

Minutes

Of the Ordinary Council Meeting

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

Date: 12 December 2017

Time: 6pm

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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:

Mr David Fuller, Mr Dean Rees, Mr Harry Bussell, Mr Harvey Benton, Mr Ken Clarke OAM, Mr Mark Currie, Ms Ashlee Fitzpatrick

Officers:

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

4. **ABSENT**

Councillors:

Nil

Officers:

Nil

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

ORDER OF BUSINESS

6. **CITIZEN CEREMONY**

Nil

7. **CONFIRMATION OF MINUTES**

RESOLUTION:

(Moved: Councillor H Bussell/Councillor H Benton)

That Council reads and confirms the Minutes of the Ordinary Meeting of 21 November 2017 and the Special Meeting of 28 November 2017 as a true and accurate record of the proceedings of the meetings.

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.

No conflicts of interest were declared

9. RECEPTION OF PETITIONS

10. HEARING OF DEPUTATIONS

PRESENTATION OF REPORTS

11. COUNCILLOR REPORTS

Nil

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

13. CORPORATE SERVICES

13.1 RATING STRATEGY REFERENCE GROUP APPOINTMENTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Manager Finance
File Name: Rating Strategy 2018 - 2022
File No: S17/4641

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

Executive Summary

This report is presented to Council to provide the outcome of the invitation for Expressions of Interest to the Rating Strategy Reference Group. It is proposed that the Reference Group will provide advice and make recommendations to Council for the development of the 2018 - 2022 Rating Strategy.

The selection process included a review of the nominations by the Chief Executive Officer and Mayor and consideration of each of those nominations against the assessment criteria set out in the report tabled at the 17 October 2017 council meeting.

RESOLUTION:

(Moved: Councillor H Benton/Councillor H Bussell)

That Council:

- 1. *Appoints Peter McNeill as Chair of the Rating Strategy Reference Group***
- 2. *Appoints the following members to the Rating Strategy Reference Group:***
 - a. Frank Darke***
 - b. Neil Taylor***
 - c. Tammy Crumpton***
 - d. Bruce Johnsen***
 - e. Simon Frazer***
 - f. Natasha Lobbin***
- 3. *Advises the applicants of Council's decision.***

Carried

Background

An objective for a council under the *Local Government Act 1989* (section 3C (2) (f)) is to ensure the equitable imposition of rates and charges.

Council adopted the Terms of Reference and called for expressions of interest for the Rating Strategy Reference Group at its meeting held on 17 October 2017.

The Terms of Reference set out the proposed structure of the Reference Group, with an independent, non-voting chair and five representatives from a range of rate paying stakeholders including, but limited to, representation from the different rating categories currently in existence. These include residential home owners, commercial and industrial property owners and agricultural land holders.

Council received six nominations for the Reference Group.

The below assessment criteria was applied in considering each of the nominations to the Reference Group and making a recommendation to Council:

Criteria	Weighting
Representative of a group of persons / bodies	45%
Experience as a member of group / committee	45%
Experience in taxation principles	10%

Confidential attachments include copies of applications and the recommendation summary for all nominations (***refer confidential attachment***).

Implications

Policy Considerations

The Rating Strategy is included in the Council's budget which resources the Council Plan to enable the outcomes in the Council Plan to be achieved.

Financial/Economic Implications

No financial implications arise directly out of this proposal per se for the Council. The purpose of the review is to look at how the total rates collected should be fairly distributed between the various groups or classes of ratepayers.

Legal/Statutory

Section 3C of the Local Government Act stipulates the primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of its decisions.

The Rating Strategy will consider the range of options available to Council under the Local Government Act, including:

- The choice of which valuation base to be utilised (of the three available choices under the Act)

- The consideration of uniform rating versus the application of differential rates for various classes of property
- Consideration of the application of fixed service charges for the areas of municipal administration
- The application of special rates and charges
- The application of other levies under the *Planning and Environment Act 1987*.

Social

The distribution of the rating burden through differential rates and charges varies depending on the mix and level of the differential rate categories.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan

This report supports the 2017 - 2021 Council Plan:

Goal

We are Inspired
The non-negotiables

Our commitment to communicate and engage with our community about local decisions in a way that is clear, accessible and easy to understand

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The recommended candidates are not appointed by Council	Unlikely	Insignificant	Low	Re-advertise

Consultation/Communication

Council advertised for members of the Reference Group following the October 2017 Council meeting. Notices appeared in the Rural City Connection page of the Wangaratta Chronicle, together with information on Council's website.

Further, Council sought to encourage interest in the Rating Strategy Reference Group at the time of issuing the annual Rates Notice in August 2017. Each Rates Notice was issued with a flyer about the upcoming Rating Strategy review. Membership was also sought from the executive of the Victorian Farmers Federation.

The recommendations of the Reference Group will be tabled at a Council meeting and will be the subject of broad community consultation and communication at this time as part of the 2018/19 budget consultation.

Options for Consideration

1. Council acknowledges the nomination and appoints the six members as per the officer's recommendation.
2. Council acknowledges the nominations and decides to re-advertise for the positions.

Conclusion

The Terms of Reference for the Rating Strategy Reference Group sets out that the group should comprise of six members. Six nominations were received.

All six nominations were considered through a process that applied the assessment criteria. The review provided the following recommendations for presentation to Council:

1. Appoint Peter McNeill as Chair of the Rating Strategy Reference Group
2. Appoint Simon Frazer, Frank Darke, Tammy Crumpton, Neil Taylor and Bruce Johnsen as members of the Rating Strategy Reference Group.

Attachments

- 1 Applications and recommendation summary - Confidential

13.2 AUDIT ADVISORY COMMITTEE APPOINTMENT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Executive Assistant Corporate Services and Councillors
File Name: Audit Advisory Committee
File No: F16/2078

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

Executive Summary

This report is presented to Council to provide the outcome of the Expressions of Interest and make recommendations for membership of Council's Audit Advisory Committee.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor M Currie)

That Council:

- 1. appoints Peter McNeill as a representative on the Rural City of Wangaratta Audit Advisory Committee, for a three year appointment expiring in December 2020***
- 2. advises all applicants of the results of the Expression of Interest process and subsequent appointment to the Audit Advisory Committee.***

Carried

Background

The Audit Advisory Committee (AAC) Charter states that the primary objective of the AAC is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Committee comprises a minimum of five members – two Councillors and three external independent persons. Appointments of external persons shall be made by Council by way of a public advertisement and be for a maximum term of three years. A vacancy now exists due to the end of an independent member's three year term.

The attributes of an effective committee member as set out by the Audit Advisory Committee include:

- Shows good judgement and is balanced in their consideration of issues and takes a whole of entity perspective;
- Knows the business of the entity; understands the role of the committee and the expectations of Council; takes the time to understand changes that affect how the entity operates and its risks;
- Brings knowledge and expertise to bear in committee deliberations;
- Displays a constructive and positive attitude in dealings with other committee members, committee advisors and observers;
- Is a good communicator, builds effective networks and relationships while maintaining necessary confidences;
- Devotes sufficient time to committee business; and
- Displays independence of mind on committee deliberations and asks the 'hard' questions when necessary.

Implications

Policy Considerations

Advisory Committee Charters set out the terms and key dates for appointment on an annual basis.

Financial/Economic Implications

Advisory Committees provide a positive outcome for the sustainability of the local community.

Legal/Statutory

The appointment of Advisory Committees is provided for in the *Local Government Act 1989*.

Social

Advisory Committees provide the opportunity for 2-way engagement between Council and Community members.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan

This report supports the Council Plan.

