

# Minutes

## Of the Ordinary Council Meeting

**Location:** Milawa Hall

**Date:** 22 November 2016

**Time:** 6pm



RURAL CITY OF  
**WANGARATTA**

Brendan McGrath  
Chief Executive Officer



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**1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

**2. OPENING PRAYER**

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

**3. PRESENT****Councillors**

Cr Ken Clarke OAM – Mayor, Cr Harvey Benton – Deputy Mayor, Cr David Fuller, Cr Dean Rees, Cr Harry Bussell, Cr Mark Currie, Cr Ruth Amery

**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****Councillors:****Officers:****5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE****ORDER OF BUSINESS****6. CITIZENSHIP CEREMONY**

Nil

**7. CONFIRMATION OF MINUTES**















- d) The holder of the Arts, Culture and Heritage portfolio to the Arts, Culture and Heritage Advisory Committee**
  - e) The holder of the Family, Youth, Sport & Recreation portfolio to the:**
    - i) Sport and Recreation Advisory Committee**
    - ii) Youth Council representative**
    - iii) Friends of Lacluta Special Committee**
    - iv) Place Naming Committee**
  - f) Councillors Clarke & Councillor Currie to the Audit Advisory Committee**
  - g) Councillor Fuller to the Wangaratta Festival of Jazz Incorporated Board.**
- 3) Amends Committee charters where required to refer to the appropriate portfolio.**
- Carried**

### **Background**

The annual appointment of Councillors to committees and bodies was prescribed to occur at the meeting to elect the Mayor by the Governance and Meeting Conduct Local Law No. 2 of 2016. At that meeting Council resolved to defer the appointment to committees and bodies to a later meeting.

Council nominates or appoints representatives and delegates to Council advisory committees, Special Committees and other associated committees and bodies annually, or as needed (**refer attachment**). Participation is an essential part of a Councillor's representative role.

A Councillor appointed as a representative to a committee will represent the position of Council, and report back to Council at an Ordinary Council Meeting on the issues or progress of the committee, and any recommendations made by the committee for Council to consider.

In allocating representative roles to councillors, consideration should be given to councillors' areas of interest and priorities and a fair and reasonable sharing of workload and time demands.

### **Implications**

#### **Policy Considerations**

Council advisory committee and special committee charters provide for the type, number and role of Councillor representatives.

A number of charters refer to the appointment of the holders of specific Councillor portfolios. A decision regarding the use and, if required, the allocation of portfolio appointments is required precedent to the allocation of committee appointments.

If portfolio appoints are to be used, the following suggestions for appropriate portfolios may be considered:

#### Infrastructure & Emergency Services

This portfolio contains the matters concerning infrastructure planning and deliver, field services, waste management and emergency services.

#### Agriculture

This portfolio represents the interest of the rural community in Council operations.

#### Planning & Development

This portfolio incorporates strategic and statutory planning and building services. Whilst there is no formal committee associated with this portfolio, the holder of this portfolio will be involved in strategic planning community consultation and planning mediation and consultation meetings.

#### Economic Development & Tourism

This portfolio focusses on economic opportunities to deliver growth and improvements in:

- Workforce development
- Tourism development
- Investment ready land and infrastructure
- Employment
- Business confidence and diversification.

#### Arts, Culture & Heritage

This portfolio supports the Council operations of the Performing Arts Centre, the Wangaratta Gallery, the Wangaratta Library, cultural and heritage pursuits and Council's events program. The Wangaratta Festival of Jazz falls into this portfolio and it is recommended that one Councillor and one Council officer be appointed to this board to allow for better operational connection to the festival.

#### Family, Youth, Sport and Recreation

Council's children's services, aged and disability care, Youth Council, sports reserves and activities fall within this portfolio.

If portfolio appointments are not to be used, the motion appointing Councillor representatives should also vary the various committee charters.

## **Financial/Economic Implications**

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

## **Legal/Statutory**

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

## **Social**

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

## **Environmental/Sustainability Impacts**

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

## **Conclusion**

Should Council determine that the recommended portfolios are appropriate to the needs of this municipality, it should appoint Councillors to those portfolios. Appointments to Council Committees and Boards must also be made by Council, some of which will be a natural consequence of the portfolio appointments. Some adjustments to the charters of Council committees will be required to accommodate the portfolio names.

## **Attachments**

- 1 Council and Other Committees and Bodies with Councillor Representation

## **Questions**

### **Jenny Hart – Wangaratta**

Questioned that the person allocated to the Place Naming Committee does not seem to be a good fit with Family, Youth, Sport and Recreation

***Brendan McGrath, Chief Executive Officer** replied the four committees are not combined they will still operate separately. The councillor elected to those committees will sit on each of those four committees as a councillor representative.*

## 14. COMMUNITY WELLBEING

### 14.1 WANGARATTA CENTRAL BUSINESS DISTRICT - CCTV

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 22 November 2016  
**Author:** Manager - Community and Recreation  
**File Name:** Community Safety and Crime Prevention  
**File No:**

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

#### Executive Summary

This report is presented to Council to consider a partnership with Victoria Police and a local security firm to install a Closed Circuit Television (CCTV) camera in Wangaratta's Central Business District (CBD).

