

Minutes

Of the Ordinary Council Meeting

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

Date: 20 February 2018

Time: 6.00pm



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:

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 Officer; Ruth Kneebone, Director Corporate Services; Alan Clark, Director Infrastructure Services; Jaime Carroll, Director Community Wellbeing; Barry Green, Director Development Services.

The Mayor made a special welcome to a guest in the gallery who served as Mayor in the Springport Township from 1984-1992 in State of Michigan in America.

4. **ABSENT**

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 Benton/Councillor D Rees)

That Council read and confirm the Minutes of the Ordinary Meeting of 12 December 2017, the Special Meeting of 19 December 2017 and the Special Meeting of 29 January 2018 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.

Nil.

9. RECEPTION OF PETITIONS

Nil.

10. HEARING OF DEPUTATIONS

Nil.

PRESENTATION OF REPORTS

11. COUNCILLOR REPORTS

Nil.

RESOLUTION:

(Moved: Councillor K Clarke OAM/Councillor H Bussell)

That the item of urgent business be moved to item 15.6.

Carried

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

12.1 APPOINTMENT TO THE WINTON WETLANDS COMMITTEE OF MANAGEMENT

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	20 February 2018
Author:	Executive Service Coordinator
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 determine Council's representative on the Winton Wetlands Committee of Management.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor M Currie)

That Council appoints Councillor David Fuller as Council's representative to the Winton Wetlands Committee of Management Inc.

Carried

Background

The Winton Wetlands Committee of Management Inc. was established in March 2009 following the announcement of the Victorian Governments commitment of up to \$20 million to restore the Winton Wetlands following the decommissioning of Lake Mokoan.

The Minister for Environment and Climate Change appointed the incorporated committee of management under the Crown Land (Reserves) Act 1978. Under the Act, the Committee's role was to manage, improve, and maintain the Winton Wetlands Reserve. In addition, the Committee is also required effectively implement the Lake Mokoan Future Land Use Strategy and maximise the regional and tourism benefits from the restoration and enhancement of the Winton Wetlands.

The Committee aims to achieve this vision by engaging and working with the local and regional community to develop and implement long term plans for the restoration and protection of the natural and cultural heritage values of the

Winton Wetlands and for the development of recreation, tourism, research and education infrastructure and facilities.

The Committee is comprised of eight community members including a Chairperson and representatives from both Benalla and Wangaratta Rural City Council. As appointments to this Committee expire on 24th March 2018, the Department of Environment, Land Water and Planning is therefore seeking a nomination for appointment from the Wangaratta Rural City Council.

Implications

Policy Considerations

Council nominates or appoints representatives and delegates to Council advisory committees, Special Committees and other associated committees and bodies annually, or as needed. 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. Councillor David Fuller is considered to be the most appropriate Councillor given his current Environment portfolio.

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.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will create and deliver:

Tourism products and experiences that build our attraction to visitors

We will plan and make decisions 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**

N/A

b) Other strategic links

N/A

Risk Management

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

Consultation/Communication

The proposed recommendation to appoint Councillor Fuller to this Committee is not deemed appropriate to seek public consultation and the matter is therefore now considered ready for Council's determination.

Options for Consideration

1. Appoint Councillor David Fuller as Councils representative on the Winton Wetlands Committee of Management
2. Appoints another Councillor
3. Appoints another staff member.

Conclusion

Although the Winton Wetlands reserve falls outside of the Wangaratta Rural City boundary, the upcoming appointment of for a new member was seen as an opportunity to involve the Wangaratta in the management of this iconic reserve. This is a significant connection between the reserve and Wangaratta linkages being created by future walking and bike trails.

Attachments

Nil.

13. CORPORATE SERVICES

13.1 DECEMBER 2017 QUARTERLY FINANCE REPORT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Manager Finance
File Name: Financial Management -Budgeting - Progress - 2017/18 Performance Reporting
File No: F16/2184

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

Executive Summary

This report is presented to Council to provide an update of Council's year-to-date (YTD) financial performance to its Budget Review 2017/18.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor H Benton)

That Council reviews and endorses the December 2017 Quarterly Finance Report.

Carried

Background

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

Implications

Policy Considerations

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

Financial Implications

Quarter 2 Year to Date Summary

	Revised Budget	YTD Actuals	YTD Revised Budget	YTD Revised Budget Variance	YTD Revised Budget Variance
	2017/18 \$'000	2017/18 \$'000	2017/18 \$'000	2017/18 \$'000	2017/18 %
Income	58,146	41,300	41,165	135	0%
Expenses	56,361	27,001	27,591	590	2%
Surplus (deficit) for the period	1,785	14,299	13,574	725	5%
Capital Works Expenditure	23,904	4,540	6,504	(1,964)	-30%

Note that Commitments of \$3.4 million exist in relation to capital works expenditure at 31 December 2017.

Operating Result

Council's second quarter results are strong with the six-month operating surplus being just over \$700,000 better than expected. This outcome is largely driven by the timing of expenses and income being slightly different to what was expected at the time the 2017/18 Budget Review was completed. When compared to Council's 2017/18 Revised Budget, Council's income results are less than 1% of budget and expenditure results are within 2% of budget.

Income – favourable movements

1. As reported in the September quarterly finance report, Council has received higher than expected income from the provision of Packaged Care Services. Additionally, Council's income from Home and Community Care (HACC) services is higher than expected. At 31 December 2017 the favourable variance across these two business units is approximately \$550,000. Some of this favourable variance is driven by the expected timing of grant money being received from either the State or Federal Governments. Further, some of this additional income is offset by additional expenditure on servicing the Packaged Care and HACC clients. As such, much of this favourable variance is a timing matter only and may not result in a permanent improvement to Council's financial position.
2. Council's cash balances are continuing to remain higher than expected and this is driving increased interest income on investment accounts. Whilst Council will continue to receive interest from its investments, it is not expected to necessarily continue at the same rate of growth for the remainder of the financial year. This is because capital works expenditure of \$19 million is still to be expended in the remaining six months of the year.

Income – unfavourable movements

1. User fee income at the Performing Arts Centre is tracking unfavourably and is approximately \$70,000 less than expected at 31 December 2017. Council officers are reviewing advertising and promotion opportunities for the Performing Arts Centre with the objective to increase user fee income in the remaining six months of the 2017/18 year.

2. Infringement income continues to track lower than expected, with income from fines lower than expected by almost \$20,000. Parking meter income is also tracking lower than expected by \$24,000. It is likely that this will be permanent unfavourable outcome.
3. Income from capital works projects is tracking below expectations by \$178,000. This represents a combination of user group contributions and grant funding from the State Government. The unfavourable result is a timing difference only and the income will be received in accordance with the achievement of capital works milestones.

Expenditure – favourable movements

1. Salaries and wages are tracking under budget by approximately \$250,000. This is partly due to the delay in implementing the new Enterprise Agreement for employees, together with ongoing vacancies across the organisation. It is expected that the underspend will not persist throughout the remainder of the financial year.
2. Materials and services expenditure is tracking 6% under budgeted expenditure. Much of the underspend in materials and services is a timing difference only and does not represent a permanent decrease in Council expenditure.

Expenditure – unfavourable movements

3. Council budgeted depreciation expense of \$13.992 million and it is now expected to be in excess of \$15 million. This is due to the revaluation of Council' assets that were reflected in the financial accounts at 30 June 2017. This was reported in the September 2017 quarterly report and it was intended to reflect this outcome in the Budget Review that was adopted by Council in December 2017. This was not completed and as such variances continue to be reflected in the finance report. At 31 December 2017 the unfavourable variance is \$178,500. This trend will continue for the remainder of 2017/18.

For further information of Council's Operating and Capital Works result year to date performance, refer to the December 2017 Financial Report. (***refer attachment***)

Capital Works

The 2017/18 capital works budget (as adopted at the December 2017 Budget Review) is \$23.9 million. At 31 December 2017 Council has delivered \$4.5 million of the Budget Review, which represents just under 20% of the annual budget amount.

Council has recently awarded tenders for projects such as Moyhu streetscape works, Cruse Street, footpath renewal programs and the North Wangaratta Recreation Reserve remediation work. A number of other large tenders remain open or under evaluation, including for street renewal programs, kerb and

channel renewal programs, township gravel road sealing program and the hydrotherapy pool.

During the first six months Council has progressed significant works for:

- Preparation for resealing work
- Drainage and street renewal works at Newman Street. This project was almost complete at 31 December 2017, with a small amount of works being undertaken in January and February 2018.
- Stage One of the Park Lane car parking and drainage project is complete, with works progressing to Stage Two, being the car park, kerb and channel and drainage works at the southern end.
- Street renewal works along Harrison Street are complete.
- Asset restoration and betterment works along the Benalla Whitfield Road.
- Commissioning (and installation) of new Christmas decorations across the Wangaratta Central Business District.
- Designs for the safe pedestrian crossings at Murdoch Road, Wangaratta and Snow Road, Milawa. Construction of the crossings is scheduled for the remainder of 2017/18.

A number of key projects are progressing, however at a slower rate of expenditure than expected. These projects are:

- Replacement of two large Council plant and equipment items which were delivered in January 2018 instead of before 31 December 2017. Council has now received a replacement road grader and tracked loader for landfill site at Bowser. Expenditure to 31 December 2017 is underspent by almost \$800,000 due to these two plant items.
- Cruse Street works are tracking underspent by over \$450,000. A tender has been awarded and Council continues to work with other authorities and landowners on the construction schedule.
- West End Gathering Place toilet expenditure is tracking underspent and works will progress once a sewer connection permit is received.

Legal/Statutory

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

Social

Social benefits of the projects will occur this financial year as outlined in the 16/17 Budget.

Environmental/Sustainability Impacts

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

Economic Impacts

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

2017 - 2021 Council Plan

This report supports the 2017 – 2021 Council Plan:

Goal

We are Sustainable

What we do everyday

We consistently focus on the achievement of the operational parameters framed in the annual budget

Risk Management

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

Consultation/Communication

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

Conclusion

December 2017 year-to-date Operating Result is delivering a favourable result, when compared to the Revised 2017/18 year-to-date budgets, due mainly to timing differences in revenue and expenses.

Attachments

- 1 December 2017 Quarterly Finance Report ➡

Mr Brian Fox - Wangaratta

Brian Fox asked if Council would institute a review of the parking metres. The Mayor responded that the question would be taken on notice and a further report would be prepared.

13.2 APPOINTMENT OF A PRINCIPAL CONDUCT OFFICER

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Governance & Risk Advisor
File Name: Councillor Code of Conduct
File No: F16/2130

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 facilitate the appointment by the Chief Executive Officer (CEO) of a Principal Conduct Officer as required by the *Local Government Act 1989* (the Act).

RESOLUTION:

(Moved: Councillor D Rees/Councillor M Currie)

That Council resolves that the Governance and Corporate Reporting Advisor, Ms Gillian Hoysted is suitably qualified to perform the functions of the Principal Conduct Officer and therefore eligible to be appointed by the Chief Executive Officer to that role.

Carried

Background

The *Local Government Act 1989* (The Act) requires each council to have a Principal Conduct Officer who performs functions and duties in relation to councillor conduct panels including assisting Council in the implementation and conduct of the internal resolution procedure in their councillor conduct codes and assisting the Principal Councillor Conduct Registrar.

The CEO is required by the legislation to appoint the Principal Conduct Officer, however, if the proposed appointee is not a senior officer under the Act, the CEO is unable to make this appointment until the Council has confirmed that it is satisfied that the proposed appointee has the required qualifications for the role.

Council's former Governance and Risk Advisor, Mr Tony Raven has recently departed and following advertising for his replacement, Ms Gillian Hoysted has been appointed and commenced duties with the council on the 15th January 2018.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Legal/Statutory

Section 81Y of the Act provides for the appointment of a Principal Conduct Officer.

S 81Y - Duties of the Chief Executive Officer in relation to councillor conduct panels

(1) The Chief Executive Officer must appoint, in writing, an eligible person to be the Principal Conduct Officer.

