

Minutes

Of the Ordinary Council Meeting

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

Date: 19 July 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 Alisa Fox, Chair, Ms Irene Grant, Mr Rodney Roscholler

Officers:

Brendan McGrath - Chief Executive Officer, Ruth Kneebone - Director Corporate Services, Ken Parker – Acting 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

Nil

ORDER OF BUSINESS

6. CITIZENSHIP CEREMONY

Nil

7. CONFIRMATION OF MINUTES

RECOMMENDATION:

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

That Council read and confirm the Minutes of the Ordinary Meeting of 21 June 2016 as a true and accurate record of the proceedings of the meeting.

Carried

8. CONFLICT OF INTEREST DISCLOSURE

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

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

9. RECEPTION OF PETITIONS

10. HEARING OF DEPUTATIONS

PRESENTATION OF REPORTS

11. ADMINISTRATORS' REPORTS

Ailsa Fox - Chair Administrator

Last night was the last meeting of the High Country Library Corporation board held at Benalla last night. There may be a need for a teleconference to deal with issues of the wind down in the next two or three months. Wangaratta has completed the staff recruitment process, as has Alpine and Mansfield to staff the branches of the library, Benalla still has to complete that process.

I'd like to thank all of the staff of the High County Library for their professionalism and wisdom under difficult circumstances. The process has gone very smoothly and I'd like to thank the staff here, both Jaime and Penny. It hasn't been an easy process and has taken some time. Like most things in life there must be change and due to economic necessity we had to review the way the service operated. We will still be operating under a shared service model but structured in a different way, with Alpine Shire providing the hub service and the MoU for that service is in tonight's agenda.

I'd like to thank the previous members of Council who offered their services to the High Country Library Board and particularly to Michael O'Sullivan who was a community member representing the Rural City for many years.

RECOMMENDATION: *Administrator R Roscholler moved the following motion:*

That the order of business for the meeting proceed to item 14.1 for immediate consideration.

The motion was seconded by Administrator I Grant.

Carried

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

13. CORPORATE SERVICES

13.1 2016 COMMUNITY SATISFACTION SURVEY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Communications Officer
File Name: Community Satisfaction Survey 2016 Report RCoW summary
File No: 576794

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 a summary of the results of the 2016 Community Satisfaction Survey which was conducted between 1 February and 30 March 2016.

RECOMMENDATION:

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

That Council notes the results of the 2016 Community Satisfaction Survey.

Carried

Background

Each year Local Government Victoria (LGV) coordinates and auspices a state-wide Local Government Community Satisfaction Survey. JWS Research undertakes the survey. This coordinated approach allows for a far more cost effective survey than would be possible if councils commissioned surveys individually.

The main objectives of the survey are to assess the performance of Wangaratta Rural City Council over the previous 12 months, across a range of measures and to seek insight into ways to provide improved or more effective service delivery. The survey also provides councils with a means to fulfil some of their reporting requirements as well as acting as a feedback mechanism to LGV.

Implications

Performance across most core and individual service measures was stable, moving only a couple of points but not significantly between 2015 and 2016.

Core measures

Council's performance on core measures is in line with, or exceeds, average ratings for Large Rural councils on all measures, with the exception of **Community Consultation** where Council trails the Group average by three points. Council significantly exceeds average ratings for Large Rural councils on the measure of **Sealed Local Roads** (by a margin of 14 points).

Council's **Overall Performance** (55) is stable compared to 2015, which was a 10 point increase from 2014 but 11 points below Council's 2012 high score of 66.

The following table compares the results for core measures over time and against Large Rural Councils and State-wide results.

Core Measures – Index Score Results

Performance Measures	Wangaratta 2012	Wangaratta 2013	Wangaratta 2014	Wangaratta 2015	Wangaratta 2016	Large Rural 2016	State-wide 2016
OVERALL PERFORMANCE	66	64	45	55	55	54	59
COMMUNITY CONSULTATION (Community consultation and engagement)	58	56	48	49	49	52	54
ADVOCACY (Lobbying on behalf of the community)	56	58	45	51	48	50	53
MAKING COMMUNITY DECISIONS (Decisions made in the interest of the community)	n/a	n/a	n/a	49	48	50	54
SEALED LOCAL ROADS (Condition of sealed local roads)	n/a	n/a	n/a	57	58	44	54
CUSTOMER SERVICE	72	72	70	70	66	67	69
OVERALL COUNCIL DIRECTION	57	54	39	55	51	48	51

Individual service measures

JWS Research recommended Council should pay particular attention to issues where residents stated importance exceeds rated performance by 10 points or more:

- Maintenance of unsealed road (margin of 29 points)
- Parking facilities (margin of 22 points)
- Condition of local streets and footpaths (margin of 18 points)
- Waste Management (margin of 14 points)

- Business and community development and tourism (margin of 13 points)
- Traffic management (margin of 12 points)

The next two tables provide results over time for priority areas for performance and importance.

Performance Summary – Index Score Results

<i>2016 Priority Area Performance</i>		2015	2014	2013	2012
Appearance of public areas	75	76	75	77	78
Art centres & libraries	73	79	79	83	84
Community & cultural	70	72	71	74	73
Recreational facilities	69	69	72	76	76
Waste management	68	n/a	n/a	n/a	n/a
Environmental sustainability	66	64	64	67	66
Enforcement of local laws	64	67	65	71	73
Bus/community dev./tourism	62	63	59	68	69
Traffic management	61	62	60	65	61
Local streets & footpaths	60	60	57	59	61
Sealed roads	58	57	n/a	n/a	n/a
Parking facilities	52	58	51	53	51
Consultation & engagement	49	49	48	56	58
Unsealed roads	48	50	n/a	n/a	n/a
Lobbying	48	51	45	58	56
Community decisions	48	49	n/a	n/a	n/a

Importance summary – Index score results

<i>2016 Priority Area Importance</i>		2015	2014	2013	2012
Waste management	82	n/a	n/a	n/a	n/a
Local streets & footpaths	78	77	77	79	75
Unsealed roads	77	81	n/a	n/a	n/a
Bus/community dev./tourism	75	76	76	75	74
Appearance of public areas	75	74	75	76	71
Parking facilities	74	72	75	76	75
Environmental sustainability	73	72	70	73	70
Traffic management	73	72	71	73	72
Recreational facilities	72	74	74	75	73
Enforcement of local laws	70	71	70	73	71
Art centres & libraries	63	63	66	68	69
Community & cultural	63	64	64	65	64

Policy Considerations

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

Financial/Economic Implications

There is a financial cost to Council for undertaking this survey.

	2015/2016 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	\$10,500	11,364	\$864	
Net Result	\$10,500	11,364	\$864	

Legal/Statutory

The survey provides Council with a means to fulfil some of its statutory reporting requirements as well as acting as a feedback mechanism to LGV.

Social

Improved performance in all service areas can have positive social impacts; therefore it is important to have a mechanism to measure perceived performance. The survey provides this.

Environmental/Sustainability Impacts

Community satisfaction is vital for the long-term sustainability of the council.

2013 – 2017 Council Plan (2016 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Connected

We will plan and make decisions for the future:

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

completing Asset Management Plans to outline the key elements involved in managing Council assets.

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.

Our roads are planned to meet the current and future needs of our community and our industries.

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
Reputational	Likely	Moderate	High	Ensure improved performance

Consultation/Communication

The survey was conducted by Computer Assisted Telephone Interviewing as a representative random probability survey of residents aged 18+ years in Wangaratta Rural City Council.

A total of 400 completed interviews were achieved, with survey fieldwork being conducted in the period of 1 February – 30 March 2016. Minimum quotas of gender within age groups were applied during the fieldwork phase. Post survey weighting was then conducted to ensure accurate representation of the age and gender profile of the Rural City of Wangaratta.

Conclusion

Council has held its ground in most areas in 2016, after improved results in 2015 compared to 2014.

There is room for improvement, though it should be noted that Council faces many similar issues to other Large Rural Councils across the state.

Results of the survey show in many cases Council performed well in areas that are not given high importance by the community, like Arts centres and libraries, where the performance was rated 73 (2nd highest), but the importance was rated 63 (2nd lowest).

Council should pay attention to the five areas identified through the survey, where the community has rated something as carrying a high importance, but our performance is low.

Attachments

Nil.

Questions

Jim Lewis – Wangaratta

In the Community Satisfaction Survey one must assume, for example, that the 400 people simply did not say 61 for traffic management. Instead there are a series of questions that they would have been faced with, which explored the whole topic and produced the end result which is this scored result. I assume there were a whole lot of questions on the format, rather than just the answer. Assuming that there are questions, will individual officers and any groups working at or for council, have access to all of the survey as one source of community views? Or will it be limited to what we see tonight and what about the public?

***Ruth Kneebone, Director Corporate Services** replied that there is full report in regards to the Community Satisfaction Survey and we have summarised what we think are the important elements. The report is quite detailed and I don't think there is any reason why people couldn't have access to the report. It does give a detailed analysis and also statistical reasons why the sample size is chosen, which makes it an interesting read. We have picked the highlights out and included some of the tables and we will be happy to make that available.*

***Ailsa Fox, Chair Administrator** also replied that this document can be made available on the website for anyone who is interested.*

13.2 ADMINISTRATORS PROGRESS REPORT - JULY 2016

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Executive Assistant Corporate Services
File Name: N/A
File No: N/A

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

Executive Summary

This report is presented to Council to provide progress on the Administrators' achievements to date. The report highlights the key priority projects and issues that have been addressed during their term.

RECOMMENDATION:

(Moved: Administrator R Roscholler/Administrator I Grant)

That Council notes the Administrators Progress Report for July 2016.

Carried

Background

The Rural City of Wangaratta's Administrators were appointed in September 2013. Very early in their term they established a series of priority projects and issues to be resolved during their term. These projects were comprised of two groupings. One being essential decisions to be made during the Administrators' three year term, and a complimentary list that included issues for resolution that desirably would be dealt with during the period under administration.

2013 – 2017 Council Plan (2016 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Connected

We will create and deliver:

active conversations, exciting events and engaging spaces that allow everyone to join in and participate in all elements of community life.

We will plan and make decisions for the future:

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

We will focus on our business:

ensuring our workforce systems and processes are efficient and effective.

The non-negotiables

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

Conclusion

This report highlights the achievements of the Administrators since their appointment in 2013. A final progress report will also be presented in October 2016, prior to the election of a new Council.

Attachments

- 1 ADMINISTRATORS PROGRESS REPORT - JULY 2016

13.3 GOVERNANCE AND MEETING CONDUCT LOCAL LAW

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 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 clarify the adoption of the Governance and Meeting Conduct Local Law No.2 of 2016 (the Local Law) (***refer attachment***).

RECOMMENDATION:

(Moved: Administrator R Roscholler/Administrator I Grant)

That Council, in accordance with sections 111, 121 and 223 of the Local Government Act 1989:

- 1. signs and seals Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law (refer attachment) and authorises the Chief Executive Officer to give public notice of the making of the Local Law and publish a notice to that effect in the Victorian Government Gazette;***
- 2. forwards to the Minister for Local Government, the Hon. Natalie Hutchins MP, a copy of the Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law.***

Carried

Background

The adoption of the Local Law was considered at the Ordinary Meeting of Council held on 21 June 2016. The following motion was carried at that meeting:

That Council, in accordance with sections 111, 121 and 223 of the Local Government Act 1989:

- 1. considers submissions that have been received during the consultation period for Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law;***

2. *signs and seals Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law with or without amendment and authorises the Chief Executive Officer to give public notice of the making of the Local Law and publish a notice to that effect in the Victorian Government Gazette;*
3. *forwards to the Minister for Local Government, the Hon. Natalie Hutchins MP, a copy of the Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law.*

The term “*with or without amendment*” used in part 2 of the motion has cast some doubt on the version of the Local Law that was being made.

This report clarifies that the Local Law version that is to be signed and sealed and gazetted by Council is the version attached to this report. It was the version attached to the 21 June 2016 Council Meeting report and no change has been made to it.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Legal/Statutory

The procedure for making a Local Law is set out in section 119 of the *Local Government Act 1989* (the Act). The legally required procedure for making the Local Law has been followed.

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.

Consultation/Communication

A legally compliant community consultation process has been completed as described in the 21 June 2016 Council Meeting report dealing with this matter.

All of the submissions have been considered by Council at the 21 June 2016 Council Meeting.

Officers believe that appropriate consultation has occurred.

Conclusion

The attached Local Law No. 2 of 2016 – Governance and Meeting Conduct Local Law should be made.

Attachments

- 1 Governance and Meeting Conduct Local Law 2016

14. COMMUNITY WELLBEING

14.1 APPOINTMENT OF YOUTH COUNCIL 2016-17

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Youth Development Officer
File Name: Youth Council
File No: 10.020.010

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

Executive Summary

This report is presented to Council to seek endorsement of the selected nominees for membership of the Rural City of Wangaratta Youth Council 2016-17.

RECOMMENDATION:

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

That Council endorses the following people to represent their peers in the 2016/17 Youth Council program.

<i>Lily Day</i>	<i>Cathedral College</i>
<i>Jessica Lewis</i>	<i>Galen Catholic College</i>
<i>Darby Fullerton</i>	<i>Wangaratta High School</i>
<i>Elinor Howe</i>	<i>Wangaratta High School</i>
<i>Hannah Saverg</i>	<i>Galen Catholic College</i>
<i>Jessica Hordern</i>	<i>Wangaratta High School</i>
<i>Nathan Campbell</i>	<i>Wangaratta District Specialist School</i>
<i>Angel Makenham</i>	<i>Borinya Wangaratta Community Partnership</i>
<i>Joshua Bevacqua</i>	<i>Galen Catholic College</i>
<i>Jasmine Kinderis</i>	<i>Wangaratta High School</i>
<i>Jordyn Parker Richards</i>	<i>Wangaratta High School</i>
<i>Billie Taylor</i>	<i>Galen Catholic College</i>

Carried

Background

Nominations were recently invited for membership of the Rural City of Wangaratta Youth Council for the 2016/17 term. Nominations were sought from local secondary schools including:

- Wangaratta High School
- Galen Catholic College
- Cathedral College
- Borinya Wangaratta Community Partnership
- the Wangaratta District Specialist School

Nominations were also sought from local youth service providers.

There were also public advertisements posted on the Rural City of Wangaratta website and disseminated through Facebook, Twitter and other social media opportunities.

Twenty six nominations were received, including five from former Youth Councillors.

All nominees were required to submit a nomination form and attend an interview. All candidates were scored against set pre-established criteria.

Following interviews, a panel consisting of the Acting Manager - Community and Recreation, Youth Officer and current Youth Mayor finalised a list of preferred candidates giving consideration to the following factors:

- Scored criteria
- Broad cross section of schools represented
- Gender
- Suitability
- team fit and
- ability to represent their peers.

Referee checks have now been conducted.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Legal/Statutory

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

Social

The Youth Council provides a voice for young people to engage with Council and the community. Many activities and events undertaken by Youth Council connect with young people who otherwise may not have the opportunity to do so.

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 the right people to make sure that everyone feels safe in their homes, in their streets and in their communities.

We will create and deliver:

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

a focus on making it easy for people to volunteer in our community by connecting people, promoting

Opportunities and celebrating the brilliant contributions our volunteers make.

We will plan and make decisions for the future:

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

We will focus on our business:

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

The non-negotiables

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

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

Work with young people to further develop activities for youth.

b) Municipal Public Health & Wellbeing Plan 2013 - 2017

Continue to actively participate in networks and partnerships to increase and improve young people's access to community life.

c) Rural City of Wangaratta Youth Charter

Participation: Council will inform, consult and involve regularly with local young people to ensure that their ideas and concerns are considered when planning across all relevant areas of Council.

Options for Consideration

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

Conclusion

Through the Youth Council program, young people are given opportunities to:

1. Represent their peers
2. Become involved in community activities
3. Gain a wider understanding of community issues
4. Advocate for youth projects and programs
5. Enhance their leadership skills.

Attachments

Nil.

14.2 AGE FRIENDLY VICTORIA DECLARATION

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Community and Recreation Officer
File Name: Aged Care Issues
File No: 66.010.002

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

This report is presented to Council to seek endorsement for Council's support of the Victorian State Government initiative for an Age-Friendly Victoria Declaration to help address loneliness and social isolation experienced by Victorian Seniors. As part of its commitment, the Victorian Government has pledged to deliver \$2.2million over four years for age-friendly projects led by councils.

