

Minutes

Of the Ordinary Council Meeting

Location: Tarrawingee Hall

Date: 25 September 2018

Time: 6.00 PM



RURAL CITY OF
WANGARATTA

Alan Clark
Acting Chief Executive Officer

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1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

I acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders, past present and emerging, and to the Elders of other communities who may be with us 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:

Alan Clark - Acting Chief Executive Officer, Sarah Brindley - Director Corporate Services, Barry Green - Director Development Services, Marcus Forster - Acting Director Community Wellbeing, Chris Gillard – Acting Director Infrastructure

4. ABSENT**Councillors:****Officers:**

Brendan McGrath Chief Executive Officer, Jaime Chubb Director Community Wellbeing

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

(Moved: Councillor M Currie/Councillor D Fuller)

That Cr Ashlee Fitzpatrick be granted leave of absence for the period 15 October 2018 to 18 October 2018.

Carried

ORDER OF BUSINESS**6. CITIZEN CEREMONY**

Nil

7. CONFIRMATION OF MINUTES

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor H Benton)

That Council read and confirm the Minutes of the Ordinary Meeting of 21 August 2018 as a true and accurate record of the proceedings of the meeting.

Carried

8. CONFLICT OF INTEREST DISCLOSURE

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a '*conflict of interest*' in a decision if they would receive, or could reasonably be perceived as receiving, a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

Disclosure must occur immediately before the matter is considered or discussed.

9. RECEPTION OF PETITIONS

10. HEARING OF DEPUTATIONS

PRESENTATION OF REPORTS

11. COUNCILLOR REPORTS

Mayoral Quarterly Report:

In my last quarterly report to you, I reported on the excitement staff were experiencing in respect to the Organics Plant at Bowser. Amazing what a few weeks of fine weather can do, and what a great job the contractors successful for the Civil Works tender have done. It is certainly an eye opener to visit the site now. The first container has arrived and the contents stored securely on site, with the second expected in the next couple of weeks. We are currently on track to be taking our first loads in April of next year. We have re jiggered our plans for the outdoor heated pool at the Barr, the expressions of interest are in and been assessed and we are ready to go to tender. Hopefully we could see contractors on site before Christmas. There will be interruptions to current users of the facility over time, but we hope they will be minimal. Regular meetings with users will be held so they are aware of where we are at with the project.

Tenders are out for the re construction of Ovens Street and King George Gardens, and we have held community consultation in respect of the Railway precinct upgrade. Some really good conversations have come out of those

discussions. Whilst the Cruse Street extension to the racecourse entrance is almost completed, we are dragging our tail a bit on the bridge over the 3 mile creek, but we hope to start this before too long. On Wednesday of last week I was present for the commencement of the re-furbishment of the Sydney for the RSL. They are looking for a finish date of April 17th next year.

Priorities for the first year of our rural place making have been bedded down, with community meetings held at Edi Upper, Milawa and Glenrowan last week and Boorhaman and Eldorado on the agenda for next week. Appointments to Project Officer position's will allow some of these works to be started fairly soon. I must say I was disappointed with a lack of community representation at the Glenrowan meetings, either they are happy, or have no interest in the improvement of our City.

On a positive note, I welcome the appointment of Sarah Brindley in the position of Director Corporate Services and Marcus Goonan who has filled the role previously held by Maree Walker in Infrastructure. I have certainly gained confidence with their involvement so far. Most would be aware that Council saw fit to re-appoint Brendan McGrath for a further 4 years as our CEO and I look forward to him leading the City to big things over this time. There is so much taking place in the City, both with our Capital Works, the \$26.5m at the hospital, the continued improvements at the racecourse and the \$20m expansion plan for St Catherine's. Thompson Street re construction is nearly ready for the final seal, negotiations are occurring in respect of the making of Morgan Road and we have now an in-house team who have constructed their first road out Springhurst way. This will be of interest to ascertain whether we can do this work, or depend on contractors.

A couple of great events have taken place over the last couple of months. I had the pleasure on Sunday last with my other six councillors of hosting the Ovens & Murray Football/Netball Leagues Grand Finals for the first time in 24 years. Whilst we had a bigger crowd at the AFL pre-season match, we could not have wished for a better day to showcase what Wangaratta is all about. I must pay tribute to Kelly Harwood, who following James Vincent's departure stepped up to the plate and did the City proud with the organising of the event. Exceptional performance by Kelly and her team. As I remarked on Sunday, I have never seen the Showgrounds looking so well and to Glen and his team, I am sure you can get into your own lawns and gardens now that you have shown the world how good you are. Well done to you all. The Board of the O & M were ecstatic about the netball courts and the number of people there. Congratulations to Wangaratta Magpies A & B grade netball teams, who together with the Wangaratta Rovers Under 18 team were premiership recipients. A great result for our Clubs.

I would also like to record my appreciation of the tremendous Awards night of Merriwa industries that I and other councillors attended. It was indeed great to see the look on the faces of the Award nominations as they stood on stage, I am sure they just think it marvellous that their Board, CEO and senior staff put on a night like this for them to enjoy. Cr Rees certainly did Elvis proud. As usual there have been many television interviews, as well as radio and newspapers which I have attended to on behalf of the City. Thank you to my fellow councillors for your continued support over this period, my position would be so much harder if you

did not give me your support. Thank you all who have filled the gaps when needed.

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor H Benton)

That the Mayoral Quarterly report be received and noted .

Carried

Councillor David Fuller Annual Report

Thank you Mayor Clarke, and colleagues for this opportunity to speak. In September last year I took an opportunity to present a report a year on from nominating for council. Moving forward another year and I again take that opportunity to reflect on the year.

Post 2017 report, I was deeply shocked to hear of the loss of colleague Ruth Amery in early October. But I am grateful to note in the budget a moment to acknowledge her brief, but colourful presence with the Rural City by the establishment of a biennial textile award.

Also in October we were lucky enough to be present at the opening of a new wing for the Illoura Residential Aged Care building, and the opening / closing ceremonies for the 2017 Relay for Life. Uncanny chance that in 2018 I will be the chair of this event. In addition, during October some of us undertook governance training for our role as trustees of the cemetery, and October this year we will be looking more closely at the cemetery's future as we decide on the Masterplan, and the potential options for variations in the Trust.

November was highlighted by the 28th Jazz and Blues festival, my sixth year as a member associated with the festival management. We welcomed Cr Fitzpatrick in November, and Mayor Clarke retained the role, which ensured continuity and experience – and we are fortunate to have had his leadership this year.

December had so many events, it's impossible to summarise the month, but a highlight would be the launch of a special exhibition at the visitor info centre and also the library friends and volunteer's Christmas morning tea. I was also privileged to be the emcee for New Year's Eve, with thousands of residents welcoming in 2018.

January and February were reasonably quiet, with the highlights being Tarrawingee and Cheshunt Australia Day celebrations, and the Queen's Baton Relay. Not to mention a quick trip to Cairns!

March saw the return of Down by the River, with the addition of programming by the Hitch to the Sticks Festival, whilst I don't support all elements of this process, I see some value in the way families come together on occasions like these. I look forward to renovations of these concepts in the coming year. The other highlight of March I cannot praise enough, was the debut of Same Same, a brilliant short film that explored the way in which students with variations of ability

are seen by not only themselves, but also their families. I recommend finding it on YouTube.

In April we commemorated ANZAC Day and I took over Ken's role on the Winton Wetlands Committee of Management. Followed by a month of dinners and events in May, including a convention of Production & Sound engineers and the Chamber of Commerce Business Wangaratta Awards. Ending the month with the unveiling of Fran Doig's hand print at Marmungun Rock. In May we also adopted our second budget, with record spending on roads and capital works. Though the council plan still lacked suggestions from the community, who continue to tell us we don't consult with them on direction.

June began with a trip to the King Valley art show opening, where I did purchase my second piece of art, and enjoyed the talent of many artists local and afar. The month ended with a double event day that included a forum to explore modern day masculinity and how it interacts with society, followed by a guest speaker visiting Wangaratta to talk about her track from Melbourne to Canberra in support of refugees. We must as a community grow to be more emotional and more compassionate about the vulnerable people we interact with, even if we think they are strong.

As the year in review winds around towards to tonight, July included a trip to Beechworth for Young Leaders Panel, a celebration of outgoing ACHAC members at the PAC, Isiah Firebrace visited to perform for NAIDOC week and we launched the program for the 29th Jazz and Blues Festival. August so far has been limited by a two week break, but since returning we have checked in on the organics progress, I opened a fantastic exhibition in Gallery two, and acknowledged Vietnam Veteran's Day.

Most recently in August and September we have had tests of resilience, and the ongoing sadness brought on my Mental Health. It was reassuring to see the community come together as recent as last week to tackle the conversation at the screening of Ripple Effect, and again this coming Friday for Puka Up walk. Aside from this conversation about resilience, I was also fortunate to attend the Sustainable Communities National Summit in Melbourne and take away many ideas that we as a community can consider for building our resilience in terms of mental health, community wellbeing and the environment.

Of my three portfolios it is perhaps my most understated. We have had funding for sport and rec to the tunes of millions in the last year, and our art and cultural elements are beginning to gain momentum in terms of Events, Attractions and the feasibility study for a new gallery. But it is imperative we take stock of the environment we live in, and reflect on the impact we have, the impact of our waste habits and the impact of the climate change cycle, that is no longer a cyclic change of the past. I hope in my time I see great steps forward towards food security, better land management and of course renewables done right, in the right place and for the right reasons.

Aside from attendance at these events, in the year to date, I have attended 81 meetings on behalf of council, I have eaten 19kg of sandwiches and cakes and travelled 317km with the Mayor on adventures around the municipality. Most

rewardingly I have spoken to thousands of terrific local people. What I've taken on board:

Life is precious, and sometimes unfortunately short. So focus on the positives and enjoy moments that make you smile. If you want to see a change in something, then get involved.

We have littered our way to a disgraceful level around the globe, and starting local to clean our waterways and natural space is more than important, it is imperative.

Community engagement, consultation and collaboration will ensue we are able to achieve great outcomes for the community. However we need more diligence, more buy in from the municipality who consistently tell us we are missing the mark.

I am grateful for this opportunity to represent the Rural City of Wangaratta. Thank you Mayor Clarke for all your effort, thank you councillors for your support and thank you officers for the work put in behind the scenes to get this much done.

RECOMMENDATION:

(Moved: Councillor M Currie/Councillor A Fitzpatrick)

That Cr David Fullers Annual report be received and noted.

Carried

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

12.1 INLAND FREIGHT ROUTE

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	25 September 2018
Author:	Manager Infrastructure Planning and Delivery
File Name:	ARTC - Australian Rail Track Corporation
File No:	S18/5331

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 confirm Council formal position on the Inland Rail Project currently out for consultation from Australian Rail Track Corporation (ARTC).

RECOMMENDATION:

That Council:

1. *Support a formal position on the Tottenham to Albury Project including:*
 - *Engage in meaningful consultation with the community and local agencies*
 - *Maintain the heritage look, feel and character of the stations*
 - *Create / maintain all ability access from both sides of the railway precincts, including from any existing station buildings to new track locations*
 - *At Wangaratta Station:*
 - *Maintain dual tracks but move and drop tracks to the West side of the station;*
 - *Installation of dropped tracks for entire length of works to reduce impact on existing structures; and*
 - *Fill in the created disused line to allow additional open space to be created.*
 - *At Glenrowan Station:*
 - *Maintain current track location alignment and level*
2. *Approve officers to respond to ARTC and other government agencies with Council's formal position.*

RECOMMENDATION:**(Moved: Councillor H Benton/Councillor D Rees)*****That Council:***

- 1. *Support a formal position on the Tottenham to Albury Project including:***
 - *Engage in meaningful consultation with the community and local agencies***
 - *Maintain the heritage look, feel and character of the stations***
 - *Create / maintain all ability access from both sides of the railway precincts, including from any existing station buildings to new track locations***
 - *At Wangaratta Station:***
 - *Maintain dual tracks but move tracks to the West side of the station;***
 - *Consider installation of dropped tracks for entire length of works to reduce impact on existing structures;***
 - *Fill in the created disused line to allow additional open space to be created; and***
 - *Consider the overall impact of a pedestrian underpass versus pedestrian bridges***
 - *At Glenrowan Station:***
 - *Maintain current track location alignment and level***
 - *At Springhurst Station:***
 - *Consider all access requirements***
- 2. *Approve officers to respond to ARTC and other government agencies with Council's formal position.***

Carried

Background

Inland Rail is a once-in-a-generation project, transforming the way freight will move around the country. It will complete the 'spine' of the national freight network between Melbourne and Brisbane via regional Victoria, New South Wales and Queensland.

As part of these works major upgrades are flagged for the Tottenham to Albury Project including Wangaratta and Glenrowan Station Precincts. Wangaratta is noted as one of the more "tricky" sections with eight sites where works are required to structures under the current plans including:

- Green Street Bridge
- Wangaratta Station Entry and Exit Road Over Bridges
- Wangaratta Station, Cusack Street and Docker Street Footbridges
- Signage Gantry and Waterman Bridge

ARTC are seeking feedback on the project and will be in Wangaratta in Mid-October to meet with Council Officers.

Council Officers and the community have strong views on these works, particularly with the soon to be designed and constructed railway precinct works in Cusack, Norton and Docker Streets. With Community members presenting views to Council both in person and via written feedback.

It is important for Council to be clear on their requirements for these works as follows:

- Engage in meaningful consultation with the community and local agencies
- Maintain the heritage look, feel and character of the stations
- Create / maintain all ability access from both sides of the railway precincts, including from any existing station buildings to new track locations
- At Wangaratta Station:
 - Maintain dual tracks but move and drop tracks to the West side of the station;
 - Installation of dropped tracks for entire length of works to reduce impact on existing structures; and
 - Fill in the created disused line to allow additional open space to be created.
- At Glenrowan Station:
 - Maintain current track location alignment and level.

Implications

Policy Considerations

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

Financial/Economic Implications

There are no direct financial implications on Council. The works will have a positive impact on the local community with additional employment during construction. It is important to ensure the final outcome delivers this benefit long term.

Legal/Statutory

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

Social

This project will have a considerable impact on accessibility, character and amenity of the rail precinct and this needs to be taken into consideration in the project works.

Environmental/Sustainability Impacts

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

2018 – 2021 Council Plan (2018 Revision)

This report supports the 2018-2021 Council Plan:

Goal

We are Established

We will plan, research and advocate for the future:

- For a local and regional rail system that is reliable, more frequent and fast.
- With regional partners to identify and address public and community transport gaps.

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
Works are completed without Council's requirements being incorporated	Possible	Loss of community amenity, heritage and access	Medium	Be active during the feedback period. Continue to work with ARTC

Consultation/Communication

ARTC are currently conducting community consultation for this.

Members of the public are able to make direct submissions via the "Tottenham to Albury Feedback form" which can be found on the ARTC Website.