(2) For the purposes of subsection (1), a person is an eligible person if—

(a) the person is a senior officer (other than the Chief Executive Officer); or

(b) the council resolves that the person is suitably qualified to perform the functions of the Principal Conduct Officer.

Social

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

Environmental/Sustainability Impacts

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

2013 – 2017 Council Plan (2015 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

The non-negotiables

Our legislative, governance and compliance requirements will be met.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Advise the Principal Councillor Conduct Registrar, Local Government Victoria, notice of the appointment and details of the appointee.	By letter

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

Options for Consideration

The requirement for the CEO to appoint a Principal Conduct Officer is mandatory, however Council may not believe that the proposed appointee has the required qualifications for the role and request the CEO to appoint another council officer to the role.

Conclusion

A Principal Conduct Officer must be appointed by the Chief Executive Officer. If that person is not a senior officer as defined by the Act, Council must resolve that the proposed officer is suitably qualified to perform the functions of the position. It is recommended that Mrs Gillian Hoysted, Governance & Corporate Reporting Advisor be appointed by the chief executive officer.

A Council resolution to that effect will ensure compliance with the Act.

Attachments

Nil.

Mr Brian Fox - Wangaratta

Brian Fox referred to the position in the report and asked if the position was mandatory, do we pay her out of our own pocket and do they send us a work scheduled of what this person is supposed to be doing?

Ruth Kneebone responded that we haven't appointed an additional employee solely to perform these tasks. It's a role required by the Local Government Act that Councils must provide. The specific duties that you refer to may never be undertaken. The tasks may only be required when there is a code of conduct matter or a complaint raised by councillors. That is when the tasks required of this role would be invoked.

13.3 COUNCIL PLAN PROGRESS REPORT - 1 JULY - 31 DECEMBER 2017

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Governance & Corporate Planning Advisor
File Name: Council Plan Report 1 July -31 December 2017
File No: D18/11983

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 communicate Council's performance against the Council Plan for the period 1 July 2017- 31 December 2017.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor H Bussell)

That Council receives the Council Plan 2017-2021 Progress Report for the period 1 July 2017 – 31 December 2017.

Carried

Background

Part of Council's Mission is to provide the leadership necessary to maintain open communication and community engagement. Providing reports to the community on Council's progress against the outcomes will assist to achieve this mission. These results measure our progress against what is important and allow both ourselves and everyone in our community to understand the impact that we are having.

Implications

The fifteen indicators which are measured quarterly are included in the progress report.

In this report, we have provided a traffic light indicator of performance.

- Green indicates that performance was within 5% of target;
- Yellow indicates that performance was within 10% of target; and
- Red indicates that performance was more than 10% outside target.

We are Established

Scheduled road inspections are on target. However the achievement of the Road Management Plan has been affected by the December 2017 storm. Capital Project delivery is impacted by the delayed delivery of equipment.

We are Growing

There has been a positive reduction in the median number of days to decide on planning applications but this is set against, and in the proportion of, decisions made within 60 days.

We are Inspired

Attendances at the Art Gallery, Performing Arts Centre, and Library are all positive.

We are Sustainable

Sustainability indicators are positive, save for diversion from landfill which shows the seasonal holiday impact.

We are Thriving

We are confident of achieving the food safety assessment target by year end with assessments only slightly below target. Visits to the aquatic centres are strong. The percentage of children participating in maternal and child health services is below target and impacted by seasonal factors.

Policy Considerations

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

Financial/Economic Implications

There is no immediate financial impact related to this report.

Legal/Statutory

The *Local Government Act 1989* requires Council to report on performance annually in the Annual Report. This quarterly report provides the community with a progress update against some of Council's key measures.

Social

The Council Plan 2017-2021 provides for the achievement of a number of social objectives.

Environmental/Sustainability Impacts

The Council Plan 2017-2021 provides for the achievement of a number of Environmental/Sustainability objectives.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable.

We will plan, research & advocate for the future:

By accurately understanding the constraints and opportunities that face our organisation, our community and our region.

The non-negotiables

Our team will make the best and most efficient use of Council's resources.

We are Inspired.

What we do everyday:

We talk to, inform and engage with the people who live, work and visit in our community.

The non-negotiables

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

The Council Plan supports the aspirations and objectives of the Rural City of Wangaratta 2030 Community Vision.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Council Plan targets not achieved leading to reputational risk	Low	High	Moderate	Identified unfavourable variances are being examined and addressed. Regular monitoring and reporting

Conclusion

This report assists Council to monitor its performance in achieving the targets prescribed within the Council Plan.

Attachments

- 1 Council Plan Report 1 July - 31 December 2017 [⇒](#)

13.4 SALE OF INDUSTRIAL LAND - LOT 7 BUCKLER ROAD

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Governance & Corporate Planning Advisor
File Name: PROPERTY MANAGEMENT - Disposal - Lot 7
Buckler Road Wangaratta
File No: F17/33

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 vacant industrial land contained in Certificate of Title Volume 11492, Folio 972 being Lot 7 of Subdivision 601794 and located at 39 Buckler Road, North Wangaratta is 1.766 ha in size and shown on attached.

RESOLUTION:

(Moved: Councillor M Currie/Councillor D Fuller)

That Council:

- 1. gives public notice of its intention to sell the land contained in Certificate of Title Volume 11492, Folio 972 being Lot 7 of Subdivision 601794 and located at 39 Buckler Road, North Wangaratta.***
- 2. establishes a Committee of Council to hear any persons who have requested to be heard in respect of their submissions on the sale of land at Lot 7, 39 Buckler Road, North Wangaratta.***
- 3. considers all submissions when deciding whether or not to sell the land at Lot 7, 39 Buckler Road, North Wangaratta as contained in Certificate of Title Volume 11492, Folio 972.***
- 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

Council has been seeking to sell the land for some years and a potential purchaser has been in discussions with Council's selling agent.

A formal market valuation of the land from a registered valuer is required as part of the sale process. This was obtained in September 2016 and was updated in December 2017.

Implications

Policy Considerations

Council must comply with the provisions of:

- its *Sale of Council Land Policy 2015* (the Policy); and
- Section 189 of the *Local Government Act 1989* (the Act).

In summary, Council 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.

Citizens have the right to make a submission on the proposed sale in accordance with Section 223 of the Act.

The land will be offered for sale through Council's selling agent.

Financial/Economic Implications

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

Expenditure has been incurred for the valuation. Further expenditure will be necessary for legal costs associated with completing the sale.

Legal/Statutory

Sections 189 and 223 of the Act, as outlined above.

Social

New jobs will likely be created, contributing to economic sustainability and retention of workers.

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.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

Economic Development Strategy 2016 - 2020

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	<p>To advise citizens of Council's intention to dispose of a land asset.</p> <p>To indicate the Council is open to the best offer</p>	<p>Advertisement in the Chronicle on Friday 23 February 2018 and on Council's website advising that submissions will be received up to 5.00 pm on Friday 23 March 2018.</p>

Persons making submissions can request an opportunity to speak to their submission before Council, or a committee established by Council for this purpose.

Such arrangements will be made and notified, if necessary.

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. The sale process meets all statutory requirements.

Attachments

- 1 Buckler Road Plan [⇒](#)

Councillor Harry Bussell asked that the process for selling council land be explained to the gallery. Ruth Kneebone responded that we would invite submissions from any interested party which would then be considered at a special committee of council and then be recommended to council for decision.

13.5 GIFTS, BENEFITS AND HOSPITALITY POLICY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Governance & Corporate Planning Advisor
File Name: Gifts, Benefits and Hospitality Policy
File No: F17/872

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

Executive Summary

This report is presented to Council to enable a revised Gifts, Benefits and Hospitality Policy to be advertised for community comment.

RESOLUTION

Moved: Councillor D Rees/Councillor D Fuller

That Council:

- 1. *endorses the Gifts, Benefits and Hospitality Policy 2018 for public exhibition***
- 2. *invites public submissions regarding the Gifts, Benefits and Hospitality Policy 2018 in accordance with Council's "Major Council Policy Consultation Local Law No.4 of 2015" (the Local Law) up to close of business on Friday 23 March, 2018***
- 3. *If submissions are received under the Local Law:***
 - a. *Convenes a Special Council Meeting to hear from any person or persons who request to be heard in support of their written submission***
 - b. *Receives a report on any Local Law submissions and any hearings held and resolves the Gifts, Benefits and Hospitality Policy 2018 at the Ordinary Council Meeting of 17 April 2018***
- 4. *If no submissions are received under the Local Law, resolves to adopt the Gifts, Benefits and Hospitality Policy 2018 without further resolution of Council.***

Background

To brief Council on the updates to the Gifts, Benefits and Hospitality Policy (the Policy).

There has been a significant rewrite from the previous policy which was adopted by Council on 18 March 2014. The previous policy contained significant extracts

of legislation as well as dialogue which in some cases was contradictory and that are not required in a policy; these have been removed.

Policies from a number of Councils were also examined and an attempt was made to develop a policy that is simple to understand and apply.

The new policy is based on the following principles;

- Gifts should not be accepted unless provided for by this Policy.
- Gifts must not be sought, demanded or requested.
- Gifts received or refused must be placed on the Gift Register.
- Gifts received must not create a real or perceived sense of obligation that may lead to a perception of preferential service as a result of the gift.

This is followed by an appendix which provides procedures and guidance notes for Councillors and officers.

Within the procedures and guidance notes, there has been an attempt to provide clarification of what is defined as:

- Token gifts
- Official gifts
- Gifts of appreciation
- Monetary gifts
- Awards and prizes won at conferences and seminars
- Sponsorship gifts
- Ownership of gifts over the nominal value.

There has been an increase in options of how the CEO may determine to dispose of gifts above the nominal value which has been set at \$50 under the policy.

A significant improvement from the last policy is the section dealing with Hospitality. An attempt has been made to clarify what 'hospitality' is. A nominal value for the various types of hospitality is provided together with a statement that hospitality provided to a partner or family member must also be aggregated and declared.

An approval and processing table has been included which provides the process for officers and a process for Councillors. The officer process provides a number of roles and responsibilities for the staff member, Manager, Governance and Corporate Planning Advisor and the CEO, depending on the value of the gift received. The Councillor process is for any gift received irrespective of its value.

There also has been overhaul of the declaration form to include more detail and to match the policy and procedure.

Implications

Policy Considerations

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

Financial/Economic Implications

There are no financial or economic implications identified in 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.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

The non-negotiables

Our legislative, governance and compliance requirements will be met.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
There is a risk that a breach of Council policy or procedure, caused by a lack of knowledge of policy and procedure requirements, may result in reputational loss and financial loss arising from legal	Possible	Moderate	Medium	Policy Review Training for Councillors and Officers Regular reporting

action.				
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Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Consult	Council's Local Law No. 4 requires that the community be consulted about any major policy.	Council will advertise its intention to adopt this policy in the Wangaratta Chronicle and place a notice on Council's website

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

Options for Consideration

Council has the following options available to it:

1. Do nothing – not recommended as the existing policy may be confusing to Councillors and Officers and is requiring review; or
2. Endorse the draft policy to be placed on public exhibition.

Conclusion

Council officers have reviewed the current Gifts, Benefits and Hospitality Policy as it is due for review.

Attachments

- 1 Draft Gifts, Benefits and Hospitality Policy ➡
- 2 Community Impact, Competition Policy and Human Rights Charter Assessment ➡

Gary Nevin – Bobinawarrah

Gary referred to the attachments and asked if we could do better at providing documentation.

The Mayor responded that a phone call would requesting documentation would suffice. The Mayor expressed that he didn't believe printing the full agenda at 400 pages would be efficient.

14. COMMUNITY WELLBEING

14.1 APPOINTMENT OF YOUTH COUNCIL 2017-18

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	20 February 2018
Author:	Youth Development Officer
File Name:	YOUTH COUNCIL 2017/18
File No:	S17/1813

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

Executive Summary

This report is presented to Council to seek endorsement of the selected nominee for membership of the Rural City of Wangaratta Youth Council 2017-18.