RECOMMENDATION:

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

That Council endorses and signs the Age-Friendly Victoria Declaration.

Carried

Background

The Age-Friendly Victoria Declaration provides a commitment from both local government and state government to work together in the creation of age-friendly communities. On the 14 April 2016 the Municipal Association of Victoria together with the State Government signed the declaration as a commitment to work together to:

1. Promote an age-friendly Victoria
2. Support state and local planning processes
3. Provide local government with access to advice, expertise and support
4. Empower and encourage seniors' involvement
5. Address issues listed in the World Health Organisation (WHO) Aged Friendly Cities Guide 2008
6. Value stakeholder engagement and collaboration

The age-friendly communities' direction has been influencing how government and communities embrace and support their older populations. Councils in Victoria are working with older people to improve local environments, facilities, infrastructure, supports and services to make them more age-friendly.

To date six Victorian Councils have declared their commitment to becoming age-friendly by joining the WHO Global Network of Age-Friendly Communities.

Implications

Policy Considerations

Council adopted in 2015 its Policy of Equity and Access for people with disabilities which includes older people with age related disabilities ie: physical, sensory, intellectual or mental illness due to the onset of age.

Financial/Economic Implications

Implementation of projects proposed from time to time which impact our ageing community will be subject to the availability of funding from a number of sources including:

- Relevant Council department budgets
- Partnerships with community groups and agencies
- Grants and sponsorships

Legal/Statutory

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

Social

The Rural City of Wangaratta has a commitment to all its people and the provision of services which are accessible to all members of its community.

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2016 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Healthy

We will research and advocate:

in partnership with the right people to make sure that everyone feels safe in their homes, in their streets and in their communities.

We will create and deliver:

active conversations, exciting events and engaging spaces that allow everyone to join in and participate in all elements of community life.

We will plan and make decisions for the future:

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

We will focus on our business:

reviewing service levels while balancing community expectations with available resources.

The non-negotiables

Our most vulnerable – including older people and people with a disability – can receive the services and support they need.

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

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

People of all ages, backgrounds and abilities are recognised for their important contributions to the community.

b) Other strategic links**Municipal Public Health & Wellbeing Plan 2013-2017**

4.1.1 Support a partnership approach to the implementation of strategic health and wellbeing priorities throughout the municipality

4.2.2 Continue to provide services that support a well-protected and healthy environment for community members

4.2.4 Ensure that planning for new and redeveloped community facilities incorporate Universal Design Principles

4.3.3 Provide the opportunity for everyone to participate fully and contribute to the social, economic and cultural life

4.5.2 Develop infrastructure, programs and resources that support and facilitate affordable active living

Risk Management

N/A

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Promote an aged friendly community	Website articles
Consult	Value stakeholder engagement and collaboration	Meetings Focus groups Surveys
Involve	Recognise the integral role of older people	Meetings Focus groups
Collaborate	Work in partnership with relevant stakeholders	Conferences Networks Policy information
Empower	Encourage senior's involvement	Develop model of localised seniors input

Officers believe that appropriate consultation has occurred across a number of different planning and activity based projects and the matter is now ready for Council consideration.

Conclusion

That Council endorse and sign the Age-Friendly Victoria Declaration

Attachments

- 1 Victorian Age Friendly Declaration

14.3 HIGH COUNTRY LIBRARY NETWORK - SIGNING OF SHARED SERVICE AGREEMENT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Executive Assistant Community Wellbeing
File Name: 21 DOCKER STREET WANGARATTA - HIGH COUNTRY LIBRARY
File No: 15919

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 recommends that Council sign a Shared Service Agreement with the High Country Library Network (comprising of Wangaratta, Benalla, Mansfield and Alpine municipalities) that will facilitate the commencement of a new library service arrangement from 1 August 2016.

RECOMMENDATION:

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

That Council:

- 1. endorses the shared Service Agreement with the High Country Library network; and***
- 2. authorises the Chief Executive Officer to sign the High Country Library Network Shared Service Agreement – July 2016.***

Carried

Background

The High Country Library Corporation was established in 1996 to provide library services over an area of 14,760 square kilometers and serving a population of over 61,000 in the Alpine Shire Council, Benalla Rural City Council, Mansfield Shire Council and Wangaratta Rural City Council.

Established under the provisions of the *Local Government Act 1989*, the Corporation was overseen by a Board with 2 representatives from each Council and managed by a Chief Executive Officer.

In January 2015, the Board resolved to conduct a full and comprehensive review of the service in order to:

- Improve the operational efficiency of the Corporation and its library sites,
- Minimise annual financial contributions from member Councils; whilst
- Maintaining or improving library services

The Consultant's report found that:

- The Service was highly valued by users
- There were pressures to contain costs
- There was a challenge in balancing strategic and operational issues
- Concerns that the service was expensive were unfounded
- Concerns that there was a cross subsidy from larger Councils was also unfounded
- There was evidence of multiple handling and overwork of processes and room for improvement
- Organisation tensions around delegation of responsibility and role clarity existed
- There was some strain in working relationship between HCLC and Councils
- Opportunities exist for strong partnering between Council services and the library service.

The final report recommended a shared service model which involved dis-establishing the Corporation and replacing it with a new collaborative service where 'spoke' libraries purchase services from a 'hub'. Branch staff would be employed by, and report to, their respective Councils. Central services such as SWIFT membership, book stock procurement, and collection management, would be purchased from the 'hub' library.

The Board appointed a Chief Executive Officer to continue to run the service whilst at the same time overseeing a smooth transition to the new model. Over the past six months a number of things have occurred.

Process Review

Staff have been involved in a review of processes and as a result a number of changes have been agreed which are designed to improve the operation in areas such as collection management, logistics, devolution of some tasks to branch level, purchase of equipment to provide better service to patrons.

Staffing

Councils will have responsibility for the operation of their branches and have reviewed how this may occur. Each has taken a slightly different approach in regard to where the service sits in their organisation, which is a legitimate thing to do. There have also been some changes to the nature of some roles within this.

Staffing levels in the branch network will be similar to those existing before the change.

The Headquarters operation has been reviewed and there has been some reduction in this area, primarily due to the fact that there will no longer be a CEO role because overall responsibility for library services will be undertaken by the relevant council manager. In addition support for information technology previously provided by Headquarters will now be provided by council staff.

Hub operation

To provide shared services across the region it has been agreed that a “hub” will be established in the former Myrtleford Council Chambers and will be operated by Alpine Shire Council under a Shared Service Agreement between all Councils. Services provided by the hub will include:

- Collection management
- Information Technology support, particularly for the Library Management System
- Managing collaboration between libraries in the Network
- Financial Management
- Reporting on aspects of library performance

Summary of outcomes of the change process

As a result of the change process the following has been achieved across the region:

- Staffing levels in branches will be similar to those previously existing in the corporation model
- Opening hours of branches will be largely the same
- Expenditure on library materials will be maintained in line with current levels
- Savings in the cost to the Councils of the central operation are in the order of 15% (no Corporation structure and CEO role, Councils will absorb information technology support, rental of premises and overhead costs reduced, no separate audit fee)
- Councils will need to fund copiers, printers, phones etc. previously paid for by the Corporation
- There will be improved opportunities for closer collaboration between libraries and other Council services and facilities.

Implications

Policy Considerations

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

Financial Implications

It is estimated that through the proposed High Country Library Shared Service Network that:

- Expenditure on library materials will be maintained in line with current levels
- Savings in the cost to the Councils of the central operation are in the order of 15% (no Corporation structure and CEO role, Councils will absorb information technology support, rental of premises and overhead costs reduced, no separate audit fee)
- With some of these savings Council will need to fund copiers, printers, phones etc previously paid for by Corporation

	2012/2013 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue /Income				
• Recurrent grants	(0)	(\$217,536)		State grants & income coming direct to RCOW Service fee and recharges from GOTAFE
• Donations	(0)	(\$4,800)		
• Fines	(0)	(\$14,000)		
• User fees	(\$49,833)	(\$140,714)	(\$90,811)	
Expense				
• Materials & Services	\$652,410	\$366,352	\$286,058	Previously part of council contribution
• Council Contribution	\$593,203	\$332,229	\$259,974	
• Employee benefits	Part of council contribution	\$450,577		Council to employ staff direct
Net Result	\$671,766	\$508,440	\$163,326	Savings in Hub, reduction in duplication of services.

Legal/Statutory

With shared services to be provided by Alpine Shire, discussions have been held between the four councils over recent months in order to develop a legal agreement which will govern how the new arrangements will operate.

Agreement has now been reached on the content of that document and it has been reviewed by legal advisers on behalf of the councils.

The Agreement includes:

1. Introduction
2. Membership
3. Structure of the Library Management Group which will be the key collaboration mechanism for the Councils
4. Information relating to how the Hub will operate and what services it will provide, how it will be staffed, what assets it will have
5. Provisions in relation to term of the agreement which will initially be for 12 months, with provision of an option to enter into a further 3 year term
6. Provisions that would normally be expected in such an agreement relating to Entry and Exit of Members, Dispute Resolution, Review of agreement and Variation
7. Provisions relating to Finances – Principles, Cost Attribution, Budget, Financial Reporting
8. Insurance
9. Service Delivery Principles and respective responsibilities of all members
10. Principles of Collection Management which will be supported by more detailed operational documents

Social

The introduction of a High Country Library Shared Service Network will provide many new opportunities for council and library services to enhance service delivery to the community.

The implementation of such a service will enable greater capacity for the library services and Council's Arts Culture and Events and other teams to work more collaboratively to cross promote and deliver an enhanced range of cultural, social and community events to residents of the Rural City of Wangaratta. Through this process a broader audience will be captured, exposing community members to new experiences which they may not have considered previously. The suite of resulting experiences will deliver and contribute to the community's overall health and wellbeing, increasing social connectedness which is vital to the fabric of our community.

Environmental/Sustainability Impacts

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

Economic Impacts

The annual cost for the network service (membership to 'the hub') for each Council is based on a cost attribution formula. That formula is determined by the percentage of population of each member council. At the commencement of this Agreement the member cost attribution is as follows:

Council	Population in 2016	% of Membership to the Network
Alpine Shire Council	11,881	20.00%
Benalla Rural City	13,647	23.00%
Mansfield Shire Council	7,893	13.00%
Wangaratta Rural City Council	26,815	44.00%
	60,236	100.00%

Contributions	Operating	Materials	Total
Alpine	73,626	77,387	151,013
Benalla	84,670	88,995	173,665
Mansfield	47,857	50,301	98,158
Wangaratta	161,978	170,251	332,229

2013 – 2017 Council Plan (2015 Revision)

Goal: We are healthy

We will create and deliver:

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

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.

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

We will plan and make decisions for the future:

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

Goal: We are Creative

We will create and deliver:

A range of events and cultural programs offered throughout the municipality that is exciting, enjoyable and inclusive.

We will plan and make decisions for the future:

that set the direction for the delivery of cultural services, facilities and programs by developing a Cultural Services Plan that is exciting and unique for our community.

that build a unique creative hub in the centre of the City through the delivery of the Wangaratta Cultural Precinct Plan – a plan that will focus on building exciting,

engaging and creative spaces, programs and opportunities for all our community members and visitors.

The non-negotiables

A range of events and cultural programs offered throughout the municipality that is exciting, enjoyable and inclusive.

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

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
Members of the network do not renew	Moderate	\$ value of shared costs increase		Service level agreement to be approved by all Councils before commencement. Agreement details dispute resolution exit and entry clauses.
Costs increase due to start up nature of activity	Likely	\$ value of shared costs increase		Quarterly financial reviews written into contract in order to minimise impact.
Staffing in Hub inadequate to deliver services agreed	Moderate	\$ value of shared costs increase		Service level agreement to be approved by all Councils before commencement. Agreement details dispute resolution exit and entry clauses.

Risks	Likelihood	Consequence	Rating	Mitigation Action
				Quarterly financial reviews written into contract in order to minimise impact.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	No reduction in service Improved integration with Council Improvement in financial results	Public meetings Media releases Staff meetings
Consult	No reduction in service Improved integration with Council Improvement in financial results	Staff meetings & briefing HCLC Staff Consultative Committee meetings Meetings with Friends of the Library
Involve	No reduction in service Improved integration with Council Improvement in financial results	HCLC staff have been involved, and driven, many of the process changes of the Hub Assistance from consultation to look at process review
Collaborate	No reduction in service Improved integration with Council Improvement in financial results	HCLC staff have been involved, and driven, many of the process changes of the Hub
Empower	No reduction in service Improved integration with Council Improvement in financial results	HCLC staff have been involved, and driven, many of the process changes of the Hub

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

Options for Consideration

That Council endorse and authorise the Chief Executive Officer to sign the High Country Library Network Shared Service Agreement July 2016.

Attachments

- 1 LIBRARY SHARED SERVICE AGREEMENT

Questions

Ailsa Fox, Chair Administrator commented that we were aware Luke Davies had submitted a question earlier in the day as he could not access the MoU for the Library agreement. However we believe he now has that document.

Irene Jacobson – Wangaratta

Yes that is correct. Perhaps on behalf of the Friends of the Library Action Group, I would like to thank you for making the service agreement available to us and the community.

15. INFRASTRUCTURE SERVICES

15.1 C1617-001 RESEALING OF VARIOUS STREETS WITHIN THE MUNICIPALITY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Executive Assistant - Infrastructure Services
File Name: C1617-001 Resealing of Various Roads within the Municipality
File No: 30.078.001

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 give details of the evaluation of the tender for the resealing of various roads within the municipality.

RECOMMENDATION:

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

That Council:

- 1. awards Contract C1617-001 for the Resealing of Various Roads within the Municipality to Primal Surfacing;***
- 2. authorises the Chief Executive Officer to sign and seal documents for Contract C1617-001 for the Resealing of Various Roads within the Municipality; and***
- 3. discloses the contract price for Contract C1617-001 for the Resealing of Various Roads within the Municipality.***

Carried

Ailsa Fox, Chair Administrator disclosed that the tender price for this item was \$608,000 which was the amount that was allocated in the budget for resealing.

Background

Tenders for the resealing of various roads within the municipality were invited through advertisements as follows:

Wangaratta Chronicle
Tenderlink

20 May 2016
20 May 2016

Tender closed at 2.00pm on Tuesday 16 June 2016.

There was no pre-tender meeting for this contract.

The tender evaluation panel comprised Council's Senior Engineer – Projects & Emergency Management, Manager – Waste & Contracts, Senior Contracts Officer and Project Engineer.

Tenders Received

Six tenders were received as follows:

Tenderer
Sprayline Pty Ltd
RE Civil Pty Ltd
Primal Surfacing
GW & BR Crameri Pty Ltd
Downer EDI Works
Boral Asphalt

To ensure a fair comparison of tendered prices, the bitumen application rates were standardised and the tendered prices adjusted to reflect this standardisation. All six tenders were deemed by the evaluation panel to be conforming in accordance with the Conditions of Tendering.

Tender Evaluation

The tender was evaluated in accordance with evaluation criteria set out in the Conditions of Tendering. The evaluation criteria are based upon a Weighted Attribution Method as follows:

Criteria	Description	Weighting
Tender Price	Total price of the work	50%
Capacity to carry out contract works	Contractors capacity to perform contract works and experience and past performance in previous similar works	40%
Materials	Selection of suitable materials and binder/aggregate rates	5%
OHS systems	Contractor's commitment to OHS	5%
	Total	100%

Panel members assigned a score (maximum 100) to each criterion (as shown below) and then weighted the average score to produce a final Weighted Attribution Method Score.

P	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
90	Excellent	Demonstrated capacity exceeds all required standards.
70	Good	Complies with all required standards and capacity demonstrated.
50	Satisfactory	Complies with relevant standards without qualifications.
30	Marginal	Complies with relevant standards with qualifications.
0	Unsatisfactory	Fails to satisfy required standards.

Evaluation Scores

The Weighted Attribution Method Score calculation is contained in the confidential attachment.

The summary of the scores obtained by this method are as follows:

Tenderer	Score
Sprayline Pty Ltd	60
RE Civil Pty Ltd	65
Primal Surfacing	66
GW & BR Cramer Pty Ltd	58
Downer EDI Works	56
Boral Asphalt	64

The higher value reflects the more favourable assessment. From this method of assessment, Primal Surfacing was deemed to be the preferred tenderer.

Implications

Policy Considerations

The resealing of roads in the municipality is programmed each year to ensure road pavements are kept within the intervention levels set in Council's Road Management Plan.

