

Minutes

Of the Ordinary Council Meeting

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

Date: 11 December 2018

Time: 6PM

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1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

2. OPENING PRAYER

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

3. PRESENT

Councillors:

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

Officers:

Brendan McGrath - Chief Executive Officer, Sarah Brindley - Director Corporate Services, Jaime Carroll - Director Community Wellbeing, Alan Clark - Director Infrastructure Services, Stephen Swart - Director Development Services

4. ABSENT

5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE

ORDER OF BUSINESS

6. CITIZEN CEREMONY

Nil

7. CONFIRMATION OF MINUTES

RECOMMENDATION:

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

That Council read and confirm the Minutes of the Ordinary Meeting of 20 November 2018 and the Special Meeting of 26 November 2018 as a true and accurate record of the proceedings of the meetings.

Carried

8. CONFLICT OF INTEREST DISCLOSURE

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

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

9. RECEPTION OF PETITIONS

10. HEARING OF DEPUTATIONS

PRESENTATION OF REPORTS

11. COUNCILLOR REPORTS

The Mayor acknowledged the receipt of Certificate of Appreciation and asked CEO Brendan McGrath to elaborate on this.

Brendan McGrath - CEO: Thank you Mayor, to my left is the Certificate of Appreciation that was handed to the Mayor today by a member of Victoria Police from our region. This certificate is to recognise our Councils contribution and participation in the Head to Head event held by Victoria Police. The Chief Commissioner Graham Ashton and Wayne Gatt, who is in charge of the Police Association, recently did a Head to Head walk which was a fundraiser for mental health for Victoria Police past and present to support those struggling with mental health issues. The walk covered a thousand kilometres with both men starting at separate ends of the state. The Chief Commissioner started at Mallacoota and Wayne Gatt at Mildura, they then met at the midway point which was Wangaratta before continuing to the finishing point for their event. We helped out with a range of things including traffic control, preparation of the park and some logistics around the running of the welcome event. The Mayor was there and said a few words on behalf of Council and overall it was a very successful event. This certificate was presented today to thank the Council for its contribution to that very worthy event.

OFFICERS' REPORTS

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor D Fuller)

Councillor H Bussell moved the following motion:

That the order of business for the meeting proceed to item 14.3 Youth Council Nominations as the first item for consideration.

The motion was seconded by Councillor D Fuller.

Carried

12. EXECUTIVE SERVICES

12.1 MOU BETWEEN WANGARATTA RURAL CITY COUNCIL AND BENALLA RURAL CITY COUNCIL

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	11 December 2018
Author:	Executive Service Coordinator
File Name:	N/A
File No:	N/A

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

Executive Summary

This report is presented to Council to seek Councillors agreement to sign the memorandum of understanding between Benalla and Wangaratta Councils proposing that a framework be established to formalise the agreement that both Councils collaborate more closely and more frequently, to explore mutually beneficial outcomes. This idea arose from discussions between the Mayors of each of the municipalities and the desire to work more closely together.

RECOMMENDATION:

(Moved: Councillor K Clarke OAM/Councillor D Fuller)

That Council authorise the signing and execution of the proposed Memorandum of Understanding between both Wangaratta Rural City Council and Benalla Rural City Council.

Carried

Background

This Memorandum of Understanding sets out what the Participating Councils have agreed to do, so that their support for the general concept of collaboration can be restated and a framework can be established in which mutually beneficial outcomes can better be explored.

Implications

Policy Considerations

This agreement does help achieve the State Governments stated goal of greater collaboration between Councils. It does not override each Councils independence or sense of sovereignty.

Financial/Economic Implications

Whilst there may be some cost efficiencies gained in the future through sharing of resources and collaboration, there are no specific costs to Exeter this agreement

Legal/Statutory

The agreement is about collaboration and cooperation. It is intended that the Participating Councils will retain absolutely their own identities, autonomy and sovereignty.

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 (2018 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

We will plan, research and advocate for the future:

For the best options to deliver services in conjunction with our surrounding Council partners

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

N/A

b) Other strategic links

N/A

Risk Management

Each potential project and its risk will be considered independently in its own right in the future.

A Participating Council may withdraw from (and, if there are only two Participating Councils, therefore end) this Memorandum of Understanding by:

5.3.1 giving to the (or any) other Participating Council 60 days' notice of its intention to withdraw; and

5.3.2 60 days then elapsing from the giving of the notice

Consultation/Communication

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

Options for Consideration

Council could

1. Sign agreement as proposed
2. Seek variations to the agreement
3. Not enter into any agreement

Conclusion

In conclusion this agreement is intended to encourage a greater sense of collaboration between Councils. It is not binding or specific about what should be done, but rather sets out a framework to work within.

Attachments

- 1 PROPOSED MOU BETWEEN RCOW & BRCC

13. CORPORATE SERVICES

13.1 LEASING & LICENSING POLICY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 2018
Author: Manager People & Governance
File Name: Leasing and Licensing Policy
File No: D18/46937

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

Executive Summary

This report is presented to Council to consider placing the recently created Leasing & Licensing Policy (the Policy) on exhibition seeking feedback from the community. The Policy will provide a consistent, equitable and transparent approach for entering into formal tenure arrangements with other parties for their occupation of Council owned and/or managed assets which will ensure that the best possible outcome is achieved for the community.

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor D Fuller)

That Council:

- 1. Endorses the draft Leasing & Licensing Policy for public exhibition***
- 2. Invites public submissions regarding the draft Leasing & Licensing Policy in accordance with Council's "Major Council Policy Consultation Local Law No.4 of 2015" (the Local Law) until close of business on Friday 25 January 2019***
- 3. If submissions are received under the Local Law:***
 - a. Convenes a Special Council Meeting to hear from any person or persons who request to be heard in support of their written submission***
 - b. Receives a report on any Local Law submissions and any hearings held and resolves the draft Leasing & Licensing Policy at the next available Ordinary Council Meeting***
- 4. If no submissions are received under the Local Law, resolves to approve the draft Leasing & Licensing Policy without further resolution.***

Carried

Background

There are currently numerous property agreements in place with various community and sporting groups, as well as individuals. The agreements do not currently follow any consistent approach for rental amounts or length of terms. The draft Policy will address these inconsistencies by providing an equitable and transparent approach for entering into property agreements which will ensure the best possible outcome is achieved for the wider community.