RESOLUTION

(Moved: Councillor A Fitzpatrick/Councillor H Benton)

That Council appoints Breanna Barlow-Weir to represent her peers in the 2017/18 Youth Council Program.

Carried

Background

The Rural City of Wangaratta's Youth Council is an Advisory Committee of Council, established to provide a voice for young people to engage with Council and the community. Through the Youth Council program, young people are given opportunities to:

- represent their peers;
- become involved in community activities;
- gain a wider understanding of community issues;
- advocate for youth projects and programs; and
- enhance their leadership skills.

Nominations were recently invited to fill a single position for membership of the Rural City of Wangaratta Youth Council for the remainder of the 2017/18 term. This vacancy developed when an elected member of the Youth Council became unable to continue their service as a Youth Councillor.

Nominations were sought from local secondary schools including:

- Wangaratta High School;
- Galen Catholic College;

- Cathedral College;
- Borinya Wangaratta Community Partnership;
- Wangaratta District Specialist School; and
- GOTAFE.

Nominations were also sought from local youth service providers. One nomination was received as part of this process and the nominee was required to submit a nomination form with set criteria outlining why they wanted to be part of Youth Council and attend an interview with set questions.

All candidates were measured against set pre-established criteria including the following:

- broad cross section of schools represented;
- gender;
- suitability;
- team fit; and
- ability to represent their peers.

Following interviews, a panel consisting of the Family & Early Childhood Services Coordinator and Youth Development Officer sought to ensure that the candidate met the broad cross section of criteria.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Thriving

We will plan, research and advocate for the future:

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 and children to be healthy, happy and connected.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

Work with young people to further develop activities for youth.

b) Municipal Public Health & Wellbeing Plan 2017 - 2021

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

c) Rural City of Wangaratta Youth Charter

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

Options for Consideration

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

Conclusion

The nomination process for Youth Council has followed procedures outlined in Section 5 of the Youth Council Charter and has been presented at a Councillor Briefing Forum for consideration prior to endorsement. The Youth Council incorporates representatives from all of the Rural City's secondary education institutions, both new and returning participants, and a varied range of interests and personal experiences.

The proposed recommendation is presented to Council for its consideration.

Attachments

Nil

14.2 COMMUNITY ENGAGEMENT POLICY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Executive Assistant Community Wellbeing
File Name: STRATEGIC MANAGEMENT - STRATEGIC PLANNING DOCUMENTS - WANGARATTA COMMUNITY ENGAGEMENT STRATEGY
File No: F16/1647

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 Draft Community Engagement Policy. This strategic policy outlines the scope and commitments of Council's community engagement practices and responsibilities and will inform the development of Council's Community Engagement Toolkit. The policy will guide the implementation of community engagement practices across all areas of the organisation.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor D Rees)

That Council:

- 1. Endorses the Draft Community Engagement Policy for public exhibition***
- 2. invites public submissions regarding the Community Engagement Policy up to close of business on Friday 23 March, 2018***
- 3. If submissions are received under the Local Law:***
 - a. Convenes a Special Council Meeting to hear from any person or persons who request to be heard in support of their written submission***
 - b. Receives a report on any Local Law submissions and any hearings held and resolves the Community Engagement Policy at the Ordinary Council Meeting of 17 April 2018***
- 4. If no submissions are received under the Local Law, resolves to adopt the Community Engagement Policy without further resolution of Council.***

Carried

Background

Effective community engagement helps to achieve enhanced outcomes for both Council and community and should form a fundamental part of significant project planning and decision making. It provides an opportunity to build relationships and trust, to identify and appreciate risks and opportunities, and helps to determine potential solutions and common goals. For Council, our commitment to community engagement reflects our understanding that what we do has enormous impacts on the way people live within our communities.

The draft Community Engagement Policy is the first step in providing consistency to the way we engage with our community. It responds to and reflects the Local Government Act, the Victorian Auditor-General's report on Public Participation and Community Engagement – Local Government, and is based on the International Association of Public Participation Framework.

The previous strategy was adopted in June 2008. Council endorsed a Community Engagement and Communication Strategy which has guided the way in which Council has engaged with our Community. There has been a significant shift in the way in which we engage with our community particularly through social media and other platforms, and community expectations and interest in engagement has also changed. The development of the new policy reflects engagement and communication strategies that are more reflective of the way in which our community prefers to engage in important conversations with Council.

Implications

Policy Considerations

The Community Engagement Policy will replace the Community Engagement Strategy and Communication Strategy both of which were endorsed by Council in June 2008.

It is anticipated that following the adoption of the Community Engagement Policy, a comprehensive Community Engagement Toolkit will be developed to support its implementation.

Financial/Economic Implications

There are no financial or economic impacts for the development of the Community Engagement Policy.

The implementation of the Community Engagement Policy and the development and implementation of the Community Engagement Toolkit will require consistency and more thorough engagement, and encourage council officers to consider more creative engagement techniques. Some of these processes may involve costs for implementation as well as resources to drive the delivery of the process.

Legal/Statutory

Community engagement is a statutory requirement of all Council's under the Local Government Act and is a critical tool that underpins good governance, decision making and outcomes in our community. It is expected that the requirements of Victorian Councils to implement community engagement processes will increase under changes to the Local Government Act later in 2018 – these proposed changes are reflected within the draft policy.

For best practice, Council should ensure it complies with the Victorian Auditor-General's report on Public Participation and Community Engagement – Local Government. The elements of this report have all been addressed and responded to within the draft policy.

Social

The implementation of a consistent approach to community engagement has many benefits for the community. It forms the basis of Council and community working in collaboration to achieve common objectives. It provides mechanisms to manage issues identified by the community, and allows for collaborative and informed decision making. Effective engagement with the community will help to build a relationship of trust and respect, develop Council's capacity to build effective partnerships with community and stakeholders and utilise community knowledge to achieve shared goals.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan

This report supports the 2013-2017 Council Plan:

Goal

We are Thriving

We will plan, research and advocate for the future:

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 and children to be healthy, happy and connected.

We will focus on our business:

By making sure that all our teams work together to plan, develop and deliver innovative projects that enhance the health and wellbeing of our community.

The non-negotiables

Our urban and rural townships are safe and equitable. Everyone can participate and contribute.

Strategic Links

- a) Rural City of Wangaratta 2030 Community Vision
- b) Following the endorsement of the Community Engagement Policy and subsequent development of the Community Engagement Strategy and Community Engagement Toolkit, it will link to various Council Strategies and Corporate Plans and form an essential basis for all Council engagement practises.

Risk Management

Effective engagement helps to mitigate risks associated with decision making by facilitating an understanding of community need and priorities. This policy directly responds to the risks of engagement by articulating clear mechanisms for process planning, information collection and data use and response.

Council must ensure that this policy and appropriate engagement strategies are developed and implemented with compliance to the statutory requirements outlined in the Local Government Act.

Consultation/Communication

The development of this draft Community Engagement policy involved extensive consultation with Council officers. Amendments identified as part of the consultation have been addressed and reflected in the revised draft document.

The draft document will now be presented to the community for review. This process will enable the community to share their views regarding the practices and processes we use to engage with issues of importance.

Options for Consideration

- 1. Council endorses the draft policy and places the policy out for community review before adoption
- 2. Council does not endorse the draft policy and further develops the policy

Conclusion

This policy reflects the expectations and priorities of our community in regards to engagement with Council. Community engagement is a vital and important part of what we do, and helps support thorough and responsible decision making, trusting relationships and positive outcomes. This policy allows for a transparent and consistent approach to the way in which we engage with our community about the things that matter.

Following the endorsement of the Community Engagement Policy, a comprehensive Community Engagement Toolkit will be developed to support its implementation.

Attachments

- 1 DRAFT COMMUNITY ENGAGEMENT POLICY [⇒](#)
- 2 COMMUNITY ENGAGEMENT POLICY COMMUNITY IMPACT
STATEMENT HUMAN RIGHTS CHARTER FINAL.pdf [⇒](#)

14.3 ADVISORY COMMITTEE APPOINTMENTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Manager - Arts, Culture and Events
File Name: COUNCIL'S COMMITTEES
File No: 10.020.008

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

Executive Summary

This report is presented to Council to provide the outcome of the Expression of Interest and make recommendations for membership of Council's Arts, Culture & Heritage Advisory Committee.

RESOLUTION:

(Moved: Councillor D Fuller/ Councillor H Bussell)

That Council resolves to appoint Annie O'Shea, Adrian Vaughan and Carolyn Hicks as representatives on the Rural City of Wangaratta Arts Culture & Heritage Advisory Committee (ACHAC) for a three year term ending in February 2021.

Carried.

Background

Membership of Council's Arts, Culture & Heritage Advisory Committee is made up of the Councillor holding the Arts, Culture and Heritage portfolio, up to 10 appropriately skilled representatives of the community based on an established skills matrix and Council officers.

Committee members of ACHAC are appointed as voluntary members to set terms of service. There were three vacancies for ACHAC. Expressions of interest were publicly called in December 2017 with four nominations received.

The candidates were assessed against the committee's skills matrix. In doing so, the existing skills set of the incumbent committee members were also taken into consideration. The selection criteria are based on the objectives of the committee which are:

- experience and skills;
- to provide advice on arts, cultural and heritage issues;
- to promote arts, cultural and heritage opportunities;
- to encourage and facilitate joint initiatives and to ensure all sectors of the community have the opportunity to provide input and
- Skills matrix

A copy of the skills matrix completed for the applicants is attached (***refer confidential attachment***).

Four applications for three vacancies were received.

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 this subject of this report.

2017 - 2021 Council Plan

This report supports the 2017 – 2021 Council Plan.

Goal

We are Inspired

We will research and advocate:

For our community to have access to quality and exciting arts and cultural experiences.

We will create and deliver:

Engaging public art that helps to make our city and rural communities more vibrant

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 recommended candidates are not appointed by Council	Unlikely	Insignificant	Low	Re-advertise

Consultation/Communication

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

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. Outgoing members will be thanked for their support and involvement in Council's advisory committee process.

Conclusion

Following consideration of the Expressions of Interest applications for ACHAC the new appointment will assist the committee in continuing to provide Council with advice, feedback and guidance.

Attachments

- 1 ARTS CULTURE AND HERITAGE ADVISORY COMMITTEE SKILLS MATRIX FEBRUARY 2018 - Confidential

Cr D Fuller acknowledged staff efforts in developing the matrix and appointments for this committee.

14.4 CORONATION KINDERGARTEN EARLY LEARNING FACILITY UPGRADE

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Community and Recreation Officer
File Name: Coronation Kindergarten Upgrade
File No: F17/645

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 request the allocation of funding within the current financial year to enable the commencement of a project to upgrade the Coronation Kindergarten.

An amount of \$50,000 is required to meet preliminary expenditure towards a total project cost of \$455,032. Council and the Kindergarten Committee has been successful in securing funding from the Children's Facilities Capital Program 2018/19, of \$334,500. A further contribution of \$110,532 is required from Council toward the project across both the 2017-18 and 2018-19 financial years.

It is proposed that \$50,000 be allocated from this contribution amount, from Council's Building Renewal budget in the 2017/2018 year. This allocation will enable the project planning to start immediately, allowing a construction completion date prior to the start of the 2019 school year.

RESOLUTION:

(Moved: Councillor M Currie/Councillor A Fitzpatrick)

That Council:

- 1. confirms acceptance of the grant from the Children's Facilities Capital Program***
- 2. allocates funds of \$50,000 from its Building Renewal budget 2017/2018 toward the upgrade of Coronation Kindergarten; and***
- 3. commits to the further contribution of \$60,532 to be allocated into the 2018/19 budget toward the upgrade of Coronation Kindergarten.***

Carried

Background

The Coronation Kindergarten has major deficiencies in its current condition. Design and layout, facilities and amenity are all significantly lacking. This impacts the delivery of programs, the quality of work and learning environment, and the

capacity to provide contemporary and flexible programs to children who attend the Kindergarten.