Financial/Economic Implications

The tender is based on a schedule of quantities and rates and the scope of works will be adjusted to meet the available budget of \$608,000 (excl GST).

Each item in the program is subject to contractor claims based on field measurement and final application rates.

Legal/Statutory

The Council has an obligation to maintain roads under the Road Management Act.

Social

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

Environmental/Sustainability Impacts

The programmed resealing of roads across the municipality lengthens its sustainability and is less impact on the environment than reconstruction of roads.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Connected

We will research and advocate:

for a local and regional transport system that is fast and reliable.
with regional partners to identify and address public and community transport gaps.

We will focus on our business:

developing and implementing management plans; incorporating rolling capital works and cyclic maintenance programs for Council's infrastructure.

The non-negotiables

There is appropriate infrastructure that enhances all townships and communities throughout the municipality.

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

N/A

b) Other strategic links

Rural City of Wangaratta Road Management Plan

Risk Management

Risk	Consequence	Likelihood	Risk Rating	Responsible Officer
Contractor unable to complete works	Program not completed (Moderate)	Unlikely	Medium	Project Manager
Works unsatisfactory	Program not completed (Minor)	Rare	Low	Project Manager
Traffic accident – loose stones	Death or injury (Catastrophic)	Unlikely	High	Contractor/Project Manager
Bleeding seal	Property damage – reputational (Minor)	Possible	Medium	Contractor
Injury to worker	Death or injury/WorkCover investigation (Catastrophic)	Possible	Extreme	Contractor
Traffic Management	Death/injury/property damage/Workcover investigation (Catastrophic)	Possible	Extreme	Contractor

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Prior advance notification before commencement of works	Letter drop/door knock Website and media advice

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

Conclusion

The tender submitted by Primal Surfacing scored highest under the Weighted Attribution Method and is therefore the preferred tenderer.

The tender of quantities and rates submitted by Primal Surfacing is considered to offer the best value of all bids submitted.

Attachments

- 1 C1617-001 Resealing of various roads Evaluation - Confidential

15.2 ROAD AND BRIDGES NAMING PROPOSAL - BULLAWAH CULTURAL TRAIL

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 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 proceed to formally name the roadway at the river end of Ovens Street to Sydney Beaches and the 2 suspension bridges, as proposed by the Bullawah Indigenous Cultural Trail Project Committee and local Elders.

RECOMMENDATION:

(Moved: Administrator I Grant/Administrator R Roscholler)

That Council formally names the:

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

Carried

Background

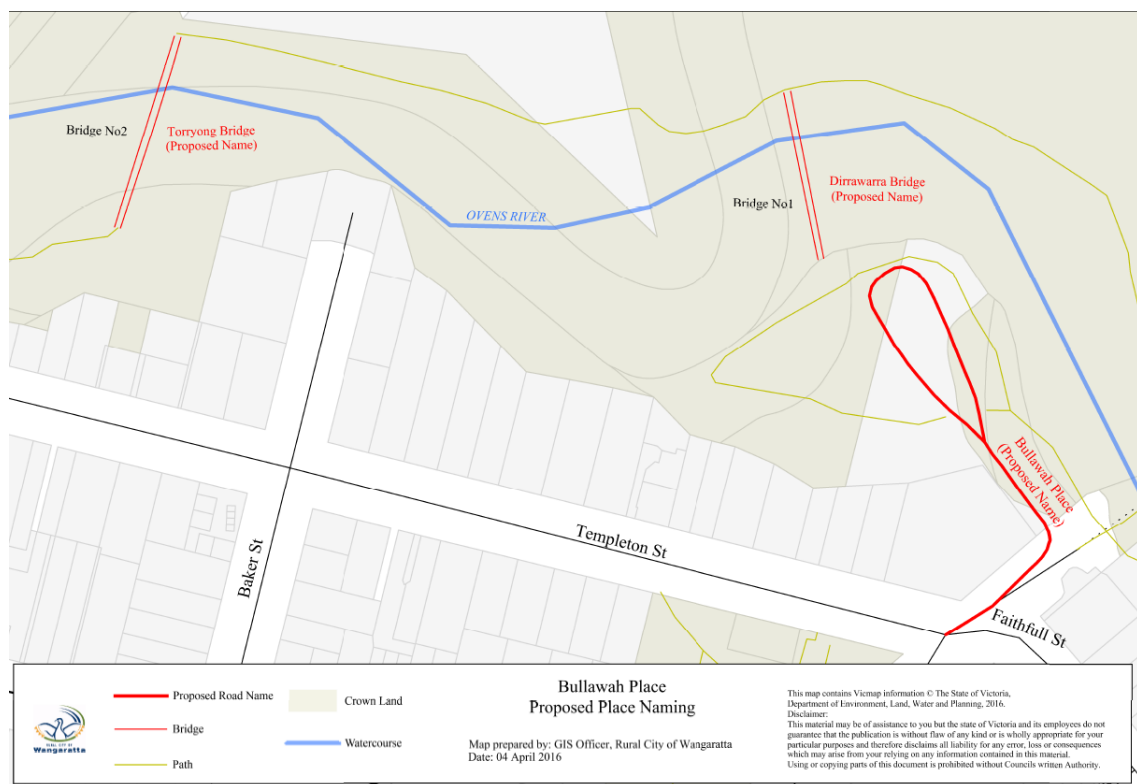
Council’s Place Naming Committee received a proposal for naming from the Bullawah Indigenous Cultural Trail Project Committee and local Elders dated 28 January 2016 seeking consideration of indigenous names, as follows:

Bullawah Place	<p>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.</p> <p>Bullawah Place acknowledges the importance of the Indigenous use of the river and reinforces the ethos of reconciliation that is behind this important</p>	Roadway
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	project.	
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. Refer location map below.



Council at its meeting held on 19 April 2016 resolved to advertise its intention to name the roadway and 2 suspension bridges as per the above proposals.

No submissions were received on proposals and therefore the proposals are presented to Council for approval.

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

Enhancing cultural diversity and local history through partnerships with the Rural City of Wangaratta's indigenous community.

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 proposals were advertised in the Wangaratta Chronicle on 22 and 29 April 2016 and on Council's website. Submissions on the naming proposals were also sought from referral authorities including emergency services. Feedback was also sought from the Yorta Yorta Nation (registered aboriginal party for this area). Submissions closed on Friday 20 May 2016.

Conclusion

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

Attachments

Nil

15.3 TREE MANAGEMENT STRATEGY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Executive Assistant - Infrastructure Services
File Name: Trees
File No: 78.025.002

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

This report is presented to Council to approve placing the draft Tree Management Strategy 2016 on public exhibition seeking feedback from the community on how Council proposes to manage its tree assets now and into the future.

RECOMMENDATION:

(Moved: Administrator I Grant/Administrator R Roscholler)

That Council:

- 1. places the draft Tree Management Strategy 2016 on public exhibition, seeking submissions from the community until close of business Friday 19 August 2016; and***
- 2. considers any submissions in a report to Council at its meeting on 13 September 2016.***

Carried

Background

The purpose of the Tree Management Strategy is to provide a framework for actively managing the urban tree population including urban streets and parklands for improved environmental, social and economic outcomes for Wangaratta.

The Tree Management Strategy outlines seven key elements, summarising current levels of service and identifying areas for improvement. From this, strategic initiatives have been developed for action. The Strategy details management and strategic development goals for increasing tree species diversity, canopy cover and more community involvement.

An increased awareness of the importance of trees in the urban environment and the services they provide has resulted in an ever increasing demand for a

greener city. Council, as a service provider, needs to be accountable and demonstrate to the community how it plans to manage its tree assets. The Tree Management Strategy endeavours to achieve this.

Implications

Policy Considerations

Related strategies and policies considered in the development of the Tree Management Strategy. 2030 Community Vision, Council Plan 2013-2017, Asset Management Strategy and the Asset Management Policy.

Financial/Economic Implications

Improved efficiency through scheduling and prioritising of tree works. Improved monitoring and managing tree related risks.

Legal/Statutory

Legislation that impacts on the management of Councils tree assets are Flora and Fauna Act 1988, Planning and Environment Act 1987, Road Management Act 2004, Electricity Safety Act (Electrical Line Clearance) Regulations 2015.

Social

Enhancing Wangaratta's liveability through diverse and healthy trees; improved community awareness and involvement.

Environmental/Sustainability Impacts

Provide for the protection of existing urban trees, significant heritage trees and maintain existing treescapes visual amenity. Increased tree canopy coverage. Enhanced treescape values whilst minimising risks associated with trees.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

We will research and advocate:

with relevant agencies and groups to identify opportunities to build corridor structures for fauna movement and refuge in extreme dry and wet events.

We will create and deliver:

enhanced urban areas with vegetation corridors for environmental, recreational and aesthetic benefit to the community.

The non-negotiables

Our natural environment and assets are protected.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

The need for long term strategic planning regarding the identification and protection of significant trees, the further establishment and effective maintenance of street and other urban trees within the streetscape is identified as an action in the 2030 Community Vision.

b) Other strategic links

Asset Management Plan

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform		
Consult	That Council will consider any submissions relating to the Tree Management Strategy	Draft Tree Management Strategy on public display
Involve	Key staff relevant to development of the Tree Management Strategy	Working Group Meeting with key staff
Collaborate		
Empower		

Conclusion

The Tree Management Strategy 2016 provides a framework for actively managing Wangaratta's urban tree population. It details the management of existing trees whilst also enabling the enhancement of the urban treescape.

Attachments

- 1 DRAFT TREE MANAGEMENT STRATEGY

Questions

Elaine Jacobson - Secretary of Wangaratta Urban Landcare Group

It is really pleasing to see this strategy tonight. I would like to ask though, I see under tree protection, bonds will be imposed on developers through asset

protection permits to ensure the protection of Council trees, which is wonderful. What about community groups using our parks and gardens for festivals and events? Has there been any thought that they should have a bond so that the trees are protected from them too?

Brendan McGrath, Chief Executive Officer replied that I'm not sure if we currently take a bond for events in our parks and public spaces. It may be something we could develop a mechanism to do through local law and the permit process. I think we currently have adequate information on those groups, like insurance, that we could recover through any damages. But we are certainly happy to look and see if there is a bond mechanism in place and whether that is something we can easily administer.

16. DEVELOPMENT SERVICES

16.1 PLNAPP15/225 - USE OF LAND FOR INTENSIVE ANIMAL HUSBANDRY (ROTATIONAL OUTDOOR PIGGERY)

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	19 July 2016
Author:	Town Planner
File Name:	Greta West Piggery
File No:	PlnApp15/225

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 application seeks planning approval to formalise an intensive animal husbandry use (rotational outdoor piggery) that is already occurring on the subject site. The applicant proposes to keep a total of 781 pigs over an area of approximately 90 hectares on the 128.5 hectare property. No increase is proposed in the existing number of animals on the subject site.

The applicant claims to have been previously advised by Council Officers that a planning permit is not required for the operation. The applicant, however, has again approached Council and now understands that a permit is required for the current operation as it is considered an intensive animal husbandry use, whereby the main food source for pigs will be imported from outside of their enclosures.

The operation is understood to have commenced in 2010 as a small scale operation and to have gradually built up into the operation that is now the subject of this application. There is no record of any complaints having been received in this time.

The application has been advertised and referred to relevant agencies whose responses have filtered in from March through to mid-June 2016. Relevant agencies are generally supportive of the operation; however, seven (7) letters of objection have been received from surrounding owners/occupants and their representatives.

This report is presented to Council following receipt of seven (7) letters of objection to this application.

RECOMMENDATION:

(Moved: Administrator R Roscholler/Administrator I Grant)

That Council resolves to issue a Notice of Decision to Grant a Planning Permit with respect to Planning Application 15/225 for the Use of Land for Intensive Animal Husbandry (Rotational Outdoor Piggery) at 1003 Docker-Greta West Road, Greta West, in accordance with the draft permit conditions contained within the attachment.

Carried

Property Details

The subject site comprises two separate titles totalling 128.5ha in area and is located on the southern side of Docker-Greta West Road between its intersections with Wangaratta-Kilfeera Road to the east and Oxley-Greta West Road to the west.

The site is located within a rural environment, surrounded predominantly by broad-acre grazing operations. There are some smaller acreage lifestyle lots in the vicinity, one of which adjoins the southern-eastern corner of the subject site.

The site itself comprises a rural dwelling, ancillary outbuildings and a number of agricultural sheds and other infrastructure, most of which are being used as part of the existing pig operation.

The site consists of a relatively flat/landform traversed by both a natural waterway, in the form of Croppers Creek, and a man-made drain/waterway. Croppers Creek is identified as an ephemeral waterway running through the eastern half of the site. The man-made drain/waterway is located within the north-west corner of the property with land in its immediate vicinity understood to be prone to flooding during a 100 year ARI event. The land is understood to generally drain from south to north via these waterways and a third drain located to the west of the existing dwelling on site. There is however an exception of an area of land to the south-west of the site which the applicant and adjoining neighbour agree drains south to the neighbouring property before being intercepted by Croppers Creek and draining back through the subject property.

The site comprises a large number of scattered native trees, most of which are located in the surrounds of the identified waterways.

Land/Address	1003 Docker-Greta West Road
Zones and Overlays	Farming Zone
Why is a permit required	Intensive Animal Husbandry is a Section 2 (permit required) Use under the provisions of the Farming Zone

Proposal in Detail

This application is for the continued use of the subject land for intensive animal husbandry in the form of a rotational outdoor (free-range) piggery. The applicant proposes to keep a total of 781 pigs over an area of approximately 90 hectares on the 128.5 hectare property.

Pigs will be separated into breeder and grower units. Breeder units comprise sows, boars and newborn piglets. The applicant proposes to limit the breeder unit to 100 breeding sows. Grower units comprise young pigs bred for the purpose of meat production. Grower pigs are generally sold at 20-22 weeks of age once they have reached approximately 70kg live weight. The applicant expects to produce between 1,200 and 1,500 grower pigs per year. Pigs are exported off-site once a week to an abattoir in Benalla using a standard ute with tandem trailer and/or stock crate.

Grower units will be rotated across a series of 1 hectare enclosures and will be kept at higher densities than the breeder units which will be rotated around typically larger enclosures ranging from 1 hectare to 9 hectares. A farrowing area comprising permanent shedding and enclosures has also been identified. The applicant proposes to keep only breeder units around the periphery of the site and near waterways so as to limit off-site impacts.

Pigs will predominantly rely on imported feed in the form of pellets with pellet deliveries occurring approximately once a fortnight, as required. Deliveries are generally via either semi-trailer or B-Double. All deliveries to and from the site, including the off-site export of pigs, will occur via the one property access to Docker-Greta West Road.

Description of a Free Range Rotational Outdoor Piggery

In a rotational outdoor piggery, the pigs are kept outdoors in paddocks, with shelters and wallows provided. The paddocks are rotated with a crop-forage-pasture phase. During the pig phase, the pigs are supplied with prepared feed, but can also forage. The pigs main food source is generally always imported feed; hence such operations being defined as Intensive Animal Husbandry.

During the crop/forage/pasture phase, plant material is grown and harvested from the area to remove the nutrients deposited in manure during the pig phase. To maintain a sustainable system, nutrients added during the pig phase or afterwards (e.g. fertiliser) need to either be removed by growing and harvesting crops, forage crops and pastures at the end of the pig phase or used to build soil nutrient reserves to healthy levels. In simple terms, the system is in balance if nutrient removal by plant harvest matches the addition of nutrients by way of pigs and/or fertilisers.

The types of crops grown determine the amount of nutrients removed through harvest, depending on the yield and nutrient content. Grazing removes nutrients at very slow rates, since most nutrients are recycled in manure deposited by the grazing animals. Thus, grazing alone is rarely a suitable nutrient removal system

for free range outdoor piggeries. To ensure nutrient levels remain in balance, regular monitoring and testing of soil is an essential component of any rotational system.

Summary of Key Issues

- Suitability of the subject site for the piggery operation
- Sustainability of the piggery operation
- Potential off-site impacts including potential contamination and amenity concerns
- Application of the Piggery Code of Practice 1992 vs Australian Pork Limited (APL) Guidelines and Fact Sheet

Relevant Planning Provisions

The following provisions of the Wangaratta Planning Scheme are relevant to this proposal:

Section	Clause	Provision
State Planning Policy Framework	11.05-3	Rural Productivity
	14.01-1	Protection of Agricultural Land
	14.01-2	Sustainable Agricultural Land Use – requires planning to consider the Piggery Code of Practice 1992
Local Planning Policy Framework	21.05	Rural Land Use and Agriculture
Zones	35.07	Farming Zone
Overlays	N/A	
Particular Provisions	52.17	Native Vegetation
Other Relevant Provisions	Sec 4 and 60 P&E Act	Objective of the P & E Act What matters must a Responsible Authority Consider?