Options for Consideration

1. To adopt a formal position on proposal.
2. Not to adopt a formal position.

Conclusion

Inland Rail is a once-in-a-generation project, but the works to make this project a reality will have a major impact on the Wangaratta and Glenrowan Stations. It is important for Council to be clear on their requirements for these works to minimise any adverse impacts.

Attachments

Nil.

Public Questions

Eric Bittner, Café Derailleur, Wangaratta asked Alan Clark, you mentioned pedestrian access on the rail bridge. Is there any consideration that Council will look at a shared bike path over the rail bridge?

Alan Clark responded, if the double stacks go through when the railway line is level it means the shared bridges will be around 8 metres in the air. The other option put forward by ARTC is to go an underpass version, which will be 3 metres rather than 8 metres. The ramps would not be anywhere near as long, and more attractive in that sense. We are asking ARTC to look at dropping the new tracks which would allow the pedestrian bridges to remain. We are pushing very hard to have meaningful and useful access right across the rail corridor.

Eric Bittner, Café Derailleur, Wangaratta asked is it possible to include in the documents, pedestrian and cycle access? Given the effort Council are going to with the Railway Precinct redevelopment are you able to include cycle paths and

shared paths, access from the west end and the bridge over the Railway station at the Cusack Street side as it's a potential major thoroughfare.

Alan Clark responded, it is very much on our radar and we will be fighting hard. The reason for this recommendation tonight is so we are at the table and can have those conversations.

13. CORPORATE SERVICES

13.1 INSTRUMENTS OF DELEGATION

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	25 September 2018
Author:	Manager People & Governance
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 Chief Executive Officer and the powers, duties and functions delegated to members of Council staff pursuant to section 98 of the *Local Government Act 1989* (the Act).

RECOMMENDATION:

That the s6 Instrument of Delegation from Council to various positions in the organisational structure be adopted and sealed.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor H Benton)

- 1. That the s6 Instrument of Delegation from Council to various positions in the organisational structure be adopted and sealed.***
- 2. To review the financial components of the delegations and bring back to Council within the next three months.***

Carried

Background

Section 98 of the Local Government Act 1989 ("the Act") provides that a council may, by Instrument of Delegation, delegate to a member of staff, any power, duty or function of the Council under the Act or any other Act, other than some powers (such as adoption of the budget), that are reserved for Council decision. The delegations are made to the position rather than to the staff member occupying the position.

Delegations are essential to enable Council staff to carry out operational duties particularly in areas which involve enforcement, such as town planning, local laws, environmental health, animal management and parking control. The current

delegation from Council to various positions in the organisation was approved on 22 August 2017.

It is therefore appropriate to adopt a revised Instrument of Delegation to particular organisational roles where the delegation must be direct from Council to the position, rather than as a sub-delegation from the Chief Executive Officer.

The proposed delegation (**Refer Attachment 1**) is based on a document prepared by Council's solicitors and is similar to that used by many Victorian municipalities.

The proposed amendments to the delegation reflect:

- a) the replacement of the Heritage Act 1995 with the Heritage Act 2017; and
- b) amendments to the Planning and Environment Act 1987, relating to Ministerial Statements of Planning Policy and sections 46GA to 46QD of the Planning and Environment Act 1987 which relate to infrastructure contributions and development contributions.

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

The delegations identify the authority to make decisions related legislation and regulations.

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 will be placed on Council's website and be available for inspection at the Wangaratta Government Centre.

Options for Consideration

The delegations recommended for adoption have been well established. The changes involved are minor and administrative in nature.

If Council were to consider not adopting the delegations, many administrative functions would cease to operate.

Conclusion

Having considered this report and the attached delegation instruments it is appropriate that the Council formalise the delegations as recommended.

Attachments

- 1 s6 - Instrument of Delegations to Staff [⇒](#)

13.2 2017/18 CARRY OVERS - CAPITAL EXPENDITURE & OPERATING PROJECTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Manager Finance
File Name: Financial Management - Budgeting - 2018/19
File No: S18/5156

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

Executive Summary

This report is presented to Council to endorse the end-of-year financial position in relation to the Capital Works Program and the carry forward of budget allocations or over expenditure of the relevant 217/18 capital budget to the 2018/19 financial year.

RECOMMENDATION:

(Moved: Councillor D Fuller/Councillor M Currie)

That Council:

- 1. carries forward \$1,147,849 from the 2017/18 capital works budget allocations to the 2018/19 financial year***
- 2. reduces capital expenditure in the 2018/19 budget by \$314,759 for capital projects commenced in the 2017/18 financial year***
- 3. increases capital income in the 2018/19 budget for contributions and grant income not received in 2017/18 of \$1,494,958***
- 4. carries forward \$502,913 in net non-recurrent operating expenditure to the 2018/19 financial year.***

Carried

Background

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

Implications

Policy Considerations

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

Financial/Economic Implications

Capital expenditure

Set out below are the proposed carry over amounts in excess of \$25,000:

Project	17/18 Carry Over
01468 Coronation Pre School upgrade	26,730
01777 HP Barr Oval 2 Drainage & Restoration Works	26,930
00178 Plant replacement program	35,713
01824 Mitchell Ave Park Project	37,810
01662 Efficiencies through Modern technology for parking	44,276
01687 Waldara LDRZ Drainage	56,962
01812 Safe pedestrian crossings	67,299
00555 Preparation for reseals	77,050
01526 Resheeting Program	141,684
00725 Road Street reconstruction	215,863
01809 North Wangaratta Recreation Reserve	226,986

A detailed list of carry over items, totalling \$1,147,849, are set out in the attachment to this report. **(Refer attachment 1)**

A number of projects budgeted for 2018/19 have been partly completed in 2017/18 or commenced earlier than expected and are funded from the 2018/19 approved budget. These projects total \$314,759 and are listed in the table below.

Project	18/19 budget reduction
01586 Morgan Street road and drainage	(1,490)
01755 Female Friendly Facilities	(4,345)
00529 Renewal Signs	(5,099)
01757 Old Murmungee Hall Upgrade	(13,153)
00530 Shoulder renewal	(13,502)
01011 Bicycle path renewal	(14,900)
01688 Moyhu road and drainage	(15,988)
00862 Township gravel road sealing	(22,425)
01600 Renewal bridges	(42,877)
01584 Organics processing plant	(180,979)
Total	(314,759)

Capital Income

Council receives contributions from community groups and users towards the capital works program. Council also receives grant monies from the State or Federal Government and the timing of these contributions and grants can be uncertain. Inevitably there can be a mismatch between the 2017/18 Forecast and 2018/19 Budget as to the timing of the contributions and grant income.

Income from contributions and grants in the 2018/19 Budget should be increased by \$1,494,958 as income was not received before 30 June 2018 for seven projects: Moyhu Tennis Multiuse Project (\$12,000), Wareena Park Lighting & Pavilion Development (\$25,500); Appin Park Lighting (\$34,600), Female Friendly Facilities at Moyhu (\$76,783), Municipal Synthetic Cricket Pitches (\$26,000), North Wangaratta Recreation Reserve lead contamination project (\$1,000,000) and Roads to Recovery grant funding (\$320,075).

All of these projects were approved previously by Council and are expected to be completed during the 2018/19 financial year.

Operating Expenditure – Non-recurrent

Some operational projects will be carried forward to the 2018/19 financial year. Typically these are linked to a specific grant funded program or occur due to slight delays in the completion of work before 30 June 2018. The projects that have carried forward operating expenditure are as follows:

Project	18/19 Budget change
Enterprise Agreement implementation and support costs	238,613
Strategic planning projects and masterplans	80,457
Performing Arts Centre show fees	51,000
Supported Playgroup	33,200
Youth programs	22,585
Gallery exhibitions and funding programs	19,772
Community grants and contributions	18,205
Land and roadside weed management	14,961
Aerodrome maintenance	13,500
Landfill 53v audit (EPA requirement)	7,331
Community health and wellbeing plan	6,260
Maternal and Child Health Service Innovation Fund	4,584
Victorian Commonwealth Games Bid	2,945
Library programs	600
Economic Development programs	(11,100)
Sub-total	502,913

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

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

2017 - 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Established

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

We are Sustainable

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

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

N/A

b) Other strategic links

N/A

Consultation/Communication

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

Conclusion

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

Attachments

- 1 Capital Works Carried Forward ➡

13.3 ANNUAL REPORT 2018

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Manager Finance
File Name: Financial Statements 2017/18
File No: F16/2201

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

Executive Summary

A Council must, in respect of each financial year, prepare an Annual Report containing an audited Performance Statement and audited Financial Statements.

This report is presented to Council for approval 'in principle' of the 2017/18 Performance Statement and Financial Statements and adoptions of the Governance and Management Checklist.

RECOMMENDATION:

(Moved: Councillor H Benton/Councillor D Rees)

That Council:

- 1. Approves 'in principle' the Performance Statement and Financial Statements for the Wangaratta Rural City Council for the Financial Year ending 30 June 2018 as endorsed by the Audit Advisory Committee on 11 September 2018***
- 2. Authorises the Mayor, Cr Ken Clarke OAM, and Cr Mark Currie, to certify the Performance Statement and Financial Statements for the Wangaratta Rural City Council for the Financial Year ending 30 June 2018 in their final form after any changes recommended or agreed to by the Auditor General have been made***
- 3. Adopts the Governance and Management Checklist for the Wangaratta Rural City Council for the Financial Year ending 30 June 2018***
- 4. Authorises the Mayor, Cr Ken Clarke OAM, to certify the Governance and Management Checklist for the Wangaratta Rural City Council for the Financial Year ending 30 June 2018***

Carried

Background

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

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

1. Service Performance
2. Financial Performance
3. Sustainable Capacity

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

The Draft Performance Statement and Draft Financial Statements of the Wangaratta Rural City Council for the period 1 July 2017 to 30 June 2018 have been prepared in accordance with the Australian Accounting Standards and as required by the Act (***refer attachments***).

The Governance and Management Checklist and Performance Indicators have been prepared in accordance with the Local Government (Planning and Reporting) Regulations 2014.

Council reported on its performance against the Council Plan for the period 2017/18 at the Council meeting on 21 August 2018. A final version of the Council Plan performance is attached in the Reports of Operations (***refer attachment***).

Implications

Policy Considerations

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

Financial/Economic Implications

The Financial Statements include a comparison between the 2017/18 financial year and the 2016/17 financial year.

The Financial Statements comprise the:

1. Comprehensive Income Statement
2. Balance Sheet

3. Statement of Changes in Equity
4. Statement of Cash Flows
5. Statement of Capital Works
6. Notes to the Financial Statements

Comprehensive Income Statement

The Comprehensive Income Statement shows Council's revenue and expenses for the year plus other comprehensive income.

The statement does not include the cost of asset purchases, loan repayments or reserve funds. It does however include the depreciation of asset values as an expense. Below is a summary of the Comprehensive Income Statement.

	2016/17 \$'000s	2017/18 \$'000s	Increase / (decrease) \$'000s
Total income	65,082	64,351	(731)
Total expenses	58,700	54,570	(4,130)
Surplus (deficit) for the year	6,382	9,781	3,399
Other comprehensive income	77,351	46,371	(30,980)
Comprehensive result	83,733	56,152	(27,581)

Explanations of some of the key changes between 2016/17 and 2017/18 in the components of the Comprehensive Income Statement are as follows:

1. Total income decreased by less than \$1 million. Some of the key movements between income categories were:
 - a. Rates and charges increased by \$1.174 million. The increase was due to a 2.0% increase in rates and 6% increase in waste charges.
 - b. Operating grants decreased by \$2.728 million. The year on year variance is due to the timing of financial assistance grant payments. The Victorian Grants Commission (VGC) paid half of the 2018/19 allocation in advance in June 2018 (2017/18 year), whereas the 2016/17 year included both the entire 2016/17 year allocation and half of the 2017/18 allocation. The 2017/18 year reflected half of the 2017/18 and 2018/19 years only.
 - c. Contributions of non-monetary assets increased by \$592,000. Non-monetary asset income generally relates to the transfer of infrastructure by developers to Council following completion of subdivisions. These assets become the property of Council and hence increase Council's asset levels. The value of the assets is recorded as income when the transfer of ownership takes place. The total value of assets transferred varies considerably from year to year depending on the level of development in the municipality and subsequent transfer of infrastructure to Council.

2. Total expenses decreased by \$4.130 million. Some of the key movements between expense categories were:
 - a. Depreciation and amortisation decreased by \$1.209 million. The decrease is largely due to a one-off, non-recurring write down in the value of the waste management assets in 2016/17. As noted in this equivalent report 12 months ago depreciation and amortisation expense for 2017/18 was forecast to be between \$13 - \$14.5 million. The 2017/18 result was \$12.944 million which is just under the lower end of the forecast number.
 - b. Borrowing costs decreased by \$500,000. In 2017/18 both interest on borrowings and the increase in provision for landfill arising from changes in discount rates were less comparatively to 2016/17. The repayment of borrowings at higher interest rates will continue to result in a reduction in interest on borrowings. Some of Council's older borrowings are at interest rates of 7.99%.
 - c. Other expenses decreased by \$1.8 million. In 2106/17 Council has re-assessed the estimated future expenditures for the rehabilitation of closed landfill sites, including aftercare costs, and this has resulted in an increase in the landfill provision and an increase in other expenses of \$1.506 million. A similar expense has not resulted in 2017/18.
3. Other comprehensive income is \$30.9 million less than last year. Other comprehensive income is primarily movements in the asset revaluation reserve as a result of asset revaluations. The assets are grouped into categories and in accordance with accounting standards, the asset categories are revalued on a cyclical basis over a number of years. As most infrastructure revaluations are based on current replacement cost they generally result in an increase in asset values. The 2016/17 revaluation income was associated with asset revaluations undertaken for land, buildings and infrastructure assets. In 2017/18 revaluations were conducted during the year largely for infrastructure assets only. Further details are contained in the report 2017/18 Valuations.

Balance Sheet

The Balance Sheet shows what Council owns as assets and what it owes as liabilities. The bottom line of this statement is Total Equity which is an accumulation over time of the net worth of Council.

	2016/17 \$'000s	2017/18 \$'000s	Increase / (decrease) \$'000s
Current assets	28,393	40,228	11,835
Non-current assets	489,566	534,551	44,985
Current liabilities	11,193	11,244	51
Non-current liabilities	22,878	23,495	617
Equity	483,888	540,040	56,152

4. Current assets increased by \$11.835 million. The increase in current assets is mainly due to a higher level of financial assets (investments) due to grants received in advance late in the year, together with the deferral of some of the 2017/18 capital works program into 2018/19. Further details are set out below in the Statement of Cash Flows. Council's land assets held for sale also increased during the year, increasing from \$777,000 to \$3.788 million.
5. Non-current assets increased by \$44.985 million. Non-Current assets are assets which are not expected to be converted into cash in the next 12 months. The increase is mainly due to asset revaluations, 2017/18 capital works expenditure and assets contributed by developers following subdivisions.
6. Current liabilities increased by an immaterial amount. There was an increase in trade and other payables however this was largely offset by decreased in provisions and interest-bearing liabilities.
7. Non-current liabilities increased by \$617,000. No new borrowings were drawn down during the year. The landfill provision increased by just under \$1 million. This was caused by Council increasing the period for which the provision is calculated. The provision workpapers end for 52 years from 2017/18 whereas in prior years the provision was for a lesser period of 30 years.
8. Total equity is the term used to describe the value of the Council to its ratepayers and is divided between:
 - a. Accumulated surplus - the value of all net assets over time;
 - b. Asset revaluation reserve;
 - c. Reserves - funds reserved for specific future expenditure.Council's accumulated surplus increased by \$6.195 million from 2016/17 which is due to:
 - (i) the operating surplus of \$9.781 million (comprehensive result) for 2017/18; and
 - (ii) net transfers to reserves for future expenditure requirements of \$3.585 million.