It has been a priority to upgrade the Kindergarten facility for several years. Recently Council, in partnership with the Committee was successful in obtaining funding to facilitate the project.

The Kindergarten facility is owned by Council and is upon Crown land. The Kindergarten is part of the North East Regional Preschool association (NERPSA).

Council will project manage the upgrade of Coronation Kindergarten at a total cost of \$455,032. Funding of \$334,500 has been approved from the Children's Facilities Capital Program 2018/19 and under the Funding Agreement the first milestone payment of \$167,250 will not be due until 17/08/2018. Consequently council will need to meet preliminary expense of \$50,000 in this financial period from its own resources. The remaining financial contribution amount from Council (\$60,532) will be allocated in the 2018/19 financial period budget.

Implications

Policy Considerations

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

Financial/Economic Implications

It is proposed that council allocate funds from its Building Renewal budget 2017/2018 toward the upgrade of Coronation Kindergarten. A further amount is request for commitment in the 2018/2019 budget of \$60,532.

	2017/2018 Approved Budget for this proposal	This Proposal \$	Variance to Approved Budget \$	2018/2019 proposed budget	Comments
Revenue /Income				\$334,500	Grant money
Expense	0	\$50,000	\$50,000	\$60,532	
Net Result					

Legal/Statutory

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

Social

Research shows that children who have a stimulating, supportive and healthy start to life are more likely to do well later in life. The upgrade of Coronation Kindergarten will offer children welcoming and accessible facilities with modern, bright and practical areas for learning and play.

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 Thriving

We will research and advocate:

- To ensure that the health needs of our community are understood and considered
- 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

We will plan and make decisions for the future:

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

The non-negotiables

- Our families can access affordable and high quality services for their children.
- As a community we take responsibility for the health, happiness and development of our children.

Strategic Links

Municipal Public Health and Wellbeing Plan 2017-2021

1.3 Children who are safe and protected

5.1 Community spaces that enable activity

- 5.1.1** Ensure planning for new and redeveloped community facilities incorporates universal design principles.
- 5.1.4** Ensure key community facilities, precincts and spaces are family friendly to ensure parents and carers can easily participate in community life.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeline for upgrade of Coronation Kindergarten not met	Possible	Moderate	Medium	Council staff, Coronation Kindergarten staff and NERPSA will work to a Project Plan to ensure a temporary relocation for 2018 kindergarten children and a smooth transition to upgraded facility in 2019

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Community	Media release
Consult	Kindergarten staff & COM, NERPSA	Meetings and email
Involve	Kindergarten staff & COM, NERPSA	Meetings and email
Collaborate	Feedback from Kindergarten staff & COM, NERPSA	Meetings and email
Empower	Inclusive ownership of upgrade project	Families, children and teacher of Coronation Kindergarten

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

Conclusion

This project will achieve a significant upgrade to an important community facility within the City. The facility, once upgraded, will provide an environment that supports an inclusive, accessible and enjoyable environment for learning.

Attachments

Nil.

15. INFRASTRUCTURE SERVICES

15.1 NAMING OF PEDESTRIAN BRIDGE OVER THE OVENS RIVER

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Executive Assistant - Infrastructure Services
File Name: Place Naming Committee - Naming of pedestrian bridge over Ovens River
File No: S18/752

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 a proposal to formally name the pedestrian bridge over the Ovens River from Mundgee Place to Bickerton Street.

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

That Council:

- 1. advertise its intention to formally name the pedestrian bridge over the Ovens River as “The Stockbridge” linking history to the location; and***
- 2. seek feedback on the proposal from referral authorities; and***
- 3. report any feedback received to the April Council meeting.***
- 4. if no submissions are received, resolves to adopt the name without further resolution of Council.***

Carried

Background

During late 2017 when the formalisation of the Bullawah Cultural Trail naming and advertising of the Mundgee Place proposal was underway it was brought to the attention of the Place Naming Committee by Ambulance Victoria that the pedestrian bridge over the Ovens River from Mundgee Place to Bickerton Street was not formally named.

It is important that roads and features such as bridges and trails are named and sign posted so that emergency services are able to find the location that is provided through calls to triple zero.

The Place Naming Committee considered the request to name the bridge at its meeting held on 21 November 2017. Consideration was given to the historical links to the location of the former “Stockbridge”.

The old timber “Stockbridge” became superseded for vehicles by the concrete bridge further upstream on Parfitt Road and continued to be used as a pedestrian bridge for many years. The Stockbridge also supported two large sewerage pipes across the river. In late 1994 the City of Wangaratta engaged contractors Waldren Bridges to construct the current pedestrian bridge that continues to support the sewerage pipes and was opened to the public on 13 January 1995.

Since construction the pedestrian bridge has continued to be known and referred to locally as “The Stockbridge” and the Place Naming Committee considers that it is appropriate to formally name the pedestrian bridge as “The Stockbridge” for historical reasons.



Implications

Policy Considerations

Council’s Naming Roads, Streets and Other Accessways Policy.

Financial/Economic Implications

Bridge signs will need to be installed at each end of the pedestrian bridge at minimal cost.

Legal/Statutory

Naming rules for places in Victoria (the naming rules) must be adhered to.

Social

Linking history to the location and using locally known names is desirable when naming roads and features. Naming roads and features is required to allow the community to give accurate advice of their location in times of emergency.

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 established

We will plan, research and advocate for the future:

To address traffic, parking and pedestrian challenges to create communities that are safe, easy to navigate and accessible.

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
Consult	Seek public and referral authority feedback into the naming proposal.	Wangaratta Chronicle Council's website

Conclusion

The Place Naming Committee have considered the historical links to the location and the locally known name and therefore recommend that Council advertise its intention to formally name the pedestrian bridge over the Ovens River as "The Stockbridge".

Attachments

Nil.

15.2 NORTH WANGARATTA RECREATION RESERVE - OVAL REMEDIATION

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Executive Assistant - Infrastructure Services
File Name: North Wangarata Oval Remediation Rectification
File No: T1718/033

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

Executive Summary

This report is presented to Council for the disclosure of details of T1718/033 North Wangaratta Recreation Reserve rehabilitation as per the resolution of the 21 November 2017 Council meeting.

RESOLUTION:

(Moved: Councillor H Benton/Councillor D Fuller)

In accordance with the 21 November 2017 Council meeting resolution:

Contract T1718/033 was awarded to Gordon Gibson Nominees Pty Ltd for the amount of \$1,312,905.00 incl GST and works have commenced.

Carried

Background

Following approval of funding of \$3.0M from the Department of Environment, Land, Water and Planning (DELWP) for removal of lead contaminated soil and rectification of the North Wangaratta Oval, Council at its meeting held on 21 November 2017, resolved as follows:

“That Council:

- 1. Authorise the CEO to accept the grant funding for the clean-up and rehabilitation of the North Wangaratta Recreation Reserve, and*
- 2. Authorise the CEO to expend these funds in accordance with the grant funding conditions and the project stages and estimates detailed in the confidential attachment.*
- 3. To disclose the contract price at the February Council meeting.”*

Tenders for T1718/033 North Wangaratta Oval Rectification were invited through advertisements in the Wangaratta Chronicle on 8 December 2017 and Tenderlink from 1 December 2017. Tenders closed at 2pm on 4 January 2018.

The evaluation panel for this tender comprised of Council's Project Engineer, Design Engineer and Delivery & Contracts Coordinator.

Two tenders were received, as follows:

Tenderer
Gordon Gibson Nominees Pty Ltd
Watters Electrical

The tender received from Watters Electrical was non- conforming as it contained only the completed electrical schedule and no other information. Watters were contacted regarding their submission and they stated that they were not tendering as a head contractor but only for the electrical contract. Taking this into consideration their tender was not considered further in the evaluation.

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

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

Score	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
90	Excellent	Demonstrated capacity exceeds all required standards.
70	Good	Complies with all required standards and capacity demonstrated.

50	Satisfactory	Complies with relevant standards without qualifications.
30	Marginal	Complies with relevant standards with qualifications.
0	Unsatisfactory	Fails to satisfy required standards.

Implications

Policy Considerations

Procurement Policy.

Financial/Economic Implications

The budget funding for these works is provided by DEWLP as part of the \$3M provided for the clean-up of the North Wangaratta Recreation Reserve and the Wangaratta Clay Target Club.

The tender price is within available budget and estimates provided by the design consultant.

Legal/Statutory

Formal clean-up notices have been issued to Council and as such there is a legal responsibility for Council to meet all of the conditions contained within these notices.

Social

The lead contamination has resulted in the closure of parts and at some stages all of the Recreation Reserve, which has had a significant negative social impact and the earliest possible re-opening is highly desirable.

Environmental/Sustainability Impacts

The contamination is a significant environmental hazard and the clean-up and rectification works are essential.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are thriving

We will plan and make decisions 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.

What we do every day

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**

N/A

b) Other strategic links

N/A

Conclusion

Gordon Gibson Nominees were the only tenderer who submitted a conforming tender. The tender price submitted is within 2.2% of cost estimates produced by the design consultant and therefore it was determined that Council is getting value for money.

Attachments

Nil.

Terry Wagstaff - Wangaratta

Terry asked where the contaminated soil being removed would be moved to?

Alan Clark responded that the soil has a temporary home at the gun club now and that soil will be considered as part of the EPA clean-up plan for all the contaminated soil already at the gun club.

Terry asked where the final destination would be?

Alan Clark responded what we do not know yet and it would depend on the clean-up plan which will be prepared by an environmental consultant which would then need to be approved by an auditor approved by the EPA then finally approved by the EPA. The main objective is to get the football/netball club up and going.

Councillor H Bussell asked whether the \$3 million would be used to remove the soil?

Alan Clark responded that the \$3million was allocated for the clean-up of both sites and the remediation at the oval. The \$1.3 million is the first stage of the clean-up and once we know what the clean-up plan is we can use the balance towards that project.

15.3 PROPOSAL TO NAME THE WANGARATTA SQUASH & RACQUETBALL COURTS AT WANGARATTA INDOOR SPORTS & AQUATIC CENTRE

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Executive Assistant - Infrastructure Services
File Name: Naming of Squash & Raquetball Courts at WISAC
File No: S18/753

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 a request received from the Wangaratta Squash & Racquetball Club to name the courts after a life member and promoter of squash and racquetball in Wangaratta and nationally.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor D Rees)

That Council:

- 1. advertises its intention to name the Squash & Racquetball courts at the Wangaratta Indoor Sports & Aquatics Centre as the “John Broadway Squash & Racquetball Courts”;***
- 2. seeks public and referral authority feedback; and***
- 3. reports on feedback received to the April Council meeting.***
- 4. if no submissions are received, adopts the name without further resolution of Council.***

Carried

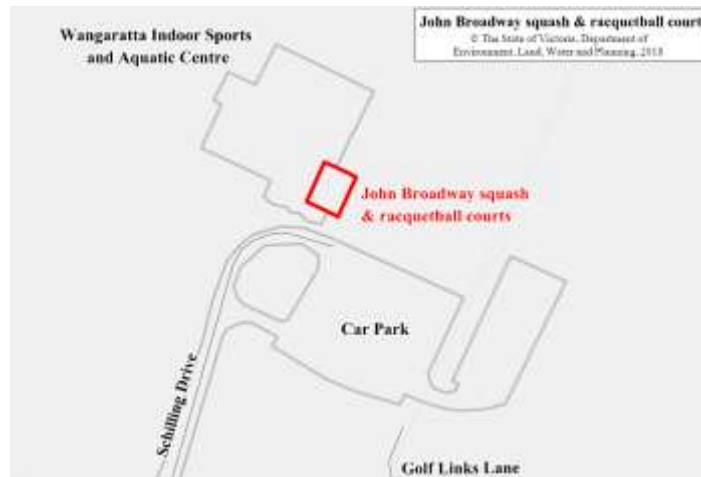
Background

The Place Naming Committee received a request from the Wangaratta Squash & Racquetball Club to name the Squash & Racquetball courts at the Wangaratta Indoor & Aquatics Centre (WISAC) after life member John Broadway who sadly passed away suddenly in January 2017.