Relevant Reference Material to Assist the Decision Maker in Considering the Proposal

Agriculture Victoria (which is a portfolio of the Department of Economic Development Jobs Transport and Resources DEDJTR) provides the following information in relation to the legislation, regulation and standards pertaining to pigs:

Codes of Practice

- The Model Code of Practice for the Welfare of Animals-Pigs (**Model Code**)
- Australian Pork Industry Buyer Security Program
- Code of Practice for Piggeries 1992
- Code of Practice for the Land Transport of Pigs
- Pig Welfare Standards and Guidelines – Revision 1, 2012

Acts

- Prevention of Cruelty to Animals 1986
- Impounding of Livestock Act 1994
- Livestock Management Act 2010
- Livestock Disease Control Act 1994

Environment Guidelines

National Environment Guidelines exist for the establishment and management of piggeries. These guidelines have been produced by the peak industry body Australian Pork Limited (APL). The relevant guidelines are:

- APL National Environmental Guidelines for Rotational Outdoor Piggeries (**NEGROP**) 2013 – relates specifically to rotational outdoor piggeries
- APL National Environmental Guidelines for Piggeries Second Edition (Revised) (**NEGP**) 2010

Of the above, the relevant documents considered to assist Council with respect to planning matters associated with this proposal are the **NEGROP** 2013, **NEGP** 2010 as a support document to the more specific **NEGROP**, and the Code of Practice for Piggeries (the **Code**) 1992.

APL have also released a Fact Sheet for the *Design and Management of Outdoor Free Range Areas for Pigs* (**APL Fact Sheet**) 2011 which draws from both the **NEGROP** 2013 and **NEGP** 2010.

Application of the Code and APL Guidelines

The Code specifies minimum standards that apply to new piggeries or where there are substantial modifications to existing piggeries.

The total number of pigs registered on a farm under the Code is known as the “R-value”.

Page 1 of the Code states that;

“The code does NOT cover detailed aspects of animal husbandry and design and operational requirements for piggeries. Responsible Authorities and potential pig producers should refer to Guidelines document and other publications on pig production.”

DEDJTR, in its response dated 7 June 2016, and APL confirm that the NEGROP 2013 is the preferred assessment tool rather than the Code as the NEGROP 2013 is based on the latest science and industry best practice. The NEGP 2010 and Fact Sheet 2011 contain additional buffer requirements to the NEGROP 2013, namely the specification of buffers to property boundaries and public roads. APL understands that these are no longer applicable for rotational operations such as that proposed, but DEDJTR advise that 20m buffers to shared property boundaries are still of relevance. These are discussed in greater detail later in this report.

It is acknowledged that the decision by Deputy President Gibson in *Yarra Ranges SC v Happy Valley Free Range Pty Ltd (Red Dot)* [2015] VCAT 1058 (16 July 2015) noted that it was generally accepted by all parties in that Case that the Code was outdated and no longer represented best practice in the pig industry. However, the case involved declaration proceedings concerning the interpretation of the definition of Intensive Animal Husbandry vs Extensive Animal Husbandry and found that the definitions under the Planning Scheme are to be used over those of the Code. Unlike the subject application, the case did not delve into the relevance and application of specifics such as buffer distances. The Code is therefore considered to have relevance to the proposal.

It is also noted that the Code is an incorporated document in the Planning Scheme and should be given some weight.

In *Witcombe & Ors v Surf Coast SC* [2000] VCAT 1673 (31 August 2000), Member Moles noted the following:

“In relation to the Code, I record here that I view adherence to the Code as something which is recommended by policy, but not mandatory. There nevertheless needs to be good reason for any departure.”

One such instance is the application of a maximum piggery perimeter for a free-range outdoor operation. The Code specifies that the piggery perimeter for an operation comprising between 501 and 2,000 pigs, must not exceed 800m. Piggery perimeter is defined under the Code as ‘a line circumscribing the extremities of a piggery, within which line all pig housing and animal enclosures are contained’. To comply with the standard any pig operation comprising up to 2,000 pigs must be contained to an area no greater than 4ha. This is unachievable for any outdoor free-range operation and, hence, cannot be applied.

Referrals

The application was referred to the following referral authorities:

Authority	Section	Response
Goulburn-Murray Water (GMW)	External Section 55 Notice	No objection – subject to conditions. Consider the piggery to be a sustainable operation with proper management to prevent any impact upon surface waters and groundwater.
Environmental Protection Authority (EPA)	External Section 52 Notice Seeking Input	No objection – subject to conditions. Raise some concern with respect to adequacy of separation between pig operations and some surrounding dwellings, referencing buffer distance standards under the Code. These are addressed in detail later in this report.
Department of Economic Development, Jobs, Transport & Roads (DEDJTR) – Agricultural Division	External Section 52 Notice Seeking Input	No objection. Supportive of the piggery operation and have provided some detailed advice.
Department of Environment, Local Government, Water and Planning (DELWP)	External Section 52 Notice Seeking Input	No objection. Consider the current piggery operation to be well-managed and are therefore supportive of the application.

Authority	Section	Response
North East Catchment Management Authority (NECMA)	External Section 52 Notice Seeking Input	<p>No objection to the application, recommending that a 30m wide buffer, planted with native vegetation, is provided along the western side of Croppers Creek. Native vegetation vs vegetated filter strips is discussed in detail later in this report.</p> <p>The Authority notes that in the event of a 1% AEP flood event it is likely that the north-western corner of the property would be subject to inundation from Fifteen Mile Creek. Croppers Creek is likely to be marginally above the 1% AEP levels applying to this area.</p> <p>The Authority requests the inclusion of a note that a Works on Waterways permit be obtained prior to commencing any work in or over Croppers Creek. This is of particular relevance to this application as a creek crossing and diversion drain into the creek are proposed.</p>
Australian Pork Limited (APL)	External Section 52 Notice Seeking Input	<p>No formal response received; however, representative Janine Price has had numerous conversations with Council Officers advocating for the use of APL's Guidelines over the Piggery Code of Practice 1992 and advising of the organisation's support of the proposal. Janine also attended the Council facilitated conciliation meeting and has provided one detailed email on some particular matters.</p>

Referral responses have filtered in from between March and mid-June 2016 which has resulted in significant delays and uncertainty surrounding the processing of the subject application.

Internal Departmental Advice

Department	Response
Technical Services Department	<p>No objection – subject to conditions.</p> <p>Note that detailed drainage plans are required and that the protection of Council's road reserves from any contaminated runoff is required.</p>
Environmental Health Department	<p>No objection, noting that no complaints or concerns with piggery operation have been raised</p>

Department	Response
	prior to the application being advertised. Do not consider there to be any potential problems occurring from the operation other than some odour and noise.
Environment Department	No objection – subject to conditions relating to the fencing and protection of existing native vegetation and Croppers Creek.
Local Laws	No objection.

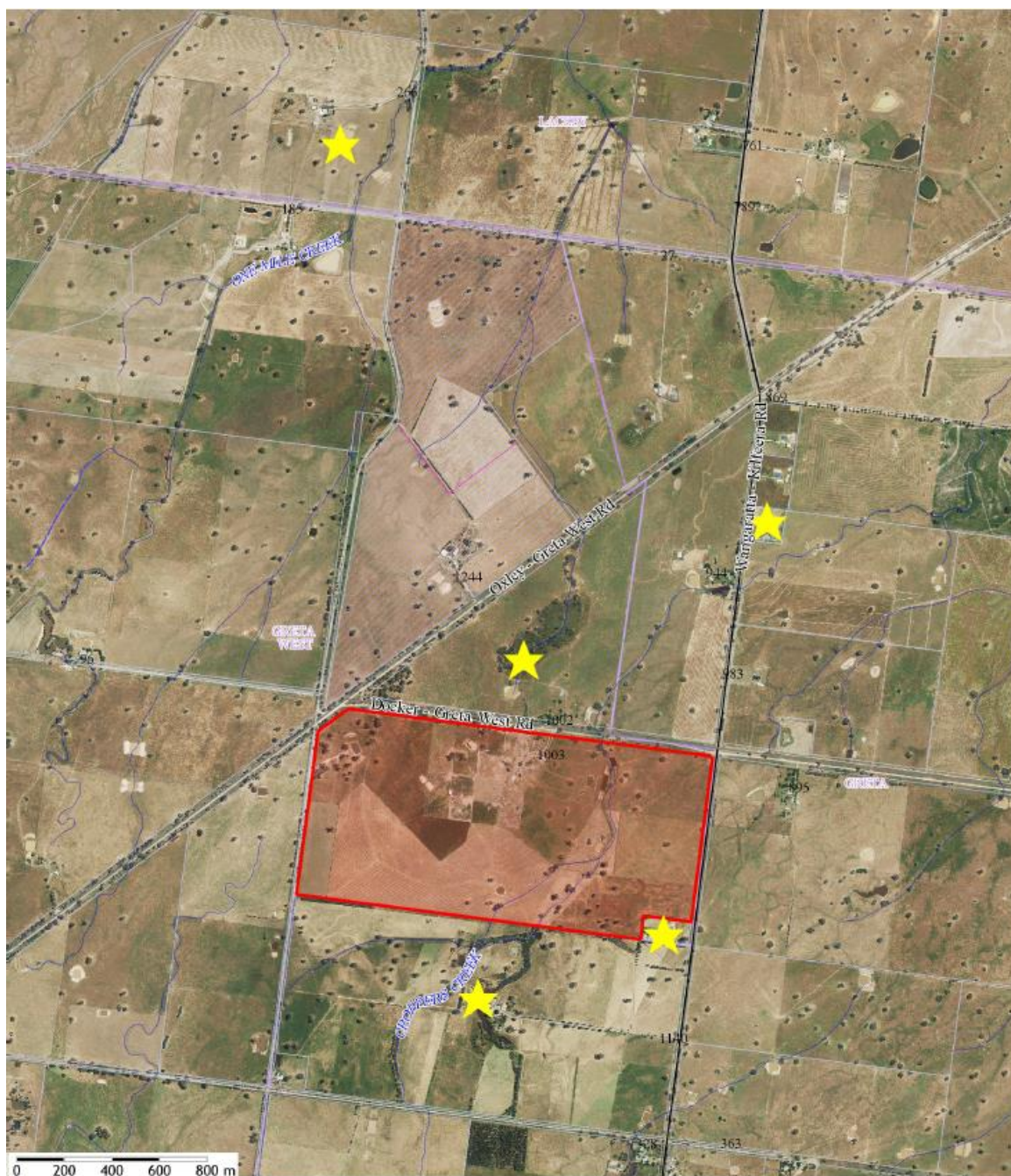
Advertising

The application was advertised to surrounding landowners and residents between the period of 12 February and 4 March, 2016 and a notice was placed within the Wangaratta Chronicle 'Rural Connection Page'.

Within this period a total of seven letters of objection (three on behalf of the one property) were received from the following;

- Owner of **1002 Docker-Greta West Road** – adjacent agricultural property to the north
- Planning Consultant on behalf of the owner of **1002 Docker-Greta West Road**
- Another party with vested interest in **1002 Docker-Greta West Road**
- Owner/Occupant of **1140 Wangaratta-Kilfeera Road** – adjoining agricultural property to the south
- Owner/Occupant of **266 Twamleys Lane** – agricultural property located approximately 2.1 kilometres to the north-west
- Owner/Occupant of **1104 Wangaratta-Kilfeera Road** – adjoining rural lifestyle property to the south-east
- Owner/Occupant of **925 Wangaratta-Kilfeera Road** – lifestyle property located approximately 900m to the north-east of the subject site

Objector locations are identified below;



A conciliation meeting was held on 17 May 2016 and was attended by:

- Council representatives
- A representative from Goulburn-Murray Water
- Janine Price from Australian Pork Limited
- The applicant
- The owner and representatives of 1002 Docker-Greta West Road
- The owner/occupant of 1140 Wangaratta-Kilfeera Road

Three of the five objectors did not RSVP or attend the conciliation meeting. Following the meeting, additional submissions were received from objectors in attendance at the meeting reiterating and expanding on their concerns.

Objector Concerns

Potential Contamination of surface water – observations that western part of property floods

NEGROP 2013 notes that high nutrient levels and erosion associated with pig operations have the potential to contaminate waterways. Good management of soil nutrient levels and measures to prevent soil erosion are therefore essential.

Pig enclosures and facilities need careful management to avoid uncontrolled nutrient movements. Maintaining suitable soil nutrient levels and groundcover over the paddocks is the primary measure for preventing water contamination. Buffers to waterways and vegetated filter strips are considered a useful secondary measure; however nutrient runoff and leaching are more likely if manure nutrients are unevenly spread over paddock areas. Research referenced by NEGROP 2013 indicates that manure nutrients tend to concentrate around shelters, feeding facilities, waters and wallows. Regularly moving these paddock installations effectively disperses manure nutrients over more paddock area with NEGROP 2013 recommending this should occur at least every six months in breeder paddocks and three months in grower paddocks. Any permit should therefore require such movements.

With respect to the proximity of pig enclosures to waterways and land subject to inundation, GMW have required fenced exclusion zones and vegetated filter strips to identified waterways and flood prone land, as discussed in greater detail later in this report. Dams will also be required to be fenced so as to not be directly accessible to pigs.

Concerns raised by objectors, however, also relate to surface flows via drains not identified by GMW. These namely consist of;

- A drain to west of the existing dwelling which drains onto Oxley-Greta West Road before entering the adjacent property to the north: The property owner has requested a fenced exclusion zone and vegetated filter strip be provided either side of this drain as has been required for the other waterways. GWM have advised that they do not consider this drain a waterway due to its relatively small catchment area and it has been put that adequate filtration can occur with the 60m wide road reserve. Council as the owner of the asset, however, should require some form of treatment of potentially nutrient laden surface water before entering its road reserve and such treatment should occur on the subject site. The objector's proposal for a fenced exclusion area around the drain, which is estimated to only run for a length of approximately 200m on the subject site, is therefore supported.

- A drain and surface runoff from the south-western portion of the site onto the adjoining property to the south: The owner of the adjoining property has requested the construction of a diversion drain to capture all runoff from the subject site before reaching the property boundary. This would then drain directly into Croppers Creek. The objector has also requested that this area be kept free of stock in much the same way as the other fenced exclusion zones. The applicant was understood to be amicable at the conciliation meeting to the construction of the requested diversion drain. Any permit will therefore require the construction of such a drain. NECMA have been contacted regarding this requirement and have not provided any substantial objection to such works. None-the-less the applicant will be required to obtain the relevant consents of the Authority prior to undertaking the said works.

As the drain will divert runoff directly into Croppers Creek, a 30m buffer from the drain to pig enclosures and subsequent filter strip is considered warranted.

High nutrient levels, harmful bacteria and chemical residue in runoff affecting other animal operations and organic certifications / quality assurance accreditations

Management of nutrient levels are covered throughout this report. Provided nutrient levels are kept in check and required treatment around waterways and drains are properly managed and maintained, nutrient levels are not expected to be of any more detriment than a typical broad-acre grazing, cropping or pasture operation.

With respect to potential impacts from bacteria, both DEDJTR and APL advise that most bacterial organisms are host specific with respect to pigs and do not affect non-target species. Pigs are different hosts to ruminants such as sheep and cattle and cannot support the organisms. Therefore the risk of pig specific bacteria affecting any ruminant animals are low; less than the same species of livestock in the area affecting one another. Of the bacteria referenced in submissions, DEDJTR provide the following;

- E. coli serotypes are generally only host specific.
- Cryptosporidium is potentially infectious from many species including poultry but usually only affects already debilitated animals and birds.
- Listeria is an environmental organism and may already be on neighbouring properties.
- Neospora caninum infection of cattle is derived only from dogs, not pigs.

Issues arising through the transfer of endemic diseases between pigs and cattle are caused by cattle grazing the same land or having access to the same feed as pigs. As provided in this report, cattle or other livestock will not be permitted within identified pig enclosures.

