

Minutes

Of the Ordinary Council Meeting

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

Date: 17 April 2018

Time: 6pm



RURAL CITY OF
WANGARATTA

Brendan McGrath
Chief Executive Officer

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1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

2. OPENING PRAYER

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

3. PRESENT

Councillors:

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.

4. ABSENT

Councillors:

Nil

Officers:

Nil

5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE

ORDER OF BUSINESS

6. CITIZEN CEREMONY

A citizenship ceremony was held.

7. CONFIRMATION OF MINUTES

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor D Fuller)

That Council read and confirm the Minutes of the Ordinary Meeting of 20 March 2018 and the Special Meeting of 3 April 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.

9. RECEPTION OF PETITIONS

9.1 PETITION - ELDORADO TARRAWINGEE ROAD

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Executive Assistant Corporate Services and Councillors
File Name: Petition - Safety Concern - Eldorado Tarrawingee Road Eldorado
File No: C18/3527

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

Executive Summary

A petition containing 8 signatures from the Eldorado community has been received.

The petition is regarding a safety concern of the speed on the road where there are children catching buses and visibility is an issue. The petition is proposing that the 80kph stretch of the road be changed to 60kph and the 100kph section be changed to 80kph. A copy of the letter has been provided to Councillors under separate cover.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor H Benton)

- 1. *That the petition regarding road speed on the Eldorado Tarrawingee Road, Eldorado be received.***
- 2. *That the petition be referred to the Chief Executive Officer for report to a future Council Meeting.***

Carried

Conclusion

In accordance with Local Law No. 2 - Governance and Meeting Procedure Local Law, the only motions that may be considered on any petition are:

- a) That the petition be received
- b) That the petition be referred to the Chief Executive Officer for consideration and response
- c) That the petition be referred to the Chief Executive Officer for report to a future Council meeting.

Attachments

- 1 C18 3527 Petition - Safety Concern - Eldorado Tarrawingee Road Eldorado
- Confidential

Questions

Brian Jones: Will the speed limit be enforced during school pick up times or 24 hours a day?

Ruth Kneebone, Director Corporate Services: It is not detailed in the letter so Council will do our own research in relation to the timing of the speed limit.

9.2 PETITION - ADOPTION OF REPAIR TO PEECHELBA WALKING TRACK

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Executive Assistant Corporate Services and Councillors
File Name: Petition - Adoption of Repair to Peechelba Walking Track
File No: D18/24025

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

Executive Summary

A petition/joint letter containing 31 signatures from Peechelba residents regarding the adoption of repair to the Peechelba walking track has been received.

A copy of the letter has been provided to Councillors under separate cover.

RESOLUTION:

(Moved: Councillor D Rees/Councillor D Fuller)

- 1. *That the petition regarding the adoption of repair to the Peechelba walking track be received.***
- 2. *That the petition be referred to the Chief Executive Officer for report to a future Council meeting.***

Carried

Conclusion

In accordance with Local Law No.2 of 2016 – Governance and Meeting Procedure, the only motions that may be considered on any petition are:

- a) That the petition be received
- b) That the petition be referred to the Chief Executive Officer for consideration and response
- c) That the petition be referred to the Chief Executive Officer for report to a future Council meeting.

Attachments

- 1 Petition - Adoption of Repair to the Peechelba Walking Track - Confidential

10. HEARING OF DEPUTATIONS

Nil.

PRESENTATION OF REPORTS

11. COUNCILLOR REPORTS

Mayor Quarterly Report

This being my first report since my re-election to the position, I wish to thank the councillors for their continued confidence in the way the Council is heading. Councillor Fitzpatrick has settled in well and her participation in debate has given the Council a different perspective on many things. But we are a united group, and whilst we do not all agree on some issues, discussion between us away from the council table has allowed us to come to a decision in the best interests of the City in most cases.

I thought the previous 3 months was busy, let me say that since the start of 2018, it has been go, go, go from morning to night and quite often till well into the night. My fellow councillors are always there when needed, and this makes the mayor's job so much easier. To you all, my thanks for covering for me when required. Of course there will be things that don't please ratepayers and I know that there has been a great deal of animosity to the increase in pet registrations. Like all things, we are governed by our contractor's pricing, and the RSPCA is no different. The huge increase in management costs, plus the indication that the Rural City of Benalla were going to go their separate way, left the council with no alternative, as the RSPCA were the only tenderer for this operation.

Similarly, the loss of re-cycling contracts with China will mean that our costs for the collection of the yellow bins could be subject to an increase, but Council are looking very carefully at the long-term affect this will have on the collection. But I think of the positives and there have been plenty. Commencement of the solar farm at North Wangaratta is getting closer by the day, a couple of weeks ago council employees commenced the construction of the road into the new Organics Processing Plant to be constructed close to the previous landfill land at Bowser. Officers tell me the plant itself may already be on the boat coming from the USA, and we are pushing ahead with getting the specifications completed so we can get this operational as soon as possible. The EPA have been helpful with advice on this exciting addition.

What a magnificent effort by our events team and their helpers on Valentine's Day when we hosted the last leg for the day of the Queens Baton relay. I walked into the PAC and was pushed aside as the volunteer helpers, most of whom were Rural City employees, raced off to man their post after receiving final instructions. I was certainly chuffed to be on the stage with our Olympians', sporting heroes and those from the community selected to carry the baton. What an achievement for them all. I am in receipt of a replica of the baton and shortly this will be displayed in the Council chamber for all to see. But there was no rest for the events team, they then had to organise the JLT match the following week at the

Showgrounds and let me say that when I walked around the ground the day before the match I could not believe its transformation. The Rural City outdoor staff had the ground in such pristine condition, for which I offer my congratulations to them, together with our hard working events team for their expertise in bringing it all together, and I trust that we, in conjunction with the Magpies Football/Netball club will witness the Ovens & Murray Football League Grand Final this year at the Showgrounds.

The improvements to the racecourse auger well for the future of that industry, and I know their CEO has just been to China to source some of the furnishings they will require in the new complex. Work is progressing on the surface at North Wangaratta Oval, be it ever so slowly, but a return the long weekend in June is looking unlikely. On this front, the improvements to parking in Park Lane have just made this area so much better for users of our sporting facilities located there. Parliamentarians seem to be frequenting the City more than ever, in addition to our local members, Senator Mc Kenzie, the Premier Daniel Andrews, Jaclyn Symes, Martin Pakula, Jaala Pulford and Jacinta Allen have all been visiting.

Budget discussions have been completed, and I thank the officers and staff for their attention to this mammoth task. They have just about been living in the Ovens Room as they grapple to make ends meet. Hopefully councillors will have had sufficient input into the process to allow the draft to go out to the community by the middle of May. I have not been made aware that we will be deviating from the allowable rate increase of 2.25%, so if your request doesn't make the grade, then accept our apology. On a sad note, I was informed that the people operating the Greta Valley piggery had decided they had had enough and have transported their pigs from the farm. This was the first issue Council had to deal with upon our election, and I sometimes wonder whether the City could have handled this in a different manner, whereby they were able to continue operations. It means to me that we read our community promise more closely.

Thank you.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor A Fitzpatrick)

That Council notes the Mayor's report.

Carried

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

Nil.

13. CORPORATE SERVICES

13.1 PROPOSED LEASE - WANGARATTA AERODROME (HOBBY HANGARS)

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Property and Revenue Coordinator
File Name: PROPERTY MANAGEMENT - Leasing and Licences (Council is Lessor) - Premises
File No: F17/274

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 recommend that Council gives public notice of its intention to renegotiate two (2) leases. In accordance with the Local Government Act 1989, public notice is required for leases of 10 years or more.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor D Rees)

That Council, in relation to part of the land known as Lot 3 Plan of Subdivision 534799T Volume 11492 Folio 981, situated at Brian Higgins Drive, Laceby (the Land):

- 1. gives public notice of its intention to renew existing leases to;***
 - a. Christopher Mark Balfour (108m²)***
 - b. Kenneth John Broomhead (216m²)******in the Wangaratta Chronicle and on Council's website inviting written submissions on the proposed leases until Friday 18 May 2018.***
- 2. If submissions are received under Section 223 of the Local Government Act 1989,***
 - a. establishes a Committee of Council to hear any persons who have requested to be heard in respect of their submissions on the proposed lease of the Land***
 - b. considers all submissions, in deciding whether or not to lease the Land, at a future council meeting.***
- 3. if no submissions are received regarding the proposal to lease the Land, authorises the Director Corporate Services to complete the formal procedures to lease the Land, including the execution of all relevant documentation.***

Carried

Background

Council leases hangar space and land at the Wangaratta Aerodrome to a number of different users. Two of the existing leases are currently being renegotiated due to expiry of their terms being beyond the maximum term allowed under the *Local Government Act 1989*.