#### *Recommendation:*

*That Council enter into a partnership with Victoria Police and a local security firm to install a temporary CCTV camera in the CBD for a trial period of twelve months in order to improve perceptions of community safety and assist in the prevention and investigation into crimes and antisocial behaviour.*

***Councillor M Currie moved an amendment:***

***That the trial period be changed from 12 months to 6 months.***

***(Seconded: Councillor D Rees)***

***That Council enter into a partnership with Victoria Police and a local security firm to install a temporary CCTV camera in the CBD for a trial period of six months in order to improve perceptions of community safety and assist in the prevention and investigation into crimes and antisocial behaviour.***

**Carried**

#### Background

Council officers, in partnership with North-East Security and Victoria Police have identified an opportunity to undertake the trial installation of a CCTV camera for a period of twelve months in Wangaratta's CBD as method of deterring crime and preventing anti-social behaviour.

North-East Security currently has approximately 12 CCTV cameras installed in partnership with local business (whom have a contract with North-East Security) that cover public areas throughout the CBD. These cameras are installed and monitored at the cost of the businesses.

This trial is enabled by an offer from North-East Security to provide an all-weather security camera at no cost for the trial period (installation and monitoring included) for installation in the CBD.

Victoria Police are supportive of the trial program and will monitor the live stream throughout the night. North East Security are able to provide access to the live feed through a designated server.

Outcomes of the trial period will inform a potential funding application under the Department of Justice's (DoJ) Public Safety Infrastructure Fund (PSIF) in 2017 for the wider installation of CCTV cameras within the CBD. Broader engagement with both CBD businesses and Victoria Police will help inform potential locations for additional CCTV cameras.

Timeline for installation and monitoring:

November 2016 – CCTV installation at an identified primary point within the CBD. Stakeholders involved: North-East Security, VicPol, Local business/building owner, Council.

January- May 2017 – engagement with public and CBD businesses.

June – August 2017 – benefit analysis and future project scoping.

October 2017 – funding application pursued for CCTV program under the Department of Justice's Public Safety Infrastructure Fund.

## **Implications**

### **Policy Considerations**

Currently Council does not have a policy guiding the use and installation of CCTV within the municipality. With increased use of CCTV for both public and private security monitoring a defined policy would address the development and prioritisation of this infrastructure by Council.

Subject to the endorsement of this report, a policy will be developed over the next 12 months to regulate the use of CCTV material including: appropriate use, collection, retention, security, privacy, access, disclosure, storage, disposal, monitoring and evaluation. The policy will then inform an anticipated expansion through a successful funding application to the DoJ's PSIF in 2017.

### **Financial/Economic Implications**

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

The expansion of CCTV throughout the CBD may have some financial implications for Council in the future.

### **Legal/Statutory**

There are legal implications pertaining to the privacy of individuals identifiable in the CCTV footage. This risk will be mitigated in the first instance through the partnership with VicPol and a private security firm which will ensure that the trial CCTV project complies with the *Surveillance Devices Act 1999* and the *Information Privacy Act 2000*.

### **Social**

A coordinated public engagement program would be necessary throughout the trial period to gauge public views regarding a wider installation of CCTV in the CBD and address privacy concerns. Additional targeted engagement would be undertaken with CBD businesses.

### **Environmental/Sustainability Impacts**

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

### **2013 – 2017 Council Plan (2016 Revision)**

This report supports the 2013-2017 Council Plan:

#### **Goal**

We are Healthy

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

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

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

that ensure we are responding to the current and long-term recreational needs of our community and creating sustainable and quality recreation reserves throughout our municipality.

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

### **Risk Management**

A detailed risk management policy will be entered into with the partners of this project.



## Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform		
Consult	Public, Businesses	
Involve		
Collaborate	Victoria Police, local security firms	
Empower		

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

## Conclusion

This report is presented to Council to consider a partnership with Victoria Police and a local security firm to install a Closed Circuit Television (CCTV) camera in Wangaratta's Central Business District.

## Attachments

Nil.

## Questions

### **Julian Fidge – Docker**

How are we going to measure the success of this trial to the city? What types of things are we looking at?

*Jaime Carroll, Director Community Wellbeing* replied that given it is a partnership with Victoria Police, they have offered to help with the analysis and hard statistics around the impact it will have on crime. The anti-social behaviour will be much more difficult to measure and we will engage with different community groups over the trial period to gauge people's perception of safety. Some of the antisocial behaviour the CCTV try's to encompass includes acts such as vandalism and graffiti.

### **Julian Fidge – Docker**

So we are looking for a reduction in vandleism and assaults, things like that? It would have been good to have this throughout the report.

*Jaime Carroll, Director Community Wellbeing* replied we are hoping the benefits will be extensive and it will have an impact on preventing bad behaviour and assisting the police in laying charges. Another benefit would be to make people feel more safe around the city.

**15. INFRASTRUCTURE SERVICES**

Nil

## 16. DEVELOPMENT SERVICES

### 16.1 PARKING IN THE CBD OVER THE CHRISTMAS/NEW YEAR PERIOD

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 22 November 2016  
**Author:** Executive Assistant Development Services  
**File Name:** Parking Enforcement  
**File No:** 58.050.004

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

#### Executive Summary

This report is presented to Council to consider free parking in the Central Business District (CBD) over the Christmas & New-Year period from Thursday 15 December 2016 – Wednesday 4 January 2017 inclusive.