DEDJTR identify that all chemicals used on-farm, irrespective of livestock type, must be approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA). APL advise that vaccines applied to pigs in accordance with APVMA are given in very small amounts, function within the immunology of the

animal and are not excreted in significant amounts (if at all) that would be large enough to remain in the environment to then be diluted and carried off site.

Potential Contamination of ground water (bores) and management

GMW advise that the property is generally a grey clay loam and if using AS1547:2012 could be classified as a type 5 soil which generally has a low permeability, meaning that the time taken for the surface nutrients to access the water table will be in years.

NEGROP 2013 specifies a minimum separation distance of 20m between pig enclosures and groundwater bores.

Subject to compliance with conditions, pigs will be kept a minimum of 20m from any adjoining or adjacent property. It is not known exactly where objectors' referenced bores are; however, there will likely be a minimum separation distance of 70m, which far exceeds the 20m standard. Further, Council support GMW's notion that the soil type of the land is conducive to nutrient retention and, subject to proper maintenance of the pig operation, there is limited potential for impacts upon the water supply of surrounding properties. As provided throughout this report, the proper management of soil nutrient levels will mitigate any potential soil contamination and subsequently mitigate any potential surface or groundwater contamination.

The applicant has indicated that the existing bore on site has not been in use for some time and will be made redundant. This will be a condition on any permit.

Non-compliance with NEGROP 2013 and APL Fact Sheet

Submissions surrounding non-compliance are not overly specific as to the areas of non-compliance, save for observations that the current operations have not provided for pig rotations, there is minimal to no groundcover in enclosures and required buffers specified under the subject document have not been complied with on the submitted plans. These documents are discussed in greater detail later in this report, including specified buffer distances. In summary, however, pigs within a rotational outdoor piggery must be rotated so as to properly manage nutrient levels and mitigate the likelihood of any offsite contamination of soils, surface waters or groundwater. Likewise such operations are expected to function so as to maintain groundcover as much as possible in order to limit any erosion, contamination or amenity issues arising from the operation. These are two of the most basic principles under which NEGROP 2013 operates.

Non-compliance with Piggery Code of Practice 1992

Compliance with the Code of Practice is discussed in detail throughout this report.

Lack of monitoring measures proposed and ability to ensure compliance with relevant codes/guidelines

Any permit issued will ensure thorough ongoing monitoring of the pig operation, particularly with respect to soil nutrient levels.

Odour, Noise and Dust

NEGROP 2013 identifies that rotational outdoor piggeries generally produce very little odour compared with more intensive feedlot systems because manure is much less concentrated. Likewise, most activities at rotational outdoor piggeries are not particularly noisy with decibel levels similar to that of a suburban street and considered acceptable in the rural context. However, piggery-related traffic movement can cause problems for larger operations. With respect to dust, NEGROP 2013, notes that bared paddocks in a rotational outdoor piggery can be a source of dust, but asserts that this is no worse than that of a nearby cultivated paddock.

Nevertheless, it is important to understand the factors affecting odour, noise and dust generation and nuisance, including;

- separation distances to sensitive uses
- local meteorological conditions, particularly prevailing wind direction
- time of day (for noise)
- height and density of vegetation cover
- scale and nature of the operation
- stocking density
- site design and drainage
- traffic movements
- manure distribution and management
- management of wallows

As discussed in further detail under the buffer standards below, the separation distances proposed are considered adequate provided the operation is properly managed and conditions of any permit, including additional mitigation measures, are complied with. Such conditions also include general requirements to not cause nuisance dust, noise or odour.

The NEGROP 2013 comparison between lack of ground cover and a cultivated paddock is not considered consistent with other sections of the same document and is not supported as it does not factor in the frequency, intensity, duration and offensiveness of dust. Unlike a cultivated paddock, which is likely to regain ground cover and unlikely to be further churned up by stock, a paddock continuously bared and churned up as a result of stock is far more likely to cause annoyance and complaints. This analogy similarly applies to odour and noise, as well as contamination resulting from nutrient loss and soil erosion.

Lack of vegetation cover in pig enclosures

NEGROP 2013 (pg 5) requires the applicant to demonstrate how they propose to retain groundcover. This has not been provided in any detail and a lack of groundcover in particular enclosures has been observed through site visits. Ground covers have been referenced by other Councils with respect to rotational

pig operations with varying requirements for the amount of ground cover to be maintained, ranging from 5% (Baw Baw and Surf Coast) to 50% (Benalla) to 75% (Yarra Ranges).

Pg 10 of NEGROP 2013 provides that;

“In any agricultural system, groundcover provides the front-line protection against soil erosion. Groundcover levels vary naturally with seasonal conditions. However, management can also be a major determinant of groundcover levels, particularly in rotational outdoor piggeries. In some locations and management systems, it is difficult to retain good groundcover levels over the paddock areas year-round. In some soil type, climate and management system the combination of pig trampling and machinery movements can result in erosion and/or soil compaction.”

Pg 27 of the Guideline notes that in addition to proper management of the crop/forage/pasture phase, soil erosion and associated nutrient export must also be managed. The Guideline provides that groundcover over the paddock area needs to be maintained as much as practical and that groundcover levels are also a determinant of a pig phase, just like nutrient levels.

Pg 40 of the Guideline provides that maintaining groundcover over the land is the critical management strategy for minimising erosion. Groundcover prevents erosion by leaving soil less exposed to wind and rainfall runoff, promoting soil properties that increase rainfall absorption, intercepting runoff and preventing it from becoming erosive.

The Guideline notes that maintaining groundcover in pig paddocks year-round is challenging and dependent on selecting a suitable stocking density and pig phase length for the locality and soil type. DEDJTR and APL concur that due to the nature of pigs to forage and root/dig, groundcover in pig enclosures is depleted very quickly and can be difficult to maintain. APL indicate that dust and odour arising from a rotational outdoor operation is unlikely to have any adverse effect beyond the property boundary. Irrespective, Council must consider;

- Objections have been received on grounds of lack of ground cover and subsequent dust, odour and unsightliness.
- Variations to setback distances under the Code of Practice are recommended to be provided against the advice of the EPA (detailed later in this report)
- Council must ensure the safe use of surrounding roadways with reductions in buffer distances to road carriageways also being recommended later in this report.

Both DEDJTR and APL indicate that the use of ‘sacrifice’ paddocks, whereby animals are left in a paddock longer than a normal rotation due to drought, inundation or other climatic/weather extremes so as to better protect other paddocks and allow them to rejuvenate quicker, is normal industry practice across all livestock industries.

Based on the advice of DEDJTR and APL it is acknowledged that a lack of groundcover associated with a pig operation is inevitable and may even be required from time to time. Irrespective, continued bared paddocks should not become standard practice and some regulation regarding groundcover must be applied to ensure pig enclosures are not bare year-round. A reasonable compromise is considered to be the setting of a certain percentage of groundcover to be maintained, but allowing this to be lowered for a certain number of days in any calendar year, to allow the operator to deal with extreme/seasonal circumstances (i.e. prolonged dry or wet periods such as drought or inundation).

No vegetation buffers

Concern regarding lack of vegetation buffers is understood to generally relate to plantings along waterways. One objector would prefer to require the vegetated filter strips to consist of plantings comprising a combination of remnant trees and shrubs. Industry best practice, however, is for filter strips to consist predominantly of dispersed non-clumping ground covers so as to better filter runoff from surrounding operations prior to entering relevant waterways and/or drains.

Inadequate application information including;

- incorrect reference to groundwater depths
- stocking rates not factoring in other stock
- clarification of pig movements between western and eastern sides of Croppers Creek
- deficiencies in information submitted with application (i.e. plans)

It has generally been accepted by all parties to the application that groundwater in the area is in shallow gravels at approximately 5 metres below surface levels with deeper lead aquifers also existing in the area. It is acknowledged that this is contrary to the applicant's submitted Environmental Management Plan template which references groundwater depths of at least 20 metres. Any permit will require this to be amended.

It is acknowledged that the applicant has not indicated in their submission that any other stock will be rotated within designated pig enclosures and that other stock have not been accounted for in nutrient level calculations. Any permit will therefore require that no other stock be kept within any designated pig enclosures.

The latest submitted site plan indicates a laneway through Croppers Creek linking the eastern and western portions of the property. As Croppers Creek is an ephemeral waterway that is dry most of the year, restricted use of any such laneway for the limited movement of pigs that would otherwise be required is generally accepted provided;

- Pig movements in the laneway are limited to only the direct movement of pigs between eastern and western section of the property as required. As the laneway will only be required to measure approximately 70 metres in length, pigs will not be permitted to be kept in the laneway for a period of greater than 30 minutes.
- Any vehicle movements through the laneway be limited to one vehicle movement per day.
- The laneway not be used for any vehicle or pig movement if any water is in the waterway or if the waterway becomes saturated or boggy.
- Any relevant consents for the use of Croppers Creek as a crossing are to be obtained from NECMA prior to construction of any such laneway.

It is acknowledged that plans and supporting documentation have not been professionally prepared and subsequently lack some of the industry standard detail typically expected of such submission. Council Officers have spent much time with the applicant trying to convey application requirements and were comfortable that sufficient detail had eventually been provided to seek input from relevant parties, noting that it was likely further information would be required to a higher standard. Without prior industry advice and public feedback, however, the extent of such information and detail was not fully clear. Council Officers are now satisfied that the application is at a stage where it can be determined; albeit with better quality plans and management practices that can be properly monitored for compliance. As Council Officers have gone to significant lengths with the applicant in the past to achieve a relatively low standard of documentation, any permit will require that required material for endorsement be professionally prepared so as to achieve a more acceptable standard of documentation within reasonable timeframes.

Suitability of the site for the proposed operation

The Code specifies that land containing a piggery should;

- Be undulating or flat terrain
- Ideally comprise medium loam-clay soils to provide reasonably good drainage and retention of nutrients
- Not be liable to flooding, as defined by a flood frequency of 1 in 50 years

NEGROP specifies that a rotational outdoor piggery should;

- Have suitable road access
- Have a temperate climate
- Have an annual rainfall of less than 760mm (25.4 inches)

The application is considered to meet each of these specified criteria. The largest factor as to site suitability, however, is the ability to be able to sustainably manage soil nutrient levels, as detailed below.

GMW advises that of particular importance for a rotational system and maintaining soil nutrient levels is the ability for crops used as part of the rotation to have high nutrient uptake. GMW refers to Table 10.1 under NEGROP 2013 to calculate solid and nutrient outputs for different classes of pigs, identifying that nitrogen levels will be the limiting factor in managing sustainable stocking rates. Indeed nitrogen does appear to be the main output from the rotation of Pigs. However, when calculating the nutrient uptake of various crops as part of the crop/pasture, as per Table 10.3 of the *Guidelines*, all crops appear to have a far greater rate of nitrogen uptake than phosphorus and potassium with phosphorus uptake. The phosphorus levels will be the main limiting factor in managing sustainable stocking rates as part of a rotational operation. There appears to be a limited range of crops that can be incorporated as part of any rotation so as to keep nutrient levels, particularly phosphorus, in check.

GMW states that the applicants have a soil nutrient monitoring program in place and rotate the pig areas with cropping to remove nutrients. Based on nitrogen levels GMW believes that an area of 50ha would suffice for a pig operation of the scale proposed, and conclude that the 125ha of total farm area can achieve a balanced stocking rate/crop rotation. The calculations below suggest that, subject to cropping selection, a minimum area of slightly more than 50ha is likely to be required. Further, the applicant's most recently amended plans suggest that pigs will be kept over an area of approximately 90ha. This is likely to be required to be reduced down a further 5-10ha to achieve required setback distances and buffers.

The below calculations are therefore conservatively based on a 75ha land area, assuming an operation of three 25ha rotations. In reality the operation is unlikely be managed in this way as there are far more variables at play than merely just moving around a set land area over a set amount of time. The applicant may indeed choose to work in four or five rotations or two rotations, or have rotations within rotations, over varying time scales. Likewise, pig numbers and weather conditions are in constant flux and management techniques may well change over time. The purpose of the calculations is for general information purposes only, to establish indicatively the ability for the proposed operation to be managed sustainably.

The below table provides approximate manure nutrient outputs over a period of 12 months based on those pig numbers submitted by the applicant (using calculations provided under Table 10.1 of NEGROP 2013);

	Nitrogen	Phosphorus	Potassium
Outputs from Proposed Pig Operation	6,273 kg/year	1,991 kg/year	1,604 kg/year
+5% for spent bedding	6,587 kg/year	2,090 kg/year	1684 kg/year

-20% volatilising losses for nitrogen	5,270 kg/year		
Total Outputs	5,270 kg/year	2,090 kg/year	1,684 kg/year

Approximate nutrient removal rates for various crops based on three 25ha rotations are then applied, with pigs being run on a rotation for one year before a two year cropping rotation (using calculations provided under Table 10.1 of APL Guidelines 2013 but more specifically Table 3 under the APL Best Management Practices 2015).

Lucerne Hay: 5-15 t/ha over 25ha

	Nitrogen	Phosphorus	Potassium
Uptake after 1 year	3,875kg to 11,625kg	375kg to 1,125kg	3,125kg to 9,375kg
Uptake after 2 years	7,750kg to 23,250kg	750kg to 2,250kg	6,250kg to 18,750kg
Nutrient balance after 2 years	-17,980kg to -2,480kg	-160kg to +1,340kg	-4,566kg to -17,066kg

Note: + symbol denotes that nutrient uptake has not been sufficient.

Oats Grain: 1-5 t/ha over 25ha

	Nitrogen	Phosphorus	Potassium
Uptake after 1 year	375kg to 1,875kg	60kg to 375kg	80kg to 400kg
Uptake after 2 years	750kg to 3,750kg	120kg to 750kg	160kg to 800kg
Nutrient Balance after 2 years	+520kg to +4,520kg	+1,340kg to +1,970	884kg to 1,524kg

Note: + symbol denotes that nutrient uptake has not been sufficient.

Using similar calculations, the appropriateness of example crop types can be categorised as follows;

Generally Suitable – large users of soil nutrients

- Lucerne Hay (cut)
- Maize silage
- Forage Sorghum (cut)

- Winter Cereal Hay

Potentially suitable but most likely required in rotation with those larger users of soil nutrients as provided above

- Wheat Grain
- Sorghum Grain
- Maize Grain

Generally not suited

- Grazed Pasture
- Dry Land Pasture
- Barley Grain
- Triticale
- Oats Grain
- Chick Peas
- Faba Beans
- Lupins

Application of Varying Standards under the Piggery Code of Practice 1992 and Relevant APL Guidelines

Throughout the application process there has been much discussion as to the varying standards across applicable reference material. While the status of these documents, particularly the relevance of the Code of Practice, has been discussed earlier in this report it is considered that each of the relevant standards be discussed in some detail, particularly as Council is in receipt of some conflicting advice from referral agencies and some of the recommendations with respect to the standards will affect the application and operation of the piggery.

1. Standard:

Minimum distance between pig enclosures and the existing residence on site.

Code of Practice 1992:

Page 9 of the Code specifies a minimum buffer distance of 100 metres.

APL Guidelines:

Both the APL Guidelines and Fact Sheet are silent on the requirement for such buffer.

Industry Input:

Neither the EPA or Council's EHO have raised concern with respect to providing a buffer between pig enclosures and the existing residence on site. DEDJTR further notes that there are no reported adverse impacts on the owner-occupied residence.

Recommendation:

As the residence is located on the same title as the proposed use and is expected to continue to be inhabited by persons involved in the carrying out of the pig operation, there is not considered to be any landuse conflict created. Further, neither EPA or Council's EHO have raised any concerns with respect to any health implications. Current best practice under APL's documentation does not require separation distances. A buffer distance between the existing residence on site and pig enclosures is therefore not considered warranted.

2. Standard:

Minimum separation distance to waterways and bores. Goulburn-Murray Water have identified two waterways traversing the subject site; Croppers Creek which runs south to north through the eastern section of the site and a man-made waterway which traverses the north-west corner of the site.

Code of Practice 1992:

The Code specifies minimum buffer distances of:

- 200m to a major water course and domestic water supply channel,
- 100m to other watercourses.

Neither GMW nor NECMA have identified either waterway as a major water course or domestic supply channel. The 100m specification is therefore considered applicable to both.

The Code is silent on separation distances to bores.

APL Guidelines:

NEGROP 2013 and the NEGP 2010 are consistent in specifying a minimum 100m buffer distance between a rotational outdoor piggery complex and a waterway. There is no reference to a hierarchy of waterways or subsequent variable buffer distances, just a base distance of 100m.

