

Minutes

Of the Ordinary Council Meeting

Location: Whorouly Recreation Reserve
Whorouly

Date: 13 September 2016

Time: 6pm



RURAL CITY OF
WANGARATTA

Brendan McGrath
Chief Executive Officer

TABLE OF CONTENTS

	Page No.
1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	5
2. OPENING PRAYER	5
3. PRESENT	5
4. ABSENT	5
ADMINISTRATOR I GRANT, HAVING PREVIOUSLY BEEN GRANTED LEAVE OF ABSENCE FOR THE PERIOD 25 AUGUST TO 19 SEPTEMBER 2016	5
5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE	5
ORDER OF BUSINESS	5
6. CITIZENSHIP CEREMONY	5
7. CONFIRMATION OF MINUTES	5
8. CONFLICT OF INTEREST DISCLOSURE	6
9. RECEPTION OF PETITIONS	6
10. HEARING OF DEPUTATIONS	6
PRESENTATION OF REPORTS	6
11. ADMINISTRATORS' REPORTS	6
OFFICERS' REPORTS	8
12. EXECUTIVE SERVICES	8
12.1 CHIEF EXECUTIVE OFFICER - KEY PERFORMANCE INDICATORS 2016/2017	8
12.2 DELEGATION OF REGIONAL CITIES TO CHINA	10
13. CORPORATE SERVICES	13
13.1 JUNE 2016 QUARTERLY FINANCE REPORT	13
13.2 DELEGATIONS TO MEMBERS OF COUNCIL STAFF	19
13.3 'ACT FOR THE FUTURE' DIRECTIONS FOR A NEW LOCAL GOVERNMENT ACT - SUBMISSION	23
13.4 ANNUAL REPORT	25
13.5 CAPITAL PROJECTS 2015/16 CARRY OVERS	32
14. COMMUNITY WELLBEING	36
14.1 MAX PARKINSON LODGE	36
14.2 AUSTRALIA DAY POLICY REVIEW	42
15. INFRASTRUCTURE SERVICES	48
15.1 TREE MANAGEMENT STRATEGY	48
15.2 C1516-032 SUPPLY AND INSTALLATION OF THE AERATED STATIC PILE COVER SYSTEM FOR THE ORGANIC PROCESSING FACILITY	51
16. DEVELOPMENT SERVICES	56
16.1 WANGARATTA PLANNING SCHEME AMENDMENT C57 - AUSTRALIAN TEXTILE MILLS PARTIAL REZONING - CONSIDERATION OF AUTHORISATION REFUSAL	56
16.2 RURAL CITY OF WANGARATTA DOMESTIC ANIMAL MANAGEMENT PLAN (DAM PLAN) ..	65
16.3 2016/2017 ROUND 1 SPECIAL EVENTS	68

16.4	REGIONAL ECONOMIC DEVELOPMENT - SALE OF LAND.....	72
17.	SPECIAL COMMITTEE REPORTS.....	76
18.	ADVISORY COMMITTEE REPORTS.....	77
18.1	ADVISORY COMMITTEE REPORTS	77
19.	RECORDS OF ASSEMBLIES OF ADMINISTRATORS	79
19.1	RECORDS OF ASSEMBLIES OF ADMINISTRATORS	79
20.	NOTICES OF MOTION	81
21.	URGENT BUSINESS	81
22.	PUBLIC QUESTION TIME.....	81
23.	CONFIDENTIAL BUSINESS	83
23.1	CHIEF EXECUTIVE OFFICER - PERFORMANCE REVIEW	83
24.	CLOSURE OF MEETING.....	83

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; Mr Rod Roscholler.

Officers:

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

4. **ABSENT**

Administrators:

ADMINISTRATOR I GRANT, HAVING PREVIOUSLY BEEN GRANTED LEAVE OF ABSENCE FOR THE PERIOD 25 AUGUST TO 19 SEPTEMBER 2016.

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

ORDER OF BUSINESS

6. **CITIZENSHIP CEREMONY**

Nil

7. **CONFIRMATION OF MINUTES**

RECOMMENDATION:

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

That Council read and confirm the Minutes of the Ordinary Meeting of 16 August 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

As we are about to enter into the Election Period, this is one of the last opportunities for us as Administrators to speak publicly about our time at the Rural City of Wangaratta. We would like to firstly thank the community for making our role extremely enjoyable and fulfilling over the past three years. We came in at a time when the Rural City of Wangaratta was in strife.

The elected Council had been dismissed by Victorian Parliament and the Council's Corporate Management Team had also parted ways with the organisation. As well as this, the costs associated with the events leading up to our appointment were \$2 million – which is the equivalent of a 10 per cent rate rise. We set about repairing the budget shortfall and human legacy that we inherited. The contrast from then to now couldn't be bigger. The Rural City of Wangaratta is now a strong, stable organisation that is ready for the return of elected Councillors.

We've made some tough decisions as well as some visionary decisions that have had tangible benefits for Wangaratta. The Wangaratta Saleyards now has a roof over it and is a state-of-the-art selling facility. Allocating community funds towards this project was a tough decision, but a good decision and because of the approach we took we were able to leverage \$900,000 in State Government funding for this project. Adopting the Aquatics Strategy was a major step forward for Wangaratta. It had been discussed for over ten years and nothing had been done. We made the tough call to close Yarrunga and Olympic pools but we also see this as a visionary decision.

The new aquatic facilities will set Wangaratta up for the next 50 years and as we've seen with the splash park, they will be facilities that meet the community's needs. The CBD Masterplan has been developed after one of the biggest public consultation exercises in Council's history – hundreds had input into this and the community now has ownership of it. Significant progress has been made in the area of planning – with strategic work now in place or well advanced in development for both urban Wangaratta and rural areas.

The most significant achievements have been in returning the Rural City of Wangaratta to a strong financial position. From a \$2 million black hole this is now a Council that continues to deliver surpluses and one of the biggest capital works programs in the region. In the past couple of years Council has faced new financial challenges, including rate capping and a freeze on indexation of financial assistance grants, reducing Council's projected income by \$40m over ten years. Through the 'Our Future' program Council is on track to lock away \$4.4m in ongoing annual savings by getting smarter at what we do. This includes a better customer request system, getting our works crews using mobile devices and tablets for their work orders and cutting costs on printing, stationery and power. Because of these efficiencies, Council's workforce has reduced by 20 positions and savings have been made especially in senior manager roles. We have also seen to it that Council's reserves have been replenished.

A point we would like to emphasise to the community is that good decisions can be made in the right environment. You don't need Administrators to make good decisions. Great things can be achieved by having Councillors who put the community first. There is still plenty of work to be done at the Rural City of Wangaratta. The message we have for the Wangaratta community is that the future is in your hands. Use your votes wisely at the upcoming elections.

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

12.1 CHIEF EXECUTIVE OFFICER - KEY PERFORMANCE INDICATORS 2016/2017

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager People and Performance
File Name: Brendan McGrath Chief Executive Officer
File No: MM/449

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

In accordance with *Section 97A (1) of the Local Government Act* and the requirements of the Chief Executive Officer's (CEO) Contract of Employment a performance review has been conducted. This review was conducted during August 2016.

To ensure a transparent, fair and constructive discussion, Council engaged an independent facilitator to implement and oversee the participatory process. It followed an agreed framework and consisted of a Leadership assessment by eleven employees including his direct reports, a CEO self-assessment and an assessment by the Administrators. The review assessed the CEO's performance against his agreed key performance indicators established at the commencement of the review period. The facilitator was present during all discussions and meets privately with the Administrators to ensure all relevant information was known and documented. At the conclusion of the review a new set of Key Performance Indicators are established for the coming year.

The CEO performance review report, performance outcomes and remuneration are dealt with in the confidential section of this meeting agenda. The performance criteria for the 2016/2017 financial year has now been finalised and is presented for Council's endorsement separately.

RECOMMENDATION:

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

That Council:

- 1. endorses the Chief Executive Officer's 2016/2017 performance criteria.***
- 2. strongly recommends this criteria be the framework for future Chief Executive Officer Performance reviews.***

Carried

Attachments

- 1 CEO Key Performance Indicators 2016/2017

12.2 DELEGATION OF REGIONAL CITIES TO CHINA

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Executive Assistant Corporate Services
File Name: FRIENDSHIP AGREEMENT WITH AUSTRALIAN SISTER CITIES ASSOCIATION
File No: 42.070.003

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 information regarding participation in the delegation of regional Victorian cities to China from the 19 – 23 September 2016. The Premier of Victoria and Minister for Agriculture and Regional Development, the Hon. Jaala Pulford MP will be travelling to China in September with the purpose of opening doors for businesses in regional Victoria through the Regional Cities Alliance platform.

RECOMMENDATION:

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

That Council:

- 1. authorises two representatives, both Chair Administrator Ailsa Fox and Acting Chief Executive Officer Alan Clark to travel with the delegation of regional Victorian cities to China from the 19 – 23 September 2016.***
- 2. notes the State Government will subsidise travel expenses up to \$2,000.00 per delegate.***

Carried

Background

The Regional Cities Alliance aims to strengthen ties between complimentary cities in regional Victoria and Jiangsu to facilitate ongoing economic development opportunities and relationships.

All levels of Government have a role to play in building relationships to ensure Victorian businesses can capture new opportunities. It is a core part of the Victorian Government's agenda to create new jobs and spread the benefits of global growth to regional cities and communities.

Implications

Policy Considerations

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

Financial/Economic Implications

The aim of this delegation is to improve the economic opportunities between our region and Jiangsu. There will be a small cost to Council with most of the travel and accommodation be covered by the State Government.

Legal/Statutory

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

Social

It is anticipated that a return Chinese delegation will visit our municipality. This will further enhance the cultural and social relationship between our region and the Jiangsu province.

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 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.

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

Manufacturing and service industries continue to grow and provide substantial employment opportunities.

b) Other strategic links

Opportunities to strengthen and develop relationships with Chinese government officials and businesses in Nanjing and Jiangsu cities.

Conclusion

China's demand for Victoria's high quality food, fibre and tourism offerings provides a significant opportunity for our municipality to market our region via a sister city relationship. This is a significant opportunity to create relationships for local business at an international level and will assist Council to participate in future inbound/outbound trade missions.

It will allow Council to raise the profile of the capabilities and offerings of Wangaratta and its surrounds. The cost of this trip is being subsidised by the State Government and is likely to be followed by a visit to our area from senior Jiangsu leaders.

Attachments

Nil.

13. **CORPORATE SERVICES**

13.1 JUNE 2016 QUARTERLY FINANCE REPORT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager Finance
File Name: 15/16 Budget
File No: 51.060.021

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

Executive Summary

This report is presented to Council to provide an update of Council's year-end financial performance to its Revised Budget for 2015/16. The report also provides a comparison of Council's performance against the 15/16 Reforecast which was the basis for the assumptions in Council's 2016/17 Budget approved in June 2016.