Statement of Cash Flows

The Statement of Cash Flows is a record of cash received and cash paid by Council for the financial year. It excludes non-cash expenses such as depreciation that are included in the Comprehensive Income Statement and includes items such as capital expenditure and proceeds from loans or repayment of loans that are not included in the Comprehensive Income Statement.

Overall the Statement of Cash Flows shows that cash on hand was \$12.14 million at the end of the year. The level of cash is higher than 2016/17. Council also increased its term deposits (disclosed under financial assets), bringing total cash and investments to \$31.973 million at 30 June 2018. The level of cash should be considered in conjunction with the financial assets category as investments swing between these two asset categories when they come closer to maturity.

Overall Council's cash flow is strong in 2017/18 and this is evident by an overall increase in cash and investments of \$8.739 million, remembering that \$3.64 million of this balance relates to the 2018/19 VGC allocation. Further, the 2018/19 Budget disclosed carry over capital works of \$18.141 million of which \$9.074 million is funded from Council's cash and investments. As such, there are significant future obligations for which the cash and investments will be directed.

Budget Comparison

A budget comparison with actual performance is provided at Note 1. The *Local Government (Planning and Reporting) Regulations 2014* require explanation of any material variances. Council has adopted a materiality threshold of ten percent and positive or negative \$200,000. Refer to Note 1 in the attached Financial Statements.

Legal/Statutory

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

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

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

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

Social

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

Environmental/Sustainability Impacts

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

2017-2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

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

Risk Management

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

Consultation/Communication

Extensive consultation has been undertaken with RSD Audit, Agent of the Auditor-General, during the preparation of the Financial Statements. The 2017-18 timetable is shown the following table.

Date	Responsibility	Activity
20 - 22 August	RSD Audit	External audit field work
11 September	Audit Advisory Committee	Endorse the Financial Statements in consultation with the external auditor
25 September	Council	Approve, 'in principle', the Financial Statements pending sanction by the Victorian Auditor General; and Authorise two Councillors to sign certification of the Financial Statements
28 September	Authorised signatories	Sign certification of the Financial Statements
28 September	RSD Audit	Issue the Final Management Letter
28 September	Responsible officer	Submit the 2018 Annual Report to the Minister

Date	Responsibility	Activity
28 September	Responsible officer	Public notice of meeting to consider Annual Report; and Make Annual Report available
16 October	Council	Meeting to consider Annual Report

Options for Consideration

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

Conclusion

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

Attachments

- 1 Governance and Management Checklist [⇒](#)
- 2 Report of Operations - Our Performance [⇒](#)
- 3 Financial Statements [⇒](#)
- 4 Performance Statement [⇒](#)

14. COMMUNITY WELLBEING**14.1 WANGARATTA INDOOR SPORTS AND AQUATIC CENTRE 24/7 ACCESS**

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Manager - Community and Recreation
File Name: Management of the Wangaratta Indoor Sports and Aquatic Centre
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 to seek approval from Council to action a proposal from Council's health and aquatic centre management partner (YMCA-Victoria) to upgrade portions of the Wangaratta Indoor Sports and Aquatic Centre (WISAC) to allow 24/7 access to the gym, changing rooms and group fitness rooms. It is proposed to utilise reserved funds from profits generated under Contract 1213/045 for this purpose.

RECOMMENDATION:

That Council:

- 1. Transfer the amount of \$50,000 from the reserve account established to hold profits generated from Contract 1213/045 to an eligible Capital Projects account in Council operational budget; and*
- 2. Progress with the upgrades to the Wangaratta Indoor Sports and Aquatic Centre in order to allow 24/7 access to community fitness facilities.*

RECOMMENDATION:

Councillor M Currie moved a motion:

That the motion be deferred until next Council Meeting.

Motion was lost

RESOLUTION

For: *Councillor D Rees, Councillor A Fitzpatrick, Councillor D Fuller, Councillor H Bussell and Councillor H Benton*

Against: *Councillor M Currie and Councillor K Clarke OAM*

(Moved: Councillor D Rees/Councillor H Benton)

That Council:

- 1. *Transfer the amount of \$50,000 from the reserve account established to hold profits generated from Contract 1213/045 to an eligible Capital Projects account in Council operational budget; and***
- 2. *Progress with the upgrades to the Wangaratta Indoor Sports and Aquatic Centre in order to allow 24/7 access to community fitness facilities.***
- 3. *To review within the next three months the 2015 Council Report that went to October Ordinary Council Meeting endorsing administration procedures for any profit share funds generated from contract 1213/045.***

Carried

Background

YMCA - Victoria has recently undertaken several audio visual upgrades to group fitness facilities at the Wangaratta Indoor Sports and Aquatic Centre to allow for virtual fitness classes during business hours.

The YMCA in partnership, and under the direction of, officers from Council's Facilities Maintenance Department, has sought quotes for work necessary to retrofit WISAC so that 24/7 access could be allowed by members to the group fitness rooms, changing rooms and gym. The total overall estimated budget for these works, including a \$6,000 contingency is \$50,000.

It is proposed to utilise \$50,000 from the profit share reserve account established for Contract 1213/045 to undertake works to render these health and wellbeing facilities available to the public 24/7.

Council's aquatic and health/wellness facilities are currently managed by YMCA – Victoria under the terms of contract C1213/045. Under the terms of the contract 'a performance result which is better than the agreed financial target will result in Council paying an incentive payment of 33% of the difference between the target and the actual performance. A further 33% of the difference will be expended on improvements to the facility for the benefit of users. The balance will be returned to Council' Section 3.2 - Financial Arrangements and Management, Contract C1213/045.

In an effort to eliminate the need for an annual consideration of the dispersal of any profit share funds, it was endorsed at the October 2015 Ordinary Council

Meeting to retain future profit share funds generated into a reserve account within Council for either:

- short term facility enhancements designed to improve user experience; or
- long term facility developments designed to provide additional health and wellness opportunities to residents.

Since the October 2015 Ordinary Council Meeting the profit share reserve account has attained a current balance of \$150,077.53.

The YMCA has produced a position paper detailing the argument for 24/7 access, the benefits it is projected to have for the municipality and the improved sustainability of the WASIC service, currently managed by the YMCA. The position paper also details some of the risk mitigation measures that must be put in place to ensure a safe and equitable environment for people utilising the opportunity to exercise outside of normal business hours.

Implications

Policy Considerations

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

Financial/Economic Implications

If endorsed Council officers would transfer \$50,000 from the profit share reserve account established for Contract 1213/045 to undertake works to render these health and wellbeing facilities available to the public 24/7.

	2018/2019 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income	\$0,000	50,000	50,000	Funds to be transferred from reserve account.
Expense	0,000	50,000	50,000	
Net Result	0,000	0,000	0,000	

Legal/Statutory

Contract 1213/045 for the management and operation of the Wangaratta Indoor Sport and Aquatic Centre and Olympic Pool references Council's objectives for this contract are to manage and operate the Wangaratta Indoor Sports and Aquatic Centre and the Olympic Swimming Pool to achieve a number of outcomes, three of which are:

- To provide high quality social, recreational, sporting and health and fitness opportunities for all sections of the Rural City of Wangaratta community and its visitors, including through partnerships with Council and other agencies;

- To provide a safe, clean and attractive environment for all users of the facilities (both in and out of the water) and a safe and stimulating range of sport, recreational, educational and social activities for all age groups and abilities; and
- To promote and provide a pro-active approach to healthy lifestyles, including creative development and marketing of programs to meet identified community needs.

Within Section 2 of Contract 1213/045 the contract (YMCA) is encouraged to increase hours where community demand and profitability can be demonstrated.

Social

Research provided by the YMCA in their position paper has indicated that the YMCA now has demonstrated evidence that the shift to a 24/7 access model will translate to increases in membership, access to facilities and therefore an increase in residents utilising community health and wellbeing services.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan (2018 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Thriving

Our non-negotiables:

Our community can access recreation facilities and programs. We can all lead an active and healthy lifestyle.

What we do everyday

We work with service providers to ensure that the health of our community is considered in local service provision.

We will plan, research and advocate for the future

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

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

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

We will focus on our business

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

Sport, recreation, arts and culture, play an important role in bringing communities together and improving personal and community health and wellbeing.

b) Other strategic links

Municipal Public Health and Wellbeing Plan - 5.1.2 Continue to deliver inclusive and diverse services for all people of all ages, abilities and backgrounds through all Council's facilities and operations including the Wangaratta Library, Wangaratta Art Gallery, Wangaratta Performing Arts Centre, Wangaratta Children's Services Centre, Wangaratta Indoor Sports and Aquatic Centre and the Visitor Information Centre.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Decline in YMCA membership	Likely	Moderate	High	Facility upgrades to increase access

Conclusion

This report is presented to Council to seek approval from Council to action a proposal from Council's health and aquatic centre management partner (YMCA-Victoria) to upgrade portions of the Wangaratta Indoor Sports and Aquatic Centre (WISAC) to allow 24/7 access to the gym, changing rooms and group fitness rooms. It is proposed to utilise reserved funds from profits generated under Contract 1213/045 for this purpose.

Attachments

Nil.

15. INFRASTRUCTURE SERVICES

15.1 T1819/016 ANNUAL RESEAL WITHIN THE MUNICIPALITY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Manager Infrastructure Planning and Delivery
File Name: Annual Reseal within the municipality
File No: T1819/016

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 purposed of this report is to award Contract T1819/016 Annual Reseal within the municipality. Council's 2018/19 Capital Works Budget allocated \$1,137,504 Ex GST for reseal works. The preferred tender is Downer EDI Works Pty Ltd; with the tender process detailed below and in the attached evaluation report.

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor D Rees)

That Council:

- 1. Award the contract T1819/016 Annual Reseal within the municipality program for 2018/2019 financial year to Downer EDI Works Pty Ltd;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for Contract T1819/016 Annual Reseal within the municipality, when available; and***
- 3. Discloses the contract price for T1819/016 Annual Reseal within the municipality.***

Carried

Background

As part of the Rural City of Wangaratta asset maintenance program, Council completes an annual reseal program based on road condition data.

In 2018, Procurement Australia undertook a collaborative procurement process for reseal works on behalf of the following councils:

- Rural City of Wangaratta
- Benalla Rural City Council;

- Murrindindi Shire Council;
- Towong Shire Council;
- Wodonga City Council.

Each council provided their own scope and agreed specification. This information was included in the tender documents and the tender was advertised in the Herald Sun on the 30 May 2018. After the tenders closed on 4 July 2018, a joint tender review process was completed by the five councils and Procurement Australia.

An evaluation report of the tender review was produced by Procurement Australia and is attached.

The Procurement Australia Report also recommends a panel of suppliers for three years with the potential for two twelve month options. The successful Tenderers will enter into a Deed of Standing Offer with Procurement Australia. Each year's resale program will be tendered in accordance with the Rural City of Wangaratta's Procurement Policy.

There are some minor areas that require exemption from the Rural City of Wangaratta's Procurement Policy, these have been exempted as required under that policy.

Implications

Policy Considerations

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

Financial/Economic Implications

The preferred tender price is within the allocated budget for the works.

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

Quality and Sustainability was a key selection criteria with the recommended company holding accreditation in ISO14001 (Environmental) and ISO31000 (Risk Management).

2018 – 2021 Council Plan

This report supports the 2013-2017 Council Plan:

Goal

We are Established

We will plan, research and advocate for the future:

To facilitate drainage and road infrastructure to support future growth plans.

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
Inform	Advertise works on website and other media outlets	

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

Conclusion

The Rural City of Wangaratta used Procurement Australia to jointly procure Contract T1819/016 Annual Reseal within the municipality.

The tender review recommends **Downer EDI Works Pty Ltd** be awarded the Contract T1819/016 Annual Reseal within the municipality for the 2018/19 financial year.

Attachments

- 1 Reseal Tender Evaluation - Confidential

16. DEVELOPMENT SERVICES

16.1 ENVIRONMENTAL SUSTAINABLE DESIGN PARTNERSHIP PROJECT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Manager Strategy Growth and Environment
File Name: ESD Partnership Project
File No: F17/88

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 gain endorsement for the release of the Environmentally Sustainable Design (ESD) Subdivision in Regional Victoria report. This endorsement is to allow community consultation in regards to its implementation. The ESD project has been developed in collaboration with seven regional Councils and was facilitated by grant funding received from a successful joint application to the Victorian Sustainability Fund, and co-funding provided by the participating Councils.

RECOMMENDATION:

(Moved: Councillor D Fuller/Councillor D Rees)

That Council:

- 1. Endorse the final version of the ESD subdivision in Regional Victoria report for public exhibition;***
- 2. Invites public submissions regarding implementation of the ESD subdivision in Regional Victoria report up to close of business 26 October 2018;***
- 3. If submissions are received, a further report detailing the recommended actions be presented to the next available Ordinary Council meeting with the view to adopt the ESD Subdivision in Regional Victoria report; and***
- 4. If no submissions are received, resolves to adopt the ESD Subdivision in Regional Victoria report.***

Carried

Background

The Rural City of Wangaratta has partnered with seven other rural and regional Councils (Ballarat City Council, Baw Baw Shire Council, Greater Bendigo City Council, Greater Geelong City Council, Greater Shepparton City Council, Moorabool Shire Council and Wodonga City Council), to collaborate on a project, aimed at improving Environmentally Sustainable Design outcomes for residential subdivision in Regional Victoria. Wodonga City Council was the lead Council for this project

The purpose of this project is to identify regulatory and non-statutory approaches including education, advocacy, communication strategies, planning policy and the use of ESD assessment tools to improve ESD outcomes for residential subdivision in a regional context.

This project is broken in to two key stages:

- Proof of concept background study
- Cost benefit analysis

AECOM consultants were appointed to undertake this project. (See Attachments 1 and 2).