Implications

Policy Considerations

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

Financial/Economic Implications

The terms proposed for both lease agreements are:

Term:	10 years
Further Term:	9.5 years
Rental:	\$6.00/m ² ex GST
Outgoings:	Fire Services Property Levy
Fixed Rent Review:	2.25% annual increase
Market Rent Review:	At the commencement of each term
Insurance:	\$20 million public liability

Legal/Statutory

The Act details the process that Council must follow when leasing land.

Section 190 of the Act provides that if a lease is for 10 years or more, Council must give public notice at least four weeks before the lease is made.

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

Social

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

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goals

We are Sustainable

We work with our communities to understand their risks, and resources before, during and after emergencies, disasters and disruptions.

We are Sustainable

We ensure we are prepared for emergency response and recovery.

Consultation/Communication

Submissions are invited from the community in regards to the proposed lease of the Land in accordance with sections 190 and 223 of the Act.

A notice to this effect will be advertised in the Chronicle newspaper on 20 April 2018, and also on Council's website indicating that submissions will be received up to 5.00pm on Friday 18 May 2018.

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

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

Options for Consideration

An alternative option available for Council is to offer and negotiate shorter term leases (less than 10 years). This would negate the necessity for public notice, however may not offer the security of tenure sought by the lessees or prospective lessees.

Conclusion

Two leases for existing hobby hangar occupiers are due for renegotiation. The *Local Government Act 1989* requires Council to give four weeks public notice for leases that exceed 10 years.

Attachments

Nil

13.2 REVISED INFORMATION PRIVACY POLICY 2018

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Governance & Corporate Planning Advisor
File Name: POLICIES STANDARDS AND GUIDELINES - Internal Policies (council wide) - Information Privacy Policy
File No: F17/870

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 Information Privacy Policy to be advertised for community comment.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor H Benton)

That Council:

- 1. *endorses the draft Information Privacy Policy 2018 for public exhibition***
- 2. *invites public submissions regarding the draft Information Privacy 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 25 May, 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 draft Information privacy Policy 2018 at the Ordinary Council Meeting of 19 June 2018***
- 4. *If no submissions are received under the Local Law, resolves to adopt the draft Information Privacy Policy 2018 without further resolution of Council.***

Carried

Background

The purpose of this paper is to provide proposed revisions to Council's Information Privacy Policy.

The revisions to the Policy incorporate the provisions of the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth) (the Act) which came into force on 22 February 2018. This Act requires notification to the Australian Information Commissioner if there is unauthorised access to, or disclosure of, personal information which is likely to cause serious harm to an individual(s). Relevant personal information held by Council includes tax file numbers and personal information of ratepayers and childcare and home care clients.

Council is required to act where personal information held by a child care, health service, or aged care provider, or an organisation holding tax file numbers, has been misused, lost, accessed without authorisation, modified or disclosed, or where there has been an attempt to do so; and may be required to notify the Australian Information Commissioner where serious harm is likely to result from the data breach.

Personal information is information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. This might include a person's name and address, medical records, bank account or credit card details, and where they work.

Serious harm is not defined in the Act. Potential forms of serious harm will vary depending on the circumstances of the individual(s) concerned and the circumstances of the particular or assumed incident of unauthorised access or disclosure.

Implications

Policy Considerations

Council's current Information Privacy Policy requires update due to revision of legislation.

Financial/Economic Implications

There are no financial or economic implications identified in this report.

Legal/Statutory

Due to the review of the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth), Council has updated its Information Privacy Policy.

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 action.	Possible	Moderate	Medium	Policy Review, Training for Councillors and Officers, Regular reporting.

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 Council 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

In order to be legally compliant, Council must endorse the draft Policy to be placed on public exhibition.

Conclusion

The revised Information Privacy Policy, together with a comprehensive procedure and training program for staff, will ensure that Council meets the requirements of the *Privacy Amendment (Notifiable Data Breaches) Act 2017*.

Attachments

- 1 Draft Information Privacy Policy draft April 2018 [⇒](#)
- 2 Community Impact Statement - Revised Information Privacy Policy 2018 [⇒](#)

13.3 MARCH 2018 QUARTERLY FINANCE REPORT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 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 M Currie/Councillor D Rees)

That Council reviews and endorses the March 2018 Quarterly Finance Report.

Carried

Background

Council has completed its third 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 3 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	50,304	49,723	582	1%
Expenses	56,361	38,892	42,072	3,180	8%
Surplus (deficit) for the period	1,785	11,412	7,650	3,761	49%
Capital Works Expenditure	23,904	7,755	13,125	(5,369)	-41%

Note that Commitments of \$5.8 million exist in relation to capital works expenditure at 31 March 2018.

Operating Result

Council's performance is overall better than expected for the 9 months ended 31 March 2018, however this is mainly driven by expenses on materials and services and employee benefits being less than budgeted by as much as \$3.2 million.

Operating performance in some business units continues to be lower than expected and a full recovery to 30 June 2018 is not expected for the performing arts centre, aged and disability services, children's services centre or community compliance areas. Council has increased emergency response costs which are not recoverable from the National Disaster Finance Assistance team, however these costs have been re-directed from other parts of Council and therefore do not result in an overall increase in costs.

When compared to Council's 2017/18 Revised Budget, Council's income results are within 1% of budget and expenditure results are within 8% of budget.

Income – favourable movements

1. Council is eligible for reimbursement from the Natural Disaster Financial Assistance team of the State Government Department of Treasury and Finance for a significant portion of expenditure for responding to disasters and restoring Council assets. Claims for reimbursement have been submitted earlier than planned and as such a favourable variance exists at 31 March 2018. This is not a permanent favourable variance and is the bringing forward of income only. Importantly, Council expects the reimbursement income to increase to the balance of 30 June 2018 due to the wind storm events that impacted the municipality in December 2017. Additional reimbursement income of \$316,530 is expected due to these storms.
2. Council's cash on deposit is higher than anticipated and is continuing to result in favourable interest income. Council has earned \$89,389 in additional interest income and this trend will continue for the remainder of the financial year subject to the progress of Council's capital works program. Interest on rate arrears is also tracking favourably by \$6,501.

Further, Council's cash on deposit is higher due to the delay in the implementation of the Enterprise Agreement.

3. The proceeds on the sale of Lot 2 Shanley Street were received earlier than budgeted. Council received \$420,000 proceeds for the sale. A favourable variance exists in relation to plant and equipment of \$67,000 and will be a permanent increase in net proceeds due to the recent sale of the Track Loader which was budgeted to received proceeds of \$70,000, however Council received \$210,000.

Income – unfavourable movements

1. User fee income is tracking below expectations in a number of business units and is not expected to recover before 30 June 2018. Unfavourable variances exist at 31 March 2018 for the (i) saleyards (\$22,598), (ii) children's services centre, including family day care and long day care (\$134,478), (iii) community compliance (\$32,499), (iv) Bowser landfill (\$30,136) and (v) performing arts centre (\$60,768). An overall reduction in user fee income of \$161,600 is expected from the revised budget to 30 June 2018. This permanent reduction in user fee income is partly offset by a reduction in materials and services and employee benefits (see commentary below).
2. Council receives cash and in-kind contributions from community groups in respect of capital works projects. Cash contributions of \$45,000 between the Appin Park lighting and Municipal synthetic cricket pitch projects are yet to be received. Further, \$43,000 of in-kind contributions for the City Oval Tennis Precinct, Everton Hall, Informal recreation and South Wangaratta pitch re-alignment projects are yet to be recognised in Council's asset management system. These assets will be recognised as part of the completion of the 30 June 2018 financial accounts.
3. Council expected to receive a \$500,000 grant in connection with the Railway Precinct CBD masterplan project, however this is no longer expected before 30 June 2018.

Expenditure – favourable movements

1. Vacancies in a number of officer roles and the ongoing delay in the implementation of the Enterprise Agreement combine to cause an underspend in employee benefits of \$1.5 million at 31 March 2018. In some instances, the vacancies have been supplanted by materials and services costs where consultants or contractors have been engaged to perform equivalent duties, or part thereof.
2. Enterprise Agreement implementation one-off costs of over \$500,000 have not been paid to employees. The impact on the 2017/18 Forecast needs to be re-determined following the recent decision of the Fair Work Commission. The ongoing delay in employee pay increases does not improve Council's financial position entirely as it is expected that employees will continue to be eligible for \$20 a week back pay.
3. Materials and services expenditure is tracking underspent across all parts of the organisation. The variance of almost \$1.7 million is a timing matter only as forecast expenditure to 30 June 2018 is expected to be only \$88,000 less than the revised budget amount. The forecast expenditure

includes additional costs of \$410,000 in responding to the December 2017 storm event. Materials and services expenditure (on a like for like basis) has therefore reduced by almost \$500,000 when compared to the budget review that was adopted in December 2017.