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report as this is a newly created policy.

Financial/Economic Implications

This will lead to slightly increased income for Council as well as a pricing methodology for officers to justify the rental amounts being requested of occupiers.

Legal/Statutory

The Local Government Act 1989 gives Council the power to lease and/or licence land or property which it owns or manages.

Social

There may be a slightly detrimental impact on the groups that have been on long-term peppercorn (\$1) agreements.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

The non-negotiables

Our team will make the best and most efficient use of Council's resources.
Our community and recreation facilities are well maintained.

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

N/A

b) Other strategic links

N/A

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Consult	Seek feedback on the draft Leasing & Licensing Policy	Wangaratta Chronicle, Council's website.

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

Options for Consideration

1. Do nothing.
2. Recommend further changes to the draft Policy
3. Endorse the draft Policy in its current state and invite public submissions.

Conclusion

The draft Policy will provide a consistent, equitable and transparent manner for occupation of Council owned/managed assets. As a major Council policy it must now be placed on public exhibition seeking feedback from the community.

Attachments

- 1 Leasing and Licensing Policy Draft December 2018
- 2 Community Impact Statement
- 3 Application of Draft Policy to Current Leases and Licenses

14. COMMUNITY WELLBEING

14.1 MITCHELL AVENUE CHILDREN'S GARDEN

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 2018
Author: Projects and Recreation Coordinator
File Name: Recreation and Cultural Services - Facilities and Programs - Mitchell Avenue Master Plan
File No: F17/476

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 present the draft concept plans for the Mitchell Avenue Reserve Children's Garden (Attachment 1) and to provide a summary of the community engagement undertaken (Attachment 2) in the development of the plan and to seek Council endorsement of the plan.

RECOMMENDATION:

(Moved: Councillor A Fitzpatrick/Councillor D Fuller)

That Council:

- 1. Notes the feedback received from the community during the consultation period;***
- 2. Adopts the concept plans for the Mitchell Avenue Reserve Children's Garden; and***
- 3. Considers the project during 2019/20 budget deliberations for implementation in the 2019/20 financial year.***

Carried

Background

The development of concept plans for the Mitchell Avenue Reserve Children's Garden was a key priority from the Mitchell Avenue Reserve Master Plan which was endorsed by Council in 2018 and aligns strongly with Council's Play Space Strategy which was endorsed in 2017.

The plans were developed by leading nature-playground designer Mary Jeavons Landscape Architecture and have been developed based upon feedback from the community.

Implications

Policy Considerations

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

Financial/Economic Implications

An allocation of \$20,000 in the 2017-18 budget was made towards the design of the Children's Garden at the February 2018 Council Meeting. Currently 80% of these funds have been expended with the balance to finalise some detailed designs of some elements within the plan.

No additional funds are required at this stage to complete the designs.

	2017/2018 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income	\$20,000	-	-	
Expense: Concept designs		\$14,660		
Expense: Engagement activities		\$669		
Expense: Survey		\$1,550		
Not Yet Expended:		\$3,021		To allow for final engagement activities and detailed design of key elements in the concept plan.
Net Result		\$20,000		

The total estimated cost to implement the project is \$625,906. This project will be presented to Council for consideration in the development of the 2019/20 budget. Council has received funding from Sport and Recreation Victoria towards the project of \$199,660.

The estimated cost for the children's garden as provided by the landscape architect is \$540,496. An additional amount of \$85,410 will be included as part of the project for complimentary infrastructure elements consistent with the broader Mitchell Avenue Reserve Master Plan.

Legal/Statutory

Planning and statutory requirements have been considered during the development of the concepts and will be addressed during the construction stage of this project.

Social

The community engagement undertaken for the concept plan and the broader master plan has found strong support for the implementation of this project and the social benefits that it will provide.

Once constructed it will give residents a unique public space to visit, to undertake physical activity and to interact with other members of the community. It will add to the mix of the activities available within Mitchell Avenue Reserve and ensure that a range of community members of all ages and backgrounds are able to use the reserve, leading to increased social interaction and improve community wellbeing.

Environmental/Sustainability Impacts

Mitchell Avenue Reserve is adjacent to the One Mile Creek and has been the site of revegetation works along the waterway. There are a number of remnant native trees on the site which have been incorporated into the concept plan. These trees will be an integral part of the Children's Garden and additional protection measures will be put in place to help ensure their longevity. The Children's Garden will also have educational benefits with children having a greater level of interaction with nature and creating a greater interest in the wellbeing of the environment.

2017 – 2021 Council Plan

We are Thriving

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

We will create and deliver: Open spaces and reserves that allow everyone to enjoy our beautiful location and environment.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

A Vibrant Community – sport, recreation, arts and culture, play an important role in bringing communities together and improving personal and community health and wellbeing

b) Mitchell Avenue Reserve Master Plan (2018)

The Children's Garden was one of the top priority projects based upon community feedback from the Mitchell Avenue Reserve Master Plan. Along with the establishment of a fitness equipment area (Dec 2018) and an off-leash dog park (early 2019), endorsing this concept plan will demonstrate Council's commitment to delivering on the master plan.

c) Wangaratta Aquatics Plan (2015)

The delivery of a Children's Garden will be a further investment into recreational facilities and activities within Mitchell Avenue Reserve as per the commitment

made by Council relating to the closure of the Yarrunga Family Swim Centre within this plan.

d) Play Space Strategy (2017)

The delivery of a Children's Garden aligns strongly with an increased emphasis on nature-based play, ensuring a variety of types of play are provided within a park and will further enhance the district level play space into a reserve with a regional catchment.

Risk Management

Risks associated with the construction, delivery and ongoing management of the Children's Garden have been considered in the development of the concept plan and will be incorporated and addressed as part of the project management.

Council has communicated a commitment to developing this precinct as a key community asset. The adoption of this concept plan and a commitment to implement the project further strengthens the commitment and expectation for this to be delivered.