RECOMMENDATION:

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

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

Carried

Background

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

Implications

Policy Considerations

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

Financial Implications

Quarter 4 Summary

	Budget Review \$'000	Actuals\$'000	YTD Variance \$'000	YTD Variance %
Income	54,149	54,511	362	0.67
Expense	53,327	54,207	(880)	(1.65)
Surplus (Deficit)	822	304	(518)	(63.02)
Capital Works Expenses	22,997	18,932	(4,065)	17.68

Council's share of the High Country Library Corporation's net loss of \$210,000 is shown in the Operating Result (*refer attachments*). This loss reduces Council's operating surplus to \$94,071 for the year ended 30 June 2016.

Operating Result

Council has \$361,598 more income than budgeted at 30 June 2016, however this is offset by increased expenses of \$879,505. When compared to Council's 2015/16 Budget Review, the annual surplus is \$517,907 less than expected. When compared to Council's 2015/16 Forecast prepared in April, the annual surplus is \$283,154 more than expected.

A detailed explanation of Operating Result variances follows:

Operating Income

Favourable

1. Additional rates and charges revenue of \$86,820 as a result of supplementary valuations throughout the year. Of this, the March 2016 quarterly finance report noted \$37,000 in increased income from garbage charges as a result of a review of kerbside collections. This is a permanent favourable variance.
2. Additional enforcement income and animal registration income of \$92,593 has been earned. Favourable income also includes \$18,361 of additional planning permit income through 2015/16.
3. Council does not include in its budget the non-monetary contributions associated with new infrastructure assets. These assets are recognised as subdivisions reach practical completion. During 2015/16 these included Creek View Estate Stage 3, River Edge Estate, Baltimore Park Stage 2 and Nolan Lane Tarrawingee. These assets are constructed by developers.

Unfavourable

4. Council has received \$145,000 less than budgeted user fee income at the Livestock Selling Complex. The March quarterly finance report identified an amount of \$68,000 and this number has increased over the last three months of 15/16.

5. Council has received \$92,388 less than budgeted user fee income for the Wangaratta Child Care Centre. In the March quarterly review a \$133,000 shortfall in user fee income was reported and this was expected to recover in the remaining three months. This has not eventuated in its entirety and there is an unfavourable movement in user fee income.
6. Council has received \$69,788 less than budgeted parking meter income.
7. Council has received \$33,769 less than budgeted user fee income at the Wangaratta Cemetery. In the March quarterly report it was disclosed that the expected impact for the 12 months would be \$40,000. As such, there has been a slight improvement from the estimates reported.
8. Council has received \$177,152 less than budgeted user fee income at the Bowser landfill. This is due to better divergence of organic waste from the landfill. It was expected that the unfavourable movement for the 12 months would be \$193,000, so this result is slightly better than expected.
9. Council's Budget Review and Forecast position for 15/16 expected the completion of a number of property sales. These did not settle in 15/16 and therefore the gain of \$126,659 represents only the sale of plant and equipment assets. These property sales will settle in 16/17.
10. A change in accounting treatment of unspent packaged care income has resulted in reduced revenue being recognised in the 2016/17 year of \$347,000. This represents grant funding for clients that is received but not yet spent for the benefit of those clients.

Operating Expenses

Favourable

11. Finance costs is shown as a revenue of \$202,594. This is due to the inclusion of \$642,102 which represents an accounting gain on the revaluation of the landfill provision. This is unbudgeted as it is based on conditions that exist at 30 June 2016 with respect to indexation and discount factors.

Unfavourable

1. Depreciation was understated during budget preparation. At the time the budget is prepared, the valuation of infrastructure assets is not known, therefore subject to variation.
2. Employee benefits includes \$834,511 of redundancy costs that have either been paid or provided for at 30 June 2016. These are a once-off cost as a result of the restructure of Council's workforce over the last six months.
3. There is a 1.69% overrun for materials and services. This is due to unexpected increases in utility costs and additional contract payments.

For a detailed analysis of the Operating and Capital Works result year to date variances refer to the June 2016 Financial Reports. (*refer attachments*)

Capital Works

The 2015/16 capital works program was reviewed as part of the budget setting process for 16/17 and three key projects had significant expenditure deferred until 2016/17. These being, the CBD masterplan, aquatic development and organics processing plant.

In addition, there are a number of other capital projects that Council proposed to carry over into 2016/17. These projects are set out in detail in the Council report dealing with capital project carry overs.

Capital works that have completed in the 2015/16 year include:

1. Roll out of organics and new kerbside collection processes
2. Merriwa park Comfort Station redevelopment
3. Wangaratta Splash Park
4. Various drainage works throughout the Council area
5. Regular re-sheeting and road improvements throughout the Council area
6. Township gravel road sealing program
7. Dust suppression road treatments
8. Extension to HP Barr Reserve car park
9. Livestock Selling Complex Roof
10. Street parking ticket machines
11. Merriwa Park infrastructure renewals
12. City Oval Tennis Precinct building and land improvements
13. Renewal of Aerodrome runway lights
14. WISAC Cogeneration project.
15. Design and construction of Cell 7 at Bowser Landfill
16. Council's Energy reduction program – lighting at the Wangaratta Government Centre

Capital works that are nearing completion, with substantial works completed in 2015/16 include:

17. Greta netball and umpire change rooms
18. Informal Recreation project
19. South Wangaratta Pitch realignment
20. Rural and Regional Transfer Station upgrade
21. Bridge renewal program.

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

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

Economic Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable.

We will create and deliver:

our budgeted annual capital works program.

We will plan and make decisions for the future:

maintaining a responsible and transparent Long Term Financial Plan.

The non-negotiables

The best use of Council's resources.

All legislative and compliance requirements are met.

Risk Management

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

Consultation/Communication

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

Conclusion

Council's performance for the year ended 30 June 2016 has been impacted by some events which have been difficult to predict. Where possible, we have provided an indication of expected deviations from the Budget Review which was presented to Council in February 2016.

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Attachments

- 1 Quarterly Finance Report June 2016 Operating result
- 2 Quarterly Finance Report June 2016 Capital result

13.2 DELEGATIONS TO MEMBERS OF COUNCIL STAFF

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager - Business and Governance
File Name: Deed of Delegation
File No: 50.010.083

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

Executive Summary

This report is presented to Council for review of the Instrument of Delegation to Members of Council Staff pursuant to section 98(6) of the *Local Government Act 1989* (the Act).

RECOMMENDATION:

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

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation to Members of Council Staff (the Instrument), Wangaratta Rural City Council (Council) resolves that:

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.***
- 2. The Instrument comes into force immediately the common seal of Council is affixed to the instrument.***
- 3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.***
- 4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

Carried

Background

The Act provides in Section 98(1) for Council by instrument of delegation to delegate to members of Council staff any power duty or function under the Act or any other Act with some exceptions.

The exemptions are:

- (a) this power of delegation
- (b) the power to declare a rate or charge
- (c) the power to borrow money
- (d) the power to approve any expenditure not contained in a budget approved by the Council
- (e) any power, duty or function of the Council under section 223 and
- (f) any prescribed power.

The instruments of delegation by Council take two forms:

- Council to Chief Executive Officer; and
- Council to members of staff, which is the subject of this report.

It should be noted that Section 98(2) of the Act provides that “The Chief Executive Officer may by instrument of delegation delegate to a member of the Council staff any power duty or function of his or her office other than the power of delegation...” The delegations by the Chief Executive Officer are not subject to Council review.

Conditions and limitations apply to the exercise of delegations which provide for appropriate control and the delegate can use his or her judgement to decide not to exercise a delegation.

It is prudent to regularly review instruments of delegation from time-to-time as legislation is amended. This review is undertaken to reflect relevant legislative amendments and to reflect the changes caused by the recent organisation restructure.

Implications

Policy Considerations

Delegates must not determine an issue, take the action or do the act or thing delegated if it is inconsistent with a Council policy or strategy.

Financial/Economic Implications

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

Legal/Statutory

It is important to ensure that legislation can be enacted by appropriately delegated Council officers.

This review incorporates changes to position titles and organisation structure resulting from the recent restructuring of the organisation together with amendments to the Instrument related to changes in the following legislation:

- *Cemeteries and Crematoria Act 2003;*
- *Cemeteries and Crematoria Regulations 2005 and Cemeteries and Crematoria Regulations 2015;*
- *Planning and Environment Act 1987;*
- *Planning and Environment Regulations 2005 and Planning and Environment Regulations 2015;*
- *Planning and Environment (Fees) Interim Regulations 2014 and Planning and Environment (Fees) Interim Regulations 2015;*
- *Rail Safety (Local Operations) Act 2006;*
- *Road Management Act 2004;*
- *Road Management (General) Regulations 2005 and Road Management (General) Regulations 2016;*
- *Road Management (Works and Infrastructure) Regulations 2005 and Road Management (Works and Infrastructure) Regulations 2015.*

Social

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

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

The non-negotiables

All legislative and compliance requirements are met.

Risk Management

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

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Accessible documents	Copies of the Instrument will be placed on Council's website, intranet and be available for inspection of the Wangaratta Government Centre.

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

Options for Consideration

There are no legally compliant options for consideration.

Conclusion

Having considered this report and the associated Instrument it is appropriate that the Council formalises the delegations.

Attachments

- 1 Wangaratta Rural City Council Instrument of Delegation to Members of Council Staff

13.3 'ACT FOR THE FUTURE' DIRECTIONS FOR A NEW LOCAL GOVERNMENT ACT - SUBMISSION

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager - Business and Governance
File Name: Local Government Act
File No: 20.050.001

Executive Summary

This report is presented to Council to endorse the Wangaratta Rural City Council submission in response to the Victorian Government's 'Act for the Future' Directions for a new Local Government Act.

RECOMMENDATION:

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

That Council:

- 1. *adopts the Wangaratta Rural City Council submission to the Victorian Government's 'Act for the Future' Directions for a new Local Government Act (Refer attachment).***
- 2. *sends the submission to the Local Government Act Review Secretariat.***

Carried

Background

The 'Act for the Future - Directions for a new Local Government Act' (the Directions Paper) was released in June 2016.

The Victorian Government is calling for submissions on the Directions Paper by Friday 16 September 2016. Submissions on the Directions Paper will inform the development of a new Local Government Act to be introduced to Parliament in 2017. Further consultation will occur in 2017 on the new proposed legislation. Councils and their communities are invited to have their say on these proposed reforms and contribute their ideas for a contemporary, clear and comprehensive Local Government Act.

Administrators have workshopped a response to the Directions Paper on 9 August 2016 and 30 August 2016. The output from the workshops is expressed in the submission attached to this report.

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

Submissions on the Directions Paper will inform the development of a new Local Government Act to be introduced to Parliament in 2017.

Social

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

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

We will research and advocate:

To ensure our long term viability and capacity to deliver quality services and infrastructure.

Options for Consideration

There are no options for consideration.

Conclusion

The submission responds to those Directions Paper recommendations considered to be material to Council's ongoing sustainability.

Attachments

- 1 Directions Paper Wangaratta Rural City Council Submission

13.4 ANNUAL REPORT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager - Business and Governance
File Name: Annual Audit
File No: 51.020.001

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

A Council must, in respect of each financial year, prepare an Annual Report containing an audited Performance Statement, audited Financial Statements and a report of operations including Council's assessment against the prescribed Governance and Management Checklist.

