Chief Executive Officer replied, we do have a minute taker and a recording is taken for accuracy purposes. We do not transcribe questions literally but provide an overview of the dialogue that highlights the most important components.

Russell Bird – Whitfield

In previous Agendas the figures for 2014 have been presented for the Whitfield Transfer Station; I would like to request the figures since September 2015 since our Garbage Collection system changed. While acknowledging costs have increased, I thought the increased patronage would have been reflected positively in the income. I would also like to see included a breakdown of the actual usage (including "free" deposits).

Also what changes will be made to Moyhu Transfer Station to adequately cope with the increased patronage? ; and will there be scope for an extension to the hours , provided patronage is sufficient?

Alan Clark, Director Infrastructure provided statistics on income, usage and expenditure for 2014/15 and 2015/16. Recycling levels had remained mostly the same. He noted that there had been an increase in tonnage, however this was most likely due to increases in usage by commercial businesses. This would most likely decline with the introduction of the weekly opt in service.

Harry Bussell – Carboor

I was recently contacted by a resident of the South Ward regarding anti-social behaviour in the City of Wangaratta in the early hours of the morning around the main street and a 24 hour fast food venue. Are the Administrators and or CEO aware of this issue, and would they be prepared to do a walk through the city between 3am-6am one weekend morning with relevant authorities, including Victoria Police, to assess the magnitude of this issue?

Ailsa Fox, Chair Administrator replied, this is a policing issue and the concerned resident should contact the police. We work cooperatively with police which includes being on the Ice Task force.

Irene Grant, Administrator added that Council is involved in the liquor accord and the Dob in a Dealer initiative. It is difficult for Council to go into the enforcement area. Social behaviours are at play here and the solution involves a whole raft of measures. A whole of community approach to this problem will involve a range of community agencies.

Brian Jones – Wangaratta

How many employees on the outdoor crew are being made redundant?

Brendan McGrath, Chief Executive Officer replied Council is dealing with a changing landscape and is using its 'Our Future' program to meet the expectations of our rate payers. The Voluntary Redundancy Program resulted in 14 redundancies and these had been spread widely across the organisation.

Alan Clark, Director Infrastructure replied that the road maintenance crew currently has 19 and will remain at this number.

Brendan McGrath, Chief Executive Officer added that Council is dealing with a changing landscape and is using its 'Our Future' program to meet the expectations of our ratepayers. The Voluntary Redundancy Program resulted in 14 redundancies spread widely across the organisation.

Barbara Miller – Wangaratta

In response to the courtesy call to Jenny Hart on Friday 4th April. Will the Council extend the same courtesy regarding the contract price and contractor to the community in regards to the tender for the Yarrunga Pool?

Alan Clark, Director Infrastructure replied that the tender had been awarded to Bernie Leen Demolitions and the contract had been signed. The contract was awarded for the amount of \$171,072 including GST.

Brian Fox – Wangaratta

I wonder where the code of conduct policy came from. Surely not the Federal or State governments. The shenanigans that go on in those forums should not be followed. The Code should be extremely rubbery, so that Brendan and the new Mayor can make appropriate rulings. Previous councillors knew they couldn't be penalised.

Ailsa Fox, Chair Administrator replied the code has to be signed before the new Councillors can be sworn in. The Code is out for public comment and we encourage people to make submissions.

Brendan McGrath, Chief Executive Officer added that the code does come from a state government legislative requirement. Councils are at liberty to strike the code to suit their purposes. We have tried to strike a balance between flexibility and constraint.

Rodney Roscholler, Administrator replied that there was a time when there was no code and Councillors felt unrestrained. It is important that we have a code of conduct and Councillors know that there is a standard of behaviour.

Thomas Moritz – Rose River

What is the number of ratepayers in the vicinity of Moyhu that do not get a rubbish collection? The Whitfield and Moyhu transfer stations are very similar. Residents in this district, the Upper Rose and Lower Rose River use the Whitfield transfer station which is a 35Km trip. To go to Moyhu is 65Kms. Why was the decision made to close Whitfield and not Moyhu.?

Alan Clark, Director Infrastructure replied that the review of the transfer stations stemmed out of the Waste Strategy that recommended the analysis of the footprint of the Transfer Stations. Moyhu also serves in the opposite direction as well and is in a condition that requires less upgrades.