John was a well-respected community member in the area. His involvement in staging competitions and tournaments at the Wangaratta Squash and Racquetball courts was at the highest level in Australia. His efforts brought both national and international players to town which resulted in tourism and financial benefit to Wangaratta for many years. His legacy continues as the Club will continue to host national tournaments - the next being in April 2018.

Further information about John's community contribution can be found in the attached (***refer attachment***).

The Wangaratta Squash and Racquetball courts are located within the Wangaratta Indoor Sports and Aquatic Centre (WISAC) at the HP Barr Reserve, Schilling Drive, Wangaratta. See location map below:



Implications

Policy Considerations

Council's Place Naming Policy 2017.

Financial/Economic Implications

A sign will need to be installed within WISAC at minimal cost.

Legal/Statutory

Naming rules for places in Victoria (the naming rules) must be adhered to.

Social

Naming the squash and racquetball courts is an appropriate way of recognising the late John Broadway's contribution to the sports of Squash & Racquetball in Wangaratta and nationally.

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

What we do everyday

We celebrate our diverse cultural heritage and the history of our place and people

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
Consult	Seek public and referral authority feedback into the naming proposal.	Wangaratta Chronicle Council's website

Conclusion

The Place Naming Committee have considered the information provided by the Wangaratta Squash & Racquetball Club and believe that the contribution of the late John Broadway to be considerable locally and nationally and worthy of recognition in this way. The Committee therefore recommend that Council advertise its intention to name the courts at WISAC as the "John Broadway Squash & Racquetball Courts".

Attachments

- 1 Supporting information for John Broadway naming proposal [↗](#)

15.4 DRAFT WASTE MANAGEMENT STRATEGY 2018-2023

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Waste Management Coordinator
File Name: Waste Management Strategy
File No: S17/2541

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 place the draft Waste Management Strategy 2018-2023 (WMS) on public exhibition for public comment and feedback.

RESOLUTION:

(Moved: Councillor D Rees/Councillor D Fuller)

That Council:

- 1. Endorses the draft Waste Management Strategy for public exhibition, and places a notice to this effect in the local newspaper;***
- 2. Places the draft WMP on public display for a period of 28 days, during which time public submissions are invited;***
- 3. If submissions are received, review a further report at the conclusion of the public display period, detailing the submissions received, and recommended changes to the WMP;***
- 4. Reviews, and considers adopting the Draft Waste Management Strategy at the Ordinary Council Meeting on 15 May 2018, taking into consideration all submissions made.***
- 5. if no submissions are received, adopts the name without further resolution of Council.***

Carried

Background

The first WMS was approved by Council in 2013. This strategy achieved the implementation of the current waste services offered by Council, this included the introduction of the food and garden waste bin. The targets set in the last plan have now been completed, and the development of this strategy was crucial in continuing to build on the previous outcomes. This WMS has been rewritten to align with State and Regional Waste Implementation plans.

The WMS sets out clear objectives, targets and actions in line with the overall vision for this strategy:

The Rural City of Wangaratta will be a leader in resource recovery, we will work with our community to deliver waste solutions that achieve outstanding social, environmental and economic outcomes, our community will become a cleaner and healthier place to live, work and recreate.

This WMS has been developed to create a comprehensive vision for sustainable waste management over the next 5 years. The WMS identifies gaps between the current and desired position and details the best way of moving forward. It aims to continue to achieve improvements in recycling, including reduced contamination and increased recovery; improvements in utilisation of food and garden waste bins; improved use and efficacy of transfer stations and increased support for the community with adapting to changes associated with the Victorian State Government policy to increase electronic waste recycling.

Implications

Policy Considerations

Council's Waste Charge Policy

Financial/Economic Implications

The implementation of the WMS has targeted actions to reduce waste to landfill. This will have both cost benefits and cost expenditure to achieve the overall objectives and vision of the 5 year plan.

Legal/Statutory

The management of waste is legislated under the Environmental Protection Act 1970.

Social

The management of waste by Council is a community expectation. This strategy used a triple bottom line approach when evaluating the actions proposed within the WMS.

Environmental/Sustainability Impacts

There are only positive environmental/ sustainability impacts identified for the implementation of this strategy. Increased recycling and the further diversion of materials from landfill, as well as waste avoidance are a key focus for this strategy.

2017 – 2021 Council Plan

This report supports the 2013-2017 Council Plan:

Goal

We are Sustainable

We will research and advocate:

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

We will create and deliver:

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

We will plan and make decisions for the future:

To assist the community to reduce their impact on the environment.

We will focus on our business:

By developing and implementing long term management plans.

The non-negotiables

Our protection of the environment underpins our development, projects and decisions.

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

A healthy environment:

- The Rural City of Wangaratta is a 'zero waste' community with no waste disposed of to landfill.

b) Other strategic links

- North East Waste and Resource Recovery Implementation Plan 2017
- Statewide Waste and resource Recovery Infrastructure plan Victoria 2015-44

Consultation/Communication

As part of the development of the new WMS, extensive consultation was held with the community in the form of media releases, Facebook posts, waste surveys and community workshops.

The results from the survey and the workshops are included as an appendix to the WMS. The information gained from the community has helped influence and shape the strategic direction of the strategy.

Officers believe that appropriate consultation has occurred and the matter is now ready for advertising to seek further feedback from the community.

Conclusion

The WMS has been developed to meet community expectations, as well as State and Regional implementation plans. This WMS will provide the strategic direction for waste management for Council over the next 5 years.

Attachments

- 1 Draft Waste Management Strategy 2018-2023 [↗](#)

Anne Dunstan - Tarrawingee

Anne congratulated Council on the hard work that went into the development of this policy and expressed that consultation with the broader community was great.

Anne referred to the council bins provided in the CBD and park areas and asked if the introduction of the 3 bin system was addressed in the policy and asked if the illegal dumpings have increased since the bins went to fortnightly pickups?

Alan Clark responded that we did see a spike in illegal dumping when the 3 bin system was first introduced however that settled down reasonably quickly. Alan mentioned that there are still dumpings that occur in the rural areas particularly in the holiday season however it seems to be working really well now in the urban area.

Ron Summers – Wangaratta

Ron referred to recent reports that China were no longer collecting recyclables from Australia and asked how Wangaratta will be affected.

Alan Clark responded that our recycling contractors have sent letters to all Councils they service . Our contract is slightly different to many others as we pay for a bin lift which means as soon as they lift a bin the contents becomes theirs and therefore we believe we are in a very strong position given what is currently occurring.

15.5 TREE MANAGEMENT PLAN 2018

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Asset Officer - Arborist, Asset Planning
File Name: Tree Management Plan
File No: D18/7175

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 review the contents of the Tree Management Plan (TMP) to be released for community feedback.

The TMP was identified as a required action in the 2016-2020 Tree Management Strategy. The TMP sets out and identifies;

- Trees that Council are and are not responsible for;
- Proactive and reactive inspection schedules;
- Reactive response times;
- The recognition and management of Council's Significant Trees;
- Expectations for tree protection, and compensation for damage and unauthorised works; and
- Guidelines for tree removal, planting, pruning and root management.

An increased awareness of the importance of trees in the urban environment and the services they provide has resulted in an ever increasing demand for a greener city. Council, as service providers, need to be accountable and demonstrate to the community how we plan to manage our tree assets.

The Tree Management Plan outlines how Council intends to achieve this goal.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor H Benton)

That Council:

- 1. Endorses the draft Tree Management Plan for public exhibition, and places a notice to this effect in the local newspaper;***
- 2. Places the draft TMP on public display for a period of 28 days, during which time public submissions are invited;***
- 3. If submissions are received:***
 - a) reviews a further report at the conclusion of the public display period, detailing the submissions received, and recommended changes to the TMP;***
 - b) Reviews and considers adopting the Draft Tree Management Plan at the Ordinary Council Meeting on 17 April 2018, taking into***

consideration all submissions made.

4. If no submissions are received, adopts the draft Tree Management Plan without further resolution of Council.

Carried

Background

Council is required to complete tree maintenance under several Strategic documents, Plans and Policies. The Tree Management Plan will provide guidance and consistency in the management of Wangaratta's urban trees and thus reduce Council's risk exposure from trees.

Implications

Policy Considerations

- *Asset Management Policy*
- *Road Management Plan*

Financial/Economic Implications

Should the TMP and associated Tree Valuation and compensation methods outlined be adopted, there is potential for Council to receive income to compensate for tree removals associated with development. This income will be used to reduce the cost impact of tree replacement.

Legal/Statutory

The management of Councils trees must meet many legislative requirements including Australian and State legislation, and State regulations. This legislation primarily concerns tree protection and conservation, and electric line clearance.

Social

- Trees encourage relaxation and a sense of wellbeing;
- Trees can define a space and provide privacy and security;
- Long lived trees provide a link between generations, and can be considered living memorials;
- Greener neighbourhoods tend to have less incidence of violence and vandalism than treeless areas;
- Hospital patients have been shown to recover more quickly from surgery when their room has a view of trees. They also have fewer complaints, require less painkillers, and leave hospital sooner;
- Documented studies have shown that exposure to nature can result in slowed heartbeats, lower blood pressure and more relaxed brain wave patterns;

- Tree lined parks and paths encourage outdoor activities, making outdoor areas more liveable, and improving the likelihood of regular exercise by residents.

Environmental/Sustainability Impacts

- Trees reduce air temperature by blocking sunlight. Further cooling occurs through the process of evapotranspiration (the evaporation of water from the leaves surface);
- The shading of hard surfaces, such as paths, driveways and roads reduces heat glare and the resulting urban heat island effect. It may also extend the useable life of the surface;
- Trees in leaf can decrease wind speed, reducing the impact of wind on buildings, and the loss of internal heating and cooling;
- Well placed trees can absorb noise, act as a sound barrier, and can screen undesired views;
- The foliage of trees can trap airborne dust and particles, essentially acting as an air filter;
- Trees contribute to the local ecosystem, providing food and habitat for wildlife;
- Trees absorb carbon dioxide and other harmful gasses and generate oxygen for release;
- Trees minimise soil erosion by slowing surface water runoff, reducing the accumulation of sediment in creeks and rivers.

2017-2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Established:

The Fine Print- Tree Management Strategy

We are Inspired:

We acknowledge and recognise the diversity of our municipality and our landscape

We are Sustainable:

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.

We will plan, research and advocate for the future

- *By completing asset management plans to outline key elements involved in managing Council assets.*

- *To ensure our risks are managed strategically and effectively.
We will create and deliver enhanced urban areas with vegetation corridors for environmental, recreational and aesthetic benefit to the community.*

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

A healthy environment:

- The extent of tree coverage across the urban and rural landscapes has increased, with remnant vegetation strongly protected.

b) Other strategic links

- *Tree Management Strategy 2016-2020;*
- *Asset Management Strategy 2017-2021*
- *Council Plan 2017-2021*

Risk Management

The proposed Tree Management Plan aims to achieve high standards of transparency, accountability and risk management.

Consultation/Communication

Copies of the draft Tree Management Plan 2018-2022 will be available on Council's website, at the Wangaratta Government Centre and will be advertised in accordance with the recommendation. Submitters will receive a response addressing their concerns as part of the review process.

Conclusion

The draft Tree Management Plan has been written to provide guidance and consistency in the management of Wangaratta's urban trees. The TMP focuses on the long term sustainability and maintenance of Council's tree assets in order to preserve our Urban Forest for future generations.