This report is presented to Council for approval 'in principle' of the 2015/16 Performance Statement and Financial Statements and adoption of the Governance and Management Checklist.

RECOMMENDATION:

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

That Council:

- 1. Approves 'in principle' the Performance Statement and Financial Statements for the Wangaratta Rural City Council for the Financial Year ending 30 June 2016 as endorsed by the Audit Advisory Committee on 7 September 2016***
- 2. Authorises the Administrator representative on the Audit Advisory Committee Ailsa Fox and Administrator Rodney Roscholler to certify the Performance Statement and Financial Statements for the Wangaratta Rural City Council for the Financial Year ending 30 June 2016 in their final form after any changes recommended or agreed to by the Auditor General have been made***
- 3. Adopts the Governance and Management Checklist for the Wangaratta Rural City Council for the Financial Year ending 30 June 2016***
- 4. Authorises the Chair of Administrators, Ailsa Fox, to certify the Governance and Management Checklist for the Wangaratta Rural City Council for the Financial Year ending 30 June 2016.***

Carried

Background

A Council must, in respect of each financial year, prepare an Annual Report containing an audited Performance Statement, audited Financial Statements and a report of operations containing Council's assessment against the prescribed Governance and Management Checklist.

Section 131 of the *Local Government Act 1989* (the Act) requires that the Performance Statement in the Annual Report contains the indicators required by the regulations to be reported against, their prescribed measures and the results achieved for that financial year in the following categories:

1. Service performance
2. Financial performance
3. Sustainable capacity.

For the purposes of section 131(5) of the Act, the Financial Statements contained in an Annual Report must contain a Statement of Capital Works for the financial year to which the Financial Statements relate, be prepared in accordance with the Local Government Model Financial Report, be submitted in its finalised form to the auditor for auditing as soon as possible after the end of the financial year and be certified in the manner prescribed.

The Draft Performance Statement and Draft Financial Statements of the Wangaratta Rural City Council for the period 1 July 2015 to 30 June 2016 have been prepared in accordance with the Australian Accounting Standards and as required by the Act (***refer attachments***).

The Draft Governance and Management Checklist of the Wangaratta Rural City Council has been prepared in accordance with the Act (***refer attachment***).

Implications

Policy Considerations

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

Financial/Economic Implications

The following points summarise the highlights from the Draft 2015/2016 Financial Statements:

Financial item	Note	2016 Actual \$000's	2015 Actual \$000's	Increase (Decrease) \$000's
Surplus/(deficit)		94	5,977	(5,883)
Grant Income	6	16,017	21,810	(5,793)
Depreciation	13	13,379	12,629	(750)

Financial item	Note	2016 Actual \$000's	2015 Actual \$000's	Increase (Decrease) \$000's
Cash and cash equivalents	17	3,858	8,438	(4,580)
Financial assets	19	9,572	8,667	905
Other receivables	18	2,250	2,300	(50)
Rate receivables	18	1,275	1,796	(521)
Trade and other payables	26	4,424	3,184	(1,240)
Borrowings	29	10,645	9,543	(1,102)

A budget comparison with actual performance is provided at Note 2 of the Financial Statements. The *Local Government (Planning and Reporting) Regulations 2014* require explanation of any material variances. Council has adopted a materiality threshold of ten percent and \$200,000. The following two tables summarise those items and provide further explanation for some variances.

Income Statement item	Ref	2016 Budget \$000's	2016 Actual \$000's	Variance \$000's
Grants - operating	1	14,617	11,099	(3,518)
Grants - capital	2	3,652	4,918	1,266
Contributions - monetary	3	283	508	225
Contributions – non monetary	4	0	1,030	1,030
Depreciation	5	12,010	13,379	(1,369)

1. Grants - Operating: 50% of Council's 2015/16 Victorian Grants Commission Funding was received in advance, in the 2014/15 financial year.
2. Grants - Capital: Additional Roads to Recovery funding was received post budget adoption of \$970,000. Budgeted funding not yet received for Everton hall and precinct redevelopment of \$221,600, City Oval Tennis Precinct \$255,125, Bullawah project of \$120,000 and Moyhu Tennis multi-use precinct \$86,700.
3. Contributions – monetary: Contributions to the Energy efficient Street Light changeover Stage 2 project of \$140,000 and Resilient Facilities of \$15,000 were brought forward from 2014/15. Additional unbudgeted contributions were received from the Wangaratta Primary School for recreational infrastructure \$10,000; Wangaratta Indoor Sports and Aquatic Centre \$28,000; and Bullawah Film and Planting project \$25,000.

4. Contributions - non monetary: New infrastructure assets are recognised as subdivisions reach practical completion. During 2015/16 these included: the Creek View Estate Stage 3; River Edge Estate; Baltimore Park Stage 2 and Nolan Lane, Tarrawingee. These assets are constructed by developers and not included in Council's budget.
5. Depreciation and Amortisation: Depreciation is calculated on current asset values during budget preparation. The fair value of infrastructure assets is re-assessed each financial year.

Capital Works item	Ref	2016 Budget \$000's	2016 Actual \$000's	Variance \$000's
Land	1	-	342	342
Land improvements	2	6,549	214	(6,335)
Plant, machinery and equipment	3	2,911	4,238	1,327
Fixtures, fittings and furniture	4	555	14	(541)
Computers and telecommunications	5	-	594	594
Roads	6	5,061	3,644	(1,417)
Footpaths and Cycleways	7	-	287	287
Recreational, leisure and community facilities	8	-	1,558	1,558
Waste management	9	-	1,565	1,565

1. Land: Acquisition of land adjacent to the Aerodrome at 69 Brian Higgins Drive was not included in adopted budgeted.
2. Land Improvements: Difference is due to a change in the classification of the capital works type.
3. Plant, machinery and equipment: Plant replacement carry over of \$435,684 from 2014/15 and reclassification of machinery for the Organics Processing plant of \$102,000.
4. Fixtures, fittings and furniture: Difference is due to a change in the classification of capital works. The 2015/16 budget classified these items as fixtures and furniture. Whereas, the actual expenditure has been correctly classified as computers and telecommunications.
5. Computers and telecommunications: Refer to explanation 4.
6. Roads: Difference is due to a change in the classification of the capital works type.
7. Footpaths and Cycleways: Difference is due to a change in the classification of capital works type.

8. Recreational, leisure and community facilities: Difference is due to a change in the classification of the capital works type. Specific variations from the adopted budget are the deferral to the 2016/17 year for \$1,292,625 of works for the Aquatics Strategy and \$136,900 for the Barr Two Oval Lighting development. Additionally, projects carried over from 2014/15 such as the City Oval Precinct are now reflected in this classification.
9. Waste management: Construction of Bowser Landfill Cell 7 for \$1,421,006 was carried over from 2014/15 after the 2015/16 budget was adopted. However, construction of the Organics Processing Plant for \$1,382,000 has been deferred to 2016/17.

Legal/Statutory

Council, after passing a resolution giving its approval 'in principle' to the Performance Statement and Financial Statements, must submit them to the auditor for reporting on the audit. The auditor must prepare a report on the Performance Statement and Financial Statements in accordance with section 9A of the *Audit Act 1994* but cannot sign such a report unless the Performance Statement and the Financial Statements have been certified. Section 132 of the Act and regulations 18 and 21 of the *Local Government (Planning and Reporting) Regulations 2014*, require Council to authorise two Administrators to certify the documents. The Chief Executive Officer of Council and Council's Principal Accounting Officer are also required to certify the documents.

After Council has received the report of the Auditor, it must give public notice that it has received the Auditor's Report and that the report can be inspected at the Council office at any time that the Council office is open to the public.

The Annual Report must contain a report of operations including Council's assessment against the prescribed Governance and Management Checklist.

The Annual Report must be submitted to the Minister within three months of the end of the financial year being reported on, or such longer period as the Minister may permit in a particular case. After the Annual Report has been submitted to the Minister, Council must give public notice that the Annual Report has been prepared and can be inspected at the Council office.

Council must hold a meeting to discuss its Annual Report once each year. The meeting must be held within one month after submitting the Annual Report to the Minister. The meeting must be advertised at least 14 days before it is held, stating the purpose of the meeting and the place from which copies of the Annual Report can be obtained before the meeting. The meeting must be kept open to the public while the Annual Report is discussed.

Social

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

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan.

Goal

We are Sustainable.

We are connected.

The non-negotiables

All legislative and compliance requirements are met.

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

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Financial Reports not prepared in accordance with Statutory requirements	Low	Medium	Medium	Consultation with external auditors and active involvement with FinPro for latest updates / changes

Consultation/Communication

Extensive consultation has been undertaken with Richmond, Sinnott & Delahunty, Agent of the Auditor-General, during the preparation of the Performance Statement and Financial Statements. Additionally, the Statements have been endorsed by the Audit Advisory Committee on 7 September, 2016. The 2016 Annual Report timetable is shown the following table.

Date	Responsibility	Activity
24 - 25 August	Richmond, Sinnott & Delahunty (external auditor)	External audit field work.
7 September	Audit Advisory Committee	Endorse the Performance Statement and the Financial Statements in consultation with the external auditor.

Date	Responsibility	Activity
13 September	Council	Approve, 'in principle', the Performance Statement and the Financial Statements pending sanction by the Victorian Auditor General; and Authorise two Administrators to sign certification of the Performance Statement and the Financial Statements.
23 September	Authorised signatories	Sign certification of the Performance Statement and the Financial Statements.
23 September	Richmond, Sinnott & Delahunty	Issue the Final Management Letter
30 September	Responsible officer	Submit the 2016 Annual Report to the Minister.
30 September	Responsible officer	Public notice of meeting to consider Annual Report; and Make Annual Report available.
18 October	Council	Meeting to consider Annual Report

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

Options for Consideration

There are no options for consideration given that production of an Annual Report containing a Performance Statement and Financial Statements is required by the Act and the process is prescribed.

Conclusion

The production of the Performance Statement, the Financial Statements and the Governance and Management Checklist is a critical component in the management of Council's operations to ensure accountability and public disclosure in the delivery of services and programs to residents of the municipality.

Attachments

- 1 Financials Statements 2016
- 2 Performance Statement 2016
- 3 Governance & Management Checklist 2016

13.5 CAPITAL PROJECTS 2015/16 CARRY OVERS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager Finance
File Name: Council Budget 2016/17
File No: 51.060.023

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

Executive Summary

This report is presented to Council to endorse the end-of-year financial position in relation to the Capital Works Program and the carry forward of budget allocations or over expenditure of the relevant 2015/16 capital budget to the 2016/17 financial year.

RECOMMENDATION:

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

That Council:

- 1. carries forward \$2,185,315 from the 2015/16 capital projects budget allocations to the 2016/17 financial year;***
- 2. carries forward \$276,543 in operating projects budget allocations to the 2016/17 financial year;***
- 3. reduces capital expenditure in the 2016/17 budget by \$230,644 for capital projects commenced or completed in the 2015/16 financial year; and***
- 4. adjusts the 2016/17 budget for other revenue and savings associated with these projects and other circumstances.***

Carried

Background

Capital works budgets are allocated annually, however unforeseen events can impact on the ability of some of these projects to be completed within the expected timeframe. As such, it is not uncommon for there to be an amount of allocated funds to be carried over to the next financial year to enable completion of key capital projects.