These are identified as having a low risk rating.

Consultation/Communication

The concept plan for the Mitchell Avenue Reserve Children's Garden has been developed following extensive consultation:

- The initial idea of a children's garden was identified by the community in late 2016 through a community engagement process discussing the future use of the site of the former Yarrunga Family Swim Centre;
- A master plan for the Mitchell Avenue Reserve was developed in 2018 where the children's garden idea was endorsed by the community and a range of ideas and concepts to incorporate into a design for the children's garden were identified; and
- Draft concept plans for the Children's Garden were presented to the community with general support along with some minor changes to further emphasise elements which had strong support through the consultation.
- Minor changes will be incorporated into the project plan and related to enhancing the following elements:
 - Inclusion of minor water elements
 - Retention of sand area to feature elements but reverting back to bark mulch in other areas
 - Incorporating additional tunnel/archway/cave elements where possible

The specific consultation period for the concept plans for the Mitchell Avenue Reserve Children's Garden included:

Engagement Promotion

- Council website and social media;
- Media releases;
- Classroom visits to Our Lady's Primary School and Yarrunga Primary School;
- A Letterbox drop to 300 adjoining and nearby residents and businesses with a copy of the draft plan and invitation to the Party in the Park; and
- Direct contact with interested community members.

Engagement Feedback

- Year 5/6 students (x35) – via classroom visit at Our Lady's Primary School;
- Year 1 to 6 students (x40) – via classroom visit at Yarrunga Primary School;
- Educators and children (x30) at the Wangaratta Children's Services Centre; and
- Consultation session (x12) – via Party in the Park.

Further details regarding the community engagement are included in Attachment 2.

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

Options for Consideration

1. That Council note and endorse the concept plans for the Mitchell Avenue Reserve Children's Garden; or
2. That Council seek further changes to the Mitchell Avenue Reserve Children's Garden; or
3. That Council not endorse the Mitchell Avenue Reserve Children's Garden and take no further action.

Conclusion

The concept plans for the Mitchell Avenue Reserve Children's Garden were developed based upon the needs and wants of the community. The plans were then presented back to the community to reaffirm that it met those needs.

The community engagement has strongly supported the draft plan with minor changes to be appended to the plan. The plan will provide Council a clear direction for detailed designs and implementation of this significant project within the Yarrunga and Wangaratta community.

Attachments

- 1 Concept Plans
- 2 Community Engagement Summary

14.2 SECTION 86 COMMITTEES OF MANAGEMENT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 2018
Author: Community and Recreation Officer
File Name: COUNCIL COMMITTEES
File No: F16/1547

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

Executive Summary

This report is presented to Council to seek endorsement for nominations of community members to represent a number of Special Committees of Management (COM) where representatives are new or renominating upon expiry of their term on a COM.

The Special Committees of Council are responsible for the management, promotion and maintenance of facilities under their control.

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor D Fuller)

That Council:

- Appoints the following representatives to the Section 86 Special Committees of Management:-***

Everton Hall and Sporting Complex	
Ruth Kneebone	Community Representative
Noel Kneebone	Community Representative
Whorouly Pubic Library Hall	
Pauline McPherson	Whorouly Primary School

Carried

Background

Council has 16 COMs established under Section 86 of the *Local Government Act 1989* (the Act) for the purpose of managing and controlling activities at Council owned/managed facilities. Section 86 of the Act provides that Council may delegate certain functions, duties or powers to a COM.

These nominations represent either new nominees resulting from resignations or additional interest from local community members.

Implications

Policy Considerations

Council's policy 'Appointment to Council Committees' applies to this matter. At its discretion, where there are more nominations than vacancies and the nominees address the requirements of the relevant COM, Council may appoint a number of members to the committee greater than that specified in the charter.

Financial/Economic Implications

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

Legal/Statutory

Council must make formal appointments to Section 86 Special Committees as required by the Act. The appointment of members to Special Committees by formal resolution of Council ensures that the powers, functions and duties delegated to these COMs are able to be exercised legally.

Social

Closer links between Council and COMs create greater awareness of the needs of the community and of the facilities being managed on Council's behalf. The responsibilities delegated to the COMs promote the exchange of information between the committee and Council. Promotion of the facility by the COM facilitates increased community use.

Environmental/Sustainability Impacts

COMs are responsible for the management of any environmental issues relating to the land upon which their facilities are situated.

2017 – 2021 Council Plan (2018 Revision)

We are sustainable:

We will focus on our business, by ensuring that we have the processes in place to support our community groups and committees to be viable and sustainable.

We are established:

We will plan, research and advocate for the future, on behalf of our groups and committees to ensure that they have the resources and knowledge to do the things they need to do.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the delegation of Council powers to a committee	Possible	Moderate	Medium	The appointment of members by a formal resolution of the Council reduces governance risks by ensuring that all members appointed to a committee are covered by Council's public liability insurance

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Keep informed	Emails/Media advertisements
Consult	Listen and acknowledge	Council will consult with the committees prior to making decisions that relate to facilities and Sport and Recreation matters.
Involve	Work with the respective committees to obtain feedback	Committees provide an important source of feedback for Council to manage these facilities and provide relevant information pertaining to sport and recreation.
Collaborate	Feedback will be incorporated into decisions as far as possible	Council collaborates with its committees prior to making decisions that relate to Sport and Recreation and facilities
Empower	Implementation in conjunction with the relevant committees	Committees have delegated powers to make decisions in relation to the day-to-day management of the facilities.

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

Conclusion

The appointment of the nominations detailed herein to the relevant COMs will delegate the management, function and duties of the activities and facilities under the COMs and will uphold Council's requirements under the Act.

Attachments

Nil

14.3 YOUTH COUNCIL NOMINATIONS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 2018
Author: Youth Development Officer
File Name: Council Report - 2019 Youth Council Endorsement
File No: D18/78473

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

Executive Summary

This report is presented to Council to seek endorsement of nominations recently invited for membership of the 2019 Rural City of Wangaratta Youth Council.

Nominations were sought from:

- local secondary schools;
- alternative education institutions; and
- local youth service providers.