Attachments

- 1 Tree Management Plan DRAFT ➡

15.6 REVIEW OF 2017/18 CAPITAL PROJECTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Manager - Infrastructure Planning and Delivery
File Name: Budgeting - 2017/18
File No: F17/5

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 has been presented to Council to provide a summary of the detailed 2017/18 Capital Expenditure (CAPEX) delivery review. A number of projects are behind schedule, whilst others have been completed under budget or are predicted to require additional funds. This report tries to provide a realistic view of what is achievable in the balance of the financial year and recommends some changes to enable the most efficient result.

RECOMMENDATION:

(Moved: Councillor H Benton/Councillor D Rees)

That Council:

1. *Brings forward the Swinburne Pavilion floor renewal project from 2018/19 for delivery in 2017/18 and \$45,000 to be funded from the 2017/18 Community Rural Planning budget;*
2. *Allocates \$50,000 of the 2017/18 Building Renewal Budget to the delivery of the Coronation Kindergarten project;*
3. *Allocates \$35,000 of the 2017/18 Community Rural Planning Budget to the delivery of the Murmungee Hall project;*
4. *Allocates \$50,000 of the 2017/18 Reseal Budget to the delivery of the Thompson Street (Street Renewal) project;*
5. *Approves the budget increase of \$27,000 to complete the Merriwa Park Pump Repair project and that the additional funds needed be absorbed by project savings in 2017/18;*
6. *Approves Option 2 for the HP Barr Oval Two Drainage and Restoration project (\$330,000) and the Barr 2 Oval Optus Tower project (\$172,000) and carry over project costs and approve an additional \$450,000 in the 2018/19 budget for delivery in 2018/19; and*
7. *Allocate \$20,000 to the children's garden design project.*
8. *Allocate \$40,000 to the Eldorado Hall roof project.*

RESOLUTION:

Councillor M Currie moved an amendment:

That Council:

- 1. Brings forward the Swinburne Pavilion floor renewal project from 2018/19 for delivery in 2017/18 and \$45,000 to be funded from the 2017/18 Community Rural Planning budget;***
- 2. Allocates \$35,000 of the 2017/18 Community Rural Planning Budget to the delivery of the Murmungee Hall project;***
- 3. Allocates \$50,000 of the 2017/18 Reseal Budget to the delivery of the Thompson Street (Street Renewal) project;***
- 4. Consider the budget increase of \$27,000 to complete the Merriwa Park Pump Repair project and that the additional funds needed be absorbed by project savings in 2017/18;***
- 5. Approves Option 2 for the HP Barr Oval Two Drainage and Restoration project (\$330,000) and the Barr 2 Oval Optus Tower project (\$172,000) and carry over project costs and consider an additional \$450,000 in the 2018/19 budget for delivery in 2018/19; and***
- 6. Allocate \$20,000 to the children's garden design project.***
- 7. Allocate \$40,000 from the Council Building Renewal budget for the Eldorado Hall roof project.***

Cr D Rees seconded the motion.

Carried

Background

A summary of the projects that require consideration for delivery timing or budget changes are as follows:

1. Coronation Kindergarten project has received some grant funding that requires work to commence this financial year and thus it is recommended to bring forward \$50,000.
2. Swinburne Pavilion floor renewal project was scheduled for completion in 2018/19, the project is ready for delivery and can be brought forward.
3. The Murmungee Hall project has been out for competitive quotes and based on the final design/scope the most competitive quote was \$94,000 which is \$35,000 above the current budget. The work is much needed and the quotes are considered to represent value for money.
4. Two quotes were recently received for the Merriwa Park pump replacement project, revised budget of \$71,000. One quote was non-conforming and the other was over budget by \$27,000. Given the urgency of these works, this report recommends that works proceed and the over spend be absorbed by 2017/18 budget savings as follows:

Project	Savings
Merriwa Park Asbestos Remediation Works	\$7,396
Reception Area CCTV Upgrade	\$5,135
Newman Street Drainage	Estimated \$23,044

5. Full investigation and detailed design for the HP Barr Oval 2 Drainage and Restoration Project have resulted in a significant increase in cost estimate of \$450,000. The value and requirement for this project needs to be re-assessed by Council and if it is to proceed additional funds need to be allocated.
6. The final detailed design for the Thompson Street project estimates a shortfall in the budget of \$50,000, this will be tested at tender stage but this report recommends an increase to that budget.
7. The children's garden is a part of the Yarrunga Pool redevelopment project. Completing the design of the children's garden in this financial year will enable detailed estimates to be undertaken so that construction can be completed in the 2018/19 year.
8. In order to enable the solar project on the Eldorado Hall, as part of the Rural Community Planning Project, to proceed the hall needs to be re-roofed.

Implications

Policy Considerations

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

Financial/Economic Implications

Financial implications are as follows:

Project	2017/2018 Approved Budget \$	This Proposal \$	Variance \$	Comments
Coronation Kindergarten	0	50,000	50,000	Fund from 2017/18 Buildings Renewal Project
Murmungee Hall	59,000	94,000	35,000	Fund from 2017/18 Rural Community Planning Project
Swinburne Pavilion floor renewal project	0	45,000	45,000	Fund from 2017/18 Rural Community Planning Project
Pump Repair Merriwa Park	71,000	98,000	27,000	Absorbed by 2017/18 project savings

Project	2017/2018 Approved Budget \$	This Proposal \$	Variance \$	Comments
HP Barr Oval 2 Drainage & Restoration	330,000	780,000	450,000	Refer to 'Options for Consideration'
Thompson Street (Urban Street Renewal)	500,000	550,000	50,000	Fund from 2017/18 Reseal Project
Children's garden design	0	\$20,000	\$20,000	Fund from the 2017/18 bike path renewal budget
Eldorado Hall roof project	0	\$40,000	\$40,000	Fund from 2017/18 Rural Community Planning Project

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.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Established

We will focus on our business:

By enhancing the way we plan and deliver infrastructure projects

The non-negotiables

We will achieve a 90% annual completion rate for our capital project delivery

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

N/A

Consultation/Communication

N/A

Options for Consideration

Increased costs to projects discussed in this report can be covered by committing funds/savings from other 2017/18 projects with the exception of the HP Barr Oval 2 Drainage and Restoration project (note that the delivery of Barr 2 Oval Optus Tower is dependent on the approved design of the drainage and restoration works).

- Option 1: To increase the HP Barr Oval 2 Drainage and Restoration project budget by \$450,000 and commence the delivery of this project and the Barr 2 Oval Optus Tower project in 2017/18.
- Option 2: Carry over funds for both projects - HP Barr Oval 2 Drainage and Restoration (\$330,000) and Barr 2 Oval Optus Tower (\$172,000) and approve an additional \$450,000 in the 2018/19 budget for delivery of these projects in 2018/19.
- Abandon the HP Barr Oval 2 Drainage and Restoration project and deliver Barr 2 Oval Optus Tower in 2017/18.

Conclusion

This report summarises the findings of a detailed review of the 2017/18 CAPEX program and recommends changes to allow the most efficient delivery of the program.

Attachments

Nil.

16. DEVELOPMENT SERVICES

16.1 PLANNING SCHEME AMENDMENT C71 - RESIDENTIAL GROWTH AREAS - EXHIBITION AND CONSIDERATION OF SUBMISSIONS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
Author: Principal Statutory Planner
File Name: Planning Scheme Amendment C71
File No: F16/2425

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:

1. Consider the 18 formal submissions (and additional feedback) received in response to Wangaratta Planning Scheme Amendment C71 – Residential Growth Areas (Amendment C71).

Amendment C71 proposes extensive changes to the Wangaratta Planning Scheme to facilitate the transition of two strategically identified residential growth areas located in Wangaratta North-West and Wangaratta South into new residential communities.

2. Inform and advise Council about the content of the submissions and key issues raised by submitters in response to Amendment C71 (which was exhibited from 19 October – 30 November, 2017).

In general, the submissions were supportive of the amendment, however there is some opposition and concern to parts of the amendment including the cost and implementation of development contributions, and the sites identified for community infrastructure.

3. Seek Council's agreement to make changes to:
 - a. The exhibited Amendment documents to respond to submissions and feedback (as detailed in the discussion).
 - b. Make subsequent changes to the Structure Plans and Development Contribution Plans in response to submissions and feedback (as detailed in the discussion).
 - c. Seek Council's agreement to refer Amendment C71 and the outstanding submissions to an independent Planning Panel as the next step in the

amendment in accordance with the requirements of the *Planning and Environment Act 1987*. And;

4. Seeks Council agreement to allow Officers to continue to work with submitters to resolve any outstanding matter raised in submissions, in the lead up to an Independent Panel.

RESOLUTION:

(Moved: Councillor D Rees/Councillor M Currie)

That Council:

1. ***Considers all submissions to Wangaratta Planning Scheme Amendment C71 – Residential Growth Areas, pursuant to Section 22 (1) of the Planning and Environment Act 1987.***
2. ***Makes changes to the adopted Wangaratta North West and Wangaratta South Growth Area Structure Plans and Development Contribution Plans as outlined in Attachment 1;***
3. ***Makes changes to the exhibited C71 amendment documents in accordance with the supported submissions identified in Attachment 1;***
4. ***Refers Amendment C71 to a Panel appointed under Part 8 of the Planning and Environment Act 1987.***
5. ***Formally requests the Minister for Planning appoints a Panel in accordance with Sec 23 1b)***
6. ***Continues to work with submitters with outstanding submissions to reach a resolution that can be presented to a Panel.***
7. ***Notifies submitters to Amendment C71 of Councils decision.***

Carried

Background:

What Amendment C71 proposes?

The amendment proposes to make changes to the Wangaratta Planning Scheme to enable the residential development of the Wangaratta North West and Wangaratta South Residential Growth Areas by implementing the findings of the following documents:

- *Wangaratta North West Growth Area Structure Plan, August 2017 (Wangaratta NWSP)*
- *Wangaratta South Growth Area Structure Plan, August 2017 (Wangaratta SSP)*

- *Wangaratta North West Development Contribution Plan, August 2017 (Wangaratta NWDSP)*
- *Wangaratta South Development Contribution Plan, 2017 (Wangaratta SDCP)*

Specifically this will be achieved by:

- Rezoning approximately 300 ha of land and amending particular and general provisions in accordance with the Structure Plans.
- Amending the Local Planning Policy Framework.
- Applying overlays in accordance with the Structure Plans and Development Contribution Plans, enabling the collection of Development Contributions in accordance with Development Contribution Plans.
- Incorporating the relevant documents into the Wangaratta Planning Scheme.

The land affected by the amendment is the Wangaratta North West and Wangaratta South Residential Growth Areas as described below:

The Wangaratta North West Residential Growth Area is generally bounded by Wangandary Road to the north, Christensen Lane, Worland Road and the Three Mile Creek to the east, farming land immediately north of 474 Reith Road and Reith Road to the west (refer to the map below).



The Wangaratta South Residential Growth Area is generally bounded by Residential properties adjoining Cribbes Road to the north, Salisbury Street and One Mile Creek to the east, Clarkes Lane to the south and Greta Road to the west (refer to the map below).