Implications

Policy Considerations

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

Financial/Economic Implications

Capital expenditure

Set out below are the proposed carry over amounts in excess of \$50,000:

Project	16/17 Carry Over
01586 Morgan Street Drainage	284,712
01344 Everton Hall and precinct redevelopment	252,879
01041 Renewal - Drainage	183,653
00353 R2R reseals	182,448
01602 Flood Mitigation - Pump Replacement	156,985
01601 Lindner Road Stage 2	127,242
01600 RENEWAL - Bridges	114,419
00712 Footpath renewal program	97,297
01573 2014 Aquatics Plan - WISAC Development	92,125
01649 Glenrowan Recreation Reserve Oval Irrigation Improvements	86,975
01396 Bullawah Project – Indigenous Interpretive Signage	83,240
01341 City Oval Tennis Precinct - Stage One Buildings	73,139
01575 Informal Recreation Project	61,593

A detailed list of carry over items, totalling \$2,185,315, are set out in the attachment to this report. **(Refer attachment 1)**

A number of projects budgeted for 2016/17 have been completed in 2015/16 or commenced earlier than expected and are funded from the 2016/17 approved budget. These projects total \$230,644 and are listed in the table below.

Project	16/17 budget reduction
01667 Asset Mobility Hardware	-3,975
00555 Preparation for reseals	-6,380
01526 Re-sheeting Program 15/16	-7,437
01330 Rural Town Sewer Scheme Council sites	-10,403
01013 Buildings Renewal	-12,394
00864 Wangaratta Transport Study Implementation	-20,782
01478 Levee Bank Pump Maintenance and Replacement	-29,157
00862 Township Gravel Road Sealing Program	-40,116
01672 Upgrade Microwave links to Child Care Centre, Depot and Library	-100,000
	-230,644

Operating Expenditure

Some operational projects will be carried forward to the 2016/17 financial year. These include the Hume Strategy - \$54,500; the Domestic Wastewater Management Plan - \$46,000; the Freight and Land Use Strategy - \$25,000 and the Resilient Community Program \$24,252. The total of operational projects to be carried forward is \$276,543.

Capital Income

Funding associated with the projects carried forward will also be added to the 2016/17 budget and includes the Everton Hall project - \$130,600; the City Oval project - \$17,300; the Informal Recreation project – \$14,500 and the Greta netball change room's project - \$25,000. The total funding to be carried forward is \$386,782. This income will be carried forward to match the expenditure associated with the funding.

All of these projects were approved previously by Council and are expected to be completed during the 2016/17 financial year.

The carryover of project funds to the current year when the funds will be expended is necessary due to ongoing programs and projects that can show an over expenditure in relation to the annual budget or forecast.

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.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Consultation/Communication

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

Conclusion

Whilst every effort is made to predict the timelines of project expenditure, there are many factors that can delay or advance actual expenditure. Therefore under and over expenditures need to be carried forward to allow project completion.

Attachments

- 1 Capital works carried forward to 16/17

14. COMMUNITY WELLBEING

14.1 MAX PARKINSON LODGE

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager Community and Recreation
File Name: 8 SADLER STREET - MAX PARKINSON LODGE
File No: 12350

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:

- enable compliance with its obligations to a 1990 joint funding agreement with Department of Health & Human Services (DHHS) for the Max Parkinson Lodge situated at 8 Sadler Street, Wangaratta; and
- enter into an expression of interest process in conjunction with the DHHS to transfer the land tile and buildings at 8 Sadler Street, Wangaratta, to a suitable registered housing authority.

RECOMMENDATION:

That Council:

1. proceeds with an expression of interest process in conjunction with Department of Health & Human Services to identify a suitable registered housing authority to transfer the land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, situated at 8 Sadler Street, Wangaratta
2. gives notice of its intention to transfer land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, situated at 8 Sadler St Wangaratta in the Wangaratta Chronicle and on Council's website inviting written submissions on the proposed transfer until Friday 7 October 2016
3. forms a Committee of Council, if required, to hear submissions regarding the transfer of land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, situated at 8 Sadler St Wangaratta on 11 October 2016
4. Considers all submissions when deciding whether or not to transfer the land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, at 8 Sadler Street, Wangaratta at its Ordinary meeting on 18 October 2016.

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

- 1. proceeds with an expression of interest process in conjunction with Department of Health & Human Services to identify a suitable registered housing authority to transfer the land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, situated at 8 Sadler Street, Wangaratta***
- 2. gives notice of its intention to transfer land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, situated at 8 Sadler St Wangaratta in the Wangaratta Chronicle and on Council's website inviting written submissions on the proposed transfer until Friday 7 October 2016***
- 3. forms a Committee of Council, if required, to hear submissions regarding the transfer of land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, situated at 8 Sadler St Wangaratta on 11 October 2016***
- 4. considers all submissions when deciding whether or not to transfer the land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, at 8 Sadler Street, Wangaratta at its Ordinary meeting on 18 October 2016.***
- 5. ensures continued recognition of Max Parkinson in any future uses of the building and land.***

Carried**Background**

The Max Parkinson Lodge (MPL) facility at 8 Sadler Street, Wangaratta is a purpose built eight bedroom residential care facility. Council acquired the land on which MPL is built in 1969. The building development was funded in 1989 through a Local Government and Community Housing Program grant from the Minister of Housing and Construction, Victoria.

The building itself was named in memory of Mr Max Parkinson (who passed away on 2 September 1991) in recognition of his tireless and selfless service to the senior citizens of Wangaratta. Mr Parkinson formed part of the sub-committee, which in partnership with Council, established the first Meals on Wheels service for Wangaratta. Max was instrumental in assisting the service to become fully operational and in the first year alone, over 3,000 meals were delivered to the elderly.

The facility was managed by St. Johns Village until 2000 and later used by the Aged and Disability Day Activity Service (ADDAS - later known as the Planned Activity Group PAG) after Council was unable to secure a suitable tenant that would comply with the requirements of the agreement. The Planned Activity Group remained at the facility until 30 June 2009 when they relocated to the HP Barr Community Centre and Max Parkinson Lodge has remained vacant since then. Council has continued to provide maintenance to the property at a cost of approximately \$14,000 per year.

At its Ordinary meeting in July 2010, Council resolved to:

1. *Subdivide and rezone the parcel of land occupied by Max Parkinson Lodge; and*
2. *Transfer the Max Parkinson Lodge and the land occupied by the lodge to the Crown, a Minister or to the appointed public body subject to a negotiated settlement by the Chief Executive Officer.*

The land which MPL occupies was subdivided on 22 July 2014 from a larger parcel of land which backs onto the One Mile Creek. A potential option has been for Council to sell Max Parkinson Lodge for use as an affordable housing, rehabilitation or community service facility. Council has been approached by a significant number of organisations (including churches, community service and affordable housing organisations) to explore their potential role in redeveloping and managing the facility.

However, under the terms of the 1990 funding agreement, Council would be required to pay \$351,000 to the Director of Housing upon sale of the building. Based on a 2011 valuation, the land and buildings are estimated at around \$500,000, however, it is uncertain that this would be an accurate market price considering that the current building structure is not suitable for occupation.

The building condition report conducted in June 2016 identifies several causes for the cracks to external and internal walls and displacement of the external pavement:

- Soil surface movement due to silty clay filling and poor site drainage
- Inadequate footing design for the site conditions and type of construction and
- External brickwork walls were constructed without articulation joints.

The building condition report states that the estimated cost of remedial works is:

- Underpinning works and pavement replacement \$150,000
- Installation of adequate site stormwater works \$ 40,000
- Articulation joints, patching of cracks in walls \$ 20,000
- review against any applicable BCA, DDA, Fire & Energy requirements and
- site establishment, operational, demolition, builder's margin and contingency (10%).

The total estimation of costs could be in the vicinity of up to \$300,000.

Discussion with DHHS representatives and Council officers has outlined the procedure for Council to be able to transfer the 8 Sadler Street title to a registered housing association which would involve an expression of interest process. Submissions would need to detail specific uses of the site to ensure that the proposed use fits with the expectation of all stakeholders and community.

The DHHS representatives advised that it would be possible that an interested registered housing association would take possession of the building in the current state and either undertake remediation works or demolish and rebuild a suitable facility.

The current Public Use zoning of the land was questioned by DHHS as they had previously proposed that Council rezone the land to residential use. Preliminary discussion with Council's Building and Planning officers has advised that it is not necessary to re-zone the land for the public housing purpose and that a planning permit would be appropriate.

Implications

Policy Considerations

The Asset Management Policy was considered in this report.

Financial/Economic Implications

The provision of the MPL property has required a significant contribution from Council in 1990 in the vicinity of \$123,460. Approximately \$14,000 is required each year for maintenance, security, power and water connections.

Legal/Statutory

According to *Section 191 of the Local Government Act 1989*, Council may transfer, exchange or lease any land to the Crown, a Minister or any public body, or the trustees appointed under any Act to be held on trust for public or municipal purposes, without consideration. Under this section, there is no requirement to undertake public consultation of its intention to transfer the land, however, Council has chosen to do so due to the public interest in this property.

Social

There are living descendants of Max Parkinson currently residing in Rural City of Wangaratta who remain keen to see the MPL utilised for the good of the community.

Council has held several strategic conversations with potential partners who have indicated a strong desire to use the site to deliver affordable housing services.

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

The non-negotiables

Residential, rural, commercial and industrial land that is appropriately protected, planned and developed to meet the long-term needs of the community.

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

The most vulnerable within the community are well cared for.

Risk Management

There is the risk that not progressing with the transfer of the facility will result in further and more significant decline in its integrity and condition.

There is also the risk that Council will be viewed as not adequately managing the future use of the facility and potentially enabling a significant community need to be met.

There is currently several housing and community authorities that are interested in the future management of the facility. These organisations have expressed the financial capacity to either repair or redevelop the facility in line with an appropriate community use (social housing). There is the risk that delaying the expression of interest process and subsequent transfer of land would push these authorities to find other opportunities for their services.

Council's Building and Planning officers have interpreted that the existing public use land zoning of 8 Sadler Street would not preclude the intended use for public housing with the application of a planning permit by the owner.

Consultation/Communication

In conjunction with DHHS, Council officers will develop a plan with timelines for the expression of interest process to identify a suitable registered housing authority to transfer the title to for the land and buildings at 8 Sadler Street, Wangaratta.

The descendants of Max Parkinson will be informed of the process to be undertaken and any concerns arising will be dealt with respectfully.

Options for Consideration

The alternate option for Council is to continue to maintain the property at approximately \$14,000 per year until a source of funds are identified to rectify the structure. This option would result in Council being in breach of the 1990 funding agreement with the Director of Housing.

Conclusion

This report will enable a resolution to the outstanding issue of identifying a suitable use for the Max Parkinson Lodge in line with the original intention of the facility which was to provide adequate social housing.