**Councillor Dave Fuller declared his conflict of interest and left the room.**

#### **RECOMMENDATION:**

**(Moved: Councillor H Bussell/Councillor H Benton)**

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

- 1. provides free parking from Thursday 15 December 2016 to Wednesday 4 January 2017 inclusive, within the CBD area; and***
- 2. informs the community of the free parking through appropriate media channels, noting that time limits will still apply.***

**Carried**

#### Background

In previous years Council has offered free parking in the CBD over the Christmas New-Year period as an incentive to encourage locals and visitors to shop and spend time in the Wangaratta CBD. This aligns with the CBD Christmas Carnival taking place on Thursday 15 December 2016 from 5pm – 8pm this year.

#### Implications

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

While there is limited data to indicate exact revenue loss as a result of offering free parking over this period, it is estimated that approximately \$5,000 - \$7,000 in

income will be lost although staff costs are also reduced during the Christmas/New Year period due to less need to check and collect from the machines.

The impact on expected income has already been factored into the Council budget.

Free parking is offered to encourage shoppers to shop locally in the CBD and therefore boost income for local shops and business over this period.

### **Legal/Statutory**

Whilst the payment for parking will not be required during this period the time limit restrictions as indicated on the relevant signage are required to be adhered to. Failure to abide by these time restrictions can still result in infringements being issued.

### **Social**

By offering free parking over this festive period, Council is spreading 'Christmas cheer' and also supporting the Christmas Carnival for local shops and businesses in the CBD.

### **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:

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

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

### **Strategic Links**

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

*'Wangaratta's central business district is a thriving, vibrant retail centre, offering a diversity of choice.'*

*'Local businesses of all size and nature continue to play a key role in the development and wellbeing of the broader community through linkages to volunteering and by supporting community initiatives.'*

### **Risk Management**

There are no risks identified with this proposal

### **Consultation/Communication**

Given that free parking has been previously offered over the Christmas/New Year period there is an expectation in the community that this will be provided again.

Should Council support this initiative, Officers will communicate with the owner/operators of the multi-storey car-park (Co-Store) as they may wish to offer same.

Notice of Council's decision will be publicly advertised and communicated through all available forms.

### **Options for Consideration**

1. Support free parking in the CBD area over the Christmas/New Year period (recommended).
2. Not support free parking in the CBD over the Christmas/New Year period.

### **Conclusion**

Offering free parking in the CBD over this period aligns with economic development and retail growth goals in Council's corporate documents and supports the 'Shop Local' and 'Small Business Wangaratta' campaigns.

### **Attachments**

Nil

### **Questions**

#### **Barbara Miller – Wangaratta**

Will the metres have some kind of sign on them so that people traveling into town know about the free parking?

*Barry Green, Director Development Services replied that Council plan to purchase parking meter hoods, which can be locked, that sit over the top of the meters with information pertaining to the free parking over the Christmas period.*

## 16.2 TOURISM SPECIAL EVENTS PROGRAM - VISITOR ATTRACTION

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 22 November 2016  
**Author:** Economic Development Coordinator  
**File Name:** Regional Economic Development  
**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 Tourism Visitor Attraction Funding Program, Round 1 submissions received and assist Council in making a decision on the allocation of funds based on the eligibility criteria.

#### **RECOMMENDATION:**

**(Moved: Councillor M Currie/Councillor D Fuller)**

***That Council endorses the provision of Tourism Visitor Attraction Funding Program grant as part of Round 1, to the Early Holden Car Club – Wangaratta for \$2,000 for “All GM Show and Shine Event”***

**Carried**

### **Background**

The objective of the Tourism Visitor Attraction Funding program is to:

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

Funding is competitive and submissions are assessed on several criteria including: experience of organisers, consistency with regional priorities and overall economic benefit to the region. The economic benefit is determined by factors which include; estimated number of participants, visitors attracted from outside the region, number of days the visitors will stay in the region. The dollar value benefit to the region is calculated using a program called RemPLan.

### **Implications**

#### **Policy Considerations**

The funding program is in line with the current Economic Development & Tourism Strategy. The Strategy identifies the importance of the development and delivery of local events which attract visitors from outside the region. These small grants play an important role in developing a broader range of products and events to attract visitors to the region.

### **Financial/Economic Implications**

Council has an allocation of \$7,000 to fund the program in 2016/2017. This round of submissions has resulted in a total of two submission being received. A submission from the Early Holden Car Club Wangaratta has been received and the recommendation is to support this event with an amount of \$2,000 is being suggested. The direct economic benefit to the region for this event has been calculated at \$284,000. A second submission delivering a regional benefit of around \$20,000 is not being recommended for support as it is an event with very low participation numbers, with the majority of attendees expected to be local.

	2016/2017 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	2,000	2,000		\$5,000 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, increased numbers of visitors to the region, 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 that are supported.