Goal

We are Established

We will plan, research and advocate for the future:

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

We are Sustainable

We will plan, research and advocate for the future:

Maintaining a responsible and transparent Long Term Financial Plan.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The committee does not achieve its objectives	Unlikely	Moderate	Medium	Re-advertise membership

Consultation/Communication

Expressions of Interest were publicly called to fill this position. Two expressions of interest were received. Both candidates displayed excellent business acumen and possessed considerable financial backgrounds.

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

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

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

Options for Consideration

1. Council appoint Peter McNeill as recommended by officers as a new representative on the Rural City of Wangaratta Audit Advisory Committee for the term specified.
2. Council does not appoint either candidate as a representative on the Rural City of Wangaratta Audit Advisory Committee. This option will require re-advertisement of this vacancy.

Conclusion

Following consideration of the Expressions of Interest application for Council's Audit Advisory Committee, the new appointment will assist the committee in continuing to provide Council with advice, feedback and guidance.

Attachments

- 1 Audit Advisory Nomination - Confidential

14. COMMUNITY WELLBEING

14.1 WANGARATTA SHOWGROUNDS SPECIAL COMMITTEE

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Projects and Recreation Coordinator
File Name: Committees and Groups - External (Not convened by Council) Section 86 Special Committee
File No: F16/1628

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 update Council on the transition of the Wangaratta Showgrounds Precinct from management by Committee of Management (CoM) to direct Council management.

The CoM have subsequently requested Council bring forward the date to 31 December 2017.

The CoM have committed to work with Council staff on the transition to the new governance model and all other motions from the October 2017 meeting remain the same.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor H Benton)

That Council:

- 1 *Rescind Motion 4 and Motion 5 from Item 13.2 – Special Committees Review referring to the Wangaratta Showgrounds from the 17 October 2017 Council Meeting;***
- 2 *In exercises of the powers conferred by Sections 86 and 87 of the Local Government Act 1989, resolves:***
 - 2.1 *To dissolve the Wangaratta Showgrounds Special Committee effective 31 December 2017; and***
 - 2.2 *That the instrument of delegation for the Wangaratta Showgrounds Special Committee be revoked on the 31 December 2017.***
- 3 *Subsequent to the above that Council engages with the community and Wangaratta Showgrounds user groups to involve them in the:***
 - 3.1 *Development of an effective and equitable facility allocation***

- policy;*
- 3.2** *Implementation of standardised user leases and licences;*
- 3.3** *Development of a strong business plan for the precinct;*
- 3.4** *Prioritisation of infrastructure development; and*
- 3.5** *Marketing the precinct and its facilities.*

Carried

Background

The Wangaratta Showgrounds Strategic Plan was endorsed in 2015 and a key recommendation of the Plan was to dissolve the CoM.

In October 2017, Council passed a motion to dissolve the CoM on 30 June 2018. Subsequently, the CoM have informed Council of their decision to recommend that Council bring forward this date to 31 December 2017. This recommendation is on the basis that the majority of the CoM see little value in operating on an interim basis for that period of time.

The CoM have committed to work with Council staff on the transition to the new governance model and all other motions from the October 2017 meeting remain the same.

Implications

Policy Considerations

Council officers are in the process of developing a range of processes to enable the effective transition of the Showgrounds to direct Council management.

Financial/Economic Implications

There is little direct budget implications in this transition. Significant human resources are being utilised across Council to ensure a smooth transition and there will be additional human resource requirements moving forward. At this stage, these requirements are being subsumed within existing staff roles which has been facilitated by a recent reallocation of duties within the Projects and Recreation team.

A budget for the Wangaratta Showgrounds has been developed for the 2017-18 financial year based on estimates from the CoM. The final balance of the two bank accounts of the CoM is still being finalised and some of these funds are locked in an investment account, this will see a variance to the estimates when it is transferred to Council. The balance of these funds has not been allocated to any project specifically. Further consultation with the user groups of the Showgrounds may determine that some of that balance is utilised on maintenance or improvements at the Showgrounds.

The budget table below does not reflect the full cost of managing the Showgrounds as it does not include ground maintenance costs or public toilet cleaning costs. These are pre-existing costs within Council's operating budget whereby the expenditure and income is reflected in existing operating budgets.

A budget for the 2018-19 financial year is being developed.

	2017/2018 approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income		\$13,741	\$13,741	Forecast based on CoM budget estimate
Expense		\$7,890	\$7,890	Forecast based on CoM estimate
Net Result		+\$5,851	+\$5,851	

Legal/Statutory

The Wangaratta Showgrounds was Crown Land which was vested to the management of the Rural City of Wangaratta in 1983.

Social

The Wangaratta Showgrounds is Council's premier sports reserve due to its size and central location. It is home to over eighteen existing user groups which include the Agricultural and Industrial Society; the Wangaratta Sports Club; Wangaratta Kennel and Obedience Dog Club; Wangaratta Cycling Club; Wangaratta Woodworkers; Wangaratta Table Tennis Club; Wangaratta Poultry and Pigeon Clubs; the Wangaratta Magpies Football Netball Club and Wangaratta Magpies Cricket Club.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Thriving

We will research and advocate:

To make sure our services are responsive and adaptable to the changing needs and profile of our community.

We will create and deliver:

Exceptional services and programs that help our families to be healthy happy and connected

Goal**We are Established**

On behalf of the groups and committees to ensure that they have the resources and knowledge to do the things they need to do

We will create and deliver:

A city that is unique, diverse and attractive

Goal**We are Inspired**

By acknowledging our municipality as both rural and urban and developing a new vision together that reflects our future

We will create and deliver:

Projects in partnership with our indigenous and cultural groups to celebrate the diversity and history of our region

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

Community infrastructure, such as halls, other facilities, recreation reserves, and sporting precincts throughout the Rural City of Wangaratta, continue to provide an essential base from which we get together and undertake initiatives to improve wellbeing. The value of this infrastructure is well recognised by governments and communities alike.

Risk Management

The proposed future management of the Wangaratta Showgrounds Precinct by Council aims to provide increased engagement, transparency, accountability and risk management for the user groups.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Keep user groups informed	Emails, media, advertisements
Consult	Engage, listen and acknowledge	Council will consult with user groups prior to making decisions
Involve	Work with respective user groups to obtain feedback	User groups provide an important source of feedback into the management of the Showgrounds precinct
Collaborate	Feedback to be incorporated into decisions as far as possible	Council collaborates with user groups prior to making decisions
Empower	Implementation in conjunction with user groups	Council will make decisions to improve the overall management and

		future viability of the Showgrounds precinct.
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Officers believe that appropriate consultation has occurred which is supported by the minutes of the Wangaratta Showgrounds Committee of Management minutes dated 26 October 2017 and the matter is now ready for Council consideration.

Conclusion

That Council under the powers conferred by Sections 86 and 87 of the Local Government Act 1989, dissolves the Wangaratta Showgrounds Special Committee effective 31 December 2017, and that the instrument of delegation for the Wangaratta Showgrounds Special Committee be revoked on the 31 December 2017.

Attachments

Nil.

14.2 DRAFT PLAY SPACE STRATEGY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Projects and Recreation Coordinator
File Name: Strategic Management - Wangaratta Play Space Strategy
File No: F16/1652

Executive Summary

This report is presented to Council to present the draft Wangaratta Play Space Strategy (the Strategy) with the intention to place the draft strategy on public exhibition prior to final endorsement at a future Council meeting.