The project involved:

- A Background Analysis: including investigation of literature, case studies and ESD assessment tools and initiatives to inform draft best practice ESD principles for subdivisions;
- Industry Stakeholder Consultation: undertaken to assist in testing and refining best practice principles, consulting over 200 people over eight workshops and select interviews. This included:
 - Seven regional workshops, engaging with industry and local stakeholders. This represented a broad engagement across regional Victoria including with a range of stakeholders from the development industry including consultants, developers, real estate agents, builders as well as council staff, councillors, referral agencies and environmental groups.
 - A central industry association workshop including representatives from Department of Environment Land Water and Planning (DELWP), the Victorian Planning Authority (VPA), the Planning Institute of Australia (PIA), the Housing Institute of Australia (HIA), the Green Building Council of Australia, the Local Government Infrastructure Design Association (IDM group) and Council Alliance for a Sustainable Built Environment (CASBE).
 - Select interviews with individuals engaged with similar processes or undertaking related research including CASBE, Sustainability Victoria, Moreland Energy Foundation Limited (MEFL) and Urban Development Institute of Australia (UDIA).
- Assessment of Best Practice: This involved converting the best practice principles into a model to assess costs and benefits of ESD in subdivisions

at three scales (10 lots, 100 lots, 500 lots) and for dwellings across the three climate regions of the partner councils.

- A Cost Benefit Analysis: which included providing evidence about what measures could provide the best ‘bang for buck.’ Scenarios tested included water and energy modelling at dwelling level scaled up to subdivision level. This was supplemented by a ‘break-even analysis’ of three public realm interventions at the three scales of subdivision (enhanced canopy cover, increased use of recycled road material and increased use of Water Sensitive Urban Design). Additionally, a qualitative analysis, including case studies of various ESD interventions, identifying costs, benefits, beneficiaries and payees of various interventions was undertaken.
- Targeted Consultation: A further workshop was held with council planners and engineers in the Hume region to test implementation approaches and understand linkages between planning tools and the Infrastructure Design Manual (IDM).
- Potential Implementation Actions: The report provides a Regional Roadmap based upon the CASBE experience and a suite of tools that could be adopted for individual and collaborative implementation. The report demonstrates the transferability of the ESD model to rural and urban fringe areas and provides an evidence base for other councils to utilise and adapt to their local context.
- Knowledge Sharing: The project was presented to the MAV Rural and Regional Planning Conference 2018, which was a key component of the grant funding in sharing project learnings.

The final report is comprised of the main report and cost benefit analysis (Attachment1), an appendices document (Attachment 2).

It's noted that this document is of a technical nature, and further community input can assist with determining how the implementation of this report occurs.

Limitations of the study

The Cost Benefit Analysis included quantitative analysis at dwelling and subdivision levels. The quantitative analysis was subject to data limitations and did not consider factors such as environmental and social costs and benefits, future climate projections, changing price of energy and water, the reduced costs of emerging technologies going forward, or emission intensity of electricity supply.

Early in the project, it was apparent that there was a lack of quantitative evidence on subdivision based interventions that is required for a Cost Benefit Analysis, compared to dwelling based interventions (for example quantifying the value that people place on enhanced habitat as a result of the installation of green corridor).

Therefore a combination of qualitative and quantitative analysis was undertaken, including assessment of best practice case studies, assessment of beneficiaries and payees, and a 'break-even' analysis, which modelled the magnitude of benefits that would be required to offset the cost of enhanced ESD interventions.

Key findings of the study

Key findings included:

- There are cost effective measures to improve energy efficiency in dwelling design if integrated early in the design phase. This is more cost effective than retrofitting at a later date, and lowers the operational and maintenance costs of dwellings over their life cycle.
- 'Best orientation' (north facing living areas) was the clearest low or no cost/high benefit option across all climate zones. Further, the better the orientation, the less need for energy interventions (such as shading, heating or cooling) as the need has been negated through design.
- North facing orientation should therefore be optimised in subdivision design. Councils can actively engage with the development industry regarding the value created by 'best' orientation. Further, ensure that development plan and subdivision applications comply with the solar orientation standards of Clause 56 for residential subdivisions; and that this standard is given greater weight over competing objectives.
- Subdivisions and dwellings are intrinsically linked and a single statutory tool will not adequately address ESD in subdivisions and dwellings.
- A combination of statutory and non-statutory measures will be required to address ESD at different scales and to target different stakeholders in the development process.
- It is not considered feasible to introduce a new permit requirement for single dwellings, and strengthened energy efficiency requirements in the National Construction Code (NCC) is considered the most suitable tool to improve ESD in dwellings.
- Different planning tools can address ESD in subdivisions at different scales, such as Precinct Structure Plan (precinct scale), Development Plan Overlay (neighbourhood scale), ESD subdivision guidelines and local policy and in the absence of a state-wide approach; supported by the IDM and Sustainable Infrastructure Guidelines (SIG) (for subdivision scale) and advocacy to improve energy efficiency requirements in the NCC supported by education, information, tools and incentives (for dwelling scale).
- The IDM and SIG are important tools in increasing the sustainability of municipal infrastructure and ensuring planning objectives can be implemented at detailed design phase. This includes the opportunity to expand landscaping provisions in the IDM as a tool to facilitate increased

greening and promoting the use of recycled road materials to deliver significant carbon savings.

- Education of buyers and proactively working with volume builders will be important in improving lot optimisation and site and climate responsive dwelling design.
- Councils can promote non statutory actions for example, solar bulk buy schemes to facilitate more affordable renewable energy technologies for residents. (It is noted that this example is more applicable to existing dwellings and renovations as new development should be considering such interventions as part of initial design, however demonstrates how a bulk buy scheme can benefit the community.)
- The importance of collaborative networks in knowledge sharing and peer-to-peer learning.
- There is a need for further research into various ESD interventions and to develop educational resources and explore barriers and incentives to improving ESD (such as fast-track approval protocols and innovative funding opportunities).

Consultation with the wider community will help inform a tailored Rural City of Wangaratta Implementation Plan.

Implications

Policy Considerations

Environmental Sustainability Strategy, 2014

This report is consistent with the following parts of this strategy:

- Continuing partnerships with the community and leveraging off partnerships with regional Councils to further environmental sustainability initiatives.
- Increasing community resilience to changes in climatic conditions.
- This project specifically addresses gaps identified within 'Councils roles related to climate change responses' where single dwelling applications are not required to seek planning permits.

Financial/Economic Implications

This project was funded by a grant received from the Victorian Sustainability Fund along with a financial contribution from participating Councils. (The total funds available for this project is \$105,000.00. The Rural City of Wangaratta has made a \$2,200 financial contribution, and provided in kind staff time as a further contribution).

Legal/Statutory

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

Social

The project identifies a range of opportunities to create more liveable neighbourhoods and thermally comfortable homes which will have positive health effects and promote more connected and liveable communities. The project identifies simple no cost and low cost sustainability measures to reduce running costs, improve affordability of homes, including for those in the community on lower incomes from the outset (subdivision stage) of residential development.

Environmental/Sustainability Impacts

The project has positive environmental effects by identifying a set of 'best practice' ESD principles as they apply to a regional development context and a range of opportunities to improve ESD at both subdivision and dwelling level. These principles will increase energy, water and waste efficiency through subdivision design and development, reducing the environmental impact.

This can be achieved through implementation approaches such as 'opting in/endorsing' the IDM, SIG applying 'best' orientation in subdivision design and identifying cost effective opportunities to improve energy efficiency in dwellings. Further, it identifies opportunities to improve greening to respond to increasing heatwaves and increase the climate resilience of our neighbourhoods.

2017-2021 Council Plan (2018 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

We will plan, research and advocate for the future:

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

To identify and promote options to maximise the use of environmentally sustainable design in new and retro fitted residential, industrial and commercial developments.

We will create and deliver:

Opportunities that promote conservation and assistance to community groups to undertake conservation projects.

The non-negotiables

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

This project is consistent with the Wangaratta 2030 Community Vision, particularly:

- The Rural Landscape, unique and distinct; in 2030 by maintaining a sustainable balance between urban and rural environments
- A Healthy Environment; in 2030; by substantially reducing its greenhouse gas emissions, managing the environment sustainably and having well-planned and sensitive development coupled with a new order of sustainable living and sustainable business.

b) Other strategic links

Environmental Sustainability Strategy, 2014

The synergies have been discussed as part of the 'policy implications' section of this report.

Risk Management

There is minimal risk associated with this report.

Consultation/Communication

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

	<i>and provide feedback on how public input influenced the decision.</i>	<i>and considered. Workshops and key stakeholder forums have informed this process.</i>
Collaborate	N/A	N/A
Empower	N/A	N/A

Officers believe that appropriate consultation has occurred in the preparation of the report and the matter is now ready for consideration by the wider community.

Options for Consideration

1. As per the recommendation - Council endorse the ESD Subdivision in Regional Victoria report and place on exhibition for further review by the community and stakeholders.
2. Council does not endorse the ESD Subdivision in Regional Victoria report and no further work progresses on this project for Wangaratta.
3. Council adopts the ESD Subdivision in Regional Victoria report and does not go out to exhibition given the extent of consultation already undertaken in developing the report.

Conclusion

The ESD Subdivision in Regional Victoria report has been developed with extensive input and will provide a basis for progressively improving the sustainability of subdivisions. These positive changes will assist in limiting any unreasonable burden on Council, land developers or home owners/occupiers.

Attachments

- 1 ESD Subdivisions in Regional Victoria Report [⇒](#)
- 2 ESD Subdivisions in Regional Victoria Report - Appendices [⇒](#)

16.2 PLANNING APPLICATION FOR 42 LOT SUBDIVISION AND REMOVAL OF NATIVE VEGETATION

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	25 September 2018
Author:	Senior Planner
File Name:	42 Lot Subdivision
File No:	PlnApp17/032

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

Executive Summary

This application seeks planning approval to subdivide land identified as 566 Wangaratta-Yarrawonga Road, Waldara, into 42 lots comprising 41 low density residential lots with a minimum area of 4000m² and one residual parcel of 62.25ha to continue to be used for agriculture, refer to attachment 1.

The current application relies on existing the Wonga Park Drive to gain vehicle access from Yarrawonga Road. Wonga Park Drive will be extended by approximately 370m to the east giving road frontage to 14 new lots, a drainage basin reserve and the residual rural lot.

A new road of approximately 470m length will be created from a T-intersection on the north side of Wonga Park Drive to give vehicle access to 27 of the new residential lots. The new road loops back north then west to the Yarrawonga Road and provides a pedestrian & emergency access to Yarrawonga Road and links to the existing pathway along Yarrawonga Road.

The subdivision design results in two long streets with court-bowl ends. The creation of a road reserve to the adjoining property to the south in accordance with the Waldara Precinct Development Plan has also been proposed. The creation of this road reserve will compromise an existing remnant native tree which, although not proposed to be removed, must be considered lost for the purposes of assessing the application.

The application was formally advertised on 21 May 2018. To date, ten objections to the application have been received.

This report is presented to Council due to the number of submissions received.

RECOMMENDATION:**(Moved: Councillor D Rees/Councillor M Currie)*****That Council resolves to:***

- 1. issue a Notice of Decision to Grant a Planning Permit with respect to Planning Permit Application 17/195 for a 42 Lot Subdivision and Removal of Native Vegetation at 566 Wangaratta-Yarrawonga Road, Waldara, in accordance with the permit conditions contained within attachment 1; and***
- 2. advise the applicant and all submitters of Councils decision***

Carried**Property Details**

The subject site is a large 84 hectare property located on the northern-eastern fringe of the Waldara Low Density Residential Area. It has approximately 220 metres of frontage to Wangaratta-Yarrawonga Road and extends from the road east through to the Ovens River.

The land is located in two zones; Low Density Residential Zone to the front (toward Yarrawonga Road) and Farming Zone to the rear (toward the Ovens River) with Three Mile Creek through the centre of the site forming the boundary between the two zones. The Floodway Overlay affects the rear portion of the property, extending over all land within the Farming Zone and also some land within the Low Density Residential Zone. The Bushfire Management Overlay affects some land within the Farming Zone along the Ovens River.

The section of the subject property located within the Low Density Residential Zone forms the north-eastern edge of the Waldara Low Density Residential Area, with all land to the south and west located in the same zone and generally comprising residential scale development. Land further to the north and east comprises a mix of rural living and agricultural properties.

The subject property primarily consists of cleared farming land with some scattered native trees situated throughout and remnant patches of native vegetated situated along waterways. Some farm infrastructure is located toward the rear of site, comprising shedding, yards and an access bridge over the central waterway. Access to the subject site is currently via a gateway to Yarrawonga Road, located abutting the rear of existing properties on the north side of Wonga Park Drive. This access will be removed as part of the proposed subdivision.

Land/Address	566 Wangaratta-Yarrawonga Road, Waldara
Zones and Overlays	Low Density Residential Zone Farming Zone Floodway Overlay Bushfire Management Overlay Design and Development Overlay
Why is a permit required	Subdivision of Land; <ul style="list-style-type: none"> ▪ in the Low Density Residential Zone and the Farming Zone; ▪ affected by the Floodway Overlay, the Bushfire Management Overlay and the Design and Development Overlay; and ▪ adjoining a Road Zone – Category 1 Removal of Native Vegetation

Proposal in Detail

This application is for the subdivision of the subject land into 42 lots, comprising 41 residential lots located with the Low Density Residential Zone and one large residue lot located with the Farming Zone.

The residential lots will predominantly range in size from 4,000m² to 4,850m² with three larger lots (Lots 31 to 33) backing onto Three Mile Creek ranging from 5,000m² to 9,000m² in area. The residual holding will measure 62ha in area.

The application proposes to extend Wonga Park Drive approximately 370 metres east toward the rear of the subdivision, to end in a cul-de-sac. A new road is proposed to be constructed off the Wonga Park Drive extension and will extend for a length of approximately 470 metres bending back around toward the west and ending in a cul-de-sac at the property's Yarrawonga Road frontage.

All lots are proposed to gain access via the new roads, including the rear residue lot which will retain a 20m wide access handle at the end of the Wonga Park Drive extension.

An additional road reserve connecting the Wonga Park Drive extension and land to the south in Usshers Drive has been proposed, sited in accordance with the Waldara Low Density Residential Precinct Development Plan. The creation of

this road reserve will compromise an existing remnant native tree which will be located on the boundary between the road reserve and proposed Lot 37. Although not proposed to be removed, this tree must be considered lost for the purposes of assessing the subject application.

The application also proposes the creation of a 6 metre wide pedestrian and emergency access linking the end of the new road with Yarrawonga Road.

The subdivision design includes a 7,300m² drainage reserve within an identified low point to the north-east of the subdivision, bordering Three Mile Creek.