In total there were ten nominations received.

RECOMMENDATION:

(Moved: Councillor A Fitzpatrick/Councillor K Clarke OAM)

That Council:

- 1. *Appoint the following individuals to represent their peers in the 2019 Rural City of Wangaratta Youth Council.***

Toby Miliankos-King	Wangaratta High School
Chloe Dowell*	Wangaratta High School
Jorja O'Connor	Galen Catholic College
Layla Creek	Cathedral College Wangaratta
Alannah Baguley	Wangaratta High School
Shevanti Perera	Wangaratta High School
Rachel Fischer	Galen Catholic College
Matthew Stone	Borinya Community Partnership
Oscar Day	Cathedral College Wangaratta
Peter Sang	Borinya Community Partnership

*Served one previous term as Youth Councillor.

Carried

Background

The Rural City of Wangaratta's Youth Council provides a voice for young people to engage with Council and the community. Many activities and events

undertaken by Youth Council connect young people who otherwise may not have the opportunity to do so.

Consultation has occurred with educational institutions and youth service providers. All nominees were required to submit a nomination form and attend an interview. At each interview, the candidate was asked a series of set questions to determine their suitability. Following interviews, a panel finalised the decision. The panel incorporated:

- the Manager Community and Recreation;
- Youth Development Officer; and
- a current Youth Council representative.

Referee checks were conducted for all candidates. Consideration was given to candidate's suitability, team fit, and ability to represent their peers.

Nominations for Youth Council were advertised in:

- The Chronicle;
- through social media;
- through the Rural City of Wangaratta website, and
- through existing school networks and newsletters.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan (2018 Revision)

This report supports the 2017-2021 Council Plan:

Pillar

We are Inspired

Our non-negotiables:

- Our commitment to communicate and engage with our community about local decision making in a way that is clear, accessible and easy to understand.
- Our community is given opportunities for everyone to participate and contribute to social, economic and cultural life.

What we do every day:

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

Work with young people to further develop activities for youth.

b) Municipal Public Health & Wellbeing Plan 2017 - 2021

2.2.2 Provide free and accessible programs that enable men, women, young people and children of all abilities to enjoy and participate in cultural activities.

c) Rural City of Wangaratta Youth Charter

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

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Limited Youth involvement in Council	Likely	Minor	Medium	Maintain Youth Council program and commitment to youth engagement

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Youth Council nominees	Correspondence
Consult	Youth Council providers	Correspondence; meetings
Involve	Councillors, Operational staff	Correspondence; meetings

Collaborate		
Empower		

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

Conclusion

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

Through the Youth Council program, young people are given opportunities to:

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

The nomination process for Youth Council has followed procedures outlined in Section 5 of the Youth Council Charter and has been presented to both Council's Corporate Management Team and at a Councillor Briefing Forum for consideration prior to endorsement.

The nominees incorporate representatives from all of the Rural City's secondary education institutions, both new and returning participants, and a varied range of interests and personal experiences.

The proposed recommendation is presented to Council for its consideration.

Attachments

Nil.

15. INFRASTRUCTURE SERVICES

15.1 T1819/037 OVENS STREET CIVIL AND ELECTRICAL WORKS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 2018
Author: Project Officer
File Name: T1819/021 Ovens Street Civil and Electrical Works
File No: T1819/037

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 provides Council with details of the evaluation of T1819/037 Ovens Street Civil and Electrical Works.

RECOMMENDATION:

(Moved: Councillor K Clarke OAM/Councillor D Fuller)

That Council:

- 1. Award T1819/037 Ovens Street Civil and Electrical works to Excell Gray Bruni Pty Ltd;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for Contract T1819/037 Ovens Street Civil and Electrical works; and***
- 3. Discloses the contract price for Contract T1819/037 Ovens Street Civil and Electrical Works.***

Carried

Alan Clark - Director Infrastructure Services disclosed the contract price for Contract T1819/037 Ovens Street Civil and Electrical Works as \$463,407.90 ex GST

Background

The development of Ovens Street Wangaratta forms an integral part of Councils, Wangaratta Project CBD Masterplan. The Wangaratta Project CBD Masterplan includes the redevelopment of part of Ovens Street Wangaratta, works include demolition and construction of kerb, road pavement and installation of street lighting and beautification works.

Tenders for the Civil and Electrical Works on Ovens Street were invited through advertisements as follows:

AdvertisementDate

Tenderlink
Chronicle

12 October 2018
12 October 2018

Tenders closed at 2:00pm on 8 November 2018.

The tender evaluation team included Council's Delivery and Contracts Coordinator and two Project Managers.

Two tenders were received by the closing time as follows:

Tenders Received
Excell Gray Bruni P/L
Dunstan Civil P/L

Tenders were evaluated against the following criteria:

Evaluation Criteria	Description	%
Cost to Council – Direct & Indirect	Total price of the work.	30%
Experience & Qualifications	Capability to perform contract works based on experience and past performance in previous similar works.	25%
Response to Specification	All specification items have been clearly addressed.	20%
Risk & Quality Management	Management system and procedures including OH&S.	10%
Local Content	Purchasing locally sourced material and consumables Subcontracting services from local businesses Employment of local people.	10%
Business & Financial Capacity	Viability of the Business to deliver both financial and functional aspects of the tender.	5%

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

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

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

From the Weighted Attribution Method the tenderers were scored as follows:

Tenderer	Weighted Score
Excell Gray Bruni P/L	80
Dunstan Civil P/L	59

Implications

Policy Considerations

Council's Procurement Policy.

Financial/Economic Implications

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

Legal/Statutory

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

Social

The project will improve pedestrian safety within Ovens Street, revitalise the current streetscape, improve connectivity to King George V Gardens and improve Wangaratta's open spaces for community enjoyment.

Environmental/Sustainability Impacts

There will be some tree losses as part of the project. The trees have been properly assessed and the necessary permits have been obtained.