Thomas Moritz – Rose River

I'm not sure you answered my question. What is the number of ratepayers around Moyhu that don't have a rubbish collection?

Alan Clark, Director Infrastructure replied I am sure there would be some rate payers who don't have collections, however I don't have the exact number available here.

Ann Dunstan – Tarrawingee

I have requested figures on the operational costs of the splash park and provided my email address to you Alan at the last council meeting. As yet I have had no email sent to me with these figures.

Alan Clark, Director Infrastructure replied that he had supplied a hard copy of the figures and had no recollection of having an email supplied. We have operating figures and I would be happy to email these to you Ann.

Russell Bird – Whitfield

The Whitfield tip services one of the largest areas of any tip in the RCOW. We also have the largest number of non-serviced residents. Springhurst, Glenrowan and Boorhaman have minimal income. Moyhu has an extra \$66 per annum and makes a greater loss than Whitfield. There are people on the Tolmie road that take their rubbish to Whitfield I don't mind taking my rubbish to Wangaratta.

Over holiday periods I have a large demand for bins. My time to take rubbish to the tip is really stressing my business. There is a couple of hundred dollars difference in the loss between Whitfield and Moyhu. Do these figures include the people that don't pay?

Irene Grant, Administrator replied, that what has been forgotten is that the EPA requires Council to bring tips up to a certain standard. The actual ongoing running costs will continue to increase. Also the location of the Whitfield transfer station is in a forest which brings with it further issues.

Ailsa Fox, Chair Administrator added, the tip is required to be brought up to a higher standard which would be a large outlay. We have had one truck nearly tip over when using the premises.

Pam Deeker – Whitfield

I use the tip every fortnight for green waste, it used to be free. The road at the Whitfield road is a whole lot better than the roads on the way to the Moyhu transfer station. As for facilities, I saw a toilet there. If we have to go to Moyhu it is 28kms, so a 56kms round trip. Are you going to provide a sweetener to the people who have to make this trip, like vouchers?

Ailsa Fox, Chair Administrator replied please make a submission to the Waste Charge Policy. This will be the best way to get your concerns across.

Carl Doring – Whitlands

Living at Whitlands, I save my rubbish and take it to Whitfield every 2-3 months. Could you consider leaving the tip open for a reduced number of days in the month?

Ailsa Fox, Chair Administrator replied that I am hearing that there needs to be some provision made. The conditions of the EPA will apply whether the tip is open for one hour or one day. Please put your ideas forward to the Waste Charges policy. The cost of meeting EPA standards is far too much.

Carl Doring – Whitlands

What are the figures?

Alan Clark, Director Infrastructure replied the cost for OH&S is \$49,400. The reference to EPA is for rehabilitation and the costs will increase as requirements increase.

Carl Doring – Whitlands

Will there be a system of vouchers?

Ailsa Fox, Chair Administrator replied, please make a submission.

Jaime McLean – Cheshunt

Has council considered the rubbish that is going to end up dumped in the bush by people not willing to travel? How much money will council put aside for removing this rubbish?

Brendan McGrath, Chief Executive Officer replied that illegal dumping is often raised when discussing closure of transfer stations. It is not generally a widespread issue and we require local reporting to put preventative measures in place. Your assistance and the assistance of the community will be very helpful in alleviate this kind of behaviour.

Harry Bussell – Carboor

Would you consider live streaming of Council meetings?

Brendan McGrath, Chief Executive Officer replied, we have had a very brief discussion regarding live streaming and I am happy to commit to taking that discussion further. How this then works with Rural Meetings is another matter as often there is limited satellite coverage.

Ann Dunstan - Tarrawingee

In the Waste Management Policy P324, is it possible that the owner may be able to place their bins at the nearest cross roads for collection?

Brendan McGrath, Chief Executive Officer replied that this would be considered on a case-by-case basis. Some residents would live a long way from the nearest collection crossroads.

Ann Dunstan – Tarrawingee

Sometimes the decision should be based on the best value for the community.
(comment)

23. CONFIDENTIAL BUSINESS

Nil

24. CLOSURE OF MEETING

The Meeting closed at 7.47pm.