4. Some of the larger year-to-date variances exist in:
 - a. waste management (\$205,124)
 - b. customer and information services (\$241,589)
 - c. field services (\$119,224)
 - d. infrastructure planning and delivery (\$119,851)
 - e. projects and recreation (\$190,031)
 - f. arts, culture and events (\$363,745); and
 - g. strategy, growth and environment (\$165,309).

Of the arts, culture and events variance of \$363,745, \$85,125 relates to library books which have been acquired and capitalised. These books are reported in the capital works expenditure.

For further information of Council's Operating and Capital Works result year to date performance, refer to the March 2018 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 March 2018 Council has delivered \$7.7 million, which represents approximately 32% of the annual revised budget amount.

A number of projects are no longer expected to be delivered in 2017/8 and these projects will now either entirely or substantially be delivered in 2018/19. The carry over capital expenditure will be set out in detail in the draft 2018/19 Budget and relate to projects such as the organics processing plant, Cruse Street, WISAC development, rural community planning and CBD masterplan project for the redevelopment of Ovens Street and King George gardens.

Council has completed the following capital works in the last quarter:

- Appin Street car park reconstruction works of approximately \$100,000;
- Replacement of the minor culvert in Griffiths Lane;
- Newman Street drainage and road works are now complete. The substantial works were completed before 31 December 2017 and all works have now been completed; and
- West End Gathering Place toilet works of approximately \$50,000.

A number of key projects are progressing. These projects are:

- Footpath renewal projects, with construction of Lamont Street commenced and a construction date to be agreed shortly for Larking Street;
- Falconer Lane road reconstruction is partially complete and a contract for reconstruction works for Crosher Lane has been awarded;
- Remediation of the North Wangaratta Recreation Reserve is progressing with removal of contaminated soil and EPA testing completed which will allow Council to reseed the oval in preparation for play later in the calendar year. Planning for remediation works of the land at the Rifle Club has commenced;

- A contract for the Raymond Street court bowl works has been awarded and works will commence shortly;
- The Organics processing plant is progressing with an order placed for the major plant items to be sourced from a supplier in the United States. Delivery dates are yet to be confirmed. Civil works are underway and principally being delivered by Council's Field Services team; and
- Shoulder renewal works are 50% complete.

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 17/18 Budget.

Environmental/Sustainability Impacts

Council plans for and delivers a number of projects that support its Environmental Sustainability Strategy.

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

March 2018 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 March 2018 Quarterly Finance Report [⇒](#)

13.4 COUNCIL PLAN MEASURES PROGRESS REPORT - 1 JULY 2017 - 31 MARCH 2018

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 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 March 2018.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor H Benton)

That Council receives the Council Plan Progress Report for the period 1 July 2017 – 31 March 2018.

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

Details of capital project expenditure are provided in the financial report. Resources were assigned to clean-up of the December storms impacting on our capacity to respond to other rectification works. Due to limited resources, defect rectifications will not meet the full-year target.

We are Growing

Management of planning applications continues to show a positive outcome.

We are Inspired

Whilst some attendances were down for the quarter – Art Gallery and conferences and events at the PAC – we are still on track to achieve full-year targets. Library attendances were not available at the time of writing.

We are Sustainable

All Sustainability indicators are positive, with the diversion of recycling and organics from landfill performing above target.

We are Thriving

Enrolments in the Maternal and Child Health Service were affected by the holiday period. Other results are on track.

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 Measures Q3 Report [⇒](#)

13.5 DELEGATIONS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Governance & Corporate Planning Advisor
File Name: GOVERNANCE - Instruments and Delegations - Instrument of Delegations
File No: F17/246

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 delegations of powers, duties and functions delegated to the Planning Compliance Officer pursuant to section 147(4) of the *Planning and Environment Act 1987* and section 232 of the *Local Government Act 1989*.

RESOLUTION:

(Moved: Councillor H Benton/Councillor D Rees)

- 1. *In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 and section 232 of the Local Government Act 1989, Council resolves that –***
 - a. there be delegated to Simon Glenister, Planning Compliance Officer, the powers, duties and functions set out in the attached Instrument, subject to the conditions and limitations specified in that Instrument.***
 - b. the Instrument comes into force immediately the common seal of Council is affixed to the Instrument.***
 - c. the duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

Carried

Background

Section 147(4) of the *Planning and Environment Act 1987* provides for the appointment of officers to be authorised officers under the Act and section 232 of the *Local Government Act 1989* authorises such officers to institute proceedings for offences against the *Planning and Environment Act 1987*. **(refer attachment)**

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 147(4) of the Planning and Environment Act 1987 provides that: “Any reference in this Act to an authorised officer of a responsible authority or of the [Department](#) is a reference to an officer or employee of the authority or employee of the [Department](#) whom the authority or the [Secretary](#) to the [Department](#) (as the case requires) authorises in writing generally or in a particular case to carry out the duty or function or to exercise the power in connection with which the expression is used.”

Section 232 of the Local Government Act 1989 provides that:

- (1) The [Secretary](#), a [Council](#) or a [person](#) authorised by the [Council](#) either generally or in a particular case may institute proceedings in the corporate name of the [Council](#) for—
 - (a) the recovery of any rates, charges, fees or other money due to the [Council](#) under any Act, regulation or local law; or
 - (b) the enforcement of any provision of any Act, regulation or local law for which the [Council](#) is responsible; or
 - (c) the recovery of any penalty or surcharge in relation to any offence under any Act, regulation or local law the enforcement of which is the responsibility of the [Council](#); or
 - (d) any other purpose specified by the [Council](#).
- (2) A [Chief Executive Officer](#) or [person](#) authorised by the [Council](#) either generally or in a particular case may represent the [Council](#) in all respects as though he or she was the party concerned in any proceedings in which the [Council](#) is a party or has an interest.

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

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:

- Ensuring our workforce systems and processes are efficient and effective.
- Providing a robust and transparent governance framework.

Risk Management

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

Consultation/Communication

Copies of the Instruments of Delegation are placed on Council's website and are available for inspection at the Wangaratta Government Centre.

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

Options for Consideration

There are no practical alternatives in this instance. The appointment and authorisation must be made in order to ensure compliance in relation to planning matters.

Conclusion

Having considered this report and the attached instrument of appointment it is appropriate that the Council formalise the appointment as recommended.

Attachments

- 1 Instrument of Appointment and Authorisation under the Planning and Environment Act 1987 ➡

14. COMMUNITY WELLBEING

14.1 CONTRACT C1213/045 MANAGEMENT AND OPERATION OF THE WANGARATTA INDOOR SPORTS AND AQUATIC CENTRE OLYMPIC AND YARRUNGA POOLS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Executive Assistant Community Wellbeing
File Name: PROCUREMENT - CONTRACTS - MANAGEMENT OF THE WANGARATTA INDOOR SPORTS AND AQUATIC CENTRE - WISAC - OLYMPIC POOL AND HP BARR COMMUNITY CENTRE CONTRACT
File No: F16/1594

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 consideration of the extension of Contract C1213/04 for the management and operation of the Wangaratta Indoor Sports and Aquatic Centre (WISAC) and the Olympic Pool for a further two year period.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor D Rees)

That Council:

- 1. extends Contract C1213/045 for the Management and Operation of the Wangaratta Indoor Sports and Aquatic Centre (WISAC), and the Olympic Pool to YMCA Victoria of 582 Heidelberg Road, Fairfield 3078, for a two (2) year period commencing 01 July 2018 and ending on 30 June 2020 and***
- 2. authorises the Chief Executive Officer to sign and seal all relevant Contract C1213/045 documents.***

Carried

Background

The existing contract for the management and operation of the Wangaratta Indoor Sports and Aquatic Centre (WISAC) and Olympic Pool is due to expire in June 30 2018.

Contract C1213/045 was signed between Council and YMCA - Victoria in June of 2013 and endorsed by Council at the June 2013 Ordinary Council Meeting.

The following elements were addressed as part of the specification requirements:

- Summary of Operating Costs and Operating Income
- Proposed Pricing Structure
- Statutory Declaration regarding submission of the tender
- Contractor Insurance Information
- A Service Delivery Plan
- Evidence to support and demonstrate:
 - Operational Delivery capability
 - The administrative requirements of the contract
 - The financial viability of the tenderer
 - The existence of a suitable governance framework
 - The ability to plan for and respond to change service levels and scope
 - A strong commitment to customer service and the provision of professional and suitably qualified staff
 - Evidence of employment standards and adherence with relevant Awards
 - Evidence of suitable quality systems
 - Commitment to the community and
 - Communications and marketing capability.

Tenders for the contract were invited through advertisements in the Wangaratta Chronicle and Tenderlink in March 2013. One tender was received through this process (YMCA Victoria) and was evaluated by Council's Manager – Community Health and Amenity, Manager – Projects and Contracts; and Building Management Officer.