2017 - 2021 Council Plan (2018 Revision)

This report supports the 2017 - 2021 Council Plan:

Goal

We are Thriving
We are Growing
We are Established

We will plan, research and advocate for the future

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

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

We will focus on our Business

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

We will create and deliver

A city centre that is unique, diverse and active

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

b) The Wangaratta Project – A masterplan for the city

c) Wangaratta Urban Design Framework

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timelines	Possible	Timeframe become unrealistic	High	Project manager to reassess
Unsatisfactory quality of works	Rare	Statement of conformance not issued	Moderate	Project Manager to reassess
Community backlash over the removal of trees	Medium	Reputation management	High	RCoW open communication as ear marked trees have been assessed by RCoW arborist and all of the necessary permits have been obtained
Disgruntled business owners	Moderate	Reputation management	High	Regular communications with RCoW staff
Community backlash over loss of parking	High	Reputation management	High	Communication about pedestrian friendly CBD and where other parking is within the CBD
Traffic management	Possible	Death or Injury – WorkCover investigation	Extreme	Contractor to provide traffic management plan to demonstrate how they are managing risks relating to traffic movements. RCoW regular communications about the timings of road closures. (1 way traffic for the length of the project and a full road closed for two weeks)

Contractor Injury	Possible	Death or Injury – Workcover investigation	Extreme	Contractor to provide Safe work method statements to demonstrate how they are managing risks to workers.
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Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will keep you informed throughout the life of the project	<ul style="list-style-type: none"> • Face2face communication • Update of RCoW website • Updates in the local paper

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

Conclusion

The tenders received were evaluated and reference checks undertaken and the Evaluation Panel therefore recommend that Excell Gray Bruni Pty Ltd as the preferred tenderer for T1819/037 Ovens Street Civil and Electrical Works.

Attachments

- 1 T1819/037 Ovens Street Civil and Electrical Works - Evaluation Report - Confidential

15.2 T1819/033 OSBOLSTONE ROAD AND SISELY AVENUE
INTERSECTION UPGRADE AND T1819/036 CONSTRUCTION OF A
ROAD AND 3-SPAN BRIDGE, CRUSE STREET

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 2018
Author: Project Officer
File Name: Osboldstone Rd and Sisely Avenue Intersection
Upgrade and T1819/036 Construction of a road and
3-span bridge, Cruse Street
File No: T1819/033 & T1819/036

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 provides Council with details of the evaluation of T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade and T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta.

RECOMMENDATION:

(Moved: Councillor H Bussell/Councillor M Currie)

That Council:

- 1. Award T1819/033 - Osboldstone Road and Sisely Avenue Intersection Upgrade to O'Loughlin Excavations;***
- 2. Award T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta to MACA Infrastructure Pty Ltd;***
- 3. Authorises the Chief Executive Officer to sign and seal documents for Contract T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade;***
- 4. Authorises the Chief Executive Officer to sign and seal documents and T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta; and***
- 5. Discloses the contract price for Contract T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade and T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta.***

Carried

Alan Clark - Director Infrastructure Services disclosed the contract price for Contract T1819/033 Osboldstone Road and Sisely Avenue Intersection upgrade to O'Loughlin Excavations as \$1,955,677.05 ex GST

Alan Clark - Director Infrastructure Services disclosed the contract price for Contract T1819/036 Construction of a road and 3 span bridge Cruse Street Wangaratta as \$7,411,390.83 ex GST

Background

The City of Wangaratta is a part of the Hume Regional Growth Plan (2010) with the expected population growth from 29,000 (2011) to 33,000 by the year 2031.

The north western growth area was identified in the Wangaratta Population and Housing Strategy (2013) as a preferred location to accommodate future growth. The north-west growth area is located 4kms from the central business district of Wangaratta and in time, will provide for the establishment of a new community of approximately 5,000 people.

The vision of the Wangaratta North West Growth Area Structure Plan (September 2018) is to create a new, well connected and serviced community that has a positive sense of place that requires upgrades to roads including a pedestrian and cycle network.

The Osboldstone Road and Sisely Avenue intersection upgrade as well as Construction of a road and 3-span bridge at Cruse Street has been identified in the Rural City of Wangaratta's 2018/2019 Capital works programme to upgrade infrastructure required to open up the north west for proposed development.

Tenders for T1819/033 - Osboldstone Road and Sisely Avenue Intersection Upgrade were invited through advertisements as follows:

Advertisement	Date
Tenderlink	23 October 2018
Chronicle	26 October 2018

Tenders closed at 2:00pm on Thursday 14 November 2018

The tender evaluation team included Council's Delivery and Contracts Coordinator and two Project Managers.

Three tenders were received by the closing time as follows:

Tenders Received
Dunstan Civil Pty Ltd
Excell Gray Bruni P/L
O'Loughlin Excavations

Tenders were evaluated against the following criteria:

Evaluation Criteria	Description	%
Cost to Council – Direct & Indirect	Total price of the work.	30%
Experience & Qualifications	Capability to perform contract works based on experience and past performance in previous similar works.	25%
Response to Specification	All specification items have been clearly addressed.	20%
Risk & Quality Management	Management system and procedures including OH&S.	10%
Local Content	Purchasing locally sourced material and consumables Subcontracting services from local businesses Employment of local people.	10%
Business & Financial Capacity	Viability of the Business to deliver both financial and functional aspects of the tender.	5%

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

P	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
90	Excellent	Demonstrated capacity exceeds all required standards.
70	Good	Complies with all required standards and capacity demonstrated.
50	Satisfactory	Complies with relevant standards without qualifications.
30	Marginal	Complies with relevant standards with qualifications.
0	Unsatisfactory	Fails to satisfy required standards.

From the Weighted Attribution Method the tenderers were scored as follows:

Tenderer	Weighted Score
O'Loughlin Excavation	79
Dunstan Civil	64
Excell Gray Bruni	78

Tenders for T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta were invited through advertisements as follows:

Advertisement	Date
Tenderlink	26 October 2018
Chronicle	2 November 2018

Tenders closed at 2:00pm on Thursday 22 November 2018.

The tender evaluation team included Council's Delivery and Contracts Coordinator and two Project Managers. The Rural City of Wangaratta also employed the services of a probity officer to ensure transparency of the tender evaluation process.