Summary of Key Considerations

- Consistency with the Waldara Low Density Residential Precinct Development Plan
- Requirement for second road access to Yarrawonga Road
- Drainage
- Request from existing residents for a public park

Relevant Planning Provisions

The following provisions of the Wangaratta Planning Scheme are relevant to this proposal:

Section	Clause	Provision
State Planning Policy Framework	11	Settlement
	16	Housing
Local Planning Policy Framework	21.11	Infrastructure and Community
	21.14 & 22.09	Public Open Space
Zones	32.03	Low Density Residential Zone
	35.07	Farming Zone
Overlays	43.02	Design and Development Overlay
	44.03	Floodway Overlay
	44.06	Bushfire Management Overlay
Particular Provisions	52.17	Native Vegetation
	52.29	Land Adjacent to a Road Zone, Category 1
Decision Guidelines	65	Decision Guidelines
	65.01	Approval of an Application or a Plan

	65.02	Approval of an Application to Subdivide Land
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Referrals

The application was referred to the following referral authorities:

Authority	Section	Response
VicRoads	External Section 55 Referral - Determining Authority	No objection subject to the inclusion of conditions relating to treatment of access points to Yarrawonga Roads.
North East Water	External Section 55 Referral - Determining Authority	No objection subject to the inclusion of conditions relating to water and sewer supply.
AusNet Services	External Section 55 Referral - Determining Authority	No objection subject to the inclusion of conditions relating to electricity supply.
APA Group	External Section 55 Referral - Determining Authority	No objection subject to the inclusion of conditions relating to the supply of gas.
North East Catchment Management Authority (NECMA)	External Section 55 Referral - Recommending Authority	No objection subject to the inclusion of a condition requiring an alteration of building envelopes and a condition requiring building envelopes to be registered on the plan of subdivision.
Country Fire Authority (CFA)	External Section 55 Referral - Recommending Authority	No objection subject to the inclusion of conditions relating to road design and the provision of hydrants.

Internal Departmental Advice

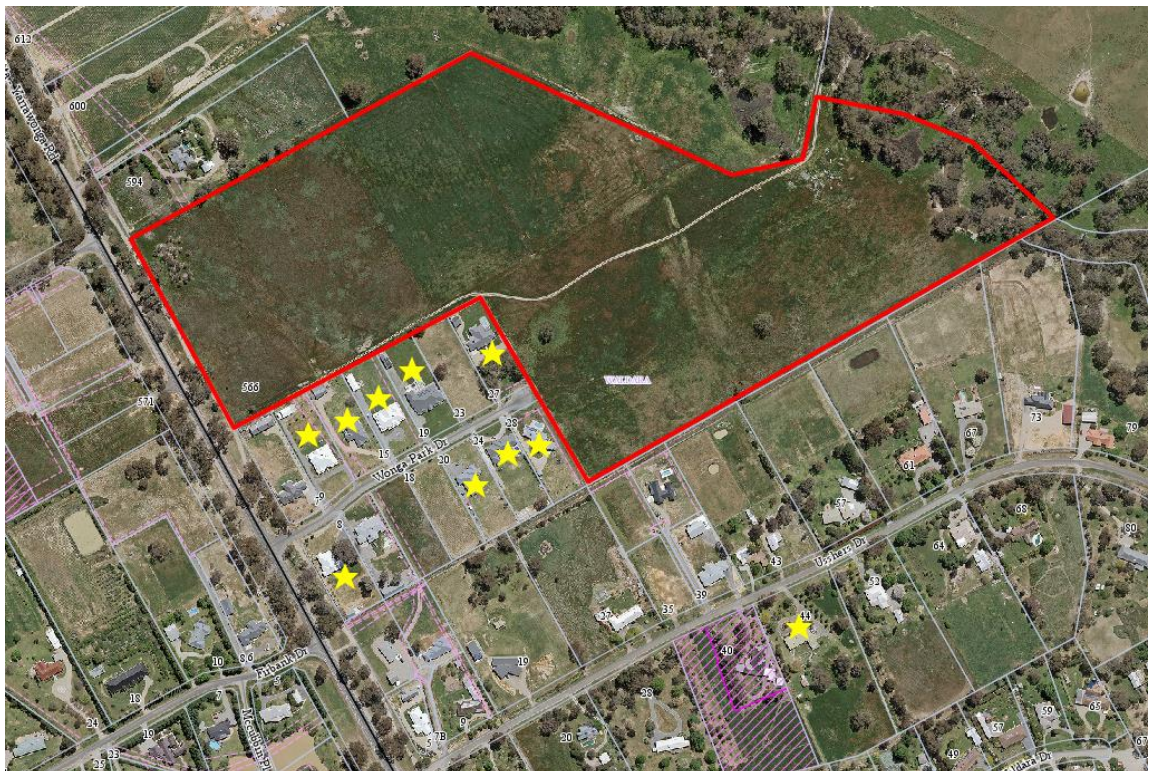
Department	Response
Technical Services Department	No objection – subject to conditions. The conditions relate to the provision of drainage infrastructure to deal with existing and proposed runoff, onsite detention, property access, assets to be transferred to Council and construction standards.
Environment	No objection subject to the inclusion of conditions relating to the provision of suitable offsets for the compromised native tree and the establishment of Tree Protection Zones for all remnant native vegetation.

Advertising

The application was advertised to surrounding landowners and occupants on 21 May 2018.

A notice was also placed within the Wangaratta Chronicle 'Rural Connection Page' on 25 May 2018.

As a result of notification, ten letters of objection have been received between 28 May and 16 July 2018. Nine objections are from residents of Wonga Park Drive and one objection is from a resident in the adjacent Usshers Drive. Objector locations are identified on the following plan.



A conciliation meeting was held on 12 July 2018 and was attended by the applicant, the land owner, their real estate agent, and seven of the ten objectors.

Objector Concerns

Existing Drainage

Concerns were raised that existing drainage in this area is inadequate and questioned what work is being undertaken by Council to maintain existing drains and improve the drainage network following the Waldara LDRZ Background Report and Strategic Drainage Plan.

It is acknowledged that the Strategic Drainage Plan identifies drainage issues within the area, particularly properties in the adjacent Usshers Drive. The open channel drainage system is identified as being barely adequate with minimal maintenance by Council, with some private landowners exacerbating issues by carrying out works within the drains, including the installation of fencing. The Strategic Drainage Plan recommends that the existing system should be replaced by a pipe and pit system supplemented by shallow open channels.

Council has not yet undertaken any further work to ground-truth the recommendations of the Strategic Drainage Plan. Such work would include detailed modelling of the drainage network and subsequent detailed design work based upon the modelling to determine the most effective and efficient means of addressing drainage issues.

This detailed modelling and design work has been undertaken for the drainage system that flows into the central waterway/drain on the opposite side of Yarrowonga Road. The findings of this particular work have been that the recommendations of the Strategic Drainage Plan are in excess of what is actually required. Civil works to improve this drainage system are intended to be undertaken in the near future in accordance with the latest modelling and design work.

The carrying out of a full investigation and necessary civil works for the catchment area involving the subject site has not been budgeted for this financial year. Residents have been advised to contact Council's Technical Services Department with respect to any maintenance concerns they have with the existing drains. Council Officers will investigate any specific requests or concerns that are received and respond accordingly.

Impact of New Development on Drainage

Concern has also been raised that the proposed subdivision will exacerbate existing drainage issues in the catchment.

Council's Technical Services have advised that the subject land is 'downstream' of the existing developed area in Waldara. Prior to undertaking any works, the developer will be required to prepare detailed modelling of the catchment area and detailed civil plans based upon this modelling. The plans must indicate that existing flows through the subject site will be sufficiently captured and diverted

via the proposed drainage reserve to Three Mile Creek so as to not impact upon surrounding properties. Likewise, plans must demonstrate that runoff as a result of work being undertaken on the subject land can be adequately accommodated on site and diverted via the proposed drainage reserve without impacting upon surrounding properties.

Council's Technical Services are confident that the subdivision will not impact surrounding properties and will potentially improve parts of the drainage system. For example, the Wonga Park Drive extension will link with existing drains in the road reserve directing flows straight to the proposed drainage reserve, allowing water to drain more quickly and removing some of the existing flow that currently gets diverted from Wonga Park Drive through private land to an existing open channel to the rear of properties in Usshers Drive.

Traffic

Concern raised with having only the one access proposed via the existing Wonga Park Drive intersection with Yarrawonga Road. The existing road and intersection will need to service 56 lots in total. Notable concerns relate to;

- Existing road and access are not being upgraded to accommodate this increase in traffic.
- Child and pedestrian safety. Without provision of footpaths, children use road to ride bikes, etc. and pedestrians use road to walk.
- Safety for Yarrawonga Road shared path users.
- Emergency incidents. Critical incident (i.e. flood/fire) requiring evacuation, particularly if incident is near Wonga Park Drive / Yarrawonga Road intersection.
- Safety around lack of street lighting.
- Impact on neighbourhood character.
- Inconsistency with the Design and Development Overlay which identifies a second access to Yarrawonga Rd for the Wonga Park Estate.

A Traffic Impact Assessment Report has been submitted as part of the application. The report identifies that, subject to the inclusion of a left-turn slip lane for vehicles accessing Wonga Park Drive from the north, the intersection and existing Wonga Park Drive roadway are capable of accommodating the expected increase in traffic. The application has been referred to both VicRoads and Council's Technical Services who generally agree with the findings of the report. Technical Services have, however, advised that the existing Wonga Park carriageway does require widening. The Wonga Park carriageway is currently 6

metres wide and in order for it to handle the estimated traffic volume it would need to be 6.2 metres wide plus have an additional 1.5 metre width for shoulders. It is recommended that this be a requirement of any permit.

It is noted that the traffic report also recommends the installation of traffic calming measures along proposed new roads to ensure drivers are adhering to local speed limits. This will also be a requirement of any permit.

Council's Technical Services have further advised that street lighting will be required at the two road intersections and at the ends of the two new court-bowls. Footpaths are not a requirement of low density residential development and are not considered appropriate for Wonga Park.

A 6 metre wide pedestrian and emergency access connecting the proposed new internal road with Yarrawonga has been identified in lieu of a second road access. This will allow for a second access option for connectivity particularly for pedestrians, cyclists and vehicles in the event of an emergency. It is noted that the Waldara Low Density Residential Precinct Development Plan, contained within the Design and Development Overlay (DDO) for Waldara identifies a potential second road link to Yarrawonga Road from the Wonga Park Estate. It is considered that the current proposal is generally in accordance with the DDO as one of the main issues addressed in the DDO was for better connectivity between the developments, noting this does not always have to be vehicular.

The provision of an additional access road intersection with Yarrawonga Road is considered undesirable as there are already many intersections along this section of Yarrawonga Road with differing forms of road treatment. VicRoads has advised that they would prefer if no additional intersections were created along this section of Yarrawonga Road.

A further intersection to the Yarrawonga Road may impact upon the safety of both the main road and its shared pathway by creating another conflict point and further deviations for vehicles travelling along the Yarrawonga Road. A new intersection would require a slip lane for traffic to go around vehicles turning right into the new road when travelling north from Wangaratta, this would likely conflict with the left-turn treatment that is required for vehicles turning into Old School Road as part of that development.

Further, the creation of additional accesses and associated treatments increases the amount of hardstand area required along Yarrawonga Road, this impacts upon native vegetation within the road corridor and provides a confusing road network. This is considered to result in a poor impression of Wangaratta at a gateway entrance into the city.

Council is required to assess the application as submitted, which is for a 42 lot subdivision using the existing Wonga Park Drive as the means of vehicle access to Yarrawonga Road. It is considered that there are insufficient grounds to refuse

the application proposal given the Design and Development Overlay identifies a second access as a potential access only and that the proposed pedestrian access still provides an additional linkage point and access is available in case of emergency.

It is estimated that with the construction of a second road access, only Lots 4 to 26 would use the new access for their standard commute, meaning 23 lots would typically use the new access and 33 lots would use the existing access. This is considered an underutilisation of the two access points whereas 56 lots using the one intersection is considered a more efficient use of road infrastructure and is well under the capacity of this intersection. Further the difference in vehicle trips generated by 23 lots that would otherwise use a new intersection is considered to cause negligible amenity impacts or effect on neighbourhood character particularly in a low density setting.

Request for a Local Park

Residents have submitted that Wonga Park is not linked to any local sport or recreational infrastructure without the use of a car. Requests have been made for a park to be provided within the proposed subdivision. The applicant has verbally advised that they would consider providing a park.

Council, however, must determine whether the acquisition and maintenance of a park within the new subdivision, in lieu of a required monetary contribution to go toward other open space infrastructure, is a responsible outcome for the community. Council's Recreational and Assets Departments have therefore provided input into this report.

Clauses 22.09 and 53.01 of the Wangaratta Planning Scheme identify that a person who subdivides land into three or more lots in a residential zone is required to make a 5% open space contribution to Council. This can be in the form of a land contribution, a financial contribution or a combination of the two, and is at Council's discretion, in accordance with the provisions of the Planning Scheme, the Wangaratta Recreation Strategy 2012 and the Wangaratta Open Space Strategy 2012.

After consideration of the relevant provisions, Council's Recreational Department recommends a 5% financial contribution be provided in lieu of providing a park and that those funds be invested into other beneficial recreational infrastructure that is more accessible to the broader community. This is supported by Council's Asset Department.

The main consideration in coming to this conclusion is that, without a park, the proposed new lots would not be within 400m of a neighbourhood park. The Planning Scheme includes one objective that 95% of all dwellings are within 400m of a neighbourhood park. The Recreation Department, however, advise that the proposed lots should be considered in the 5% of dwellings not within

400m. In making this recommendation the Recreation Department have considered;

- The reasonably close proximity of the Paul Larkins Reserve which is 500m from the closest property in Wonga Park and 1.1km from the furthest new lot in Wonga Park.
- Additional recreation opportunities such as the Yarrawonga Road shared path adjacent to Wonga Park and leading into Wangaratta, and the Waldara Gold Course.
- The nature of low density housing on large properties enjoying significant amounts of private open space as opposed to typical residential properties where residents rely on public land for recreational space.
- The Waldara Low Density Residential Precinct Development Plan does not identify the need for a park.
- The recently adopted 2017 Wangaratta Play Space Strategy identifying that urban residents should be within 800m of a play space except for residents of larger lots on the fringe of the urban area where such expectations are unrealistic.
- The location of the land on the fringe of town with any park created not being readily accessible to the greater community.

While not recommending any specific project for the financial contribution to be spent on the following potential projects were identified as being of benefit to Wonga Park residents;

- Development of recreation opportunities and play space at the Barr Reserve/Wangaratta Showgrounds – as per the 2017 Play Space Strategy, the play space focus for fringe communities should be the nearest recreation/community hub.
- Enhancing the pedestrian and cycling routes in the direct area – this may include but has yet to be identified as the Three Mile Creek Corridor, connections to Cambridge Estate, improved links to the Wangaratta-Yarrawonga Road Shared Path or improved access to Paul Larkins Reserve. Council is developing a Pedestrian and Cycling Strategy in 2018-2019 which would inform this.
- Enhancements to Paul Larkins Reserve

The Assets Department have advised that they would support the financial contribution being spent on any of the above initiatives.

Infrastructure

There were some concerns raised over the capacity of existing infrastructure, particularly electricity, sewerage and NBN, to cope with the new subdivision.

The application has been referred to relevant service providers for comment. No concerns have been raised in relation to the capacity of utility infrastructure. With respect to NBN, the developer must demonstrate that all lots can be satisfactorily supplied, including that there is enough capacity to accommodate the proposed new lots.