### **2013 – 2017 Council Plan (2016 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 finding program	The Chronicle Industry Newsletter Social Media



Empower	Provide support to event organisers	Mentoring in completion and submission of applications
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Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

### **Options for Consideration**

1. Endorse the Officer's Recommendations
2. Endorse the Officer's Recommendations with amendments
3. Do not endorse the Officer's Recommendations

### **Conclusion**

This program's funding assistance will provide the successful applicants with financial support to assist the development and growth of the event to attract visitors to the region. These small capital investments are considered vital in developing an increased and more diverse range of products and events to attract visitor to the region. The economic benefit to the region of such events is considered significant.

### **Attachments**

- 1 2016/2017 Round 1 Visitor Attraction

### 16.3 WANGARATTA PLANNING SCHEME AMENDMENT C66 - GLENROWAN TOWNSHIP DEVELOPMENT PLAN - CONSIDERATION OF SUBMISSIONS AND NEXT STEPS V2

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 22 November 2016  
**Author:** Strategy Planner  
**File Name:** Wangaratta Planning Scheme Amendment C66 -  
Glenrowan Rural Township  
**File No:** 73.030.083

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 to:

- Consider the 16 submissions (including seven late submissions), received in response to Wangaratta Planning Scheme Amendment C66 - Glenrowan Township Development Plan.
- Seek Council's agreement to make changes to the exhibited amendment for the purpose of addressing submissions to the amendment.
- Seek Council's agreement to split the amendment into two parts (to assist the consideration of submissions) as follows;
  - C66 Part 1 - **all exhibited changes**, which affect the local planning policy framework, general provisions, zone maps and bushfire management overlay maps, **excluding** the rezoning identified on exhibited "Zone Map 32 and 33" (see Attachment 1).
  - C66 Part 2 - **only** exhibited zone changes identified on exhibited "Zone Map 32 and 33" (see Attachment 1).
- Seek Council's agreement to adopt C66 Part 1 (subject to changes) and submit the adopted documents to the Minister for Planning, for approval.
- Seek Council's agreement to re-exhibit C66 Part 2 in order to address two outstanding submissions and negate the need for a planning panel; the re-exhibition will affect land in Precincts H(a) and H(b) of the Glenrowan Township Development Plan (TDP) (see Attachment 2), which is in single ownership. The content of Part 2 has been negotiated with the submitter/landowner and requires re-exhibition (at the direction of Department of Environment Land, Water and Planning).

The changes to the exhibited controls are:

1. Proposed rezoning of land in Precinct H (a) from Rural Living Zone 1 and 2 to entirely Rural Living Zone 1 and Public Use Zone 1.
2. The application of a Development Plan Overlay to Precinct H (a) and (b).

Amendment C66 implements the immediate, short term and ongoing recommendations of the Glenrowan TDP and Glenrowan Bushfire Assessment. It does this by introducing new local policy, rezoning land and applying the Bushfire Management Overlay.

The amendment was exhibited between 25 August and 26 September, 2016. In response to the exhibition process 16 submissions were received (including a very late submission received 27 October 2016). Of the submissions, 10 support the amendment, five have no position. A number of these submissions also suggest changes to the exhibited documents. A summary of submissions and an outline of proposed changes are contained in Attachments 3 and 4.

Officers are supportive of minor changes to the exhibited documents. More substantial changes as described in C66 Part 2 should be re-exhibited.

To progress the amendment it is recommended Council split the amendment and adopt C66 Part 1 and submit the adopted documents to the Minister for Planning for approval and re-exhibit C66 Part 2, and consider any further submissions following its re-exhibition.

**RECOMMENDATION:**

**(Moved: Councillor H Benton/Councillor M Currie)**

***That Council:***

- 1. Considers all submission to Wangaratta Planning Scheme Amendment C66 – Glenrowan Township, pursuant to Section 22 (1) of the Planning and Environment Act 1987 (the Act);***
- 2. makes minor changes to the adopted Glenrowan Township Development Plan as outlined in Attachments 2 and 3;***
- 3. makes minor changes to exhibited C66 documentation outlined in Attachments 2 and 3, to address submissions to Amendment C66;***

4. ***splits the amendment into two parts as follows:***
  - a) ***Amendment C66 Part 1 - Inclusive of all exhibited changes to the Wangaratta Planning Scheme except: the exhibited zone change illustrated on "Zone Map 32 and 33" (as shown in Attachment 1);***
  - b) ***Amendment C66 Part 2 - Only the following exhibited change to the Wangaratta Planning Scheme: the zone change to land identified on "Zone Maps 32 and 33" (as shown in Attachment 1);***
5. ***adopts C66 Part 1 (with changes) pursuant to Section 29 of the Act, and forwards C66 Part 1 as adopted, to the Minister for Planning requesting approval, pursuant to Section 31 of the Act***
6. ***re-exhibits C66 Part 2 as follows:***
  - a. ***Rezone land identified on Zone Map 32 and 33 (which is consistent with privately owned land contained in Precinct H (a) of the Glenrowan Township Development Plan) from Farming Zone and Rural Living Zone 2 to Rural Living Zone 1 and publicly owned land Public Use Zone 2.***
  - b. ***Apply the Development Plan Overlay to Precinct H (a) and (b) of the Glenrowan Township Development Plan.***
7. ***advises all submitters to C66 accordingly.***

**Carried**

### **Background**

Amendment C66 implements the immediate, short term and ongoing recommendations of the Glenrowan TDP, 2015 and the recommendations of the Glenrowan Bushfire Assessment, 2014.