NEGROP 2013 goes on to also specify a minimum 20m buffer distance between a rotational outdoor piggery complex and a bore.

Both guidelines, however, note that the recommended buffers only apply in the absence of specific advice from relevant authorities.

Industry Input:

Goulburn-Murray Water has clarified that its area of interest relates to surface water and ground water quality, use and disposal. The Authority notes that both identified waterways are ephemeral waterways; albeit it with defined bed and banks.

The Authority advises that a fenced exclusion zone is required along Croppers Creek to intercept nutrient runoff. This is to be provided in the form of a 30 metre wide vegetated filter strip either side of the creek and pigs are to be excluded from this area. Likewise the waterway to the north-west of the site is not to be used for free range pigs. This area is already fenced off. Traditional cattle/horse grazing and/or hay harvesting can still be carried out in the pig exclusion areas.

In consultation with Goulburn-Murray Water, the applicant has submitted a revised plan/proposal to keep non-grower pigs up to a minimum of 30 metres from the identified waterways and for grower pigs to be located a minimum of 100 metres from Croppers Creek. The Authority is supportive of this proposal, subject to appropriate management of the pig operation, including management of soil nutrient levels and maintenance of the required vegetated filter strips.

GMW have further required that pig wallows and composting/bedding storage areas are not to be located within 100 metres of either waterway.

DEDJTR has not raised any concern with the proposed buffer distances provided nutrient management and runoff are controlled, noting a 30m buffer has been recommended by GMW. Janine Price from APL has also provided verbal support for the reduction proposed.

While GMW, DEDJTR and APL advocate for grassed vegetation filter strips, Council's Environment Department and NECMA have requested native tree and other vegetation around Croppers Creek.

Recommendation:

On the basis of industry support, a variation of the 100m setback standard required by both the Code and APL Documentation is considered warranted in this instance. As pointed out by GMW, reduced buffers allow for a greater area in which to run the pigs and better manage nutrient levels. Grower pigs are kept at much higher densities than breeder pigs and are therefore prone to greater nutrient outputs. The Authority therefore considers that grower pigs should remain a minimum distance of 100 metres to Croppers Creek; however, breeder pigs are supported down to a minimum buffer of 30m.

Stringent conditions regarding the proper management of nutrient levels, filter strips, pig numbers and locations are to be imposed upon any application, including those conditions required by Goulburn-Murray Water.

NEGROP 2013 is supportive of GMW, DEDJTR and APL in providing vegetated filter strips. These should be comprised of runner-developing, non-clump forming grasses, so as to better trap soil particles and lower the water flow rate, increasing infiltration. Requirements for any plantings other than appropriate grasses are therefore not supported. It is noted that 30m wide pig exclusion zones will already comprise some existing native vegetation.

3. Standard:

Minimum separation distance between pig enclosures and property boundaries.

Code of Practice 1992:

The Code specifies a minimum buffer distance of 20 metres from pig enclosures to property boundaries.

APL Documentation (APL Guidelines):

The APL Fact Sheet and NEGP 2010 is consistent with the Code in specifying a minimum setback distance of 20 metres to property boundaries. NEGROP 2013 is silent on providing any setbacks to property boundaries.

Industry Input:

DEDJTR understand the 20 metre setback from property boundaries in general to be a sensible approach, with variable buffer distances applied where appropriate. The Department notes that the key issue with the pig operation is to minimise any nutrient runoff, with topography being an important component.

Recommendation:

Input from DEDJTR is taken to recommend a general 20m buffer be provided where there is a common boundary with another property and an increased likelihood of impact or perceived impact as pigs are prone to creating amenity impacts such as dust, odour and general unsightliness. For this reason it is considered reasonable to require a minimum 20m buffer to the adjoining properties to the south. This will in part already be achieved by way of the required 30m buffer distances to the southern diversion drain and dwelling buffer distances.

All other property boundaries whereby pigs are proposed to be kept, adjoin the surrounding road reserve whereby different standards apply as discussed below.

4. Standard:

Minimum separation distance between pig enclosures and public roads.

The subject site adjoins four separate roads as follows;

- Wangaratta-Kilfeera Road to the east (sealed),
- Docker-Greta West Road to the north (unsealed),
- Oxley-Greta West Road to the north-west (unsealed), and
- Twamleys Lane to the west (unsealed).

Code of Practice 1992:

The Code specifies the following buffers to a public road;

- 200m to any sealed public road that provides direct public access to the piggery and is within 2km of the nearest pig enclosure.
- 200m to any unsealed road carrying 50 or more vehicles a day.
- 50m to any unsealed road carrying fewer than 50 vehicles a day and not subject to planned upgrading within two years.

It is not known whether 50 vehicle movements a day is exceeded for any of the three unsealed roads adjoining the subject site. As Wangaratta-Kilfeera Road does not provide direct public access to the subject site, the public road buffer is not considered to apply.

APL Documentation (APL Guidelines):

NEGROP 2013 is silent on any buffers to public roads. NEGP 2010 and the APL Fact Sheet (2011), however, do stipulate buffer distances. The buffer distances specified are not as complicated as those provided under the Code, stipulating;

- 200m to a public road carrying greater than 50 vehicles per day
- 100m to a public road carrying less than 50 vehicles per day

Again specific vehicle movements along relevant roads are not known; however it can safely be assumed that Wangaratta-Kilfeera Road will carry greater than 50 vehicles per day.

Industry Input:

DEDJTR have indicated that the setbacks specified under the Code, like the Code itself, were primarily intended for conventional piggeries and not free-range outdoor rotational systems and advises Council should consider this in assessing suitable buffer distances.

Janine Price from APL has indicated that the public road buffers under the APL Fact Sheet are outdated, as evidenced by their exclusion from the more recent NEGROP 2013. APL acknowledge potential impacts upon public roads but now advocate for more performance based methods for reducing any impact, such as landscape treatment in the form of screen trees or the like.

NEGROP 2013 supports the use of landscape buffers;

Since the public sometimes perceives piggeries negatively, it is desirable to screen the piggery complex from public view.

Landscaping can improve the aesthetics of FR or OB piggeries. It can also conceal the piggery from nearby roads or sensitive land uses. If the piggery is clearly visible from nearby houses or roads, consider planting groves of indigenous trees and shrubs along property boundary fences and waterways.

This can be challenging given that rotational outdoor piggeries can cover large areas. Take advantage of the topography and existing vegetation where possible.

Council's Technical Services have not indicated any concern with buffers to public roads in general; however, they do note that nutrient levels from runoff into the adjoining road reserves must be controlled.

Recommendation:

Based on industry input, it is apparent that prescriptive standards for buffers to public roads from free-range outdoor pig operations are regarded as both outdated and excessive. The relevance of what is achieved by requiring either a 100m or 200m setback from a public road is certainly questionable. The comments of DEDJTR are relevant here in considering such standards are more pertinent to large industrial sheds and effluent fields associated with a large scale indoor operation.

Nether-the-less due to the nature of pigs to root up the ground and the subsequent potential impacts of dust and unsightliness associated with such, it is considered that some form of buffer between pig enclosures and public roads be provided. A reduction from those distances specified under both the Code and the APL Fact Sheet is considered warranted subject to the provision of suitable landscape buffers to assist in capturing some dust but more so in screening, at least in part, the pig enclosures from public thoroughfares. As there is currently no screening to Wangaratta-Kilfeera Road which is by far the busiest of the roads and there is limited distance between the property boundary and the road carriageway itself, a minimum 20m wide landscape buffer is considered suitable. It is considered reasonable to reduce this landscape buffer to 10m for all other roads as the distance between the subject site and the respective road carriageways is generally greater and much more vegetation already exists within portions of these road reserves, already forming some partial screening.

Amended plans and landscape details will accordingly be required. It is acknowledged that these landscape requirements and subsequent fencing will impose extra cost upon the applicant. It is therefore considered reasonable to not require all landscaping to be undertaken upfront but rather in planned sequence over a period of 24 months. Providing a landscape buffer to Wangaratta-Kilfeera is considered to be of the highest priority.

5. Standard:

Minimum separation distance between pig enclosures and surrounding dwellings.

Code of Practice 1992:

The Code identifies varying buffer distances dependent on the number of pigs to be run as part of the operation. The Code also separates dwellings into one of two categories;

- Isolated rural residence – *‘any residence... not carrying out any agricultural activity involving stock’*.
- Farmhouse – *‘a residence on a property where stock are kept’* but does include any dwelling on the subject property.

All dwellings within 500m of the subject site are situated on properties capable of carrying out an agricultural activity involving stock. Of these the two smaller properties, both measuring approximately 2ha in area, have been evidenced to be carrying out agricultural activities. All dwellings within 500m of the subject site are therefore considered farmhouses.

For an operation of between 501 and 2,000 pigs the Code specifies a buffer of 400m to a farmhouse (dwelling).

The submitted plans indicate that the proposed operation will be located less than 400m from four separate dwellings;

- **250m** to dwelling on adjoining 2ha property to the south-east (1104 Wangaratta-Kilfeera Road) – owner/occupant notified of application and objected on grounds of smell and noise (25/2/2016) but did not? RSVP or attend scheduled conciliation meeting. It is understood that the property has since been sold.
- **315m** to dwelling on 2ha property to the north-east (902 Docker-Greta West Road) – owner/occupant notified of application with no objection received.
- **325m** to dwelling on adjacent 128ha property to the east (895 Docker-Greta West Road) – owner and occupant notified of the application with owner phoning Council to advise of support for the application.
- **370m** to dwelling on adjacent 41ha property to the north-east (893 Wangaratta-Kilfeera Road) – owner and occupant notified of the application with no objection received.

The Code identifies that the 400m buffer standard can be varied by up to 40% in special cases (i.e. down to 240m). Examples provided under the Code are *‘cases involving prevailing winds, significant topography, constrained winds, breeder-only units’*. The technical methodology for considering variations is based upon an indoor operation and is difficult to apply for a rotational outdoor operation (relies on a formula that accounts for building ventilation and exhaust systems, effluent collection and treatment systems, and building power supplies); however, the context of allowing

variations based on the circumstances of the site and operation is still considered relevant.

APL Documentation (APL Guidelines):

Both the APL Guidelines and Fact Sheet stipulate a 250m minimum buffer between pig enclosures and any rural residence, noting that this is probably an over estimate of the required separation distances for a rotational outdoor operation. Rural residence is not defined but it is taken to mean any dwelling within the rural environment, such as those dwellings surrounding the subject site.

Industry Input:

As the industry accepted best practice document, DEDJTR recommends Council give due consideration to the APL Guidelines in applying a 250m separation distance, in preference to the Code. Amenity impacts associated with the operation, such as odour, should be managed by way of maintaining appropriate soil nutrient levels. Council's Environmental Health Department and Australian Pork Limited concur with the Department.

EPA, however, have raised concerns regarding the adequacy of separation distances between the site and nearby adjacent residences. EPA's position in relation to the Code vs the APL Guidelines would be to reference the more precautionary of the two, in this case the Code. In the absence of an odour risk assessment, EPA recommends the greater buffer zone (i.e. 400m).

The Authority refers to *EPA Publication 1518 – "Recommended separation distances for residual air emissions (2013)"* which, in kind, defers to the Piggery Code of Practice. The EPA Publication, however, specifically only relates to operations where pigs are confined indoors, which is not the case here. The EPA have also recommended the implementation of a condition requiring noise levels to comply with *EPA Publication 1411 – "Noise from Industry in Regional Victoria (2011)"*. The EPA Publication, however, does not relate to 'noise from livestock on a farm'.

Despite the technical non-relevance of these documents, EPA has defended their use as no other documents exist to deal with noise and odour, pointing out that similar methodology has been applied with respect to broiler operations.

Recommendation:

The key impacts upon surrounding dwellings are considered to be dust, odour, noise and potential unsightliness. It is considered that, subject to some modifications in design, the proposed setback distances are generally suitable in the context of this application.

The Code does allow for a variation in buffer down to 240m; in which circumstance the proposed operation would comply. The Code gives consideration for variations on the basis of such matters as prevailing wind

direction and the composition of pig units (i.e. breeder only units). Despite three of the four nearby dwellings being located within the prevailing wind direction of the of pig enclosures (i.e. north-east), the only pigs being kept within 950m of these dwellings will be breeder-only units. Potential impacts from breeder-only units will be further reduced through the implementation of landscape buffers around the north-eastern corner of the property boundary.

The fourth dwelling, being the adjoining 1104 Wangaratta-Kilfeera Road, from which an objection has been received, is considered to be the most affected of nearby dwellings from any potential amenity impacts. It is located 250m to the south (non-prevailing wind direction) of the nearest proposed breeder-only unit and approximately 620m east (prevailing wind direction) of the nearest grower unit. Despite an objection having been received, the combination of pig unit composition and location and prevailing wind direction are considered to substantially mitigate the severity and occurrence of potential amenity impacts.

The proposed operation will comply with the 250m buffer specified under the APL Guidelines which, according to DEDJTR and Australian Pork Limited, is the accepted industry standard. Council's Environmental Health Department concur that a 250m buffer is acceptable in the circumstances of this application

The EPA suggestion for blanket 400m buffers is therefore not supported as it does take into account the variation provisions of the Code or the industry status afforded to the APL Guidelines, particularly NEGROP 2013.

6. Standard:

Fencing design requirements.

Code of Practice 1992:

Page 3 of the Code provides;

'All piggeries shall be constructed so as to prevent any animals escaping from the pig compound. Fencing shall be pig proof. Electric fences shall not be deemed to satisfy the above requirement.'

And that piggeries;

'...shall have fencing ...continued below ground level ...to such depth that no pig can burrow beneath the fencing. All fencing ...shall have minimum height of 1000mm above ground level'.

APL Documentation (APL Guidelines):

NEGROP 2013 provides that because the land use of the paddocks alternates between a pig phase and a crop/pasture phase, most operators use electric fencing that is readily moveable, allows for a flexible layout and does not interfere with machinery movements during the crop/pasture phase.

Industry Input:

Limited industry input other than the requirement from GMW to fence and keep pigs away from waterways.

Recommendation:

It is agreed that fencing should be of a standard so as to properly contain pigs. Despite electric fencing not being permitted by the Code, the flexibility in operations required as part of a rotational outdoor piggery (i.e. rotating between small pig enclosures and larger pasture/cropping paddocks) means electric fencing is an integral part of any such operation. Provided pigs are properly contained within designated pig areas (i.e. within property boundaries and out of designated waterway enclosures and other pig exclusion areas) the use of internal electric fencing is considered reasonable. Pig-proof post and wire fencing, however, will be required for those sections of fencing separating pig enclosures from required buffers and property boundaries.

Wangaratta Planning Scheme***The State Planning Policy Framework (SPPF)***

Clause 11.05-3 of the State Planning Policy framework relates to rural productivity.

The objective of this clause is as follows:

To manage land use change and development in rural areas to promote agriculture and rural production.

Clause 14.01-1 of the State Planning Policy Framework relates to protection of agricultural land. The objective to this clause is as follows:

To protect productive farmland which is of strategic significance in the local or regional context.

Clause 14.01-2 of the State Planning Policy Framework relates to sustainable agricultural land use. The objective of this clause is as follows:

To encourage sustainable agricultural land use.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

Clause 21.05 of the Local Planning Policy Framework relates to Rural Land Use and Agriculture. The objective of the local policy is to:

Encourage the growth and development of environmentally and economically sustainable agriculture enterprises.

The objectives of the Local and State Planning Policy Framework all relate to encouraging land in the Farming Zone to be used for an agricultural use. However, as pointed out in Clauses 14.01-2 and 21.05, the land use needs to be sustainable. Sustainable farming practices should be based on their merits with reference to the land type, size configuration and area, the type of farming being undertaken and the surrounding environment.

The proposed use is considered a legitimate rural activity which can be continued successfully if properly managed and maintained.

Industry support has been afforded to the operation from relevant referral agencies, including GMW, DEDJTR and the key piggery industry body, APL. The proposal is considered to comply with the National Environmental Guidelines for Rotation Outdoor Piggeries 2013 and those sections of the Piggery Code of Practice 1992 deemed relevant for such operation.

Given compliance of the proposed operation in accordance with these guidelines and recommended permit conditions, any impacts upon surrounding land uses are considered manageable.