Creation of Two-Battle Axe Lots (Proposed Lots 11 and 14) without proper frontage to the street

Despite the Design and Development Overlay discouraging the use of battle-axe lots, the applicant has explained that the purpose of creating such layout allows all lots adjoining Yarrowonga Road to front Yarrowonga Road, maintaining the aesthetic appearance of this gateway entrance into Wangaratta. This is considered an acceptable outcome and it is recommended that restrictions be placed on title for the lots adjoining Yarrowonga Road requiring future development to address Yarrowonga road with rural style fencing. It should be noted that the lots proposed are rear loading lots rather than battle-axe lots as they have road frontage to Yarrowonga Road with rear access from the proposed internal road.

Relevant Provisions under the Wangaratta Planning Scheme

State and Local Planning Provisions

The proposed subdivision is considered to respond to the State Planning Policy Framework and Local Planning Policy Framework, namely Clauses 11, 16 and 21.11, through the orderly development and servicing of residential land for future low density housing supply.

Zoning

Pursuant to Clauses 32.03 and 35.07 of the Wangaratta Planning Scheme the land is identified as being located partly within the Low Density Residential Zone and partly with the Farming Zone. The land to be developed for residential lots is located wholly within the Low Density Residential Zone and the 62ha residue land is located within the Farming Zone.

The proposed residential lots meet the 4,000sqm minimum lot size for the Low Density Residential Zone in Wonga Park. The proposed residue lot meets the minimum lot size of 40ha for the Farming Zone and is able to continue to be used for agricultural purposes in accordance with the purpose of the zone.

In addition to meeting the minimum lot sizes, consideration must be given in the Low Density Residential Zone to the following decision guidelines (as applicable);

- *The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.*
- *The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.*
- *The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.*
- *The relevant standards of Clauses 56.07-1 to 56.07-4.*

The subdivision is proposed to be undertaken on vacant land zoned for low density residential development, as a continuation of the Riverland Estate being Wonga Park Drive. The Waldara Precinct Background Report acknowledges that the currently open rural land is zoned to allow for residential development and establishes some expectations for this land to address the character of adjoining development, notably the existing 14 properties in Wonga Park Drive. The habitat and environment of the waterway is protected from residential development by the residual lot being in the Farming Zone and of 62ha in area. A minimum lot size of 4,000sqm has been established for the residential portion of the subject land, consistent with the existing lots in Wonga park Drive.

Utility services will be provided in accordance with Clauses 56.07-1 to 56.07-4 and all residential lots will measure much less than 2 hectares in area.

Design and Development Overlay

Clause 43.02 of the Planning Scheme identifies areas that are affected by specific requirements relating to the design and built form of new development. Schedule 3 to the Overlay identifies the Waldara Low Density Residential Precinct as one such area. Specific controls for the Waldara Precinct relate to subdivision design standards, referring to the work undertaken as part of the Waldara Low Density Residential Precinct Background Report 2016, and the associated Strategic Drainage Plan 2015.

The proposed subdivision is considered to be generally in accordance with the provisions of the Overlay. Matters relating to the creation of a second access road to Yarrawonga Road and the creation of battle-axe lots are addressed under the notification/submissions section of this report.

Floodway Overlay

A reasonably small portion of the residential land to be developed is identified as being prone to riverine flooding from the Ovens River/Three Mile Creek system. The application has therefore been referred to NECMA as a recommending authority.

NECMA have responded, advising that the extent of inundation impacting on the proposed lots is less than indicated by the current Floodway Overlay due to the findings of the more recent Wangaratta Flood study.

The Authority endorses the approach taken in preparing the subdivision arrangement whereby building envelopes are established with a setback of greater than 30 metres from Three Mile Creek and providing for building envelopes to be located on land above the 1% AEP level. However in developing the subdivision arrangement, the applicant has adopted a uniform flood level RL 140.5 m AHD, compared to a declared 1% AEP level varying RL 140.8-140.4 m AHD. The resultant building envelopes on Lots 23-28 and Lots 31-33 should be amended to reflect the declared levels, increasing to RL 140.8 m AHD in the upstream end of the site. This will result in a small reduction in the size of the building envelopes for Lots 31-33; however, the envelopes will still be capable of accommodating future residential development. Minimum finished floor levels will be stipulated on title for each of these lots.

The Authority advises that any filling of building envelopes will need to ensure that fill is not placed or allowed to spill to land with an existing surface level below the relevant 1% AEP flood level.

In light of the above, NECMA has advised that it does not object to granting of a permit subject to inclusion of conditions relating to those matters raised.

Bushfire Management Overlay

Land adjacent to the Ovens River is identified as being affected by the Bushfire Management Overlay. The overlay, however, is located wholly within the Farming Zone portion of the subject site, well away from the proposed residential lots (approximately 250m at the nearest point).

As the proposed subdivision includes the creation of new roads the application was referred to the CFA as a Recommending Authority. The CFA has advised that it does not object to the granting of a permit subject to the inclusion of conditions relating to road design and the provision of hydrants.

Native Vegetation

Clause 52.17 of the Planning Scheme identifies that the removal, destruction or lopping of native vegetation requires a planning permit. Some concern was initially raised by residents over the proposal description including the removal of native vegetation. However, this only relates to one tree that, despite not being

proposed to be removed, is identified as being compromised as a result of the need to create a new road reserve to the rear of properties in Usshers Drive in accordance with the provisions of the Design and Development Overlay.

As the tree is deemed compromised it must be considered lost and offsets provided by the developer as though the tree were being removed. The location for the required road reserve is not very flexible due to the need to link with the road easement that links to Usshers Drive to the south. It is possible to design a future road pavement and infrastructure to minimise but not avoid disturbance to the tree. This would be facilitated through the nomination of a small portion of the south-eastern corner of Lot 38 as an easement for future road works, to be used as required. Due to the significant nature of this large old tree, it is recommended such option be pursued.

Land Adjacent to Road Zone – Category 1

As the proposed subdivision adjoins Yarrowonga Road and proposes to alter access to the road, the application is required to be referred to VicRoads as a Determining Authority under Clause 52.29 of the Planning Scheme.

VicRoads has advised that it does not object to the proposed subdivision, subject to the provision of revised plans and the carrying out of works in accordance with the traffic impact assessment report. Revised plans are required in order to show how access to and from the proposed pedestrian and emergency access will be safely managed.

Clause 65 Decision Guidelines

It is considered that the subdivision of the land is appropriate having regard to the decision guidelines for development and for subdivision at Clause 65 of the Planning Scheme. The matters of 65.01 are generally considered elsewhere in this report when considering purpose and provisions of the zones, overlays, and planning policy. The amenity of the area is considered when responding to the various matters raised by objectors. Drainage, flooding, stormwater quality and quantity are considered by the drainage design and retention basin in the drainage reserve. Native vegetation has also been considered.

The majority of the decision guidelines of clause 65.02 for subdivision are also covered elsewhere, together with the following comments. The land is suitable for subdivision as the site is located on the edge of an established urban area and is zoned for such purpose. The site is within proximity to the services and facilities available in the Waldara area and the site can be appropriately serviced with the infrastructure required to support residential development. As such, it is considered that the subdivision of land for residential purposes should be supported in this location.

The subdivision layout is appropriate with all lots having full street frontage providing good passive surveillance to the street, consistent with the prevailing neighbourhood character of the area and representing orderly planning.

New roads will leverage off the existing Wonga Park Drive for accessibility. An additional pedestrian and emergency access to Yarrawonga Road is also proposed.

The dimensions of proposed lots will ensure that vehicles associated with dwellings to be constructed on the lots in the future will be provided with the opportunity for adequate off-street car parking, which aids the movement of traffic through the subdivision. The layout and dimensions of the lots will also ensure that solar access to future dwellings can be achieved, which will allow for energy efficiency of future dwellings.

All lots can be connected to gas, electricity, reticulated water and sewerage and telecommunications infrastructure. Drainage of the site can be achieved through the provision of a stormwater drainage system that is directed toward Three Mile Creek via a designated drainage reserve. The provision of detailed drainage modelling and plans will ensure that the drainage system is designed and constructed to Council's standards without adversely impacting upon surrounding properties. Conditions required by Council's Technical department and other Authorities will ensure that site services are adequately provided.

In light of the above, it is considered that the proposed subdivision is generally consistent with the decision guidelines at Clause 65 of the Scheme and will produce an acceptable outcome as required.

Implications

Policy Considerations

There are no additional Council policies or strategies that have not already been discussed in this report.

Financial Implications

This proposal does not have any impact on Council's financial resources, the required infrastructure is required to be constructed by the developer. Should the matter be referred to the Victorian Civil and Administrative Tribunal then Council will likely incur costs of representation.

Legal/Statutory

All procedures associated with the lodgement and assessment of this application have been done in accordance with the *Planning and Environment Act 1987*.

Cultural Heritage

The land is located within 200 metres of a waterway, being Three Mile Creek, and the subdivision of residential land into three or more lots is identified as a high impact activity. The proposal therefore requires a Cultural Heritage Management Plan (CHMP).

The applicant engaged the services of a Cultural Heritage Advisor who has undertaken a site inspection, literature review and desk-top assessment. The findings of the Advisor's study were to identify two new heritage places with a total of 37 artefacts. As a result of this, a number of management and contingency recommendations have been made.

The CHMP prepared by the Cultural Heritage Advisor has been reviewed and approved by the Registered Aboriginal Party (RAP) and a copy of that letter is attached with the CHMP.

Social

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

Environmental/Sustainability Impacts

Environmental/sustainability impacts identified in this report will be addressed by way of permit conditions.

Economic Impacts

The application is considered to have a positive economic impact through the development of low density residential land to increase the amount and diversity of housing stock available within the municipality.

Referrals/Public Notice

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are growing

We will plan, research and advocate for the future;

- to facilitate considered planning and development in line with long term strategic objectives for the sustainability of our community and environment.
- to provide for attractive long term residential growth opportunities.
- to ensure we contribute to a balance between environmental sustainability, development and risk, particularly in relation to flood and fire risks for our communities.

We will focus on our business of ensuring;

- we are responsive, clear and active in the development of our municipality.
- We understand and plan for long term opportunities, challenges and priorities that face our growth potential.

We are thriving

We will plan, research and advocate for the future to ensure we are responding to the current and future recreational needs of our community and creating sustainable and quality recreation reserves through our municipality.

We are established

We will plan, research and advocate for the future;

- to address traffic, parking and pedestrian challenges to create communities that are safe, easy to navigate and accessible.
- To facilitate drainage and road infrastructure to support future growth plans

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
Notice of Decision to Grant a Permit – objectors appeal Council's decision	Med	Med	Med	Representation of Council decision at VCAT
Notice of Decision to Grant a Permit – applicant appeals permit conditions	Low	Low	Low	Representation of Council decision at VCAT
Refuse to issue a Permit – applicant appeals Council's position	High	Med	Med	Representation of Council decision at VCAT

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Notify potentially affected parties of the application	Notice of Application sent to surrounding owners and occupants and an advertisement placed in the Wangaratta Chronicle
Consult	All submissions to the application will be considered.	All Submissions have been reviewed and summarised in this report along with a response to relevant planning considerations.
Involve	Opportunity to make submission.	Notice of Application sent to surrounding owners and occupants and advertisement placed in the Wangaratta Chronicle. Objectors offered opportunity to attend Conciliation Meeting
Collaborate	N/A	N/A
Empower	N/A	N/A

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

Options for Consideration

1. Approve the application, through the issue of a Notice of Decision to Grant a Permit, subject to recommended conditions of permit (refer to Attachment 2).
2. Approve a modified application, through the issue of a Notice of Decision to Grant a Permit, subject to no or different conditions than recommended, eg: a new road access to Yarrawonga Road. This is not recommended because:
 - a. it would transform the application to be substantially different to what was applied for,
 - b. it would add construction costs to the project which are unnecessary given that the proposed use of the existing estate entrance more than caters for the amount of traffic from the proposal and
 - c. the safety of the Yarrawonga Road would decrease due to the added complexity for through traffic having to negotiate different intersection treatments over a short distance.

OR

3. Refuse the planning permit application. Grounds of refusal would need to be provided. This is not the recommended option.

Conclusion

The proposed subdivision has been assessed against the provisions of Wangaratta Planning Scheme, and has demonstrated compliance with the provisions of the Low Density Residential Zone.

The design of the proposed subdivision will integrate into the surrounding area with building envelopes provided on all lots demonstrating that the land can be appropriately developed in the context of relevant site constraints, subject to conditions.

The subdivision will meet the technical requirements with regard to the provision of infrastructure, taking advantage of existing services in the surrounding area. Drainage can be provided from the land in an effective and sustainable way, and without causing adverse impact upon surrounding land, possibly improving the drainage for land to the south. Detailed modelling and design will be required by permit conditions to ensure the final design solution demonstrates how the land will be effectively drained.

While the design of only one vehicular access road to the estate may not be in strict accordance with the Design and Development Overlay and associated background report, it was noted a potential road access and as such discretion is provided for. The provision of a second access point being only for pedestrian and emergency vehicles is considered acceptable to the Overlay in this instance and desirable for the overall safety of Yarrawonga Road. Treatment of the existing Yarrawonga Road and Wonga Park Drive intersection, widening of the entrance through Wonga Park Drive and the provision of street lighting will ensure the proposed road network is capable of safely accommodating the additional lots proposed.

The requirement for a park in a low density residential area on the edge of town, not readily accessible to the greater community, is not considered a responsible allocation of recreational infrastructure. Instead, a monetary contribution to go toward the improvement of existing nearby recreational infrastructure is recommended.

On balance it is considered that the design of the subdivision is appropriate, achieves an acceptable outcome in terms of the relevant decision guidelines and should be supported with appropriate conditions as outline in attachment 2.

Attachments

- 1 PlnApp17/195 - Plan for Endorsement [⇒](#)
- 2 Recommended Permit Conditions [⇒](#)

16.3 TOURISM EVENTS GRANTS PROGRAM

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Economic Development and Tourism Officer
File Name:
File No: F16/908

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

Executive Summary

This report is presented to Council to provide a summary of the 2018 - 2019 Tourism Event Funding Program.

Council received eleven applications with a total funding request of \$40,500. The applications have an estimated economic value of \$3.6 million. The allocated funding available for the program in 2018 - 2019 is \$27,000.

An assessment process has been undertaken with a recommendation that nine events are funded with a total allocation of \$22,875. The balance of funds to be kept for future event opportunities that are presented within the 2018-2019 financial year.