#### **Glenrowan TDP, 2015:**

The Glenrowan TDP was developed in response to recommendations of Council's Population and Housing Strategy, 2013. The Glenrowan TDP pro-actively addresses projected population growth, and manages development pressure. Such development pressure is expected to result from an upgrade to the sewerage network. Recommendations of the Glenrowan TDP inform changes to local policy and rezoning. The Glenrowan TDP was adopted by Council in April, 2015.

### Glenrowan Bushfire Assessment, 2014:

The Glenrowan Bushfire Assessment was prepared to assess bushfire risk in the Glenrowan Township, to inform the development of the Glenrowan TDP. The Glenrowan Bushfire Assessment examines credible consequences of a bushfire and the likelihood of those consequences being realised. Recommendations of this study inform the application of the Bushfire Management Overlay (BMO). The BMO triggers a planning permit for buildings and works associated with uses that increase the risk to life of bushfire.

### Amendment C66 – Public Exhibition Process:

Authorisation by DELWP to exhibit the amendment occurred on 22 July 2016. Exhibition of Amendment C66 occurred from 25 August - 26 September, 2016.

The public exhibition process occurred in accordance with the requirements of the *Planning and Environment Act, 1987*.

Notices were posted to prescribed Ministers, government departments, statutory authorities, land owners and occupiers affected by Amendment C66. Owners and occupiers were further provided with a Frequently Asked Questions Information Sheet, a Submission form and notice of an Information 'Drop-In' Session, held during the exhibition period.

A public notice about Amendment C66 was placed in the Wangaratta Chronicle, Friday 19 August, 2016 and in the Victorian Government Gazette, Thursday 25 August, 2016.

An information Drop-In session was held in Glenrowan, on Thursday 8 September, 2016, between 3.30pm and 6.00pm. This gave land owners the opportunity to ask planning officers questions about the amendment, in a one-on-one forum. Approximately 30-35 people attended this session and asked questions about Amendment C66.

### Consideration of submissions:

The following diagram outlines the steps in the amendment process. The blue boxes identify steps undertaken and the orange boxes are steps required to be completed to finalise the amendment.



It is noted that if all submissions are resolved, Council can proceed directly to adoption, and submission of the amendment for approval, without the need for a Panel hearing.

Submissions to Amendment C66:

Following the exhibition period 16 submissions were received. Of the submissions:

- Ten (10) supported/or did not object to the amendment
- One (1) objected to the amendment
- Five (5) had no position stated

The majority of the submitters were authorities and government departments (14 submissions) and two were received from land owners.

Matters raised in the submissions can be categorised as follows:

- Reviewing the amendment documents and providing support for the work Council has undertaken
- Requesting changes to the Glenrowan TDP (background document and maps)
- Requesting changes to exhibited C66 Amendment documents
- Heritage matters
- Identifying matters that have an impact on future development (inclusive of vegetation retention and infrastructure requirements)

Pursuant to section 23(1) of the Act, when considering a submission that requests a change to an amendment, Council must:

- (a) Change the amendment in the manner requested; or
- (b) Refer the submission to a Panel appointed under Part of the Act; or
- (c) Abandon the amendment or part of the amendment.

Recommended Changes:

*Glenrowan Township Development Plan:* It is recommended that the Glenrowan TDP (background documents and map) be updated to include changes raised in submissions and Council adopt the Glenrowan TDP, with changes.

Changes proposed address administrative mapping errors and provide further explanation about outside influences. Examples of changes requested include:

- Mapping - correcting errors in the map keys
- Glenrowan TDP - adding further information about State heritage regulations that apply to some parts of Glenrowan.

All proposed changes are detailed in Attachment 4.

*Amendment C66 Documents:* It is recommended the exhibited Amendment C66 documents are updated to address submissions. Requests in submissions are seeking changes of an administrative nature. An example of a change requested includes:

- Mapping - The Precinct Plan contained in Clause 22.03 be updated to realign the boundary so that it is consistent with the area of significance identified by the Victorian Heritage Register and the National Heritage List.

All details outlining the proposed changes are contained in Attachment 4.

Outstanding Matters:

One submission requests significant changes to the exhibited amendment. It proposes a change to the zone controls applied to land identified in Precinct H (a) of the Glenrowan TDP. Precinct H (a) is identified in Attachment 2. The submission requests all land identified in Precinct H (a) is rezoned to Rural Living Zone 1 (RLZ1).

The Wangaratta Planning Scheme identifies land in Precinct H (a) as currently zoned Farming Zone (FZ) and Rural Living Zone Schedule 2 (RLZ2).

The exhibited documents propose a rezoning to a combination of Rural Living Zone Schedules 1 and 2. It is noted that the minimum lot size for land in the RLZ1 is 2 hectares; and RLZ2 is 8 hectares.

The combination of RLZ1 and 2, was originally applied in favour of rezoning the whole of Precinct H (a) to RLZ1 with the application of a Development Plan Overlay (DPO) as suggested in the adopted Glenrowan TDP. The TDP approach would add an additional layer of approval in the planning permit process.