The Contract term was endorsed for five years with an optional two year extension.

The expansion of aquatic facilities at WISAC (through the provision of an additional indoor heated hydrotherapy pool) is scheduled to commence in 2018. An additional pending Federal Government funding application is currently pending. This application incorporates an outdoor fifty meter heated swimming pool, heated toddler's pool and splash park.

With additional planned and pending facilities at WISAC a two year extension of the current Contract C1213/045 would allow a new contract for the management and operation of the upgraded facility to be advertised once works are completed. An upgraded facility may result in additional interest from operators previously disinterested in tendering for the contract.

The total annual management fee paid by Council to the YMCA for a two year extension will exceed the delegations of Council staff, and therefore a decision will require endorsement by Council.

	2017-18 Management Fee
WISAC	\$262,712
Olympic Pool	\$76,306
2017-18 Total	\$339,018

Implications

Policy Considerations

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

Financial/Economic Implications

	2017/2018 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income			0	
Expense	339,018	339,018		
Net Result	339,018	339,018		

Legal/Statutory

There is a requirement in the annexure to Contract C1213/045 that Council must give 3 months' notice as to its intention to exercise any option to extend our management agreement.

Under the terms of the Contract this would therefore be due 30 March 2018. As this decision has been presented to Council at the ordinary meeting on 17 April 2018, approval has been sought from the YMCA to amend the notification period from 3 month to two months, resulting in written notification of intent by 30 April 2018.

Social

The provision of health and wellbeing facilities through the services and facilities at the Wangaratta Indoor Sports and Aquatic Centre are an important component of the Rural City's aim to be the "Ultimate in Liveability."

Environmental/Sustainability Impacts

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

2017 - 2021 Council Plan

This report supports the 2017 - 2021 Council Plan:

Goal

We are thriving

We will research and advocate 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
- To make sure our services are responsive and adaptable to the changing needs and profile of our community.

We will create and deliver:

- Fun and accessible aquatic facilities that are developed to meet the long term needs of our community – through the implementation of the Wangaratta Aquatic Plan

Strategic Links**b) Other strategic links**

- Municipal Public Health and Wellbeing Plan
- Wangaratta Aquatic Plan for the Future

Risk Management

Contract C1213/045 contains triggers allowing Council to either: publically re-tender the contract; or, renegotiate with an existing contracted partner if redevelopment or upgrades occur.

Options for Consideration

Council has three options available:

1. Publicly tender for the management and operation of the WISAC and the Olympic Pool
2. Bring the service within Council operations and deliver the management and service
3. (Recommendation) Choose to extend the existing contract with the YMCA for a further two years or until the completion of upgrades and redevelopment.

Conclusion

YMCA, as the current contractor, has a strong demonstrated ability to fully perform the functions of the service. They have successfully met contract requirements by continually providing a service that is both value for money and meets overall customer satisfaction requirements whilst enhancing overall health and wellbeing for our children and families of the community. Therefore the officer recommendation is to extend the Contract for two years.

Attachments

Nil.

Questions

Ann Dunstan, Tarrawingee: Has the contract been amended to reflect the fact they now only operate 1 outdoor pool?

Jaime Carroll, Director Development Services: Yes, previously there was another facility they were operating and managing. Our contract with them is based on a whole range of fee structures and what it costs for us to have them provide the service and it has been reflected that they are now operating two facilities, the indoor and outdoor pool, and the future of the aquatics will continue to be updated in the contract if it was to change within this two year period. Beyond this we need to do work on what future provisions of aquatics services from an operational perspective would look like for Wangaratta.

Ann Dunstan, Tarrawingee: Does the YMCA get given a set of KPIs to manage their performance? I don't think their communication and their marketing capacity is what it should be.

Jaime Carroll, Director Development Services: Yes they do have a number of KPIs ranging from service provision and also promotion. We continue to liaise with them in regards to where there may be gaps and we take on board feedback from the community and relay that back to them. There are some areas where we continue to push for increased communications and promotion and we will continue to work with them on that. Overall, they meet their KPIs from a service provision perspective.

Brian Fox: Why would you extend a contract to a contractor who treats our facility so poorly?

Brendan McGrath, Chief Executive Officer: From the administration's perspective we are satisfied that the YMCA meets their obligations as set out in the contract. It is clear that they do not satisfy your expectations but in terms of what we require of them, under the specifications they are meeting those things. We do have a contractual obligation to deal with the question of the extension before the 27th of April which is why it is in tonight's agenda. We are very happy to continue to receive your suggestions of how things could be done differently and pass it onto the team at the YMCA.

14.2 DRAFT EVENTS AND ATTRACTION STRATEGY 2018 - 2023

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Manager - Arts, Culture and Events
File Name: Strategic Management - Strategic Planning Documents - Draft Events Strategy
File No: F17/719

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 Events and Attraction Strategy 2018 – 2023. This strategy outlines Council's commitment to the attraction, retention, curation and support of events within the municipality. The strategy will guide investment in Council operated venues, grants for external events and the curation of Council's event program.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor H Benton)

That Council:

- 1. Endorses the draft Events and Attraction Strategy 2018 – 2023 for public exhibition***
- 2. Places the draft strategy on public display for a period of 28 days commencing on 18 April 2018 to seek community feedback and***
- 3. If submissions are received, receives a further report at the conclusion of the public display period detailing recommended changes, with the view to endorse a final Events and Attraction Strategy.***
- 4. If no submissions are received, authorises the Director Community Wellbeing to finalise the Events and Attraction Strategy.***

Carried

Background

The draft Events and Attractions Strategy sets out the Rural City of Wangaratta's future direction in the support, curation and delivery of events within the municipality. Aligned with the Council Plan and responding to the Wangaratta

Project – A masterplan for the City 2016 and an internal audit held in 2015, this strategy provides direction on the funding, attraction and retention of tourism related events, the support and curation of community events and expected outcomes.

There are a number of significant challenges present in the municipality which restrict the level of tourism which can be generated from the attraction of events including; sub-standard facilities and venues, limited accommodation and a highly competitive market in the north east. This draft strategy intends to address these limiting factors and better place the Rural City of Wangaratta in attracting events and capitalising on tourism and economic opportunities.

The key objectives of the Events Strategy are:

1. Increase tourism through marquee live performance and sporting event attraction;
2. Expand the number of events held in Wangaratta through a funding program that supports major and marquee events;
3. Upgrade event venues across the municipality to encourage marquee events;
4. Review the Rural City of Wangaratta events program to ensure financial sustainability and best fit for our community;
5. Support community generated events through skills improvement, council services and community grants;
6. Maximise promotional opportunity across North East Victoria for all events;
7. Streamline event processes to make it easier to host events and
8. Establish guidelines and targets for improving environmental sustainability and accessibility for all events

Implications

Policy Considerations

This draft strategy recommends that an events policy be developed to assist in approvals of events on public land. It also recommends that guidelines for event funding, accessibility and environmental sustainability are developed. This may take the form of a policy and procedure document and will apply to events held on both public and private land.

Financial/Economic Implications

There are a number of actions identified within the draft strategy that will require additional investment from Council. These include capital improvements of event

venues, administrative changes, annual grants programs and resourcing of Council curated events. If adopted, these actions would be funded through budget, projects or capital expenditure programs to be approved by Council as part of annual budget approval processes.

Legal/Statutory

The draft strategy recommends that a change to a Local Law Number 1 – Community Amenity be considered to require a permit for any event held on public land.

Social

Events provide significant benefits to the social, cultural, health and wellbeing of the community. Supporting community organisations who coordinate events and developing an internal curated events program allows our community to thrive, improving community cohesiveness, reducing isolation and barriers to connectivity and community wellbeing. The draft strategy contains a number of specific actions to assist in supporting these organisations through the development of training, funding and guidance.

Environmental/Sustainability Impacts

The draft Strategy identifies a number of actions to improve environmental sustainability impacts of events. These include development of guidelines for Council held events and increasing requirements on external event proponents on waste management.

2017 - 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We will create and deliver:

An events strategy that focuses on delivering and supporting a range of events throughout the municipality

We will plan and make decisions for the future:

- For our community to have access to quality and exciting arts and cultural experiences
- That build a unique creative hub in the centre of the city through the delivery of exciting spaces, engaging programs and opportunities for all our residents, community members and visitors

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

- b) The Wangaratta Project – A masterplan for the City 2016
- c) Municipal Health and Wellbeing Plan 2017-2021
- d) Draft Economic Development Strategy – SGS Economics and Planning
- e) Crowe Howarth Review of Event Management Policies 2015

Risk Management

Any risks identified through the development of this draft report will be mitigated in implementation of key actions.