The Strategy will provide Council a strategic direction for the future provision and management of play spaces within the Rural City of Wangaratta. It provides guidance on how play spaces should be developed to ensure that the maximum benefits to the community are achieved. The benefits that play spaces provide include physical, social and emotional wellbeing

RESOLUTION:

(Moved: Councillor M Currie/Councillor H Benton)

That Council:

- 1. Notes and endorses the draft Wangaratta Play Space Strategy***
- 2. Places the draft strategy on public display for a period of 42 days commencing on 13 December 2017 to seek community feedback, acknowledging the Christmas/New Year period***
- 3. If submissions are received, receives a further report at the conclusion of the public display period detailing recommended changes, with the view to endorse a final Wangaratta Play Space Strategy***
- 4. If no submissions are received, authorises the Director Community Wellbeing to finalise the Wangaratta Play Space Strategy.***

Carried

Background

The provision of play spaces for children and their families is a crucial element of providing suitable open spaces for the community to undertake recreational activities and to enhance their physical, social and emotional wellbeing.

The play space network represents a significant asset base and resource requirement for Council and ensuring that the management of these spaces is undertaken in an effective and efficient manner is critical in ensuring that they provide the maximum benefits to the community.

Council engaged a consultant, @Leisure, who have experience in the development of play space strategies to develop the strategy in partnership with Council staff. Council undertook a number of community engagement initiatives (discussed further later in this report) to inform the development of the strategy.

The brief for the project was to provide a strategy which addressed play spaces in public parks (i.e. does not include childhood-centre based play spaces and skate parks). The outcomes identified for the strategy included establishing a philosophy for play provision, developing criteria and principles for play provision, reviewing the current network of play spaces, mapping the play spaces, establishing a list of improvements required and considering the development of a regional play space.

Implications

Policy Considerations

The development of a Play Space Strategy is a key recommendation of the 2012 Recreation and Open Space Strategies. It replaces an outdated previous strategy. It will also inform the development of open spaces in future growth areas.

Financial/Economic Implications

This strategy identifies a range of infrastructure initiatives which will have a direct cost to Council. A lack of investment in play spaces has been identified in previous years with the level of service currently provided not meeting the needs of the community.

Following a period of community engagement, an implementation plan will be developed which will identify play spaces that are scheduled for replacement in the short term. These play spaces will be assessed against the criteria within the strategy with a recommendation made to renew, upgrade or possible consolidate.

	2017/2018 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income	\$0	\$0	\$0	
Expense	\$0	\$0	\$0	
Net Result	\$0	\$0	\$0	

Legal/Statutory

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

Social

The provision of play spaces provides a key destination for children and their families to interact and improve their physical, social and emotional wellbeing.

A number of play spaces are contained within reserves which operate under a Committee of Management. A common issue identified within these play spaces is that the maintenance and upkeep is not always at a standard to ensure the play spaces are safe and functional. The maintenance and supervision of play spaces may be beyond the capacity of committee of management volunteers. Council will need to ensure that these committees and Council have a clear understanding of responsibilities for management of play spaces.

Environmental/Sustainability Impacts

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

2017-2021 Council Plan

This report supports a number of goals and actions in the 2017-2021 Council Plan, primarily these are:

We are Thriving

We will plan, research and advocate for the future:

- To ensure we are responding to the current and future recreational needs of our community and creating sustainable and quality recreation reserves throughout our municipality

We will create and deliver:

- Exciting and evolving play spaces in our city and rural areas that create opportunities for children, young people and families to explore and interact
- Open spaces and reserves that allow everyone to enjoy our beautiful location and environment

We are Sustainable

Our non-negotiables:

- Our buildings, facilities and assets will be utilised in an efficient and equitable way

- Our community and recreation facilities are well maintained

What we do everyday:

- We maintain our parks and gardens, reserves and open spaces to ensure the safety and enjoyment of our people, and the protection of our spaces

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

- Regardless of age, race, religion or ability, members of our community can access the places and spaces they need and want, in order to live fulfilling, happy and productive lives. There are no longer the physical barriers that previously prevented sectors of our community from moving around and accessing different areas of the Rural City of Wangaratta.
- Rural recreation reserves have played an important role in fostering social connections and the health and wellbeing of the community. Some key steps forward: Continue to invest in public spaces in rural townships to improve local liveability and tourist appeal.
- The provision of high quality, imaginative, interactive and attractive parks and playgrounds continues to be a priority for our community in 2030.
- By 2030, there are no barriers to social participation.

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Negative public perception of changes to play spaces	Possible (3)	Minor (2)	Medium (5)	Localised consultation will occur where changes to play spaces are proposed

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform		
Consult	Community members invited to provide feedback on the draft strategy.	Public display of draft strategy
Involve	Community members invited to help set the	Let's Play Week OurSay – Let's Play

	direction for the strategy.	
Collaborate		
Empower		

Officers believe that appropriate consultation has occurred in the development of the draft strategy and the matter is now ready for Council consideration prior to the draft going on public display for a minimum of 28 days.

The public display period will provide sufficient opportunity for consultation prior to a final strategy being presented to Council.

Options for Consideration

1. Council may wish to recommend amendments to the draft strategy prior to being placed on public display; or
2. Council may wish to not proceed with the development of a Wangaratta Play Space Strategy.

Conclusion

A Play Space Strategy will give guidance to Council related to decision making in the development of play spaces throughout the municipality. It will ensure that the provision of play spaces meets the current needs of the community within a safe and financially sustainable framework.

Following the draft strategy being placed on public display and endorsed by Council, an implementation plan will be developed to identify high priority projects for future budget consideration.

Attachments

- 1 Final Draft Play Space Strategy [⇒](#)

QUESTION:

Anne Dunstan - Tarrawingee: There has still been no public response from the Our Say forum in regards to the feedback of 38 votes for a children's garden. The Councillors have made a decision to do an off-leash dog park in that area. It did say in the forum that phase two would be part of the community consultation and would be addressed in the 2017 annual budget. I'm also aware that some of that land has been absorbed into a turning circle and the end of Raymond Street without consultation. So I am really interested to know how much we have progressed for the Yarrunga pool site in the two year strategy as it's really not addressed publicly.

Jaime Carroll, Director Community & Wellbeing: Yes the Our Say process showed a children's playground was one of the major priorities that came out, but there were a number of other uses for that site that also ranked very highly, including a dog park. What became evident was that site actually offered a huge amount of potential in terms of being able to co-locate a number of different

elements on the site, given the size and where it was. What we are in the process of doing now is based on the feedback and based on diverse interest and elements that have been highlighted as priorities. We're actually undertaking a master plan process for that site to look at what we can fit and what works best located closely together. That masterplan will be out for community comment and for review early next calendar year, to be presented to Council in March.

Anne Dunstan - Tarrawingee: That's wonderful that there are steps in place but it's also been piecemealed out of the vision without community consultation.

Jaime Carroll, Director Community & Wellbeing: We recognised there are a number of different uses of the site that were flagged as priorities which is why we wanted to stop and make sure that the master plan looks holistically at it and comes up with the best option for the whole site so that we avoid that piecemeal approach.

Anne Dunstan - Tarrawingee: But that has already happened with the turning circle going in before the end of December?

Alan Clark, Director Infrastructure Services : It's certainly not going in before the end of December, it has to get through the mid-year budget review first. We are ready to go with it so we would envision it will happen early next year.

Brian Fox: Could someone tell me what the definition is of 'on public display'?

Brendan McGrath, Chief Executive Officer: The intent is the documentation is available for people to review through website, customer services and in some circumstances rural locations. Generally it means its available for review and for people to comment on.

15. INFRASTRUCTURE SERVICES

15.1 T1718/021 - MOYHU STREETScape AND DRAINAGE WORKS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Coordinator - Technical Services
File Name: Moyhu Streetscape and Drainage
File No: T1718/021

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 details of the tender evaluation undertaken for Contract T1718/021 Streetscape and Drainage works, Byrne Street, Moyhu.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor D Fuller)

That Council:

- 1. awards Contract T1718/021 for Moyhu streetscape and drainage works in Byrne Street, Moyhu to North East Civil Construction Pty. Ltd.***
- 2. authorises the Chief Executive Officer to sign and seal documents for Contract T1718/021 for Moyhu streetscape and drainage works in Byrne Street, Moyhu; and***
- 3. Discloses the contract price for Contract T1718/021 for streetscape and drainage works in Byrne Street, Moyhu.***

Carried

The Mayor disclosed the contract price as \$559,577.60 including GST.