It is noted that a DPO excludes third party appeal rights (for example if a permit application is generally in accordance with an approved Development Plan there is no opportunity to object to a planning permit application). Any Development Plan needs to be approved by Council.

Advantages of a DPO include providing Council the opportunity to identify site constraints upfront, prior to a detailed planning permit application being considered. Submissions received from authorities have identified development and infrastructure considerations. A DPO can include such considerations, and is now considered to be a pro-active way to plan for future development. The alternative way to address these submissions, would be to grant a conditional planning permit. A DPO provides assurance these conditions would not be lost between an amendment being approved and a planning permit being issued.

Given some submissions provide important information about development constraints upfront (e.g. high pressure gas lines), it gives Council the opportunity to review the planning tools used to implement the recommendations of the Glenrowan TDP. On review, the DPO is now considered the best tool to identify site constraints and specify minimum lot sizes (see Attachment 4). A re-exhibition will ensure land owners and the community have an opportunity to comment on the contents of the DPO prior to its implementation.

A change to the exhibited zoning and application of a new Development Plan Overlay are considered a transformation of the amendment. Therefore, DELWP has advised that re-exhibition of this component of C66 is required.

A split of Amendment C66 as follows is recommended to consider the matter separately:

- The local policy and bushfire mapping aspects of the amendment to be progressed. This will provide benefit in decision making for planning permit applications.

- It provides the opportunity to re-consider the controls and identify development considerations raised by planning authorities in their submissions to Amendment C66. All submissions to be resolved without the need to proceed to a Planning Panel.

On balance, following the exhibition of Amendment C66, splitting the amendment and re-exhibiting new controls (in response to submissions) is considered the clearest pathway forward, and the best way to address submissions to the amendment. The alternative approach is to not make the requested changes and proceed to an independent planning Panel.

The disadvantages of this approach are the cost to Council of a Panel hearing, and the possibility a Panel may seek re-exhibition to address the submissions anyway.

#### Further Work:

The implementation of the Glenrowan Township Development Plan is staged. The remainder of the implementation of this report is to be carried out in the medium - long term (medium term projects are expected to commence in 5-10 long term projects are expected to commence in 10-20 years).

### **Implications**

#### **Policy Considerations**

Council's adopted Population and Housing Strategy, 2013, states the preparation of the Glenrowan TDP as a short term recommendation.

#### **Financial Implications**

This amendment is funded by Council under the Strategic Planning 2016-2017 operations budget. Costs directly attributed to the amendment are the responsibility of Council. The main costs associated with this amendment, going forward are identified as:

- Running a Planning Panel, which may include expert input from Mesh Planning in the capacity of an expert witness. To provide an indicative cost estimate, a Panel Hearing running 2 days and heard by 1 Panel Member may cost around \$8-10,000 (expert witnesses are an additional cost).
- Statutory Fees associated with processing a planning scheme amendment (a cost of approximately \$450.00).

#### **Legal/Statutory**

All procedures associated with this amendment comply with the legislative requirements of the *Planning and Environment Act 1987*.



## **Social**

The Glenrowan TDP, strategic basis for the amendment, supports Councils Community Vision and the Glenrowan Community Plan. Further the amendment has been developed to respond to development pressure created by the implementation of reticulated sewer infrastructure. Clear policy direction is considered to provide community benefit.

## **Environmental/Sustainability Impacts**

The amendment considers environmental constraints and recommended urban expansion areas, based on precincts. It balances environmental risks and encourages development to respond to significant native vegetation by making changes to the Local Planning Policy Framework.

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

This report supports the 2013-2017 Council Plan:

### **Goal**

We are Growing  
We are Connected  
We are Sustainable

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

open spaces throughout our municipality that allow everyone to enjoy our beautiful environment and location

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

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

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

by identifying future development areas and giving consideration to potential planning scheme amendments and development contributions.

## **Strategic Links**

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

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

Population and Housing Strategy, 2013 (RCOW)

Hume Regional Growth Plan, 2014 (Victorian State Government).

### **Risk Management**

There are some risks associated with splitting the amendment, as recommended in this report. The main risk is that the re-exhibited part of the amendment attracts further submissions, which cannot be accommodated and trigger a Panel anyway. The alternative is to not support the objecting submission and proceed directly to a Panel regardless. This sets up an adversarial relationship with the submitter and the Panel may direct Council to re-exhibit the changes anyway.

### **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	N/A	N/A
Consult	<i>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.</i>	<i>To obtain public feedback on analysis, alternatives and/or decisions.</i>
Involve	<i>We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision</i>	<i>To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.</i>

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

### **Options for Consideration**

**Recommended** - Consider submissions, make minor changes to the Glenrowan TDP, make minor changes to the amendment documents (to the Local Planning Policy Framework), split the amendment into two parts;

- *Adopt C66 Part 1: which includes all exhibited changes except the exhibited zone change illustrated on "Zone Map 32 and 33" (shown in Attachment 1) and submit adopted changes to the Minister for Planning for approval*

- *Re-exhibit C66 Part 2: which applies to the zone change illustrated on "Zone Map 32 and 33" (shown in Attachment 1). The re-exhibition will include rezoning Precinct H (a) to Rural Living Zone 1 and applying the Development Plan Overlay to Precinct H (a) and (b).*

This is the recommended course of action. It considers all submissions and makes changes as requested and required as required by the Act, and will achieve the best planning outcome.