Attachments

Nil.

14.2 AUSTRALIA DAY POLICY REVIEW

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Executive Assistant Community Wellbeing
File Name: AUSTRALIA DAY CITIZEN AWARDS / CITIZEN OF THE YEAR
File No: 10.050.001

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

Each year Council works with community groups to present Australia Day activities and awards throughout the municipality. The current Australia Day Events & Awards Policy is due for review. An evaluation of the policy and associated processes for the awards and events related to Australia Day has been conducted and the draft policies have been placed on community review for 28 days.

This report is presented to Council for endorsement of the updated policy documents that support the delivery of the Australia Day celebrations.

RECOMMENDATION:

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

That Council:

- 1. adopts the revised policies - Australia Day Events Policy and Australia Day Awards Policy;***
- 2. forms a new 'Committee of Council' that will have responsibility for award decisions from nominations received; and***
- 3. retains the Community Pride Awards as a separate program to be incorporated as part of the Volunteer Appreciation project, through Community Development.***

Carried

Background

There are a number of components that contribute to the Australia Day activities within the Rural City of Wangaratta, including:

1. Urban events:
 - i. Rural City of Wangaratta Official Australia Day Ceremony
 - ii. Civic Reception
2. Rural events:
 - i. 15 sanctioned and financially supported rural events
3. Australia Day Awards:
 - i. Citizen of the Year
 - ii. Young Citizen of the Year
 - iii. Community Event of the Year
 - iv. Local Achiever of the Year

In undertaking this review, it has been established that the Australia Day Events & Awards Policy should be separated into:

- Australia Day Events Policy (corporate policy)
- Australia Day Awards Policy (Council policy)

This separation of the two policies ensures the operational aspects of Australia Day are not lost in the awards process. It also supports the important value of civic contributions being recognised by Council.

Implications

Australia Day events are held throughout the Rural City of Wangaratta and have a great emphasis on communities gathering for celebration. The events commonly include raising and lowering the Australian flag, a free barbeque, free entertainment, Ambassador Representation, recognition of Order of Australia recipients, award presentations and citizenship ceremonies.

Australia Day awards recognise those who have made a significant contribution to our community, whether it is locally, in their rural communities, across the municipality or in a broader context through the following categories:

1. Citizen of the Year is awarded to a person 25 years or older on 26 January who has made a noteworthy contribution during the previous year and/or has given outstanding service to the local community over a number of years. Previous Citizen of the Year recipients are ineligible to receive the award.
2. Young Citizen of the Year is awarded to a person under 25 years of age on 26 January who has made a noteworthy contribution during the previous year and/or has given outstanding service to the local community over a number of years. Previous Young Citizen of the Year recipients are ineligible to receive the award.
3. Community Event of the Year is awarded to the person or community group who has staged the most outstanding community event of the year, which has provided community benefit and promoted positive outcomes for the Rural City of Wangaratta. Previous Community Event of the Year recipients are ineligible to receive the award.

4. Local Achiever of the Year is awarded by rural communities to individuals or groups who have made a noteworthy contribution to their local community. These nominations may also be considered for the Rural City of Wangaratta Citizen of the Year, Young Citizen of the Year or Community Events of the Year categories with the agreement of nominees.

The Committee of Council presiding over the awards will select the award recipients based on a confidential scoring process that is completed on an individual matrix, outlining the eligibility criteria. This will happen at a meeting of Councillors – where a quorum (majority of members) is present.

In the case of drawn recipients, the decision between the drawn recipients will rest with the Mayor of the day.

Community Review Period:

Council endorsed the draft policies in May 2016, with a formal consultation period running until Friday, June 17 2016.

The review period was advertised and promoted in the Wangaratta Chronicle and on Council's website.

Submission and Comments:

One written submission was received. The submission congratulated Council for encouraging communities within the Rural City of Wangaratta to celebrate this important national day, Australia Day in recognising each community's achievers and leaders.

The submission looks to gain connectivity with the awards program run through the disbanded Community Pride Committee. The committee's award program includes the following categories:

- Innovative Community Project or Event – similar to present Australia Day Community Event of the Year.
- Culture and Heritage
- Sustainable Project or Practice – change to Community Environment Project of the Year.

The submission requests that Council consider incorporating these additional categories to maintain community pride and momentum in acknowledging Projects, Culture, Heritage and Sustainable Practises.

The submission also presents concerns about the confusion created by having a Local Achiever of the Year in Wangaratta, stating that this category should just be for the rural communities.

Policy Considerations

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

Financial/Economic Implications

The budget for the Australia Day celebrations includes a \$400 contribution that is provided to each of the rural community events to ensure they are kept free or low cost.

	2015/2016 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	11,000	11,000		
Net Result	11,000	11,000		

Legal/Statutory

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

Social

Australia Day provides the opportunity to celebrate with the community by supporting and enhancing occasions for people to come together, and contributes to the cultural and social wellbeing of our urban area and small townships.

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 create and deliver:

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

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

The non-negotiables

Things happen based on what our communities know are important to them.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

Risk Management

If the Australia Day Awards and events are withdrawn, this will negatively impact on recognising the valuable contribution that community members make within their own respective towns and the community's perception of Council.

In addition, the revised changes to the policy reinforce the need to maintain transparency in the decision making process for the Australia Day Award nominees.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Update all related documents to reflect changes	Forms and information to be published on Council's website
Consult		
Involve		
Collaborate	Work with Councillors and community leaders to encourage involvement	Councillors Communicate Email Community directory newsletter
Empower	Rural event organisers to help deliver the process	Meetings Direct contact – mail/email

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

Options for Consideration

1. Council adopt the revised policies including the changes:

- Separate into two policies - Australia Day Events Policy and Australia Day Awards Policy
- The new Council structure has been considered and a 'Committee of Council' will be charged with the responsibility to make the award selections from nominations received
- As per the submission, Council retain the Community Pride Awards as a separate program to be incorporated as part of the Volunteer Appreciation project, through Community Development.

Or

2. Not adopt the revised policies.

Conclusion

The recommendations for changes to the policy, process and event procedures as outlined in this report will ensure the future delivery of the Australia Day events and awards are provided to the highest standard to recognise the achievements of local citizens and communities throughout the municipality, and to reflect the new Council structure.

Attachments

- 1 AUSTRALIA DAY EVENTS POLICY
- 2 AUSTRALIA DAY AWARDS POLICY

15. INFRASTRUCTURE SERVICES

15.1 TREE MANAGEMENT STRATEGY

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	13 September 2016
Author:	Manager - Infrastructure Planning and Delivery
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 adopt the Tree Management Strategy 2016 (***refer attachment***). The Tree Management Strategy provides a framework for actively managing the urban tree population including urban streets and parklands for improved environmental, social and economic outcomes for Wangaratta.

RECOMMENDATION:

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

That Council adopts the Tree Management Strategy 2016.

Carried

Background

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.

The draft Tree Management Strategy was placed on public exhibition following the July 2016 Council meeting seeking feedback from the community and closed on Friday 19 August 2016. No submissions were received.

Implications

Policy Considerations

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

Financial/Economic Implications

The Tree Management Strategy provides 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 Council's tree assets are the *Flora and Fauna Act 1988*, the *Planning and Environment Act 1987*, the *Road Management Act 2004* and 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

This strategy will 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

The draft Tree Management Strategy 2016 was placed on public exhibition following the Council meeting held on 19 July 2016 through advertisement in the Wangaratta Chronicle and on Council's website. The submission period closed on Friday 19 August 2016.

No submissions were received before the close of submission period.

Officers believe that following consultation, the Tree Management Strategy 2016 is now ready for adoption.

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 TREE MANAGEMENT STRATEGY 2016

15.2 C1516-032 SUPPLY AND INSTALLATION OF THE AERATED STATIC PILE COVER SYSTEM FOR THE ORGANIC PROCESSING FACILITY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager - Waste and Contracts
File Name: C1516-032 Aerated Static Pile Cover System
File No: 30.075.032

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 details of the evaluation of tenders received for Contract C1516-032 for the Supply and Installation of the Aerated Static Pile Cover System for the Organic Processing Facility, subject to approval by the Environment Protection Authority (EPA).

RECOMMENDATION:

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

That Council:

- 1. awards Contract C1516-032 for the Supply and Installation of the Aerated Static Pile Cover System for the Organic Processing Facility to Managed Organic Recycling Inc. subject to the Rural City of Wangaratta gaining the necessary approvals from the Victorian Environment Protection Authority***
- 2. authorises the Chief Executive Officer to sign and seal all the relevant contract documents for C1516-032 for the Supply and Installation of the Aerated Static Pile Cover System for the Organic Processing Facility subject to the Rural City of Wangaratta gaining the necessary approvals from the Victorian Environment Protection Authority***
- 3. discloses the contract price for Contract C1516-032 for the Supply and Installation of the Aerated Static Pile Cover System for the Organic Processing Facility.***

Carried

Director of Infrastructure Alan Clark disclosed the tender price as \$784,730, excluding GST.

Background

Contract C1516-032 is for the Supply and Installation of the Aerated Static Pile Cover System for the Organic Processing Facility.

The Rural City of Wangaratta proposes to process its organic waste at the EPA licensed Bowser landfill using aerated static pile composting (ASP) technology which incorporates the use of expanded polytetrafluoroethylene (ePTFE) covers for process enhancement and emissions control.

The plant will comprise of 7 bunkers with the following dimensions:

Length: 25m

Width: 8m

Height: 3.2m

The bunkers will feature one metre high sidewalls on both sides with a push wall at one end.

The tenderer is to provide all equipment necessary for complete ASP systems such that each bunker has the required ePTFE cover, temperature probes, water and leachate traps, ventilation and control systems.

Tender dates

Tenders for this contract were invited through advertisements as follows:

Tenderlink.

6 May 2016

Tenders closed at 2.00pm on Thursday 26 May 2016.

There was no pre-tender meeting for this contract.

Tender Evaluation Panel

The tender evaluation panel comprised Council's Director – Infrastructure, Manager – Projects & Contracts and external Consultant.

Tenders Received

The following tenders were received by the due date:

	Tender	Conforming
A	Australian Native Landscapes Pty Ltd	Yes
B	Australian Native Landscapes Pty Ltd – Alternative offer	Yes
C	Managed Organic Recycling Inc	Yes
D	Spartel Pty Ltd proposal 1 with ePTFE covers	Yes
E	Spartel Pty Ltd proposal 2 with FABCOM® Covers	Yes
F	Spartel Pty Ltd proposal 3 with complete FABCOM® Compost System alternative offer	Yes
G	WA Compost Pty Ltd trading as C-Wise	No

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	Weighting
Tender Price	40%
Compliance to Specification	40%
Service and Maintenance	10%
Warranty	10%
Total	100%

Panel members assigned a score (maximum 100) to each criteria (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.
	Marginal	Complies with relevant standards with qualifications.
	Unsatisfactory	Fails to satisfy required standards.