Background

Tenders for streetscape and drainage works in Byrne Street, Moyhu were invited through advertisements as follows:

Wangaratta Chronicle	29 October 2016
Tenderlink	20 October 2016

Tender closed at 2.00pm on Tuesday 14 November 2017.

There was no pre-tender meeting for this contract.

The tender evaluation panel comprised Council's Technical Services Coordinator and two project engineers.

One tender was received from North East Civil Construction Pty Ltd.

This tender was deemed by the evaluation panel to be conforming in accordance with the Conditions of Tendering.

Tender Evaluation

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

Criteria	Description	Weighting
Tender Price	Total price of the work.	30%
Capacity to carry out contract works	Capacity to perform contract works using Scheduled plant and resources.	20%
Experience in similar contract works	Capability to perform contract works based on experience and past performance in previous similar works.	20%
Works Program	Demonstrated ability to complete works in designated timeframe.	15%
Local Content	Purchasing locally sourced material and consumables Subcontracting services from local businesses Employment of local people.	10%
OHS systems	Management system and procedures including OH&S.	5%
	Total	100%

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

	Evaluation Result	Criteria
	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
	Excellent	Demonstrated capacity exceeds all required standards.
	Good	Complies with all required standards and capacity demonstrated.
	Satisfactory	Complies with relevant standards without qualifications.

	Marginal	Complies with relevant standards with qualifications.
	Unsatisfactory	Fails to satisfy required standards.

Evaluation Scores

The summary of the Weighted Attribution Method Scores are as follows:

Tenderer	Score
North East Civil Construction Pty Ltd	61.5

While only one tender was received for this contract, through review of the submission from North East Civil Construction Pty Ltd it is deemed to be suitable for this contract.

Implications

Policy Considerations

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

Financial/Economic Implications

Funds for the project are included in the 2017/18 budget. The tendered lump sum submitted by North East Civil Construction Pty Ltd is within the available budget allocation.

Legal/Statutory

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

Social

The upgrade of the streetscape and drainage infrastructure within Byrne Street will address poor drainage issues experienced along the western side of Byrne Street in the vicinity of parking bays, the existing bus stop and the childcare centre.

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 Sustainable

We will plan and make decisions for the future:

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

We will focus on our business:

developing and implementing management plans; incorporating rolling capital works and cyclic maintenance.

The non-negotiables

Quality and Sustainable drainage development and maintenance.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Contractor unable to complete works	Unlikely	Program not completed (Moderate)	Medium	Contractor
Works unsatisfactory	Rare	Program not completed (Minor)	Low	Project Manager
Injury to worker	Possible	Death or injury/WorkCover investigation (Catastrophic)	Extreme	Contractor to provide Safe work method statements to demonstrate how they are managing risks to workers.
Traffic Management	Possible	Death/injury/property damage/ Workcover investigation (Catastrophic)	Extreme	Contractor to provide traffic management plan to demonstrate how they are

				managing risks relating to traffic movements.
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Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Prior advance notification before commencement of works	Letter drop/door knock Website and media advice
Consult	Consider construction timing with respect to requirements for day to day and event access.	Meeting with businesses in the area to appreciate any issues for consideration in management of the site during construction.

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

Conclusion

While the tender submitted by North East Civil Construction was the only submission received for this contract, their documentation meets Council's requirements with endorsed Occupational Health and Safety and management systems. Reference checks and information provided on previous projects have shown that they have the ability to undertake the required works and the contract price is within Council's estimates and budget. On this basis it is recommended to award the contract to North East Civil Construction.

Attachments

- 1 Moyhu streetscape and drainage works - Confidential

Questions

Bill Daunt, Moyhu Action Group: When will the work commence and how long will it take? Moyhu has a major event, Moyhu Easter Escape. How much disruption will there be to businesses in Moyhu?

Alan Clark, Director Infrastructure: The works will be due to finish before financial year 30 June 2017. There will clearly be some disruption such due to some trenching in front of businesses, however no business will lose full access and we will work with them to minimise disruption.

16. DEVELOPMENT SERVICES

16.1 RECREATIONAL VEHICLE DUMP POINT - JANINE ROLLES, TOURISM & ECONOMIC OFFICER

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Economic Development and Tourism Officer
File Name: N/A
File No: N/A

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

Executive Summary

This report is presented to Council to seek council's consideration on the proposed locations for the installation of a free to use Recreational Dump Point within the city limits of Wangaratta.

RESOLUTION:

(Moved: Councillor D Rees/Councillor A Fitzpatrick)

That Council:

- 1. endorses the installation of a Recreational Vehicle Dump Point at Wareena Park (Swan Street).***
- 2. installs appropriate signage accordingly to direct users to the location and define parking requirements***

Carried

Background

This report is responding to the notice of motion 20.2 moved at the Council meeting held 20 June.

That Council commits to providing a SUV dump point within the municipality within the 17/18 financial year at the saleyards or another more appropriate alternative site.

The popularity of Motorhomes and Caravan touring is growing. The mode of accommodation has now become more self-reliant with the inclusion of showers and toilet facilities. These mobile vehicles can camp without facilities for multiple days before the requirement to remove their waste. The waste is in two forms referred to as grey and black water. Grey water is the water from showers and kitchens, where black water is the toilet waste. Mobile accommodation have the

capacity to hold up to around 180 litres or less of potable water which once used is held in holding tanks.

Recreational Vehicle Dump Points are utilised as the service area for the removal of waste water and replenishing with potable water. The service area includes a purpose built dump point casing which is plumbed in to the sewage lines along with 2 water lines, one for cleaning the facility and the other for the provision of potable water.

Council officers investigated a number of potential sites for the locality of a Recreational Vehicle Dump Point. The locations investigated were:

- Apex Park
- Avian park
- Batchelors Green
- Rotary Park
- Wangaratta Livestock Centre
- Wangaratta Showgrounds
- Wareena Park (Swan Street Pool Site)

After due consideration Apex Park, Avian Park and Rotary Park were withdrawn from consideration. Apex Park was removed due to the flooding overlay and reduction in car parks required. Avian Park was removed due to the uncertainty of future use and purpose of the area. Rotary Park was withdrawn due to the close proximity to residences.

The remaining four locations were assessed based on the following considerations:

- Location in terms of proximity to major roads and access
- Proximity of private residences (environmental impacts – noise and odour)
- Turning space for large/long vehicles
- Toilet facilities
- Location of sewage and water lines
- Lighting or power
- Road surfaces
- Waste services (garbage collection)

Each location offers its own challenges and opportunities which is detailed in the attached document. Further consultation will be undertaken with identified stakeholders once Council has selected the appropriate location for the dump point.

Implications

Policy Considerations

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

Financial/Economic Implications

Estimated installation costs for each location is:

Batchelors Green	\$14,690
Wangaratta Livestock Centre	\$16,485
Wangaratta Showgrounds	\$17,178
Wareena Park (Swan St)	\$ 9,345

Ongoing operational costs for each location is estimated to be:

Batchelors Green	\$1,530 p.a.
Wangaratta Livestock Centre	\$2,290 p.a.
Wangaratta Showgrounds	\$1,530 p.a.
Wareena Park	\$1,530 p.a.

The council allocated budget in 2017/2018 will cover the installation costs. Any additional lighting or road sealing works are not included in the costs.