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor D Fuller)

That Council:

approves the allocation of a total of \$22,875 to fund the following events as part of the 2018 – 2019 Tourism Events Funding Program:

Applicant	Event	Recommended Funding Amount
Glenrowan Vignerons Association	Glenrowan Winemakers Weekend	\$1,875
Glenrowan Vignerons Association	Trails, Tastings & Tales	\$3,750
Malt Shed Brewery Pty Ltd	Wangaratta's Oktoberfest	\$1,500
Wangaratta Textiles Arts Association	Stitched Up Textile Festival	\$3,750
Creative Collectives Australia	Off-Grid Living Festival	\$3,750
Burgoigee Creek Landcare Group Inc.	Giant Pumpkin Competition, Harvest Festival & Creative Arts Exhibition	\$1,500

Moyhu Action Group	King Valley Easter Escape	\$1,500
King Valley Tourism Association	King Valley Brunch	\$1,500
Goldrush Ballooning	King Valley Balloon Festival	\$3,750
Milawa Gourmet Region Association Inc.	The Autumn Glow Festival	\$0
Early Holden Car Club	All G.M. Day	\$0
Carried		

Background

Each year Council's Tourism Events Funding Program provides financial assistance to event organisers for the promotion and development of their festivals and events.

The objective of the Tourism Event Funding Program is to:

- maximise the economic and community benefits
- provide significant branding and marketing opportunities for the region
- substantially build the profile of the events to attract visitors from outside the Rural City of Wangaratta
- promote the tourism product strengths of the Rural City of Wangaratta.

Grants are available up to \$5,000 for major and marquee events (events that attract over 500 visitors) and up to \$2,000 for minor events (events that attract less than 500 visitors) from the annual allocation of \$32,000. Of the \$32,000, \$5,000 is reserved for the 2018 La Dolce Vita Festival as per Council's commitment.

The 2018/2019 Tourism Events Funding Program received 11 applications. The total amount requested for 2018/2019 was \$40,500 with an estimated economic value of \$3.6 million.

Following assessment, nine events are recommended to receive funding with two events not meeting the funding criteria. These being the All GM Show & Shine and The Autumn Glow Festival which did not meet the assessment and eligibility criteria for the funding program.

Implications

Policy Considerations

The program applications have been assessed by a panel including a Councillor and Council officers with funding allocation recommendations made in line with the Council Plan objective for tourism, the Tourism and Economic Development Strategic Plan key directions and the grant program assessment criteria.

Financial/Economic Implications

Council has an allocation of \$32,000 to fund the program in 2018 - 2019. Of the \$32,000, \$5,000 is reserved for the La Dolce Vita Festival 2018 as per Council's commitment. The recommendation is from the total of \$27,000 allocated for the grant program that \$22,875 be allocated to the successful applicants. The balance of funds to be kept for consideration of future event opportunities that are presented within the 2018-2019 budget.

	2018/2019 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	\$32,000	\$22,875	\$4,125	\$5,000 – La Dolce Vita
Net Result				

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

Environmental and sustainability impacts were included as an assessment criteria for the grants. The aim is to increase events participation and awareness of waste, water reduction and reducing the impact on the environment.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will create and deliver:

- Tourism products and experiences that build our attraction to visitors.

The non-negotiables

- Our tourism industry is promoted, valued and vibrant.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

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

b) Other strategic links

Economic Development Strategy 2018 – 2023

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Event organisers ability to contribute cash and inkind	(3) possible	(2) minor	Medium	Ask for financial commitment and financials in application.
Event organisers capacity to deliver the promised event	(3) possible	(2) minor	Medium	Constant communication with event organisers to ensure event success

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Provide an event funding program	The Chronicle Industry ENewsletter
Consult		
Involve		
Collaborate		
Empower	Provide support to event organisers	Advice on completing and submitting applications

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

Options for Consideration

Conclusion

Following detailed assessment, nine of the eleven applications are recommended for funding. These are listed in this report for Council's consideration.

It is requested that Council consider the endorsement of funding as per Table 1.

Attachments

Nil.

16.4 PLANNING APPLICATION FOR USE AND DEVELOPMENT OF AN EXTRACTIVE INDUSTRY AT DIFFEY ROAD EVERTON

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Planning Coordinator
File Name: Quarry at Diffey Road Everton
File No: PInApp18/039

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 application seeks planning approval for the use and development of land at Lot 1 PS 323981 Diffey Road Everton for the purpose of extracting stone for road construction purposes. The application is supported by an endorsed Work Authority (No. WA6196) from the Department of Economic Development, Jobs, Transport and Resources (DEDJTR). The proposal will:

- Include crushing activities with materials primarily used for road construction purposes.
- Extraction will be by bulldozers and excavators.
- Blasting will be undertaken on site when rock conditions reduce the ability to use mechanical methods. It is estimated that there would be 2 to 3 blasts per year.

The application was formerly advertised on 24 April 2018. Four objections to the proposal have been received. A community consultation exercise was held as part of the Work Plan process including referral to the statutory referral agencies.

This report is presented to Council due to the receipt of 4 objections.

RECOMMENDATION:

(Moved: Councillor D Rees/Councillor H Benton)

That Council:

- 1. Resolves to issue a Notice of Decision to Grant a Planning Permit with respect to Planning Application 18/039 for Use and Development of Land for an extractive industry (stone), at Lot 1 PS 323981 Diffey Road Everton in accordance with the draft permit conditions contained within attachment 5; and***
- 2. Advises the applicant and submitters of Council's decision.***

Carried

Property Details

The subject site is situated on the corner of Diffey Road and Horseshoe Gap Road, Everton. It is 117 hectares in area. The land is currently used for grazing purposes and consists of undulating to steep topography dissected by several drainage lines. The site is grassed and there are no buildings on the land.

The site is accessible from Horseshoe Gap Road and Diffey Road to the north. Practical access is currently from Horseshoe Gap Road.

The site is surrounded by farm land with an existing quarry operated by Indigo Shire Council to the east of the subject land.

Permit Triggers

Land/Address	Lot 1 PS 323981 Diffey Road, Everton, 3678
Zones and Overlays	Farming Zone Bushfire Management Overlay (BMO) Vegetation Protection Overlay (VPO)
Why is a permit required	Use and Development of Land in Farming Zone and within the BMO

Proposal in Detail

This application is for the use and development of the subject land for extraction of stone. An approved Work Plan from DEDJTR has been approved. The following are operational details from the approved work plan:

Haulage:

- Access for haulage vehicles will be from Horseshoe Gap Road.
- Diffey Road will not be used for haulage vehicles. Haulage vehicles will not be allowed to access the Great Alpine Road via Diffey Road.
- Horseshoe Gap Road will be upgraded to accommodate haulage vehicles.
- This is for all haulage vehicles regardless of whether they are full or empty.

Site topography and existing conditions:

- The site is currently used for grazing purposes.
- The property is bordered by two government roads: Diffey Road to the north and Horseshoe Gap Road to the east.
- No trees will be removed in the proposed work authority area.
- The proposed work area is 30m from existing designated waterways and drainage courses and is not considered to impact on these.
- Grazing land is to the south and west of the site.
- Nearby dwellings are between 790 metres to 3200 metres from the site.

Method of working:

- Crushing activities with materials primarily used for road construction purposes will be extracted by bulldozers and excavators.
- Blasting will be undertaken on site when rock conditions reduce the ability to use mechanical methods. It is estimated that there would be 2 to 3 blasts per year.

Dust suppression:

- Dust generated for the access road will be controlled by water spraying. Dust generated by extraction activities will be controlled by specialised equipment installed on rock drills

Hours of operation:

- Monday to Friday between 7am and 6pm (excludes public holidays)
Saturday 7am to 1pm
- Blasting is restricted to Monday to Friday between 10am and 2pm
- Stock piled materials will be loaded onto trucks for haulage as required by customers it is anticipated that between 20,000 to 40,000 tonnes will be generated per annum.

Noise:

- Haulage on Horseshoe Gap Road has been selected to minimise the need to use exhaust brakes.
- All plant will have enclosed engines and fitted with factory compliant exhaust systems. Low frequency reversing beepers will also be used on equipment.

Visual Impact:

- The proposed extraction area is considered to have minimal visual impact from Diffey Road and Horseshoe Gap Road as the extraction area will be limited to a 3.21 hectare disturbed area.
- On-going rehabilitation with native vegetation will occur during the life of the quarry.

Monitoring Program:

- The Work Authority prescribes a monitoring program which deals with amongst other things, dust suppression, operations including noise and visual impact

Summary of Key Considerations

- Use and development of land within the Farming Zone
- Bushfire Management Overlay
- Vegetation Protection Overlay
- The Work Authority and Work Plan
- Issues raised in submissions

Relevant Planning Provisions

The following provisions of the Wangaratta Planning Scheme are relevant to this proposal:

Section	Clause	Provision
State Planning Policy Framework	12	Environmental & Landscape Values
	13.07	Amenity
	14.03	Resource Exploration & Extraction
Local Planning Policy Framework	21.05	Natural Resource Management
Zones	35.07	Farming Zone
Overlays	42.02	Vegetation Protection Overlay
	44.06	Bushfire Management Overlay
Particular Provisions	52.08	Earth and Energy Resources Industry
	52.09	Stone extraction and extractive industry interest areas
Decision Guidelines	65.01	Approval of an Application or a Plan

Referrals

The application was referred to the following referral authorities:

Authority	Section	Response
GMW	External Section 52 Notice	No response
CFA	External Section 52 Notice	The implementation of the work plan will meet CFA requirements

Authority	Section	Response
DEDJTR	External Section 52 Notice	No response

At time of preparing this report only the CFA had responded. However all referral agencies responded to the work Plan consultation and referral process. Under the Planning and Environment Act because there is an approved work plan for the subject site, Clause 52.08-3 states that ‘...if a copy of the work plan...was previously referred to the referral authority...(then it does not need to be done again under Section 55).’

Internal Departmental Advice

Department	Response
Technical Services Department	<p>No objection – subject to conditions.</p> <p>The conditions relate to the provision of:</p> <ul style="list-style-type: none"> • Drainage infrastructure • Stormwater discharge • Earthworks • Road design • Property access • Internal (site) access • Conditions registered on title – contaminates, haulage and road maintenance • Construction requirements

Advertising

The application was advertised to surrounding landowners and occupants on 24 April 2018. Owners and occupants notified were those properties in:

- Sinclair Lane, Bowmans Forest
- Diffey Road, Everton
- Heywood Lane, Everton
- Pender Lane, Everton
- Cemetery Lane, Bowmans Forest

A notice was also placed within the Wangaratta Chronicle ‘Rural Connection Page’ on 27 April 2018.

Four objections have been received. A conciliation meeting was undertaken on 1 August 2018 with the objectors and applicant.

Council Officers have advised the submitters that the planning application is a proponent driven proposal that must be assessed against the provisions of the Wangaratta Planning Scheme according to the provisions of the Planning and Environment Act 1987. Notification has been carried out in accordance with the Act.

Concerns raised by objectors with respect to the proposed development are summarised as follows:

Ground for Submission	Concern Raised	Comments/Response
Truck movements	Narrow roads used by trucks that are shared by pedestrians and cyclists Lots of additional truck movements from new quarry Stabilisation of the gully and drainage improvements required	The cycle path goes along Diffey Road and this proposal does not allow trucks full or empty to use Diffey Road.
Users of the bike track and conflicts	Injury or death from trucks speeding Use of the rail trail between Everton and Diffey Road	The cycle path goes along Diffey Road and this proposal does not allow trucks full or empty to use Diffey Road.
Use of Diffey Road	Hazard on Diffey Road from haulage between white post road and horseshoe gap road Reduced safety for residents entering Diffey Rd from crossovers Reduce noise reversing bleepers needed Weight limit required	Diffey Road is not being used as part of the haulage route. It cannot be used to access the Great Alpine Road either. The approved work plan states that reduced noise reversing bleepers will be fitted to vehicles along with trucks limited application of exhaust engine breaks. The proposed haulage route along Horseshoe Gap Road is considered to assist with the reduction in exhaust breaks. Trucks will need to adhere to any posted speed restrictions.
Health concerns from noise and dust	Dust from rock blasting and noise from rock blasting Dust affects crops and other parts of the area Dust in summer is of concern as trucks create dust on poorly maintained roads Dust reduces viability	Rock blasting will take place 2 to 3 times a year and be limited to Monday to Friday between 10am and 2pm. Dust suppression methods such as water spraying will be required and monitored as per the approved work plan.
Flora and fauna will be affected	Wedge tail eagles nest in the area	DELWP have approved the work plan and do not consider that flora and fauna will be adversely affected
Run off from the site and water quality		This has been considered by GMW and NECMA and in the work plan with drains cut in to reduce stormwater run-off.
No new		The Responsible Authority must

stone extraction is needed as plenty of quarries around		decide the application as submitted in accordance with the permit triggers in the planning scheme which does not include making a judgement on whether there is a market for stone or otherwise.
Poor conditions of roads surrounding and including Diffey Rd	Dusty in summer Potholes and slippery in summer (when using farm machinery)	Council will enter into an agreement with the applicant/quarry operator to maintain the road.
Saturday operations of the quarry	Is this needed?	The approved work plan has considered this and allows for Saturday morning quarry operations.

Relevant Provisions under the Wangaratta Planning Scheme

The Planning Policy Framework (PPF) comprises general principles and objectives of planning in Victoria which planning authorities must take into account and give effect to.

The following SPPF policies are considered relevant to the proposed Stone Extraction.

State Planning Policy:

Clause 12 – Environmental Landscape Values

Clause 13.07 – Amenity

Clause 14.03 – Resources Exploration and Extraction

This application is accompanied by an approved work plan from DEDJTR. The work plan involves community consultation and approval from the statutory authorities. State policy encourages the diversity of land through **Clause 14.03** stating:

‘To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards.’

With strategies to:

‘Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.’

‘Ensure planning schemes do not impose conditions on the use or development of land that are inconsistent with the Mineral Resources (sustainable Development) Act 1990, the Greenhouse Gas Geological sequestration Act 2008, the Geothermal Energy Resources Act 2005, or the Petroleum Act 1998.’

And specifically for the Hume region to:

‘Support the availability of construction materials locally and consider measures to facilitate and manage their extraction.’

This proposal is to extract stone for use in construction projects.

Clause 13.07 considers the compatibility of land with strategies to:

‘Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:

- *Directing land uses to appropriate locations*
- *Using a range of building design, urban design, operational and land use separation measures.’*

Clause 12 – Environmental Landscape values acknowledges that:

‘Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value’

This proposal states that it will enhance the vegetation in the area to improve amenity and maintain the ecological footprint.

The proposal is considered to meet state planning policy objectives and strategies.

Local Planning Policy

Clause 21.05 – Natural Resource Management

There are few local planning policies that apply specifically to extraction activities but it is recognised that other economic generating activities on land of low agricultural value can enhance the economic offering in the municipality. Natural resource management provides the key policy in this area. **Clause 21.05** acknowledges other land uses and rural industries that are economic generators. While quarry activities are not specifically mentioned it is an activity that takes place in rural areas such as Glenrowan and in the Everton area.

It is noted that the applicant has not requested the removal of any native vegetation and has proposed to revegetate the site both during the extraction activities and during the rehabilitation phase. DELWP have not mandated any conditions related to native vegetation in the work plan.