Summary of the Weighted Attribution Method Score is as follows:

	Tenderer	Score
A	Australian Native Landscapes Pty Ltd	56
B	Australian Native Landscapes Pty Ltd – Alternative offer	60
C	Managed Organic Recycling Inc.	73
D	Spartel Pty Ltd proposal 1 with ePTFE covers	69
E	Spartel Pty Ltd proposal 2 with FABCOM® Covers	70
F	Spartel Pty Ltd proposal 3 with complete FABCOM® Compost System - alternative offer	52
G	WA Compost Pty Ltd trading as C-Wise	0

The highest value reflects the most favourable tender assessment.

Implications**Policy Considerations**

Council's Procurement Policy is relevant to this tender process.

Financial/Economic Implications

The preferred tenderer's price is within the available budget for the contract.

Legal/Statutory

The awarding of the Contract is subject to Rural City of Wangaratta gaining the necessary approvals from the Victorian Environment Protection Authority.

Social

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

Environmental/Sustainability Impacts

One of the recommendations by the Wangaratta Citizen's Jury in the development of Council's Waste Management Strategy was to develop an organic processing facility for green (food) waste.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

We will research and advocate:

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

We will create and deliver:

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

The non-negotiables

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

The 2030 Community Vision for the Rural City of Wangaratta has the goal of a 'zero waste' community with no waste being disposed of to landfill within the municipality in the year 2030.

b) Other strategic links

N/A

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
Injury to worker	Death or injury/WorkCover investigation (Catastrophic)	Possible	Extreme	Contractor

Conclusion

The proposal submitted by Managed Organic Recycling Inc. (MOR) was ranked highest due to its conformance to the specification. MOR has installed numerous plants in the USA using this technology and so has a considerable track record, history and quantifiable odour emissions data.

MOR scored highest in the evaluation and was deemed to have the lowest approval risk. Consequently, the tender submitted by Managed Organic Recycling Inc. (MOR) is the recommended tender.

Attachments

- 1 C1516-032 Organics Processing - Attachment - Confidential

16. DEVELOPMENT SERVICES

16.1 WANGARATTA PLANNING SCHEME AMENDMENT C57 - AUSTRALIAN TEXTILE MILLS PARTIAL REZONING - CONSIDERATION OF AUTHORISATION REFUSAL

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Coordinator Strategic Planning
File Name: Wangaratta Planning Scheme Amendment C57 Rezoning of Bruck Textiles land from Industrial to Residential
File No: 73.030.073

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

Executive Summary

This report is presented to Council to determine how to proceed with Amendment C57 in light of:

- the Department of Environment, Land, Water and Planning (DELWP) recent refusal to authorise the revised rezoning proposal for Amendment C57; and
- the Environment Protection Authority's (EPA) recent requirement for Ministerial authorisation prior to committing to a joint process with Council to progress Amendment C57.

RECOMMENDATION:

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

That Council:

- 1. resolves not to proceed with Amendment C57 on the basis that:***
 - a. the Department of Environment, Land, Water and Planning (DELWP) has refused to authorise the most recent version;***
 - b. the Environment Protection Authority will not commit to participate in a joint process as the DELWP has refused authorisation;***
 - c. there is a lack of strategic planning justification for the loss of industrial land;***
 - d. the proposal is contrary to State and Local Planning Policy; and***
 - e. the conditions of authorisation have not been met and are unlikely to be met in the foreseeable future.***
- 2. notifies the proponent and DELWP of its decision.***

Carried

Background

Current Council resolution

On 30 October 2015, Council formally considered an Officer Report regarding the status of Amendment C57, and options for how to proceed. The Officer Report contained an extensive explanation of the background to the amendment and a detailed strategic assessment of the proposal (refer to **Attachment 1** for information). The recommendations of this Report will rely, in part, on the strategic assessment contained at Attachment 1.

At the October 2015 meeting, Council resolved to:

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

Preparation of new authorisation request

In response to the first resolution, Council was directed by DELWP that a new authorisation request was required in order to progress the revised Amendment C57 to exhibition. The revised proposal submitted by the proponent replaces 1.2ha of the proposed General Residential Zone with Mixed Use Zone. The addition of the Mixed Use Zone is considered to have transformed the amendment to the extent that a new authorisation is required from the Minister for Planning.

In support of the new authorisation request, Council officers prepared a new Schedule to the Development Plan Overlay. This Schedule was prepared with extensive consultation with the EPA and DELWP. The revised document sought to address the risks identified by both the EPA and Council in the October 2015 Council Report (Attachment 1).

Revised documents in support of a new authorisation request were submitted to DELWP on 23 February 2016 (refer to **Attachments 2 and 3** for revised Explanatory Report and Development Plan Overlay Schedule).

EPA position on joint process

In response to the second resolution, on 01 December 2015, a letter was sent by the Council to the EPA, requesting that the EPA participate with Council in a joint process under section 20AA of the *Environment Protection Act 1970*. The benefits of this joint process include allowing the concurrent exhibition of the amendment and works approval application (as required by the EPA) and a combined Planning Panel/Section 20B conference to consider any outstanding submissions.

On 08 February 2016, the EPA responded to Council's request by advising that it *'cannot commit to the joint process until the Minister for Planning has authorised the preparation of the amendment and EPA has had an opportunity to review it. This is particularly important given the specific conditions that were attached to the previous Authorisation and EPA's ongoing concerns regarding the environmental risks of the proposal, including the proposal to rezone land within an EPA licensed site where environmental risks have been identified but not addressed'*.

Current Position

On 22 July 2016, Council received a formal response from DELWP regarding authorisation of the revised amendment (refer to **Attachment 3**). DELWP has refused to authorise the revised proposal on the following grounds:

- *The request for authorisation pre-empts the current assessment of the proposal under Section 9 (Variation of a recommended separation distance) of the Environment Protection Authority Victoria's Policy Guidelines – Recommended Buffer Distances for Industrial Residual Air Emissions. This assessment process must be completed prior to consideration of a further request for authorisation of a proposed amendment for the Australian Textile Mills site to proceed to public exhibition.*
- *The Council has not prepared a satisfactory strategic assessment to sufficiently address the impacts of the loss of vacant serviced industrial lands in the Rural City of Wangaratta to support the amendment in its current form.*
- *The proposed amendment to the Wangaratta Planning Scheme, in its current form, is inconsistent with Section 4 and 6 of the Planning and Environment Act 1987.*

The Officer Report at Attachment 1 provides some discussion around all three grounds for refusal. The Report outlines the complex process required by the EPA to address the proposed reduction in separation distances; concern is raised about the lack of strategic justification for removal of industrial land and that an Industrial Land Use Strategy is proposed to be undertaken by Council this financial year; and that the proposal is contrary to State planning policy (and hence section 4 and 6 of the *Planning and Environment Act 1987*) with regard to residential encroachment and land use conflict with industrial land.

It may be possible for the first two grounds of refusal to be addressed over an extended time period, based on substantial ongoing costs to both the proponent and Council. However, without substantial alteration to the overall proposal, there is no clear way to address the third grounds for refusal. Therefore, it is not possible to progress the revised amendment proposal in its current form.

Where to from here?

Currently, Council cannot pursue the revised amendment proposal as it has been refused authorisation by DELWP. The proponent's ability to address the grounds for refusal are very limited as discussed above.

Advice from DELWP confirms that the authorisation for the original proposal (rezone the subject land to General Residential only) remains valid. This conditional authorisation was granted by DELWP on 31 December 2013. The authorisation remains valid as there is no mechanism under the *Planning and Environment Act 1987* to lapse an authorisation. More recent authorisations granted by DELWP now have lapsing clauses to address this deficiency.

A general planning 'rule of thumb' for the expiration of a permission is two years. If a planning permit fails to specify an expiry condition, the *Planning and Environment Act 1987* provides a default expiry of two years. Similarly, if a planning scheme amendment progresses to exhibition, but is not approved within two years, it lapses. If a similar 'rule of thumb' is applied to the original authorisation, it could reasonably be considered to have lapsed due to the passage of time.

Either way, Council has received a very clear refusal of authorisation on grounds that could apply equally to the original proposal as to the revised amendment. This refusal was provided by DELWP on 22 July 2016. The grounds for refusal are not specific to the Mixed Use component of the amendment, rather concentrate on the issues related to residential encroachment on industrial land uses.

Council finds itself at another significant crossroads with Amendment C57. After more than two and a half years, the proponent has not fully satisfied either condition of the Minister's original authorisation. The proponent has invested significant time and funds in the preparation of reports that do not currently satisfy the EPA in relation to environmental risk. The EPA has not agreed to a joint process with Council, particularly now as the revised amendment has been refused authorisation.

There are two procedural options for Council to consider at this time, (on the basis it will put aside the revised amendment as unachievable in the short term):

1. Council can determine not to proceed with the original amendment (in effect to abandon before it has been prepared) on the basis that it has very little prospect of success.
2. Council can proceed with the original amendment, which still requires two conditions of authorisation to be met. Actions will include the proponent continuing to work with the EPA to satisfy its environmental assessment requirements; Council undertaking some analysis of industrial land within the municipality to provide strategic justification for the loss of industrial land; working closely with DELWP to ensure the proposal is likely to get support should it proceed to exhibition and a possible Panel hearing. This option however is not considered to be practical as there is a lack of strategic justification for rezoning the subject land and the proposal is considered to be contrary to State and Local planning policy.

Implications

Policy Considerations

State Planning Policy Framework (SPPF): Key elements of the SPPF are discussed within the body of the Report at Attachment 1. The proposed rezoning of industrial land for residential purposes does little to support State planning policy as it will reduce the amount of industrial land available, reduce separation distances between industrial and sensitive uses and set up possible land use conflict into the future.

Local Planning Policy Framework (LPPF): Council's current LPPF, specifically Clause 21.08 Economic Development and Tourism and Clause 21.09 Industry and Business are not supported by this proposal. The *Population and Housing Strategy 2013* also gives clear direction on the importance of protecting industrial land around the ATM site, of undertaking detailed master planning for any change from industrial uses and focussing infill residential development within a 400 metre radius of the Central Activities Area.

State Environment Protection Policy – Air Quality Management (SEPP – AQM): The EPA's policy on the management of air quality requires a level of one odour unit at the boundary of a licenced site where it abuts a sensitive use. Currently the ATM site does not meet the SEPP for air quality management, although it is compliant with its current EPA licence. If ATM undertakes the works recommended in the Golders Report, this may be achieved. This can only be demonstrated through doing the works and then monitoring the operation of the facility for a period of time.

Financial/Economic Implications

As a private proponent driven amendment, Council has received \$798.00 to consider the preparation and exhibition of Amendment C57. A second fee of the same amount was paid for consideration of the revised amendment proposal. This statutory fee covers very little of the officer time spent assessing this proposal. The proponent will be required to pay a further two statutory fees to Council should this amendment progress to exhibition, receive submissions and proceed to a Panel hearing. The proponent will be required to cover any associated panel fees, as well as statutory fees for adoption and approval of the amendment.

The loss of industrial land may result in the loss of jobs and compromise future industrial expansion and ongoing operations. As there is limited supply of 'investment ready' industrial land within the Wangaratta urban area, Council should take a cautious approach to reducing the existing industrial land supply.