Not Recommended - Consider submissions, do not make any changes to the amendment documents and request an independent Planning Panel be convened to consider any outstanding matters raised in submission to the amendment. This is not recommended as Officers have proposed a number of changes to the amendment to address concerns raised. There is a risk that a Panel could request part of the amendment to be re-exhibited following a hearing.

Not Recommended - Consider submissions and adopt the amendment without change and submit the amendment to the Minister for Planning for approval. This is not recommended as it fails to consider matters raised in submissions to the amendment, and in this circumstance the amendment would not be approved by the Minister for Planning.

Not Recommended - Abandon the amendment.

This option fails to implement the recommendations of the Glenrowan TDP and Glenrowan Bushfire Assessment.

### **Conclusion**

Amendment C66 has been through the exhibition process in accordance with the requirements of the *Planning and Environment Act 1987*.

Submissions have been considered and addressed. To progress this amendment it is recommended to make changes to the exhibited documents, split the amendment into 2 parts and;

- Adopt Amendment C66 Part 1 with changes, and submit it to the Minister for Planning
- Re-exhibit Amendment C66 Part 2 and consider any further submissions following this process.

### **Attachments**

- 1 Zone Chages - Planning Scheme Maps 32\_33
- 2 Glenrowan Township Development Plan - Precincts
- 3 Submission Summary
- 4 Recommended Changes
- 5 Draft DPO

**17. SPECIAL COMMITTEE REPORTS**

Nil

## 18. ADVISORY COMMITTEE REPORTS

### 18.1 ADVISORY COMMITTEE REPORTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 22 November 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. Arts, Culture and Heritage Advisory Committee

**RECOMMENDATION:**

**(Moved: Councillor D Fuller/Councillor H Bussell)**

***That Council notes the minutes of this meeting.***

**Carried**

#### Attachments

- 1 Arts, Culture and Heritage Committee Minutes - 12 September 2016

## 19. RECORDS OF ASSEMBLIES OF COUNCILLORS

### 19.1 RECORDS OF ASSEMBLIES OF ADMINISTRATORS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 22 November 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
18 October 2016	Pre-Council Briefing	Attachment

#### **RECOMMENDATION:**

**(Moved: Councillor H Benton/Councillor D Rees)**

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

**Carried**

#### Attachments

- 1 Assembly of Administrators - 18 October 2016

## 19.2 RECORDS OF ASSEMBLY OF COUNCILLORS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 22 November 2016  
**Author:** Executive Assistant Corporate Services  
**File Name:** Records of Assembly of Councillors  
**File No:** 10.020.1001

**Executive Summary**

An “Assembly of Councillors” 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 Councillor is present; or
- a planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

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

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

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

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

<b>Date</b>	<b>Meeting details</b>	<b>Refer</b>
14 November 2016	Assembly of Councillors	Attachment

**RECOMMENDATION:**

**(Moved: Councillor H Bussell/Councillor D Rees)**

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

**Carried**

**Attachments**

- 1 Assembly of Councillors - 14 November 2016

## 20. NOTICES OF MOTION

**20.1 Councillor Ruth Amery has given notice of her intention to move the following motion:**

***Administrator R Amery moved a motion:***

**(Moved: Councillor R Amery/Councillor D Rees)**

***That Council:***

1. review adopted planning scheme amendment C69 and Land Strategy 2015.
2. That to enable these reviews Council immediately write to the Minister for Planning requesting that he decline to approve C69 pursuant to Section 35 of the Planning and Environment Act 1987 for the following reasons;
  - a) That proposed re-zonings of land and proposed amendments to clause 22.01 of the Local Planning Policies were not supported by the independent Planning Panel. The Panel had concluded that planning policy and provisions seeking to implement recommendations for the 2015 Rural Strategy are not well founded and have insufficient strategic justification. Notwithstanding the Panel's recommendations, that those proposed amendments should not be adopted, the Council proceeded to adopt them.
  - b) That in the C69 amendment process council refused to have any public open discussions, or display submissions on its website, therefore inhibiting an open and comprehensive consultations process
  - c) That following closure of the time for submissions, Council failed to meet with any of those who lodged submissions, depriving submitters and Council of an opportunity to resolve all, or some for the issues
  - d) That in the consultation process on the Land Strategy 2015 Council refused to have any public open discussions or display submissions on its website
  - e) That Councils consultation process in the Land Strategy 2015 was inadequate. This was supported by the panel which concluded;

“in the light of the substantial changes to the previous strategy, the panel considers that it would have been appropriate for Council to undertake a more comprehensive consultation process in its development of the 2015 Rural Strategy”.
  - f) That the proposed changes to Local Planning policy clause 22.01 are inconsistent with the provisions of clause 35.07 of the Farming Zone.
  - g) The panel found many shortcomings in the Councils position and Council now needs to consider these fully and review its position.