	2017/2018 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	\$20,000	\$		Installation only costs. Does not include ongoing operational budget
Net Result	\$20,000			

Legal/Statutory

Contractual agreement to be entered in to between North East Water and the Rural City of Wangaratta for the access to the reticulated sewer system. The agreement specifies the conditions to connect including the volumes of waste and requirements for the reduction of illegal discharge. Copy of the Conditions to Connect are located in the attachment – Dump Point Location Summary.

Social

Social impacts may be prevalent depending on the selected location for the installation of the Recreational Vehicle Dump Point. Each location poses an impact on current users and neighbouring residents. To reduce the impact this report is only considering the installation a dump point and not the inclusion of overnight free camping within the city of Wangaratta.

Environmental/Sustainability Impacts

The installation of the proposed Recreational Vehicle Dump Point may reduce the illegal dumping of grey and black water from caravans and motorhomes.

Installation of a waste dump point will increase Councils budgeted costs for sewage, water and garbage waste.

The illegal dumping of industrial and commercial waste through the dump point could be mitigated through the requirement of a locked and log book facility.

The installation of a Recreational Vehicle Dump Point does not include the installation of overnight free camping within the city which would have an economic impact on the city and neighbouring village's caravan parks.

2013 – 2017 Council Plan (2016 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Growing

We will create and deliver:

Tourism products and experiences that build our attraction to visitors.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

Tourism continues to thrive, with visitors attracted to the region's natural beauty, food and wine, cycling tracks, arts facilities, cultural heritage and festivals.

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Contract breach with North East Water	Probable	Legal action due to not meeting contractual obligations.	9	Ensure contract agreement adhered to.
Environmental - smells, noise or spillage from the facility affecting the amenity of the surrounding area	Probable	Complaints from residents or users near the facility. Health concerns.	5	Regular maintenance of facility

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform		
Consult	Caravan Parks Wangaratta Showgrounds Committee Greater Hume Shire North East Water	Telephone conversation Telephone conversation Telephone conversation Meeting, Phone and Email
Involve	Location Stakeholders	Meeting
Collaborate		
Empower		

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

Options for Consideration

- Council withdraw from the installation of a Recreational Vehicle Dump Point within Wangaratta.
- Council investigate a trial reimbursement program with the local caravan parks to provide vouchers to allow visitors to use their waste facilities for free.
- Council approves the addition of free overnight camping within the proximity of the Recreational Vehicle Dump Point.

Conclusion

The review of the various locations was undertaken to ascertain a site that will provide the best serviceability for Motorhome and Caravan users with the smallest impact on the residents and other stakeholders. Further consultation will be undertaken with stakeholders pending the Councils decision on the proposed location for the service. Once all stakeholders have been consulted with and if no major issues arise the Recreational Vehicle Dump Point will be scheduled for installation prior to the end of June 2018.

Attachments

- 1 Dump Point Location Summary [↗](#)

Questions

Ron Summers - Wangaratta: At the same time signage is being looked at, can parking signs be looked at the incoming South side as there is currently no signs for RV parking? When it's completed, what might be done to notify the wider world of the installation of this point? The CMCA, the Caravan and Motorhome Club of Australia, have in their publications a list of all the dump points. Along with that I wonder if other steps could be taken to make Wangaratta a RV friendly town?

Brendan McGrath, Chief Executive Officer: We certainly intend to notify those relevant bodies and associations of the dump point so they can promote it through their electronic and written publications. We also have discussed putting in an application to Google Maps so it pops up on people's apps. Not sure what else is required beyond a dump point to be a RV friendly town; I know there are a series of things that you need to have to achieve that, but I suspect we probably have most of them. Janine who did the report is familiar with those and we'll be looking if that's achievable or not.

16.2 AMENDMENT C75 - WANGARATTA PLANNING SCHEME (MSS & LPPF, PLANNING SCHEME REVIEW) - CONSIDERATION OF SUBMISSIONS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Principal Statutory Planner
File Name: C75 PLANNING SCHEME REVIEW
File No: F16/265

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 make a decision regarding submissions received to Amendment C75 in accordance with section 23 of the *Planning and Environment Act 1987*.

In summary Amendment C75 proposes to change the Wangaratta Planning Scheme by replacing the existing Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) with an updated version, based on the Wangaratta Planning Scheme Review: background, issues and review report, July 2016.

Schedule 1 to Clause 43.02 Design and Development Overlay Wangaratta Central Activities Area is also amended to delete height controls, as these controls are considered to be now redundant and have been redesigned through Clause 21.11-1 (Wangaratta Central Activities Area).

The new Local Planning Policy Framework is clearer and more concise, making policy easier to interpret.

The amendment was exhibited from the 14 September until the 17 October, 2017. Council received a total of 7 submissions, of which 2 are from individuals / groups and 5 are from government and referral agencies.

Submissions from government and referral agencies provide general support for the proposal with minor changes, however submissions from APA Group and North East Water request more significant changes to the amendment.

RESOLUTION:

(Moved: Councillor D Rees/Councillor M Currie)

That Council:

- 1. has considered submissions to Amendment C75 in accordance***

with Section 23 of the Planning and Environment Act 1987 (the Act);

- 2. makes changes to Amendment C75 in accordance with supported submissions documented in Attachment 1 – Table of Submissions;***
- 3. refers unresolved submissions documented in Attachment 1 – Table of Submissions to a Panel appointed under Part 8 of the Act;***
- 4. requests the Minister for Planning to appoint a Panel in accordance with Recommendation 3; and***
- 5. notifies submitters in writing of Council’s decision.***

Carried

Background

What Amendment C75 Proposes:

The Amendment implements the recommendations of the Wangaratta Planning Scheme Review: background, issues and review report, and meets Council’s obligations under Section 12B of the *Planning and Environment Act 1987* (the Act) to review the planning scheme every three years. More specifically, the Amendment:

- Clarifies, simplifies, and improves the language and format of the Local Planning Policy Framework to make policy clearer and easier to interpret using a consistent matrix of verbs for each strategy. The application of this matrix assists the user in understanding the approach to be taken when applying policy.
- Restructures the Municipal Strategic Statement (Clause 21) to follow the same thematic order as the State Planning Policy Framework.
- Amends the Municipal Strategic Statement (Clause 21) to incorporate revised and updated planning policy, a new Strategic Framework Plan and several new plans.
- Deletes Clauses 21.13 and 21.14 as the restructure means these clauses are not required.
- Introduces new policy into the Municipal Strategic Statement that implements:
 - The current Council Plan

- The *Population and Housing Strategy*, Aurecon and SGS Environment and Planning (2013)
- The Wangaratta Growth Areas Structure Planning Report: Wangaratta North-western & Southern Growth Area Structure Plan, Aurecon (2015).
- The Wangaratta Central Activities Area, Future Planning Report, SMEC Urban (2013).
- The Wangaratta Project: A Masterplan for the City, Rural City of Wangaratta, Tract Consultants and Hello City, (2016).
- The *Wangaratta Freight and Land Use Strategy*, (2016).
- Deletes four local policies:
 - 22.02 Urban Development and Central Activities Area as this policy has been moved to Clause 21.11 Local Areas in the Municipal Strategic Statement.
 - 22.04 Economic Development as this policy has been moved to 21.08-3 Tourism and two stand-alone policies at 22.10 Licenced Premises and 22.11 Wineries and Cellar Door Sales.
 - 22.05 Industry and Business as this policy has been moved to Clause 21.08 Economic Development and a stand-alone policy at 22.12 Medical Centres in Residential Areas.
 - 22.09 Public Open Space contributions as it duplicates policy in the Municipal Strategic Statement at 21.02 and Clause 52.01 Public Open Space Contribution and Subdivision.
- Amends four local policies:
 - 22.06 Environmental Management and Heritage, which has been renamed 22.06 Heritage Places and Precincts. Policy relating to Effluent Disposal and Water Quality has been moved to 21.11 Infrastructure, policy relating to Ridgelines, Escarpments and Hilltops has been moved to 21.03 Environmental and Landscape Values and policy relating to Heritage remains.
 - 22.07 Infrastructure which is now called Hume Freeway Environs to clarify what the policy applies to.
 - 22.08 Advertising Signs Policy which has been amended to remove duplications with Clause 52.05 Advertising signs, and introduce policy that allows for the assessment of animated and electronic signage.
 - 22.11 Oxley Township which has been renamed Wineries and Cellar Door Sales which was previously located in 22.04 Economic Development. The application of this policy has been extended to enable Council to assess similar non-defined uses including breweries, distilleries and farm gate sales. Policy presently relating to the Oxley Township has been moved to an amended and renamed Clause 22.04 Oxley Township, to assist in locating all policy relating to townships together.