Consultation/Communication

A two hour consultation session was held on 8 December 2017 with existing event proponents to discuss a possible scope for this strategy and identify common issues. In attendance at this session were representatives from commercial businesses, arts and cultural groups, tourism event proponents, members of the Rural City of Wangaratta Arts, Culture and Heritage Advisory Committee, staff and Councillors.

Additional one-on-one sessions were also conducted with commercial businesses heavily involved in supporting events across the region. These organisations provided detailed information on the commercial aspects of the industry and mirrored concerns from the community workshop. In drafting this strategy, a number of other local government areas were engaged, and other event strategies considered.

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

Options for Consideration

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

Conclusion

This draft strategy will allow Council to stimulate social and economic activity through the attraction of marquee events to the Wangaratta region, provide certainty to tourism and community related event organisations on the level of support Council will provide; and provide direction on event infrastructure upgrades required to support increased event activity. The implementation of this draft strategy is expected to occur over the next five years, ensuring that barriers currently restricting the expansion of events are reduced.

Attachments

- 1 DRAFT Events and Attraction Strategy 2018 - 2023 [↗](#)

15. INFRASTRUCTURE SERVICES

15.1 WANGARATTA URBAN WATERWAYS FLOOD STUDY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Director - Infrastructure Services
File Name: Strategies - North East Regional Floodplain Management
File No: S17/6547

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

The North East Catchment Management Authority (NECMA) commissioned the Wangaratta Urban Waterways Flood Study (the Study). The objective of the Study was to review and revise the current flood mapping and flood intelligence for Wangaratta's major waterways based on updated data and recent flood events. This mapping will be used to update flood intelligence for emergency response, and to provide flood data to inform planning within the present and future city area.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor H Benton)

That Council:

- 1. adopts the Wangaratta Urban Waterways Flood Study***
- 2. adopts the 1% Annual Exceedance Probability (AEP) for all future planning purposes***
- 3. requests the Department of Environment, Land, Water and Planning (DELWP) complete the necessary Planning Scheme amendment to reflect the 1% AEP.***

Carried

Background

Items 9.1 and 9.2 from the Wangaratta Urban Waterways Flood Study (refer attached).

9.1 Overview

The Wangaratta Flood Investigation provides an improved understanding of flood behaviour through the study area. This will ensure future flood-related planning decisions are soundly based and key agencies and residents have a much better understanding of flood risk through the city. The investigation has provided a comprehensive analysis and review of existing and future potential flood risk in the township and surrounding areas. The Study involved:

- Collection and review of a range of data relevant to the definition of flooding within the study area.
- A rigorous hydrologic analysis to develop robust design flood estimates for the study area including in both the Fifteen Mile Creek, Ovens and King River catchments.
- Development of a detailed hydraulic model that is capable of predicting flood impacts in the complex floodplains of the King and Ovens Rivers as well as the Fifteen Mile Creek, One Mile Creek and Three Mile Creek. The hydrological assessment also examined the interaction of Reedy Creek and several small tributaries on the Ovens floodplain.
- Quantification of flood risk in terms of flood damages.
- Examination of a range of existing and potential flood mitigation options at various locations within the study area.
- Assessment of the flood impacts associated with development of the Aerodrome precinct.
- Review of flood warning and emergency management for the catchment including recommendations for improvement of the current total flood warning system (presented in a separate flood warning report).

9.2 Key Outcomes

The key findings and outcomes of the Wangaratta Flood Investigation are:

Study Area Hydrology & Hydraulic Characteristics - The study area covers the whole of the Wangaratta township and outlying areas. This includes a number of smaller tributaries which traverse the township as well as the King River, Ovens River, and the Fifteen Mile Creek systems. Extensive hydrological and hydraulic analysis was completed for the complex floodplains surrounding Wangaratta. It was found that the Fifteen Mile Creek and One Mile Creek system have a shorter critical storm duration of 12 hours whilst the King and Ovens River have longer critical durations of 72 hours.

Flood Damages – The 1% AEP flood damage estimate for existing conditions was calculated to be just over \$6 million. A total of 307 properties are predicted to be flood affected in a 1% AEP flood event, with 55 residential and two commercial properties flooded above floor level. The Average Annual Damages (AAD) was determined as part of the flood damage assessment and estimated to be **\$512,662**.

Levee Assessment - An assessment of the Parfitt Road and Wilsons Road levee systems has been undertaken to understand the level of protection they currently provide. The analysis identified that the levees do not provide adequate

protection in the 1% AEP event with the Parfitt Road levee overtopping in one location and both levees providing less than the required 300 mm of freeboard in numerous locations.

Future Development - The results of the investigation can be used to guide future development of Wangaratta and outlying areas. In addition, modelling of potential development scenarios around the Wangaratta Aerodrome precinct has assessed the potential flood impacts associated with such development. The impacts were found to be minor and the modelling results can be used to guide development of this area.

Scenario Modelling - A number of scenarios were modelled which predominately examined existing and proposed mitigation measures. A range of findings were made regarding several locations and mitigation features including the Painters Island Caravan Park area, impacts of in-channel vegetation and debris on flood risk and the role of existing levee systems including the Parfitt Road, Wilson Road and Fishers Levee.

Flood warning – A comprehensive assessment of the current flood warning system has been made and a number of recommendations made. These are detailed in a separate flood warning report.

Implications

This report needs to be adopted by both NECMA and Council followed by a Planning Scheme Amendment. Whilst the Study has found that the October 1993 flood still approximately represents a 1% event there are some variances with flow on impacts to planning. The most significant of these is a lesser impact at a 1% AEP on the Fifteen Mile Creek system.

Policy Considerations

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

Financial/Economic Implications

The Study finds that in a 1% AEP the estimated damages to be just over \$6 million and that the Average Annual Damages (AAD) to be \$512,662. The report identifies some work that is required on the levee system to ensure that adequate protection is provided in a 1% event. The cost of this work has yet to be estimated. Should DELWP not undertake this amendment there would be some significant costs to Council to undertake the amendment work.

Legal/Statutory

The adoption of this report may lead to a Planning Scheme amendment to reflect the changes.

Social

Flood events can cause enormous social upheaval. This Study provides more detailed flood mapping and identifies actions that will help to reduce the impact of flooding on the community. The Study can result in residents and emergency services being better prepared for flood and therefore less impact and social stress.

Environmental/Sustainability Impacts

Flooding events can be both good and bad for the environment. The findings of this report will not significantly alter the environmental impacts of flooding.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We are Established

We are Sustainable

Non-Negotiables

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

We will plan, research and advocate for the future:

To ensure we contribute to the balance between environmental sustainability, development and risk, particularly in relation to flood and fire risk for our communities.

To negotiate with the State Government regarding responsibilities and obligations associated with the management and maintenance of the Wangaratta flood protection system including the urban levee system.

We will focus on our business:

By working towards managing our risk for our community for flood, fire, and other natural disasters and impacts.

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
This change in flood mapping may not be in accordance with planning applicant expectations.	M	M	M	Wide consultation has been undertaken to complete the study. The mapping is now more accurate. A greater risk would have been not to do the study.

Consultation/Communication

NECMA and the consultants consulted widely in preparing this report. It is not considered that further consultation is required prior to adoption.

Conclusion

This Study has used historical data, recent events and improved technology to enhance the accuracy of flood modelling for Wangaratta. The result is that a far higher level of detail is now available to inform decision makers, the public and Emergency Services.

Attachments

- 1 WANGARATTA URBAN WATERWAYS FLOOD STUDY REPORT ➡
- 2 LEVEE ANALYSIS - PARFITT RD - WILSON RD ➡
- 3 POST STUDY ANALYSIS ➡

15.2 T1718-050 ROAD RECONSTRUCTION - THOMSON STREET, WANGARATTA

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Executive Assistant - Infrastructure Services
File Name: T1718/050 Road Reconstruction - Thomson St
File No: T1718/050

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

Executive Summary

This report is presented to Council to provide details of the evaluation and outcome of tenders received for T1718/050 Road Reconstruction – Thomson St, Wangaratta.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor D Rees)

That Council:

- 1. award Contract T1718/050 for Road Reconstruction - Thomson Street to Bordignon Excavations Pty Ltd***
- 2. authorises the Chief Executive Officer to sign and seal documents for Contract T1718/050 for Road Reconstruction – Thomson Street***
- 3. discloses the contract price for Contract T1718/050 for Road Reconstruction – Thomson Street. The contract price is \$783,736.80 inc. GST***
- 4. refers the inclusion of an additional \$150,000, to the 2018-19 Urban Street Renewal Program budget to cover the additional costs of the works.***

Carried

Background

This contract is a lump sum contract to reconstruct Thomson Street from White Street to Smith Crescent along with the provision of a replacement outfall drain to One Mile Creek. The roadworks comprise complete reconstruction of the road pavement including the replacement of all kerb and channelling and the provision of footpaths.