Zone

Pursuant to Clause 35.07 of the Wangaratta Planning Scheme the site is located in the Farming Zone. The purpose of the Farming Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Under the provisions of this zone a permit is required to use the land for the purpose of intensive animal husbandry.

The proposal generally complies with the objectives of the zone in that the proposal provides for the use of land for agriculture and encourages the retention of productive agricultural land. Continued annual auditing of the operation, as required to maintain APL accreditation, will ensure the use remains based on comprehensive and sustainable land management practices.

It has been found that the proposal complies with NEGROP 2013 and the relevant provisions of the Piggery Code of Practice with regard to adequate buffer distances to pig enclosures. Together with controlling ground cover levels and providing landscape buffers, it is considered this will assist significantly in reducing future instances of odour and dust emission complaints.

Particular Provisions

Clause 52.17 Native Vegetation

Purpose

To manage native vegetation to minimise land and water degradation.

Clause 52.17 identifies that a permit is required to remove, destroy or lop native vegetation. Council's Environment Department has raised concern with regard to the location of native vegetation in pig enclosures. NEGROP 2013 supports such concern indicating that rotational outdoor operations should avoid areas of remnant vegetation as pigs can quickly destroy trees, shrubs and other vegetation by chewing, rooting, soil compaction and nutrient deposition. Since native plants are not always tolerant of elevated soil nutrients a buffer should be maintained between pig enclosures and native vegetation.

Council's Environment Department have identified that the site contains a number of scattered large old paddock trees and two significant patches of vegetation (in current pig paddock and in the north-west corner of the property) which should be fenced off to prevent damage from pigs. This should be required as part of any permit.

Implications

Policy Considerations

There are no additional Council policies or strategies that have not already been discussed in this report.

Financial Implications

This proposal does not have any impact on Council's financial resources as such. Should the matter be referred to the Victorian Civil and Administrative Tribunal then Council will likely incur costs in defending a position on the application. It is also likely that significant time will be spent ensuring compliance with any permit issued. Recommended conditions are therefore aimed at limiting any ambiguity or subjectivity and placing greater onus on the applicant and the peak industry body to self-audit any permitted operation.

Legal/Statutory

All procedures associated with the lodgement and assessment of this application have been done in accordance with the *Planning and Environment Act 1987*.

Cultural Heritage

The applicant has engaged the services of suitably qualified and recognised cultural heritage advisor to review the subject property. A report prepared by the heritage advisor concludes;

“There is no requirement for a mandatory CHMP due to the activity area not being located in an area of cultural heritage sensitivity. While a drainage line known as Croppers Creek runs through the property, a review of the Geographic Place Names Register (GNR) shows that this section of the creek is not a named waterway.

It is also noted that the client has provided photographic evidence and statutory declarations which show the area proposed for works has been subject to significant ground disturbance from previous grading and deep ripping.

This report further identifies that there is no recorded Aboriginal cultural heritage within the study area and predictive modelling for other archaeological assessment in the vicinity suggest there is little likelihood that Aboriginal cultural heritage is present... and therefore little benefit to the client in undertaking a voluntary CHMP prior to the proposed works.”

The findings and conclusion of the report are supported by Council’s Officers.

Social

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

Environmental/Sustainability Impacts

Environmental/sustainability impacts identified in this report will be addressed by way of permit conditions.

Economic Impacts

The application is considered to have a positive economic impact through the promotion and expansion of an existing rural business and the resultant employment generation.

Referrals/Public Notice

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

We will research and advocate:

to advance regional agricultural opportunities.

The non-negotiables

All legislative and compliance requirements are met.

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

N/A

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Notice of Decision to Grant a Permit	Med	Low	Low	Representation of Council at VCAT
Refuse to issue a Notice of Decision to Grant a Permit	Med	Low	Low	Representation of Council at VCAT

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Notify potentially affected parties of the application	Notice of Application sent to surrounding owners and occupants and an advertisement placed in the Wangaratta Chronicle
Consult	Provide opportunity to attend a conciliation meeting	Letters for Conciliation Meeting were sent to objectors. Only two of the five affected parties responded and attended the scheduled meeting.
Involve	Opportunity to make submission.	Notice of Application sent to surrounding owners and occupants and

		advertisement placed in the Wangaratta Chronicle
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. Approve the application, through the issue of a Notice of Decision to Grant a Permit, subject to conditions of permit (refer to Attachment 1).

OR

2. Refuse the planning permit application. Grounds of refusal would need to be provided. This is not the recommended option.

Conclusion

As detailed within this report, the proposal has been found to be an appropriate use of the subject site. Subject to compliance with permit conditions, the proposal is considered to satisfy the relevant provisions of the Wangaratta Planning Scheme, the National Environmental Guidelines for Rotational Outdoor Piggeries 2013 and the Piggery Code of Practice 1992 and conditions of the relevant State agencies.

Concerns raised by objectors throughout the application process have been discussed in detail, with recommended permit conditions considered to suitably address those concerns deemed to be of particular relevance.

Despite the proposed operation being found to be acceptable and relevant concerns of the objectors addressed by way of permit conditions, the National Environmental Guidelines for Rotational Outdoor Piggeries 2013 do note that the continued success of a piggery development relies in part on community acceptance. On-going two-way communication between the piggery operator and surrounding owners and residents reduces the likelihood of complaints, can help in identifying when nuisance occurs and can assist in issue resolution. The applicant will therefore be required to commit to being the first point of contact for any concerns raised and to work with those parties who raise concerns in resolving such concerns. The applicant will be required to conduct proactive community liaison and handle complaints as required under NEGROP 2013. Likewise it is intended that the operation be self-regulated as much as possible through thorough record keeping and independent annual auditing. If required, however, Council may still become involved in any compliance matters as the Responsible Authority.

Attachments

- 1 Piggery - Site Map
- 2 RotationalOutdoorPiggery - Map
- 3 Draft Permit Conditions

16.2 WANGARATTA PLANNING SCHEME - REVIEW OF THE LOCAL PLANNING POLICY FRAMEWORK

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Coordinator Strategic Planning
File Name: Wangaratta PLanning Scheme Review 2015
File No: 73.010.028

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

Executive Summary

This report is presented to Council to:

- Consider the purpose and outcomes of the Wangaratta Planning Scheme Review project;
- Adopt the *Wangaratta Planning Scheme Review: Background, issues and review report, June 2016* and the *Reviewed and Revised Local Planning Policy Framework*;
- Endorse the Background Report and LPPF Rewrite as the basis for a comprehensive planning scheme amendment to update the Wangaratta Planning Scheme as required by legislation; and
- Enable subsequent updates to the adopted documents to reflect the completion of any strategic work currently in progress.

RECOMMENDATION:

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

That Council:

1. ***adopts the Wangaratta Planning Scheme Review: Background, issues and review report, June 2016 and the reviewed and revised Local Planning Policy Framework (July 2016);***
2. ***prepares documentation and seeks authorisation from the Minister for Planning to exhibit an amendment to the Wangaratta Planning Scheme to implement the adopted reviewed and revised Local Planning Policy Framework;***
3. ***authorises the Chief Executive Officer to make any changes to the Wangaratta Planning Scheme Review documents as required by Department of Environment, Land, Water and Planning or to reflect the completion of any strategic projects currently in progress.***

Carried

Background

Overview

Council has engaged consultants to undertake a review of the Wangaratta Planning Scheme (WPS). The main focus of the review is the Local Planning Policy Framework (LPPF) comprising the Municipal Strategic Statement (MSS) and Local Planning Policies. The LPPF represents all local content over which Council has direct control.

Under section 12B of the *Planning and Environment Act 1987*, a planning authority (ie. Council) is required to review its planning scheme every four years. On completion of a review, the planning authority must report the findings of the review to the Minister for Planning.

The review has been undertaken in three stages:

Stage One: Preparation of a background, issues and review report and preparation of a 'policy neutral' revision of the current LPPF, including restructuring the MSS in line with State planning policy headings.

Stage Two: Preparation of a rewritten LPPF that introduces new policy and maps, deletes obsolete policy and aligns with current planning scheme amendments.

Stage Three: Finalisation of the new LPPF and preparation of a planning scheme amendment.

The last comprehensive review of the WPS occurred in 2006 via Amendment C26 (Part 1 and Part 2), which introduced a range of new zone and overlay controls and schedules. The WPS has had ongoing updates as a result of individual planning scheme amendments since that time, but no comprehensive review of the MSS as required by legislation.

Consultation

Consultation has occurred with key stakeholders including Council planning staff and technical specialists, the Corporate Management team and Administrators. All external referral authorities were contacted, although only two agencies actively engaged with the project. This consultation has identified policy that could be strengthened, improved or introduced; policy that is out of date, and policy that is working well so does not need to be changed. Consultation has also identified further strategic work that needs to be done to fill gaps in policy.

As discussed later in the Report, the final rewrite of the LPPF incorporates the policy content of a number of adopted Council strategies, including the *Population and Housing Strategy*, the *North-West and South Residential Growth Area Structure Plans*, *CAA Future Planning Report* and the *Wangaratta Project – A Master Plan for the City (CBD Master Plan)*. These strategies and studies have

been through extensive community consultation prior to adoption. As such, it is considered unnecessary to seek community feedback on the final rewrite of the LPPF prior to adoption. Adequate community input will occur during the formal planning scheme amendment process.

Victorian Civil and Administrative Tribunal (VCAT) findings between 2010 and 2015 have been reviewed to identify areas where the LPPF has been effective in guiding decision-making and assisted VCAT in determinations and areas where policy has been missing or not been helpful to VCAT.

Concurrent amendments

A number of amendments are being prepared concurrently with this Review. These are in various stages of implementation. The review of the WPS has been undertaken to ensure the amendments work together, do not duplicate policy changes and do not contradict each other. Concurrent amendments include: C61 Waldara Low Density Residential Precinct; C69 Rural Strategy 2015; C70 Heritage Review 2015; and C66, C67 and C68: Glenrowan, Oxley and Milawa Township Development Plans.

Due to the varied timing of each amendment, it is important to be able to update the final rewrite of the LPPF to reflect any changes to local policy as a result of these amendments prior to proceeding to a formal planning scheme amendment.

Key changes to the LPPF

Key changes to the LPPF are summarised below, and have been undertaken in two stages:

Policy neutral restructure:

- MSS headings mirror the State Planning Policy Framework (SPPF) headings making it easier to find policy in the MSS.
- All unnecessary background and policy has been removed.
- Policy has been consolidated so issues and context, objectives and strategies, and implementation for each topic are grouped together.
- Objectives and strategies have been numbered and linked so that one objective is supported by one or more strategies.
- An active 'matrix of verbs' has been applied to strategies to introduce consistent, defined and action-focussed verbs.
- Stronger emphasis on place-based policy, with frameworks and tables being used to assist with working out where to apply policy.
- Local policies have been retained only where there is a clear permit trigger. More general local policies have been incorporated into the relevant clause of the MSS.
- A local area section has been included in the LPPF for policy that relates to specific areas within the Wangaratta Regional City and townships.

Final rewrite:

- Policy from adopted planning strategies not yet incorporated into the WPS has been identified and new policy drafted.

- Key strategies are the *Population and Housing Strategy 2013*, the *North-West and South Residential Growth Area Structure Plans*, *CAA Future Planning Report* and the Wangaratta CBD Masterplan.
- A new Vision is proposed based on the current Council Plan 2013-2017 (Revision 2016).
- Obsolete and duplicate policy has been deleted and the further work section updated to remove completed work or work identified as no longer relevant.

Further work and project recommendations

The Background Report identifies a significant amount of further strategic work for Council's consideration. The sources of this future strategic work include consultation with stakeholders; further work identified in the current LPPF; the review of the LPPF and zones, overlays and schedules; and work arising from adopted Council strategies such as the *Population and Housing Strategy 2013* and *Rural Strategy 2015*.

The Report details a two-step method of prioritising this work, to determine whether the work should be listed in the LPPF or remain outside the Scheme. An internal review has identified seven priorities for specific inclusion in the MSS as further work. These are:

- Industrial Land Use Strategy
- Moyhu Township Development Plan
- Future Investigations Areas – Rural Strategy 2015
- Design and Development Guidelines/Overlay for CAA
- Development Contributions Plans for greenfield and infill development
- Sustainable development guidelines for both the Central Activity Area (CAA) and for green field and infill residential development
- Land use zoning corrections.

Implications

Policy Considerations

The review of the WPS has extensive policy implications. The purpose of the review is to ensure that the current Local Planning Policy Framework within the WPS reflects current State planning policy, as well as including adequate reference to all currently adopted Council land use strategies. To this end, the adoption of the Background Report and Revised LPPF will assist in the implementation of the following Council policy:

- Council Plan 2013-2017 (Revision 2016)
- Population & Housing Strategy
- CAA Future Planning Report
- North West and South Residential Growth Area Structure Plans
- CBD Masterplan

Financial/Economic Implications

There has been a cost to Council to employ consultants to undertake this project, as well as internal resources spent to manage the project. There will be further costs to run a planning scheme amendment including fees payable to the Minister for Planning, potential Planning Panel fees and extensive officer time and resources to manage the amendment.

Legal/Statutory

The preparation of the LPPF review will assist Council to meet its obligations under section 12B of the *Planning and Environment Act 1987*.

Social

Updating Council's key land use document, the Wangaratta Planning Scheme, to reflect adopted Council policy, will ensure that the community benefit from clearer and more accurate decision-making in land use planning matters.

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

We will plan and make decisions for the future:

by updating the Planning Scheme and the Municipal Strategic Statement by developing new and reviewing existing strategies, including Rural Land Use.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

The most significant risk to Council is that its' primary land use planning tool, the Wangaratta Planning Scheme, will become increasingly out of date and unreflective of adopted Council policy. This can be remedied by adopting the attached Background Report and Reviewed and Revised LPPF as the basis for a comprehensive amendment to the Wangaratta Planning Scheme.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	N/A	
Consult	N/A	
Involve	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how input influenced the decision.	Workshops with internal stakeholders and external agencies; collation and analysis of issues raised and changes to policy to address these concerns.
Collaborate	N/A	
Empower	N/A	

As discussed earlier in this report, consultation with the public has not occurred at this stage. The project has focussed on structural changes and implementing policy that has already been adopted by Council following community consultation processes.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration, noting that community consultation will occur through the planning scheme amendment process.

Options for Consideration

Option 1 (Preferred): Adopt the Background Report and Revised LPPF as the basis for a comprehensive amendment to update the Local Planning Policy Framework of the Wangaratta Planning Scheme. Adopting this work will help ensure Council's primary land use planning tool, the Wangaratta Planning Scheme, is consistent with State planning policy, reflects adopted Council land use policy and meets the requirements of section 12B of the *Planning and Environment Act 1987*.

Option 2 (Not preferred): Require community consultation on the Background Report and Revised LPPF prior to adopting the documents and proceeding to a comprehensive planning scheme amendment. This option is not preferred as it is considered an unnecessary duplication of the amendment process. The revised LPPF contains new policy consistent with current adopted Council strategies which have already been the subject of community consultation.

Option 3 (Not preferred): Don't proceed with the Wangaratta Planning Scheme Review project until all current strategic studies and amendments are complete and can be incorporated into the Revised LPPF. Due to the ongoing nature of strategic projects, it is difficult to time a comprehensive review without any other projects underway. To this end, it is proposed that Council resolve to delegate authority to the CEO to make any subsequent changes to the Background Report and Revised LPPF as a result of the completion of any ongoing strategic work.

Conclusion

The Local Planning Policy Framework component of the Wangaratta Planning Scheme is long overdue for review, as required by State legislation. The submitted Background Report provides a comprehensive review of the current LPPF based on current State policy, stakeholder consultation and adopted Council land use policy. The Revised LPPF is a succinct and well written document with updated strategic framework maps and revised land use policy that will provide important guidance to Council's land use planners and community alike. The adoption of these documents as the basis for updating the Wangaratta Planning Scheme should be supported.

Attachments

- 1 WANGARATTA BACKGROUND AND CONSULTATION REPORT V6 JULY 2016
- 2 LPPF VERSION 11_2 FINAL DRAFT JULY 2016

16.3 WANGARATTA UNLIMITED ADVISORY COMMITTEE - MEMBERSHIP APPOINTMENTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Manager - Economic Development and Tourism
File Name: Council's Committees
File No: 10.020.008

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 the outcome of the invitation for Expressions of Interest to fill the vacancies created through the annual term of service expiry for three members of the committee. A further vacancy created by a resignation on the Wangaratta Unlimited Advisory Committee will also be filled from the list of 6 nominations and will cover the remaining term for the position left vacant, which is until August 2017.