Seven tenders were received by the closing time as follows:

Tenders Received
North East Civil Construction
McPherson's Earthmoving Contractors
Mawson Constructions
MACA Infrastructure
BMD Urban
Astern Group
Recivil Pty Ltd

Tenders were evaluated against the following criteria:

Evaluation Criteria	Description	%
Cost to Council – Direct & Indirect	Total price of the work.	30%
Experience & Qualifications	Capability to perform contract works based on experience and past performance in previous similar works.	25%
Response to Specification	All specification items have been clearly addressed.	20%
Risk & Quality Management	Management system and procedures including OH&S.	10%
Local Content	Purchasing locally sourced material and consumables Subcontracting services from local businesses Employment of local people.	10%
Business & Financial Capacity	Viability of the Business to deliver both financial and functional aspects of the tender.	5%

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

P	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
90	Excellent	Demonstrated capacity exceeds all required standards.
70	Good	Complies with all required standards and capacity demonstrated.
50	Satisfactory	Complies with relevant standards without qualifications.
30	Marginal	Complies with relevant standards with qualifications.
0	Unsatisfactory	Fails to satisfy required standards.

A preliminary evaluation based upon the documentation was undertaken to assess the Tenderers against the evaluation criteria. The purpose of this “preliminary evaluation” was to provide a short list of Tenderers to be interviewed. From the Weighted Attribution Method the shortlisted tenderers “final scores after interviews were as follows:

Tenderer	Weighted Score
MACA Infrastructure	73
BMD Urban	71
North East Civil Construction	68

Implications

Policy Considerations

Council’s Procurement Policy
Development Contribution Plan

Financial/Economic Implications

The preferred tender prices are within the allocated budget for these works.

T1819/036 is funded via the Development Contribution Plan.

T1819/033 is directly funded by Council.

Legal/Statutory

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

Social

Improved social amenity and connectivity.

Environmental/Sustainability Impacts

There will be some tree removals as part of this project. The trees have been assessed and the necessary permits have been obtained. Larger trees will be utilised by North East Catchment Authority for waterway revegetation.

2017 – 2021 Council Plan (2018 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Growing
We are Established

We will 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.

We will create and deliver:

Timely and appropriate infrastructure to support our growth areas.

We will plan and make decisions for the future:

To facilitate drainage and road infrastructure to support future growth plans

We will focus on our business:

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

The non-negotiables:

To appropriately protect, plan and develop residential, rural, commercial and industrial land based on what we understand is important to the people who live, work and visit here.

To monitor our road network to meet current and future needs of our community and our industry.

Strategic Links

- a) Rural City of Wangaratta 2017-2021 Council Plan
- b) Rural City of Wangaratta 2030 Community Vision
- c) Wangaratta Population and Housing Strategy
- d) Wangaratta North-West Growth Area Structure Plan

- e) Wangaratta North-West Growth Area Development Contributions Plan
- f) Hume Regional Growth Plan

Risk Management

T1819/033 - Osboldstone Road and Sisely Avenue Intersection Upgrade

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timeframes	Possible	Timeframe become unrealistic	High	Project manager to reassess
Insufficient labour	Possible	Delay to project	Moderate	Project manager to reassess
Unsatisfactory quality of works	Rare	Statement of conformance not issued	Moderate	Project manager to reassess
Traffic management	Possible	Injury or death – Workcover investigation	Extreme	Contractor to provide RCoW with traffic management plan to demonstrate how they are managing the risks relating to traffic movements

Risk Management

T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timeframes	Possible	Timeframe become unrealistic	High	Project manager to reassess
Insufficient labour	Possible	Delay to project	Moderate	Project manager to reassess
Unsatisfactory quality of works	Rare	Statement of conformance not issued	Moderate	Project manager to reassess
Damage to waterways	Possible	Delays in project Fines from the EPA / Water Authorities	Moderate	Contractor to provide work instructions
Contractor injury	Possible	Injury or death – Workcover investigation	Extreme	Contractor to provide RCoW safe work method statements to demonstrate how they are managing risk to workers

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will keep you informed throughout the life of the project	<ul style="list-style-type: none"> • Updates in the local paper • Updates on the RCoW website • Face2face communication

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

Conclusion

The tenders received were evaluated and reference checks undertaken.

The Evaluation Panel consider O'Loughlin Excavations the preferred tenderer for T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade works. The Evaluation Panel consider MACA Infrastructure Pty Ltd the preferred tenderer for T1819/036 Construction of a road and 3-span bridge, Cruse Street, Wangaratta.

Attachments

- 1 T1819/033 Osboldstone Road & Sisely Avenue Intersection Upgrade - Evaluation Report - Confidential
- 2 T1819/033 Osboldstone Road & Sisely Avenue Intersection Upgrade - Probity Report - Confidential
- 3 T1819/036 Cruse Street - construction of a road and 3-span bridge - Evaluation Report - Confidential
- 4 T1819/036 Cruse Street, Construction of a road and 3-span bridge - Probity Report - Confidential

16. DEVELOPMENT SERVICES

16.1 PARKING ON NATURE STRIP IN JOHNSTON'S LANE WANGARATTA : PETITION

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 2018
Author: Manager Building, Planning and Compliance
File Name: N/A
File No: N/A

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

Executive Summary

Council at its meeting on 16 October 2018 received a petition from 13 residents of Johnston's Lane, Wangaratta and resolved that a report into investigations into the request be considered at a subsequent meeting.

The petition requests an exemption to the *Road Safety Road Rule 2009* to allow parking of two wheels on the kerb of Johnston's Lane to enable free passage of vehicles.

The matter has been considered by Council's Infrastructure Services and Community Compliance Unit, looking at the legal options available to achieve adequate parking on the street, not obstructing footpaths, and reasonable through access for vehicles including emergency vehicles.

A recommendation for parking on the north side of the street only has been made as the preferred solution.