Legal/Statutory

There is a clear and robust statutory process for the processing of planning scheme amendments under the *Planning and Environment Act 1987*. Currently this amendment has progressed to conditional authorisation, but the proponent has not fully satisfied either condition. Whilst the conditions are imposed by the Minister for Planning, Council must satisfy itself that these conditions are met, or can be met, before proceeding to exhibition.

Previous legal advice from Maddocks Lawyers is discussed in the report at Attachment 1. Current legal advice from Maddocks agrees that the original authorisation is still current but on the balance of all information from both DELWP and EPA the amendment should be abandoned as it has little prospect of success. To proceed further based on the original authorisation would place unreasonable resource implications on both the proponent and Council with very limited chance of success for the proponent.

Social

Currently the operation of the ATM site does not meet the SEPP (AQM) which stipulates no more than one odour unit at the boundary of an EPA licensed premises. It is EPA practice not to require a company to upgrade to meet the SEPP until a change is made to an existing license. Hence, with the proposed change to the EPA license (to facilitate the residential development) ATM will be required to upgrade to meet the SEPP. This will be a positive outcome for existing residents, should the upgrade occur.

As proposed, Amendment C57 would introduce residential housing within 10 metres of the operating ATM site, and within 50 metres of the former Nuplex site, which is an industrial site entirely unregulated by ATM. The current EPA guideline *Recommended separation distances for industrial residual air emissions* advises a separation distance of between 250-500 metres for textile related industry. Such a small separation distance could lead to compromised air quality and noise impacts for new residents in the area with potential ongoing compliance issues for Council.

Environmental/Sustainability Impacts

An environmental audit has been conducted for the 4 hectare site proposed for rezoning. No information is available, however, on conditions across the balance of the ATM site and adjacent sites (such as the former Nuplex site). It would be prudent for the proponent to further investigate possible environmental risks associated with contaminated land, groundwater and the condition of asbestos in buildings close to the development site.

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

The best use of Council's resources.

Residential, rural, commercial and industrial land that is appropriately protected, planned and developed to meet the long-term needs of the community.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

Strategy 34 of the Community Vision is to 'maintain a responsive and proactive approach to economic development'. This includes actions to reinforce Wangaratta's position as a regional hub for manufacturing, retail and service industries and to maintain an appropriate bank of 'investment ready' industrial land. The proposed amendment is not consistent with the Community Vision.

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Con- sequence	Rating	Mitigation Action
Reputational risk to Council for doing business with a company director currently being investigated federally for fraud offences	High	High	High	Do not proceed with the current amendment
The amendment proceeds to Panel and is not supported by Panel	High	Moderate	High	Council must address all outstanding grounds for refusal raised by DELWP to support its position at Panel

ATM achieves licence amendment, but planning scheme amendment is not supported either by Panel of the Minister for Planning	Moderate	High	High	Do not proceed with current amendment
The amendment proceeds, is approved and ensuing residential development results in ongoing land use conflict with existing industrial uses	Moderate	High	High	Do not proceed with current amendment
ATM upgrades its facility but is unable to meet EPA air emissions requirements, therefore cannot amend its licence boundary	Low-moderate (unknown at this stage)	High	High	Final approval of amendment should be conditional upon ATM being able to achieve amendment to its EPA licence boundary
ATM achieves both the licence amendment and rezoning, sells the rezoned land and does not undertake the upgrades to plant as required	Moderate	High	High	Development of the subject land should be conditional upon the upgrades required by the licence amendment being undertaken

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	N/A	N/A
Consult	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	Consulted with internal Council departments and relevant external agencies. Their input has influenced the draft Development Plan, the process to date, and possible future action.
Involve	N/A	N/A
Collaborate	N/A	N/A
Empower	N/A	N/A

If the original amendment proceeds, public consultation will occur during the formal exhibition period in accordance with the requirements of the *Planning and Environment Act 1987*. This will involve letters to affected property owners, notice in the Chronicle newspaper and letters to prescribed Ministers and agencies, including the EPA.

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

Options for Consideration

Option 1: (Recommended) Council resolves not to proceed with the original Amendment C57 and abandons the proposal on the basis that the Department of Environment, Land, Water and Planning has just refused authorisation of an almost identical proposal, with grounds of refusal being equally relevant to the original amendment proposal, making it unlikely this proposal will receive support in the future from either a Planning Panel or the Minister for Planning; there is a lack of strategic justification for rezoning the subject land from industrial to residential purposes, the proposal is contrary to State and Local planning policy and legal advice received by Council; and the conditions of authorisation remain outstanding and are unlikely to be met in the foreseeable future.

Option 2: (Not recommended) Council can proceed with the original amendment, which still requires two conditions of authorisation to be met. Actions will include the proponent continuing to work with the EPA to satisfy its environmental assessment requirements; Council undertaking its proposed Industrial Land Use Strategy (for the entire municipality) which may or may not provide the strategic justification for the loss of industrial land; working closely with DELWP to ensure the proposal is likely to get support should it proceed to exhibition and a possible Panel hearing.

Conclusion

The resolutions of Council's October 2015 meeting were to pursue a revised rezoning proposal (Mixed Use Zone and General Residential Zone) to exhibition and seek support from the EPA to participate in a joint works approval/planning scheme amendment process to facilitate an outcome for the proponent, Sisely Properties Pty Ltd.

Almost twelve months later, Council has been refused authorisation by DEWLP to proceed with the revised amendment, with grounds of refusal being equally relevant to the original amendment proposal.

The EPA has advised Council that it will not support proceeding with a joint process until such time as the revised amendment receives authorisation from DELWP. Based on DELWPs refusal to authorise, the EPA will not join with Council at this time to progress Amendment C57.

Based on the advice within this Report, the detailed strategic assessment of Amendment C57 contained at Attachment 1 to this Report and current legal advice it is recommended that Amendment C57 not proceed and be abandoned on the basis that it has little prospect of being successfully progressed and approved.

Attachments

- 1 Special Council Meeting Minutes 30 October 2015
- 2 Revised Explanatory Report
- 3 Revised Development Plan Overlay Schedule
- 4 DELWP Refusal to authorise letter

16.2 RURAL CITY OF WANGARATTA DOMESTIC ANIMAL MANAGEMENT PLAN (DAM PLAN)

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager - Environment and Community Safety
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 adopt a minor update and revision of the Domestic Animal Management Plan 2012-16 (DAM), to enable extension until 2017.

RECOMMENDATION:

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

That Council:

- 1. endorses the Domestic Animal Management Plan 2016-17***
- 2. submits a copy to Secretary of the Department of Economic Development, Jobs, Transport and Resources (the Department)***
- 3. makes the Domestic Animal Management Plan 2016-17 available on Council's web site and provide copies on request for the public.***

Carried

Background

Council is required under the Domestic Animal Management Act 1994 to prepare a DAM Plan at four yearly intervals. The original statutory date to renew the DAM Plan was 3 November 2016. Due to Council elections, this date has been altered to 3 November 2017 by the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

As Council's current DAM Plan expires in 2016, the Department requires a review and minor revision of the DAM plan to enable extension to the new 2017 date. The current DAM Plan has been reviewed and revised. Statistics and dates have been updated, the new Council structure has been included and some actions have been removed that are complete or no longer relevant. No new

actions or content has been added. The Domestic Animal Management Plan 2016-17 is presented for Council consideration.

Implications

The DAM Plan seeks to provide education on responsible pet ownership, and includes the management of menacing, declared and nuisance dogs. The framework provided by the DAM Plan is expected to reduce the risk of these issues to the community.

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

Adoption of the DAM Plan 2016-2017 is necessary to comply with the Domestic Animal Management Act 1994.

Social

Continued implementation of the DAM Plan has positive impacts on community safety.

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Healthy

The non-negotiables

The DAM Plan contributes to the objective to keep “our urban areas and rural townships safe and friendly”.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

There is no direct strategic link to the Community Vision.

b) Other strategic links

There are no strategic links related to this report.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
DAM Plan 2016-2017 ineffective	Low	High	Medium	Ensure adequate oversight and update plan as required.

Consultation/Communication

As the DAM Plan 2016-17 is a minor revision to extend the Plan for one year, community consultation is not required. The new DAM Plan in 2017 will require community consultation and formal exhibition.

Options for Consideration

If the DAM Plan 2016-17 were not adopted, Council would be non-compliant with Section 68A of the Domestic Animal Management Act 1994.

Conclusion

Adoption of the DAM Plan 2016-17 will allow risk to community and animals to be actively managed and reduced and is in accordance with the Department of Economic Development Jobs Transport and Resources direction.

Attachments

- 1 Domestic Animal Management Plan

16.3 2016/2017 ROUND 1 SPECIAL EVENTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Manager - Economic Development and Tourism
File Name: Tourism Special Events Program
File No: 25.040.032

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 2016/2017 Round 1 Tourism Special Events Program funding submissions received to assist Council in making a decision on the allocation of funds based on the eligibility criteria.

RECOMMENDATION:

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

That Council:

- 1. *endorses the provision of the following Tourism Special Events Funding as part of - Round 1:***
 - a) *The Vibe Collective – \$1,000 for Wangaratta Block Party***
 - b) *Pizzini Wines - \$1,000 for Pizzini Presents Sangiovese***
 - c) *Pizzini Wines - \$3,000 for Easter Sunday Family Day***
 - d) *Pizzini Wines - \$2,000 for Nature, Culture, Food and Wine***
 - e) *Red Feet Wines - \$1,500 for Verasion***
 - f) *Moyhu Action Group Inc - \$2,500 for King Valley Pedal Power***
 - g) *King Valley Art Show - \$3,500 for the King Valley Art Show***
 - h) *Moyhu Hotel - \$2,000 for Moyhu Village Bonfire***
 - i) *King Valley Tourism Assn - \$2,000 for Ombrello Rosso***
 - j) *Wangaratta Textile Arts Assn - \$3,500 for Stitched up Textile Festival***
- 2. *withholds \$5,000 for La Dolce Vita as per Councils commitment and \$5,000 towards the 2017 Jayco Herald Sun Cycle tour.***

Carried

Background

The objective of the Special Event Funding Program is to:

1. Maximise the economic and community benefits
2. Provide significant branding and marketing opportunities for the region
3. Substantially build the profile of the events to attract visitors from outside the Rural City of Wangaratta
4. Promote the tourism product strengths of the Rural City of Wangaratta

These special events are significant in terms of branding and marketing opportunities for the region and are reflective of the Rural City of Wangaratta's identified tourism product strengths: Cycling; Food/Wine/Beer; Nature, Outdoor and Adventure; and Culture & Heritage.

Implications

Policy Considerations

The funding program is in line with the current Economic Development Strategy.

Financial/Economic Implications

Council has an allocation of \$32,000 to fund the program in 2016/2017. Of the \$32,000, a grant of \$5,000 is reserved for La Dolce Vita Festival as per Council's commitment. A grant of \$5,000 has also been reserved for the Jayco Herald Sun Cycle Tour to be held in February 2017, leaving a total of \$22,000 available to applicants. Grants are available up to \$5,000 per application. The recommended grants in Round 1 total \$22,000, the full amount of funds available in the program for 2016/2017. A total of 10 new events have been recommended to receive funding in this round.