Tenders for the reconstruction of Thomson Street were invited through advertisements as follows:

	Date
Chronicle	2 March 2018
Tenderlink	2 March 2018

Tenders closed at 2.00pm on Tuesday 20 March 2018.

There was a no pre-tender meeting for this contract.

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

One tender was received from Bordignon Excavations P/L.

The tender was checked and found to be arithmetically correct.

A comparison of the tender rates and the pre-tender estimate was conducted and whilst there were some variations, none were considered to be of sufficient significance to question the tenderers ability to complete the works at the tendered price.

The tender was evaluated in accordance with evaluation criteria set out in the Conditions of Tendering.

The evaluation criteria are based upon a Weighted Attribution Method as follows:

Criteria	Description	%
Tender Price	Total price of the work	50
Capacity to carry out contract works/	Capacity to perform contract works using Scheduled plant and resources.	10
Experience in similar works.	Contractors capability to perform contract works and experience and past performance in previous similar works	10
Works Program	Ability to start and complete project within the timeframe nominated.	10
Local Content	The amount of local materials and labour in the tender price	10
OHS systems	Contractor's commitment to workplace health and safety	10

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

P	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
90	Excellent	Demonstrated capacity exceeds all required standards.

70	Good	Complies with all required standards and capacity demonstrated.
50	Satisfactory	Complies with relevant standards without qualifications.
30	Marginal	Complies with relevant standards with qualifications.
0	Unsatisfactory	Fails to satisfy required standards.

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

The score obtained by this method is as follows:

Tenderer	Score
Bordignon Excavations P/L	59

As there was only the one tender and the tenderer scored “satisfactory” or above in the above assessment, then Bordignon Excavations P/L is the preferred tenderer following this assessment.

Implications

Policy Considerations

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

Financial/Economic Implications

The works are part of this year’s Urban Street Renewal Program that has a budget of \$700,000. The program included the construction of Park Lane Stage 2 which has been completed. - - The scope of the work for the Thompson Street project has significantly increased as all investigative work and detailed design have been completed. This additional scoping increased the estimated cost of the project by approximately \$300,000 and this has been reflected in the tender results. If this contract is awarded the works are proposed to commence this financial year but will carry over into the 2018-19 financial year. To cover the additional costs an extra \$300,000 will need to be included in the 2017-18 Financial Year Urban Street Renewal Program budget.

Currently, there are two projects submitted for inclusion in the 18/19 Financial Year Urban Street Renewal Program. These being Wareena Street - and the Sisley/Swan St intersection -.

Given that the majority of the Thompson Street works will occur in the 18/19 financial year there is an opportunity - - to bring forward the Wareena Street construction to this financial year. If approved the construction of Wareena Street will also start in May or June with the majority of the works being completed next financial year. Any unspent funds remaining in the Urban Street Renewal Program at the end of the 2017-18 financial year will be carried over to the 2018-19.

Whilst only one tender has been received it is below the pre-tender estimate that was based on recently received tender rates for other works. The tender is considered to be a reasonable price for the scope of works to be undertaken.

Legal/Statutory

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

Social

There will be some impacts on traffic and pedestrians while works are undertaken.

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.

Delivery of our asset renewal program 2017/2018.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

N/A

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
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Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Affected residents will be informed of the works and timeline to minimise impacts.	Letter drop.

Conclusion

Bordignon Excavations Pty Ltd scored a satisfactory score under the Weighted Attribution Method and the tender price is below the pre-tender estimate. Consequently Bordignon Excavations Pty Ltd is the recommended tenderer.

Attachments

1 T1718/050 Confidential attachment - Confidential

Questions

Ann Dunstan, Tarrawingee: Can I confirm that it will have footpaths?

Alan Clark, Director Infrastructure Services: I do not believe it includes footpaths at this point.

16. DEVELOPMENT SERVICES

16.1 GLENROWAN HERITAGE PRECINCT - CONSERVATION AND LANDSCAPE MANAGEMENT PLAN

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Strategy Planner
File Name: Glenrowan Heritage Precinct - Conservation and Landscape Management Plan
File No: F17/474

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

Executive Summary

This report is presented to Council to endorse the draft Glenrowan Heritage Precinct – Conservation and Landscape Management Plan for consultation.

The Glenrowan Heritage Precinct is a local, state wide and nationally significant heritage place. The Conservation and Landscape Management Plan will bring together the extensive body of literature around the story of Ned Kelly's Last Stand, and makes a series of recommendations to recognise, preserve and enhance the historic values, landscape and built form character associated with the Glenrowan Siege.

Through federal government funding a draft Conservation and Landscape Management plan has been developed for Council by specialist Architects and Heritage Consultants and is now at a stage where Officers are requesting that Council endorse the draft to enable the next step in the Conservation and Landscape Management Plan's development; to invite the wider community to provide feedback.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor H Bussell)

That Council:

- 1. Endorses the Glenrowan Heritage Precinct - Conservation and Landscape Management Plan for community consultation***
- 2. Invites public submissions on the draft Glenrowan Heritage Precinct - Conservation and Landscape Management Plan, until close of business 18 May, 2018.***
- 3. If submissions are received, a further report detailing the recommended changes be presented to the next available Ordinary***

Council meeting.

- 4. If no submissions are received, resolves to adopt the Draft Glenrowan Heritage Precinct - Conservation and Landscape Management Plan without further resolution.**

Carried**Background**

The Ned Kelly story has been associated with the Township of Glenrowan since the 'Siege Event' which occurred in 1880. This was a key event in the story of Ned Kelly and the Kelly Gang. The siege between the Kelly Gang and Victorian Police lead to the capture of bushranger Ned Kelly.

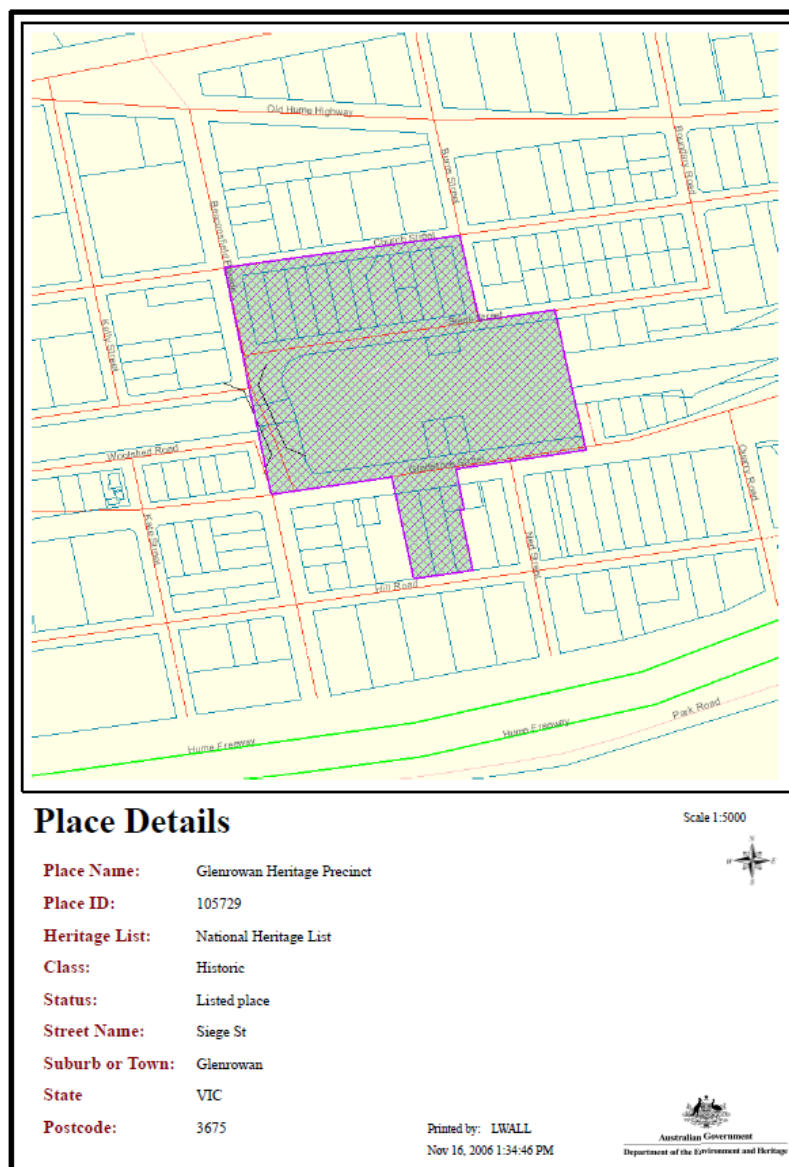
The story of Ned Kelly has become a cultural legacy, with the story being repeated in literature, art and film. Since the Siege Event, there has been a steady public interest in the Ned Kelly story and the events associated with the siege which came to an end in Glenrowan.