- Introduces two local policies, all of which are existing policies that have been moved to ‘stand-alone’ policies to clarify where they apply and make it easier to locate policy:
 - 22.10 Licenced Premises which was previously located in 22.04 Economic Development.
 - 22.12 Medical Centres in Residential Areas which was previously located in 22.05 Industry and Business.
- Amends Schedule 1 to Clause 43.02 Design and Development Overlay Wangaratta Central Activities Area to delete height controls relating to specific areas that are now redundant.

Why Amendment C75 is required:

The purpose of the review was to enhance the effectiveness and efficiency of the scheme in achieving the objectives of planning in Victoria, and the objectives and strategies of the planning scheme, including the State Planning Policy Framework and the Local Policy Planning Framework (Section 12B of the *Planning and Environment Act 1987*).

The review was undertaken in accordance with the *Review of Planning Schemes Practice Note* (February 2006) and included an audit and analysis of: current population and demographic data, the current Wangaratta Planning Scheme, outcomes at VCAT and Planning Panels, categories of planning permit applications received, and new policies, plans and strategies adopted by Council.

Consultation was undertaken with Council and external authorities during 2016. Consultation on all the new policy documents being implemented through this review has been undertaken as part of the preparation of those policies.

The Local Planning Policy Framework and Schedule 1 to Clause 43.02 the Design and Development Overlay has been streamlined, duplicitous and unnecessary material has been removed, and current Council policy has been incorporated and written with reference to the Practice Notes *Writing a Municipal Strategic Statement (September 2010)* and *Writing a Local Planning Policy (September 2010)*.

Exhibition:

The amendment was placed on public exhibition from 14 September – 17 October, 2017.

Letters were sent to relevant referral and government agencies, prescribed Ministers and regular development industry consultants. These include local Real Estate companies, local Surveying and Town Planning Consultancies who are regular users of Councils Planning Scheme.

Notifications was also placed within the Wangaratta Chronicle on three separate occasions and a notice was also placed within the Victorian Government Gazette.

Submissions:

A total of 7 submissions were received and a summary is contained in **Attachment 1 – Table of Submissions**.

Of these submissions, two (2) are from members of the general public and request change to the amendment, including the abandonment of the amendment.

Five (5) submissions are from referral and government agencies. The majority of the agency submissions demonstrate support for the amendment and request minor changes to the amendment. The submission from North East Water requests significant change to the amendment including referencing of an Environmental Significance Overlay (ESO) as a future project within the MSS. APA Group also requests the inclusion of additional policy wording at 21.10-3, to recognise the presence of High Pressure Gas Transmission Pipelines and the deletion of reference to an area of 'Future Investigation within Clause Figures 3 and 4 of 21.02.

General Summary of Issues:

The following is a summary of the main issues raised within the submissions:

Seeking the Abandonment

- Request for Council to abandon the amendment, as the amendment does not address local policy relating to Rural Land Use (21.05 and 22.01) and the failure of Amendment C69.

Requesting a Change

- Remove specific land reference to Low Density Residential investigations (Clause 21.02-1).
- Amend 21.10 to recognise the presence of High Pressure Gas Transmission Pipelines.
- Delete reference to areas of 'future investigation' figures 3 and 4 at Clause 21.02 (APA Group).
- Reference to collaborating with North East Water to incorporate an Environmental Significance Overlay (ESO) over and surrounding the North Wangaratta Wastewater Treatment Plant and Sanford Road Trade Waste Plant.
- Correction of Rezoning of land at 474 Laceby - Glenrowan Road, Glenrowan (Glenrowan Wastewater Treatment Ponds).
- Minor changes to wording at 21.03-1 (Biodiversity).

Consideration of Submissions:

Pursuant to section 23(1) of the *Planning and Environment Act 1987* (the Act), when considering a submission which 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 8 of the Act; or
- (c) Abandon the amendment or part of the amendment.

As outlined within table 1, the following changes are proposed in response to the submissions made to the amendment:

Suggested Changes to the Amendment to address Submissions:

- Include additional policy wording at Clause 21.10 to recognise the presence of High Pressure Gas Transmission Pipelines.
- Include additional wording to provide context around the constraints and presence of High Pressure Gas Transmission Pipelines within the 'Future Investigations Areas – Clause 21.02.
- Changes to policy wording to partially address North East Waters submission.
- Correct rezoning anomalies at Glenrowan Wastewater Treatment Plant.
- Minor changes to wording at 21.03-1 (Biodiversity)

Requested Changes to the Amendment – Not Supported

- Request for Council to abandon the amendment, as the amendment does not address local policy relating to Rural Land Use (21.05 and 22.01).
- Remove specific reference to Low Density Residential investigations.
- Reference to collaborating with North East Water to incorporate an Environmental Significance Overlay (ESO) over and surrounding the North Wangaratta Wastewater Treatment Plant and Sanford Road Trade Waste Plant.

Council was not able to address all submissions due to their difference and competing nature.

Attachment 1 to this report includes a comprehensive analysis, discussion and proposed changes to address submissions to the amendment.

Implications

Policy Considerations

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

Financial Implications

Costs associated with a Panel hearing are significant and will be borne by Council as the proponent of this amendment.

A fee is set by Planning Panels Victoria that includes the Hearing, site visits and report writing. Costs for a two member Panel may be in the vicinity of \$10,000+ a day. A Panel hearing may run for more than one day.

Council's other costs will be officer time required to prepare for and represent Council before a Planning Panel hearing. It should be noted that the level of officer time required will be significant.

Legal/Statutory

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

Environmental/Sustainability Impacts

The amendment will provide more sustainable land use outcomes and protection of environmental values in the Municipality. The amendment includes the referencing of a range of community and agency environmental policy documents as reference (policy) documents to the Wangaratta Planning Scheme.

Economic Impacts

The amendment is expected to have positive economic benefits for the Rural City of Wangaratta generally. Positive economic effects and benefits will accrue from the amendment through the introduction of land use strategies and policies for various economic activity issues, such as business. The amendment includes the referencing of a range of economic policy documents as reference (policy) documents to the Wangaratta Planning Scheme.

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Growing

We will plan, research and advocate for the future:

To facilitate considered planning and development in line with long term strategic objectives for the sustainability of our community and environment.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

‘The Rural City of Wangaratta has not grown for growth’s sake. Population and housing expansion has been well considered, planned and managed, with moderate and well-paced growth occurring in line with the creation of employment and infrastructure and services provision.’

Risk Management

The majority of the risks associated with this matter are considered minor.