**Carried**



**21. URGENT BUSINESS****22. PUBLIC QUESTION TIME****John Brown – Milawa**

The Rural City of Wangaratta 2030 vision contains an element which states each of our townships has developed its own community plan in accordance with the community and its environment. Before the dysfunctional council period there was a program in place to assist satellite communities to establish community plans to achieve their goals. Council officers were delegated to task to facilitate the program. The Milawa and Markwood Development Association (MMDA) was established and made good progress for some years in achieving - the bike path extension, modified road speed signs for safety, maintenance of the avenue of trees between Oxley and Milawa, input into the installation of the sewerage system, storm water drainage problems, renaming of the Glenrowan-Milawa Road to the Snow Road and the installation of traffic bollards. The Rural City of Wangaratta support was discontinued and there was no conduit in Council to help progress our objectives. There is an MMDA AGM in early December where a decision will be made whether to continue. I believe an exciting future for Milawa can be regained with the support of professional planning facilitation which complies with the community wide endorsed strategic plan. It would result in economic growth, land residential and business development, planned infrastructure recreational public facilities in place of the current knee jerk responses to needs. Community bodies are an affective community resource to Council to pursue its vision. Would the Council consider reinstating structural support for our regional townships?

*Cr Ken Clarke, Mayor replied we have had a discussion about this and it will be discussed by the Council within the next month. We will come back to you with a plan as to what we are going to do.*

**Brain Fox – Wangaratta**

In reference to the Swan Street Olympic Pool, is there an opportunity for community input into the management and promotion of this community facility? Would Council consider journalising daily attendance figures on social media or by some other means easily accessible? Would council consider providing free internet much the same as popular fast food establishments and coffee shops?

*Brendan McGrath, Chief Executive Officer replied the Olympic pool is run for Council by the YMCA therefore we would need to discuss the practicalities of these things with the YMCA as the operators. We don't get the attendance figures from them on a daily basis, we get them on a monthly basis as part of their monthly report. It may be that the YMCA could make it available quickly through social media as it is gathered. I have no principle objection to them being made available, it will be working out how it can be done. In regards to the free internet we would need to assess what the technical equipment would be needed to provide that, the costs and whether we are prepared to do that. I would happy to take this up with the YMCA and explore our options.*

**Brian Fox – Wangaratta**

Parking meters - Would council consider seven day revenue figures being available on council website? Would council consider seven day ticketed dollar figures from parking infringements on the council website?

***Brendan McGrath, Chief Executive Officer** replied there is no immediate reason why those figures cannot be made available. I would take some guidance from Ruth as to how difficult it is to extract that information on a weekly basis. What I would be asking the Council is whether they would see any particular value in providing it, we report this information on a quarterly basis and we could provide more information if need be. My concern would be creating more administrative burden that comes at a cost to us after working quite hard over the past 12 months reduce those types of costs.*

**John Griffiths - Whorouly**

I am a bit concerned about the progress of the Wangaratta Project – the CBD Masterplan?

***Brendan McGrath, Chief Executive Officer** replied there are a number of projects that have been included in the budget and are already underway. We will be briefing councillors over the next few weeks and we will be discussing and addressing some of the things you have mentioned tonight.*

**Keiren Klemm – Londrigan**

I would like to see the access to the solar farm solely from Coleman Road. I can see a fatality happening there and I am not sure council would like to be responsible?

***Barry Green, Director Development Services** replied the permit has already been issued, there are access sites but any access needs to comply with current engineering standards in regards to removing cars from roads and in relation to turning areas. There are conditions contained on the permit.*

**Peter Farrell – Milawa**

This question is in regards to the Milawa Township Development plans. Can Council review submissions to make sure we get the best possible outcome in regards to the C69 amendment and the Milawa township?

***Barry Green, Director Development Services** replied I would have to check that Peter as the Township plans are endorsed by Council some time ago and we have received DELWP authorisation to proceed to exhibition and they could be considered through the exhibition process.*

**Brien Jones – Bowser**

Could you try to do something about clearing dangerous material off the road?

*Alan Clark, Director Infrastructure Services replied over a period of years different sized materials have been used on roads. We do not use that type or size material anymore and haven't for a little while. Some of that material will come to the surface as the roads wear away and this will continue to happen. We have used heavy rollers on these roads with some success but they do continue to reappear. We will continue to do the maintenance grading as often as we can to smooth that area out. We won't be able to stop it entirely and we will keep working at it.*

**Jenny Tober – Milawa**

On the road from Milawa township to Brown Brothers winery, there is limited thoroughfare on the winery side and the other side is un-kept so people walk on the road. I'm wondering where that work has gone about making that walking path all the way down to Brown Brothers?

*Alan Clark, Director Infrastructure Services replied I will take that on notice Jenny as I am unaware of that program and will get back to you.*

**Julian Fidge – Docker**

I refer to the recent publicity about the actual planning costs, the fees for planning as opposed to the actual costs of planning to council. In Victoria there will be an increase in planning fees to help cover cost? What will Wangaratta Council be doing in regards to raising their fees in planning?

*Barry Green, Director Development Services replied those fees are set by the State Government and they came in on the 13 October 2016 and are in operation now.*

**23. CONFIDENTIAL BUSINESS**

Nil

**24. CLOSURE OF MEETING**

The Meeting closed at 7.20pm.