The Amendment specifically makes the following changes:

Ordinance Changes:

- Amends Clause 22.02 Urban Development and Central Activities Areas to implement a vision and key objectives for the Wangaratta North West and Wangaratta South Growth Areas to in accordance with the *Wangaratta North West Growth Area Structure Plan, August 2017* and *Wangaratta South Growth Area Structure Plan, August 2017*
- Amends the Schedule to Clause 34.01 to introduce a floor area cap for the use of the land as a shop
- Inserts new Schedules 8 and 9 to Clause 43.04 Development Plan Overlay (DPO) i.e. DPO8 and DPO9 to all land within the *Wangaratta North West Growth Area Structure Plan, August 2017* and *Wangaratta South Growth Area Structure Plan, August 2017*
- Amends the schedule to Clause 45.01 Public Acquisition Overlay (PAO) to identify land required for road infrastructure in accordance with the Structure Plans and Development Contribution Plans
- Inserts Clause 45.06 Development Contribution Plan Overlay (DCPO)
- Inserts new Schedules DCPO1 and DCPO2 to Clause 45.06 DCPO
- Amends Clause 61.03 to reflect updates to the maps comprising part of the Wangaratta Planning Scheme
- Amends the Schedule to Clause 81.01 to introduce the *Wangaratta North West and Wangaratta South Growth Area Structure Plans, August 2017* and *Development Contribution Plans, August 2017* as incorporated documents to the Scheme

Mapping Changes

- Rezones the following land in accordance with the *Wangaratta North West Growth Area Structure Plan, August 2017* and *Wangaratta South Growth Area Structure Plan August, 2017*:

- Farming Zone (FZ) to General Residential Zone Schedule 1 (GRZ1):
 - All land within the boundary of the *Wangaratta North West Growth Area Structure Plan, August 2017* with the exception of 2- 8 Worland Road, Wangaratta
 - All land within the boundary of the *Wangaratta South Growth Area Structure Plan, August 2017*
- Farming Zone (FZ) to Commercial 1 Zone (C1Z):
 - 2- 8 Worland Road, Wangaratta
- Amends Planning Scheme Maps HO18 and HO23 (Reduces the extent of Heritage Overlay Schedule 121 and HO122) in accordance with the *Wangaratta South Growth Area Structure Plan, August 2017*
- Applies the Public Acquisition Overlay Schedule 1 to land identified for Road Infrastructure for the purpose of proactively facilitating access into the Wangaratta North West Residential Growth Area in accordance with *Wangaratta North West Development Contribution Plan, August 2017*. This applies to the following properties as indicated in the table below:

Table 1: Wangaratta North West Land Acquisition Infrastructure

Address	Land Requirement
2-8 Worland Road (property 19 in Wangaratta North West Structure Plan)	.76 ha
Reith Road (Lot 1 TP947215 Vol 11250 Fol 103)	4.2 ha

- Applies the Development Plan Overlay - Schedule 8 to all land in the Wangaratta North West Residential Growth Area
- Applies the Development Plan Overlay - Schedule 9 to all land in the Wangaratta South Residential Growth Area
- Applies the Development Contribution Overlay - Schedule 1 to all land in the Wangaratta North West Residential Growth Area
- Applies the Development Contribution Overlay - Schedule 2 to all land in the Wangaratta South Residential Growth Area

Why is Amendment C71 required?

This amendment is a blueprint for residential population growth in Wangaratta. It is required to implement the recommendations of the Wangaratta North West and South Growth Area Structure Plans and Development Contributions Plans with an overall outcome of guiding the development of the new residential communities.

The Rural City of Wangaratta Population and Housing Strategy, (2013) identifies a need for moderate housing growth (under a base and high population growth scenario), which creates need for additional housing. The study recommends strategic investigation into two key areas within Wangaratta, which has been the catalyst for the Wangaratta North West and Wangaratta South Growth Area Structure Plans and Development Contribution Plans.

This amendment is required to transform approximately 215 ha of land in Wangaratta North West and 83 ha of land in Wangaratta South from farming land to an urban community to sustainably and proactively planning for future growth projections, across the municipality over the course of the next 10-15 years.

This amendment is required to ensure that an appropriate framework and planning tools are put in place, to facilitate and guide residential growth in accordance with the growth area structure plans and development contribution plans.

This will be achieved by making extensive changes to the Wangaratta Planning Scheme inclusive of rezoning, application of overlays, changes to local policy and other relevant changes to the Wangaratta Planning Scheme.

Exhibition of Amendment C71:

The amendment was placed on public exhibition from 19 October, 2017 – 30 November, 2017, in accordance with the requirements of the *Planning and Environment Act 1987*, and included the following actions:

- Direct notification to prescribed Ministers, government departments, statutory authorities, and land owners and occupiers directly impacted by the changes proposed by the amendment and immediately neighbouring properties.
- A public notice was published in the Wangaratta Chronicle, on Wednesday, 18 October, 2017. Additional notices were published in the Chronicle on Friday, 20 October, 2017 and
- A notice was placed in the Victorian Government Gazette on Thursday, 19 October, 2017.

Three information Drop-In Sessions were held, where land owners were given the opportunity to ask Planning Officers questions about the amendment in a one-to-one forum. These sessions were not well attended, however the land owners in attendance were able to discuss their questions in detail with Council Officers.

Submissions to C71:

Council received 18 submissions following the close of the exhibition period. The submissions were received from a mix of land owners, authorities and on behalf of the Minister for Energy, Environment, and Climate Change.

Submissions by submitter type:

- 10 were received from land owners within the growth areas
- 1 was received by a community member (who owns land outside the growth areas)

- 6 were received by authorities/Ministers
- 1 was received by a local consultant

Overall the submissions were generally supportive of the growth areas, however there were a number of objections related to costs associated with development contributions. Other matters that were raised by submissions included location of infrastructure, protection of vegetation, drainage and the location of the neighbourhood activity centre.

General Summary of Issues raised within Submissions:

The general content of submissions can be described as:

- 7 submissions support the amendment in its entirety
- 3 submissions object to the amendment outright
- 5 submission support some elements of the amendment and object to some elements of the amendment
- 3 submissions have been categorised as other matters
- 10 of the submissions requested changes to either the exhibition documents, or the Growth Area Structure Plan and Development Contribution Plans.

Key Issues Raised in Submissions:

A full analysis of submissions is contained in Attachment 1. Proposed changes to address matters raised in submissions is contained in Attachment 2.

Post Exhibition Submission Meetings:

Given the complexity of this amendment, and to ensure a sound understanding of matters raised in submissions, officers provided a further opportunity to submitters to meet with officers to ensure all the matters raised in submissions were understood and to discuss options to resolve any outstanding matters.

8 post exhibition meetings were held (including 1 phone meeting), representing 9 of the submitters raised. Of these meetings:

- 4 meetings were held with land owners
- 1 meeting was held with a community member (who owns land outside the growth areas)
- 2 meetings were held with authorities
- 1 meeting was held with a local consultant

Post exhibition meeting resulted in addressing all the matter raised in 2 submissions, and reducing the number of outstanding matters raised in 3 submissions. These meetings have also resulted in continuing investigations with remaining submitters with the hope of finding a mutually beneficial outcome to matters raised in the submissions, which can presented in the next step of the amendment process.

Consideration of Submissions & General Amendment Process:

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.

In addition to changes formally requested by submissions to amendment C71, enquiries have resulted in recommended changes to the amendment and background documents.

Suggested changes to address submissions:

As outlined within **Attachment 2**, the following changes are proposed in response to the submissions made to the amendment:

- Update Planning Maps to rezone Three Mile Creek reserve (Crown land) to Public Park Recreation Zone (PPRZ) to accurately reflect land ownership. (DELWP submission).
- Changes to the DPO 8 and 9 to include:
 - Reference to native vegetation principles (avoid/minimise/offset) (DELWP submission).
 - Reference to avoiding development within 30m of a waterway (GMW submission).
- Minor wording changes to the DCPO (NESD submission).
- Changes to Development Contributions Plan – 1 to insert a commercial rate for development contributions (Submission No.5).

Requested changes to the Amendment – Not Supported:

- Request to relocate the commercial centre.
- Development Contributions are set too high.
- Delay the collection of the development contributions.
- Relocate the North West growth area from designated flood area to an area free of flooding.
- Convert the commercial centre to residential land and reduce the open space / drainage infrastructure.

Council Officers were not able to address all of the submissions due to their differences and competing nature, including some issues that were beyond the scope of the amendment.

Attachment 1 and 2 to this report includes a comprehensive analysis, discussion and proposed changes to address submissions to the amendment.

Amendment Process:

The following diagram outlines the steps in the amendment process. Amendment C71 is currently between steps 2 and 3. A Council resolution is required to proceed to step 3 – Panel Hearing



Implications

Policy Considerations

Councils adopted Population and Housing Strategy, 2013 (PHS 2013) recommended that Council commence the preparation of Growth Area Structure Plans, rezoning and a development plan for greenfield residential development as a short term (0-5 years) recommendation and continue with this process as a medium term (4-10 years) recommendation. The progression of this amendment will ensure that the Population and Housing Strategy is implemented.

The State Planning Policy Framework, discusses residential land supply at Clause 11.02 Urban Growth. This policy identifies to the need to accommodate projected population growth for a period of 15 years, by identifying where growth should occur. This amendment assists Council to provide residential land supply required to meet the needs of the projected population increase, outlined in the PHS 2013.

Financial/Economic Implications

Development Contributions

The proposed Development Contributions will result in a cost for people wishing to develop their land. Development Contributions are paid at the release of a Statement of Compliance for a subdivision by the developer of the land.

Independent Planning Panel

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. Given the nature of the submissions and concerns around Development Contributions, it may be appropriate to engage an Expert Witness from the consulting firm who prepared the Development Contribution Plans on behalf of Council, to assist the Panel at the hearing.

Cost for the engagement of an Expert Witness on Councils behalf will be covered under the current 2017/18 Strategy budget. It should be noted that the level of officer time required will be significant.

Economic Impacts

The amendment is expected to have positive economic benefits for the Rural City of Wangaratta generally, providing clear direction and facilitating the potential roll out of the future Greenfield urban communities that will contribute and support the local and regional economy.

Legal/Statutory

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

The collection and spending of funds, and the delivery of infrastructure projects detailed in the Development Contributions Plans and Clause 45.06 Schedules 1 and 2 involve a series of statutory obligations relating to the reporting of this data.

It should be noted that once a Development Contribution Plan Overlay is approved, Council is obligated to provide the infrastructure outlined in the plan to provide or provide funds to facilitate the development

Social

The Wangaratta North West and Wangaratta South Growth Areas Structure Plans are considered to have long term positive social impacts on the community of Wangaratta. Both plans facilitate the urban growth of Wangaratta in a structured and planned fashion that makes provision for community infrastructure and areas of open space that will assist in providing key resources and assets within these new communities.

Environmental/Sustainability Impacts

The amendment considers environmental assets with respect to existing native vegetation and has identified measures for the incorporation and retention of this vegetation within areas of open space and other public realms. The amendment also seeks to introduce the principles of environmentally sustainable design, which will seek responsive subdivision patterns that will provide for long term energy savings to future land owners through efficient and effective lot orientation.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will research and advocate:

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

To provide for attractive long term residential growth opportunities.

We will focus on our business:

Ensuring we are responsive, clear and active in the development of our municipality

To ensure that we understand and plan for the long term opportunities, challenges and priorities that face our growth potential

The non-negotiables

The expansion of our new and established neighbourhoods happens with integrity and strategic direction

Our residential, rural, commercial and industrial land is thoughtfully and appropriately protected, planned and developed

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.’

b) Other strategic links

- The Population and Housing Strategy, 2013
- The Hume Regional Growth Plan that identifies the Regional City of Wangaratta as a primary centre for residential growth;
- Sustainable Cities Principles

Risk Management

There are some risks associated with this amendment as it proposes to introduce a formal mechanism of collecting development contributions (Development Contributions Plan Overlays). This formal mechanism has not been previously used within Wangaratta as the general growth of the urban form has been contained within previously residential zoned land and not Greenfield development as proposed by this amendment.

Council has previously collected development contributions on an ad-hoc basis and through negotiation with the respective developer.

Development Contribution Plan Overlays (DCPO) are a legitimate planning tool under the Victorian Planning Provisions and are widely used in Greenfield development across Victoria. These DCPO's provide a fair, equitable and transparent format for the collection of money towards the provision of key infrastructure.

The key risk for Council is that the application of the development contributions overlay obligates Council to provide the infrastructure outlined in the plan, or alternatively to provide funds to facilitate the development of the infrastructure. Many of these steps may occur prior to landowners / developers initiating activity on their land.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	N/A	N/A
Consult	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>
Involve	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>
Collaborate	N/A	N/A
Empower	N/A	N/A

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

Options for Consideration

Option 1 (Recommended option):

Resolve to make changes to the amendment where appropriate, in accordance with submissions detailed in Attachment 1 and 2 (pursuant to section 23(1)(a) of the Act) and request the appointment of an independent Planning 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 C71.