Zoning

Clause 35.07 – Farming Zone

The subject land is zoned Farming pursuant to the Wangaratta Planning Scheme as detailed in **Clause 35.07**. The purpose of the zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The Farming Zone triggers the need for a planning permit as the proposed use as a quarry is a Section 2 use. A permit is also triggered under the Particular Provisions at **Clause 52.08-1**.

It is still important to ensure that the proposed use and future use are consistent with the zone of the subject land. The land is of moderate to low agricultural value according to 'An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta' stated in **Clause 21.05-1**. Therefore the use and development for stone extraction is considered appropriate due to the subject land being of low agricultural value. Neighbouring land to the east of the site is also used for stone extraction so it is not an uncommon use in the area. Overall, the proposal is considered to be consistent with the provisions of the Farming Zone.

Overlays

Clause 44.06 – Bushfire Management Overlay

Clause 42.02 – Vegetation Protection Overlay

Parts of the subject land, not earmarked for stone extraction are covered by the Bushfire Management Overlay (BMO). However, a planning permit is not triggered under the BMO as the development is not associated with a use listed in **Clause 44.06-2**.

A Vegetation Protection Overlay (VPO) (**Clause 42.02**) covers the roadsides of Diffey and Horseshoe Gap Roads. This has been considered in the application and is not considered to be affected by the proposed extraction activities.

Particular Provisions

Clause 52.08 – Earth and Energy Resources Industry

Clause 52.09 – Stone Extraction and Extractive Industry Interest Areas

Clause 52.08 relates to the earth and energy resources industry. The purpose is:

- *To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.*
- *To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.*
- *To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.*

Pursuant to **Clause 52.08-1** a planning permit is required to use and develop the land for earth and energy resources industry. Pursuant to **Clause 73.03** (Land Use Terms), Stone Extraction falls within the Earth and Energy Resources Industry land use meaning. The definition of Stone Extraction is: Land used for the extraction or removal of stone in accordance with the Mineral Resources (Sustainable Development) Act 1990.

Clause 52.08-2 does specify mandatory application requirements including a work plan that has received statutory endorsement. An endorsed work plan accompanies this application.

Clause 52.09, Stone Extraction and Extractive Industry Areas, sets out the main provisions which must be considered in the assessment of this application. The purpose is:

- *To ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.*
- *To ensure that excavated areas can be appropriately rehabilitated.*
- *To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.*

It is submitted that the proposal is consistent with the purpose for the following reasons:

- The proposal will not have any adverse environmental impacts. This has been assessed as part of the work plan approval process.

Clause 52.09-5 Decision Guidelines have been considered as part of the work plan process and are detail in the table below:

Table 5.1: Clause 52.09-5 Decision Guidelines

Decision Guideline	Response
The effect of the proposed stone extraction on any native flora and fauna on and near the land.	A biodiversity assessment has been undertaken to the satisfaction of DEWLP.
The impact of the stone extraction operations on sites of cultural and historic significance, including any effects on Aboriginal places.	No Aboriginal cultural heritage sites have previously been recorded in the area proposed for stone extraction. This has been verified by the appropriate assessment.
The effect of the stone extraction operation on the natural and cultural landscape of the surrounding land and the locality generally.	The proposal will have little effect on the natural and cultural landscape and will be rehabilitated throughout and at the end of the life of the quarry
The ability of the stone extraction operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the Mineral Resources (Sustainable Development) Act 1990 and other relevant regulations.	The stone extraction operation has been endorsed as being able to contain any resultant emissions within the boundaries of the subject land. An approved work plan has been submitted as part of the planning permit application.
The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.	This information has been set out in the endorsed work plan – WA6196. Hours of operation, times of blasting, haulage routes and dust suppression are all considered and include monitoring practices throughout the life of the quarry
The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.	There is a rehabilitation plan which includes re-vegetation throughout the working life of the quarry and then at the end during the rehabilitation phase.
The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.	There is a rehabilitation plan which includes re-vegetation throughout the working life of the quarry and then at the end during the rehabilitation phase.
The effect of the proposed stone extraction on groundwater and quality and the impact on any affected water uses.	GMW and NECMA have provided conditions for the work plan to ensure groundwater and quality does affect water uses.
The impact of the proposed stone extraction on surface drainage and surface water quality.	GMW and NECMA have provided conditions for the work plan to ensure groundwater and quality does affect water uses.
Any proposed provisions, conditions or requirements in a	An approved work plan accompanies the planning permit application.

work plan that has received statutory endorsement issued under the Mineral Resources (Sustainable Development) Act 1990.	
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Consideration of Significant Social and Economic Effects under Section 60 of the Act

As provided above, Section 60 of the Act requires Council, as the Responsible Authority, to consider any significant social effects and economic effects which the Responsible Authority considers the use or development may have.

The location of the proposed quarry for stone extraction is adjacent to an existing quarry run by Indigo Shire Council. The subject land is considered to be of moderate and low agricultural value and therefore the proposed quarry will not have a significant effect on agriculture in the area and therefore the local economy.

There is likely to be some social affects from potential amenity issues related to noise from blasting and traffic and dust. The accompanying work plan deals with these issues and restricts hours of operation to between 7am and 6pm Monday to Friday (excluding public holidays), 7am to 1pm on Saturday. Blasting is restricted to 10am to 2pm Monday to Friday. It is anticipated that blasting will occur 2 to 3 times a year.

Vehicles will be fitted with nose efficient beepers for reversing and will be required to limit the use of exhaust breaks. The haulage route using Horseshoe Gap Road will also facilitate the limited use of exhaust breaks. Annual output is likely to be between 20,000 and 40,000 tonnes of stone per year.

Dust suppression will be carried out and monitored with suppression tools on vehicles, use of water spray and planting of vegetation.

Clause 65 Decision Guidelines

The application is considered in keeping with both the State and Local Policy Frameworks, and the purposes and decision guidelines of the relevant zone, overlay and particular provisions. The use and development of the land is considered to constitute the orderly planning of the area mitigating any adverse amenity impacts. The approved work plan ensures that issues related to amenity are adequately dealt with for this type of use and development.

The proposal will have negligible impact upon land degradation or native vegetation and is not considered to heighten the risk of flooding, erosion or fire subject to compliance with the approved work plan.

The Decision Guidelines also require consideration of matters set out in Section 60 of the Act. The proposal is considered in keeping with these matters. Social and Economic Impacts associated with the application have been detailed above.

Implications

Policy Considerations

There are no additional Council policies or strategies that have not already been discussed in this report.

Financial Implications

This proposal does not have any impact on Council's financial resources. Should the matter be referred to the Victorian Civil and Administrative Tribunal then Council will likely incur costs in defending a position on the application.

Legal/Statutory

All procedures associated with the lodgement and assessment of this application have been done in accordance with the *Planning and Environment Act 1987*.

Cultural Heritage

There are no cultural heritage implications associated with this application as it is not in an area of cultural sensitivity and the appropriate assessment has been provided

Social and Economic Impacts

Clause 52.09 Stone Extraction and Extractive Industry Areas requires Council to request a copy of the work plan. This has been done. Decision guidelines set out in Clause 52.09 have also been assessed and detailed in this report.

Section 60 of the Act requires Council to consider any significant social and economic effects of the use and development. While both benefits and dis-benefits of extraction activities have been identified, the overall social and economic effects of the proposed use and development are considered to be neutral.

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts identified in the work plan. Re-vegetation will occur during and at the rehabilitation phase of the proposed use and development. The environmental and sustainability considerations have been assessed as part of the work plan and have been approved by the required statutory agencies and detailed in this report.

2017-2021 Council Plan (2018 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will plan, research and advocate for the future:

To advance the opportunities and potential of our agricultural communities and industries.

We will plan and make decisions for the future:

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

The non-negotiables

Our economy is diverse and strong – providing our residents with a range of employment and lifestyle opportunities.

All legislative and compliance requirements are 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
Notice of Decision to Grant a Permit	Med	Low	Low	Representation of Council at VCAT
Refuse to issue a Permit	Med	Low	Low	Representation of Council at VCAT

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Notify potentially affected parties of the application	Notice of Application sent to surrounding owners and occupants and an advertisement placed in the Wangaratta Chronicle
Consult	All submissions to the application will be considered.	All Submissions have been reviewed and summarised in this report along with a response to relevant

		planning considerations.
Involve	Opportunity to make submission.	Notice of Application sent to surrounding owners and occupants & advertisement placed in the Wangaratta Chronicle

Officers believe that appropriate notification in accordance with the Planning and Environment Act 1987 has occurred and the matter is now ready for Council consideration.

Options for Consideration

1. Approve the application, through the issue of a Notice of Decision to Grant a Permit, subject to conditions of permit (refer to Attachment 5).

OR

2. Approve the application, through the issue of a Notice of Decision to Grant a Permit, subject to different conditions. This is not recommended.

OR

3. Refuse the planning permit application. Grounds of refusal would need to be provided. This is not the recommended option.

Conclusion

As detailed within this report, the overall proposal has been found to be an appropriate use of the subject land. Subject to compliance with the approved work plan and conditions set out in this proposed permit, the proposal is considered to satisfy the relevant provisions of the Wangaratta Planning Scheme.

Attachments

- 1 Agricultural versatility [⇒](#)
- 2 Overlays [⇒](#)
- 3 Mineral Resources endorsed plan [⇒](#)
- 4 Work plan [⇒](#)
- 5 Draft Permit conditions [⇒](#)

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

18.1 ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Executive Assistant - Corporate Services & Councillors
File Name: Committees & Groups - Advisory Committees - Establishment - Administration
File No: F16/2255

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

Executive Summary

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

1. Agriculture & Agribusiness Advisory Committee Meeting
2. Economic Development & Tourism Advisory Committee Meeting
3. Sport & Recreation Advisory Committee Meeting

RECOMMENDATION:

(Moved: Councillor M Currie/Councillor D Fuller)

That Council notes the minutes of these committees.

Carried

Attachments

- 1 Sport & Recreation Advisory Committee Meeting Minutes [⇒](#)
- 2 Economic Development & Tourism Advisory Committee Meeting Minutes [⇒](#)
- 3 Agriculture and Agribusiness Advisory Committee Meeting Minutes [⇒](#)

19. RECORDS OF ASSEMBLIES OF COUNCILLORS

19.1 RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 September 2018
Author: Executive Assistant - Corporate Services & Councillors
File Name: Assemblies of Councillors
File No: F16/2117

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
24 July 2018	Agriculture & Agribusiness Advisory Committee	Attachment
7 August 2018	Wangaratta Aerodrome Master Plan Submission Hearing	Attachment
20 August 2018	Councillor Briefing Forum	Attachment
27 August 2018	Councillor Briefing Forum	Attachment
3 September 2018	CEO Review	Attachment
4 September 2018	Arts, Culture & Heritage Advisory Committee	Attachment
7 September 2018	Special Council Meeting	Attachment
10 September 2018	Councillor Briefing Forum	Attachment
17 September 2018	Councillor Briefing Forum	Attachment

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

- 1 Assembly of Councillors - Agriculture & Agribusiness Advisory Committee ➡
- 2 Assembly of Councillors - Wangaratta Aerodrome Master Plan Submission Hearing ➡
- 3 Assemblies of Councillors - Briefing Forum - 20180820 ➡
- 4 Assembly of Councillors - Briefing Forum - 20180827 ➡
- 5 Assembly of Councillors - CEO Review - 20180903 ➡
- 6 Assembly of Councillors - Special Council Meeting - 20180907 ➡
- 7 Assembly of Councillors - Arts Culture & Heritage Advisory Committee Meeting - 04092018 ➡
- 8 Assembly of Councillors - Briefing Forum - 20180910 ➡
- 9 Assembly of Councillors - Briefing Forum - 20180917 ➡

20. NOTICES OF MOTION

Nil

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

Graeme Norman, Tarrawingee asked does Council still own the pumping units used for emergency water and if they do are they fit for use again and would they consider using them in the future if there is going to be no rain?

Alan Clark, Acting Chief Executive Officer responded, I am not sure whether we still own those units. Are you sure they were Council owned units?

Graeme Norman responded yes I am sure they were Council owned units

Alan Clark, Acting Chief Executive Officer responded, we will have to investigate and get back to you. I know we have the drought bores which have special licensing conditions, but we will have to investigate the pump units themselves.

Phil Larkin, Moyhu Action Group asked, it was stated that the King Valley Development Plan would be complete within one year, it is now 3 months in and the Moyhu Action Group has not heard one thing. What is the update on this?

Barry Green, Director Development Services responded, Thank you for your question, that project has certainly commenced and all the background documentation work put together by Meghan Kelly, she also did some work in conjunction with the work that was done out of the township place making work. That will be rolled out very shortly and ready to be taken to the community.

Brian Fox, Wangaratta asked, will Carpark No 2 be fixed before we create anymore infrastructure in the Ovens Street / King George Garden area?

Alan Clark, Acting Chief Executive Officer responded, we are doing the design work this financial year and we are working with all the property owners there. The survey has been completed, we are working with North East Water they are going to get us to replace the water main underneath the carpark before we resurface it. The intention is that is done next financial year but that of course will be subject to Council including it in the budget.

Brian Fox '2nd question' was a statement therefore not recorded.

Brian Fox, Wangaratta asked, why did Council borrow 5 million dollars in addition to the Government grant to build a swimming pool for a swimming club of less than 100 members, when there are other clubs with more members?

Marcus Forster, Acting Director Community Wellbeing responded, swimming is the third most popular form both of recreation in the Rural City of Wangaratta, from evidence gathered in our last community survey on how people conduct recreation, it is also the third most popular form of recreation in the State of Victoria and the nation of Australia. Swimming is not only conducted by members of swimming clubs but also by regular residents of Wangaratta who go to the pool to swim laps for fitness, it is also used for aquatic therapy and aquatic recreation like water aerobics, multiple times a day, every day during the week. Swimming is also a summer recreational activity and is also used for injury recovery and for active aging. It is not just for the swimming club. It is true that we expend a lot of effort reaching out for grants for our other clubs, for example the recent installation of lights at Appin Park specifically for the Hockey Club. I wouldn't want anyone to think we are ignoring our other sporting clubs with the aquatics plan. Our aquatics plan aims to provide sustainable aquatic facilities both for use now but also for the next 50 years.

John Allan, Wangaratta 'question' regarding drainage along the frontage of St Johns was a statement therefore not recorded.

Graeme Norman, Tarrawingee asked, Who is responsible for removing abandoned cars and who is going to shift them?

Barry Green, Director Development Services responded, It does come back to what road you are on and what land you are on as to who can do it. Normally when the police go out they will take the number plate, they will check to verify that it is actually an abandoned vehicle and they normally arrange to have the vehicle removed. If they don't and we get complaints we can do the same thing, so if there are specific examples of locations I am happy to get the Compliance Coordinator to check them out.

23. CONFIDENTIAL BUSINESS

Nil

24. CLOSURE OF MEETING

The Meeting closed at 7.27pm.