Risks	Likelihood	Consequence	Rating	Mitigation Action
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Amendment is not supported by a Planning Panel	Moderate	Panel recommends abandonment of amendment.	N/A	Council to review any Panel recommendation prior to finally deciding whether to support the amendment for approval by the Minister.
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Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will keep you informed.	Formal notification process under section 19 of the <i>Planning and Environment Act 1987</i> including notifying the community and relevant agencies.
Consult	We will listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	Formal submissions process to allow and encourage feedback; potential Panel process to address outstanding submissions.
Involve	N/A	N/A
Collaborate	N/A	N/A
Empower	N/A	N/A

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration to proceed to the next phase in the process.

Options for Consideration

Option 1 (Recommended option): Resolve to make changes to the amendment where appropriate, in accordance with submissions detailed in Attachment 1 (pursuant to section 23(1)(a) of the Act) and request the appointment of an independent Panel to consider all unresolved submissions as detailed in Attachment 1 (pursuant to section 23(1)(b) of the Act).

This option follows the statutory process required to progress the amendment and consider all submissions to Amendment C75.

Option 2: Abandon the amendment under section 23(1)(c) of the Act, given the issues raised within the unresolved submissions to the amendment.

Conclusion

Amendment C75 proposes to change the Wangaratta Planning Scheme by replacing the existing Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) with an updated version. These updates and changes are part of the legislative requirements to regularly review and

update the planning scheme at least every four years. The last review of the Wangaratta Planning Scheme was in 2006.

This updated version is designed to have an improved alignment with State Planning policy, be clearer and more concise, therefore making it easier for users of the Scheme to interpret.

This report recommends that Council considers all of the submissions, resolves to make changes as outlined in the table at Attachment 1 and request that the Minister for Planning establish a Planning Panel to hear unresolved submissions.

Attachments

- 1 Attachment 1 - Amendment C75 Submissions Analysis Table [↗](#)

16.3 SALE OF INDUSTRIAL LAND

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Governance & Risk Advisor
File Name: Property Management - Murrell Street
File No: 13810-01

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

Executive Summary

This report is presented to Council to commence Council's statutory process to sell the whole of the vacant industrial land at Lot A, PS 304059W situated at Murrell Street, Wangaratta as contained in Certificate of Title Volume 11492, Folio 960. This allotment will be subdivided into 11 lots and has currently an unregistered plan of subdivision PS 739488U (the land). Council intends to sell proposed lots 1 to 11 individually by private treaty.

Council has previously considered a plan for the initial six lots and this proposal covers all of the land being a proposed 11 lots.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor M Currie)

That Council:

- 1. gives public notice of its intention to individually sell the land lots 1 to 11 Murrell Street, Wangaratta as identified in unregistered plan of subdivision PS 739488U which is currently known as Lot A PS 304059W situated at Murrell Street, Wangaratta as contained in Certificate of Title Volume 11492, Folio 960 488U in the Wangaratta Chronicle and on Council's website inviting written submissions on the proposed sale until Friday 19th January 2018.***
- 2. establishes a Committee of Council to hear any persons who have requested to be heard in respect of their submissions on the individual sale of the land lots 1 to 11 Murrell Street, Wangaratta as identified in unregistered plan of subdivision PS 739488U which is currently known as Lot A PS 304059W situated at Murrell Street, Wangaratta as contained in Certificate of Title Volume 11492, Folio 960 488U.***
- 3. considers all submissions when deciding whether or not to individually sell the land lots 1 to 11 Murrell Street, Wangaratta as identified in unregistered plan of subdivision PS 739488U which is currently known as Lot A PS 304059W situated at Murrell Street, Wangaratta as***

contained in Certificate of Title Volume 11492, Folio 960 488U and a summary of the results of the hearing will be reported back to Council.

4. if no submissions are received, authorises the Chief Executive Officer to:

- a) affect the sale of land by a private treaty process**
- b) arrange for the signing and sealing of all documentation associated with the sale.**

Carried

Background

The land at Murrell Street was purchased with the intent of Council developing the land for industrial uses. Previous stages have been developed and sold. The remaining parcel is the subject of this report.

The land is located at Murrell Street, Wangaratta, currently being land contained in Lot A PS 304059 Volume 11492 Folio 960 CA 8B Sec 31 Parish of Wangaratta South TP 73922C Volume 10036 Folio 559. Council intends to subdivide this allotment into 11 allotments and this is shown as lots 1 to 11 on the proposed plan of subdivision which is currently unregistered as PS 739488U (**refer attachment**). Council intends to sell lots 1 to 11 by private treaty once the subdivision is registered. The land is shown in the following diagram as highlighted in the dark shaded area.



The following shows the unregistered plan of subdivision.



Previously Council has considered a report for the sale of part of this land being the initial six lots. There has been strong interest in the land facilitated by Council’s appointed selling agents to the extent that all of the land is proposed to be developed. The interest has been a combination of new business and expansion of existing businesses.

Officers have been liaising with valuers throughout the industrial estate development process to determine the lot sizes that will maximise the value of the remaining land. The final plan of subdivision is awaiting planning approval and then construction.

A formal market valuation of the land from a registered valuer is required as part of the sale process and has been undertaken. It is proposed that the sale of the land be negotiated at a price no less than the market valuations indicated by Council’s valuers.

Implications

Policy Considerations

Council must comply with the provisions of its Sale of Council Land Policy (the Policy).

There are no provisions in the Act detailing the method by which Council must sell or exchange land; however the Policy refers to the Local Government Best Practice Guideline for the Sale and Exchange of Land which provides guidance on the legal obligations, general principles and best practice for selling land.

The general principles of the guidelines detail that sales should be conducted through a public process either by tender, auction, registration of interests and in relevant circumstances by private treaty.

The land will be offered for sale publicly through Council's appointed Real Estate Agent. Council will be genuinely receptive to all offers made through this process or those received by submission through the process of seeking public submissions.

Financial/Economic Implications

The sale will facilitate further development of the industrial land thereby providing for future employment opportunities.

Legal/Statutory

The *Local Government Act 1989* (the Act) details the process that Council must follow when selling land.

Section 189 of the Act provides that before a Council sells land, it must give public notice at least four weeks prior to selling the land; and obtain from a registered valuer, a valuation of the land which is not made more than six months prior to the sale.

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

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.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are growing.

The non-negotiables

We encourage considered investment in the development of new, and the growth of our existing, industries and businesses.

Our industrial land is thoughtfully and appropriately protected, planned and developed.

Goal

We are Sustainable

The non-negotiables

Our legislative, governance and compliance requirements will be met.

Consultation/Communication

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

A notice to this effect will be advertised in the Chronicle newspaper on 15 December 2017, and also on Council's website indicating that submissions will be received up to 5.00pm on Friday 19th January 2018.

The purposes of giving this notice are twofold:

- to inform ratepayers and residents of Council's intention to dispose of a public asset
- to give an indication that Council is genuinely open to the best offer for that land, either on a price basis or alternative use basis.

Persons making submissions can request an opportunity to be heard in respect of their submission. Any person requesting to be heard in support of their submission is entitled to be heard before Council or before a committee established by Council for this purpose, or represented by a person acting on their behalf, and will be notified of the time and date of the hearing.

All submissions will be considered by Council when deciding whether or not to sell the land.

Conclusion

The sale of the land accords with Council's objective to encourage and promote the growth of industry in the municipality and the sale process meets all statutory and policy obligations.

Attachments

1 Proposed Subdivision ⇨

Questions

Anne Dunstan - Tarrawingee: *Is there thought given in regards for movement of semi-trailers and trucks through the street with the prospective owners? Can it be considered when we move forward with this program?*

Barry Green, Director Development Services: The existing intersection is controlled by VicRoads at the moment. Any application that comes forward for subdivision would be referred to VicRoads. Quite often they ask for a traffic impact assessment report which considers the truck movements. However, we can not mandate which way a truck turns, that's something we can not control unless VicRoads put in a particular intersection that allows one type of turn only.