The Glenrowan Siege Site/Glenrowan Heritage Precinct ('Siege Site') is considered to be culturally significant identified in the context of Events and Processes, Social Value (cultural traditions) and significant people. The 'Siege Site' is recognised by the:

- Wangaratta Planning Scheme Heritage Overlay, Schedule 170
This is administered by the Rural City of Wangaratta and subject to the requirements of the *Planning and Environment Act, 1987*
- Victorian Heritage Register and Heritage Inventory (VHR2000/ HI H812-0015)
This is administered by Heritage Victoria and subject to the requirements of the *Heritage Act 2017*
- National Heritage List (Place Reference 105729)
This is administered by the Department of the Environment and Energy and subject to the requirements of *Environmental Protection and Biodiversity Conservation Act 1999*.

To assist with the management of the 'Siege Site' and ensure its ongoing conservation, Council applied for a grant from the Department of the Environment and Energy, as part of the 'Protecting National Heritage Sites' program. This program supports activities that conserve and protect places identified on Australia's national heritage list.

Council were successful in securing a grant for the 'Siege Site' (as shown in the image below), as this site was identified on the National Heritage List in June, 2005. (It is further noted a full scale site plan can be found in the draft document – attached to this report).



The purpose of the Glenrowan Heritage Precinct – Conservation and Landscape Management Plan is to:

- Bring together the relevant literature and cultural historic information related to Ned Kelly, the Kelly Gang and the 'Siege Site'
- Provide a physical analysis of the siege related sites in the project
- Investigate and coordinate the historical archology of the site
- Identify the landscape vegetation and topographical features of the site
- Summarise the historical significance (from all tiers of government) and the policy frameworks in operation
- Provide a conservation policy (which includes landscaping guidelines).

A draft of this report is attached.

It is requested that this draft is endorsed for the purpose of consultation with the community which will assist with meeting the timelines associated with the grant and finalising this piece of work. Any feedback received will be reported back to Council at a later date.

Implications

Policy Considerations

There are a number of policies that relate to this project. The key policy considerations are:

Glenrowan Master Plan, 2002 – This report focused on creating a vibrant town through land use planning, cultural heritage and tourism opportunity associated with the preservation of the ‘Siege Site.’ An element of this report that remains outstanding is the development of an interpretive centre within the town centre.

Glenrowan Township Development Plan, 2016 – This report informs the direction for land use and development which has resulted from the increased capacity of reticulated sewerage in the township. The Glenrowan Township Development Plan recognises the heritage significance of the ‘Siege Site’ and local planning policy articulates objectives and strategies to ensure planning decisions are made with the relevant historic frameworks in mind.

Ned Kelly Alive Project (currently under development) – This report will focus is on increasing tourism opportunities and championing art and cultural heritage across Victoria’s High Country.

Financial/Economic Implications

This work is being completed as the result of a grant provided by the Australian Government Department of the Environment and Energy. There is a requirement for Council to provide co-funding. The breakdown of funding for this project is 80% provided by the grant and a 20% financial co-contribution funded by Council (funded through the Strategy 2017-2018 budget).

Legal/Statutory

There are statutory obligations associated with the terms of the grant application. In accordance with the terms of the grant, this project is required to be finalised by the end of the financial year.

Further, the site is subject to a range of statutory regulations which assist in managing heritage sites. The relevant legislative context is described in the ‘Background’ section of this report.

Social

There are a number of social impacts identified for the subject of this report.

There are community members who have family ties with key figures (from both sides) of the Ned Kelly story. Any measures within the Conservation and Landscape Management plans need to be sensitive and provide unbiased commentary around the events of the Siege.

Protection of heritage is considered to provide social benefits to the community which can be measured in economic gains, through tourism and support for the commercial businesses in the local area.

Environmental/Sustainability Impacts

This project is considered to have positive environmental impacts. The Conservation and Landscape Management Plan will provide opportunity for restoring landscape character which is both historically and environmentally sensitive.

2013 – 2017 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Inspired

We will plan, research and advocate:

For the representation of our cultural heritage and story

We will create and deliver:

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

Hume Regional Growth Plan – which acknowledges the rich array of heritage places located within the Hume region, their important intrinsic values and contribution to the local economies.

Risk Management

There are no significant risks associated with this project.

Completion of the Conservation and Landscape Management Plan ensures that future plans and development of the locally, state and nationally significant site are considered the future development of the area.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform		
Consult	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	Opportunity to make a submission to Strategy, resulting in recommended changes as appropriate Letters to key community stakeholders inviting feedback on the brief.
Involve	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how the public influenced the decision	
Collaborate		
Empower		

Wider community consultation has not occurred at this stage. However following the endorsement of this document feedback will be sought.

Options for Consideration

Endorse the report for consultation:

This is the recommended course of action. A key step in development of any policy document is to seek the views of the community. In this case the plan affects land in Glenrowan including both private and public land, and the consultation process will directly inform affected land owners and seek feedback from them, and the wider community.

Endorse the report for consultation with changes:

This is not the recommended course of action. This option endorses the report with additional changes prior to commencing the community consultation process.

Do not endorse the report for consultation:

This is not the recommended course of action. Failing to endorse the plan for consultation will not allow officers to proceed with a consultation process with the wider community and seek views on the plan and incorporate any feedback into the final plan as relevant. Failing to complete this step will stop the completion of this project and would fail to deliver on the requirements of funding.

Conclusion

A draft of the Glenrowan Heritage Precinct Conservation and Landscape Management Plan, has been developed as the result of the grant provided by the Department of the Environment and Energy's Protecting National Heritage Sites Program. The draft pulls together a significant body of existing literature, examines the heritage significance of the site and examines, existing policy frameworks and makes a series of recommendations to ensure the ongoing conservation of the built environment inclusive of the landscape context.

It is requested that Council endorse this plan to enable further public consultation to occur, noting that any feedback received may be reported to Council for consideration at a later date.

Attachments

- 1 Draft Glenrowan Heritage Precinct - Conservation and Landscape Management Plan [⇒](#)

16.2 C71 - GROWTH AREAS STRUCTURE PLANS AND DEVELOPMENT CONTRIBUTION PLANS - LATE SUBMISSION FROM VIC ROADS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 2018
Author: Executive Assistant Development Services
File Name: C71 - Growth Area Structure
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

The purpose of this report is to consider a late submission from VicRoads to Planning Scheme Amendment C71 (Growth Area Structure Plans and Development Contributions Plans).

A late letter of advice/submission has been received from Vic Roads. The late submission is attached to this report. This submission makes some recommended suggestions to Amendment C71 about intersection treatments off Vic Roads managed roads. These recommendations may impact the costings associated with the Development Contribution costings for the South Growth Area.

Officers recommend considering the late submission as the submission is from the roads authority and it is a requirement that Council continue to work with them in an ongoing capacity on this project over the next 10 years (and for a number of other projects across the organisation).

The recommendations provided by Vic Roads if implemented may result in additional costs for Council in some cases, and land owners or developers in other cases. For example the cost of a Traffic Impact Assessment Report and intersection treatment for the government roads (Greta Road and Clarkes Lane) have not been factored into the cost of the development contributions plan for the Wangaratta South Growth Area. In the case of a land owner/developer if such works were required this would be at the cost of the developer.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor D Rees)

That Council:

- 1. considers the content of the late submission from VicRoads of 27 March 2018***
- 2. refers the submission to the Planning Panel of 30 April 2018***

- 3. *addresses the issues raised in the late submission in Council's submission to the Planning Panel***
- 4. *informs VicRoads of its decision in this matter***

Carried

Background

Exhibition of the Planning Scheme Amendment C71 (to make changes to the Wangaratta Planning Scheme to enable the residential development of the Wangaratta North West and Wangaratta South Residential Growth Areas and introduce Development Contributions Plans into the Wangaratta Planning Scheme) commenced in mid-October 2017. As part of this notification letters were sent to all required statutory authorities including VicRoads.

Following the completion of the notification period at the end of November 2017 Council addressed as many submissions as possible. Council considered the further progress of this planning scheme amendment including the submissions received at the Ordinary meeting of Council on 20 February 2018 and resolved to refer the outstanding submissions to an independent Planning Panel.

Planning Panels Victoria appointed a Panel Chair and a directions hearing was held on 19 March 2018 to clarify any preliminary matters prior to a hearing scheduled to commence on 30 April 2018.

On 27 March 2018 Council has received a late submission from VicRoads. Officers have attempted to contact the Panel Chair to seek any direction on this matter however, the Panel Chair is presently on leave.

Given the short time period between now and the Panel hearing and not wanting to slow the progress of this amendment any further officers have prepared this late report to allow Council to consider the submission for the reasons outlined above. It should be noted that officers have already commenced the Council submission for the panel hearing.