	2016/2017 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	32000	22000		10000 held in reserve
Net Result				

Legal/Statutory

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

Social

Events have the capacity to increase the level of interest and participation within the community and strengthen regional values. Increased local pride and community spirit, as well as an increased awareness of non-local perceptions are outcomes of the events supported.

Environmental/Sustainability Impacts

This will depend on the individual submission/project.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Growing

We will research and advocate:

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

We will create and deliver:

Tourism products and experiences that attract visitors.

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

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.

We will focus on our business:

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

The non-negotiables

We have a vibrant tourism industry.

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

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	Provide an event funding program	The Chronicle Industry Newsletter Social Media
Consult		
Involve		
Collaborate		
Empower	Provide support to event organisers	Mentoring in completion and submission of applications

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

Options for Consideration

1. Endorse the Officers Recommendations
2. Endorse the Officers Recommendations with amendments
3. Do not endorse the Officers recommendations

Conclusion

This program's funding assistance will provide the successful applicants with financial support to assist the development and growth of regional events. A total of ten new events have been recommended for assistance this year. This capital for new events is vital in developing an increased range of product available to attract visitors to the region. The economic benefit to the region from these Special Events is significant.

Attachments

- 1 2016/17 Round 1 Special Events

16.4 REGIONAL ECONOMIC DEVELOPMENT - SALE OF LAND

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 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 endorse 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 4.533 hectares in size and shown on the attached site plan (Lot 2). Closing date for written submissions regarding the proposed sale was 19 August and one submission was been received.

RECOMMENDATION:

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

That Council:

- 1. endorses the sale of 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; and***
- 2. advises both the prospective purchaser and the submitter of the decision.***

Carried

Background

The proposed purchaser is an innovative company using 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 with the company for approximately 20 months, with the company making the final decision to relocate to Wangaratta. It is anticipated that the company will create 12 – 15 new jobs initially with predicted growth to around 20 jobs within a year and further growth over the following two years.

Council as required by legislation has undertaken a valuation on the land and the purchaser has done an independent valuation and agreed on the purchase price.

The written submission cited the following points of objection:

1. The land in question is currently zoned PUZ1 (public use) and not Industrial as suggested in the council agenda notes;
2. It wasn't clear to the objector if Council intended to sell the whole parcel of land referred to, as he was not aware that the original parcel has been subdivided into the two equal lots of 4.553 hectares;
3. The submission suggested that Council should re-zone the land before selling to maximise the value of the land;
4. The re-zoning would then enable Council and submitters to consider if the land, and the surrounding land is appropriately zoned as industrial and is used for industrial purposes and whether appropriate infrastructure is in place to service the land;
5. The submission was made on the basis that he reserves the right to object to any attempt to re-zone the land, or to any other applications involving the land;
6. It also states Council appears to have made up its mind to sell the land and instead Council should sell the land through a competitive tender process or auction to obtain the best price;
7. Any sale of the land should be conditional upon the purchaser obtaining any necessary permits; and
8. Finally, that there seems to be no consideration by Council of the proximity of the nearby waste water irrigations of North east Water, or residential dwellings, and that these other land uses will impinge on any application for a factory on the land – it was also noted in the submission that Council, in the past, had incurred significant legal costs in losing several VCAT disputes involving nearby land on this basis.

An appointed committee of Council has heard the submission prior to making any decision on the proposal.

Implications

Policy Considerations

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

Financial/Economic Implications

Expenditure incurred at this stage has been for an initial market valuation, boundary re-establishment activity. Further expenditure will be incurred to complete the sale through the delivery of services and legal costs associated with conveyancing. Funding assistance is being sought via a grant from Regional Development Victoria for the delivery of services to the site to offset some of the costs involved.

Legal/Statutory

There are legal/statutory implications identified for the subject of this report involving the sale of public land and Council will continue to follow that formal process.

In accordance with Section 189 and 223 of the Local Government Act 1989 Council has given public notice of at least four weeks prior to selling the land. Council has also given the public the right to make a submission on the proposed sale and as required, will obtain an updated market valuation of the property and negotiate the sale having regard to this market valuation.

Social

The creation of new jobs and the attraction of new businesses within the municipality is vitally important for the sustainability of the local economy and the potential retention of youth in the area.

This business being in waste plastic recycling continues Council's trend of support for environmentally sustainable businesses.

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

To 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 2016-2020

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Keep informed	Newspaper Website newsletters
Consult		
Involve		
Collaborate		
Empower		

All submissions have been considered by Council regarding the decision to sell the land.

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

Options for Consideration

1. Support the Officers recommendations
2. Support the Officers recommendations with amendments
3. Do not support the Officers recommendations

Conclusion

The sale of this parcel of land will allow for the relocation and establishment of a new company to this municipality. It is expected to create jobs during the construction phase and approximately 12 – 15 jobs at commencement growing to around 20 within a year. Ongoing growth is predicted by the company.

Attachments

- 1 Site Plan; Plastic Forests

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

18.1 ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 2016
Author: Executive Assistant Corporate Services
File Name: N/A
File No: 10.020.002

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

Executive Summary

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

1. Wangaratta Unlimited Committee Meeting Minutes
2. Wangaratta Sport and Recreation Committee Meeting Minutes
3. Agriculture and Agribusiness Advisory Committee
4. Place Naming Committee

The following recommendation was passed at the Agriculture and Agribusiness Advisory Committee meeting on the 11 July 2016 in regards to the Wangaratta Saleyards (**refer attachment 3**). The following is an excerpt from the minutes.

A proposal to have the Wangaratta Saleyards managed by a Committee of Management, rather than a Co-op model. The proposal included:

- *7 members consisting of: An elected Council rep (1), Saleyards Supervisor (1), Primary Producers (3), Agent representatives (2), Buyer or Transport Operator or DPI (1)*
- *Meetings to be held at Saleyards Canteen every 2 months*
- *Full transparency in financial accounts as well as cattle yarding numbers, current maintenance program an advertising budget. Members nominated for a 2 year term.*

A motion was moved that the AAAC support the above proposal. It was unanimously carried. This motion will go to Council as a recommendation.

RECOMMENDATION:**(Moved: Chair Administrator A Fox/Administrator R Roscholler)*****That Council notes:***

1. *the minutes of these committees*
2. *the motion from the Agricultural and Agribusiness Advisory Committee and refers consideration of this matter to the newly elected Council.*

Carried**Attachments**

- 1 Wangaratta Unlimited Meeting Minutes - Feb-Aug 2016
- 2 Wangaratta Sport and Recreation Advisory Committee Minutes - Feb/Apr/May/Jun 2016
- 3 Agriculture and Agribusiness Advisory Committee - 11 July 2016
- 4 Place Naming Committee Minutes - 17 August 2016

19. RECORDS OF ASSEMBLIES OF ADMINISTRATORS

19.1 RECORDS OF ASSEMBLIES OF ADMINISTRATORS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 13 September 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
16 August 2016	Administrators’ Pre-Council Briefing	Attachment
23 August 2016	Administrators’ Briefing Forum	Attachment
30 August 2016	Administrators’ Briefing Forum	Attachment
6 September 2016	Administrators’ Briefing Forum	Attachment

RECOMMENDATION:

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

That Council receives the reports of Assemblies of Administrators.

Carried

Attachments

- 1 Administrators Pre-Council Briefing Forum - 16 August 2016
- 2 Administrators Briefing Forum - 23 August 2016
- 3 Administrators Briefing Forum - 30 August 2016
- 4 Administrators Briefing Forum - 6 September 2016

20. NOTICES OF MOTION

Nil

21. URGENT BUSINESS**22. PUBLIC QUESTION TIME**

Ailsa Fox, Chair Administrator noted that at a recent meeting, a community member asked if tours of our waste management facility were available.

Alan Clark, Director of Infrastructure replied that yes, Council would be very happy to conduct tours of the facilities. We are more than happy to facilitate any groups who would be interested.

Julian Fidge – Wangaratta

Firstly, how long has Wendy Lester been on Council's Advisory Committee, the Wangaratta Unlimited Board? Secondly, how much money has Council spent at Wendy Lester's business - the Gateway Hotel in Wangaratta - since she has been on Council's Advisory Committee, the Wangaratta Unlimited Board?

Thirdly, how much money has Council spent at the other restaurants, cafes and function venues in Wangaratta apart from at Wendy Lester's Hotel?

Is it appropriate for local business person to have so much influence, for so long, in Council when other competing businesses (all of the other function venues, restaurants and cafes in Wangaratta) never seem to get a look in? Isn't it time that Wendy Lester was moved on, and someone else from her industry given a seat on the Advisory Committee?

Ailsa Fox Chair Administrator, replied Wendy Lester has been a member of the Wangaratta unlimited board since 2011. Her appointment was from 2011 to 2014, she reapplied in 2014 and was appointed for a three year term and recently retired from that board.

In the last three years council has spent approximately \$325,000 on accommodation, meeting expenses and catering, \$83,000 was spent at the Gateway. I might also add that expenses incurred by administrators is published on the Council Website quarterly.

Of that money, approximately 55% relates to Council accommodation requirements. Approximately half of Councils accommodation needs are sourced from suppliers within the municipality. Council has used in excess of 20 providers for its accommodation requirements over the last 3 years, with a quarter of those being within the municipality.

Helen Senior – Wangaratta

Is there a reason why the multipurpose court was not available for use at last weekend's Ovens and King grand finals? The multipurpose centre hasn't been open for the tennis or netball.

Brendan McGrath, Chief Executive Officer replied, *the issue was we had contractors lined up to finish the resealing and line marking of the courts. Due to the weather conditions contractors were unable to finish that work and we are now waiting on an opportunity for those contractors to come back and finish those works.*

Alan Clark, Director Infrastructure also replied *the timing window was initially due to the tennis club organising a juniors tournament at a time when we were to do the initial sealing. We then had to turn the contractor away and he hasn't been able to restart due to the weather.*

Helen Senior – Wangaratta

The lighting that has been put there is in the umpires run off. They have to have a three meter run and it is in the middle of their runway.

Alan Clark, Director Infrastructure replied *we will have a look at that.*

Helen Senior – Wangaratta

Have all the bodies that use that area all put equal funding in?

Brendan McGrath, Chief Executive Officer replied, *I am not sure it was equal funding but there were agreements struck with each of the user groups about what their levels of contributions would be. The contributions were in line with what was agreed on.*

Greg Mirabella – East Wangaratta

Thanks from the Victorian Farmers Federation (VFF) Wangaratta branch. The VFF are conducting their usual Candidates Forum for the upcoming municipal election. We asked that the Administrators and Council bear the cost of using the Performing Arts Centre, given a possible large interest and they have kindly agreed to that. The candidates forum will be on Thursday the 29 of September at 7pm and given some of our members are likely to be standing for Council, we have invited the President of the Victorian Farmers Federation, David Jochinke to facilitate.

23. CONFIDENTIAL BUSINESS**RECOMMENDATION:**

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

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 Chief Executive Officer - Performance Review

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.

Carried

24. CLOSURE OF MEETING

The Meeting closed at 7.08pm.