Brian Fox – Wangaratta: *Are we, in the sale of land putting in some protection so people will not just buy the land as a place to park their money because inflation will be more than 1.5%?*

Mayor Ken Clarke: It was my understanding back in the '80s that any industrial land that Council subdivided, that there would be a covenant on the land so that it had to be built on within two years or it would have to be returned to Council. I'll be looking when we get down the track on this that exactly the same thing will happen with this land. So investors cannot purchase it and sit on it till interest rates rise.

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

18.1 ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Executive Assistant Corporate Services and Councillors
File Name: Committees & Groups - Advisory Committees - Establishment - Administration
File No: F16/2255

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 Councillors for information (refer attachments).

1. Place Naming Committee – 21 November 2017
2. Economic Development & Tourism Advisory Committee – 15 November 2017
3. Sports & Recreation Advisory Committee – 11 October 2017

RESOLUTION:

(Moved: Councillor H Bussell/Councillor D Fuller)

That Council notes the minutes of these committees.

Carried

Attachments

- 1 PLACE NAMING COMMITTEE - 21 November 2017 [⇒](#)
- 2 ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE - 15 November 2017 [⇒](#)
- 3 SPORT AND RECREATION ADVISORY COMMITTEE MEETING - 11 October 2017 [⇒](#)

19. RECORDS OF ASSEMBLIES OF COUNCILLORS

19.1 ASSEMBLIES OF COUNCILLORS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 12 December 2017
Author: Executive Assistant Corporate Services and Councillors
File Name: Governance - Registers - Assemblies of Councillors
File No: S17/607

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.

Date	Meeting details	Refer
4 December 2017	Councillor Briefing Forum	Attachment
29 November 2017	Economic Development Strategy Workshop	Attachment
27 November 2017	Councillor Briefing Forum	Attachment
22 November 2017	Agriculture and Agribusiness Advisory Committee	Attachment
20 November 2017	Councillor Briefing Forum	Attachment
15 November 2017	Economic Development & Tourism Advisory Committee	Attachment
11 October 2017	Sports & Recreation Advisory Committee	Attachment

RESOLUTION:**(Moved: Councillor A Fitzpatrick/Councillor M Currie)*****That Council receives the reports of Assemblies of Councillors.*****Carried****Attachments**

- 1 Assemblies of Councillors - 4 December 2017 [⇒](#)
- 2 Assemblies of Councillors - 29 November 2017 [⇒](#)
- 3 Assemblies of Councillors - 27 November 2017 [⇒](#)
- 4 Assemblies of Councillors - 22 November 2017 [⇒](#)
- 5 Assemblies of Councillors - 20 November 2017 [⇒](#)
- 6 Assemblies of Councillors - 15 November 2017 [⇒](#)
- 7 Assemblies of Councillors - 11 October 2017 [⇒](#)

20. NOTICES OF MOTION

Nil

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

Jim Lewis – Wangaratta, (Written question): Cars, bicycles and pedestrians are all supported in one way or another in providing a service to the public. Are there any Council arrangements to support the buses and is there any measure of the relative value of buses compared with the other transport methods in the town?

Jaime Carroll, Director Community & Wellbeing: The importance of public transport, particularly buses, has come out as something that is high priority from our community across a number of different processes. We heard it in the community engagement process for the CBD master plan, we hear it regularly when we look at how we can work with young people and older people that have trouble accessing privately owned vehicles. One of the issues is that our public transport system is predominately privately owned and we try to work as closely as possible with those operators. However, on the community side of things we also work with a number of not-for-profit organisations in the provision of community buses that help get people, particularly to medical and health service appointments.

We have recently transferred ownership of a Council bus over to a not-for-profit organisation that has facilitated a program like that. There are also a number of traffic and parking strategies that will also look at public transport, and again buses. One of the things that we are continuing to work on and that was one of the priorities that came out of the master plan was the promotion and the access to information around public transport and in particular bus timetables. In terms of measurement and value of buses it is hard to put quantitative data around but we know it's important and that from a statistical point of view the impact on health and wellbeing is quite significant for those people that can access public transport. Interestingly the capacity and the use of public transport for Wangaratta residents is relatively low compared to metro areas and low compared to some of our regional city partners.

Jim Lewis – Wangaratta: You mentioned timetables, people have been asking for them for 6 years as far I as I know yet there is not 1 timetable to be found? We don't want a timetable like the railways in Melbourne. All we need to know is what time does it go to this stop and which way is it going. That would be wonderful, as currently you cannot recommend it to people.

Jaime Carroll, Director Community & Wellbeing: We certainly know it's an issue, and it's an issue for us as well as we would love to be able to supply that information to a number of clients and to young people and a number of our

facilities. However, given that it's a private company it's up to them to distribute. The other challenge is that we know the timetable can change regularly which is one of the challenges of having a hard copy distributed.

Barbara Miller - Wangaratta: *How much are we spending on Christmas decorations, not the new Christmas tree which is spectacular, that is standing alone in the square? Will there be more for the square and more for our streetscape?*

Jaime Carroll, Director Community & Wellbeing: We did an audit of the Christmas decorations as we agree with you that the stock is looking tired, old and tattered. We did have money allocated in this year's budget, so the tree and the wish sign are part of that suite of Christmas decorations. We do have Christmas banners that will go up on light poles that will go up in the CBD. We have had a delay in one of the components that goes up on the flagpole. However, these will be up on Thursday as the component has now arrived. Next year we will also have a proposal to purchase more decorations to expand the stock and allow us to retire the old decoration.

Mayor Ken Clarke: The figure we have in our budget for Christmas decorations was \$70,000.

Brian Fox - Wangaratta: *I believe the Xmas tree was put in the wrong place. The tree should be put where it gets maximum community participation and visibility. Could we put it on the roundabouts? And then, to buy a sign with the word 'Wish' on it. I wish the Council would clean up the CBD. Who is going around the CBD checking what the Council is doing?*

Jaime Carroll, Director Community & Wellbeing: One of the reasons for the placement of tree is so that people would be able to take photos around the Christmas tree and that it wouldn't be a distraction to traffic or block business access.

Cr Mark Currie: I think it's in a good spot, I think there's been a lot of work down there along the river and the Owen's river is a key part to Wangaratta. For the central part, we have probably missed the mark on some Christmas decorations as Jaime explained. I think where its located is a very good spot for people to go down and celebrate. The decorations will put a festive feel to the shops and we can do a bit of work there but we are on the right path.

Ron Somers: *Is there any serious consideration given to cutting agendas and formatting in order to save paper?*

Brendan McGrath, Chief Executive Officer: We have substantially reduced the number of agendas we print. Many of us work completely electronically. We use a specific software program that we use to produce the agenda and I do not know how easy it will be to change the formatting, but Evelina, who you just heard congratulated on the agenda, I'm sure will take note of your suggestions and do some investigations to see if its easily modifiable within the program.

Brian Fox: *I want to know what money is being spent on advertising the running of the pool. The pool was opened and there was no sign to say its opened. I got in touch with Council to tell them, and suddenly the sign appeared. Where is the budget for advertising and promotion?*

Brendan McGrath, Chief Executive Officer: Because we may choose not to agree with you doesn't mean we are ignoring you. We all receive your regular emails and I think mostly they are acknowledged. The fact that we may not immediately implement what you've asked for doesn't mean we are ignoring you it just may mean we don't agree with you. If you had you submitted your question in writing in advance we would have had someone look up that figure and have it here available to give to you. As it is we will take it on notice and go away and find out what the marketing figure is and let you know.

23. CONFIDENTIAL BUSINESS

Nil

24. CLOSURE OF MEETING

The Meeting closed at 6:56PM