If the submission is to be considered as recommended it will be addressed and reported to the Panel in Council's submission to the C71 Panel Hearing.

Council will have opportunity to formally consider the recommendations of the Panel Report following the hearing and the Panel Submitting their report to Council. This is expected to occur 4-6 weeks after the Panel Hearing date.

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to considering late submissions.

Financial/Economic Implications

There are no significant economic implications identified for the subject of this report. Amendment C71 is already being considered at a Planning Panel hearing. There may be some financial implications associated with the requirement of a Traffic Impact Assessment Statement and subsequent intersection treatments as requested by VicRoads in their submission. This will be a cost for the developer in the case of lower order collector roads and may have affects for development contributions and Council in the case where a road is funded by the development contributions plan.

No additional funding is required to consider this submission, however additional time is required to assess and address matters raised in this submission. It is noted above that should the recommendations be implemented then they would be some additional costs for all stakeholders.

Legal/Statutory

There are no legal/statutory implications identified for the subject of this report as it is discretionary whether Council consider late submissions to Planning Scheme Amendments or not.

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 research and advocate:

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

We will focus on our business:

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

The non-negotiables

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

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
- Sustainable Cities Principles

Consultation/Communication

The report is the result of required notification to a statutory road authority and a late submission being received. The matter is now ready for Council consideration.

Options for Consideration

Do not consider the late submission - Council is not bound to consider a late submission in the planning scheme amendment process.

Conclusion

Officers have considered:

- The content of the late submission from VicRoads, being the road authority and the need for Council to continue to work with them in an ongoing capacity on this project over the next 10 years (and for a number of other projects across the organisation);
- The desire and expectation that this process will continue without undue delay;
- The short time frame with the panel hearing within 13 days of the Council meeting; and
- The lack of time to obtain further directions from Panels Victoria

Officers recommend considering the late submission and addressing the matters raised in its submission to the Planning Panel.

Attachments

- 1 Late Submission #19 - VicRoads [⇒](#)

17. SPECIAL COMMITTEE REPORTS

Nil.

18. ADVISORY COMMITTEE REPORTS

Nil.

19. RECORDS OF ASSEMBLIES OF COUNCILLORS

19.1 ASSEMBLIES OF COUNCILLORS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 17 April 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
9 April 2018	Councillor Briefing Forum	Attachment
3 April 2018	Councillor Briefing Forum	Attachment
27 March 2018	Councillor Budget Forum	Attachment
26 March 2018	Councillor Briefing Forum	Attachment
22 March 2018	Councillor Budget Forum	Attachment
20 March 2018	Councillor Budget Forum	Attachment
20 March 2018	Pre Council Meeting Discussion	Attachment
19 March 2018	Councillor Briefing Forum	Attachment

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

- 1 Assembly of Councillors - 9 April 2018 - Councillor Briefing Forum ➡
- 2 Assembly of Councillors - 3 April 2018 - Briefing Forum ➡
- 3 Assembly of Councillors - 27 March 2018 - Budget Briefing ➡
- 4 Assembly of Councillors - 26 March 2018 - Briefing Forum ➡
- 5 Assembly of Councillors - 20 March 2018 - Budget Briefing ➡
- 6 Assembly of Councillors - 20 March 2018 - Pre Council Meeting Discussion
➡
- 7 Assembly of Councillors - 22 March 2018 - Budget Briefing ➡
- 8 Assembly of Councillors - 19 March 2018 - Briefing Forum ➡

20. NOTICES OF MOTION

RESOLUTION:

(Moved: Councillor D Rees/Councillor H Benton)

Councillor D Rees moved a motion:

That the deadline for submissions for the Aerodrome masterplan be extended till the 30th May 2018.

Carried

21. URGENT BUSINESS

One late report was accepted. Item 13.5.

22. PUBLIC QUESTION TIME

Phil Larkin, Moyhu: Moyhu is to have curb and channelling put through, this was supposed to start just before or just after Easter. When will this be happening?

Alan Clark, Director Infrastructure Services: The progress committee was concerned about the impact upon the Easter event in Moyhu so Council asked the contractor to see if they could work around that. They decided not to start before Easter and had gone to do another job. As soon as they finish that, they intend to come to Moyhu, before the end of April.

Phil Larkin, Moyhu: I believe they have finished the round about up there, we never had anyone say not to start before Easter we asked them if they were going to start on one end if it would impact in any way the Easter event, which it wouldn't of. Then we had someone ring them and they said they were still waiting on a couple of things to be passed by Council that still haven't been done yet.

Alan Clark, Director Infrastructure Services: No I don't believe that's true Phil. I think they got a little frightened off by the requirements around Easter and they saw doing the job in Myrtleford as an easier option for them.

Phil Larkin, Moyhu: So do you know when its going to start now?

Alan Clark, Director Infrastructure Services: Before the end of April is the date they gave us at the end of last week.

Geoff Wood: As you are aware the Aerodrome Club is compiling a response to the Masterplan draft and we are currently awaiting the release of information from Council. We request that the timeline for submissions be extended to the 30th May 2018?

Brendan McGrath, Chief Executive Officer: That is entirely at Council's discretion. It does delay when the final version of the masterplan comes back to Council for adoption. If Council is happy with the delay there is no reason it could not be extended.

(A motion was carried to extend the date. See under Item 20)

Brian Fox: Is the amount of green waste going to landfill subtracted from the waste that was going into the red bin before. I would like to see a number that shows, as the green waste increased has the waste in the red bins decreased?

Alan Clark, Director Infrastructure Services: It certainly did, it reduced the amount going to landfill, around a 53% conversion rate, that has saved the ratepayers of Wangaratta millions. Once we have the organics plant up and running we will be producing a very useable material ourselves which will have a great environment benefit for properties in Wangaratta. If you look at the recycling organic plant at Stanhope their material is in huge demand with local farmers out there. Four years ago we thought we would run out of landfill space by now but that and other improvements of landfill practices means we now have a landfill that should last till 2043 which is a great win.

John Bridges Moyhu Action Group: Is the Rural City of Wangaratta getting benefit through the work Tourism North East is doing? Is there an alternative to Tourism North East? And who is Tourism North East accountable to? Do they provide visitation numbers to all municipalities?

Brendan McGrath, Chief Executive Officer: There are 6 or 7 member councils in Tourism North East as well as the three alpine resort boards. Each of those organisations pay equal amount to be a member, so it does not advantage or disadvantage anyone based on the size of Council. They then have a number of activities that they run that Councils can opt to buy into at their discretion. There are probably at least a dozen that we currently buy into on a regional basis that range from gourmet food & wine promotions to various cycling activities. So while we may not feature as high in that one promotional activity ('Ride the High Country') equally there would a range where we would feature more highly in than other Councils, such as food or wine, where other Council's may not have as many operators in that area. On balance, all the member organisations get a bit of activity and it is pretty equitable and to some degree it depends on which activities they buy into.

In terms of who they accountable to, they are member councils, if they are not satisfied they can opt out of being a member. At this stage no one has since its inception. They are also accountable to various tourism operators in the municipalities as they rely heavily on industry to be part of promotional activities and buy into these activities. If industry does not see good value in that, they will very quickly stop contributing to that. So there are a range of accountability mechanisms. They also get some core funding from Tourism Victoria and they need to meet various KPIs and obligations to receive funding.

In terms of alternatives, I think if you want to play in the regional intra-state and inter-state tourism space you need to do that collaboratively. We, and no other member council, has the financial capacity to do anything meaningful to promote themselves in intra-state or inter-state, it takes significant investment. So collaboration is clearly the best way in getting a good return. Where it is more of a local tourism initiative that falls into the domain of our own economic development and tourism staff.

They do provide visitation numbers, we get quarterly reports, some of which are gathered and produced by them and some that are state wide sources that collect data.

Brian Fox: I was delighted to hear our CEO talk about accountability as I have previously asked if the CEO would put a decal on his council owned car. Will he put a decal on his car? Why is there no officer names on the Council reports and recommendations? I would like to comment to the person who has advised or who will present that recommendation. Could you have motions that are put up for Council meetings have a name next to them?

Mayor Ken Clarke: We do have names next to them, that's why we do them in order. You will note for reports Corporate Services is 13, Community and Wellbeing is 14, Infrastructure Services 15 and Development Services 16. They are the four directors that are sitting at this table who talk to those recommendations. So those are the four people you would talk to if you have a question.

23. CONFIDENTIAL BUSINESS

RESOLUTION:

(Moved: Councillor D Rees/Councillor H Bussell)

Councillor D Rees moved a motion:

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

1.1 Recycling Contract Amendment

Item 1.1 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to : (d) contractual matters.

Carried

24. CLOSURE OF MEETING

The Meeting closed at 7.26pm