RECOMMENDATION:

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

That Council:

- 1. Allow parking to occur on the north side of Johnston's Lane only, with residents to be advised of this decision prior to the erection of appropriate signage.***

Carried

Background

This matter originally arose due to complaint that vehicles parking partly on the footpath in Johnston's Lane was creating an obstacle for pedestrians. When action was taken to correct this situation and have vehicles park legally, residents

informed Council that they needed to park partly on the footpath because the street pavement was narrow, parking at the kerb (on the roadway) on both sides impeded the passage of vehicles including emergency vehicles, and also made access into some driveways difficult.

Discussion of Options

The current common practise is for residents in Johnston's Lane to park with two wheels straddling the kerb to enable the free passage of vehicles.

Johnston's Lane is approximately 6.5 metres wide and runs in an east/west direction.

Two of the most common vehicles, Holden Commodore and Ford Falcon have a width of approximately 1.9 metres and the biggest selling utility, the Ford Ranger, has a width of 2.163 metres. Two vehicles parked legally and directly opposite each other have a combined width of 3.8 metres leaving 2.7 metres clearance for vehicles to pass between. Considering the vehicle examples mentioned above, passing vehicles would have a clearance of between 0.537 and 0.8 metres.

Parking on the roadway on both sides of the street may prevent emergency vehicles from attending incidents in Johnston's Lane, as CFA vehicles in particular, require extra width than normal vehicles. Waste collection vehicles also required additional width.

The Wangaratta CFA state that a typical fire tanker require a clearance of at least 3.0 metres width, with a preferred clearance of 4.0 metres. The length of a tanker varies from 8.3 to 9.2 metres.

As it currently stands, residents parking with wheels on footpath add an extra 1.2 metres of width to the area available to a passing vehicle making a clearance of 3.9 metres. However, this contravenes Victorian State Legislation - *Road Safety Road Rules, Section 197*, and also *Council Local Law No 1 Community Amenity*, which prevents parking on a nature strip without a permit. This parking pattern also restricts pedestrian access along footpaths.

Alternative options available to provide for car parking on the roadway are:

- 1) Staggered parking (marked or unmarked) – this will normally reduce the available amount of parking available to residents. Taking into account the length of a CFA tanker (8.3 - 9.2 metres) advice from the CFA indicate that they require approximately double the length of the truck (16.6 – 18.4 metres between parked vehicles) to manoeuvre safely where staggered parking is in place. This would further reduce the number of spaces available to residents.
- 2) Allow parking to occur on one side of the street only. Infrastructure Services indicate the north side of Johnston's Lane to be the preferred side. Parking on the north side only will allow for legal parking with improved access throughout the street, allowing for cars to pass each other, improve access to driveways and safe pedestrian access.
- 3) A combination of turning Johnston's Lane into a one way thoroughfare with traffic travelling in a westerly direction only and car parking only on the north side of the roadway.

Discussion with residents by Council's Community Compliance Unit also resulted in the suggestion by some residents that the street should be made 'one way only' preventing easterly travel to address the 'rat run' occurring in the morning where through traffic tries to avoid the Green Street roundabout.

Advice received from Infrastructure Services is:

- Making the street one way will not fix the issues relating to access to driveways and will also increase traffic on other residential streets, this is not supported.
- Staggering the car parking either side of the street, is confusing for traffic will reduce parking numbers, this is not supported.
- Parking one side of the street is the preferred option, with the north side achieving the best parking solution, allowing one more parked vehicle than the south side.
- No exemption should be granted for parking on nature strips in any location in the municipality.

Implications

Policy Considerations

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

Financial/Economic Implications

There are no major financial or economic implications identified for the subject of this report. Minor costs for signage is acceptable.

Legal/Statutory

There are no legal/statutory implications identified for the subject of this report, provided that the solution is legal to the *Road Safety Road Rule 2009*.

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 (2018 Revision)

This report supports the 2017-2021 Council Plan:

Goal**We are established**

We are Healthy

We will plan and make decisions for the future:

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

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

N/A

b) Other strategic links

N/A

Risk Management

Assessed as Low risk provided that a legal solution is implemented.

Non-compliance with parking rules creates obstructions which affects pedestrian access. The various parking solutions suggested improves access for vehicles while still achieving reasonable parking.

Consultation

Officers believe that appropriate consultation has occurred, with a petition for action, consultation in person with residents actively supporting the petition and the matter is now ready for Council consideration.

Options for Consideration

- a. To consult the residents of Johnston's Lane further to gauge response to the proposal for parking.
- b. To implement parking on the north side of Johnston's Lane only by signage, and to implement 'one way' access.
- c. Allow the current rules to remain, making clear that parking is not permitted on the footpath and residents should ensure their parked vehicles do not obstruct access through the street.

Conclusion

Having considered the views of residents through complaints, a petition and direct dialogue, the recommendation of Infrastructure Services is considered the best solution to the issue expressed in the petition. Parking on the north side of Johnston's Lane only will allow for legal parking with improved pedestrian and vehicle access throughout the street, allowing for cars to pass each other, and improve access to driveways.

Attachments

Nil.

Public Questions

Carl & Sharon Stibilj: *As new residents to Johnstons Lane, we wish to pose the following question: Why can't vehicles park on the kerb without penalty, to allow easier access for other residents and, particularly, emergency vehicles?*

In our short time here, it has become evident, that apart from residents, there is very little pedestrian traffic that uses Johnstons Lane.

As a Senior Station Officer based at Wangaratta Fire Station, I know that without allowing vehicles to park this way, there is no way we would be able to get our new Scania Pumper down the street for an emergency situation.

Stephen Swart - Director Development Services: In terms of allowing parking on footpaths that is simply not something that is permissible by the road safety rules of Victoria, this is the Victorian legislation which overrules our local laws. We have certainly considered emergency vehicle access as part of our considerations and we have considered options to allow for easier access for bigger vehicles through Johnstons Lane. We have also consulted with the CFA about the size and the width of their vehicles, they have provided us with some information which is actually documented in this Council report. It says that their vehicles are three metres wide but need four metres clearance.