Option 2:

That Council makes changes to the Amendment to accommodate all of the requested changes raised within submitters.

This option is not recommended, nor is it possible to accommodate all of the requested changes, as in some instances, submissions request:

- changes beyond the scope of the amendment
- changes that contradict the key directions set out in the policy context and recommended by the underpinning strategic documents
- are at odds with other submissions.

Therefore it is not possible to make all changes requested by submitters and not recommended to proceed in this way.

Option 3:

Abandon the amendment under section 23(1)(c) of the Act, given the issues raised within the unresolved submissions to the amendment. This option would fail to deliver key residential growth opportunities for Wangaratta to accommodate future population growth and is therefore not recommended.

Conclusion

Amendment C71 facilitates the strategic rezoning and master planning of Wangaratta's two major residential growth areas. These growth areas have been historically identified within the 'Wangaratta and Environs Framework Plan' at Clause 21.06 of Wangaratta Planning Scheme and Councils PHS 2013.

Overall the submissions to the amendment do not generally oppose the principle of the growth areas and support is provided to the growth of Wangaratta. However, issues are raised with particular elements of the Amendment, including the introduction of Development Contributions and the location of key infrastructure.

This report highlights a number of options to address concerns where possible, however many issues raised within submissions remain outstanding and it is therefore necessary to refer the amendment to an Independent Planning Panel to provide advice to Council. All submitters to the amendment will be invited to participate in the Panel process.

Attachments

- 1 Wangaratta Planning Scheme Amendment C71 - Residential Growth Areas - Submission Summary Table [⇒](#)
- 2 Post Exhibition Master Document [⇒](#)

Cr D Rees asked whether the objectors were from the north or south zone or a mixture of both?

Barry Green responded that it was a mixture of both with the majority from the North West as there were more land holders in this zone.

Cr D Rees asked if the objections from the south zone able to be overcome?

Barry Green responded that he believed there were submissions that were unresolved in the south as well.

Greg Mitchell – Wangaratta

Greg asked whether there was an opportunity to speak further about the objections at this meeting?

The Mayor responded that questions related to this report could be asked immediately.

Greg asked taking into account the Freight and Land Use Study and the Hume Region Freight report and local press announcements why are developers and land holders bearing the full cost of the new works, upgrades and building of a bridge at 3 Mile Creek and for the Cruse Street extension?

Brendan McGrath responded that the calculations for developer contributions is quite complex as outlined and would therefore take the question on notice.

Alan Clark responded that each year Council receives Roads to Recovery Funding and did receive an additional amount around 18 months ago and our first thought was to allocate those funds to the development of the bridge however realised it was in conflict with the development contribution plan so the funds have been moved towards other projects.

Greg asked whether others could contribute to the cost for these projects as there will be other users aside from the nearby landholders.

Barry Green responded that in terms of developer contributions, it is the only way that Councils have a realistic and legal way of recouping costs. It is not about recouping the full cost of all works, it's about apportioning costs based on a range of criteria that set out by the State Government about what can and can't be included and therefore what the percentage of usage that is gained by immediate landholders.

Greg asked if Council could try and get some grants as he believed the nearby landholders should not need to bear the whole cost.

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

18.1 ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
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. Audit Advisory Committee | 19 December 2017 |
| 2. Sports, Recreation Advisory Committee | 12 December 2017 |
| 3. Wangaratta Cemetery Trust | 4 December 2017 |
| 4. Agriculture & Agribusiness Advisory Committee Meeting | 22 November 2017 |
| 5. Arts, Culture & Heritage Advisory Committee | 21 August 2017 |

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor D Rees)

That Council notes the minutes of these committees.

Carried

Attachments

- 1 Audit Advisory Committee Minutes - 19 December 2017 [⇒](#)
- 2 Sports and Recreation Advisory Committee - Minutes 13 December 2018 [⇒](#)
- 3 Wangaratta Cemetery Trust - Minutes - 4 December 2017 [⇒](#)
- 4 Agriculture and Agribusiness Advisory Committee Meeting - Minutes 22 November 2017 [⇒](#)
- 5 Arts, Culture & Heritage Advisory Committee - Minutes 21 August 2017 [⇒](#)

19. RECORDS OF ASSEMBLIES OF COUNCILLORS

19.1 ASSEMBLIES OF COUNCILLORS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 20 February 2018
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
12 February 2018	Councillor Briefing Forum	Attachment
5 February 2018	Councillor Briefing Forum	Attachment
29 January 2018	Councillor Briefing Forum	Attachment
22 January 2018	Councillor Briefing Forum	Attachment
15 January 2018	Councillor Briefing Forum	Attachment
18 December 2017	Councillor Briefing Forum	Attachment
13 December 2017	Councillor Briefing Forum	Attachment
12 December 2017	Agriculture and Agribusiness Advisory Committee	Attachment

11 December 2017	Councillor Briefing Forum	Attachment
7 December 2017	Budget Review Meeting	Attachment

RESOLUTION:**(Moved: Councillor H Bussell/Councillor D Fuller)*****That Council receives the reports of Assemblies of Councillors.*****Carried****Attachments**

- 1 Assembly of Councillors - 12 February 2018 [⇨](#)
- 2 Assembly of Councillors - 5 February 2018 [⇨](#)
- 3 Assembly of Councillors - 29 January 2018 [⇨](#)
- 4 Assembly of Councillors - 22 January 2018 [⇨](#)
- 5 Assembly of Councillors - 15 January 2018 [⇨](#)
- 6 Assemblies of Councillors - 18 December 2017 [⇨](#)
- 7 SRAC Assembly of Councillors- 13 Dec 2017 [⇨](#)
- 8 Assembly of Councillors - 12 December 2017 [⇨](#)
- 9 Assemblies of Councillors - 11 December 2017 [⇨](#)
- 10 Assemblies of Councillors - 7 December 2017 [⇨](#)

20. NOTICES OF MOTION

The Mayor vacated the Chair position. The Deputy Mayor assumed the Chair for this item.

RESOLUTION:

(Moved: Councillor K Clarke OAM/Councillor H Benton)

- 1. That the Rural City of Wangaratta grant permission for the Wangaratta Men's Shed Inc. to place additional storage on land neighbouring the Men's Shed facility, in the Wangaratta Livestock Exchange precinct on the southern side of the existing facility of the Men's shed.**
- 2. That the Rural City of Wangaratta assist the organisation with obtaining building and planning permits as expediently as possible.**
- 3. That the men's Shed Inc. be responsible for maintaining the storage facilities for the period.**
- 4. That the Rural City of Wangaratta amend the current lease agreement with the Wangaratta Men's Shed Inc. to accommodate the area needed for expansion of the storage facilities in both the short term and long term.**

Carried

Deputy Mayor vacated the Chair following item 20. The Mayor resumed position as Chair.

21. URGENT BUSINESS

Nil.

22. PUBLIC QUESTION TIME

Jim Lewis – Wangaratta

Jim asked for details from Council's perspective for the two or more "solar farms" proposed for the Rural City of Wangaratta. Features such as location, problems, capacity, linkage to grid? It can be useful in understanding these projects, noting recent publicity for both projects.

Barry Green, Director Development Services responded with key facts for both the Glenrowan and the North Wangaratta Solar farms. Those details are listed below:

GLENROWAN SOLAR FARM – KEY FACTS

Address	38 Glenrowan West Road, Glenrowan 3675
Site area	245 hectares
Number of photovoltaic panels	Up to 420,000

Number of landholders within project site	1
Current zoning	Farming
Current land use	Agriculture (grazing and hay production)
Installed capacity	Up to 140 megawatts (MW)
Proposed Connection *does not form part of this planning application	Glenrowan Terminal Substation (AusNet Services)
Energy storage	Up to 100 megawatt hours (MWh) AC
Car parking	8 on-site car parks
Issues/notes	Land not zoned appropriately, surrounding land zoned farming, removes quality farming land from ag production, some sensitive uses including agriculture in close proximity, visual impact on landscape and gateway entrance to North East

NORTH WANGARATTA SOLAR FARM – KEY FACTS

Address *Several properties within the Industrial Zone 1	Lot 1 PS546480 Wangaratta-Eldorado Road 44 Coleman Road 99 Crosher Lane (Alpine MDF) Lot 1 TP9025 Bowser Road North Wangaratta
Site area	107.75 hectares
Number of photovoltaic panels	80,000
Number of landholders within project site	4
Current Zoning	Industrial
Current land use	Grazing
Installed capacity	26 megawatts (MW)
Proposed Connection	New Substation
Energy storage	Unknown
Car parking	6
Issues/notes	Land zoned appropriately, surrounding land zoned industrial, some sensitive uses in close proximity, visual impact on gateway entrance

Gary Nevin - Wangaratta

Some outstanding planning matters include :

- Assessment of land to the west of the Hume Freeway to the Warby Ranges and rezoning of same to Rural residential .
- The second stage of the Milawa Township rezonings .
- The Rural Land Strategy issues .

Council has just adopted C 75 an amendment to its Planning Scheme which staff have described as Policy neutral . This started as a long report from consultants which would have been costly and has obviously taken up a large amount of time of Councils Planning Staff . I have not seen anything in Council Agendas where

Councillors or Administrators prioritised C 75 above the three matters referred to above.

Surely an appropriate process would be for staff to put before Councillors the matters they know they have to deal with setting out their views as to priorities with reasons for those views but leaving it up to the councillor's to set those priorities .

Whose role is it to set those priorities ?

Barry Green, Director Development Services responded that there is no such zone as Rural Residential, if it is the area I believe it to be then this was highlighted for future investigation under both the Rural strategy and the Planning Scheme review C75. There is a budget bid for a larger lifestyle project for consideration in 2018/19.

The second stage of the Milawa Township rezonings. I am only aware of one such area and this is subject to funding and resources being available and a successful tender process to consider this request.

The Rural Land Strategy issues. Not sure specifically which issues but Council has received a briefing on the strategy prior to Christmas 2017 for future consideration.

In relation to C75, Planning Scheme review, yes due to the time delay since the last review there was a lot of work and changes to be considered. C75 like all Planning Scheme reviews is an ongoing process that is continually occurring and has been ongoing for some considerable length of time.

The setting of the priorities is a collaboration which is informed by operational knowledge of what's needed. Officers present requests based on the findings of previous strategies, studies and documents such as the MSS, Council plan and recommendations of other strategic work completed. Project requests are considered through the budget process along with many other competing priorities with final approval by Council through budget resourcing.

These processes of strategy development and them implementation do take considerable time and have been in progress for a number of years.

The Councillors are provided with a compiled list of priorities for their consideration during the budget process.

Ron Summers - Wangaratta

Mr Summers asked a question in relation to pedestrian crossings. When are we going to see a pedestrian crossing in the CBD and not have to go out to the highway to see a real pedestrian crossing?

Mr Alan Clark responded that we have projects in the budget submissions for the next financial year and would hope that we will see some of those projects approved and works commencing in that financial year within the CBD. There

are also some pedestrian crossings outside of the CBD being funded by VicRoads which are currently being finalised.

Mr Summers referred to the July meeting in 2016 where it was stated that works for a pedestrian crossing would occur in the next financial year.

Mr Brendan McGrath responded that his recollection was that work at the strategic level being completed in conjunction with VicRoads to look at all of the CBD, identify where a variety of crossing points were needed in combination with some potential changes to speed zones and other intersection works would occur. That work has been actively acted out by Council and VicRoads to get some agreement about that.

Mr Summers asked if we had an agreement with VicRoads about where they could be located.

Mr Alan Clark responded that we have final approval for two pedestrian crossings for Ovens Street in the vicinity of the Co Store, one at either end and we are continuing to work with VicRoads on other potential crossings within the CBD.

23. CONFIDENTIAL BUSINESS

Nil.

24. CLOSURE OF MEETING

The Meeting closed at 7.30pm.