RECOMMENDATION:

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

That Council:

- 1. Appoints the following three people as representatives on the Wangaratta Unlimited Advisory Committee for a term of three years ending August 2019: Robert Floyd, Elizabeth Ellis, and Michael Reid***
- 2. Appoints Christian Dal Zotto as a representative on the Wangaratta Unlimited Advisory Committee for the term ending August 2017.***

Carried

Background

Committee members of Wangaratta Unlimited are appointed as voluntary members to set terms of service. The terms of three existing members of the committee have an expiration date of August 2016. The remaining appointment is to cover the remaining term for the vacant position caused by a resignation on the Committee, which is August 2017.

Expressions of Interest were publicly called with six nominations received. All nominations were assessed against the existing "Skills Matrix", with Robert Floyd, Elizabeth Ellis and Michael Reid being the preferred nominations.

The additional appointment to cover the remaining one year term of the resigning member was also assessed against the matrix and the skills shortage caused through that resignation, and Christian Dal Zotto was the preferred nomination for the position.

The “Skills Matrix” ensures adequate representation across the following sectors: Manufacturing, Environment/Sustainability, Transport/ logistics, Service Sector, Education, Retail, Small/Medium enterprises, Investment/development, Media/Marketing/Regional Promotion, Global experience/Export, Food and Wine, Events/conferencing, Tourism/hospitality.

Attached are copies of the following documents: copy of the skills matrix completed for each applicant; a copy of the nomination form for each applicant; and the recommendation summary for all nominations (refer confidential attachment).

Implications

Policy Considerations

The Wangaratta Unlimited Advisory Committee Charter sets out the terms and key dates for appointments.

Financial/Economic Implications

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

Legal/Statutory

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

Social

The Wangaratta Unlimited Advisory Committee provides the opportunity for two way engagement between Council and Community members.

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Connected

We will plan and make decisions for the future:

that ensure we have sufficient industrial land to attract new businesses and create jobs.

The non-negotiables

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

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	Keep informed	Newspaper Website Letters to committee members

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

All applicants will be notified of Council's decision and thanked for their interest.

Conclusion

Following consideration of the Expressions of Interest for the vacancies on the Wangaratta Unlimited Advisory Committee, the new appointments will assist the committee in continuing to provide Council with advice, feedback and guidance.

Attachments

- 1 Wangaratta Unlimited Nominations 2016 - Confidential
- 2 Wangaratta Unlimited - nominations summary 2016 - Confidential
- 3 Wangaratta Unlimited - Skills matrix 2016 - Confidential

16.4 REGIONAL ECONOMIC DEVELOPMENT STRATEGY 2016-2020

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 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 Strategy 2016 - 2020 for the Rural City of Wangaratta.

RECOMMENDATION:

(Moved: Administrator I Grant/Administrator R Roscholler)

That Council:

1. *adopts the Economic Development Strategy 2016-2020*
2. *makes a copy of the adopted strategy available on Council's website and at Council offices*
3. *advises all submitters of this decision; and*
4. ***ensures the Economic Development Strategy 2016-2020 be reviewed by the new Council as a matter of priority.***

Carried

Background

The previous Economic Development and Tourism Strategy was due for review in 2015 and the Economic Development team has undertaken significant business and industry consultation to develop this updated strategy. Feedback resulting from this consultation process has highlighted two main areas of focus, being job creation and youth retention as well as suggesting a small number of changes.

Consideration has also been given to the title of the final document to better reflect the broader economic development focus. The term of the strategy has also been increased by two years following recommendations in submissions received from the community to the draft document. Several additional minor changes have been included in the document to reflect submission comments.

The Economic Development Strategy 2016 – 2020 provides direction for future activities in all aspects of economic generation in the municipality including, but not limited to, health and allied industries, hospitality, retail, tourism, manufacturing and agribusiness.

Implications

Policy Considerations

The previous Economic Development and Tourism Strategy was due for review in 2015.

Financial/Economic Implications

The strategy has been developed in-house and in accordance with the budget allocation for the Economic Development 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.

We will create and deliver:

tourism products and experiences that attract visitors.
marketing campaigns and training that support our local businesses and attracts shoppers to the CBD.

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.

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

We will focus on our business:

ensuring our workforce is skilled, responsive and adaptable to meet our community needs.

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

Council Plan 2013-2017

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	Council's website Strategy available for inspection at Wangaratta Government Centre

A draft of the Economic Development Strategy was endorsed for public exhibition at the April 2016 Council meeting. The exhibition period has now expired and a total of seven submissions received. Five of the submissions commented on the importance of continued Visitor Information Centre services in the current location. Three supported stronger promotion of the Wangaratta Art Gallery, with two submissions encouraging stronger promotion of ‘the Arts’ and our Indigenous Heritage. Other comments focussed on issues such as traffic reduction in the City, continuation of Library services and stronger promotion of the Performing Arts Centre, and the potential to play music to create atmosphere in the streets. One submission endorsed a stronger connection with the Goulburn and North East Arts Alliance.

Comments were also received on the two year term of the strategy suggesting it should be longer and the perceived lack of consultation during the development of the strategy. International tourism in the region was raised as an opportunity, as was cycling and food and wine. The areas of manufacturing, regional population growth, ensuring the number of chain stores in the municipality doesn’t grow at the expense of local traders, and the perceived difficulties in dealing with Council’s Planning Unit were raised as requiring added focus. (A summary of submission comments is included in the attachments).

Following a review of the submissions some changes have been made to the final strategy. These changes include:

- the term of the strategy has been increased by two years from 2016 – 2020;
- a reference to the Council Plan in section titled “What We Do” and in the Manufacturing, Tourism and Agriculture comments;
- a stronger reference to The Arts included in the Tourism Section.

A change has also been made to the Title of the Strategy, it is now *The Economic Development Strategy*, to better reflect that areas such as tourism development are a significant part of economic development in this municipality. The term Economic Development is the overarching name of what the broader scope is with tourism one of the significant elements of that activity.

Written responses will be provided to all submitters thanking them for their interest and advising that recommendations have been noted with some changes made as a result.

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

Conclusion

The updated Economic Development Strategy 2016 - 2020 is the result of input from staff and extensive business, industry and community consultation. The public notice process resulted in seven submissions being received, these have been considered and some changes made. The economic climate is an ever-changing area that requires monitoring, and as such, any strategy should be able to adapt to provide long term sustainability of the municipality and its greater business community.

Attachments

- 1 Summary of Submissions
- 2 Analysis of Submissions
- 3 Economic Development and Tourism Strategy 2016 - 2020

16.5 PROPOSED SALE OF INDUSTRIAL LAND

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 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 commence the process to progress the sale of Council owned land by private treaty in the North Wangaratta Industrial Estate for the development of a new factory. The land, located in Detour Road North Wangaratta, is 4.553 hectares in size and shown on the attached site plan (Lot 2).

RECOMMENDATION:

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

That Council:

- 1. Gives notice of Council's intention to sell land contained in Certificate of Title Volume 10257, Folio 955 being Lot 2 Title Plan 5413K, Parish of Wangaratta North situated at Detour Road, North Wangaratta in the Wangaratta Chronicle and on Council's website inviting written submissions on the proposed sale until Friday 19 August 2016;***
- 2. Forms a Committee of Council, if required, to hear submissions on 22 August 2016;***
- 3. Considers all submissions when deciding whether or not to sell the land at Lot 2 Title Plan 5413K, Parish of Wangaratta North situated at Detour Road, North Wangaratta as contained in Certificate of Title Volume 10257, Folio 955 at the Ordinary meeting of Council on 13 September 2016.***

Carried

Background

The proposed purchaser is an innovative company that uses an internationally patented process to “dry clean” and recycle waste plastic. The end products manufactured using this process include electric and gas cable coverings, garden edges and plastic bags. The company has decided to relocate its manufacturing factory to Wangaratta and will use the North Wangaratta land as its home base.

Negotiations have been ongoing between the Economic Development Unit, Regional Development Victoria and this particular company regarding the possible relocation of the business for over 18 months. The Company have advised that they have made the decision to move to Wangaratta and intend to purchase the land and commence construction. It is anticipated 12 new jobs will be created initially with a predicted growth to around 20 jobs within a year.

A valuation has been undertaken by Council’s panel valuers and the purchase price has been agreed.

Implications

Policy Considerations

The Council Plan and Economic Development Strategy support industry growth and job creation in the area.

Section 189 of the Local Government Act 1989 provides that before a Council sells land, it must:

- give public notice at least four weeks prior to selling the land; and
- obtain from a registered Valuer, a valuation of the land which is not made more than six months prior to the sale.

The public has the right to make a submission on the proposed sale in accordance with Section 223 of the Local Government Act 1989.

An updated market valuation of this property will be obtained and the sale of this property will be negotiated having regard to this market valuation.

Financial/Economic Implications

Expenditure incurred at this stage has been for the valuations and boundary re-establishment activities. Further expenditure will be incurred to complete the sale through delivery of services and legal costs associated with conveyancing. Grant funding is being sought to offset some of the service delivery costs through Regional Development Victoria.

Legal/Statutory

There are legal/statutory implications identified for the subject of this report involving the sale of public land and this report is for the commencement of these formal processes.

Social

The creation of new jobs within the municipality is important for the sustainability of the local economy and potential retention of youth and this business being in plastic recycling continues Councils trend of support for environmentally sustainable businesses.

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 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.

that ensure we have sufficient industrial land to attract new businesses and create jobs.

The non-negotiables

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

Investment in new industries is supported and encouraged.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

Economic Development Strategy 2106-2020

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The recommendation fails	Unlikely	significant	medium	Ensure recommendation is adopted based on regional benefit

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Keep informed	newspaper

Submissions will be invited from the community in regards to the proposed sale of the land in accordance with sections 189 and 223 of the Act.

A notice to this effect will be advertised in the Chronicle newspaper on Friday 22 July 2016, and also on Council's website indicating that submissions will be received up to 5.00pm on Friday 19 August 2016.

Persons making submissions can request an opportunity to be heard in respect of their submission. A Committee of Council has been established to hear submissions on the proposed land sale on Monday 22 August 2016.

All submissions will be considered by Council when deciding whether or not to sell the land at the Ordinary Meeting of Council scheduled for Tuesday 13 September 2016.

Conclusion

This parcel of land is one that has been previously marketed and identified for future industrial development. The sale of this parcel of land will allow for the relocation of a new company to this municipality. This is expected to create jobs during the construction phase and also approximately 12 new jobs at commencement growing to around 20 within one year. Ongoing growth is predicted to be constant with the company also making plans to purchase a second parcel of land adjacent to this block within 3 years (Lot 3).

Attachments

- 1 Site plan - Detour Road land sale to Plastic Forests - Confidential

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

Nil

19. RECORDS OF ASSEMBLIES OF ADMINISTRATORS

19.1 RECORDS OF ASSEMBLIES OF ADMINISTRATORS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 19 July 2016
Author: Executive Assistant Corporate Services
File Name: Records of Assemblies of Administrators
File No: 10.020.020

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
21 June 2016	Pre-council Briefing	Attachment
28 June 2016	Administrators Briefing Forum	Attachment
5 July 2016	Administrators Briefing Forum	Attachment
12 July 2016	Administrators Briefing Forum	Attachment

RECOMMENDATION:

(Moved: Administrator R Roscholler/Administrator I Grant)

That Council receives the reports of Assemblies of Administrators.

Carried

Attachments

- 1 Assemblies of Administrators - June/July 2016

20. NOTICES OF MOTION

Nil

21. URGENT BUSINESS

Nil

22. PUBLIC QUESTION TIME**Ron Leavold – Meadow Creek**

I would like to raise a matter which I raised about 12 months ago. The agenda for tonight's meeting was on the web at something like 65 megabyte, 622 pages. I have asked previously for consideration to those of us who rely on the internet from 'sputnik' that the agenda be available separately rather than have to download the whole thing. For a meeting like tonight the agenda and attachments should be made available separately. It is easy for people in town with tax payer funded computer technology to download a PDF with so many megabytes. It can be an imposition in time and cost for people and discourages us from taking part.

***Brendan McGrath, Chief Executive Officer** replied we will take this on notice to see if we can produce an agenda only version separate to attachments. We would obviously need to produce one in its normal format but I think it should also be possible to have a second version that is the reports only for those who are interested in that element. I will talk to the people who run the agenda program and see how difficult that is.*

Ron Summers – Wangaratta

I would like to ask, when is work scheduled to begin on the instillation of any pedestrian crossings that now have a huge presence in the recently adopted CBD Masterplan?

***Brendan McGrath, Chief Executive Officer** replied we are trying to bring together a range of different concepts that are identified for the CBD Masterplan into one cohesive plan which shows exact locations. We will need to get VIC roads approval for a number of those locations. The more detailed work that takes those concepts to the next level is being done. We are also working with the State Government for a funding application for several million dollars to implement a range of those high priority recommendations. Assuming we are successful in getting that funding application up, I would hope realistically next calendar year we would see some work actually unfolding.*

Ron Summers – Wangaratta

Do we want visitors with motor homes and caravans to stop in Wangaratta? I can only find one sign that directs people to long vehicle parking in the CBD from the North side, pointing to a couple of spots out there beside the waste treatment plant. The Council parking Enforcement Officers might also help to keep the spaces that are available free of cars for visitors. I have noticed a lot of cars parked in the long vehicle parking areas and a few weeks ago a couple of firetrucks were parked near King George Gardens. I suggest they were having a cuppa at the PreVue. I have a motor home and I drive around and see there is no signage coming from Melbourne and we have eight or so available.

Brendan McGrath, Chief Executive Officer replied your question is really about signage to direct them to any existing spaces rather than needing more spaces?

Ron Summers – Wangaratta

Well that would be a good start. Also the enforcement aspect.

Brendan McGrath, Chief Executive Officer replied we will have a look at signage and see where it might be practical to install some additional signage.

Ron Summers – Wangaratta

One of the spots is in Baker Street next to Safeway which is ideal for people to come and restock, but quite often there are cars parked there.

Brien Jones – Bowser

It's great we've had the rain over the last few months and all the farms and dams are coming up. On the adverse side, the road conditions out in the rural areas need a lot of attention. There's pot holes and some of the roads are slippery as they don't have decent road surface. Is there any chance of being able to do a bit of road maintenance out in the country?

Brendan McGrath, Chief Executive Officer replied the broad answer is that we have quite an extensive program for maintenance, repair and resealing of roads. We spend quite a significant amount of money on that each year, hundreds and thousands of dollars, either grading, resealing or rebuilding roads. We have a program that we try and work through in a priority order to try and get the best return on the work that we can do. If there are specific roads or sections that you think are of particular concern then we can certainly get staff to look at these sections of roads to assess whether there is some immediate action required.

Ken Clarke – Wangaratta

I just wonder how much longer we are going to wait to do something about the pot hole, which is now at least 18 inches deep where you turn right out of Ovens Street into Roy Street. There is a lot of traffic that use that road and it is getting worse and worse.

The second thing is to do with compliance and I travel out Yarrawonga Road often. On the nature strip between Edwards Street and the service road, there has been a boat there for at least 4 months for sale and I wonder when our enforcement officers are going to do something about getting it moved. We've had the Council try and stop people from leaving their cars on the side of the road to sell them, why are we not doing the same for boats?

Ailsa Fox, Chair Administrator replied that for something like the pot hole, have you put in a customer request form? Also a similar situation with Brian and the roads, there is a process for putting forward these kind of requests. This ensures they get much quicker attention.

Brendan McGrath, Chief Executive Officer replied the pot hole will be looked at tomorrow. If it's 18 inches deep that's a worry and will need urgent attention. We have recently released a suite of new policies that support the Local Law and one of those policies deals with the sale of vehicles and other items in reserves and nature strips. It is quite a restrictive policy and we will get the Local Law staff to have a look at the boat and I suspect they may already be aware of it.

23. CONFIDENTIAL BUSINESS

RECOMMENDATION:

(Moved: Administrator R Roscholler/Administrator I Grant)

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

23.1 Karen Chetcuti Memorial Trust Fund

Item 23.1 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to : (a) personnel matters, (f) legal advice and (h) any matter which Council considers prejudicial to Council or any person.

23.2 Contract - Confidential Agreement

Item 23.2 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to : (d) contractual matters.

24. CLOSURE OF MEETING

The Meeting closed at 7.09pm.