Mary Ann Sargent: *Have any of the CMT driven down Johnstons Lane when cars are parked legally and witnessed the difficulties we face daily as residents in trying to get in and out of our driveways. When the cars are staggered (as you are proposing should be the case), it is almost impossible to reverse out of our driveways and even more so when we are attempt to back a trailer, caravan or boat into our driveways?*

Stephen Swart - Director Development Services: Yes I have been down to Johnstons Lane myself a couple of weeks ago during the day and experienced myself it is quite a narrow road and not easy to manoeuvre. There were cars parked fully on the road but also some on the kerb and I understand it allows a little more room to manoeuvre. Just to clarify we are not recommending staggered parking we are recommending parking on just one side of Johnstons Lane.

Jenny Hopkins: *I have already written to Council regarding my concerns re parking on the road however would like to reiterate my concerns regarding the inconvenience this has caused.*

I am unfortunately unable to attend the meeting at 6pm 11th December 2018 due to a prior commitment however would like my concerns noted.

Since vehicles have parked flat on the road in the last few months, it has increased the difficulty in gaining vehicle access to my property. I have now been unable to enter my driveway on 4 separate occasions since the

information from Council was received. I have lived here for 25 years and can only remember once before having this issue. The issue has been due to there being insufficient space to safely turn into my driveway as a direct consequence of cars being parked entirely on the road. This included one weekend when the road was supposedly closed to non-residents (but the road closure signs were not supervised in any way) due to an event at the Showgrounds when it was clearly extensively used by those choosing to park here to attend the event.

On the other occasions, there have been a range of cars, mostly non-residents, parked extensively towards the Grey St end of Johnstons Lane which made it too difficult to safely maneuver my car into the driveway. It was also challenging to drive through the parked vehicles as there was very little clearance; it would have been difficult for a wider emergency vehicle to use the road.

In previous years, property access has not been an issue as most people who had to park on the road chose to minimise their impact on others by parking with two wheels up on the footpath. They also continued to allow footpath access to people by not parking excessively on the footpath.

I would genuinely appreciate that vehicles were again allowed to park up on the footpath and suggest that council perhaps consider painting a line on the footpath to clarify an allowable distance.

Stephen Swart - Director Development Services: Allowing cars to park up on the footpath is not a legal option available to us. This question illustrates exactly why we needed to consider alternate parking arrangements because of the parking difficulties people are experiencing there. I believe the solution we have come up with will provide good access to driveways, will also provide for vehicles to have through access including larger vehicles including CFA and other emergency vehicles whilst providing access to pedestrians.

Dianne Hoffard: *If this decision be set as a 6 month trial period?*

Stephen Swart - Director Development Services: If it is implemented and not working well we will definitely revisit it.

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

18.1 ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 11 December 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. Economic Development & Tourism Advisory Committee Meeting
2. Arts, Culture and Heritage Advisory Committee

RECOMMENDATION:

(Moved: Councillor K Clarke OAM/Councillor M Currie)

That Council notes the minutes of these Committees.

Carried

Attachments

- 1 Economic Development and Tourism Advisory Committee Meeting Minutes
- 2 Arts Culture & Heritage 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: 11 December 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
13 November 2018	Economic Development and Tourism Advisory Committee	Attachment
19 November 2018	Councillor Briefing Forum	Attachment
26 November 2018	Councillor Briefing Forum	Attachment
3 December 2018	Councillor Briefing Forum	Attachment

RECOMMENDATION:

(Moved: Councillor K Clarke OAM/Councillor M Currie)

That Council receives the reports of Assemblies of Councillors.

Carried

Attachments

- 1 Assembly of Councillors - Economic Development and Tourism Advisory Committee 20181113
- 2 Assembly of Councillors - Briefing Forum - 20181119
- 3 Assembly of Councillors - Briefing Forum - 20181126
- 4 Assembly of Councillors - Briefing Forum - 20181203

20. NOTICES OF MOTION

Nil

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

Chris Balfour: *Can Council provide an update regarding the construction of commercial hangers at the airport. When the tenders will be called for, when construction may commence, have we got tenants for that construction and will it allow the lease of land for private hangers?*

Brendan McGrath - CEO: Stephen Swart and I recently met with the new president and another representative of the Aero Club to try and resolve this issue. The Aero Club still has some reservations around the exact final location of the new commercial hangers and some questions about what impact that final location might have on their current location. What we have agreed to do is get representatives from their group together with a couple of representatives from our team. We have agreed that we would secure the services of an independent expert on things like CASA regulations so we can have clarity about what categories and classifications need to be. Some questions are at the moment up in the air particularly for the Aero Club so our intent is to have that discussion very quickly which will enable us to make a final decision about the absolute location of the new hangers. In the meantime our Economic Development team are talking to a number of potential tenants for those buildings and their specific requirements. A conclusion will be made fairly quickly once we have had the final round table with the Aero Club about final design and what impacts that will have on the Aero Club. In relation to private hangers we have been continuing to receive some expressions of interest from people who want to develop new private hangers. Part of the work we will do with the previously mentioned independent expert is to make sure we get absolute clarity about minimum requirements versus what is desirable to help us finalise the scope and design.

Chris Balfour: *Is Council aware that the non-directional beacon situated on private land was decommissioned in 2016 and have any steps been made to remove those towers?*

Stephen Swart - Director Development Services: Unfortunately I do not know the answer to this but will follow this up.

John Allen - St Johns Committee Member: *Are we any nearer to finding a solution for the parking area at St Johns and what is the impending timeframe?*

Alan Clark - Director Infrastructure Services: We have designed that work and it is being presented to Council as a project to be considered for next year's budget. Until that budget discussion takes place, I cannot give you a time. If it is

included in next year's budget it is designed ready to go, so we can go out early in the financial year.

Brian Fox: *Mr Mayor the contract regarding the Ovens Street that was just awarded, does this give permission to the contractor to knock down the seven trees in Ovens Street?*

Mayor Dean Rees: Yes that is correct.

Mr Brian Jones: *Is there any chance of improving the accessibility over the Ovens River and could a traffic bridge be put down on the end of Ovens Street?*

Alan Clark - Director Infrastructure Services: This has been discussed for many years and it is not on the table at the moment. It is not on our plans or on any state plans.

23. CONFIDENTIAL BUSINESS

Nil

24. CLOSURE OF MEETING

The meeting closed at 7.10pm.